

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, JULY 18, 2012

The Council met at 7:05 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 July 18, 2012 has been provided to the public in accordance with the provisions of the Open Public Meetings Act of the State of New Jersey. Notice of time and place of the meeting has been included in the annual notice of meetings, which was posted and filed with the City Clerk, and with the Jersey Journal and the Star Ledger. An additional Notice of time and place was posted and filed with the City Clerk and was forwarded to the Jersey Journal and the Star Ledger by on July 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 Czerwinski, Gillespie, Greaves, Hurley, and President Ruane.

The Council President led the Pledge of Allegiance.

* * * * *

01. The clerk announced:

AN ORDINANCE ENTITLED, "AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 15, BUILDING AND HOUSING," which was introduced and passed a first reading at a meeting held May 16, 2012, was published in the Jersey Journal and posted on the bulletin board as required by law, with notice that it would be further considered for final passage following a public hearing at the meeting of June 20, 2012 and was tabled for further consideration at this meeting of July 18, 2012 and is now before the Council for its consideration and final passage.

No motion to remove from table.

* * * * *

02. The clerk announced:

AN ORDINANCE ENTITLED, "AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 35 ZONING REGULATIONS," which was introduced and passed a first reading at a meeting held June 20, 2012, was published in the Jersey Journal and posted on the bulletin board as required by law, with notice that it would be further considered for final passage following a public hearing at this meeting of July 18, 2012, but was not referred to the Planning Board for its review and a report, is now before the Council for its consideration and a public hearing.

Council Member Greaves moved that the following resolution of second reading be adopted, seconded by Council Member Gillespie, which motion was 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 35, ZONING REGULATIONS”

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

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

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

Council Member Greaves moved to close the hearing, seconded by Council Member Hurley, which motion was adopted.

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

Council Member Czerwienski moved the following resolution, seconded by Council Member Gillespie, 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 35, ZONING REGULATIONS” was introduced and passed a first reading at a meeting held June 20, 2012, 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 July 18, 2012, but was inadvertently not referred to the Planning Board for its review and a report; 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, the Planning Board has not reviewed the ordinance or filed a report approving of said ordinance; now therefore, be it

RESOLVED, that the said ordinance be tabled for further consideration and final passage to the council meeting of Wednesday, August 15, 2012 and the city clerk is directed to forward a copy of said ordinance to the Planning Board for its review and a report regarding same pursuant to NJSA 40:55D-26.

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

* * * * *

03. 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 June 20, 2012, was published in the Jersey Journal and posted on the bulletin board as required by law, with notice that it would be further considered for final passage following a public hearing at this meeting of July 18, 2012 is now before the Council for its consideration and a public hearing.

Council Member Gillespie moved that the following resolution of second reading be adopted, seconded by Council Member Hurley, which motion was 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 Clerk announced, "The Council is now ready to give all persons interested in this ordinance an opportunity to be heard concerning it. The council president will recognize anyone who wishes to speak."

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

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

Council Member Czerwienski moved to close the hearing, seconded by Council Member Gillespie, which motion was adopted.

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

Council Member Gillespie moved that the following resolution be adopted, seconded by Council Member Hurley which motion was 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 June 20, 2012, 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 July 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-12-26.

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

* * * * *

04. 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 June 20, 2012, was published in the Jersey Journal and posted on the bulletin board as required by law, with notice that it would be further considered for final passage following a public hearing at this meeting of July 18, 2012 is now before the Council for its consideration and a public hearing.

Council Member Czerwienski moved that the following resolution of second reading be adopted, seconded by Council Member Ruane, which motion was 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 Clerk announced, "The Council is now ready to give all persons interested in this ordinance an opportunity to be heard concerning it. The council president will recognize anyone who wishes to speak."

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

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

Council Member Greaves moved to close the hearing, seconded by Council Member Gillespie, which motion was adopted.

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

Council Member Gillespie moved that the following resolution be adopted, seconded by Council Member Czerwienski which motion was 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 June 20, 2012, 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 July 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-12-27.

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

* * * * *

05. The Clerk announced:

AN ORDINANCE ENTITLED, "AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 14, TREE PRESERVATION," which was introduced and passed a first reading at a meeting held June 20, 2012, was published in the Jersey Journal and posted on the bulletin board as required by law, with notice that it would be further considered for final passage following a public hearing at this meeting of July 18, 2012 is now before the Council for its consideration and a public hearing.

Council Member Gillespie moved that the following resolution of second reading be adopted, seconded by Council Member Greaves, which motion was 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 14, TREE PRESERVATION,"

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

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

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

Council Member Hurley moved to close the hearing, seconded by Council Member Gillespie, which motion was adopted.

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

Council Member Gillespie moved that the following resolution be adopted, seconded by Council Member Greaves which motion was adopted.

WHEREAS, an ordinance entitled, "AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 14, TREE PRESERVATION," was introduced and passed a first reading at a meeting held June 20, 2012, 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 July 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-12-28.

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

* * * * *

06. The Clerk announced:

AN ORDINANCE ENTITLED, "AN ORDINANCE AMENDING ORDINANCE 0-99-13 TO ESTABLISH CERTAIN OFFICES, POSITIONS, EMPLOYMENT, CONSISTENT WITH CIVIL SERVICE RECLASSIFICATION AND SUBSEQUENT CHANGES THERETO, FOR ALL EMPLOYEES IN THE MUNICIPAL GOVERNMENT OF THE CITY OF BAYONNE," which was introduced and passed a first reading at a meeting held MAY 16, 2012, was published in the Jersey Journal and posted on the bulletin board as required by law, with notice that it would be further considered for final passage following a public hearing at this meeting of June 20, 2012 is now before the Council for its consideration and a public hearing.

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

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

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

The Clerk read the ordinance by title, "AN ORDINANCE AMENDING ORDINANCE 0-99-13 TO ESTABLISH CERTAIN OFFICES, POSITIONS, EMPLOYMENT, CONSISTENT WITH CIVIL SERVICE RECLASSIFICATION AND SUBSEQUENT CHANGES THERETO, FOR ALL EMPLOYEES IN THE MUNICIPAL GOVERNMENT OF THE CITY OF BAYONNE,"

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

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

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

Council Member Greaves moved to close the hearing, seconded by Council Member Gillespie, which motion was adopted.

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

Council Member Czerwienski moved that the following resolution be adopted, seconded by Council Member Gillespie which motion was adopted.

WHEREAS, an ordinance entitled, "AN ORDINANCE AMENDING ORDINANCE 0-99-13 TO ESTABLISH CERTAIN OFFICES, POSITIONS, EMPLOYMENT, CONSISTENT WITH CIVIL SERVICE RECLASSIFICATION AND SUBSEQUENT CHANGES THERETO, FOR ALL EMPLOYEES IN THE MUNICIPAL GOVERNMENT OF THE CITY OF BAYONNE," was introduced and passed a first reading at a meeting held June 20, 2012, 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 July 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-12-29.

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

* * * * *

07. 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 June 20, 2012, was published in the Jersey Journal and posted on the bulletin board as required by law, with notice that it would be further considered for final passage following a public hearing at this meeting of July 18, 2012 is now before the Council for its consideration and a public hearing.

Council Member Greaves moved that the following resolution of second reading be adopted, seconded by Council Member Gillespie, which motion was 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 Clerk announced, "The Council is now ready to give all persons interested in this ordinance an opportunity to be heard concerning it. The council president will recognize anyone who wishes to speak."

