

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, JANUARY 18, 2012

The Council met at 7:00 P.M.

The Council President Ruane 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 January 18, 2012 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 January 13, 2012."

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 Czerwienski, Gillespie, Greaves, Hurley and President Ruane.

Pledge of Allegiance

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01. The Clerk announced:

AN ORDINANCE ENTITLED, "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 December 14, 2011, 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 January 18, 2012 is now before the Council for its consideration and a public hearing.

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

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

Yeas- Council Members Czerwienski, Gillespie, Greaves, Hurley and President Ruane.

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

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

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

Council Member Gillespie motioned to close the hearing, seconded by Council Member Hurley, which was read by the Clerk and adopted.

Yeas- Council Members Czerwienski, Gillespie, Greaves, Hurley and President Ruane.

Council Member Czerwienski moved the following resolution, seconded by Council Member Greaves, 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 December 14, 2011, 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 January 18, 2012; 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-12-01.

Yeas- Council Members Czerwinski, Gillespie, Greaves, Hurley and President Ruane.

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02. Council Member Czerwinski introduced:

AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 2, ADMINISTRATION, CHAPTER 3, POLICE REGULATIONS, CHAPTER 4, LICENSING AND BUSINESS REGULATIONS, CHAPTER 5, ANIMAL CONTROL, CHAPTER 6, ALCOHOLIC BEVERAGE CONTROL, CHAPTER 8, TAXICABS AND LIMOUSINES, CHAPTER 15, BUILDING AND HOUSING, CHAPTER 21, HEALTH REGULATIONS, AND CHAPTER 33, PLANNING AND DEVELOPMENT REGULATIONS

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 2, ADMINISTRATION, section 2-52, FEES BY SPECIFIC DEPARTMENTS OR DIVISIONS, be amended and supplemented as follows: (New material **between asterisks**, deletions {within brackets})

2-52.1 Fees for Special Services of Police Division.

a. Fees Established. The following fees are hereby established for certain services extended and material distributed by the Bayonne Police Division:

1. – 5. NO CHANGES

6. Fingerprints for every licensee, agent, or servant, where fingerprints are required, {~~\$5.00~~} **\$10.00**.

7. – 8. NO CHANGES

b. to d. – NO CHANGES.

2-52.2 Fees for Marriage Certificates and Civil Union Certificates.

Marriage certificates and civil union certificates may be obtained from the City Clerk's Office. The fee for such certificates {are} **is** {ten {~~\$10.00~~} dollars for the first certificate issued and five {~~\$5.00~~} dollars} **fifteen (\$15.00)** for each {additional} certificate {requested at the same time}.

Section 2. That the Revised General Ordinances of the City of Bayonne, Chapter 3, POLICE REGULATIONS, section 3-52.5, Impounding, be amended and supplemented as follows: (New material **between asterisks**, deletions {within brackets})

3-25.5 Impounding.

The Chief of Police or any member of the Police Department designated by him is authorized to remove or have removed a vehicle left at any place within the City which reasonably appears to be in violation of this section, or lost, stolen or unclaimed. The vehicle shall be impounded until lawfully claimed or disposed of in accordance with applicable statutes. The Chief of Police, or any member of the Police Department acting for him, shall notify the registered and legal owner in writing by personal service or by certified mail, at the last known address of the owner, of the removal of such vehicle and the reason therefor, and the location of the vehicle. The vehicle shall be retained and impounded until the owner or his duly authorized agent shall have paid the cost of such taking and removal, together with a garage charge not to exceed {twenty {~~\$20.00~~} **thirty (\$30.00)** dollars for each day the vehicle is retained and impounded. The Chief of Police shall charge a towing fee not to exceed fifty (\$50.00) dollars.

Section 3. That the Revised General Ordinances of the City of Bayonne, Chapter 4, LICENSING AND BUSINESS REGULATIONS, be amended and supplemented as follows: (New material **between asterisks**, deletions ~~{within brackets}~~)

4-2 PEDDLERS, HAWKERS AND VENDORS.

4-2.3 Fees.

The license fee for a peddler shall be ~~{one hundred fifty (\$150.00)}~~ **two hundred fifty (\$250.00)** dollars per year.

4-3 SOLICITORS AND CANVASSERS

4-3.5 Fee.

The fee for a solicitor's or canvasser's license shall be ~~{twenty five (\$25.00)}~~ **fifty (\$50.00)** dollars.

4-4 AUCTIONEERS; ITINERANT AND TRANSIENT VENDORS AND SALE OF GOODS.

4-4.6 Fees.

The fees to be charged for licenses issued under the provisions of this section shall be as follows:

For auctioneers, ~~{two hundred fifty (\$250.00)}~~ **five hundred (\$500.00)** dollars.

For the sale of bankrupt stock or goods of a receiver, assignee or other person in a representative capacity, ~~{two hundred fifty (\$250.00)}~~ **five hundred (\$500.00)** dollars.

For the sale of goods damaged by fire or water, ~~{one hundred (\$100.00)}~~ **five hundred (\$500.00)** dollars.

For itinerant vendors or transient merchants, ~~{five hundred (\$500.00)}~~ **one thousand (\$1,000.00)** dollars.

4-5 COIN-OPERATED AMUSEMENT DEVICES

4-5.5 License Fees.

a. Applicants shall pay the following annual license fee for the privilege of distributing, operating or maintaining for operation each coin-operated amusement device:

1. The fee for a distributor's license shall be ~~{two hundred fifty (\$250.00)}~~ **three hundred fifty (\$350.00)** dollars per year or any part of a year.

2. Operator's license for three (3) devices or less: Seventy-five (\$75.00) dollars for the first device and twenty-five (\$25.00) dollars for each additional device per year or any part thereof.

3. The fee for an operator's license for four (4) or more devices shall be seven hundred fifty (\$750.00) dollars.

b. to c. – NO CHANGES

4-5.9 Operation of Coin-Operated Amusement Devices in Arcades.

a. Arcades.

1. Permitted Location of Arcades. The operation of arcades shall be permitted only in such land use districts as permitted in Chapter 35, Zoning Regulations.

2. Investigation and Processing Fee.

(a) In addition to the annual fee required to be paid by the terms of this section, each applicant for an arcade license shall pay a nonrefundable fee of ~~{one hundred (\$100.00)}~~ **two hundred (\$200.00)** dollars. No investigation fee shall be required for an operator's license for one (1), two (2) or three (3) devices not located in an arcade.

4-8 SHOWS AND EXHIBITIONS.

4-8.2 Fees.

The annual license fee for such amusements and exhibitions shall be according to the following schedule:

- a. For every theatre producing any comedy, farce, tragedy or play of whatever nature, ~~{one hundred (\$100.00)}~~ ****five hundred (\$500.00)**** dollars.
- b. For motion picture theatres, seating capacity of which exceeds eight hundred (800) and without any stage presentation or entertainment, one hundred (\$100.00) dollars.
- c. For motion picture theatres, seating capacity of which shall not exceed eight hundred (800) and without any stage presentation or entertainment, fifty (\$50.00) dollars.
- d. For motion picture theatres, seating capacity of which shall not exceed eight hundred (800), exhibiting besides motion pictures, a stage presentation or entertainment, one hundred (\$100.00) dollars.
- e. For motion picture theatres, seating capacity of which exceeds eight hundred (800), exhibiting besides motion pictures, a stage presentation or entertainment, one hundred fifty (\$150.00) dollars.

4-9 POOL AND BILLIARD ROOMS.

4-9.4 Fees.

The annual fees to be paid for the license shall be ****two hundred fifty (\$250.00) dollars.**** ~~{as follows:~~

- ~~_____ a. For the first pool or billiard table located upon the premises to be licensed, one hundred (\$100.00) dollars.~~
- ~~_____ b. For each additional pool or billiard table located upon the premises to be licensed, twenty five (\$25.00) dollars.}~~

4-12 RETAIL SALE OF FLOWERS.

4-12.4 Fee.

The license fee shall be ~~{one hundred (\$100.00)}~~ ****two hundred (\$200.00)**** dollars annually from January 1 through December 31 of any year.

4-13 LICENSING OF COIN-OPERATED DRY CLEANING ESTABLISHMENTS.

4-13.2 Fees.

The annual fee for a permit shall be ~~{fifty (\$50.00)}~~ ****one hundred (\$100.00)**** dollars.

4-14 HOTELS, MOTELS, BOARDING HOUSES AND LODGING HOUSES.

4-14.2 Fees.

The annual license fee for the operation of any establishments licensed under this section shall be ****one thousand dollars (\$1,000.00)**** ~~{as follows:~~

- ~~_____ \$20.00 for five (5) or fewer units~~
- ~~_____ \$40.00 for six (6) to ten (10) units~~
- ~~_____ \$100.00 for hotels, motels and lodging houses with more than ten (10) units.}~~

4-19 FILMING.

4-19.7 Fees.

The schedule of fees for the issuance of permits authorized by this section are as follows:

- a. Basic filming permit: ****A minimum of** \$500.00 per day****, with the fee to be determined by an impact review to be conducted by the city's Law Division**;
- b. Additional fee for filming in public buildings, public parks or other public facilities: ****A minimum of** \$1,000.00 per day****, with the fee to be determined by an impact review to be conducted by the city's Law Division**;
- c. Filming on private property: ****A minimum of** \$50.00 per day****, with the fee to be determined by an impact review to be conducted by the city's Law Division**.

4-20 HANDBILL DISTRIBUTORS.

4-20.1 Licensing of Handbill Distributors.

- a. to b. – NO CHANGES.

c. License fees for those engaging, as principal, in the business of distributing commercial or noncommercial handbills for hire under the terms of this subsection, and for any such purpose, shall be as follows:

For a period of one (1) year, the sum of {~~\$250.00~~} ****four hundred (\$400.00) dollars****;

For a period of three (3) months, the sum of {~~\$100.00~~} ****one hundred seventy-five (\$175.00) dollars****;

For a period of one (1) week, the sum of {~~\$50.00~~} **fifty (\$50.00) dollars****;

For a period of one (1) day, the sum of {~~\$25.00~~} ****forty (\$40.00) dollars****;
provided, that persons acting for licensees, as Agents or employees, in the posting or distributing of any such signs or handbills, shall not be required to obtain a license or pay a fee, but each such person shall comply with each and all of the other provisions hereof, and be subject thereto.

d. to e. – NO CHANGES.

f. License fees for any person, other than one licensed to engage in the business of distributing commercial or noncommercial handbills for hire, desiring to distribute commercial handbills related to that person's place of business, shall be as follows:

For a period of one (1) year, the sum of {~~\$50.00~~} ****one hundred (\$100.00) dollars****;

For a period of three (3) months, the sum of {~~\$25.00~~} ****fifty (\$50.00) dollars****;

For a period of one (1) week, the sum of {~~\$15.00~~} ****thirty (\$30.00) dollars****;

For a period of one (1) day, the sum of {~~\$10.00~~} ****twenty (\$20.00) dollars****;
provided, that persons acting for licensees, as Agents or employees, in the posting or distributing of any such signs or handbills, shall not be required to obtain a license or pay a fee, but each such person shall comply with each and all of the other provisions hereof, and be subject thereto.

4-22 MESSAGE ESTABLISHMENTS AND MESSAGE THERAPISTS.

4-22.4 Fees.

****a.** Message Establishment. The applicant for a message establishment license shall pay an annual license fee of one thousand (\$1,000.00) dollars which shall become due on January 1 in each year.******

{ a } ****b.**** Message Therapist. The applicant for a message therapist's license shall pay an annual license fee of one hundred (\$100.00) dollars which shall become due on January 1 in each year.

4-24 SALE OF SECONDHAND GEMS AND PRECIOUS METALS.

