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 20, 2015

The Council met at 7:02 P.M.

The Council President Nadrowski announced: "I would like to advise all those present that notice of this regular meeting of the Municipal Council of the City of Bayonne of May 20, 2015 has been provided to the public in accordance with the provisions of the Open Public Meetings Act of the State of New Jersey. Notice of time and place of the meeting has been included in the annual notice of meetings, which was posted and filed with the City Clerk, and with the Jersey Journal and the Star Ledger. An additional notice of time and place was posted and filed with the City Clerk and was forwarded to the Jersey Journal and the Star Ledger by on May 15, 2015."

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 Cotter, Gullace, LaPelusa, Perez and President Nadrowski.

The Council President led the Pledge of Allegiance.

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01. Kenneth Ortiz and Abett Hernandez addressed the council regarding the Spanish American Parade.

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02. Ramon Veloz addressed the council on the subject of the Spanish American Parade.

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03. Amy Goldsmith addressed the council on the subject of clean air strategy particularly with respect to the operation of the ports in the region.

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04. Dorothy Rose Forgione addressed the council on the subject of taxes being too high and section 8 housing.

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05. The clerk announced, "The Cy 2015 Local Municipal Budget, which was approved at a meeting held April 22, 2015, was published in the Jersey Journal and posted on the bulletin board by summary as required by law, with notice that it would be further considered following a public hearing at this meeting of May 20, 2015, is now before the Council for its consideration and a pubic hearing.

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

WHEREAS, the CY 2015 Local Municipal Budget of the City of Bayonne was approved on April 22, 2015, was published in the Jersey Journal on May 11, 2015, and was posted on the bulletin board as required by law with notice that it would be the subject of a public hearing at this regular meeting of May 20, 2015, and was made available to any member of the public requesting a copy of it during the week preceding and at this public meeting; now, therefore, be it

RESOLVED, by not less than a majority of its full authorized membership, that the Municipal Council of the City of Bayonne hereby determines that the CY 2015 Local Municipal Budget of the City of Bayonne be read by its title.

Yeas - Council Members Cotter, Gullace, LaPelusa, Perez and President Nadrowski.

The Clerk read the ordinance by title: "THE CY2015 LOCAL MUNICIPAL BUDGET"

The Clerk announced, "The Council is now ready to give all persons interested in this municipal budget 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 budget or to its passage.

Council Member Nadrowski moved to close the hearing, seconded by Council Member Gullace, which motion was adopted.

Yeas - Council Members Cotter, Gullace, LaPelusa, Perez and President Nadrowski.

Council Member LaPelusa moved the following resolution to table to such time as the council determines, seconded by Council Member Perez, which was read by the Clerk and adopted.

BE IT RESOLVED, that further consideration of the CY 2015 Local Municipal Budget be tabled to such time as the council determines.

Yeas - Council Members Cotter, Gullace, LaPelusa, Perez and President Nadrowski.

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06. The clerk announced:

AN ORDINANCE ENTITLED, "ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING THE 8TH STREET STATION REHABILITATION PLAN", which was introduced and passed a first reading at a meeting held on March 18, 2015, was published in the Jersey Journal and posted on the bulletin board as required by law, with notice that it would be further considered for final passage following a public hearing at the meeting of April 22, 2015, as which time it passed a second reading, a public hearing was held, and was tabled for further consideration to this meeting of May 20, 2015, and was referred to the planning board for its review and a report, is now before the council for its consideration and a continued public hearing.

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: Louis Ripps - 876 Kennedy Boulevard
Bob Tessia - Dept. of Community Affairs
James P. Dugan

The Clerk announced, "No protest against, objections to, or statements in favor of this ordinance or its passage have been filed with me."

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

Yeas - Council Members Cotter, Gullace, LaPelusa, Perez and President Nadrowski.

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

WHEREAS, on March 18, 2015, the Municipal Council of the City of Bayonne, County of Hudson, New Jersey (the "City") introduced an ordinance entitled, "ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING THE 8TH STREET STATION REHABILITATION PLAN"; and

WHEREAS, the 8th Street Station Rehabilitation Plan was dated February 3, 2015; and

WHEREAS, on April 22, 2015, the Municipal Council tabled said ordinance, following a public hearing; and

WHEREAS, the 8th Street Station Rehabilitation Plan was subsequently revised to correct several typographical errors and incorporate insubstantial changes, and as a result, the Rehabilitation Plan is now dated March 9, 2015 and revised through April 24, 2015 (the "Rehabilitation Plan"); and

WHEREAS, the Municipal Council desires to amend the Ordinance to reference the Rehabilitation Plan as updated,

NOW, THEREFORE, BE IT RESOLVED that:

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

Section 2. The relevant portions of the recitals of the Ordinance are hereby amended to provide as follows (additions underlined):

WHEREAS, the Rehabilitation Plan was revised to correct several typographical errors and incorporate insubstantial changes, and as a result, the Rehabilitation Plan is now dated March 9, 2015 and revised through April 24, 2015; and

WHEREAS, upon receipt of the Planning Board's Resolution and recommendations relating to the Rehabilitation Plan with subsequent revisions incorporated therein, the Municipal Council believes that the adoption of the Rehabilitation Plan is in the best interests of the City for the redevelopment of the Rehabilitation Area.

Section 3. Section 2 of the Ordinance is also revised as follows:
The Rehabilitation Plan, revised through April 24, 2015, attached hereto as Exhibit B and made a part hereof, is hereby adopted pursuant to the terms of N.J.S.A. 40A:12A-7 of the Redevelopment Law. Further, the Rehabilitation Plan shall amend, replace and supersede any prior plans with respect to Rehabilitation Area, except where the Rehabilitation Plan specifically states otherwise.

Section 4. All other provisions of the Ordinance shall remain the same.

Section 5. This Resolution shall take effect immediately.

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

WHEREAS, an ordinance entitled, "ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING THE 8TH STREET STATION REHABILITATION PLAN," was introduced and passed a first reading at a meeting held March 18, 2105, was published in the Jersey Journal and posted on the bulletin board as required by law, with notice that it would be further considered for final passage following a public hearing at the meeting of April 22, 2015, at which time it passed a second reading, a public hearing was held, and was tabled for further consideration to this meeting of May 20, 2015; and

WHEREAS, said ordinance was referred to the Planning Board as required by the Municipal Land Use Law for a report; and

WHEREAS, the Planning Board has reviewed the said ordinance and has forwarded a resolution approving same; and

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

WHEREAS, certain amendments were made to the ordinance at this meeting, which counsel has opined do not substantially alter its subject matter; 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-15-13.

Yeas - Council Members Cotter, Gullace, LaPelusa, Perez and President Nadrowski.

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07. The Clerk announced, AN ORDINANCE ENTITLED, " ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING AN AMENDED

REDEVELOPMENT PLAN FOR BLOCK 163, LOT 45 (COMMONLY REFERRED TO AS 662-666 AVENUE C)," which was introduced and passed a first reading at a meeting held April 22, 2015, was published in the Jersey Journal and posted on the bulleting 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 20, 2015, is now before the Council for its consideration and a public hearing.

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

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

The Clerk read the ordinance by title: "ORDINANCE ENTITLED, " ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING AN AMENDED REDEVELOPMENT PLAN FOR BLOCK 163, LOT 45 (COMMONLY REFERRED TO AS 662-666 AVENUE C),"

The Clerk announced, "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 read the Planning Board Report:

RESOLUTION OF THE CITY PLANNING BOARD OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY, TRANSMITTING THE AMENDED SCATTERED SITE REDEVELOPMENT PLAN FOR BLOCK 163, LOT 45 OVERLAY ZONING TO THE CITY COUNCIL OF THE CITY OF BAYONNE PURSUANT TO N.J.S.A. 40A:12-A-7

WHEREAS, the Local Redevelopment and Housing law, N.J.S.A. 40a:12A-1, et seq. (and as amended from time to time, the "Redevelopment Law"), authorizes municipalities to determine whether certain parcels of land in the municipality constitute areas in need of redevelopment; and

WHEREAS, the City Council adopted a resolution pursuant to which it directed the City Planning Board to determine whether the study area meets a statutory criteria designed as an area in need of development pursuant to N.J.S.A. 40a12a-5 and to consider a redevelopment plan for the area; and

WHEREAS, pursuant to N.J.S.A.40A:12A-6 the City Planning Board has reviewed the redevelopment plan and finds that its is consistent with the purpose of the City of Bayonne Master Plan; and

WHEREAS, the Master Plan of the City of Bayonne sets forth certain goals such as to provide a balance of and uses in appropriate locations to preserve the residential character of the community, encourage economic development, increase parks and open space, accommodate community facilities and facilitate local and regional circulation. To provide multi-family residential development that will benefit the entire City and capitalize on proximity to public transit and commercial development. To promote the more effective use of property that will, in turn, increase the property tax base. To provide sufficient off-street parking on site and to improve the aesthetic image of the City; and

WHEREAS, the Master Plan of the City of Bayonne sets forth certain land use objectives such as to incorporate adequate parking into new developments and address quality of life issues resulting from land use conflicts, intensive commercial and industrial uses, increases in residential and commercial districts; and

WHEREAS, the Master Plan of the City of Bayonne sets forth certain housing objectives such as to provide a balance of housing options to meet the needs of all residents, including low and moderate income housing, middle income housing and market rate or luxury housing; and

WHEREAS, the Master Plan of the City of Bayonne sets forth circulation objectives, such as to evaluate and implement methods of providing adequate parking to serve existing developments and proposed redevelopment; and

WHEREAS, the provisions of the redevelopment plan are substantially consistent with the Municipal Master Plan which envisions the site for multi-family residential development that will benefit the entire City and capitalize on proximity to public transit and commercial development; and

WHEREAS, the Planning Board of the City of Bayonne has reviewed the proposed and Redevelopment Plan and the City of Bayonne Master Plan. The Planning Board concludes that the Amended Scattered Site Redevelopment for Block 133, Lot 45 and Master Plan are consistent.