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

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

Council Member Greaves moved to close the hearing, seconded by Council Member Ruane, which motion was adopted.

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

Council Member Czerwinski moved that the following resolution be adopted, seconded by Council Member Greaves which motion was 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 June 20, 2012, 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 July 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-12-30.

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

* * * * *

08. Council Member Czerwinski introduced:

ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY DESIGNATING THE MUNICIPAL COUNCIL AS THE REDEVELOPMENT ENTITY WITH RESPECT TO THE REDEVELOPMENT AREA LOCATED AT BLOCK 301.01, LOT 7; BLOCK 310, LOTS 1-13; BLOCK 311.01, LOT 1; BLOCK 333.01, LOTS 3-6, AND BLOCK 333.02, LOT 1 ON THE TAX MAP OF THE CITY AND ADOPTING THE REDEVELOPMENT PLAN.

WHEREAS, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* (the "Redevelopment Law") authorizes municipalities to designate certain parcels of land located therein as areas in need of redevelopment; and

WHEREAS, the Municipal Council (the "Municipal Council") of the City of Bayonne (the "City") adopted resolutions authorizing and directing the Planning Board of the City (the "Planning Board") to conduct an investigation to determine whether certain areas throughout the City including the area commonly known as Block 301.01, Lot 7; Block 310, Lots 1-13; Block 311.01, Lot 1; Block 333.01, Lots 3-6, and Block 333.02, Lot 1 on the tax map of the City (the "Redevelopment Area") satisfy the criteria to be designated as an "area in need of redevelopment," and, if so, consider a

redevelopment plan for such Redevelopment Area and make recommendations pertaining thereto in accordance with *N.J.S.A. 40A:12A-7(f)*; and

WHEREAS, on July 10, 2012 the Planning Board held a public hearing in accordance with *N.J.S.A. 40A:12A-6* and adopted the findings of a report and redevelopment plan submitted by John D. Fussa, P.P. (the "City Planner") and prepared by Clarke Caton Hintz entitled "City of Bayonne: Scattered Site Redevelopment Project Phase II: Site 9" dated June 21, 2011 (the "Redevelopment Study and Plan") which determined that the Redevelopment Area met the criteria for "an area in need of redevelopment" under the Redevelopment Law, and recommended to the Municipal Council pursuant to *N.J.S.A. 40A:12A-6* that the Redevelopment Area be designated as an area in need of redevelopment; and

WHEREAS, on July 10, 2012 the Planning Board reviewed the plan requirements of the Redevelopment Study and Plan and recommended to the Municipal Council pursuant to *N.J.S.A. 40A:12A-7* that the Redevelopment Study and Plan be adopted; and

WHEREAS, on July 18, 2012 the Municipal Council adopted a resolution designating the Redevelopment Area as an "area in need of redevelopment" pursuant to *N.J.S.A. 40A:12A-5*; and

WHEREAS, the Municipal Council believes that the adoption of the Redevelopment Study and Plan is in the best interests of the City and facilitates the redevelopment of the Redevelopment Area into a productive use; and

WHEREAS, the Municipal Council desires to designate itself as the "Redevelopment Entity", as such term is defined in *N.J.S.A. 40A:12A-3* to implement and carry out redevelopment projects within the Redevelopment Area.

NOW THEREFORE BE IT ORDAINED, by the Municipal Council of the City of Bayonne, in the County of Hudson, New Jersey, as follows:

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

Section 2. The Municipal Council shall serve as the Redevelopment Entity to implement and carry out redevelopment projects in the Redevelopment Area and is hereby empowered to perform all actions as are necessary, proper and authorized under the Redevelopment Law in furtherance of same.

Section 3. The Redevelopment Study and Plan, attached hereto as Exhibit A and made a part hereof, is hereby adopted pursuant to the terms of *N.J.S.A. 40A:12A-7*.

Section 4. The zoning district map in the zoning ordinance of the City is hereby amended to include the Redevelopment Area, per the boundaries described in the Redevelopment Plan and the provisions therein. The provisions prescribed by the Redevelopment Study and Plan as to the Redevelopment Area shall overlay the applicable development regulations of the City's municipal code.

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

Section 6. If any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Ordinance.

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

Council Member Czerwienski moved that the following resolution be adopted, seconded by Council Member Gillespie which motion was adopted.

BE IT RESOLVED, that an ordinance entitled "ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY DESIGNATING THE MUNICIPAL COUNCIL AS THE REDEVELOPMENT ENTITY WITH RESPECT TO THE REDEVELOPMENT AREA LOCATED AT BLOCK 301.01, LOT 7; BLOCK 310, LOTS 1-13; BLOCK 311.01, LOT 1; BLOCK 333.01, LOTS 3-6, AND BLOCK 333.02, LOT 1 ON THE TAX MAP OF THE CITY AND ADOPTING THE REDEVELOPMENT PLAN," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, August 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.

* * * * *

09. Council Member Greaves introduced:

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

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

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

RESTRICTIVE PARKING ZONES

ADD

104. Deborah Pavlak for her brother-in-law, Dennis Pavlak, 105 North St. Beginning at a point on the north side of North Street, 83 feet west of the northwest corner of North Street and Hartley Place, and extending to a point 22 feet west thereof.

113. Ilia Burgos, 458 Kennedy Blvd., Apt. 6

Beginning at a point on the north side of West 17th Street, 57 feet east of the northeast corner of Kennedy Boulevard and West 17th Street, and extending to a point 22 feet east thereof.

145. Carole A. Tocci, 156 West 4th Street

Beginning at a point on the south side of West 4th Street, 125 feet west of the southwest corner of Kennedy Boulevard and West 4th Street, and extending to a point 19 feet west thereof.

244. Kathleen Bigg, 70 West 33rd Street

Beginning at a point on the north side of West 33rd Street, 198 feet west of the southwest corner of Avenue C and West 33rd Street, and extending to a point 7 feet west thereof.

269. Michael J. Lowery for Laura Lowery, 71 West 55th St.

Beginning at a point on the north side of West 55th Street, 86 feet west of the northwest corner of Avenue C and West 55th Street, and extending to a point 17 feet west thereof.

Council Member Greaves moved that the following resolution be adopted, seconded by Council Member Ruane which motion was 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, August 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.

* * * * *

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

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

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

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

* * * * *

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

From Robert H. Anderson, Esq., filing notice of tort claim on behalf of MICHAEL A. VUOCOLO, alleging injuries sustained January 19, 2012 in a fall on the sidewalk at 1100 Avenue C.

* * * * *

12. The 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 MICHELE HALSEY, alleging injuries sustained May 20, 2012 in a fall on the sidewalk at 1028 Broadway.

* * * * *

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

From Joseph G Boccia, Esq., filing notice of tort claim on behalf of ANEIA WILLIAMS, alleging injuries sustained March 26, 2012 in an assault at Kennedy Boulevard and 24th Street.

* * * * *

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

From Joseph A. Rutigliano, Esq., filing notice of tort claim on behalf of ZOILA SOSA, alleging injuries sustained March 15, 2012 in a motor vehicle accident at 10th Street and Avenue E.

* * * * *

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

From Karen DeSoto, Esq., filing notice of tort claim on behalf of RANDY WILLIAMS, alleging injuries sustained in discrimination in employment with the city.