4-24.3 License Fees; Term.

A fee for the initial license shall be {~~one hundred (\$100.00)~~} ****two hundred fifty (\$250.00)**** dollars, non-refundable. Each annual renewal fee shall be {~~twenty-five (\$25.00)~~} ****fifty (\$50.00)**** dollars. The license shall be valid for a period of one (1) year from the date of issuance.

4-25 TRAILER PARKS.

4-27.4 Fees.

There shall be charged and collected for each license an annual fee of {~~one hundred (\$100.00)~~} ****two hundred fifty (\$250.00)**** dollars, and {~~one hundred five (\$105.00)~~} ****one hundred seventy-five (\$175.00)**** dollars per calendar quarter per trailer or a portion thereof. Quarterly payments shall be due and payable in accordance with the following schedule:

a. For the first calendar quarter (January, February, March), the payment shall be due and payable not later than April 1.

b. For the second calendar quarter (April, May, June), the payment shall be due and payable not later than July 1.

c. For the third calendar quarter (July, August, September), the payment shall be due and payable not later than October 1.

d. For the fourth quarter (October, November, December), the payment shall be due and payable not later than January 1.

Payments not received on the due dates as specified above shall bear interest at the same rate charged for delinquent local property taxes. All fees and interest shall attach to and become a lien upon the land.

4-28 JUNK DEALERS.

4-28.2 Fee.

The annual license fee for junk dealers shall be ~~{one hundred fifty (\$150.00)}~~ ****two hundred fifty (\$250.00)**** dollars. Any junk dealer operating one (1) or more vehicles shall pay an additional ~~{twenty (\$20.00)}~~ ****fifty (\$50.00)**** dollars for each vehicle so used.

Section 4. That the Revised General Ordinances of the City of Bayonne, Chapter 5, ANIMAL CONTROL, be amended and supplemented as follows: (New material ****between asterisks****, deletions ~~{within brackets}~~)

5-2 LICENSING PROVISIONS FOR DOGS.

5-2.5 Fees.

The person applying for a license shall pay a fee of ~~{ten (\$10.00)}~~ ****fifteen (\$15.00)**** dollars for each dog and an additional fee of five (\$5.00) dollars for any dog of reproductive age not sterilized. A duplicate tag shall be issued for a fee of two (\$2.00) dollars. Any dog license renewed after the last day of January of the calendar year will be subject to a twenty-five (\$25.00) dollar fee.

The registration tag fee of one dollar and twenty (\$1.20) cents surcharge for each dog and three (\$3.00) dollars where applicable shall be forwarded within thirty (30) days after collection by the Division of Health to the State Department of Health.

5-11 LICENSING PROVISIONS FOR CATS.

5-11.5 Fees.

The person applying for a license shall pay a fee of ~~{ten (\$10.00)}~~ ****fifteen (\$15.00)**** dollars for each cat and an additional fee of five (\$5.00) dollars for any cat of reproductive age not sterilized. A duplicate tag shall be issued for a fee of two (\$2.00) dollars. Any cat license renewed after the last day of January of the calendar year will be subject to a twenty-five (\$25.00) dollar fee.

5-15 PET SHOPS, KENNELS, SHELTERS, POUNDS.

5-15.1 License Required.

Any person who keeps or operates, or proposes to establish a kennel, pet shop, shelter or pound shall apply to the Division of Health for a license entitling him to keep or operate such establishment. Any person holding such license shall not be required to secure individual licenses for dogs owned by the licensee and kept at this establishment. Licenses shall not be transferable to another owner or different premises. ****The annual fee for said license shall be one hundred twenty-five (\$125.00) dollars.****

Section 5. That the Revised General Ordinances of the City of Bayonne, Chapter 6, ALCOHOLIC BEVERAGE CONTROL, be amended and supplemented as follows: (New material ****between asterisks****, deletions ~~{within brackets}~~)

6-3.4 License Fees; Maximum Number.

The annual license fees and maximum number of licenses for the sale or distribution of alcoholic beverages in the City shall be as follows:

Class of License	Annual License Fee	No. of Licenses
Plenary Retail Consumption License	{ \$500.00 } **\$650.00** *	
Plenary Retail Distribution License	{ \$600.00 } **\$1,000.00**	
Club License	{ \$150.00 } **\$250.00**	

***Additional Fee for the Retirement of Excess Plenary Retail Consumption License.** On or before July 1 annually, each holder of a plenary retail consumption license shall pay to the City an annual license fee as established above. An additional fee of three hundred (\$300.00) dollars shall be paid by each holder of a plenary retail consumption license which shall be used to finance the retirement of such licenses to the extent and number that the amount realized from the collection of additional fees shall permit. The number of plenary retail licenses shall not exceed the number of one (1) for each two thousand (2,000) of the City’s population.

6-6.2 Work Permit Required for Employment.

a. - NO CHANGES.

b. Every licensee, Agent, or any other employee, connected with or employed by the licensee shall submit to the taking by the Department of Public Safety of impressions of the thumb and fingertips of both hands and the taking of photographs, and shall authorize a criminal record check to be made. The applicant shall pay a fee of ~~{twenty-five (\$25.00)}~~ ****fifty (\$50.00)**** dollars to the City of Bayonne by check or money order for the work permit. The applicant shall also pay by money order payable to "Division of State Police—S.B.I.," a fee for the processing of fingerprints and a criminal record check which shall be the current fee established by the State Police at the time of the application.

c. to d. - NO CHANGES.

e. Work permits issued pursuant to this subsection shall be valid for a period of one (1) year commencing July 1 and shall expire on June 30 of the license year for which the work permit has been issued. Before expiration of the work permit, all persons to whom such permits have been issued shall apply for renewal. Applicants for renewal shall pay a renewal fee of ~~{fifteen (\$15.00)}~~ ****thirty (\$30.00)**** dollars payable to the City of Bayonne by check or money order, shall consent to a criminal record check through the State Police and shall pay the current fee established by the State Police for the record check by money order payable to "Division of State Police—S.B.I." Annual renewal of work permits shall not apply to those individuals, partners, corporate officers or shareholders who are listed as the owners of licenses on the license application filed with the City Clerk and the State Division of A.B.C., provided they have been fingerprinted, photographed and had their records checked in connection with the issuance or transfer of their license.

f. to g. - NO CHANGES.

Section 6. That the Revised General Ordinances of the City of Bayonne, Chapter 8, TAXICABS AND LIMOUSINES, be amended and supplemented as follows: (New material ****between asterisks****, deletions ~~{within brackets}~~)

8-10 TAXICAB DRIVER'S LICENSE.

8-10.8 Fee.

There shall be a fee of ~~{fifty (\$50.00)}~~ ****one hundred (\$100.00)**** dollars for an initial taxicab driver's license and ~~{twenty-five (\$25.00)}~~ ****fifty (\$50.00)**** dollars for each renewal thereof. The fee for a transfer of a taxicab driver's license shall be ~~{twenty-five (\$25.00)}~~ ****fifty (\$50.00)**** dollars. The fees hereby fixed for the issuance of licenses are imposed for regulation.

8-30 LICENSING AND CONTROL OF LIMOUSINES.

8-30.7 License to operate service; fees; license contents; availability for inspection by law enforcement

The City Clerk, upon the filing and acceptance of the required application for a limousine license and the payment of a fee of ****fifty (** \$50 **) dollars**** for each limousine service plus ****ten (** \$10 **) dollars**** for each limousine which is covered under the required insurance policy, the payment of an administrative fee of ~~{ \$500.00 }~~ ****one thousand (\$1,000.00) dollars****, and upon approval by the Chief of Police, shall issue in duplicate a license to operate showing that the owner of the limousine has complied with the terms and provisions of this article.

The administrative fee of ~~{ \$500.00 }~~ ****one thousand (\$1,000.00) dollars**** is to cover administration costs, including but not limited to the enforcement of this article.

The license shall recite the name of the insurance company, the number and date of expiration of the policy, a description of every limousine insured thereunder, and the registration number of the same.

The duplicate license shall be filed with the commission before any such car is registered as a limousine.

The original license or a copy thereof shall be retained within the limousine and shall be available for inspection by any law enforcement officer in the State. In addition to the recital of insurance information required on the license pursuant to this section, the owner of a limousine shall attach to the original license or copy thereof retained within the limousine a notarized letter from an insurance company containing the same

insurance information required in the recital and the Vehicle Identification Number (VIN) or a notarized certificate of insurance for the particular limousine showing the VIN as well as the limits of insurance coverage, and available insurance card, which shall constitute proof of insurance coverage, and which shall also be available for inspection by any law enforcement officer in the State. A copy of the notarized letter or notarized certificate of insurance shall constitute proof to the chief administrator, that the applicant has complied with the insurance provisions of this section.

The license shall be renewed annually on the 31st day of March with the City Clerk for a fee of { ~~\$25.00~~ } ****fifty (\$50.00) dollars**** and an administrative fee of { ~~\$250.00~~ } ****three hundred (\$300.00) dollars****.

It shall be the obligation of the licensee to notify the City Clerk of any changes not in the original application made since the original application was filed within 30 days. Circumstances requiring notice shall include but not be limited to the hiring of any new drivers and the submission of their driver's license with chauffer endorsement, any changes to insurance coverage and submission of the documentation thereof, and the addition of any new vehicles including the documentation thereof and payment of a { ~~\$10.00~~ } ****fifteen (\$15.00) dollar**** fee. The failure to notify the City Clerk of such changes within 30 days shall subject the holder of the license to a fine as set forth in the general penalty provision of Chapter 1-5 of the City ordinances.

Section 7. That the Revised General Ordinances of the City of Bayonne, Chapter 15, BUILDING AND HOUSING, be amended and supplemented as follows:
(New material ****between asterisks****, deletions {~~within brackets~~})

15-3 FEE FOR CONSTRUCTION PERMIT.

15-3.1 Construction Permit Fee; Sum of Subcode Fees.

The fee for a construction permit shall be the sum of the subcode fees listed in paragraphs a. through {e} ~~**f**~~. hereof and shall be paid before the permit is issued. A fine in accordance with the Uniform Construction Code shall be assessed when work for which a permit is required is commenced prior to the issuance of a permit.