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

1. Pursuant to N.J.SA. 40a:12A-7(f) the City Planning Board hereby transmits to the City Council the Redevelopment Plan which is attached hereto as Exhibit A and adopts the Whereas clauses set forth above as part of its recommendations based on its review of the proposed Redevelopment Plan.

2. The Secretary of the Planning Board shall forward a copy of this Resolution to the City Clerk

3. This Resolution shall take effect immediately.

The Clerk announced, "No protest against, objections to, or statements in favor of this ordinance or its passage have been filed with me."

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

Yeas - Council Members Cotter, Gullace, LaPelusa, Perez and President Nadrowski.

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

WHEREAS, an ordinance entitled, "ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING AN AMENDED REDEVELOPMENT PLAN FOR BLOCK 163, LOT 45 (COMMONLY REFERRED TO AS 662-666 AVENUE C)," was introduced and passed a first reading at a meeting held April 22, 2015, 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 20, 2015; and

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

WHEREAS, said ordinance was referred to the Planning Board as required by the Municipal Land Use Law for a report; and

WHEREAS, the Planning Board has reviewed the said ordinance and has forwarded a resolution approving same; 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-15-14.

Yeas - Council Members Cotter, Gullace, LaPelusa, Perez and President Nadrowski.

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08. The Clerk announced, "CALENDAR YEAR 2015 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.24)," which was introduced and passed a first reading at a meeting held April 22, 2015, was published in the Jersey Journal and posted on the bulleting 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 20, 2015, is now before the Council for its consideration and a public hearing.

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

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

The Clerk read the ordinance by title: "CALENDAR YEAR 2015 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.24),"

The Clerk announced, "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 announced, "No protest against, objections to, or statements in favor of this ordinance or its passage have been filed with me."

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

Yeas - Council Members Cotter, Gullace, LaPelusa, Perez and President Nadrowski.

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

WHEREAS, an ordinance entitled, "CALENDAR YEAR 2015 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.24)," was introduced and passed a first reading at a meeting held April 22, 2015, 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 20, 2015; and

WHEREAS, said ordinance was forwarded to the Division of Local Government Services as required by law; and

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

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

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

RESOLVED, that the said ordinance be passed and designated as Ordinance No. O-15-15.

Yeas - Council Members Cotter, Gullace, LaPelusa, Perez and President Nadrowski.

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09. The Clerk announced, AN ORDINANCE ENTITIELD, "BOND ORDINANCE PROVIDING FOR VARIOUS 2015 CAPITAL IMPROVEMENTS, BY AND IN THE CITY OF BAYONNE, IN THE COUNTY OF HUDSON, STATE OF NEW JERSEY (THE "CITY"); APPROPRIATING $3,975,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF $3,780,000 BONDS OR NOTES OF THE CITY TO FINANCE PART OF THE COSTS THEREOF," which was introduced and passed a first reading at a meeting held April 22, 2015, was published in the Jersey Journal and posted on the bulleting 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 20, 2015, is now before the Council for its consideration and a public hearing.

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

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

The Clerk read the ordinance by title: "BOND ORDINANCE PROVIDING FOR VARIOUS 2015 CAPITAL IMPROVEMENTS, BY AND IN THE CITY OF BAYONNE, IN THE COUNTY OF HUDSON, STATE OF NEW JERSEY (THE "CITY"); APPROPRIATING $3,975,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF $3,780,000 BONDS OR NOTES OF THE CITY TO FINANCE PART OF THE COSTS THEREOF," The Clerk announced, "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 announced, "No protest against, objections to, or statements in favor of this ordinance or its passage have been filed with me."

Council Member Cotter moved to close the hearing, seconded by Council President Nadrowski, which motion was adopted.

Yeas - Council Members Cotter, Gullace, LaPelusa, Perez and President Nadrowski.

Council Member LaPelusa moved the following resolution to amend, seconded by Council Member Gullace, which was read by the Clerk and adopted.

WHEREAS, an ordinance entitled, "BOND ORDINANCE PROVIDING FOR VARIOUS 2015 CAPITAL IMPROVEMENTS, BY AND IN THE CITY OF BAYONNE, IN THE COUNTY OF HUDSON, STATE OF NEW JERSEY (THE "CITY"); APPROPRIATING $3,975,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF $3,780,000 BONDS OR NOTES OF THE CITY TO FINANCE PART OF THE COSTS THEREOF," was introduced and passed a first reading at a meeting held April 22, 2015, 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 20, 2015; 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-15-16.

Yeas - Council Members Cotter, Gullace, LaPelusa, Perez and President Nadrowski.

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10. The Clerk announced, "AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC," which was introduced and passed a first reading at a meeting held April 22, 2015, was published in the Jersey Journal and posted on the bulleting 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 20, 2015, is now before the Council for its consideration and a public hearing.

Council President Nadrowski moved that the following resolution of second reading be adopted, seconded by Council Member Cotter, which motion was adopted.

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

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

The Clerk announced, "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 announced, "No protest against, objections to, or statements in favor of this ordinance or its passage have been filed with me."

Council President Nadrowski moved to close the hearing, seconded by Council Member Cotter, which motion was adopted.

Yeas - Council Members Cotter, Gullace, LaPelusa, Perez and President Nadrowski.

Resolution for final passage was not moved. FAILED ADOPTION.

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11. The Clerk announced, "AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC," which was introduced and passed a first reading at a meeting held April 22, 2015, was published in the Jersey Journal and posted on the bulleting 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 20, 2015, is now before the Council for its consideration and a public hearing.

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

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

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

The Clerk announced, "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 announced, "No protest against, objections to, or statements in favor of this ordinance or its passage have been filed with me."

Council President Nadrowski moved to close the hearing, seconded by Council Member Gullace, which motion was adopted.

Yeas - Council Members Cotter, Gullace, LaPelusa, Perez and President Nadrowski.

Resolution for final passage was not moved. FAILED ADOPTION.

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12. The Clerk announced, "AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC," which was introduced and passed a first reading at a meeting held April 22, 2015, was published in the Jersey Journal and posted on the bulleting 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 20, 2015, is now before the Council for its consideration and a public hearing.

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

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

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

The Clerk announced, "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 person spoke: Joe Santos - 40 West 24th Street

The Clerk announced, "No protest against, objections to, or statements in favor of this ordinance or its passage have been filed with me."

Council Member Perez moved to close the hearing, seconded by Council Member Cotter, which motion was adopted.

Yeas - Council Members Cotter, Gullace, LaPelusa, Perez and President Nadrowski.

Council President Nadrowski moved to amend the ordinance to changer the hours to 8:00 Am TO 5:00 pm, seconded by Council Member Cotter, which motion was adopted.

Yeas - Council Members Cotter, Gullace, LaPelusa, Perez and President Nadrowski.

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

WHEREAS, an ordinance entitled, "AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC," was introduced and passed a first reading at a meeting held April 22, 2015, 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 20, 2015; 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, said ordinance was amended at this meeting to reduce the hours during which parking will be prohibited, which amendment does not substantially alter the subject of the ordinance; 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-15-17.

Yeas - Council Members Cotter, Gullace, LaPelusa, Perez and President Nadrowski.

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13. The Clerk announced, "AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC," which was introduced and passed a first reading at a meeting held April 22, 2015, was published in the Jersey Journal and posted on the bulleting 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 20, 2015, is now before the Council for its consideration and a public hearing.

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

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

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

The Clerk announced, "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 announced, "No protest against, objections to, or statements in favor of this ordinance or its passage have been filed with me."

Council Member Perez moved to close the hearing, seconded by Council Member Cotter, which motion was adopted.

Yeas - Council Members Cotter, Gullace, LaPelusa, Perez and President Nadrowski.

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

WHEREAS, an ordinance entitled, "AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC," was introduced and passed a first reading at a meeting held April 22, 2015, 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 20, 2015; 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, said ordinance was amended at this meeting to reduce the hours during which parking will be prohibited, which amendment does not substantially alter the subject of the ordinance; 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-15-18.

Yeas - Council Members Cotter, Gullace, LaPelusa, Perez and President Nadrowski.