* * * * *

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

From the Superior Court of New Jersey, Law Division, Summons and Complaint in matter entitled, "NALLY vs. SHYSHKA, THE CITY OF BAYONNE, et al." (Fall on the s

* * * * *

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

From the Superior Court of New Jersey, Law Division, Summons and Complaint in matter entitled, "ALAYON and BOOKER vs. THE CITY OF BAYONNE." (Employment discrimination beginning October, 2011)

* * * * *

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

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

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

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

* * * * *

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

From Terrance Malloy, Chief Financial Officer, reporting on vendor payments and recommending payment of same, and a resolution adopting the recommendation and ordering payment of claims.

* * * * *

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

From Terrance Malloy, Chief Financial Officer, Annual Debt Statement for TY 2011.

* * * * *

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

BID REPORT

Date: 07/17/12

Ad Resolution #

Ad Date: 07/06/12

Date bids accepted: 07/17/12

Attending: Amy Dellabella, Donna Russo, Esq.
Don Schlachter, Engineer

Bid titled: Avenue C. Resurfacing

<u>Bidder</u>	<u>Base Bid</u>	<u>Alternate A</u>	<u>Alternate B</u>	<u>Alternate C</u>
Tilcon NY Inc. 625 Mt. Hope Road Wharton, NJ 07885	\$432,912.90	\$58,487.10	\$61,827.70	\$58,157.85
English Paving Co. Inc. 650 Route 46 West Clifton, NJ 07013	\$427,731.79	\$55,945.80	\$59,717.00	\$51,638.50
Black Rock Enterprises LLC 1316 Englishtown Road Old Bridge, NJ 08857	\$455,074.28	\$59,496.24	\$64,723.89	\$60,051.11
Respectfully submitted, Amy Dellabella, R.P.P.O., Q.P.A. Purchasing Agent				

* * * * *

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

BID REPORT

Date: 07/17/12 Ad Resolution # Ad Date: 07/06/12
Date bids accepted: 07/17/12 Attending: Amy Dellabella, Donna Russo, Esq.
Don Schlachter, Engineer

Bid titled: LeFante Way Resurfacing

<u>Bidder</u>	<u>Base Bid</u>	<u>Alternate A1</u>
Black Rock Enterprises LLC 1316 Englishtown Road Old Bridge, NJ 08857	\$459,869.60	\$216,154.22

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

* * * * *

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

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

RESOLVED, That the following items which have been included on the agenda for this regular meeting as RESOLUTIONS and which follow this resolution shall

constitute a consent agenda for resolutions and that they be adopted and included in the official minutes of this meeting as having been so ordered.

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

* * * * *

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

RESOLVED, That the official minutes of the regular council meeting held Wednesday, June 20, 2012 be and the same are hereby approved.

* * * * *

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

RESOLVED, That the official minutes of the council caucus meeting held Wednesday, June 13, 2012, be and the same are hereby approved.

* * * * *

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

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

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

WHEREAS, the Director of Finance has recommended that these amounts be refunded to the taxpayers; now therefore be it

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

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

BLOCK	LOT	PAYEE	AMOUNT
25	19	Fady Gadalla	1,213.91
33	16	Mr. & Mrs. Mozumdar	5,594.95
66	22	Emad & Miriem Morcos	2,263.40
78	28	Matthew Cilino	2,088.85
272	19.01/C106	Kyleen Moraton	1,034.38
272	48	Paula Cherchio	120.47

277	6	Carlos Ochoa	1,978.32
316	2	Gustavo Mena	225.25
325	19	William Wargo	1,271.76
342	32	Danielle Travelino	4,001.00
358	44	John Skibbie	273.97
364	10	Anthony Newell Jr.	8,342.67
410	3	Patricia Perretta	2,963.79
421	16.102 S	unTrust Mortgage	12,913.83
Total:			44,286.55

* * * * *

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

RESOLVED, that pursuant to and consistent with a State Training Fee Report dated July 9, 2012 by Michael J. Feuer, Construction Official, the Municipal Treasurer is hereby authorized and directed to issue a warrant drawn to the order of the State of New Jersey, in the amount of \$17,356.00 representing payment of state surcharge fees on new construction and alterations collected during the second quarter of 2012; and be it further

RESOLVED, that said warrant be forwarded to the Construction Official for transmittal to the New Jersey Department of Community Affairs; and be it further

RESOLVED, that this expense to be charged to Account - Trust Funds, State Training Fees with the Tax Collector, Account #02-5102.

* * * * *

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

RESOLVED, that a warrant be drawn from the Current Fund and made payable to Pension Adjustment Fund in the amount of \$76,120.53. Said payment represents pension adjustment for the calendar year 2012.

* * * * *

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

RESOLVED, that a warrant in the amount of \$61.20 be drawn to the Bureau of Rabies Control, State Department of Health, Trenton, New Jersey, covering the issuance of Licenses No's 1624/1649 inclusive, 26 dog licenses, representing One dollar per license for the State Fee, Twenty Cent per license for the State Clinic and Three Dollars per license for non-spayed and non-neutered dogs.

* * * * *

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

WHEREAS, the City Clerk's Office has issued One Hundred Twelve (112) Marriage Licenses during the months of April, May and June, 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 Eight Hundred dollars (\$2,800.00) be drawn to the order of the Treasurer, State of New Jersey and forwarded to the City Clerk's Office for disbursement.

* * * * *

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

RESOLVED, that the actions of the Treasurer in issuing a warrant in the amount of \$ 2,201.25 made payable to Cablevision is hereby ratified and confirmed. Warrant has been charged to Telephone Expenses, Library – Other Expenses and Older American Grant – Other Expenses.

* * * * *

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

Whereas, the Tax Assessor for the City of Bayonne has approved the exemption application filed June 21, 2012 for a 100% Disabled Veteran who occupies a one family home located at Block 132 Lot 8, 23 East 34th Street, in the City of Bayonne, and

Whereas, the tax assessor has, due to the status of the property, approved the exemption for 100% of assessment (and taxes) otherwise applying to the property, 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 January 13, 2011 which is the date of the qualifying disability according to a written determination of the Department of Veterans Affairs dated October 3, 2012, and

Whereas, said qualified veteran has requested that the municipal council give effect to this application as if timely filed and cancel 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 (100%) of the one family home at Block 132 Lot 8, 23 East 34th Street, in the City of Bayonne occupied by said qualifying veteran are hereby canceled effective January 13, 2011 with the tax collector to calculate any resulting overpayment of the tax bills from that date to the date of passage of this resolution (estimated at approximately \$7,822.74 for the prior 2011 tax

year and \$8,088.67 (plus or minus) in the 2012 tax year dependent on the final tax rate and any amounts paid to date) and to refund any prior year amounts to the qualified veteran and credit current year amounts 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.

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.

* * * * *

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

Whereas, the Tax Assessor for the City of Bayonne has approved the exemption application filed June 15, 2012 by a 100% Disabled Veteran who occupies 2/3rds (66.67%) of a 1.5 story (2 unit) home located at Block 364 Lot 16 (25 Humphries Ave., in the City of Bayonne; and

Whereas, the tax assessor has, due to the status of the property, approved the exemption for 2/3rds (66.67%) of assessment (and taxes) otherwise applying to the property; 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 14, 2011 which is the date of the qualifying disability according to a written determination of the Department of Veterans Affairs dated June 7, 2012; and

Whereas, said qualified veteran has requested that the municipal council give effect to this application as if timely filed and cancel 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 2/3rds (66.67%) of a 1.5 story (2 unit) home at Block 364 Lot 16 (25 Humphries Ave., in the City of Bayonne occupied by said qualifying veteran are hereby canceled effective June 14, 2011 with the assessor to revise the assessment (rounding to the nearest \$100 increment) and the tax collector to calculate any resulting overpayment of the tax bills from that date to the date of passage of this resolution (estimated at approximately \$3,739.14 for the prior 2011 tax year and \$6,789.98 (plus or minus) in the 2012 tax year dependent on the final tax rate and any amounts paid to date) and to refund any prior year amounts to the qualified veteran and credit current year amounts 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.
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.