- a. Building Subcode. The building subcode fees shall be:
 1. New structure fee.
 - (a) All use groups - Volume of building in cubic feet x { ~~\$0.030~~ } ****\$0.04 plus current NJ State surcharge fee per cubic foot x \$0.00334****.
 - (b) Permit for temporary structure - \$75.00.
 2. Renovations, alterations and minor work.
 - (a) { ~~\$24.00~~ } ****\$28.00**** per \$1,000.00 of estimated cost up to \$50,000.00.
Additional { ~~\$22.00~~ } ****\$26.00**** per \$1,000.00 of estimated cost above \$50,001.00 up to \$100,000.00.
Additional { ~~\$20.00~~ } ****24.00**** per \$1,000.00 of estimated cost above \$100,001.00.
 - (b) {A bona fide contractor's bid, if available, shall be submitted. The department shall make the final decision regarding estimated cost.}
****Applicant shall submit cost data by architect or engineer of record, a recognized estimating firm, or by contractor bid. The City of Bayonne Building Department will review the estimated cost for acceptability.****
 3. Swimming pools.
 - (a) Private – { ~~\$60.00~~ } ****Above-ground \$100.00.****
 - (b) Public or semi-public – { ~~\$120.00~~ } ****In-ground \$200.00.****
 4. Training and certificate fee - As per uniform construction code, N.J.A.C. 5:23-4:19.
 5. Variations and resubmittals.
 - (a) Variation fee shall be \$250.00
 - (b) Resubmittal fee shall be \$125.00
 - **6.** Fence Permit
 - 50 feet - \$75.00
 - 51-100 feet - \$90.00
 - over 101 feet - \$200.00
 7. Retaining Walls (Walls at or above 4 feet high or a wall less than 4 feet having a negative impact on a foundation.)
Retaining Walls under 550SF - Minimum fee - \$100.00
over 550 SF surface area – Minimum fee - \$190.00******
- b. Electrical Subcode Fees:

1. ~~**Fixtures, ** Receptacle**s and switches -~~ ~~block of { 50} **25** -~~
~~{ \$50.00} **\$75.00**~~
Each additional 25 - { ~~\$10.00~~ } ~~**\$15.00**~~
~~**Recptacles 30 amps and above - \$30.00 each.**~~- 2. Range, oven and surface units - { ~~\$46.00~~ } ~~**60.00**~~
- 3. Dishwasher, garbage disposal and dryer ~~**residential** - { \$15.00}~~
~~**\$20.00**~~
~~**Dishwasher - commercial - \$30.00**~~
- 4. Air conditioning units up to 5 tons - { ~~\$45.00~~ } ~~**\$60.00**~~
- 5. Air handlers and air-conditioning units over 5 tons - { ~~\$92.00~~ }
~~**\$110.00**~~
- 6. Burglar alarms, intercoms ~~{and} **,** smoke**/heat** detectors**~~,
security alarms - \$40.00 per dwelling. If other than a dwelling, section
15-3.1(b)(1) applies.
~~**~~(a) 1-10 units - \$25.00
(b) Additional fee per unit in excess of 10 and up to 40 units - \$4.00
(c) Additional fee per unit in excess of 40 - \$2.00**
- 7. Pools - Bonding, fixtures and receptacles
(a) Above ground - { ~~\$35.00~~ } ~~**\$100.00**~~
(b) Below ground - { ~~\$50.00~~ } ~~**\$150.00**~~
(c) Annual electrical inspection of swimming pools, spas or hot tubs
- { ~~\$50.00~~ } ~~**\$70.00**~~
- 8. Water heater - { ~~\$15.00~~ } ~~**\$40.00**~~
- 9. Central heat - { ~~\$20.00~~ } ~~**\$60.00**~~
- 10. Baseboard heat units per 100 kW - { ~~\$15.00~~ } ~~**\$25.00**~~
- 11. Heat pumps - heat or cooling units - { ~~\$30.00~~ } ~~**\$45.00**~~ per 100 kW
- 12. Service ~~{entrance} **~~, subpanel and motor control**
(a) 60-99 amps - { ~~\$30.00~~ } ~~**\$45.00**~~
(b) 100-199 amps - { ~~\$40.00~~ } ~~**\$55.00**~~
(c) 200-299 amps - { ~~\$50.00~~ } ~~**\$65.00**~~
(d) 300-~~400~~ ~~**399**~~ amps - { ~~\$70.00~~ } ~~**~~
(e) 400-~~1000~~ ~~**999**~~ amps - { ~~\$92.00~~ } ~~**\$575.00~~
~~**~~(f) ~~{Above}~~ 1000**-1299** amps - { ~~\$457.00~~ } ~~**675.00**~~
~~**~~(g) Over 1300 amps - \$775.00**
- 13. Generators
Up to 50 kW each - { ~~\$50.00~~ } ~~**\$75.00**~~
51-100 kW - { ~~\$100.00~~ } ~~**\$130.00**~~
101-200 kW - { ~~\$200.00~~ } ~~**\$580.00**~~
201 kW and above - an additional { ~~\$2.00~~ } ~~**\$3.00**~~ per kW
- 14. Light standards - four lights per pole - \$25.00
- 15. Motors
1-10 hp - { ~~\$15.00~~ } ~~**\$30.00**~~
11-50 hp - { ~~\$55.00~~ } ~~**\$70.00**~~
51-100 hp - { ~~\$70.00~~ } ~~**\$120.00**~~
101 hp and above - { ~~\$375.00~~ } ~~**\$580.00**~~
- 16. Transformers
1-10 kW - { ~~\$10.00~~ } ~~**\$30.00**~~
11-50 kW - { ~~\$45.00~~ } ~~**\$75.00**~~
51-112½ kw - { ~~\$92.00~~ } ~~**\$120.00**~~
~~**over 112½ { 113-500 kw - \$347.00} **\$580.00**~~
~~{501-800 kw - \$457.00}~~
~~801 kw and above - \$457.00}~~
- 17. Signs - { ~~\$25.00~~ } ~~**\$40.00**~~
- 18. Motor control/sub-panels same as service entrance
- 19. Fractional hp motors - { ~~\$5.00~~ } ~~**\$20.00**~~
- ~~**~~20. Photovoltaic systems
1-50 kW - \$125.00
over 50kW - additional \$25.00 per kW
- 21. Space Heater - \$60.00
- 22. Air Handler - \$ 60.00
- 23. Hot Tub - \$60.00
- 24. Whirlpool - \$60.00
- 25. Combo Boiler w/switch - \$60.00
- 26. Thermostat High Voltage - \$35.00 above 29 volts
- c. Plumbing Subcode Fees:
 1. Plumbing fixtures and appliances - \$10.00
 2. Water heaters - { ~~\$45.00~~ } ~~**\$75.00**~~
 3. Special devices - \$60.00
 4. Heating appliances - \$60.00
 5. Air conditioning equipment - { ~~\$60.00~~ } ~~**\$75.00**~~

6. Solar heating - { ~~\$60.00~~ } **\$75.00**
7. Hydronic piping
 - (a) One and two-family - \$45.00
 - (b) Multi-dwellings each unit - \$45.00
 - (c) Commercial and industrial - \$65.00
8. Gas piping - { ~~\$60.00~~ } **\$75.00**
9. Backflow preventer ½" - 1 ½" - { ~~\$15.00~~ } **\$25.00**
10. Appliances - \$60.00
- ** 11. Water Closet - \$25.00
12. Urinal/Bidet - \$25.00
13. Bathtub - \$25.00
14. Lavatory - \$25.00
15. Shower - \$25.00
16. Floor drain - \$25.00
17. Sink - \$25.00
18. Dishwasher - \$25.00
19. Dishwasher Commercial - \$75.00
20. Drinking Fountain - \$25.00
21. Washing machine - \$25.00
22. Hose bibb - \$25.00
23. Gas piping - \$75.00
24. Water heater - \$75.00
25. Steam boiler - \$100.00
26. Hot water boiler - \$75.00
27. Boilers above 200,000 BTU - \$100.00
28. Stacks - \$75.00
29. House trap - \$25.00
30. Interceptor/separator - \$25.00
31. Backflow preventer - \$25.00
32. Backflow preventer over ¾" - \$75.00
33. Grease trap - \$75.00
34. Water cooled air conditioning or refrigeration unit - \$75.00
35. Sewer connection - \$75.00
36. Water service connection - \$75.00
37. Gas service connection - \$75.00
38. Active solar system - \$75.00
39. Other - \$75.00
- d. Fire Protection Subcode Fees:
 1. Storage tanks - Gas, oil or chemical: Each
 - Up to 500 gal. capacity - \$40.00
 - 501 to 999 gal. capacity - \$60.00
 - 1,000 to 2,999 gal. capacity - \$75.00
 - 3,000 to 4,999 gal. capacity - \$115.00
 - 5,000 to 9,999 gal. capacity - \$230.00
 - 10,000 to 19,999 gal. capacity - \$500.00
 - 20,000 to 49,999 gal. capacity - \$1,000.00
 - 50,000 or more gal. - \$2,000.00
 2. Tank removals and abandonment in place: Each
 - Up to 1,000 gals. - { ~~\$60.00~~ } **\$100.00**
 - From 1,001 gals. to 5,000 gals. - { ~~\$120.00~~ } **\$150.00**
 - { ~~From~~ } **Over** 5,001 gals. { ~~to 20,000 gals. - \$200.00~~ } **\$350.00
 - { ~~Over 20,001 gals. - \$300.00~~ }
 3. Gas and oil heating units:
 - Residential:
 - All single unit appliances - \$45.00
 - Multifamily up to six units - \$85.00
 - Central heat to six units - \$85.00
 - Additional fee per unit over six - \$5.00
 - Commercial/stores/offices/light industrial/churches:
 - Space heaters/unit heaters each - \$45.00
 - Central heat:
 - Up to 300,000 BTU's - \$60.00
 - 300,001 BTU's and up - \$125.00
 - Heavy industrial:
 - Central heating and/or processing - \$125.00
 - High pressure boilers each - \$175.00
 - High temperature furnaces each - \$175.00
 - Space heaters: Each unit \$45.00
 4. Wood burning stoves: For new installations or replacements including chimneys - \$50.00

5. Smoke detectors:
Up to 10 units - \$25.00
Additional fee per unit in excess of 10 - \$3.00
Additional fee per unit in excess of 40 - \$2.00
6. Standpipe installation:
Fees shall be, each installation:
2 1/2" pipe - \$40.00
4" pipe - \$125.00
6" pipe - \$175.00
8" pipe - \$225.00
7. Sprinkler system - \$25.00 per \$1,000.00 of estimated cost. The minimum fee shall be { ~~\$60.00~~ } **\$75.00**.
8. Fire pumps:
The fee shall be:
Up to 750 GPM - \$100.00
751 to 1,000 GPM - \$150.00
1,001 to 1,500 GPM - \$200.00
1,501 to 2,000 GPM - \$250.00
Each 100 GPM above 2,000 - \$10.00
9. Hose stations:
Each station - \$12.00
10. Central stations:
Each central station - \$150.00
Manual or pull stations each - \$60.00
Master fire alarm boxes - \$45.00
11. Special suppression system:
\$15.00 per \$1,000.00 per estimated cost
The minimum fee shall be { ~~\$60.00~~ } **\$75.00**

e. Elevator Subcode. In accordance with the Uniform Construction Code (N.J.A.C. 5-23.1 et seq.), fees for private on-site elevator inspections shall be at the rate(s) set forth in the municipal contract plus fifteen (15%) percent.

- **f. Mechanical Subcode Fees:
1. Water heater - \$75.00
 2. Fuel Oil piping - \$75.00
 3. Gas piping - \$75.00
 4. Steam boiler - \$75.00
 5. Hot water boiler - \$75.00
 6. Boilers over 200,000 BTU - \$100.00
 7. Hot air furnace - \$75.00
 8. Oil tank - \$75.00
 9. LPG tank - \$75.00
 10. Fireplace - \$75.00

~~{f.}~~ **g.** Minimum Fees.

1. There shall be a minimum fee of { ~~\$60.00~~ } **\$75.00** for each subcode permit required for any new construction or alteration.

~~{g.}~~ **h.** Fees for Certificates and Other Permits.

1. Demolition fees.
 - (a) One- and two-family dwellings - { ~~\$90.00~~ } **\$120.00**
Porches, sheds, garages and accessory structures { ~~\$50.00~~ }
\$75.00 per ~~{each}~~ structure.
 - (b) All other use groups ~~**~~(greater than 5000 square feet or more than 30 feet high)~~**~~ - { ~~\$60.00~~ } **\$75.00** per ~~{each}~~ 5,000 square feet of floor space. The minimum fee shall be { ~~\$60.00~~ } **\$75.00**.
 - (c) Removal of a building from one location to another - \$15.00 per \$1,000.00 of associated costs.
2. Sign fees. The fee to construct or alter a sign of twenty-five (25) square feet or more in surface shall be { ~~\$4.00~~ } per square foot of the surface area of the sign, computed on one side only for double faced signs{ ~~-~~ } **as follows:**
 - ** (a) Minimum fee - \$75.00.**
 - ** (b) Ground/wall sign - \$5.00
 - ** (c) Pylon sign - \$6.00**
3. Certificate of occupancy fees.
 - (a) The minimum fee for any certificate shall be { ~~\$60.00~~ } **\$75.00**.
 - (b) All use groups - fifteen (15%) percent of new construction fee - Minimum \$60.00.
 - (c) Certificate of continued use.

