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SPECIAL 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 25, 2012

The Council met at 4:32 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 25, 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 20, 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.

The Council President led the Pledge of Allegiance.

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01. Council Member Greaves moved that the following communication be received and filed, seconded by Council Member Gillespie, which motion was adopted.

TO: Robert F. Sloan, Esq., Municipal Clerk
FR: Mark A. Smith, Mayor
RE: Notice of Special Meeting of the Municipal Council – July 25, 2012
Date: July 20, 2012

Please be advised that it is necessary to call a Special Meeting of the Municipal Council of the City of Bayonne on Wednesday, July 25, 2012 at 4:00 P.M. in the Dorothy E. Harrington Council Chambers.

The purpose of the meeting is as follows:

- 1. Public hearing on amendments to the CY 2012 budget.
- 2. Further consideration of the CY 2012 budget, including final adoption.
- 3. Other matters directly related to budget amendment and/or adoption.
- 4. consideration of a resolution correcting a resolution authorizing a UEZ Loan to Cameron Bayonne LLC for purposes of acquiring and developing the former Best Foods site.
- 5. consideration of an Ordinance approving a financial and tax agreement with Royal Wine.

Please ensure that the appropriate Open Public Meetings Act notice is effectuated.

cc. Honorable Council Members

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

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02. The Clerk announced, “Amendments to the CY 2012 local municipal budget, which were introduced at a meeting held July 18, 2012, have been published in the Jersey Journal and posted on the bulletin board as required by law, are now before the Council for its consideration and a public hearing.

The Clerk read the following budget amendments in full.

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 (Items 1,2,3 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
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Total Operations Excluded from "CAPS"	7,751,515.66	8,486,741.61
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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
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Subtotal General Appropriations	124,855,255.66	127,143,981.61
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M) Reserve for Uncollected Taxes	1,200,000.00	800,000.00
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9. Total General Appropriations	126,055,255.66	127,943,981.61
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The Clerk announced, "The Council is now ready to give all persons interested in the budget amendments an opportunity to be heard concerning same. The council president will recognize anyone who wishes to speak."

There was no response - no person appearing to protest against or object to the budget amendments or to their adoption.

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

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

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

WHEREAS, the foregoing amendments to the CY 2012 Local Municipal Budget were introduced at a meeting held July 18, 2012, were posted and published according to law with notice that they would be the subject of a public hearing at this meeting of July 25, 2012; and

WHEREAS, a public hearing has been held on the said amendments and it is desired to adopt same; now, therefore, be it

RESOLVED, that the foregoing amendment to the CY 2012 Local Municipal Budget be and the same are hereby adopted and incorporated into the said budget.

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

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The council as a whole moved that the following resolution be adopted, which motion was adopted.

BE IT RESOLVED by the MUNICIPAL COUNCIL of the CITY OF BAYONNE, County of Hudson that the budget hereinbefore set forth is hereby adopted and shall constitute and appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of:

- (a) \$63,445,585.50 (item 2 below) for municipal purposes, and
- (b) \$69,997,760.50 (item 3 below) for school purposes in Type I School District only (N.J.S. 18A:9-2) to be raised by taxation and
- (e) \$1,848,547.65 (item 5 below) Minimum Library Tax.

1. General Revenues	
Surplus Anticipated	\$695,000.00
Miscellaneous Revenues Anticipated	\$50,542,142.46
Receipts from Delinquent Taxes	\$72,000.00
2. AMOUNT TO BE RAISED BY TAXATION FOR MUNICIPAL PURPOSES (Item 69a), Sheet 11)	\$63,445,585.50
3. AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE I SCHOOL DISTRICTS ONLY:	
Item 6, Sheet 41	\$57,657,054.50
Item 6(b) Sheet 11 (N.J.S. 40A:4014)	\$11,340,706.00
Total Amount to be Raised by Taxation for Schools in Type I School Districts Only	
4. To be Added TO CERTIFICATE FOR AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE II SCHOOL DISTRICTS ONLY: Item 6(b), Sheet 11 (N.J.S. 40a:4-14)	\$68,997,760.50
5. AMOUNT TO BE RAISED BY TAXATION MINIMUM LIBRARY LEVY	\$1,848,547.65
Total Revenues	\$185,601,036.11

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

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03. Council President Ruane moved that the following communication be received and filed, seconded by Council Member Hurley, which motion was adopted.