* * * * *

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

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

LICENSEE	TIME & PLACE	LICENCE
Broken Hearted Guardians	7:00 – 11:00 PM 29-31 West 22 nd St. September 15, 2012	RL: 8769 RL: 8770
HSA All Saints Catholic Academy	10:00 AM 19 West 13 th Street 2012 Oct. 3, 10, 17, 24 Nov. 7, 12, 21, 28 Dec. 5, 12, 19	RL: 8771
St. Mary's Star of the Sea Rosary Society	12:00 – 4:00 PM 1081 Broadway November 14, 2012	RL: 8772
Hudson County Animal League	10:00 P.M. 667-675 Avenue C October 20, 2012	RL: 8773
Remember Me John Jack Santopietro	5:00-10:00 PM Gorman Field August 17, 2012	RL: 8774 RL: 8775
Hudson County Animal League	7:00-10:00 PM 21 East 23 rd Street August 25, 2012	RL: 8776 RL: 8777
Bayonne Feral Cat Foundation, Inc.	6:30-10:30 PM 15 East 23 rd Street October 19, 2012	RL: 8778 RL: 8779

* * * * *

35. Council Member Greaves moved that the following resolution be adopted, seconded by Council Member Ruane, which motion was adopted.

WHEREAS, the city clerk, in accordance with a request from the Purchasing Agent, advertised in the Jersey Journal on June 6, 2012 that sealed bids for Avenue C Resurfacing would be received on July 17, 2012; and

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

Bidder	Base Bid	Alternate A	Alternate B	Alternate C
Tilcon NY Inc. 625 Mt. Hope Road Wharton, NJ 07885	\$432,912.90	\$58,487.10	\$61,827.70	\$58,157.85
English Paving Co. Inc 650 Route 46 West Clifton, NJ 07013	\$427,731.79	\$55,945.80	\$59,717.00	\$51,638.50
Black Rock Enterprises LLC 1316 Englishtown Road Old Bridge, NJ 08857; and	\$455,074.28	\$59,496.24	\$64,723.89	\$60,051.11

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 English Paving Co., Inc. is a regular bid and is most advantageous to the City of Bayonne for Avenue C Resurfacing; 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 Avenue C Resurfacing be awarded to:

English Paving Co. Inc.
650 Route 46 West
Clifton, NJ 07013

for the following bid price: \$427,731.79, 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: Streets & Road Maintenance – O.E., pending final adoption of the CY 2012 budget.

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

* * * * *

36. Council Member Ruane moved that the following resolution be adopted, seconded by Council Member Gillespie, which motion was adopted.

WHEREAS, the city clerk, in accordance with a request from the Purchasing, advertised in the Jersey Journal on July 6, 2012, that sealed bids for LeFante Way resurfacing would be received on July 17, 2012; and

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

Black Rock Enterprises, LLC
1316 Englishtown Road
Old Bridge, NJ 08857; and

WHEREAS, Amy Dellabella, R.P.P.O., Q.P.A. and Gary Chmielewski, Director of Public Works and Parks have examined the bid or proposal and have determined that it substantially exceeds the contracting unit's appropriation for the goods or services; now, therefore, be it

RESOLVED, that the bids for LeFante Way resurfacing be rejected and that the city clerk be and is hereby authorized to re-advertise for bids for same.

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

* * * * *

37. Council Member Gillespie moved that the following resolution be adopted, seconded by Council Member Ruane, which motion was adopted.

WHEREAS, the Director of the Department of Public Works and Parks has determined that there is a need for playground equipment for the Cottage Street Playground; and

WHEREAS, George Ely Associates, Inc., 350 Ramapo Valley Road 18-293, Oakland, NJ 07436 has provided the City of Bayonne with a proposal for said equipment under and State Contract #A59058; and

WHEREAS, the total cost for said equipment is \$41,501.00; now, therefore, be it

RESOLVED, that the purchasing agent of the City of Bayonne is hereby authorized to purchase from George Ely Associates, Inc., 350 Ramapo Valley Road 18-293, Oakland, NJ 07436, playground equipment, under State Contract #A59058, at a cost of \$41,501.00.

Funds have been certified as available in Account KaBoom Grant.

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

* * * * *

38. Council Member Greaves moved that the following resolution be adopted, seconded by Council Member Hurley, which motion was adopted.

RESOLVED, that pursuant to a request for Community Development Block Grant Funds, made by the BAYONNE FAMILY COMMUNITY CENTER (YMCA), the Mayor, on behalf of the City of Bayonne, be and is hereby authorized to enter into an agreement with the BAYONNE FAMILY COMMUNITY CENTER (YMCA), 259 Avenue E, Bayonne, N.J. 07002, in the amount not to exceed \$100,000.00, for funding for renovations around the outside of their building including childcare bathrooms, completion of concrete sidewalks, and completion of concrete work surrounding the premises, for the period commencing July 1, 2012 and ending June 30, 2013; and be it further

RESOLVED, that this expenditure be charged against Account CDBG-928.

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

* * * * *

39. Council Member Czerwienski moved that the following resolution be adopted, seconded by Council Member Gillespie, which motion was adopted.

WHEREAS, the Director of Municipal Services has identified a grant from PetSmart Charities, Inc., to provide funding in the amount of \$16,500.00 as a single installment payment for a pilot TNR program in the City of Bayonne, as described in a Grant Statement submitted by PetSmart Charities, Inc., with an effective date of September 1, 2012; now, therefore be it

RESOLVED, that the Mayor and City Clerk be and are hereby authorized and directed to execute a grant agreement with PetSmart Charities, 19601 North 27th Avenue, Phoenix, AZ 85027 for a single installment grant in the amount of \$16,500.00 for a pilot TNR program in the City of Bayonne.

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

* * * * *

40. Council Member Greaves moved that the following resolution be adopted, seconded by Council Member Ruane, which motion was adopted.

Resolution: Approval to submit a grant application and execute a grant agreement with the New Jersey Department of Transportation for the Transportation Enhancement Program for the City of Bayonne, Newark Bay Riverwalk/Greenway Project

WHEREAS, The Federal Aid Transportation Enhancement Program strives to ensure that transportation enhancements are an integral part of our transportation investment policy; and

WHEREAS, Transportation Enhancement funding is to be used to support non-traditional transportation projects; and

WHEREAS, the City of Bayonne has identified the need to improve pedestrian and bicycle access at Veterans Park to the Newark Bay waterfront, thereby extending the Hudson County Riverwalk; and

WHEREAS, the City of Bayonne wishes to apply for funding for this project through the NJ DOT Transportation Enhancement Program; and

WHEREAS, the City of Bayonne will assume the responsibility with regard to maintenance and upkeep of this project; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the City of Bayonne, in the County of Hudson, State of New Jersey formally approve the grant application for the , Newark Bay Riverwalk/Greenway Project ; and

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as *TE-2012-Bayonne City-00084* to the New Jersey Department of Transportation on behalf of the City of Bayonne.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the City of Bayonne and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

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

* * * * *

41. Council Member Ruane moved that the following resolution be adopted, seconded by Council Member Greaves, which motion was adopted.