- Residential and commercial \$60.00 for first unit and \$15.00 for each additional unit.
Assembly and industrial \$.009 for every square foot of floor space with a minimum fee of \$60.00 and a maximum fee of \$700.00.
- (d) Certificate for change of use - \$80.00 per each certificate.
- **4.** Building Certificates – Uniform Construction Code
- (a) Certificate of occupancy - \$75.00
(b) Certificate of continued occupancy - \$275.00
(c) Certificate of change of use - \$275.00
(d) Temporary certificate of occupancy - \$150.00
(e) Application for a Variation is identical to NJ State prevailing fee.**
- **5.** Building Inspection CCO fees – NON-UCC
- (a) First Unit Residential - \$75.00
(b) plus for each additional unit - \$20.00
(c) plus for each retail and restaurant - \$75.00
(d) plus for each office and business - \$90.00
(e) Daycare - \$90.00
(f) Dance/martial arts/instructional - \$90.00
(g) Motor vehicle repair/gas station - \$90.00
(h) Auto body – no spray booth - \$90.00
(i) Auto body with spray booth - \$90.00
(j) Hotels and motels – same as residential
(k) Movie theater per screen - \$90.00
(l) New/used car dealer - \$90.00
(m) Laundromat/ car washes - \$90.00
(n) Nursing homes/hospitals - \$90.00
(o) Supervised care centers - \$90.00
(p) Storage/factories/commercial - \$0.009 per sq. ft., min., \$700.00 max.**

15-3.2 Plan Review Fee.

The fee for plan review shall be twenty (20%) percent of the amount to be charged for the construction permit and shall be paid {before the plans are reviewed} ****at the time of application for a permit****. The amount paid for this fee shall be {credited toward} ****deducted from**** the amount of the fee to be charged for the construction permit ****when the permit is issued**. Plan fees are not deductible.

There shall be an additional fee of ten (10%) percent of the plan review fee for any resubmitted plans or changes to plans that have already been released**.

Section 8. That the Revised General Ordinances of the City of Bayonne, Chapter 21, HEALTH REGULATIONS, be amended and supplemented as follows: (New material ****between asterisks****, deletions {within brackets})

21-2 PERMITS AND LICENSES.

21-2.6 Reinspections.

a. In the event the Health Officer or designee thereof determines it necessary to reinspect an establishment or facility before issuing a license or permit, the applicant shall be required to pay a reinspection fee of {one hundred fifty (\$150.00)} ****one hundred seventy-five (\$175.00)**** dollars. In the event a third inspection is required, the fee shall increase to three hundred ****fifty (\$350.00)**** { (\$300.00) } dollars.

b. Upon being informed that a reinspection fee is required the applicant has five (5) business days to request an informal hearing before the Health Officer. The request must be in writing.

21-5 RETAIL FOOD ESTABLISHMENTS AND FOOD AND BEVERAGE VENDING MACHINES.

21-5.3 Investigation.

In addition to the requirements contained in N.J.A.C. 8:24-1.3, each application for a license as a retail food establishment shall be investigated by a Sanitary Inspector of the Division of Health who shall report his findings in writing to the Health Officer within a reasonable time. ****The fee for said pre-operation inspection shall be \$75.00.****

21-5.4 Fees.

The annual fees for licenses under this section shall be as follows:

- a. Retail food establishment

	(Selling area under 2,500 sq. ft.)	{ \$150.00}	**\$175.00**
b.	Retail food establishment		
	(Selling area 2,500 to 5,000 sq. ft.)	{ 300.00}	**350.00**
c.	Retail food establishment		
	(Selling area 5,000 sq. ft. or more		
	to 15,000 sq. ft.)	{ 600.00}	**700.00**
**d.	Retail food establishment		
	(Selling area 15,000 sq. ft. or more)		2,000.00**
{d.} **e.**	Non-food establishment (Selling small quantities of prepackaged goods)	{ 50.00}	**75.00**
{e.} **f.**	Restaurants (Seating 1 to 25)	{ 150.00}	**200.00**
{f.} **g.**	Restaurants (Seating 2 5 **6** to 75)	{ 250.00}	**300.00**
{g.} **h.**	Restaurants/catering establishments		
	(Seating 7 5 **6** to 150)	{ 400.00}	**450.00**
**i.	Restaurants/catering establishments		
	(Seating over 150)		**650.00**
{h.} **j.**	Fish, chicken, meat markets	{ 200.00}	**225.00**
{i.} **k.**	Bakery	{ 200.00}	**225.00**
{j.} **l.**	Produce market	{ 200.00}	**225.00**
{k.} **m.**	One day/short term events	100.00	
{l.} **n.**	Vending Machines		
	Annual permit fee	{ 100.00}	**150.00**
	License fee - per machine	{ 20.00}	**40.00
{m.}	Restaurants/catering establishments		
	(Seating 150 or more)	600.00}	
{n.} **o.**	School cafeteria	200.00	
{o.} **p.**	Bar & grill	{ 75.00}	**100.00**

21-21 BODY ART.

21-21.2 Application for License.

a. Any person, firm, partnership, or corporation desiring to engage in body piercing or tattooing shall apply to the City of Bayonne Division of Health, in writing, on forms promulgated and supplied by the Division of Health for that purpose, which form shall be duly verified by the applicant. Separate applications will be required for body piercing, body branding, and tattooing. The application, accompanied by the license fee, in the amount of ~~{five hundred (\$500.00)}~~ **one thousand (\$1,000.00)** dollars, shall set forth:

1. – 11. NO CHANGES.

- b. Each applicant for a license must qualify for a body piercing license and the requisite fee therefor, which is established at ~~{five hundred (\$500.00)}~~ **one thousand (\$1,000.00)** dollars, must be paid prior to the issuance of a license to engage in body piercing.
- c. Each applicant for a license must qualify for a tattooing business license and the requisite fee therefor, which is established at ~~{five hundred (\$500.00)}~~ **one thousand (\$1,000.00)** dollars, must be paid prior to the issuance of a license to engage in tattooing of the body.
- d. Each body piercing license, license and tattooing business license issued by the Division of Health shall contain a registration number and no such license shall be transferable to another person or entity. Licenses may be transferred from present address to a new address, upon notification to the Division of Health with payment of a fee of ~~{twenty five (\$25.00)}~~ **one hundred (\$100.00)** dollars.

21-21.4 Fees.

- a. The schedule of fees for the issuance of permits authorized by this section is as follows:
1. Basic license to operate a body piercing and/or tattoo establishment: ~~{five hundred (\$500.00)}~~ **one thousand (\$1,000.00)** dollars for each activity.
2. Inspection fee for annual inspection of body piercing and/or tattoo establishment: ~~{one}~~ **two** hundred { ~~(\$100.00)~~ } **(\$200.00)** dollars. Annual inspection is required within every twelve (12) calendar months. The City of Bayonne Health Officer, or the Health Officer's designee, shall conduct an annual inspection of the establishment.

21-25 AMBULANCES.

21-25.3 Application for Ambulance License.

Applications for ambulance licenses hereunder shall be made upon such forms as may be prepared or prescribed by the license officer and shall contain:

a. to f. – NO CHANGES.

g. An accompanying license fee of ~~{one hundred fifty (\$150.00)}~~ **two hundred (\$200.00)** dollars per ambulance.

21-27 LAUNDRIES.

21-27.1 License Required.

No person shall conduct a laundry in the City without having first obtained a license for that purpose from the Division of Health. The license shall be issued by the Division of Health upon the payment of a fee of ~~{one hundred (\$100.00)}~~ **one hundred seventy-five (\$175.00)** dollars after approval of the application as hereinafter provided.

The application for a license to conduct a laundry shall be made in writing to the Division of Health and shall state the maximum number of persons to be employed, the kind of laundry work to be done, a description of the premises where the work of laundering is to be done and the number of cubic feet in the structure or rooms where the work is to be done.

21-30 PIGEONS AND POULTRY.

21-30.3 Pigeon and Poultry-Keeping Fee; Expiration Date.

No person shall keep pigeons, chickens, or other poultry without having first obtained a license from the Health Officer. The annual fee shall be ~~{one hundred (\$100.00)}~~ **one hundred twenty-five (\$125.00)** dollars and licenses shall expire on December 31st of each year.

21-31 MISCELLANEOUS LICENSES AND FEES.

21-31.1 Additional Licenses Required; Fees.

It shall be unlawful for a person to engage in the following business or activities within the City without first obtaining a license and paying the annual fee for same. All licenses or renewals shall expire December 31 annually. Licenses and fees for same are as follows:

- a. Commercial pool, { ~~\$1,000.00~~ } **\$1,100.00.**
- b. Fat rendering, { ~~\$25.00~~ } **\$100.00.**
- c. Milk (wholesale or retail truck), { ~~\$75.00~~ } **\$100.00.**

21-32 SIDEWALK CAFES AND OUTDOOR SEATING.

21-32.8 License Fee.

a. The fee for a sidewalk cafe license shall be ~~{two hundred fifty (\$250.00)}~~ **two hundred seventy-five (\$275.00)** dollars per application.

b. The fee for an outdoor seating license shall be one hundred **twenty-five** { ~~\$100.00~~ } **(\$125.00)** dollars per application.

21-33 PEDDLERS, HAWKERS AND VENDORS OF FOOD AND BEVERAGES.

21-33.3 Fees.

The license fee for a peddler shall be three hundred **fifty** { ~~\$300.00~~ } **(\$350.00)** dollars per year.

Section 9. That the Revised General Ordinances of the City of Bayonne, Chapter 33, PLANNING AND DEVELOPMENT REGULATIONS, be amended and supplemented as follows: (New material **between asterisks**, deletions {~~within brackets~~})

33-4 ZONING PERMITS.

33-4.1 Zoning Permit.

a. to c. – NO CHANGES.

**d. Schedule of Fees for Zoning Permits and Approvals. Fees for zoning permits and approvals shall be in accordance with the following table:

Schedule of Fees for Zoning Permits and Approvals

THE FEE FOR A ZONING PERMIT SHALL BE \$100 NON-REFUNDABLE FOR EACH PERMIT REQUIRED EXCEPT:			
Category	Type	Area/size	Fee
Residential			
	Addition/Alteration to Existing 1- or 2-Family Residential Dwelling	---	\$100
	Addition/Alteration to Existing Multi-Family Residential Dwelling	---	\$200
	New Construction of Multi-Family Residential Dwelling	≤5 d.u.	\$300
	New Construction of Multi-Family Residential Dwelling	6-25 d.u.	\$500
	New Construction of Multi-Family Residential Dwelling	>25 d.u.	\$600
Residential Accessory			
	Deck/Patio/Porch		\$50
	Fence/Wall		\$50
	Detached Garage/Shed		\$50
	Pool/Spa		\$50
	Stairs/Walkways/Sidewalks		\$50
Mixed-Use			
	Addition/Alterations to Existing Mixed-Use Structure	---	\$150
	New Construction of Mixed-Use Structure	≤5 d.u.	\$300
	New Construction of Mixed-Use Structure	6-25 d.u.	\$500
	New Construction of Mixed-Use Structure	>25 d.u.	\$500
Commercial			
	New Commercial Structure or Addition	5,001-10,000 s.f.	\$150
	New Commercial Structure or Addition	10,001-25,000 s.f.	\$250
	New Commercial Structure or Addition	25,001-50,000 s.f.	\$350
	New Commercial Structure or Addition	>50,000 s.f.	\$500
Industrial			
	New Industrial Structure or Addition	≤10,000 s.f.	\$300
	New Industrial Structure or Addition	10,001-50,000 s.f.	\$500
	New Industrial Structure or Addition	50,001-100,000 s.f.	\$600
	New Industrial Structure or Addition	>100,000 s.f.	\$750
Other			
	Certification of Pre-Existing Non-Conforming Use	---	\$150
	Requests for Zoning Determination/Interpretation	---	\$50

Section 10. Severability. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid by any court of competent jurisdiction, such decision shall not affect the remaining portions of this ordinance.