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14. Council Member Cotter introduced:

AN ORDINANCE VACATING A PORTION OF DEL MONTE DRIVE, BAYONNE, NEW JERSEY

WHEREAS, the City of Bayonne (the "City") does possess rights-of-way through all public streets, thoroughfares and sidewalks located within the City; and

WHEREAS, the City is authorized pursuant to N.J.S.A. 40:67-1 et seq. and N.J.S.A. 40-A:12-5 to establish, change the grade of or vacate any public street, highway, lane or alley, or any part thereof at the discretion of the City; and

WHEREAS, Bayonne Landco, LLC, a New Jersey limited liability company ("Landco") is actively engaged and is anticipated to enter into a Redevelopment Agreement with the City of Bayonne relative to the redevelopment of certain parcels of land bearing the designations of Block 195, Lot 2 and Block 196, Lots 1-2, 4-7 on the Tax Map of the City of Bayonne and which are abutting, adjacent to, and including a portion of Del Monte Drive, a parcel more particularly described by the metes and bound description attached to the Vacation Map and attached as Exhibit A to the Ordinance; and

WHEREAS, Del Monte Drive is located within the City of Bayonne, County of Hudson, State of New Jersey; and

WHEREAS, the City is authorized to vacate that portion of Del Monte Drive as set forth in Exhibit "A"; and

WHEREAS, the area being vacated is no longer necessary for the general public use, and the rights of the public will not be injuriously or adversely affected by the requested vacation, and such vacation advances the public safety and welfare; and

WHEREAS, Barnabas Health Realty – Bayonne Project, LLC is the contract purchaser or fee title owner of certain real property located on the adjacent lots immediately east of the desired portion of Del Monte Drive to be vacated, more specifically identified as Block 196, Lots 1-2, 4-7 on the official Tax Map of the City of Bayonne (the "Property"); and

WHEREAS, the City owns the property located on the adjacent lot immediately west of the desired portion of Del Monte Drive to be vacated, more specifically identified as Block 195, Lot 2 on the official Tax Map of the City of Bayonne ("the City Property"); and

WHEREAS, the proposed development will include a private road from 23rd to 24th Streets near the site of the former Del Monte Drive as part of the development ("the New Street"); and

WHEREAS, the Municipal Engineer and Municipal Traffic Engineer have reviewed and approved the proposed vacation of this portion of Del Monte Drive; and

WHEREAS, the Municipal Council having held a public hearing thereon, and no objections having been made thereto;

NOW, THEREFORE, be it ordained by the Municipal Council of the City of Bayonne as follows:

Section I: All parts or portions of Del Monte Drive adjacent to Block 195, Lot 2 and Block 196, Lots 1-2, 4-7, and as hereinafter more particularly described and as are shown and delineated on Exhibit "A", which is annexed to this Ordinance, be and the same are hereby vacated and included into the adjacent Lots as to be determined and identified by the Municipal Tax Assessor, and the public easement and rights therein be and the same are hereby extinguished subject to the reservation of rights in Section III herein, which parts of the aforesaid street are more particularly described in the metes and bounds descriptions contained in Exhibit "A" to this Ordinance, which is incorporated herein by reference.

Section II: Bayonne Landco, LLC shall file this Ordinance and the Maps with the Register of the County of Hudson within sixty (60) days after the Ordinance becomes effective.

Section III: This Ordinance shall be subject to the following:

1) In the event the utilities, if any, presently located under the roadways being vacated hereunder, are not moved to another location or abandoned in place, an easement in perpetuity is reserved for the benefit of the City of Bayonne, Bayonne Municipal Utilities Authority and all public utility companies, including any cable television company as defined in the Cable Television Act, P.L. 1972, c. 186 (c. 48:5A-1 et seq.) for the purpose of ingress and egress over and upon the area subject to this vacation ordinance in order to maintain, repair or replace existing utility facilities including water lines, sewer lines, gas line and telephone, electrical and cable television wires and poles which may be located either beneath or above the surface of the area subject to this vacation ordinance.

2) No buildings or structures of any kind may be constructed over the water or sewer utilities within this area subject to the easement without the consent of the City Engineer of the City of Bayonne and/or the Bayonne Municipal Utilities Authority unless and until those utilities are relocated and/or abandoned.

3) The City shall reserve an easement in the New Street for the general public use, access for ingress and egress, for the public safety and general welfare of the City and its citizens.

Section IV: All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed.

Section V: This Ordinance shall be a part of the City of Bayonne Code as though codified and fully set forth therein. The City Clerk shall have this Ordinance codified and incorporated in the official copies of the City of Bayonne Code.

Section VI: This Ordinance shall take effect at the time and in the manners provided by law.

Section VII: The City Clerk and the Corporation Counsel are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this Ordinance reveals that there is a conflict between those numbers and the existing code in order to avoid confusion and possible accidental repeal of the existing provisions.

Council Member Cotter moved the following resolution to amend, seconded by Council Member LaPelusa, which was read by the Clerk and adopted.

BE IT RESOLVED, that an ordinance entitled "AN ORDINANCE VACATING A PORTION OF DEL MONTE DRIVE," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, June 17, 2015 at 7:00 P.M., or as soon thereafter as the matter can be reached, and the Dorothy E. Harrington Council Chamber, Municipal Building, 630 Avenue, Bayonne, New Jersey, are hereby fixed as the time and place when and where such ordinance will be further considered for final passage, at which time and place all persons interested shall be given an opportunity to be heard concerning the same; and, be it further

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

Yeas - Council Members Cotter, Gullace, LaPelusa, Perez and President Nadrowski.

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15. Council Member LaPelusa introduced

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

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

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

RESTRICTIVE PARKING ZONES

DELETE

010. Patricia Acevedo, 51 Avenue E, Apt. 1G
Beginning at a point on the west side of Avenue E, 63 feet north of the northwest corner of Avenue E and East 11th Street, and extending to a point 18 feet north thereof.

087. Walter Bilyk, 20 Cottage Street
Beginning at a point on the south side of Cottage Street, 240 feet west of the southwest corner of Cottage Street and Orient Street, and extending to a point 22 feet west thereof.

062. Donna Mari, 113 West 8th Street
Beginning at a point on the north side of West 8th Street, 67 feet west of the northwest corner of Kennedy Boulevard and West 8th Street, and extending to a point 16 feet west thereof.

115. Helen Warzecha, 798 Broadway
Beginning at a point on the north side of East 36th Street, 69 feet east of the northeast corner of Broadway and East 36th Street, and extending to a point 21 feet east thereof.

168. Louise Wyrick, 15 Sunset Avenue
Beginning at a point on the west side of Sunset Avenue, 147 feet north of the northwest corner of Sunset Avenue and West 54th Street, and extending to a point 17 feet north thereof.

310. Michael Petruska, 111 West 4th Street
Beginning at a point on the west side of Humphrey Avenue, 44 feet north of the northwest corner of Humphrey Avenue and West 4th Street, and extending to a point 18 feet north thereof.

327. Joseph DiGiorgio, 214 Avenue B
Beginning at a point on the east side of Avenue B, 53 feet south of the southeast corner of Avenue B and West 49th Street, and extending to a point 20 feet south thereof.

ADD

048. Anthony M. Feminello, 132 West 54th Street

Beginning at a point on the south side of West 54th Street, 221 feet east of the southeast corner of Kennedy Boulevard and West 54th Street, and extending to a point 20 feet east thereof.

062. Solomon Baker, 34 East 17th Street
Beginning at a point on the south side of East 17th Street, 163 feet east of the southeast corner of Court Place and East 17th Street, and extending to a point 18 feet east thereof.

087. Marie Hemmings, 89 West 53rd Street
Beginning at a point on the north side of West 53rd Street, 292 feet east of the northeast corner of Avenue B and West 53rd Street, and extending to a point 19 feet east thereof.

115. Francesco Miele, 11 West 27th Street
Beginning at a point on the north side of West 27th Street, 119 feet west of the northwest corner of Broadway and West 27th Street, and extending to a point 18 feet west thereof.

364. Karim Abdelmalak for his daughter, Hanna Noor, 81 Andrew Street
Beginning at a point on the north side of Andrew Street, 329 feet west of the northwest corner of Andrew Street and Avenue C, and extending to a point 20 feet west thereof.

RELOCATE

008. Bernard Malinconico from 87 West 55th Street to 69 West 55th Street
OLD LOCATION: Beginning at a point on the south side of West 55th Street, 366 feet west of the southwest corner of Avenue C and West 55th Street, and extending to a point 22 feet west thereof.
NEW LOCATION: Beginning at a point on the north side of West 55th Street, 68 feet west of the northwest corner of Avenue C and West 55th Street, and extending to a point 18 feet west thereof.

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

BE IT RESOLVED, that an ordinance entitled "AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, June 17, 2015 at 7:00 P.M., or as soon thereafter as the matter can be reached, and the Dorothy E. Harrington Council Chamber, Municipal Building, 630 Avenue, Bayonne, New Jersey, are hereby fixed as the time and place when and where such ordinance will be further considered for final passage, at which time and place all persons interested shall be given an opportunity to be heard concerning the same; and, be it further

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

Yeas - Council Members Cotter, Gullace, LaPelusa, Perez and President Nadrowski.