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

WHEREAS, Spectra Energy/Texas Eastern Transmission, LP is in the process of constructing a pipeline in Bayonne along the pipeline's right of way along Route 440 and New Hook Road; and

WHEREAS, Spectra Energy/Texas Eastern Transmission, LP have requested an exemption from the provisions of section 3-1.8 in order to perform boring and construction work on New Hook Road and Route 440 and on properties adjacent thereto, pursuant to the terms of a letter dated June 27, 2012 addressed to Stephen J. Gallo, Chief of Staff; now, therefore be it

RESOLVED, that Spectra Energy/Texas Eastern Transmission, LP be and are hereby granted an exemption from the requirements of section 3-1.8 of the Revised General Ordinance of the City of Bayonne City and shall be permitted to perform repair work on its pipeline in the areas described in its June 27, 2012 request for such an exemption; and be it further

RESOLVED, that the Municipal Council reserves the right to revoke said exemption if complaints are received from residents that any noise generated by the repair work is objectionable.

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

* * * * *

42. Council Member Gillespie moved that the following resolution be adopted, seconded by Council Member Hurley, which motion was adopted.

RESOLUTION OF THE CITY OF BAYONNE, IN THE COUNTY OF HUDSON, NEW JERSEY DESIGNATING A REDEVELOPER FOR THE A PORTION OF THE SCATTERED SITES REDEVELOPMENT AREA AND AUTHORIZING THE EXECUTION OF A REDEVELOPMENT AGREEMENT IN CONNECTION THEREWITH.

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

WHEREAS, on March 16, 2005, the Bayonne City Council (the "City Council") passed Resolution Number 05-03-16-048 requesting the Planning Board of the City of Bayonne conduct a preliminary investigation pursuant to *N.J.S.A. 40A: 12A-6* to determine whether the subject area qualifies as an area in need of redevelopment in accordance with the criteria set forth in *N.J.S.A. 40A: 12A-5*; and

WHEREAS, the subject area consists of 34 sites, ranging from small vacant lots on Broadway to large old-industrial lots located near Route 169 and throughout the City (collectively, the “Scattered Site Redevelopment Study Area”); and

WHEREAS, on December 14, 2005, the City Council passed Resolution 05-03-16-048 designating the “Scattered Site Redevelopment Study Area” as an area in need of redevelopment (the “Redevelopment Area”) which Redevelopment Area includes the area commonly known as Block 326, Lots 4-9 and Block 340, Lot 21 on the tax map of the City of Bayonne, State of New Jersey and consisting of approximately 13,739 square foot tract consisting of six parcels that have been cleared for development (the “Property”); and

WHEREAS, on December 14, 2005, the City passed an ordinance adopting a redevelopment plan entitled, “Scattered Sites Redevelopment Plan” (as same may be amended, modified or supplemented from time to time, the “Redevelopment Plan”) establishing the development and construction standards within the Redevelopment Area; and

WHEREAS, pursuant to *N.J.S.A. 40A:12-4*, the City has determined to act as the “Redevelopment Entity” (as such term is defined at *N.J.S.A. 40A:12A-3*) for the Redevelopment Area to exercise the powers contained in the Redevelopment Law; and

WHEREAS, Bergen Point Associates, L.L.C., has submitted information to the City outlining its financial capabilities, experience, expertise and project concept descriptions to design and construct a project on the Property and has requested designation by the City as the “redeveloper” for the Property; and

WHEREAS, the City Council desires to designate Bergen Point Associates, L.L.C. (the “Redeveloper”), the redeveloper for the Redevelopment Area pursuant to Section 8 of the Redevelopment Law to undertake the redevelopment of the Property pursuant to the Redevelopment Plan; and

WHEREAS, the Project shall conform to the Redevelopment Plan and will be in conformance with the master plan of the City; and

WHEREAS, the City Council further desires to authorize the execution of a redevelopment agreement with the Redeveloper for the Redevelopment Area, which will set forth the rights and obligations of the respective parties, as well as the anticipated time frame for the completion of certain tasks.

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

Section 1. The aforementioned recitals are incorporated herein as if fully set forth herein.

Section 2. Bergen Point Associates, L.L.C., or an affiliate thereof, is hereby designated as the Redeveloper of the Property, subject to the execution of a redevelopment agreement with the City.

Section 3. The Redevelopment Agreement, in substantially the form attached hereto (the “Redevelopment Agreement”), is hereby approved with such deletions, additions, and other modifications as deemed appropriate by the Mayor, upon consultation with City professionals, consultants and staff

Section 4. The Mayor is hereby authorized to execute the Redevelopment Agreement on behalf of the City.

Section 5. The Mayor is further hereby authorized to take all steps necessary to negotiate and execute any additional documents or agreements necessary in connection with the Redevelopment Agreement and in furtherance of this resolution.

Section 6. This resolution shall take effect immediately.

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

* * * * *

43. Council Member Greaves moved that the following resolution be adopted, seconded by Council Member Czerwienski, which motion was adopted.

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

WHEREAS, PSE&G is in the process of constructing the Jersey City –Bayonne 3rd Circuit electric reliability project to guarantee reliable electricity to customers in the event either or both of the circuits should fail or if one circuit is shut for maintenance, as determined by the PJM Interconnection, a regional transmission organization that manages the high-voltage electric grid serving 13 states; and

WHEREAS, PSE&G has requested a waiver from the ordinance to implement a schedule of night working hours and to exceed night time decibel levels only on 63rd Street before the residential area near Sycamore Road; and

WHEREAS, a previous waiver was granted by the Municipal Council by Resolution No. 11-12-14-046 for the month of January, 2012, and Stephen J. Gallo, Business Administrator has authorized PSE&G to work during night hours and on weekends for the current phase of its project; now, therefore be it

RESOLVED, that the actions of Stephen J. Gallo, Business administrator in authorizing PSE&G to perform construction activity on the Jersey City-Bayonne 3rd Circuit project in West 63rd Street exempt from the requirements of section 3-1.8 of the Revised General Ordinance of the City of Bayonne City be and is hereby ratifying and confirmed; and be it further

RESOLVED, that the Municipal Council reserves the right to revoke said exemption if complaints are received from residents that any noise generated by the repair work is objectionable.

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

* * * * *

44. Council Member Hurley moved that the following resolution be adopted, seconded by Council Member Ruane, which motion was adopted.

WHEREAS, construction has begun on the new South Harbor Fire Station; and

WHEREAS, in order to meet project deadlines and to expedite the project, the contractors have requested an exemption from the evening and weekend hour restrictions of Section 3-1, Noise, of the Revised General Ordinances of the City of Bayonne; and

WHEREAS, Stephen J. Gallo, Business Administrator, has authorized all contractors and subcontractors to conduct work after the hours and on weekend hours otherwise restricted by Section 3-1; and

WHEREAS, the project site is located in along the eastern side of Route 440 and the work that will be performed after hours and overnight should not affect any neighbors that may live near the area; and

WHEREAS, the work is critical to the project in order to meet contract deadlines and to otherwise expedite construction; now therefore be it

RESOLVED, that the actions of the Stephen J. Gallo, Business Administrator, in granting all contractors and subcontractors in the construction of the South Harbor Fire Station a waiver from Section 3-1 of the Revised General Ordinances are hereby ratified and confirmed; and be it further

RESOLVED, the Municipal Council reserves the right to revoke this exception to the Ordinance at any time for any reason.