Council Member Gillespie moved the following resolution, seconded by Council Member Ruane, 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 2, ADMINISTRATION, CHAPTER 3, POLICE REGULATIONS, CHAPTER 4, LICENSING AND BUSINESS REGULATIONS, CHAPTER 5, ANIMAL CONTROL, CHAPTER 6, ALCOHOLIC BEVERAGE CONTROL, CHAPTER 8, TAXICABS AND LIMOUSINES, CHAPTER 15, BUILDING AND HOUSING, CHAPTER 21, HEALTH REGULATIONS, AND CHAPTER 33, PLANNING AND DEVELOPMENT REGULATIONS,” just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, February 15, 2012 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 Czerwienski, Gillespie, Greaves, Hurley and President Ruane.

* * * * *

03. Council Member Gillespie 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. Gloria Verntre, 79 West 19th Street

Beginning at a point on the north side of West 19th Street, 312 feet west of the northwest corner of Avenue C and West 19th Street, and extending to a point 22 feet west thereof.

131. Anthony Squillante, 101 West 50th Street

Beginning at a point on the north side of West 50th Street, 158 feet east of the northeast corner of West 50th Street and Avenue B, and extending to a point 19 feet east thereof.

146. Jennifer Pipher, 93 West 24th Street

Beginning at a point on the north side of West 24th Street, 240 feet east of the northeast corner of West 24th Street and Kennedy Boulevard, and extending to a point 22 feet east thereof.

ADD

082. Bruce C. Simmons, 125 West 26th Street

Beginning at a point on the north side of West 26th Street, 184 feet west of the northwest corner of West 26th Street and Kennedy Boulevard, and extending to a point 22 feet west thereof.

223. Victor A. Cordato, 13 Colonial Drive

Beginning at a point on the south side of Colonial Drive, 284 feet west of the southwest corner of Colonial Drive and Sycamore Road, and extending to a point 16.5 feet west thereof.

251. Mary K. Sellers for her daughter, Ashley Bellotti, 10A West 36th Street

Beginning at a point on the south side of West 36th Street, 138 feet west of the southwest corner of West 36th Street and Broadway, and extending to a point 19 feet west thereof.

RELOCATE

061. Barbara Stanowski from 42 West 29th Street to 125 Avenue E

OLD LOCATION: Beginning at a point on the south side of West 29th Street, 132 feet east of the southeast corner of Avenue C and West 29th Street, and extending to a point 22 feet east thereof.

NEW LOCATION: Beginning at a point on the south side of West 16th Street, 40 feet west of the southwest corner of Avenue E and East 16th Street, and extending to a point 18 feet West thereof.

107. Rita Patel for her son, Harry, from 733 Avenue A to 761 Avenue A

OLD LOCATION: Beginning at a point on the west side of Avenue A, 149 feet south of the southwest corner of West 32nd Street and Avenue A, and extending to a point 22 feet south thereof.
NEW LOCATION: Beginning at a point on the west side of Avenue A, 25 feet south of the southwest corner of Newark Bay Court and Avenue A, and extending to a point 20 feet south thereof.

Council Member Gillespie moved the following resolution, seconded by Council Member Ruane, 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, February 15, 2012 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 Czerwienski, Gillespie, Greaves, Hurley and President Ruane.

* * * * *

04. The Council as a whole moved the following resolution, which was ready 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 Czerwienski, Gillespie, Greaves, Hurley and President Ruane.

* * * * *

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

From Christopher S. Byrnes, Esq., filing notice of tort claim on behalf of CYNTHIA LYONS, alleging injuries sustained November 11, 2011 in a fall on the sidewalk at 25th Street and Avenue C.

* * * * *

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

From Dennis J. Drasco, Esq., filing notice of tort claim on behalf of SHEYLA LEONARDINI, alleging injuries sustained May 6, 2011 in slip and fall in the locker room at the Lincoln School.

* * * * *

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

From Patrick G. Patel, Esq., filing notice of tort claim on behalf of CLARA NALLY, alleging injuries sustained November 5, 2011 in a fall on the sidewalk at 347 Avenue C.

* * * * *

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

From CORY M. BRENSON, filing notice of tort claim alleging property damage to his parked automobile on September 27, 2011, resulting from being struck by a Public Works vehicle at Broadway and East 1st Street.

* * * * *

09. 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, "CARRIER CORPORATION SERVICE vs. THE CITY OF BAYONNE." (Collection case for HVAC services at various city locations.)

* * * * *

10. The Council as a whole moved the following resolution, which was ready 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 Czerwienski, Gillespie, Greaves, Hurley and President Ruane.

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

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

* * * * *

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

DATE: December 7, 2011

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:

\$4,757,181.50 Claims & Payroll for December 2011

Janet Convery
(signed)

* * * * *

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

BID REPORT
FOR THE MUNICIPAL COUNCIL

Date: 01/12/12 Ad Resolution # 06-09-20-057 Ad Date: 12/23/11
Date bids accepted: 01/12/12 Attending: Amy Dellabella, Anthony DeSalvo, Esq.
Bid titled: Museum HVAC Installation
Bidder(s): Amount:

	Item#1 Demo	Item#2 AC Upgrades	Item#3 Ductwork/Sox	Item#4 Electrical	Item#5 Steam Boiler	Item#6 DDC Controls
In-Line Air Conditioning, Inc. 85 East 21st Street Bayonne, NJ 07002	\$3,460.00	\$95,400.00	\$35,900.00	\$19,625.00	\$8,465.00	\$14,680.00
AMCO Enterprises, Inc. 600 Swenson Drive Kenilworth, NJ 07033	\$16,000.00	\$166,000.00	\$43,000.00	\$28,000.00	\$58,000.00	\$63,600.00

After review by the Department Director, the Purchasing Department will prepare a request for contract award and forward it to the City Clerk for inclusion in future Council Agenda. If other than the lowest bidder is recommended, an explanation will be provided with that report. If bids are to be rejected, an appropriate report will be prepared.

Please retain this report, as the information above may not be repeated in the request for award documents or in the event of a bid rejection.

Respectfully submitted,
Amy Dellabella, R.P.P.O., Q.P.A.
Purchasing Agent
(signed)

Legal Approval:
Anthony DeSalvo, Esq.

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

BID REPORT
FOR THE MUNICIPAL COUNCIL

Date: 01/18/12 Ad Resolution # 11-06-15-030 Ad Date: 01/03/12
Date bids accepted: 01/18/12 Attending: Anthony DeSalvo, Esq.
Bid titled: TIMBER PILE PACKAGE FOR THE NEW SOUTH HARBOR FIRESTATION

BIDDERS		\$\$ AMOUNT
Simpson & Brown, Inc.	Total Base Bid (including allowances)	\$186,500.00
119 North Avenue West	Alternate No. 1: \$6,900.00	
Cranford, New Jersey 07016	Total Lump Sum Bid	\$193,400.00
Sparwick Contracting	Total Base Bid (including allowances)	\$477,000.00
18 Route 94	Alternate No. 1: \$5,800.00	
Lafayette, New Jersey 07848	Total Lump Sum Bid	\$482,800.00
Flanagans Contracting Group	Total Base Bid (including allowances)	\$649,353.00
90 Old Camplain Road	Alternate No. 1: \$5,000.00	
Hillsborough, NJ 08844	Total Lump Sum Bid	\$654,353.00

After review by the Department Director, the Purchasing Department will prepare a request for contract award and forward it to the City Clerk for inclusion in future Council Agenda. If other than the lowest bidder is recommended, an explanation will be provided with that report. If bids are to be rejected, an appropriate report will be prepared.

Please retain this report, as the information above may not be repeated in the request for award documents or in the event of a bid rejection.

Respectfully submitted,
Amy Dellabella, R.P.P.O., Q.P.A.
Purchasing Agent
(signed)

Legal Approval:
Anthony DeSalvo, Esq.

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

BID REPORT
FOR THE MUNICIPAL COUNCIL

Date: 01/12/12 Ad Resolution #11/10/19/054 Ad Date: 12/23/11
Date bids accepted: 01/12/12 Attending: Amy Dellabella, Anthony DeSalvo, Esq.

Bid titled: Bathroom Renovations-

- Item#1 1st St Park/Sea View Ct. One Women’s Bathroom
- Item#2 1st St Park/Sea View Ct. One Men’s Bathroom
- Item#3 1st St Park/Pony League One Women’s Bathroom
- Item#4 1st St Park/Pony League One Men’s Bathroom

Bidder(s):	Amount:				
	Item#1	Item#2	Item#3	Item#4	To Ite
Chappelle Mechanical Inc. 3461 East Thistle Avenue Toms River, NJ 08753	\$11,000.00	\$11,000.00	\$11,000.00	\$11,000.00	\$4
SZ Construction LLC 38 Grove Avenue Rochelle Park, NJ 07662	\$18,500.00	\$17,300.00	\$18,400.00	\$17,300.00	\$7

After review by the Department Director, the Purchasing Department will prepare a request for contract award and forward it to the City Clerk for inclusion in future Council Agenda. If other than the lowest bidder is recommended, an explanation will be provided with that report. If bids are to be rejected, an appropriate report will be prepared.

Please retain this report, as the information above may not be repeated in the request for award documents or in the event of a bid rejection.

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

Legal Approval:
Anthony DeSalvo, Esq.

16. The Council as a whole moved the following resolution, which was ready 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 Czerwienski, Gillespie, Greaves, Hurley and President Ruane.

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

RESOLVED, That the official minutes of the regular council meeting held Wednesday, December 14, 2011 be and the same are hereby approved.

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

RESOLVED, That the official minutes of the council caucus meeting held Wednesday, December 7, 2011, be and the same are hereby approved.

* * * * *

19. The Council as a whole moved the following resolution, which was ready 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.

