

REGULAR MEETING

OF THE MUNICIPAL COUNCIL OF THE CITY OF BAYONNE, IN THE COUNTY OF HUDSON, NEW JERSEY, HELD IN THE COUNCIL CHAMBER, MUNICIPAL BUILDING, 630 AVENUE C, ON WEDNESDAY, JANUARY 21, 2015

The Council met at 7:03 P.M.

The Council President Nadrowski announced: “I would like to advise all those present that notice of this regular meeting of the Municipal Council of the City of Bayonne of January 21, 2015 has been provided to the public in accordance with the provisions of the Open Public Meetings Act of the State of New Jersey. Notice of time and place of the meeting has been included in the annual notice of meetings, which was posted and filed with the City Clerk, and with the Jersey Journal and the Star Ledger. An additional notice of time and place was posted and filed with the City Clerk and was forwarded to the Jersey Journal and the Star Ledger by on January 16, 2015.”

The Regular Meeting of the Municipal Council of the City of Bayonne is now in session.

The Clerk called the roll.

Present were: Council Members Cotter, Gullace, LaPelusa, Perez and President Nadrowski.

The Council President led the Pledge of Allegiance.

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Mayor James M. Davis addressed the council regarding the school construction bond issue in which the city claims that the Board of Education owes the city money from state reimbursement for construction.

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01. Joseph Scott, CEO of the Jersey City Medial Center addressed the council to thank them for allowing them to bid on EMS Services and for their interest.

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02. The Clerk announced:

“AN ORDINANCE RENAMING A PORTION OF AVENUE J AS COLEMAN WAY”, which was introduced and passed a first reading at a meeting held December 10, 2014, was published in the Jersey Journal and posted on the bulleting board as required by law, with notice that it would be further considered for final passage following a public hearing at this meeting of January 21, 2015, is now before the Council for its consideration and a public hearing.

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

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

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

The Clerk read the ordinance by title: “AN ORDINANCE RENAMING A PORTION OF AVENUE J AS COLEMAN WAY”

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

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

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

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

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

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

WHEREAS, an ordinance entitled, "AN ORDINANCE RENAMING A PORTION OF AVENUE J AS COLEMAN WAY" was introduced and passed a first reading at a meeting held December 10, 2014, and was published and posted as required by law, with notice that it would be considered for final passage following a public hearing at this meeting of January 21, 2015; and

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

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

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

RESOLVED, that the said ordinance be passed and designated as Ordinance No. O-15-01.

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

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03. The Clerk announced:

"AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC,," which was introduced and passed a first reading at a meeting held December 10, 2014, was published in the Jersey Journal and posted on the bulleting board as required by law, with notice that it would be further considered for final passage following a public hearing at this meeting of January 21, 2015, is now before the Council for its consideration and a public hearing.

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

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

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

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

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

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

WHEREAS, an ordinance entitled, "AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC," was introduced and passed a first reading at a

meeting held December 10, 2014, and was published and posted as required by law, with notice that it would be considered for final passage following a public hearing at this meeting of January 21, 2015; and

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

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

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

RESOLVED, that the said ordinance be passed and designated as Ordinance No. O-15-02.

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

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04. Council President Nadrowski introduced:

AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 8, TAXICABS AND LIMOUSINES.

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 8, Taxicabs and Limousines, be amended and supplemented as follows: (New material ****underlined, between asterisks****, deletions {~~within brackets~~)

8-1 DEFINITIONS.

NO CHANGE

8-2 ENFORCING AUTHORITY.

NO CHANGE.

8-3 TAXICAB OWNER'S LICENSE.

8-3.1 License Required; Expiration Date; Fee.

~~{ No taxicab shall operate upon the streets of the City without the taxicab owner first obtaining a license from the Municipal Council (in the case of an initial licensing) or the Chief of Police (in the case of renewals and special permits), which license shall expire March 31 next succeeding the date of issuance unless sooner suspended or revoked. The initial annual fee for a license shall be one hundred (\$100.00) dollars for each taxicab and the annual fee for each renewal thereof shall be fifty (\$50.00) dollars for the year 2001, seventy five (\$75.00) dollars for the year 2002 and one hundred (\$100.00) dollars for the year 2003 and for each year thereafter. (Ord. No. O-00-56 § 11-3.1)}~~

****No taxicab shall operate upon the streets of the City without the taxicab owner first obtaining a license from the Municipal Council (in the case of an initial licensing) or the Chief of Police (in the case of renewal and special permits), which license shall expire March 31 of the next succeeding year. The initial annual fee for a license shall be one hundred fifty dollars (\$150) for each taxicab and the annual fee for each renewal therefore shall be one hundred twenty five dollars (\$125). ****

8-3.2 Application.