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

* * * * *

45. Council Member Czerwienski moved that the following resolution be adopted, seconded by Council Member Gillespie, which motion was adopted.

RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY DESIGNATING BLOCK 301.01, LOT 7; BLOCK 310, LOTS 1-13; BLOCK 311.01, LOT 1; BLOCK 333.01, LOTS 3-6, AND BLOCK 333.02, LOT 1 ON THE TAX MAP OF THE CITY AS AN AREA IN NEED OF REDEVELOPMENT

WHEREAS, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1, et seq.* (the “Redevelopment Law”), authorizes municipalities to determine whether certain parcels of land in the municipality constitute areas in need of redevelopment; and

WHEREAS, the Municipal Council (the “Municipal Council”) of the City of Bayonne (the “City”) adopted resolutions authorizing and directing the Planning Board of the City (the “Planning Board”) to conduct an investigation to determine whether certain areas throughout the City including the area commonly known as Block 301.01, Lot 7; Block 310, Lots 1-13; Block 311.01, Lot 1; Block 333.01, Lots 3-6, and Block 333.02, Lot 1 on the tax map of the City (the “Study Area”) satisfy the criteria to be designated as an “area in need of redevelopment,” and, if so, consider a redevelopment plan for such Study Area and make recommendations pertaining thereto in accordance with *N.J.S.A. 40A:12A-7(f)*; and

WHEREAS, on July 10, 2012 the Planning Board held a public hearing in accordance with *N.J.S.A. 40A:12A-6* and adopted the findings of a report submitted by John D. Fussa, P.P. (the “City Planner”) and prepared by Clarke Caton Hintz entitled “City of Bayonne: Scattered Site Redevelopment Project Phase II: Site 9” dated June 21,

2011 which determined that the Study Area met the criteria for “an area in need of redevelopment” under the Redevelopment Law, and recommended to the Municipal Council pursuant to *N.J.S.A. 40A:12A-6* that the Study Area be designated as an area in need of redevelopment; and

WHEREAS, the Municipal Council intends to designate the Study Area as an “area in need of redevelopment” pursuant to *N.J.S.A. 40A:12A-5*.

NOW THEREFORE, BE IT RESOLVED by the Municipal Council of the City of Bayonne that:

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Municipal Council hereby designates the Study Area as “an area in need of redevelopment” pursuant to the Redevelopment Law.
3. A copy of this Resolution shall be available for public inspection at the offices of the City and delivered to the Department of Community Affairs in accordance with *N.J.S.A. 40A:12A-6*.
4. This Resolution shall take effect upon final passage.

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

* * * * *

46. Council Member Gillespie moved that the following resolution be adopted, seconded by Council Member Hurley, which motion was adopted.

A RESOLUTION RATIFYING AND CONFIRMING THE ACTIONS OF CITY OFFICIALS IN ALLOWING VENDORS TO USE AND OCCUPY CITY LANDS ON JULY 17, 2012 FOR PURPOSES OF A FARMER’S MARKET AND FURTHER AUTHORIZING THE CITY TO ENTER INTO A SHARED SERVICES AGREEMENT WITH THE BAYONNE URBAN ENTERPRISE ZONE CORPORATION (THE “UEZ”) TO OPERATE, MANAGE AND PROMOTE THE BAYONNE FARMER’S MARKET ON CITY OWNED LANDS DESIGNATED AS LOT 2 IN BLOCK 195, OR PORTION THEREOF, CONSISTING OF THE PARKING LOT BETWEEN WEST 23rd AND 24th STREETS ON DELMONTE DRIVE AND TO EXECUTE LICENSE AGREEMENTS WITH INDIVIDUAL VENDORS.

WHEREAS, the New Jersey Council of Farmers and Communities is a not-for-profit organization dedicated to protecting farms and strengthening communities, which provides various benefits and services to its members; and

WHEREAS, the New Jersey Council of Farmers and Communities has expressed an interest in facilitating the operation of a Farmer’s Market within the City of Bayonne, one day a week during the summer and fall months, commencing July 17, 2012 through October 31, 2012; and

WHEREAS, the City of Bayonne is committed to promoting the efforts of local farmers and small businesses and pursuant to a poll, members of the Municipal Council of Bayonne expressed their support of such a Resolution; and

WHEREAS, at the request of representatives of the New Jersey Council of Farmers and Communities and upon the advice of the City Business Administrator,

City Planner and Corporation Counsel, the vendors were permitted to operate a farmer's market yesterday, Tuesday July 17, 2012, so as not to lose the benefit of another week pending Municipal Council approval; and

WHEREAS, the City and the UEZ have determined that it would be more efficient, economical and in the best interests of the citizens of Bayonne to utilize the personnel and resources of the UEZ to operate, manage and promote the 2012 Bayonne Farmer's Market pursuant to a shared services agreement; and

WHEREAS, in consideration for such services, the City of Bayonne shall reimburse the UEZ for it expenses incurred in operating, managing and promoting the 2012 Bayonne Farmer's Market and further compensate the UEZ by sharing the profits, if any, equally with the UEZ; now therefore be it

RESOLVED, that the actions of City Officials in allowing vendors to use and occupy the City owned lands yesterday, Tuesday, July 17, 2012, for purposes of the Bayonne Farmers Market are hereby ratified and confirmed; and

BE IT FURTHER RESOLVED that the Mayor and the City Clerk are hereby authorized and directed to take all steps necessary to negotiate, execute and implement, in accordance with all applicable laws, a shared services agreement between the City and the Bayonne Urban Enterprise Zone Corporation for shared services, employees and compensation / reimbursement thereof; and

BE IT FURTHER RESOLVED that the UEZ is herein authorized to execute individual Bayonne Farmers Market License Agreements in such form and content as may be deemed necessary by Corporation Counsel for the City of Bayonne to secure these purposes both now and in the future.

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

* * * * *

47. Council Member Czerwienski moved that the following resolution be adopted, seconded by Council Member Greaves, which motion was adopted.

WHEREAS, Resolution No. 10-03-16-030 authorized a lease between the City of Bayonne and James Wasliewski, t/a Sand Castle, for the operation of the Municipal Pool food concession stand for a five year period commencing May 1, 2010 and ending April 30, 2015 for an annual amount to be paid to the city of \$7,963.99; and

WHEREAS, Resolution No. 10-04-21-015 modified said agreement to accurately reflect the bid specifications and to provide for a one-year term for the contract, renewable by the city for a term or terms up to five years, which contract has been executed by the parties and designated as Agreement No. FY'10-82; and

WHEREAS, Resolution No. 12-05-16-042 authorized the lease be renewed for the period commencing Memorial Day 2012 and ending Labor Day 2012; and

WHEREAS, the vendor requested to modify the terms of the lease by lowering the amount of the refundable security deposit due the City to \$4,000.00 for the year 2012; and

WHEREAS, the City Counsel had agreed to reduce the amount of the security deposit required by the vendor from the amount required in 2010 to the amount of \$4,000.00 for the year of 2011; and

WHEREAS, the vendor is in the third year of providing this service to the City; and

WHEREAS, in order for the Municipal Pool food concession to be open to serve the public by Memorial Day 2012, it was necessary for the Corporation Counsel to modify the amount of the refundable security deposit to \$4,000.00 for the year 2012 only prior to obtaining formal approval from this body; now, therefore, be it

RESOLVED, the security deposit required from the vendor the contract specified in Resolution No. 10-04-21-015 shall be in the amount of \$4,000.00 for 2012 and for each year in the future that the City exercises its option to renew the contract; and be it further

RESOLVED, that the actions of the Corporation Counsel modifying the refundable security deposit due from the vendor for the Municipal Pool food concession stand to \$4,000.00 for the year 2012 only are hereby ratified and confirmed.