BLOCKLOT	PAYEE	AMOUNT
5 10	Wells Fargo	683.66
32 5.02	Barbara Cruz	340.14
32 18.03	Winter Winter	495.46
34 17.02	Wells Fargo	281.68
37 10	Wells Fargo	4,433.22
43 6	CitiMortgage	2,327.98
52 36	Angela De Quina	5.53
57 35	Magdy Abdelmaseh	465.60
61 22	Maissel Lopez	156.88
71 14	William & Maria Connors	1,715.28
79 3.31	Chase	540.91
81 12	Theresa Smith	751.45
102 47	Wells Fargo	4,863.92
106 33	Teresa Conklin	459.71
109 9	Thomas Bellotti	1,841.82
113 18	Christina Thomas	86.52
113 37	Vadim Cherne	987.07
128 12	Felicitas Allarey	2,244.11

142	19	Michael Peregrin	1,328.32
142	22.0101	759-761 Ave. A. Realty/Zipp & Tannenbaum	154.14
142	22.0122	759-761 Ave. A. Realty/Zipp & Tannenbaum	111.20
142	22.0124	759-761 Ave. A. Realty/Zipp & Tannenbaum	116.23
142	22.0131	759-761 Ave. A. Realty/Zipp & Tannenbaum	122.48
142	22.0133	759-761 Ave. A. Realty/Zipp & Tannenbaum	135.42
142	22.0135	759-761 Ave. A. Realty/Zipp & Tannenbaum	51.50
142	22.0141	759-761 Ave. A. Realty/Zipp & Tannenbaum	122.48
142	22.0142	759-761 Ave. A. Realty/Zipp & Tannenbaum	111.20
142	22.0143	759-761 Ave. A. Realty/Zipp & Tannenbaum	135.42
142	22.0145	759-761 Ave. A. Realty/Zipp & Tannenbaum	51.50
150	13	Carol Manno	1,729.59
152	17	John Smith	699.05
155	22.0135	Terrence Malloy	2,656.64
156	14	Vincent Zito	550.00
162	32	Leopoldo Bourdett	1,918.48
181	12.21	Everhome/Lereta	1,650.13
181	12.22	BAC Tax Service	1,081.82
184	25	Magdy Abdelmaseh	2,665.15
188	37	Wells Fargo	551.24
209	6	Ashraf Saad	322.44
245	22	Magdy Abdelmaseh	1,838.54
255	21	Robert McCarthy	1,266.69
299	9	CitiMortgage	3,797.43
299	12	CitiMortgage	3,966.57
305	14	Bergen Point Investors	2,085.49
308	26	CitiMortgage	7,209.89
318	21.01	Jose Quintela	1,830.47
318	22	Jose Quintela	1,196.60
305	15	Bergen Point / Zipp & Tannenbaum	1,206.38
305	16	Bergen Point / Zipp & Tannenbaum	1,206.38
305	17	Bergen Point / Zipp & Tannenbaum	1,206.38
305	18	Bergen Point / Zipp & Tannenbaum	1,206.38
325	1	Bergen Point / Zipp & Tannenbaum	3,471.81
325	2	Bergen Point / Zipp & Tannenbaum	1,618.40

325	3	Bergen Point / Zipp & Tannenbaum	1,270.01
325	6	Bergen Point / Zipp & Tannenbaum	528.14
335	7	Christine Thomas	1,500.48
339	13.01	Walter & Judith Snarke	3,375.88
339	24 C204	Christina Septak	1,269.72
379	2.16	Teresa Hanna	3,299.74
428	19	Lillian Czarnecki	725.36
Total:			84,022.11

* * * * *

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

WHEREAS, the City Clerk’s Office has issued Ninety-four (94) Marriage Licenses during the months of October, November and December, and has collected \$25.00 per license, which is to be forwarded to the Division of Youth and Family Services, now, therefore be it

RESOLVED, that a warrant in the amount of Two Thousand three hundred fifty dollars (\$2350.00) be drawn to the order of the Treasurer, State of New Jersey and forwarded to the City Clerk’s Office for disbursement.

* * * * *

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

WHEREAS, the City Clerk’s Office has issued One (1) Civil Union Certificates during the months of October, November and December, and has collected \$25.00 per Certificate, which is to be forwarded to the Division of Youth and Family Services, now, therefore be it

RESOLVED, that a warrant in the amount of Twenty-five dollars (\$25.00) be drawn to the order of the Treasurer, State of New Jersey and forwarded to the City Clerk’s Office for disbursement.

* * * * *

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

RESOLVED, That a warrant in the amount of \$1.20 be drawn of the Bureau of Rabies Control, State Department of Health, Trenton, New Jersey, covering the issuance of licenses Nos. 1821 inclusive, 1 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.

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

BE IT RESOLVED, that the actions of the Municipal Treasurer in issuing a warrant from the Current Fund in the amount of \$ 5,425.00 payable to Bayonne Community Bank for payment of bonds for the Poster Contest is hereby ratified and confirmed.

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

CY 2012 TEMPORARY BUDGET

RESOLVED, by the Municipal Council that pursuant to N.J.S. 40A:4 -19, the following appropriations be and the same are hereby made and approved for the year CY 2012, and be it further.

RESOLVED, by the Municipal Council of the City of Bayonne, that the dedicated revenues pursuant to N.J.S. 40A:4 -39 for the period between the beginning of CY 2012 and the date of the adoption of the CY 2012 budget are hereby appropriated for the purpose to which said revenues are dedicated for in the said statues or other legal requirements:

<u>CURRENT FUND</u>	<u>SALARIES</u>	<u>EXPENSES</u>	<u>APPROPRIATION</u>
OFFICE OF THE MAYOR	\$ 90,000.00	\$ 5,000.00	
PLANNING BOARD		\$ 16,000.00	
BOARD OF ADJUSTMENT		\$ 6,000.00	
ALCOHOL BEVERAGE CONTROL		\$ 400.00	
ENVIRONMENTAL COMMISSION		\$ 500.00	
RENT CONTROL	\$ 6,000.00	\$ 5,000.00	
BAYONNE ECON. OPPORTUNITY FUND		22,500.00	
BUSINESS ADMINISTRATION	175,000.00	90,000.00	
PERSONNEL	\$ 30,000.00		
GROUP INSURANCE		\$ 5,000,000.00	
GENERAL LIABILITY		\$ 700,000.00	
WORKERS COMPENSATION		\$ 600,000.00	
TELEPHONE EXPENSES		\$ 40,000.00	
MUNICIPAL COUNCIL	\$ 60,000.00	\$ 2,000.00	
BUDGET & ACCOUNTING FEES		\$ 33,500.00	
CITY CLERK'S OFFICE	\$ 80,000.00	\$ 10,000.00	
PRIMARY & GENERAL ELECTION-O.E.	\$ 10,000.00	\$ 10,000.00	
FINANCE	\$ 225,000.00		
TAX ASSESSOR	\$ 80,000.00		
COLLECTION OF TAXES	\$ 75,000.00		
POSTAGE		\$ 30,000.00	
PLANNING & ZONING	\$ 130,000.00	\$ 2,000.00	
LAW DEPT.	\$ 180,000.00	\$ 8,000.00	
LAW DEPT - CONTRACTS		\$ 60,000.00	
BOARD OF HEALTH	\$ 200,000.00	\$ 300,000.00	
MEDICAL EXPENSES		\$ 2,000.00	
BAYONNE HEALTH CENTER		\$ 2,000.00	
SOLID WASTE DISPOSAL		\$ 750,000.00	
SOLID WASTE COLLECTION		\$ 600,000.00	
FIRE DEPT. - UNIFORM	\$5,000,000.00	\$ 100,000.00	
FIRE DEPT. - NON-UNIFORM	\$ 80,000.00		
LAW ENFORCEMENT - UNIFORM	\$7,250,000.00	\$ 125,000.00	
LAW ENFORCEMENT - NON-UNIFORM	\$ 800,000.00	\$ 4,000.00	
PROSECUTOR'S OFFICE	\$ 15,000.00		
CELEBRATION OF PUBLIC HOLIDAYS		\$ 12,000.00	
PARKS & PLAYGROUNDS	\$ 400,000.00	\$ 20,000.00	
STREETS & ROAD MTCE	\$ 400,000.00	\$ 275,000.00	
BUILDING & GROUNDS	\$ 400,000.00	\$ 50,000.00	
VEHICLE MAINTENANCE	\$ 270,000.00	\$ 80,000.00	
MAINTENANCE OF PARKS	\$ 400,000.00	\$ 20,000.00	
OTHER PUBLIC WORKS	\$ 120,000.00	\$ 10,000.00	
SNOW REMOVAL	\$50,000.00	\$ 100,000.00	
PUBLIC DEFENDER - O.E.			
BULK LEVY EXPENSES		\$ 5,000.00	
GASOLINE, OIL, GREASE, ETC.		\$ 150,000.00	
OLDER AMERICAN PROGRAM			\$50,000.00
UTILITIES		\$ 400,000.00	
SOCIAL SECURITY		\$ 550,000.00	
CONSOLIDATED P&F RET.SYS.		\$ 500.00	
UNEMPLOYMENT INSURANCE		\$ 50,000.00	
MUNI PEN. TO EMPLOYEE & WIDOWS		\$ 20,000.00	
MUNICIPAL COURT	\$ 350,000.00	\$ 50,000.00	
MTCE OF FREE PUBLIC LIBRARY			\$825,000.00
OLDER AMERICAN ACT			\$ 200,000.00
LRA REIMBURSEMENT	46,675.66		
	\$16,922,675.66	\$10,388,400.00	\$1,075,000.00
	6.		
TOTAL	\$28,386,075.66		

PARKING UTILITY

OPERATING	\$205,000.00	\$105,000.00
GROUP INSURANCE	\$85,000.00	
SOCIAL SECURITY	\$20,000.00	
PUBLIC EMPLOYEES RET. SYS.	\$1,000.00	
	\$311,000.00	\$105,000.00
TOTAL	\$416,000.00	

* * * * *

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

Resolution canceling certain added or increased assessments on properties qualifying for 5 year tax exemptions.

Whereas, the City of Bayonne has adopted an ordinance (O-8-29 passed October 15, 2008), Amending and supplementing Chapter 10, Taxation and Special Improvement Districts, providing for various exemptions on increases to the value of certain improvements and new construction, and

Whereas, the following properties have made timely application for such exemption:

Block	Lot	Qualifier	Location	Owner
181	38	CD	604-606Avenue A, Unit D	SHLYAPNIKOV
157	15.01	C104	59-63 W 30 th St., Unit 104	CHANDLER
157	15.01	C301	59-63 W 30 th St., Unit 301	STROUD

Whereas, taxes on these properties were current at the time of the application, and

Whereas, the respective applications for the exemption has been reviewed by the City Tax Assessor’s Office and approved by the City Tax Assessor, and

Whereas, the Tax Assessor has determined that the taxable assessed value of each property as of the first day of the month following the date of completion (i.e. the effective date of the exemption) should be as indicated below:

BLOCK	LOT	QUAL	Location	Owner	Effective Date of Exemption
181	38	CD	604-606Avenue A, Unit D	SHLYAPNIKOV	9/1/2011
				Post-completion Total Assessed Value without exemption (“Total AV”)	102,500
				Exemption Amount	21,500
				Taxable Assessed Value with exemption (“Taxable AV”)	81,000
				Initial 2011 Pre-Completion Partial Assessment	95,300
				Partial AV – Difference (Not Pro-rated)	14,300
			4	Number of 2011 Months	4
				Estimated 2011 Refund Amount	

<u>BLOCK</u>	<u>LOT</u>	<u>QUAL</u>	<u>Location</u>	<u>Owner</u>	<u>Effective Date of Exemption</u>
157	15.01	C104	59-63 W 30 th St., Unit 104	CHANDLER	8/1/2011
				Post-completion Total Assessed Value without exemption ("Total AV")	95,700
				Exemption Amount	19,400
				Taxable Assessed Value with exemption ("Taxable AV")	76,300
				Initial 2011 Pre-Completion Partial Assessment	89,000
				Partial AV – Difference (Not Pro-rated)	12,700
				Number of 2011 Months	5
				Estimated 2011 Refund Amount	

<u>BLOCK</u>	<u>LOT</u>	<u>QUAL</u>	<u>Location</u>	<u>Owner</u>	<u>Effective Date of Exemption</u>
157	15.01	C301	59-63 W 30 th St., Unit 301	STROUD	1/1/2011
				Post-completion Total Assessed Value without exemption ("Total AV")	121,500
				Exemption Amount	24,600
				Taxable Assessed Value with exemption ("Taxable AV")	96,900
				Initial 2011 Pre-Completion Partial Assessment	113,000
				Partial AV – Difference (Not Pro-rated)	16,100
				Number of 2011 Months	11
				Estimated 2011 Refund Amount	

NOW THEREFORE BE IT RESOLVED By the Municipal Council of the City of Bayonne as follows:

1. The above recitals are incorporated herein.
2. All taxes from "Effective Date of the Exemption" on the above qualified properties are to be calculated based on the Taxable Assessed Value with exemption("Taxable AV") for each such property and all 2011 and 2012 taxes calculated on an assessment exceeding that Taxable AV are hereby cancelled from the Effective Date of the Exemption (which is the first day of the month following completion), thereby excluding the "Exemption Amount" from taxation for the 5 year term of the exemption from the effective date of the exemption, providing that the tax exemption on the particular property in question is not terminated for non-payment of taxes or other valid cause.
3. As the initial 2011 taxable partial assessment on the above properties exceeded the final assessed value after applying the exemption, each property shall be entitled to a refund of the excess 2011 taxes paid prorated by the number of months following completion, based on multiplying the 2011 tax rate of \$68.49 per \$1,000.00 of assessed valuation by said prorated amount; with the Tax Collector authorized to effectuate said refund. .