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

WHEREAS, Sigmund "Ziggy" Mackiewicz was born on January 31, 1932 in Bayonne, New Jersey and was raised as the youngest of nine children, along with his twin sister, on 22nd Street; and

WHEREAS, after graduating from Bayonne High School, Ziggy Mackiewicz entered the Marine Corp Reserves in 1950 and served our country as a Marine through 1952 and was one of the 224 Marines to first land in Korea via helicopter; and

WHEREAS, Ziggy Mackiewicz married the beautiful Irene Ward in 1958, joined the Bayonne Fire Department in 1960, rose to the rank of Captain by 1963 and served with honor in the Bayonne Fire Department for 29 years; and

WHEREAS, Ziggy Mackiewicz is fondly remembered by teenagers of a past generation as the owner and operator of Kristiansen's from 1960 through 1970; and

WHEREAS, Ziggy Mackiewicz was heavily involved in his community, whether it was the P.A.L., St. Vincent's or just touching the lives of those who lived around him on East 40th street where he raised his family; and

WHEREAS, members of the general public who had the opportunity to know Ziggy Mackiewicz and understand the positive impact that he had upon his 40th street neighborhood and the people who lived there with him have asked this Municipal Council to remember this wonderful individual by memorializing him in some fashion; now, therefore, be it

RESOLVED, that the park located at the southeast corner of 40th Street and Avenue E shall be henceforth known as Sigmund "Ziggy" Mackiewicz Park.

Yeas - Council Members Cotter, Gullace, LaPelusa, Perez and President Nadrowski.

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17. 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 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 Cotter, Gullace, LaPelusa, Perez and President Nadrowski.

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

From Robert Farber, Esq., filing notice of tort claim on behalf of JOHN HELBIG, alleging injuries sustained March 6, 2015 in a fall on the sidewalk at Avenue C and 2nd Street.

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

From TINA GOMEZ, filing notice of tort claim alleging property damage to her automobile on March 27, 2015 resulting from being struck by a police car at Avenue A and 19th Street.

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

From ADAM T. STRUYK, filing notice of tort claim alleging property damage to his automobile on March 10, 2015 resulting from striking a pot hole at Goldsborough Village Drive.

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

From JOSEPH RUSSELL CHRZANOWSKI, filing notice of tort claim alleging property damage to his automobile on March 5, 2015 resulting from being struck by a fire engine at Avenue B and 37th Street.

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

From the Superior Court of New Jersey, Law Division, Summons and Complaint in matter entitled, "NOCUM vs. THE CITY OF BAYONNE." (Fall in the street on November 1, 2013 at 22nd Street and Broadway)

* * * * * * * *

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

From the Tax Court of New Jersey, complaint in matter entitled, "175 AVENUE A HOLDINGS, LLC vs. CITY OF BAYONNE." (Avenue A & North Street, Block 300.01, lots 2 & 3 - commercial)

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

From the Tax Court of New Jersey, complaint in matter entitled, "McDONALD'S CORP. vs. CITY OF BAYONNE." (537-543 Broadway, Block 189, lot 24 - commercial)

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25. The council as a whole moved the following communication be received and filed, which motion was adopted.
From the Tax Court of New Jersey, complaint in matter entitled, "INSERRA SUPERMARKETS vs. CITY OF BAYONNE." (567-589 Avenue C, Block 182, lot 11.01 - commercial)

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

From the Tax Court of New Jersey, complaint in matter entitled, "THE FOUR B's vs. CITY OF BAYONNE." (688-692 Broadway, Block 154, lot 47 - commercial)

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

From the Tax Court of New Jersey, complaint in matter entitled, "RMDG SORBARA, LLC vs. CITY OF BAYONNE." (512-514 Broadway, Block 197, lot 4 - commercial)

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28. 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 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 Cotter, Gullace, LaPelusa, Perez and President Nadrowski.

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

May 12, 2015

Dear Council President Nadrowski
and Honorable Members of City Council:

I hereby appoint the following individual to the Planning Board of the City of Bayonne:

Ramy Lawandy	Term expiring on December 31, 2018
34 West 12th Street	(Unexpired term of Alice Lotosky)
Bayonne, NJ 07002	

In conjunction with this appointment the City Clerk is directed to add an accompanying communication on the May 20, 2015 Council Meeting Agenda.

Sincerely,
James M. Davis
(Mayor)

* * * * * * * *

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

From Terrance Malloy, Chief Financial Officer, reporting on vendor payments and recommending payment of the same.

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

DATE: April 2, 2015

TO: Terrence Malloy, CFO
Robert Sloan, City Clerk

CC: Leo J. Smith, Jr., School Business Administrator

FROM: Janet Convery, Treasurer

Please be advised that I have transferred the following to the Board of Education:

$4,949,372.83 CLAIMS & PAYROLL APRIL 2015

Janet Convery

* * * * * * * *

32. 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 Cotter, Gullace, LaPelusa, Perez and President Nadrowski.

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33. 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 22, 2015 be and the same are hereby approved.

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34. 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 15, 2015, be and the same are hereby approved.

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35. 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 Director of Finance 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
56	45.02	BCB Community Bank	2,326.57
64	4.22	Edward Varga	979.86
72	4	Nicholas D'Anna	2,679.33
77	32	Anthony Cofone	1,158.62
79	3.13	Jeffrey Brookman	929.62
108	42	Lisa Hernandez	2,278.35
141	2	Efat Gerges	4,576.10
143	11	Virginia Schiovello	2,621.83
186	29.34	Linda Hoshall	1,367.04
189	12	Ralph Lucarello	1,196.10
220	24	Michael Vespasiano, Esq./ Esposito Group	57,025.74
290	15	Anthony Perfetto	3,426.63
314	34	Nathan Gurto	2,024.24
343	21	Safinaz Morcos	1,815.92
346	4	Denise Gasbarro	410.82
356	14	Patricia Gorney	4,418.80
376	13	Raymond Anderson	892.01
428	10.02	Jose & Ana Martinez	1,077.35
443	10	Martha Velastegui	1,477.77
Total:			92,682.70

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

RESOLVED, that the actions of the Municipal Treasurer in issuing payment from Current Fund in the amount of $ 6,900,338.77 payable to the County of Hudson for Second Quarter County Taxes of 2015 is hereby ratified and confirmed.

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

RESOLVED, That a warrant in the amount of $ 68.40 be drawn of the Bureau of Rabies Control, State Department of Health, Trenton, New Jersey, covering the issuance of licenses Nos. 1144-1175 inclusive, 32 dog licenses, representing one dollar per license for the state fee, twenty cents per license for the state clinic and three dollars per license for non-spayed and non-neutered dogs.

* * * * * * * *

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

RESOLVED, that the actions of the Municipal Treasurer in issuing a warrant from the Unemployment Trust Fund in the amount of $ 24,743.83 payable to the State of New Jersey Division of Employer Accounts is hereby ratified and confirmed. Said warrant is for the City of Bayonne unemployment bills for quarter ending 03/31/2015.

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

WHEREAS, Resolution No. 04-01-19-062 authorized the Law Director to effectuate the return to the unsuccessful bidder any deposit money that the City of Bayonne may have on account in connection with the public auction sale of Block 284, Lot 22 (182 West 8th Street) on or about November 19, 2002; and

WHEREAS, a recent review of this file has revealed that the sum of $5,277.50 still remains on deposit in connection with this unsuccessful bid; now, therefore, be it

RESOLVED, that the sum of $5,277.50 shall be refunded to the unsuccessful bidder, Kamal Girgis; and, be it further

RESOLVED, that the Treasurer is hereby authorized to issue a warrant in the amount of $5,277.50 to Kamal Girgis representing the aforesaid refund, and, be it further

RESOLVED, that Kamal Girgis shall be required to sign a release waiving any claims against the City of Bayonne in connection with same.

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

WHEREAS, the Law Division was in need of a software upgrade for its Amicus Attorney program in order to establish a file and calendar management system; and

WHEREAS, the Amicus software had not been utilized or upgraded since June of 2009 and the law department had been operating without a comprehensive calendar and/or filing system since that time; and

WHEREAS, on February 24, 2015, due to exigent circumstances, the Law Director effectuated the Amicus software upgrade and document/data conversion at a cost of $7,931.00; now, therefore, be it

RESOLVED by the Municipal Counsel as follows:

1. The actions of the Corporation Counsel in effectuating the Amicus Attorney software upgrade and document/data conversion at a cost of $7,931.00 are hereby ratified and affirmed.

2. The actions of the Treasurer in issuing a warrant to Amicus Attorney in the amount of $7,931.00 are hereby ratified and confirmed.

3. Funds have been certified as available in Account 01-201-20-155-2-090.

* * * * * * * *

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

WHEREAS, Resolution No. 15-03-18-045 authorized an agreement with NV Endurance, Inc. (the "Contractor"), 19 Giles Avenue, Jersey City, NJ 07306 for event production and race management services in connection with the City's First Annual Bayonne 5K and Mayor's Mile scheduled to be held at 16th Street Park on Saturday, June 6, 2015 (the "Event"); and

WHEREAS, subsequent thereto, the City has been advised that the correct name of the Contractor is NV Events, LLC; and

WHEREAS, the aforesaid Resolution No. 15-03-18-045 did not reflect the maximum amount of the contract; and

WHEREAS, the aforesaid Resolution No. 15-03-18-045 reflected that funds shall be charged to Accounts GL and Race Donation Account; and

WHEREAS, the Contractor shall be paid a percentage of the proceeds generated through various fees paid by third parties associated with the Event at no cost to the City of Bayonne; and

WHEREAS, said proceeds shall be deposited into UEZ Trust Account; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. Resolution No. 15-03-18-045 is hereby amended to reflect that the name of the contractor is NV Events, LLC.