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

* * * * *

48. Council Member Czerwienski moved that the following resolution be adopted, seconded by Council Member Hurley, which motion was adopted.

#6 TEMPORARY EMERGENCY APPROPRIATION CY 2012

WHEREAS, an emergency condition has arisen with respect to providing appropriations to pay various costs, as per attached schedule, and no adequate provision has been made in the CY 12 Temporary Budget for the aforesaid purposes and N.J.S.:4-20 provides for the creation of an emergency temporary appropriation for the purposes above mentioned, and

WHEREAS, the total emergency resolution adopted in the CY 12 budget pursuant to the provisions of Chapter 96, P.L. 1951 (NJS 40A:4-20) including this resolution total

Current Fund	\$	47,280,838.50
Parking Utility	\$	301,000.00

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

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

Current Fund	\$	5,303,529.00
Parking Utility	\$	60,000.00

2- That said emergency temporary appropriation will be provided for the CY 12 budget under the title of, as per attached schedule:

Current Fund \$ 5,303,529.00
Parking Utility \$ 960000.00

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

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

* * * * *

49. Council Member Greaves moved that the following resolution be adopted, seconded by Council Member Gillespie , which motion was adopted.

RESOLVED, that Robert Kubert be and is hereby removed as Petty Cash Custodian in the Police Department and Ralph Scianni is hereby named as Petty Cash Custodian in the Police Department.

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

* * * * *

50. Council Member Gillespie moved that the following resolution be adopted, seconded by Council Member Greaves, which motion was adopted.

RESOLVED, that Acting Chief of Police Ralph Scianni be and is hereby authorized to take such steps and expend such funds as may be necessary to transfer and accept title to a 1988 Mercury Grand Marquis automobile bearing VIN number 2MEBM 74F9J X6661 34, which being donated to the City of Bayonne Police Department by Irene Dunne, 87 West 34th Street, Bayonne, NJ.

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

* * * * *

51. Council Member Czerwienski moved that the following resolution be adopted, seconded by Council Member Gillespie, which motion was adopted.

WHEREAS, LAWRENCE GRANT has applied for a license as a massage therapist and has submitted an application therefore to the City Clerk; and

WHEREAS, LAWRENCE GRANT meets the requirements of Section 4-22 of the Revised General Ordinances of the City of Bayonne now, therefore, be it

RESOLVED, That LAWRENCE GRANT, 22 Wegman Parkway, Jersey City, NJ, is hereby granted a license as a massage therapist pursuant to Section 4-22 of the Revised General Ordinances.

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

* * * * *

52. Council Member Gillespie moved that the following resolution be adopted, seconded by Council Member Ruane, which motion was adopted.

WHEREAS, XU XIAM FENG has applied for a license as a massage therapist and has submitted an application therefore to the City Clerk; and

WHEREAS, XU XIAM FENG meets the requirements of Section 4-22 of the Revised General Ordinances of the City of Bayonne now, therefore, be it

RESOLVED, That XU XIAM FENG, 136-25 Cherry Street, Flushing, NY, is hereby granted a license as a massage therapist pursuant to Section 4-22 of the Revised General Ordinances.

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

* * * * *

53. Council Member Ruane moved that the following resolution be adopted, seconded by Council Member Gillespie, which motion was adopted.

WHEREAS, the City of Bayonne is in need of professional legal services to conduct arbitration hearings, litigation before the courts, negotiations and PERC hearings involving various unions and the City of Bayonne; and

WHEREAS, the law firm of Chasan, Leyner & Lamparello, 300 Harmon Meadow Boulevard, Secaucus, NJ 07094, has submitted a proposal at the rate of \$160.00 per hour and \$75.00 per hour for law clerks and paralegals; and

WHEREAS, the Local Public Contract Law (N.J.S.A. 40A:11-1, et seq.) requires that the resolution authorizing the award of contracts for "Professional Services" without competitive bids and the contract itself must be available for public inspection; and

WHEREAS, funds are certified as available from Account No. DL-4; and

WHEREAS, this professional services contract was determined under the Fair & Open Contracting Requirements pursuant to N.J.S.A. 19:44A:20.4 and .5; now, therefore, be it

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

1. The Mayor and the City Clerk are hereby authorized and directed to execute an agreement with Chasan, Leyner & Lamparello, 300 Harmon Meadow Boulevard, Secaucus, NJ 07094 professional legal services to conduct arbitration hearings, litigation before the courts, negotiations and PERC hearings involving various unions and the City of Bayonne for a six-month period commencing July 1, 2012 and ending December 31, 2012, for an amount not to exceed \$25,000.00 payable at the rate of \$160.00 per hour and \$75.00 per hour for law clerks and paralegals in accordance with their response to the City's Request for Qualifications.
2. Funds shall be payable from Account No. DL-4.
3. This contract is awarded without competitive bidding as a "Professional Service" under the provisions of the Local Public Contracts Law because the State of New Jersey, and bids are not required as per N.J.S.A. 40A:11-1, et seq.

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

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

* * * * *

54. Council Member Greaves moved that the following resolution be adopted, seconded by Council Member Czerwienski, which motion was adopted.

WHEREAS, for good cause and to protect the health and welfare of the citizens of the City of Bayonne, it was necessary to advertise for bids prior to Council approval so that said resurfacing work could be performed before school reconvenes and there is less traffic and other traffic and pedestrian safety issues to address and to take advantage of the seasonal weather more conducive to re-surfacing; and

WHEREAS, on July 6, 2012 the City Clerk advertised in the Jersey Journal that bids for LeFante Way Resurfacing would be received on July 17, 2012; and

WHEREAS, on July 6, 2012 the City Clerk also advertised in the Jersey Journal that bids for Avenue C Resurfacing would also be received on July 17, 2012; and

WHEREAS, pursuant to the above mentioned advertisements bids for the aforesaid projects were received by the Purchasing Agent on July 17, 2012; now therefore be it

RESOLVED, that the actions of the City Clerk in advertising for bids for the above mentioned projects in the Jersey Journal on July 6, 2012, and the actions of the Purchasing Agent in accepting bids for the above mentioned projects on July 17, 2012 are hereby ratified and confirmed.

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

* * * * *

55. Council Member Gillespie moved that the following resolution be adopted, seconded by Council Member Greaves, which motion was adopted.

WHEREAS, the City is in need of the following community health services:

- 1) Sexually Transmitted Disease Activities;
- 2) HIV Infection Activities; and
- 3) Mothers and Maternal Health Activities; and

WHEREAS, the Director of Municipal Services has requested authorization to solicit proposals for the above mentioned community health services in accordance with a "fair and open" contracting process as defined in the New Jersey Local Unit Pay to Play Law; now therefore be it

RESOLVED, that the Director of Municipal Services is hereby authorized to solicit proposals for the above mentioned community health services in accordance with a "fair and open" contracting process as defined in the New Jersey Local Unit Pay to Play Law; now therefore be it

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

* * * * *

56. Council Member Greaves moved that the following resolution be adopted, seconded by Council Member Czerwienski, which motion was adopted.