4. Should the tax exemption on any of the aforesaid properties be terminated for non-payment of taxes or other valid cause, then the property where the exemption has been terminated shall be subject to full taxation (by way of an added or omitted assessment or as otherwise allowed by law) beginning the first day of the month following such termination and the tax cancellation provisions of the preceding paragraph shall be deemed not to apply to any amount affected by such termination.
5. The City Tax Assessor and Tax Collector are authorized to take all actions necessary within his or her respective authority to effectuate the exemption of assessment and cancellation of taxes pursuant to this resolution, including but not limited to, the adjustment or cancellation of added assessments, the correction, adjustment or crediting of tax billing or the refund of any overpayments on the subject properties.
6. The City Attorney, CFO and Treasurer are likewise authorized to take any actions which may be necessary to effectuate this resolution and to give effect to the exemption Ordinance.
7. This resolution shall take effect immediately.

* * * * *

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

Whereas, the Tax Assessor for the City of Bayonne has approved the exemption application for a 100% Disabled Veteran who occupies (100%) of the home located at Block 180 Lot 6, 181 West 25th Street, in the City of Bayonne, and

Whereas, the Tax Assessor has also confirmed that, but for the late filing of the application, the qualified veteran would have been entitled to the exemption effective June 17, 2010 which is the date of the qualifying disability according to a written determination of the Department of Veterans Affairs dated November 16, 2011, and

Whereas, said qualified veteran has requested that the municipal council give effect to this application as if timely filed and cancel 100% of the taxes following the effective date of this determination, and

Whereas, it has been the practice of this municipal body to honor such requests in appreciation of the sacrifice of such individuals and their family members;

Now therefore be it resolved as follows:

1. The property taxes on that portion (100%) of Block 180 Lot 6, 181 West 25th Street, in the City of Bayonne occupied by said qualifying veteran are hereby canceled effective June 17, 2010 with the tax collector to calculate any resulting overpayment of the tax bills from that date to the date of passage of this resolution
2. The tax collector, tax assessor and city treasurer are authorized to take any and all appropriate action to effectuate this resolution, including but not limited to, cancellation of taxes as set forth above and the refund or credit of any excess taxes which may have been paid by said qualifying veterans during the periods noted herein, as well as crediting or adjusting future bills in conformance with this resolution for the duration of the veteran's qualified status with respect to this property.

* * * * *

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

WHEREAS, the Director of Public Works and Parks has identified city owned vehicles that are no longer useful to the City, a list of which is attached; now, therefore, be it

RESOLVED, that the Director of Public Works and Parks, and/or the Purchasing Agent are hereby authorized to dispose through auction to be held on a date chosen by them, those vehicles that he has identified as being no longer useful to the City of Bayonne; and be it further

RESOLVED, that notice of said sale shall be published in a newspaper at least once and at least five days before the date of such sale; and be it further

RESOLVED, that after the sale of the aforesaid, assignment of the bill of sale be executed by the proper officers of the City; and be it further

RESOLVED, that the City Clerk be and is hereby authorized and directed to deliver upon request, to the purchaser or purchasers, the aforesaid assignment and bill of sale; and be it further

RESOLVED, that the successful bidder be required to completely remove the said vehicles from city property not later than five (5) days after acceptance of bid, and that payment of the balance due to the City be made within 24 hours after acceptance of bid, to the Director of Public Works and Parks and/or the Purchasing Agent.

* * * * *

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

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

LICENSEE	TIME & PLACE	LICENSE #
Our Lady of Mt. Carmel Church	11:00 A.M. 39 East 22 nd St. March 25, 2012	RL: 8722
Jackie Robinson Baseball	3:00 – 11:00 P.M. 1241 Kennedy Blvd. February 11, 2012	RL: 8723
Madeline Fiadini LoRe Foundation for Cancer Prevention, Inc.	6:30 P.M.-12:00 A.M. 39 East 22 nd Street April 28, 2012	RL: 8724 RL: 8725 RL: 8726
Friends of the Handicapped	10:00 PM 1081 Broadway May 4, 2012	RL: 8727
Nicholas Oresko School PTA	7:00 – 11:00 PM 669 Avenue C March 23, 2012	RL: 8728 RL: 8729
Holy Family Academy	7:00 – 11:00 P.M. 239 Avenue A April 27, 2012	RL:8730

* * * * *

29. Council Member Ruane moved the following resolution, seconded by Council Member Czerwienski, which was read by the Clerk and adopted.

WHEREAS, the city clerk, in accordance with a resolution adopted on September 20, 2006 advertised in the Jersey Journal on December 23, 2011 that sealed bids for HVAC installation at the Bayonne Museum would be received on January 12, 2012; and

WHEREAS, pursuant to such advertisement, two (2) proposals were received from:

Bidders	Bid Amount
In-Line Air Conditioning, Inc. 85 East 21st Street Bayonne, NJ 07002	\$177,530.00
AMCO Enterprises, Inc. 600 Swenson Drive Kenilworth, NJ 07033; and	\$374,600.00

WHEREAS, Amy Dellabella, R.P.P.O., Q.P.A. and Gary Chmielewski, Director of Public Works and Parks have examined the bids or proposals and have determined that the bid of In-Line Air Conditioning, Inc., is a regular bid and is most advantageous to the City of Bayonne for HVAC installation at the Bayonne Museum; and

WHEREAS, the Municipal Comptroller has filed a certification with the city clerk that funds are available; now, therefore, be it

RESOLVED, that the contract for HVAC installation at the Bayonne Museum be awarded to:

In-Line Air Conditioning, Inc.
85 East 21st Street
Bayonne, NJ 07002

for the following bid price: \$177,530.00 (As listed on bid report), and that the contract be executed in the name of the City of Bayonne by the proper city officials and that the said sum be charged to account: Hudson County Open Space 02-213-41-790B-2-199.

Yeas- Council Members Czerwienski, Gillespie, Hurley and President Ruane.

Abstain – Council Member Greaves.

* * * * *

30. Council Member Gillespie moved the following resolution, seconded by Council Member Hurley, which was read by the Clerk and adopted.

WHEREAS, the city clerk, in accordance with a resolution adopted on June 15, 2011 advertised in the Jersey Journal on January 3, 2012 that sealed bids for timber pile package for the new South Harbor Fire Station would be received on January 18, 2012; and

WHEREAS, pursuant to such advertisement, three (3) proposals were received from:

Bidders	Bid Amount
Simpson & Brown, Inc.	\$ 186,500.00
Sparwick Contracting, Inc.	\$ 477,000.00
Flanagans Contracting Group, Inc.	\$ 649,353.00; and

WHEREAS, Jason O'Donnell, Director of Public Safety has examined the bids or proposals and have determined that the bid of Simpson & Brown, Inc. is a regular bid and is most advantageous to the City of Bayonne for timber pile package for the new South Harbor Fire Station; and

WHEREAS, the Municipal Comptroller has filed a certification with the city clerk that funds are available; now, therefore, be it

RESOLVED, that the contract for timber pile package for the new South Harbor Fire Station be awarded to:

Simpson & Brown, Inc.
119 North Avenue West
Cranford, NJ 07016

for the following bid price: \$186,500.00, and that the contract be executed in the name of the City of Bayonne by the proper city officials and that the said sum be charged to account: 02-213-41-815C-2-199

Yeas- Council Members Czerwienski, Gillespie, Greaves, Hurley and President Ruane.

* * * * *

31. Council member Czerwienski moved the following resolution, seconded by Council Member Ruane, which was read by the Clerk and adopted.

WHEREAS, the city clerk, in accordance with a resolution adopted on

October 19, 2011 advertised in the Jersey Journal on December 23, 2011 that sealed bids for bathroom renovations in Mayor Dennis P. Collins Park would be received on January 12, 2012; and

WHEREAS, pursuant to such advertisement, two (2) proposals were received from:

Bidders	Bid Amount
Chappelle Mechanical Inc. 3461 East Thistle Avenue Toms River, NJ 08753	\$44,000.00
SZ Construction LLC 38 Grove Avenue Rochelle Park, NJ 07662	\$71,500.00

and

WHEREAS, Amy Dellabella, R.P.P.O., Q.P.A. and Gary Chmielewski, Director of Public Works and Parks have examined the bids or proposals and have determined that the bid of Chappelle Mechanical Inc. is a regular bid and is most advantageous to the City of Bayonne for bathroom renovations in Mayor Dennis P. Collins Park; and

WHEREAS, the Municipal Comptroller has filed a certification with the city clerk that funds are available; now, therefore, be it

RESOLVED, that the contract for bathroom renovations in Mayor Dennis P. Collins Park be awarded to:

Chappelle Mechanical Inc.
3461 East Thistle Avenue
Toms River, NJ 08753

for the following bid price: \$44,000.00 (As listed on bid report); and that the contract be executed in the name of the City of Bayonne by the proper city officials and that the said sum be charged to account: CDBG 122.

Yeas- Council Members Czerwienski, Gillespie, Greaves, Hurley and President Ruane.

* * * * *

32. Council Member Greaves moved the following resolution, seconded by Council Member Hurley, which was read by the Clerk and adopted.

RESOLVED, that pursuant to the request from Joseph Waks, Director, Department of Municipal Services, the Mayor, on behalf of the City of Bayonne, be and is hereby authorized to enter into an agreement with the Bayonne Community Mental Health Center, 601 Broadway, Bayonne, N.J. 07002, for an amount not to exceed \$24,000.00, for the provision of the Employee Assistance Program for municipal employees, for the period commencing January 1, 2012 and ending December 31, 2012; and be it further

RESOLVED, that this expenditure be charged against Account HW-4 01-201-27-330-2-020 pending adoption of the CY 2012 Budget.

Yeas- Council Members Czerwienski, Gillespie, Greaves, Hurley and President Ruane.

* * * * *

33. Council Member Hurley moved the following resolution, seconded by Council Member Greaves, which was read by the Clerk and adopted.

RESOLVED, that pursuant to the request from Joseph Waks, Director, Department of Municipal Services, the Mayor, on behalf of the City of Bayonne, be and is hereby authorized to enter into an agreement with the Bayonne Community Mental Health Center, 601 Broadway, Bayonne, N.J. 07002, for a contract amount not to exceed \$30,000.00, for the provision of mental health services to low income and public assistance residents, for the period commencing January 1, 2012 and ending December 31, 2012; and be it further

RESOLVED, that this expenditure be charged against Account HW-4 01-201-27-330-2-020 pending adoption of the CY 2012 Budget.

Yeas- Council Members Czerwienski, Gillespie, Greaves, Hurley and President Ruane.

* * * * *

34. Council Member Czerwienski moved the following resolution, seconded by Council Member Greaves, which was read by the Clerk and adopted.