WHEREAS, the Board of Education of the City of Bayonne, in the County of Hudson, has prepared and delivered to each member of the Board of School Estimate a Budget for the School Year 2012-2013 together with an itemized statement, in which is shown the amount of money estimated to be necessary for the General Fund Expenses of the Mayor's School District for the school year beginning July 1, 2012 and ending June 30, 2013 and the additional information for the said school year required by N.J.S.A. 18A, and in which it is estimated that the sum of \$59,127,916 is necessary in local tax revenue for the operation of the public schools of the City of Bayonne for the said school year;

THEREFORE, BE IT RESOLVED, that the Board of School Estimate of the Bayonne School District hereby fixes and determines the amount of money necessary to be appropriated in a budget sufficient for provision of a thorough and efficient system of education in the Bayonne School District for the school year beginning July 1, 2012 and ending June 30, 2013, as follows:

TOTAL GENERAL FUND			\$115,498,690
Less:			
	State Estimated Appropriations		\$42,838,901
	Federal Estimated Appropriations		\$217,118
	Miscellaneous Revenue		\$1,305,529
	Budgeted Fund Balance		\$909,226
	Transfer Other Funds		0-
	TOTAL		\$58,227,016
SPECIAL REVENUE FUND			\$6,824,406
Less:			
	Federal Estimated Appropriations		\$4,086,186
	State Estimated Appropriations		\$2,738,020
	TOTAL		0-

BE IT FURTHER RESOLVED, that the Secretary is hereby instructed to prepare two certificates of this action, one to be sent to the Board of Education and the other to the Municipal Council of the City of Bayonne, and

BE IT FURTHER RESOLVED, that the Municipal Council of the City of Bayonne is hereby respectfully requested to appropriate and to include in the Tax Ordinance of the City of Bayonne for the Board of Education of Bayonne in the County of Hudson, the following sum, \$58,227.916.

TRUSTEE James A. [Signature] moved
that the foregoing resolution be adopted.

SECONDED BY TRUSTEE [Signature]

ADOPTED AT BOARD MEETING HELD MARCH 28th, 2012

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

WHEREAS, the Board of School Estimate has adopted a resolution appropriating the amount of \$113,498,690.00 as the amount necessary for the general fund expenses of the Bayonne School District for the school year beginning July 1, 2012 and estimating the sum of \$58,227,916.00 as the amount necessary in local tax revenue for the operation of the school system for the school year, which is attached hereto and made a part hereof; and

WHEREAS, said amount is in excess of 1½ percent of the assessed valuations of the City of Bayonne as last certified by the County Board of Taxation; and

WHEREAS, in such case it is required that the governing body concur in the amount of taxes to be levied; now, therefore, be it

RESOLVED, that the Municipal Council hereby receives and files the resolution of the Board of School Estimate adopted March 28, 2012 fixing and determining the amount necessary to be appropriated in a budget sufficient to provide a thorough and efficient system of education in the Bayonne School District for the school year beginning July 1, 2012 and ending June 30, 2013; and be it further

RESOLVED, that the Municipal Council of the City of Bayonne does hereby concur in the amount of \$113,498,690.00 as the amount necessary for general fund expenses for said purpose; and be it further

RESOLVED, that the Tax Collector and Treasurer are authorized to raise and expend the sum of \$58,227,916.00 in accordance with the applicable law.

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

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

WHEREAS, the State of New Jersey (the “**State**”) designated several blocks in the City of Bayonne (the “**City**”) as an “Urban Renewal Zone” pursuant to the *New Jersey Urban Enterprise Act, N.J.S.A. 52:27H-60 et seq.*, as amended and supplemented from time to time (the “**UEZ Act**” and those parcels located within the designated Urban Enterprise Zone shall hereinafter be the “**UEZ**”); and

WHEREAS, on June 20, 2012 the municipal council of the City (the “**City Council**”) adopted Resolution 12-06-20-085 (the “**Prior Resolution**”), which authorized a loan of \$2,500,000 in Urban Enterprise Zone funds to Cameron Avenue A Urban Renewal, LLC (the “**Borrower**”); and

WHEREAS, the Prior Resolution incorrectly defined the “Zone Area” properties as being Block 310, Lots 1-13; Block 311.01, Lots 1, 4, 5 & 6; Block 333.02, Lot 1 on the tax map of the City; and

WHEREAS, the Prior Resolution incorrectly stated that the Borrower was the owner of the Zone Area when, in fact, the Borrower is the contract purchaser of the Zone Area; and

WHEREAS, the City Council desires to amend the Prior Resolution to include the correct listing of the blocks and lots on the tax map of the City that constitute the Zone Area and correct the fact that the Borrower is the contract purchaser of the Zone Area, but is still seeking a loan of the UEZ funds to assist in the purchase of the Zone Area.

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

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The City Council hereby amends the Prior Resolution to list Block 311.01, Lot 1 and Block 333.01, Lots 5-on the tax map of the City as the blocks and lots that constitute the Zone Area.
3. The City Council hereby amends the Prior Resolution to state that Cameron Avenue A Urban Renewal, LLC is the contract purchaser of the Zone Area and will utilize the funding to assistance in the acquisition and financing of the development within the Zone Area..
4. All other provisions of the Prior Resolution are and shall remain in effect.
5. A copy of this resolution shall be available for public inspection at the offices of the City.
6. This resolution shall take effect immediately.

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

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At 4:48 P.M., Council Member Greaves moved to adjourn, seconded by Council Member Gillespie, which motion was adopted.

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President – Terrence P. Ruane

City Clerk – Robert F. Sloan