2. Funds shall be charged to UEZ Trust Account at no cost to the City of Bayonne subject to receipt of proceeds generated through various fees paid to the City by third parties in connection with the City's First Annual Bayonne 5K and Mayor's Mile event scheduled to be held at 16th Street Park on Saturday, June 6, 2015.

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

Re: Authorizing the acceptance of a gift in kind from Skanska for repair and replacement of roofs located within Collins Park

WHEREAS, the City Of Bayonne has received an offer from Skanska to replace and repair the roof on the public restrooms located in Collins Park; and

WHEREAS, Skanska has offered to cover all costs and expenses associated with the construction of the roofs including labor and material; and

WHEREAS, the City wishes to acknowledge and accept the in kind contribution from Skanska

NOW THEREFORE, BE IT RESOLVED by the City Council of Bayonne, that Skanska is permitted to repair and replace the roofs on the public restrooms located at Collins Park.

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

RESOLVED, that pursuant to N.J.S.A. 40A:11-36 and LFN-2008-9,the Municipal Council of the City of Bayonne hereby authorizes the purchasing agent to put up for auction Online at US GOV BID the vehicles listed on the attached memorandum, which are no longer needed for public use under the terms posted on the City of Bayonne's website at www.Bayonnenj.org and in the office of the City Clerk; and be it further

RESOLVED, that the property is being sold "As is/Where is".

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

BE IT RESOLVED, that the City Clerk be and is hereby authorized to advertise for bids for renovations and repairs at the Richard R. Korpi Ice Rink.

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

RESOLVED, That the applications of the below listed organizations for BINGO License be granted:

LICENSEE:	TIME & PLACE:	LICENSE NO:
St. Mary's Holy Name	7:30-10:00 PM 19 West 13th Street Jul. 10,17,24,31 Aug. 7,14,21,28 Sept. 4,11, 18,25 Oct. 2,9,16,23,30 Nov. 6,13,20,27 Dec. 4,11,18	BL: 2411

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46. 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	TIME & PLACE	LICENSE
Trinity Parish in Bergen Point	12:00-4:00 PM 1081 Broadway November 8, 2015	RL: 9033
St. Vincent de Paul R.C. Church	11:30 AM 979 Avenue C September 27, 2015	RL: 9034
Remember Me John Jack Santopietro	7:00-10:00 PM 669 Avenue c September 19, 2015	RL: 9035
Remember Me John Jack Santopietro	8:00-10:00 PM 669 Avenue c December 12, 2015	RL: 9036
Our Lady of Mt. Carmel Church	2:00 - 6:00 PM 39 East 23rd Street September 20, 2015	RL: 9037 RL: 9038 RL: 9039
Our Lady of Mt. Carmel Church	2:00 - 5:00 PM 39 East 23rd Street September 20, 2015	RL: 9040

Our Lady of Mt. Carmel Church	7:00 PM 39 East 23rd Street November 19, 2015	RL: 9041
Hudson County Animal League	6:30-10:30 PM 290 Avenue E June 27, 2015	RL: 9042 RL: 9043

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47. Council Member LaPelusa moved that the following resolution, seconded by Council Member Perez, which motion was adopted.

WHEREAS, the City of Bayonne is in need of application software support for computers housed in the Police Department; and

WHEREAS, Global Software, 62133 Collections Center Drive, Chicago, IL 60693-0621 has previously been awarded an annual contract for such services and has provided the City with an invoice for said services for the one-year period commencing July 1, 2015 and ending June 30, 2016, for a total contract amount of $13,408.00; and

WHEREAS, funds for said agreement have been certified as available in Account #PS-9/01-201-25-240-2-020 of the CY 2015 budget; and

WHEREAS, N.J.S.A. 40A:11-3(a), allows for the award of a contract without the necessity of public advertising for bids where the municipality has a Qualified Purchasing Agent, and when the cost or price does not exceed $36,000.00; now, therefore, be it

RESOLVED, that the Mayor and the City Clerk of the City of Bayonne are hereby authorized to enter into a service agreement with Global Software (formerly CISCO), 62133 Collections Center Drive, Chicago, IL 60693-0621, for annual software support services for the Police Department's CISCO brand Records Management Software (RMS), ECAD Dispatch Software, and other custom software interfaces, for the period commencing July 1, 2015 and ending June 30, 2016, for a total contract amount of $13,408.00, and said funds have been certified available in Account #PS-9/01-201-25-240-2-020; and be it further

RESOLVED, that the Municipal Treasurer be and is hereby authorized and directed to issue a warrant payable to Global Software in the amount of $13,408.00 in payment for such services.

Yeas - Council Members Cotter, Gullace, LaPelusa, Perez and President Nadrowski.

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48. Council Member Perez moved that the following resolution, seconded by Council President Nadrowski, which motion was adopted.

WHEREAS, the City of Bayonne, Office of Emergency Management has been advised that the city is eligible for a subgrant from the State Emergency Management Agency Assistance (EMAA) Grant Program from the New Jersey's Emergency Management Performance Grant (EMPG), for an amount up to $10,000.00 Federal Award and $10,000.00 Local Matching Funds, for the Performance Period of July 1, 2014 through June 30, 2015, for the purpose of enhancing Bayonne's ability to prevent, protect against, respond to and recover from acts of terrorism, natural disasters and other catastrophic events and emergencies; and

WHEREAS, the subgrant award is contingent upon he State of New Jersey's receipt of the Emergency management Performance Grant (EMPG); and

WHEREAS, the application for the anticipated allocation will be made to the county of Hudson Office of Emergency Management, which will review it for completeness and a certification of local agencies will be submitted to the NJOEM Emergency Response Bureau by the county; now, therefore be it

RESOLVED that the Mayor and/or such other official as may be required to submit the application for the Federal Fiscal Year (FFY) 2014 Homeland Security Emergency Management Performance Grant Program Subgrant in an amount up to $10,000.00 Federal Funds from the New Jersey State Police, Office of Emergency

Management be and is hereby authorized and directed to execute such documents as may be necessary to apply for the EMAA subgrant in an amount up to $10,000.00; and be it further

RESOLVED that the Municipal Council of the City of Bayonne hereby agrees to commit an amount up to $10,000.00 in cash or in-kind local match to the subgrant.

Yeas - Council Members Cotter, Gullace, LaPelusa, Perez and President Nadrowski.

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49. Council President Nadrowski moved that the following resolution, seconded by Council Member Perez, which motion was adopted.

WHEREAS, by way of Resolution No. 13-12-11-061 adopted by the Municipal Council on December 11,2013, the City entered into Agreement No. CY14-025 with Lenox Consulting, 60 Roseland Avenue, Caldwell, New Jersey 07006 for public relations, communications and graphic design services for the period commencing January 1, 2014 through December 31, 2014 for an amount not to exceed $25,000.00; and

WHEREAS, by way of Resolution No 14-12-10-040 adopted by the Municipal Council on December 10, 2014 said amount was increased to an amount not to exceed $36,000.00; and

WHEREAS, notwithstanding the December 31, 2014 expiration date, due to exigent circumstances, in order to protect the interests of the City of Bayonne and maintain services through the carryover period until the new contract was awarded to the new public relations, communications and graphic design services provider and to effectuate a smooth transition to the new provider, Lenox Consulting continued to provide said services for an additional four month period; and

WHEREAS, funds are certified as available in Accounts BA-2, SID & UEZ pending adoption of the CY2015 budget; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized to execute an Amendment to Agreement No. CY14-025 with Lenox Consulting for an additional four month period for an additional amount of $3,000.00 per month, for a total additional amount of $12,000.00, making the total contract amount not to exceed $48,000.00.

2. Funds shall be charged to Accounts BA-2, SID & UEZ.

Yeas - Council Members Cotter, Gullace, LaPelusa, Perez and President Nadrowski.

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50. Council Member LaPelusa moved that the following resolution, seconded by Council President Nadrowski, which motion was adopted.

WHEREAS, the City of Bayonne is in need of professional engineering services to provide general engineering services for the period terminating December 31, 2015; and

WHEREAS, Matrix New World Engineering, Inc., 442 State Route 35, 2nd Floor, Eatontown, New Jersey 07724 is qualified, ready, willing and able to provide said professional engineering services; and

WHEREAS, funds have been certified as available in Accounts BA-2 and various escrow accounts; and

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

WHEREAS, Matrix New World Engineering, Inc. has qualified pursuant to the Fair & Open Contracting Requirements pursuant to N.J.S.A.19:44A:20.4.5; now, therefore, be it

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

1. The Mayor and the City Clerk are hereby authorized and directed to execute an agreement with Matrix New World Engineering, Inc., 442 State Route 35, 2nd Floor, Eatontown, New Jersey 07724 to provide general engineering services for the period terminating December 31, 2015 for an amount not to exceed $225,000.00.

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

3. Funds have been certified as available in Accounts BA-2 and various escrow accounts.

Yeas - Council Members Cotter, Gullace, LaPelusa, Perez and President Nadrowski.