WHEREAS, pursuant to Resolution No. 10-12-20-005 adopted by the Municipal Council on December 20, 2010, the Municipal Council the City entered into Agreement No. FY11-070 with Galaxy Recycling, Inc., 3 New York Avenue, Jersey City, New Jersey for a licensed recycling facility to receive and market certain recyclable materials from the City and from the City's private recycling collection contractor(s), specifically for the following recyclable materials: (a) Mixed Paper; and (b) Commingled Collection consisting of glass, cans and bottles; and (c) Metal and Mixed Metal; (d) any other material stream (collectively referred to as "Recycling Commodity") for the following amounts payable to the City:

OCC (Old Corrugated Cardboard)	OBM Yellow Sheet NY High +\$1.00 No lower than \$115 per ton
Mixed Paper	OBM Yellow Sheet NY High + 40% No lower than \$105 per ton
Co-mingled recyclables	\$25.00 per ton
Incentive	Additional \$5.00 per ton for additional tonnage over 4,499 tons to 5,499 tons per contracted calendar year Additional \$10.00 per ton for additional tonnage over 5,500 + tons per contracted calendar year

for the period commencing January 1, 2011 and ending December 31, 2011; and

WHEREAS, pursuant to the Fair & Open Contracting Requirements pursuant to N.J.S.A.19:44A:20.4.5 the Corporation Counsel advertised for proposals for a licensed recycling facility to receive and market the aforesaid Recycling Commodity to be submitted by January 23, 2012; and

WHEREAS, it is necessary for the City to have a licensed recycling facility to receive and market the aforesaid Recycling Commodity to ensure the public health and welfare; and

WHEREAS, Galaxy Recycling, Inc., is agreeable to extending their existing contract with the City of Bayonne for the period commencing January 1, 2012 and ending February 29, 2012 under the same terms and conditions of their existing contract; now therefore be it

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

1. The Mayor and City Clerk are hereby authorized to enter into an amendment to Agreement No. FY11-070 with Galaxy Recycling, Inc., 3 New York Avenue, Jersey City, New Jersey for a licensed recycling facility to receive and market the aforesaid Recycling Commodity for the amounts stated above payable to the City.
2. All other terms and conditions of Agreement No. FY11-036 shall remain the same.

Yeas- Council Members Czerwienski, Gillespie, Greaves, Hurley and President Ruane.

* * * * *

35. Council Member Ruane moved the following resolution, seconded by Council Member Czerwienski, which was read by the Clerk and adopted.

RESOLVED, that the budgetary transfers as set forth below pertaining to the TY 2011 appropriations be and the same are hereby authorized, and be it further

RESOLVED, that the Comptroller be, and is hereby authorized and directed to make the said transfers in accordance herewith:

CURRENT FUND

NO.	FROM ACCOUNT	AMOUNT	TO ACCOUNT	AMOUNT
1.	Bd. of Health S&W	1,800.00	Bd. of Health O.E.	5,400.00
	City Clerk S&W	1,100.00		
	Mun. Council S&W	100.00		
	Swimming Pool S&W	100.00		
	Streets & Roads Maint. S&W	2,300.00		
2.	Law Dept. S&W	800.00	Law Dept. O.E.	800.00
3.	Primary & General Elec S&W	3,800.00	Telephone Services	15,500.00
	Primary & General Elec O.E.	13,000.00	Gasoline,Oil,Grease	17,500.00
	Human Resources S&W	300.00		
	Office of Mayor S&W	400.00		
	Finance Office S&W	1,600.00		
	Collection of Taxes S&W	300.00		
	Tax Assessor S&W	400.00		
	Law Enforcement-			
	Non Uniform S&W	600.00		
	Fire Dept.-Non-Uniform S&W	2,000.00		
	Parks&Grounds S&W	10,000.00		
4.	Building & Grounds S& W	23,000.00	Fire Dept. O.E.	28,500.00
	Parks&Playgrounds S&W	5,500.00		
5.	Other Public Works	3,600.00	Other Public Wks O.E	6,000.00
	Parks& Playgrounds S&W	2,400.00		

Yeas- Council Members Czerwienski, Gillespie, Greaves, Hurley and President Ruane.

* * * * *

36. Council Member Ruane moved the following communication be received and filed, seconded by Council Member Gillespie, which was read by the Clerk and adopted.

January 13, 2012

City of Bayonne
Municipal Council
630 Avenue C
Bayonne, NJ 07002

RE: Jose Francisco Rodriguez
Appointment to the Bayonne Planning Board

Dear Honorable Council Members,

By virtue of the powers vested in me by the laws of the State of New Jersey under the authority of the people, I do hereby appoint Joe Francisco Rodriguez as a class IV Member and Commissioner of the Bayonne Planning Board for a term of four years commencing January 13, 2012. Enclosed is his resume for your review.

Should you have any questions or comments in this regard, please feel free to contact me at any time.

Sincerely yours,
Mark A. Smith, Mayor
(signed)

Yeas- Council Members Czerwienski, Gillespie, Greaves, Hurley and President Ruane.

* * * * *

37. Council Member Czerwienski moved the following resolution, seconded by Council Member Hurley, which was read by the Clerk and adopted.

WHEREAS, pursuant to Resolution No. 10-08-25-067 adopted by the Municipal Council on August 25, 2010, the Municipal Council authorized Agreement No. FY11-036 with Suburban Disposal, Inc., Box 84, Livingston New Jersey 07039 for the collection of solid waste for a one year period commencing September 1, 2010 and ending August 31, 2011 for an amount not to exceed \$1,027,000.00, subsequently amended on September 22, 2010 by Resolution 10-09-22-089 to commence October 1, 2010 and end September 30, 2011; and

WHEREAS, pursuant to Resolution 11-03-16-041 adopted April 27, 2011, the City Clerk advertised that bids for the collection of solid waste, for a new term to commence October 1, 2011, would be received on July 26, 2011; and

WHEREAS, on September 19, 2011, the Superior Court issued a temporary Restraining Order prohibiting the awarding of the contract for the collection of solid waste until further notice; and

WHEREAS, by oral decision on October 7, 2011 and written opinion issued October 14, 2011, Judge Christine Farrington, Superior Court of New Jersey, Law Division, Hudson Vicinage, issued a final ruling holding the City was within its rights to award the contract; and

WHEREAS, on October 14, 2011, the Superior Court of New Jersey, Appellate Division stayed the final ruling of the Law Division which permitted the City to award the contract to the lowest bidder thereby prohibiting the awarding of a contract for the collection of solid waste until further notice; and

WHEREAS, because the collection of solid waste throughout the City is a necessary service to ensure the public health and welfare, the Municipal Council adopted Resolution 11-09-21-085 on September 21, 2011, authorizing the extension of Agreement No. FY11-036 for a one month period during the month of October 2011 at an additional sum of \$85,000.00, making the total contract amount \$1,112,000.00; and

WHEREAS, thereafter, the Municipal Council adopted Resolution 11-10-19-075 on October 19, 2011; Resolution 11-11-09-038 on November 9, 2011; and Resolution No. 11-12-14-038 on December 14, 2011 authorizing the continued monthly extension of Agreement No. FY11-036 during the months of October, November and December 2011, and January 2012 for the additional amount of \$85,000.00 per month, making the total contract amount \$1,367,000.00; and

WHEREAS, Suburban Disposal, Inc., is agreeable to extending their existing contract with the City of Bayonne for the collection of solid waste during the month of February 2012, under the terms of their existing bid, for an additional amount of \$85,000.00, making the total contract amount \$1,452,000.00; and

WHEREAS, funds are certified as available in Account No. HW-38; now therefore be it

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

1. The Mayor and City Clerk are hereby authorized to enter into an amendment to Agreement No. FY11-036 with Suburban Disposal, Inc. Box 84, Livingston New Jersey 07039 for the collection of solid waste extending same for a one month period commencing February 1, 2012 and ending February 29, 2012 for an additional amount of \$85,000.00, making the total contract amount \$1,452,000.00.
2. Funds are certified as available in account No. HW-38.
3. All other terms and conditions of Agreement No. FY11-036 shall remain the same.

Yeas- Council Members Czerwienski, Gillespie, Greaves, Hurley and President Ruane.

* * * * *

38. Council Member Gillespie moved the following resolution, seconded by Council Member Ruane, which was read by the Clerk and adopted.

WHEREAS, pursuant to Resolution No. 10-08-25-068 adopted by the Municipal Council on August 25, 2010, the Municipal Council authorized Agreement No. FY11-

035 with Suburban Disposal, Inc., Box 84, Livingston New Jersey 07039 for the collection of recyclable materials for a one year period commencing September 1, 2010 and ending August 31, 2011 for an amount not to exceed \$567,000.00, subsequently amended on September 22, 2010 by Resolution 10-09-22-090 to commence October 1, 2010 and end September 30, 2011; and

WHEREAS, pursuant to Resolution 11-03-16-041 adopted April 27, 2011, the City Clerk advertised that bids for the collection of recyclable materials, for a new term to commence October 1, 2011, would be received on July 26, 2011; and

WHEREAS, on September 19, 2011, the Superior Court issued a temporary Restraining Order prohibiting the awarding of the contract for the collection of recyclable materials until further notice; and

WHEREAS, by oral decision on October 7, 2011 and written opinion issued October 14, 2011, Judge Christine Farrington, Superior Court of New Jersey, Law Division, Hudson Vicinage, issued a final ruling holding the City was within its rights to award the contract; and

WHEREAS, on October 14, 2011, the Superior Court of New Jersey, Appellate Division stayed the final ruling of the Law Division which permitted the City to award the contract to the lowest bidder thereby prohibiting the awarding of a contract for the collection of recyclable materials until further notice; and

WHEREAS, because the collection of recyclable materials throughout the City is a necessary service to ensure the public health and welfare, the Municipal Council adopted Resolution 11-09-21-086 on September 21, 2011, authorizing the extension of Agreement No. FY11-035 for a one month period during the month of October 2011 at an additional sum of \$45,583.33, making the total contract amount \$612,583.33; and

WHEREAS, thereafter, the Municipal Council adopted Resolution 11-10-19-076 on October 19, 2011; Resolution 11-11-09-039 on November 9, 2011; and 11-12-14-039 on December 14, 2011 and Resolution authorizing the continued monthly extension of Agreement No. FY11-035 during the months of October, November, and December 2011, and January 2012 for the additional amount of \$45,583.33 per month, making the total contract amount \$749,333.32; and

WHEREAS, Suburban Disposal, Inc., is agreeable to extending their existing contract with the City of Bayonne for the collection of recyclable materials during the month of February 2012, under the terms of their existing bid, for an additional amount of \$45,583.33, making the total contract amount \$794,916.65; and

WHEREAS, funds are certified as available in Account No. HW-38;

WHEREAS, funds are certified as available in Account No. HW-38; now therefore be it

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

1. The Mayor and City Clerk are hereby authorized to enter into an amendment to Agreement No. FY11-035 with Suburban Disposal, Inc. Box 84, Livingston New Jersey 07039 for the collection of recyclable materials extending same for a one month period commencing February 1, 2012 and ending February 29, 2012 for an additional amount of \$45,583.33, making the total contract amount \$794,916.65..
2. Funds are certified as available in account No. HW-38.
3. All other terms and conditions of Agreement No. FY11-035 shall remain the same.

Yeas- Council Members Czerwienski, Gillespie, Greaves, Hurley and President Ruane.

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39. Kevin Wall addressed the council on the subject of the Library meetings and obtaining identification.

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At 7:20 P.M., Council Member Greaves motioned to adjourn, seconded by Council Member Ruane, which motion was adopted.

Yeas- Council Members Czerwienski, Gillespie, Greaves, Hurley and President Ruane.

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President – Terrence Ruane

City Clerk – Robert F. Sloan