WHEREAS, Resolution No. 12-06-20-078 adopted by the Municipal Council on June 20, 2012 authorized an extension of Agreement No. FY09-058 with Standard Elevator for elevator maintenance of three City buildings for a two year period commencing July 1, 2012 and ending June 30, 2014; and

WHEREAS, said resolution erroneously reflected an increase in the total contract amount of \$2,640.00; and

WHEREAS, said resolution should have reflected an increase in the total contract amount of \$9,096.00 per year for a total increase of \$18,192.00, now therefore be it

RESOLVED, that Resolution No. 12-06-20-078 is hereby amended to reflect an increase in the total contract amount of \$9,096.00 per year for a total increase of \$18,192.00.

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

* * * * *

57. Council Member Ruane moved that the following resolution be adopted, seconded by Council Member Hurley, which motion was adopted.

WHEREAS, Resolution No. 12-06-20-080 adopted by the Municipal Council on June 20, 2012 authorized an extension of Agreement No. FY10-016 with Bayonne Exterminating for a two month period commencing July 1, 2012 and ending August 31, 2012 in order to allow the Purchasing Agent time to solicit quotations for the continued provision of rodent and pest control services; and

WHEREAS, the additional cost of said rodent and pest control services is \$762.50 per month; and

WHEREAS, said resolution should have reflected the additional cost of \$762.50 per month for a total increase in the contract amount of \$1,525.00; now therefore be it RESOLVED, that Resolution No. 12-06-20-080 is hereby amended to reflect an increase in the total contract amount of \$762.50 per month for a total increase in the contract amount of \$1,525.00.

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

* * * * *

58. Council Member Hurley moved that the following resolution be adopted, seconded by Council Member Gillespie, which motion was adopted.

WHEREAS, the local municipal budget for the calendar year 2012 was approved on the 14th day of March 2012, and

WHEREAS, the public hearing on said budget has been held as advertised, and

WHEREAS, it is desired to amend said approved budget, now

THEREFORE BE IT RESOVLED, by the Municipal Council of the City of Bayonne, County of Hudson, that the following amendments to the approved budget of calendar year 2012 be made:

Surplus Anticipated	0.00	695,000.00
Section D:		
Bayonne Local Redevelopment Authority-		
Services for Peninsula at Bay Harbor	46,675.66	66,179.57
Total Section B	166,675.66	186,179.57
Section F:		
Developer's Escrow Municipal Reimb.	19,586.00	39,711.23
Police Overtime DMV	43,500.00	65,250.00
AIG Settlement	0.00	332.90
FEMA Reimbursement	0.00	5,000.00
2012 Dept. of Transportation Paving Grant	0.00	401,500.00
Private Contributions for Public Events	1,000.00	7,500.00
BHA-535 Plus	0.00	10,000.00
Bureau of Housing Inspection	37,829.00	68,671.00
Reimbursement of Police Salaries	15,472.00	25,504.33
Bayonne Housing Authority Police Grant	244,207.00	452,849.58
Total Section F:	1,303,091.00	2,018,813.04
Section G:		
Bayonne Hospital Recovery	0.00	300,000.00
Spectra Energy	0.00	1,615,000.00
Health Insurance Deductions	0.00	50,000.00
Total Section G:	31,357,504.85	33,322,504.85
Total Miscellaneous Revenues	47,841,916.51	50,542,142.46
5. Subtotal General Revenues (Items1,2,3 and 4)	47,913,916.51	51,309,142.46
6. Amount to be Raised by Taxes for the Support of Municipal Budget		
a) Local Tax for Municipal Purposes Including Reserve for Uncollected Taxes	64,866,633.15	63,445,585.50
b) Addition to Local District School Tax	11,349,706.00	11,340,706.00
c) Minimum Library Tax	1,925,000.00	1,848,547.65
Total amount to be Raised by Taxes for Support of Municipal Budget	78,141,339.15	76,634,839.15
7. Total General Revenues	126,055,255.66	127,943,981.61
General Appropriations		
A) Operations within "CAPS"		
Parks & Playgrounds Recreational-		

Salaries & Wages	1,215,000.00	1,237,000.00
Parks & Playgrounds Recreational- Other Expenses	68,000.00	70,500.00
Group Insurance	13,760,000.00	13,800,000.00
Total Operations (Item 8A) with "CAPS"	81,451,700.00	81,516,200.00
Total Operation Including Contingent With "CAPS"	81,452,700.00	81,516,200.00
Detail:		
Salaries & Wages	52,319,000.00	52,340,000.00
Other Expenses	29,133,700.00	29,176,200.00
Social Security		
Total General Appropriations for Municipal Purposes with "CAPS"	94,337,500.00	94,401,000.00
A) Operations – Excluded from "CAPS"		
Shared Services Agreement		
Bayonne Local Redevelopment Authority – Services for Peninsula at Bay Harbor		
Total Shared Services Agreement		
Public and Private Programs Offset by Revenue		
Developer's Escrow Municipal Reimb.	19,586.00	39,711.23
Police Overtime DMV	43,500.00	65,250.00
AIG Settlement	0.00	332.90
FEMA Reimbursement	0.00	5,000.00
2012 Dept. of Transportation Paving Grant	0.00	401,500.00
Private Contributions for Public Events	1,000.00	7,500.00
BHA-535 Plus	0.00	10,000.00
Bureau of Housing Inspection	37,829.00	68,671.00
Reimbursement of Police Salaries	15,472.00	25,504.33
Bayonne Housing Authority Police Grant	244,207.00	452,849.58
Total Public and Private Programs Offset By Revenues	1,603,091.00	2,318,813.04
Total Operations Excluded from "CAPS"	7,751,515.66	8,486,741.61
Salaries & Wages	2,057,685.00	2,140,434.56
Other Expenses	5,693,830.66	6,346,307.05
Capital Improvements Excluded from "CAPS"		
Capital Improvement Fund	125,000.00	1,615,000.00
Total Capital Improvements Excluded From "CAPS"	125,000.00	1,615,000.00
Total General Appropriations-Excluded From "CAPS"	30,517,755.66	32,742,981.61
Subtotal General Appropriations	124,855,255.66	127,143,981.61
M) Reserve for Uncollected Taxes	1,200,000.00	800,000.00

9. Total General Appropriations	126,055,255.66	127,943,981.61
---------------------------------	----------------	----------------

BE IT FURTHER RESOLVED, that Wednesday, July 25, 2012 commencing at 4:30 P.M. and the Dorothy E. Harrington Council Chambers, Municipal Building, 630 Avenue C, Bayonne, NJ, be designated as the time and place at which a public hearing will be held on the foregoing amendment, and at which time the Local Municipal Budget will be further considered for final adoption; and be it further

RESOLVED, that two copies of this resolution be filed forthwith in the Office of the Director of Local Government Services for certification of the Local Municipal Budget as amended; and be it further

RESOLVED, that this complete amendment, be published in the Jersey Journal no later than three days prior to the date set for the public hearing on this amendment, and posted on the bulletin board in the lobby of the Municipal Building, and that said publication contain notice of the public hearing on this amendment to be held at the Dorothy E. Harrington Council Chambers in the Municipal Building, 630 Avenue C, Bayonne, NJ, on Wednesday, July 25, 2012, commencing at 4:30 P.M., in accordance with the provision of NJSA 40A:4-9.

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

* * * * *

At 8:09 P.M, Council Member Czerwienski motioned to adjourn, seconded by Council Member Gillespie, which motion was adopted.

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

* * * * *

President – Terrance Ruane

City Clerk – Robert F. Sloan