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51. Council Member Perez moved that the following resolution, seconded by Council Member Gullace, which motion was adopted.

WHEREAS, all of Hudson County has exposure to natural hazards that increase the risk to life, property, environment and the County's economy; and

WHEREAS, pro-active mitigation of known hazards before a disaster event can reduce or eliminate long-term risk to life and property; and

WHEREAS, The Disaster Mitigation Act of 2000 (Public Law 106-390) established new requirements for pre and post disaster hazard mitigation programs; and

WHEREAS, a coalition of Hudson County jurisdictions with like planning objectives has been formed to pool resources and create consistent mitigation strategies with Hudson County; and

WHEREAS, the coalition has completed a planning process that engages the public, assesses the risk and vulnerability to the impacts of natural hazards, develops a mitigation strategy consistent with a set of uniform goals and objectives, and creates a plan for implementing, evaluating and revising this strategy; now, therefore, be it

RESOLVED by the Municipal Council that the City of Bayonne:

1. Adopts in its entirety, the 2015 Hudson County All Hazard Mitigation Plan Update (the "Plan") as the jurisdiction's Natural Hazard Mitigation Plan, and resolved to execute the actions identified in the Plan that pertain to this jurisdiction.

2. Will use the adopted and approved portions of the Plan to guide pre- and post-disaster mitigation of the hazards identified.

3. Will coordinate the strategies identified in the Plan with other planning programs and mechanisms under its jurisdictional authority.

4. Will continue its support of the Mitigation Planning Committee as described within the Plan.

5. Will help to promote and support the mitigation successes of all participants in this Plan.

6. Will incorporate mitigation planning as an integral component of government and partner operations.

7. Will provide an update of the Plan in conjunction with the County no less than every five years.

Yeas - Council Members Cotter, Gullace, LaPelusa, Perez and President Nadrowski.

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52. Council Member LaPelusa moved that the following resolution, seconded by Council Member Perez, which motion was adopted.

WHEREAS, by way of Resolution No. 15-02-18-029 adopted by the Municipal Council on February 18, 2015, the City entered into Agreement No. CY15-029 with the

Bayonne Economic Opportunity Foundation (the "BEOF"), 555 Kennedy Boulevard, Bayonne, New Jersey 07002 to allocate Title III Older Americans Act grant award to the BEOF to fund the Nutrition Program for Senior Citizens administered by the BEOF at a cost of $456,261.00 (Project #561- Congregate Nutrition $172,274, Project #058 - Home Delivered Meals $269,100, and Project #059 - State Weekend Home Delivered Meals $14,887) to be charged against Account #02-213-41-737-2-199; and

WHEREAS, subsequent thereto, the County of Hudson, Department of Health and Human Services awarded Peer Grouping grant funds to the Bayonne Office on Aging in the amount of $2,500.00 for the period of January 1, 2015 and ending March 31,2015 and an additional $7,500.00 Peer Grouping grant funds for the period commencing April 1, 2015 and ending December 31, 2015 for the aforesaid Home Delivered Meals Program; and

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

1. The City of Bayonne hereby accepts the aforesaid $10,000.00 Peer Grouping grant funds from the County of Hudson, Department of Health and Human Services, for the Home Delivered Meals Program as follows: $2,500.00 for the period commencing January 1, 2015 through March 30, 2015; and $7,500.00 for the period commencing April 1, 2015 and ending December 31, 2015.

2. The Mayor and City Clerk are hereby authorized to enter into an amendment to Agreement No. CY15-029 with the Bayonne Economic Opportunity Foundation, 555 Kennedy Boulevard, Bayonne, New Jersey 07002 increasing the total agreement amount by $10,000.00 bringing the total contract amount to $466,261.00 and that the additional $10,000.00 be used to continue the provision of a Nutritional Feeding Program for Senior Citizens consistent with Project #58 Home Delivered Meals for the period commencing January 1, 2015 and ending December 31, 2015.

3. Funds shall be charged to account 02-213-41-737-2-199 subject to the receipt of the aforesaid $10,000.00 Peer Grouping grant funds from the County of Hudson, Department of Health and Human Services.

Yeas - Council Members Cotter, Gullace, LaPelusa, Perez and President Nadrowski.

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53. Council President Nadrowski moved that the following resolution, seconded by Council Member Gullace, which motion was adopted.

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

WHEREAS, on April 9, 2014, the municipal council of the City (the "<u>City Council</u>") adopted Resolution No. 14-04-09-004 designating the property commonly known as Block 195, Lot 2 and Block 196, Lots 1-7 on the tax map of the city as an area in need of redevelopment pursuant to the provisions of the Redevelopment Law; and

WHEREAS, on September 10, 2014, the Municipal Council adopted Resolution No. 14-12-10-0533 rescinding the designation of Block 196, Lot 3 as an area in need of redevelopment, and affirming the prior designation of Block 195, Lot 2 and Block 196, Lots 1-2 and 4-7 (the "<u>Redevelopment Area</u>") as an area in need of redevelopment under the Redevelopment Law. The Redevelopment Area (excluding any portions of Block 196, Lots 1 and 2 not acquired by the Redeveloper) and the portion of Del Monte Drive between W. 23rd and W.24th Streets are also collectively referred to herein as the "<u>Project Premises</u>"; and

WHEREAS, the Redevelopment Area encompasses approximately 2.1452 acres of land located on the western side of Broadway between W. 23rd and W. 24th Streets, including that portion of Del Monte Drive between W. 23rd and W.24th Streets; and

WHEREAS, Del Monte Drive is a public right of way; and

WHEREAS, the portion of the Redevelopment Area identified as Block 196, Lots 1-2 is currently owned by Barney Stock Hosiery Shops ("Barney Stock"); and

WHEREAS, the portion of the Redevelopment Area identified as Block 196, Lots 4-7 is currently owned by Barnabas Health Realty-Bayonne Project, LLC ("BHR-BP"), a single-purpose entity, formed to hold title to the portion of the Redevelopment Area identified as Block 196, a portion of Lots 1-2 and all of Lots 4-7 ("Redeveloper Parcels"); and

WHEREAS, the portion of the Redevelopment Area identified as Block 195, Lot 2 ("City Lot") is owned by the City in fee and is presently used as a public recreational miniature golf course and as a public parking lot; and

WHEREAS, the City of Bayonne, Division of Planning & Zoning, Department of Municipal Services has prepared a redevelopment plan for the Redevelopment Area titled "Redevelopment Plan for Block 195, Lot 2; Block 196, Lots 1-2 and 4-7; Del Monte Drive" (the "Redevelopment Plan"); and

WHEREAS, at a public hearing held on February 10, 2015, the Planning Board of the City of Bayonne ("Planning Board") reviewed the proposed Redevelopment Plan and the City of Bayonne Master Plan. The Planning Board concluded that the Redevelopment Plan and the City of Bayonne Master Plan are consistent and resolved to recommend to the City Council that the Redevelopment Plan be adopted; and

WHEREAS, on March 18, 2015, the City Council adopted an Ordinance formally adopting the Redevelopment Plan; and

WHEREAS, BHR-BP has authorized Redeveloper (Bayonne Landco, LLC) to act as agent for, and on behalf of BHR-BP, and BHR-BP has authorized and directed Redeveloper to develop the Project Premises in compliance with the Redevelopment Plan and subject to the terms and condition of any prospective Redevelopment Agreement; and

WHEREAS, the Redeveloper as agent for, and on behalf of BHR-BP proposes to redevelop the Project Premises with an approximately 80,000 square foot, three story ambulatory care center, including a satellite emergency department, outpatient imaging facility, outpatient laboratory and medical office clinic space (the "Medical Facility"), a structured parking facility (the "Parking Garage") and all related improvements; and

WHEREAS, the Redeveloper has requested designation by the City as the redeveloper for the Project Premises; and

WHEREAS, in accordance with its proposal, the Redeveloper shall enter into a ground lease with the City to lease the City Lot so that Redeveloper can construct the Parking Garage and related improvements thereon; and

WHEREAS, Redeveloper submitted to the City a conceptual site plan and architectural elevations, for its proposed Medical Facility, Parking Garage and all related improvements on the Project Premises (the "Project"); and

WHEREAS, the Concept Plan includes the demolition of all improvements on the Redeveloper Parcels and the construction of the Medical Facility thereon; and

WHEREAS, the Concept Plan includes the demolition of all improvements on the City Lot and the construction of the Parking Garage thereon; and

WHEREAS, the Concept Plan includes the vacation of that portion of Del Monte Drive between W. 23rd and W.24th Streets so that it can be devoted for use by the Redeveloper as part of the Project; and

WHEREAS, the Concept Plan includes, among other things, a realignment of Del Monte Drive by the Redeveloper to, among other things, allow for the construction of the Parking Garage on the City Lot and a portion of Del Monte Drive; and

WHEREAS, the Concept Plan includes the construction of an elevated, covered walkway from the Medical Facility to the Parking Garage; and

WHEREAS, City of Bayonne and the Redeveloper have come to an agreement as to the terms of the Ground Lease referenced above, in form and substance similar to that which is attached hereto and made part hereof, ; now, therefore, be it

RESOLVED, that the Mayor is hereby authorized to execute and the Clerk is hereby authorized to attest a Ground Lease in form and substance similar to that which is attached hereto, subject to minor modifications as required by legal counsel; and be it further

RESOLVED, that the execution of and entry into said Ground Lease is subject to and contingent upon a final, fully executed Redevelopment Agreement between the City of Bayonne and the Redeveloper.