NO CHANGE

8-3.3 Additional Licenses.

NO CHANGE

8-3.4 Transfer of Taxicab Owner's License to Another Taxicab.

NO CHANGE

8-3.5 Transfer of Taxicab Owner's License to Another Holder.

NO CHANGE

8-3.6 Revocation or Suspension of Taxicab Owner's License.

NO CHANGE

8-3.7 Notice Prior to Suspension or Revocation.
NO CHANGE

8-4 INSPECTION.
NO CHANGE

8-5 INSURANCE
NO CHANGE

8-6 ISSUANCE OF LICENSE: CONTENTS.
NO CHANGE

8-7 IDENTIFICATION OF TAXICABS.
NO CHANGE

8-8 COMPLIANCE WITH STATE LAW.
NO CHANGE

8-9 REGISTER OF LICENSED TAXICABS.
NO CHANGE

8-10 TAXICAB DRIVER'S LICENSE.

8-10.1 Required.
NO CHANGE

8-10.2 Initial Application and Yearly Renewal.
NO CHANGE

8-10.3 Review of Application.
NO CHANGE

8-10.4 Approval or Rejection of Application for Taxicab Driver's License.
NO CHANGE

8-10.5 Issuance of Taxicab Driver's License Badge.
NO CHANGE

8-10.6 Term of License.
NO CHANGE

8-10.7 Transfer of Driver to New Company.
NO CHANGE

8-10.8 Fee.
~~{ There shall be a fee of one hundred (\$100.00) dollars for an initial taxicab driver's license and fifty (\$50.00) dollars for each renewal thereof. The fee for a transfer of a taxicab driver's license shall be fifty (\$50.00) dollars. The fees hereby fixed for the issuance of licenses are imposed for regulation. (Ord. No. O-00-56 § 11-10.8; Ord. No. O-12-02 § 6)} **There shall be a fee of one hundred twenty five dollars (\$125.00) for an initial taxicab driver's license and seventy five dollars (\$75.00) for each renewal thereof. The fee for a transfer of a taxicab driver's license shall be seventy five dollars (\$75.00). **~~

8-10.9 Revocation or Suspension of Taxicab Driver's License.
NO CHANGE

8-10.10 Termination of Taxicab Driver.
NO CHANGE

8-11 TAXICAB STANDS.
NO CHANGE

8-12 TAXICAB FARES.

8-12.1 Display of Taxi Fares.
NO CHANGE

Schedule of Fares.

a.	For one (1) or more passengers who board as a group, between two (2) points in the City, unless otherwise specified	\$5.25
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b.	To or from the main gates of the Military Ocean Terminal	\$4.25
	To or from any point within the Military Ocean Terminal	\$5.00
	To or from the Cape Liberty Cruise Port	\$8.00
c.	To or from the city line	\$5.25
d.	To or from any point within Country Village	\$5.25
e.	To or from the Hudson Plaza Motel	\$6.25
f.	To all ship piers, terminals and companies located on New Hook Road, lying south of Avenue J	\$5.25
g.	To all ship piers, terminals and companies located within Port Jersey	\$6.00
h.	Between the hours of 11:00 p.m. and 6:00 a.m., there shall be a surcharge of fifty (\$.50) cents in addition to the prescribed fare.	
i.	For each additional stop	\$1.75
j.	For transporting a trunk or large baby carriage or the like	\$1.00
k.	A charge for waiting time	\$12.00 per hour
l.	For senior citizens, or disabled individuals residing in the City of Bayonne, the fare shall be three dollars and fifty (\$3.50) cents for one (1) or more passengers who board as a group, between two (2) points in the City. For discount purposes the person(s) must present to the driver either an office on aging card indicating a minimum age of sixty (60), a Medicare Card or a disabled veteran's identification card issued by the Veteran's Administration. This discount shall not apply to wheelchair accessible vans.	
m.	From the Cape Liberty Cruise Port to Newark International Airport	\$30.00 plus tolls
	From the Cape Liberty Cruise Port to Kennedy International Airport	\$75.00 plus tolls
	From the Cape Liberty Cruise Port to LaGuardia Airport	\$80.00 plus tolls
	From the Cape Liberty Cruise Port to Grand Central Station	\$70.00 plus tolls
	From the Cape Liberty Cruise Port to Pennsylvania Station, Newark	\$30.00 plus tolls
	From the Cape Liberty Cruise Port to Pennsylvania Station, New York City	\$65.00 plus tolls
	From the Cape Liberty Cruise Port to Port Authority, New York City	\$65.00 plus tolls

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For one (1) of more passengers who board as a group, between two (2) points in the City, unless otherwise specified \$6.25

To or from the main gates of the Military Ocean Terminal \$5.25

To or from any point within the
Military Ocean Terminal \$6.00

To or from Cape Liberty Cruise
Port \$8.50

To or from city line \$6.25

To or from any point within
Country Village \$6.25

To or from Hudson Plaza Motel \$7.25

To all ship piers, terminals and
companies located on New Hook
Road, lying south of Avenue J \$6.25

To all ship piers, terminals and
companies located within Port
Jersey \$7.25

Between the hours of 11:00 p.m.
and 6:00 a.m., there shall be a
surcharge of fifty (\$.50) cents in
addition to the prescribed fare.