Yeas - Council Members Cotter, Gullace, LaPelusa, Perez and President Nadrowski.

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54. Council Member Perez moved that the following resolution, seconded by Council Member LaPelusa, which motion was adopted.

WHEREAS, The New Jersey Turnpike Authority's Interchange 14A Improvement Project (the "Project") includes significant work efforts within the City of Bayonne; and

WHEREAS, Bayonne City Ordinance 3-1.8 prohibits construction activity performed between the hours of 6:00 p.m. and 7:00 a.m. on weekdays, or between the hours of 6:00 p.m. and 9:00 a.m. on weekends and Federal holidays; and

WHEREAS, The New Jersey Turnpike Authority (the "Authority") and the City of Bayonne (the "City") realize the importance of this Project and the need to expeditiously perform the work with as little impact to the surrounding community as possible; and

WHEREAS, the Authority and the City have entered into a Memorandum of Agreement (the "MOA") wherein many of the Project concerns, obligations, responsibilities and actions are addressed; and

WHEREAS, the aforesaid MOA addresses work hours and allows the Authority to conduct activities and work to complete the Project during all hours, including nights, weekends and weekend nights in order to allow the Authority's contractors to perform work during time periods where there is a minimum disruption to the surrounding community and the traveling public; and

WHEREAS, work requiring nighttime hours of operation through the completion of the Project will be addressed on an as needed basis; and

WHEREAS, the first work operation that is scheduled to be performed at night is the installation of combined sewers on Avenue E including the deep installation of sewer pipes and manholes between East 51st and East 52nd Streets; and

WHEREAS, AECOM, the Authority's Engineering Project Manager, has provided the City with correspondence dated May 12, 2015 indicating the need for an exemption from the aforesaid Ordinance 3-1.8 to allow work to be performed by the Authority's contractor, Union Paving and Construction Company, during the hours of 7:00 p.m. and 3:00 a.m., Monday through Friday, for a three week period commencing June 8, 2015 and continuing through June 26, 2015; and

WHEREAS, although Union Paving and Construction Company intends to begin these activities as scheduled and work continuously until complete, the time frame may be impacted by unknown conditions; now, therefore, be it

RESOLVED that the Mayor and City Council of the City of Bayonne herewith allow an exemption from Ordinance No. 3-1.8 of the Revised General Ordinances to Union Paving and Construction Company as follows:

1. Allowing work hours from 7:00 p.m. to 3:00 a.m., Monday through Friday, for the three week period commencing the week of June 8, 2015 and continuing through June 26, 2015 or until the completion of the aforesaid work activities.

2. The City reserves the right to declare this Resolution null and void without further action of the Municipal Council if any justified complaints are lodged with the Bayonne Police Department, Bayonne Law Division or any other Department within the City of Bayonne in connection with noise disturbance.

Yeas - Council Members Cotter, Gullace, LaPelusa, Perez and President Nadrowski.

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55. Council Member LaPelusa moved that the following resolution, seconded by Council President Nadrowski, which motion was adopted.

WHEREAS, the Housing and Community Development Act of 1974, as amended, provides for a program of Community Development Block Grants; and,

WHEREAS, the City of Bayonne is an entitlement municipality as defined under said Act and is eligible for financial assistance; and,

WHEREAS, formula allocation for the Community Development Block Grant program is $1,590,691 with approximately $60,000 in program income available. The activities to be undertaken include housing rehabilitation, public facilities improvements, infrastructure reconstruction, and services; and

WHEREAS, the City of Bayonne has, pursuant to the Housing and Community Development Act of 1974, as amended, and the Consolidated Plan requirements solicited citizen comments and recommendations as to the 2015-2019 Five Year Consolidated Plan and the 2015 Annual Action Plan for the Community Development Program and has held meetings for such purposes; and,

WHEREAS, the City of Bayonne held public meetings for the purpose of providing citizens with an opportunity to participate in the preparation of the application; and,

WHEREAS, the 2015-2019 Five Year Consolidated Plan and 2015 Annual Action Plan for said grant conforms to the Plan requirements as contained in Federal regulations;

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

1. That the Mayor be and is hereby authorized and directed to submit the Action Plan documents, including all understandings and assurances contained therein to the fullest extent of the funding allowed and determined by the Department of Housing and Urban Development to act as the authorized representative of the City of Bayonne and to provide such additional information as may be required.

2. That the Mayor and such other appropriate and responsible officials be and they are authorized and directed to execute on behalf of the City of Bayonne such certification and certifications as may occur.

Yeas - Council Members Cotter, Gullace, LaPelusa, Perez and President Nadrowski.

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56. Council President Nadrowski moved that the following resolution, seconded by Council Member LaPelusa, which motion was adopted.

WHEREAS, an emergency condition has arisen with respect to providing appropriations to pay various costs, as per attached schedule, and no adequate provision has been made in the CY 15 Temporary Budget for the aforesaid purposes and N.J.S.:4-20 provides for the creation of an emergency temporary appropriation for the purposes above mentioned, and

WHEREAS, the total emergency resolution adopted in the CY 15 budget pursuant to the provisions of Chapter 96, P.L. 1951 (NJS 40A:4-20) including this resolution total

Current Fund	$	37,655,845.69
Parking Utility	$	104,000.00

NOW THEREFORE, BE IT RESOLVED (not less than two-thirds of all members therefore affirmatively concurring) that in accordance with NJS 40A:4-20

1- An emergency temporary appropriation be and the same is hereby made as per attached schedule:

Current Fund	$	7,564,260.10

Parking Utility	$	25,000.00

2- That said emergency temporary appropriation will be provided for the CY 15 budget under the title of, as per attached schedule:

Current Fund	$	7,564,260.10
Parking Utility	$	25,000.00

3- That one certified copy of this resolution be filed with the Director of Local Government Services.

Yeas - Council Members Cotter, Gullace, LaPelusa, Perez and President Nadrowski.

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57. Council Member Perez moved that the following resolution, seconded by Council Member LaPelusa, which motion was adopted.

WHEREAS, Resolution No. 14-09-17-103 adopted by the Municipal Council on September 17, 2014 authorized the lease and/or purchase of eight 2015 Ford Interceptors from Winner Ford, Cherry Hill, New Jersey to be used in various divisions within the Police Department for through State Contract #82925; and

WHEREAS, due to the unavailability of three 2015 Ford Interceptors, the City purchased five 2015 Ford Interceptors and three 2014 Ford Interceptors; now, therefore, be it

RESOLVED, by the Municipal Council that Resolution No. 14-09-17-103 is hereby amended to authorize the lease and/or purchase of five 2015 Ford Interceptors and three 2014 Ford Interceptors.

Yeas - Council Members Cotter, Gullace, LaPelusa, Perez and President Nadrowski.

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58. Council Member LaPelusa moved that the following resolution, seconded by Council Member Perez, which motion was adopted.

WHEREAS, Resolution No. 15-01-21-061 adopted by the Municipal Council on January 21, 2015 awarded a contract to Florio & Kenny, LLP, 5 Marine View Plaza, Suite 103, P.O. Box 771, Hoboken, New Jersey 07030 for professional legal services to conduct arbitration hearings, litigation before the courts, and negotiations and PERC hearings involving various unions and the City of Bayonne for the period commencing February 1, 2015 and ending January 31, 2016; and

WHEREAS, subsequent thereto, the City entered into Agreement No. CY15-015 with Florio & Kenny, LLP for the aforesaid professional legal services, and

WHEREAS, it is necessary to amend the contract term from February 1, 2015 ending January 31, 2016 to January 1, 2015 and ending December 31, 2015 for quantum meruit work performed by Florio & Kenny, LLP in the month of January, 2015 on behalf of the City of Bayonne; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized to execute an amendment to Agreement No. CY15-015 with Florio & Kenny, LLP for the aforesaid professional legal services to reflect a term commencing January 1, 2015 and ending December 31, 2015.

Yeas - Council Members Cotter, Gullace, LaPelusa, Perez and President Nadrowski.

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59. Council member Perez moved that the following resolution, seconded by Council President Nadrowski which motion was adopted.

WHEREAS, the City of Bayonne is in need of application software and support for the reverse 9-1-1 system in the Police Department; and

WHEREAS, SHI, 290 Davidson Avenue, Somerset, NJ 08873 is capable of supplying said services for the one-year period commencing June 1, 2015 and ending May 31, 2016, for emergency notification system access for one year in the amount of $16,025.63, under State Contract No. 77560; and

WHEREAS, funds for said agreement have been certified as available in Account #01-201-25-240-2-020 (PS-9) of the CY 2015 budget; now, therefore, be it

RESOLVED, that the Mayor and the City Clerk of the City of Bayonne are hereby authorized to enter into a service agreement with SHI, 290 Davidson Avenue, Somerset, NJ 08873, for the annual software support services for the Police Department's reverse 9-1-1 system, for the period commencing June 1, 2015 and ending May 31, 2016, for a total contract amount of $16,025.63, and said funds have been certified available in Account # 01-201-25-240-2-020; and be it further

RESOLVED, that the Municipal Treasurer be and is hereby authorized and directed to issue a warrant payable to SHI in the amount of $16,025.63 in payment for such services.

Yeas - Council Members Cotter, Gullace, LaPelusa, Perez and President Nadrowski.

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60. Council Member LaPelusa moved that the following resolution, seconded by Council President Nadrowski, which motion was adopted.

WHEREAS, Resolution No. 15-04-22-054 authorized an agreement with The Sand Castle, 34 Newark Bay Court, Bayonne, NJ 07002 for the lease of the food concession at the Municipal Pool for a term commencing May 1, 2015 and ending Labor Day, 2015 for the amount of $8,222.22 per year; an

WHEREAS, subsequent thereto, the City has been advised that the true business name of the company is Joan Marie Tsirabdides t/a Lets Eat Concession; and

WHEREAS, said amount of $8,222.22 for the lease of the food concession at the Municipal Pool for the term commencing May 1, 2015 and ending Labor Day, 2015 is payable to the City; now, therefore, be it

RESOLVED, by the Municipal Council that Resolution No. 15-04-22-054 is hereby amended to reflect that lease of the food concession at the Municipal Pool for a term commencing May1, 2015 and ending Labor Day, 2015 is awarded to Joan Marie Tsirabdides t/a Lets Eat Concession for the amount of $8,222.22 payable to the City.

Yeas - Council Members Cotter, Gullace, LaPelusa, Perez and President Nadrowski.

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61. Council Member Perez moved that the following resolution, seconded by Council Member Cotter, which motion was adopted.

WHEREAS, the City of Bayonne is in need of specialized services for the exhibition of fireworks on July 2, 2015, rain date July 3, 2015; and
WHEREAS, Garden State Fireworks, Inc., P. O. Box 403, Carlton Road, Millington, New Jersey, 07946 is willing to perform said service; and

WHEREAS, Garden State Fireworks, Inc. has submitted a proposed agreement for the maximum amount of $12,500.00, and

WHEREAS, funds are certified as available in Account 01-201-30-420-2-028; now, therefore, be it

RESOLVED, that said contract shall be entered into only after review and approval by the Chief of Police and the Chief of the Fire Department of the City of Bayonne; and be it further

RESOLVED, that any display of fireworks pursuant to said agreement shall be of such a character, and so located, discharged, or fired, as in the opinion of the Chiefs of the Police and Fire Departments, after proper inspection, shall not be hazardous to property or endanger any person or persons; and be it further

RESOLVED, that said agreement shall contain an identification number and the specific types or kinds of fireworks to be used and shall name one person who shall be authorized to purchase, or otherwise order, and receive delivery of any fireworks; and be it further

RESOLVED, that any and all necessary permits/licenses as required by the State of New Jersey and/or the United States of America shall be provided to the City of Bayonne prior to and/or concomitant with the execution of said agreement; and be it further

RESOLVED, that a specific condition of said agreement shall be that the contracting party maintain insurance coverage in the amount of $5,000,000.00 with the City of Bayonne listed as an added insured thereby conforming with the mandates of N.J.S.A. 21:3-5; and be it further

RESOLVED, that in the event that the above conditions are met, the Mayor and City Clerk are hereby authorized to enter into an agreement with Garden State Fireworks, Inc., P. O. Box 403, Carlton Road, Millington, New Jersey, 07946, for the exhibition of fireworks on July 2, 2015 for a maximum amount of $12,500.00, rain date July 3, 2015 at no additional cost and any and all other documents necessary to effectuate said fireworks display; and be it further

RESOLVED, that no bid need be solicited for these services insofar as the agreement complies with the statutory guidelines of N.J.S.A. 40A:11-3; and be it further

RESOLVED, that funds are certified as available by the Municipal Comptroller in Account 01-201-30-420-2-028.

Yeas - Council Members Cotter, Gullace, LaPelusa, Perez and President Nadrowski.

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62. Council Member LaPelusa moved that the following resolution, seconded by Council Member Perez, which motion was adopted.

BE IT RESOLVED, that the City Clerk be and is hereby authorized to advertise for bids for municipal paving projects.

Yeas - Council Members Cotter, Gullace, LaPelusa, Perez and President Nadrowski.

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63. Council Member Cotter moved that the following resolution, seconded by Council President Nadrowski which motion was adopted.

WHEREAS, by way of Resolution No. 12-02-15-034 adopted by the Municipal Council on February 15, 2012, the City of Bayonne (the "City") entered into an Access Agreement with PPG Industries, Inc. ("PPG") for access to real property owned by the City comprised of Block 383, Lot 1, Lot 2, Lots 4-8; and Block 384, Lot 1 and Lot 2 and more commonly known as West 1st Street, Dennis Collins Park, Bayonne, New Jersey in the City of Bayonne, Hudson County, New Jersey ("Bayonne Property or "Site") for the limited purpose of performing a soil and groundwater environmental investigation and performing environmental remediation work as specifically described in detail in the Scope of Work and Sampling Map and for the limited time period further described in the Scope of Work attached thereto; and

WHEREAS, it was necessary for PPG to extend the term of the aforesaid Access Agreement for another twelve (12) months and to extend thereafter for a reasonable amount of time should there be unforeseen delays for the purpose of chromium removal pursuant to a directive by the New Jersey Department of Environmental Protection ("NJDEP"); and

WHEREAS, pursuant to Resolution Nos. 14-06-18-061 adopted June 18, 2014 and 14-12-10-059 adopted December 10, 2014, the City of Bayonne entered into a First and Second Amendment to the aforesaid Access Agreement extending the term of same for the periods commencing June 19, 2014 through December 18, 2014; and December 19, 2014 through June 17, 2015 respectively; and

WHEREAS, in order to complete the aforesaid investigation and environmental remediation work it is again necessary for PPG to extend the term of the aforesaid

Access Agreement for an additional one year (1) year commencing June 18, 2015 and ending June 17 19, 2016; and

WHEREAS, the removal of said chromium contaminant is in the best interest of the health, safety and welfare of the citizens of the City of Bayonne; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The aforesaid Access Agreement between the City of Bayonne and PPG Industries, Inc. for access to real property owned by the City comprised of Block 383, Lot 1, Lot 2, Lots 4-8; and Block 384, Lot 1 and Lot 2 and more commonly known as West 1st Street, Dennis Collins Park, Bayonne, New Jersey in the City of Bayonne, Hudson County, New Jersey ("Bayonne Property or "Site") is hereby extended for an additional one year (1) year commencing June 18, 2015 and ending June 17, 2016 for the limited purpose of performing environmental remediation work as specifically described in detail in the Memorandum from Thomas M. Gibbons, PMP of CB&I Environmental & Infrastructure, Inc. dated May 5, 2015 attached hereto and made a part hereof on the conditions that: 1) PPG executes a third amendment to the current Right of Entry/Access Agreement in a form acceptable to the City and approved by the City's Law Division; 2) No cost or expense shall be borne by the City relating in any way to PPG's for access and proposed Scope of Work; 3) Proposed Scope of Work is approved by the City's engineer at PPG's and/or the contractor's expense; 4) No permits will issue without a fully executed Right of Entry/Access Agreement; 5) Valid permits to be issued by the City's Building Department and/or Police Department prior to the start of any work, if required; 6) PPG shall abide by any and all requirements of the City deemed necessary to protect the City's property and citizens; and 7) all fees due and payable to any of the City's engineering and environmental professionals shall be paid by PPG prior to entry onto City property.

2. The Mayor and City Clerk are hereby authorized to execute a Third Amendment to the aforesaid Access Agreement in a form or forms acceptable to the Law Division.

4. All other terms and conditions of the aforesaid Access Agreement dated March 13, 2012 shall remain the same except as may be required to comply with the provisions of the First and Second Amendments and this resolution.

Yeas - Council Members Cotter, Gullace, LaPelusa, Perez and President Nadrowski.

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64. Council Member Perez moved that the following resolution, seconded by Council Member Gullace, which motion was adopted.

WHEREAS, pursuant to N.J.S.A. 52:24-6.2(b)(3) the City of Bayonne is permitted to join national cooperative purchasing programs; and

WHEREAS, the City of Bayonne stands to realize substantial cost savings by availing itself of purchases made through the Federal Government's Government Services Administration's Federal Supply Schedules which assists local governments in reducing procurement costs; and

WHEREAS, the City of Bayonne can realize substantial cost savings by availing itself of the opportunities offered by the GSA/FSS; now, therefore, be it

RESOLVED, that the Mayor, Purchasing Agent, Business Administrator and/or Clerk are hereby authorized to execute any and all documentation necessary to effectuate the City of Bayonne's participation in the Federal Government's Government Services Administration's Federal Supply Schedule program.

Yeas - Council Members Cotter, Gullace, LaPelusa, Perez and President Nadrowski.

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At 9:47 P.M., Council President Nadrowski motioned to adjourned, seconded by Council Member Cotter, which motion was adopted.

Yeas - Council Members Cotter, Gullace, LaPelusa, Perez and President Nadrowski.

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