For each additional stop \$1.75

For transporting a trunk or large
Baby carriage or the like \$1.00

A charge for waiting time \$12.00 Per hour

For senior citizens, or disabled
individuals residing in the City of
Bayonne, the fare shall be three
dollars and seventy five (\$3.75)
cents for one (1) or more passengers
who board as a group, between two (2)
points in the City. For discount purposes
the person (s) must present to the driver
either an office on aging card indicating a
minimum age of sixty (60), a Medicare Card
or a disabled veteran's identification card
issued by the Veteran's Administration. The
discount shall not apply to wheelchair
accessible vans.

From the Cape Liberty Cruise Port to
Newark International Airport \$35.00 Plus Tolls

From Cape Liberty Cruise Port to
Kennedy International Airport \$80.00 Plus Tolls

From Cape Liberty Cruise Port to
La Guardia Airport \$85.00 Plus Tolls

From Cape Liberty Cruise Port to
Grand Central Station \$75.00 Plus Tolls

From Cape Liberty Cruise Port to
Pennsylvania Station, Newark \$ 35.00 Plus Tolls

From Cape Liberty Cruise Port to
Pennsylvania Station, New York \$70.00 Plus Tolls

From Cape Liberty Cruise Port to
Port Authority, New York City \$70.00 Plus Tolls**

n. Pursuant to Executive Order of The Mayor of the City of Bayonne SFY 2006-01, which was effective September 9, 2005, an emergency surcharge of one (\$1.00) dollar shall be added to all taxicab fares outlined in subsection 8-12.2 until such time as the price of a gallon of regular gasoline falls below two dollars and seventy-five (\$2.75) cents at any gasoline station within the City of Bayonne. Regarding ride sharing, the driver must ask and receive permission from the first passenger who hired the cab in order to pick up additional passengers on route.

However, the permission requirement shall not apply between the hours of 6:00 a.m. and 10:00 a.m., and also between 4:00 p.m. and 7:00 p.m., nor shall it apply during periods of bad weather. (Ord. No. O-00-56 § 11-12.2; Ord. No. O-04-23 § 1; Ord. No. O-04-26 § 1; Ord. No. O-05-38 § 1)

8-13 CALL BOXES; ESTABLISHMENT AND USE.
NO CHANGE

8-14 LOST PROPERTY; RECORDS AND REPORTS.
NO CHANGE

8-14.2 Records to Be Maintained by Driver.
NO CHANGE

8-14.3 Records to Be Maintained by Taxicab Owner's License Holder.
NO CHANGE

8-15 OPERATION OF NON-LICENSED TAXICABS WITHIN CITY LIMITS.
NO CHANGE

8-16 NO SMOKING.
NO CHANGE

8-17 STANDARD OF SERVICE
NO CHANGE

8-18 ADVERTISING.
NO CHANGE

8-19 RECEIPTS AND PAYMENT OF FARES.
NO CHANGE

8-20 SOLICITATION OF PASSENGERS; ACCEPTANCE AND DISCHARGE OF PASSENGERS; CRUISING.
NO CHANGE

8-21 ENFORCEMENT AND PENALTIES.
NO CHANGE

8-22 - 8-29 RESERVED.
Article 2 Limousines

8-30 LICENSING AND CONTROL OF LIMOUSINES.

8-30.1 Establishment.
NO CHANGE

8-30.2 Definitions.
NO CHANGE

8-30.3 Chauffeur Driver Endorsement Required; Penalty Imposed; Other Laws.
NO CHANGE

8-30.4 Insurance Required; Penalty Imposed.
NO CHANGE

8-30.5 Applications for License; License Requirements.
NO CHANGE

8-30.6 Investigation and Enforcement; Denial, Suspension or Revocation of License.
NO CHANGE

8-30.7 License to Operate Service; Fees; License Contents; Availability for Inspection by Law Enforcement.

The City Clerk, upon the filing and acceptance of the required application for a limousine license and the payment of a fee of ~~fifty (\$50.00)~~ **one hundred (\$100.00)** dollars for each limousine service plus ~~ten (\$10.00)~~ **twenty (\$20.00)** dollars for each limousine which is covered under the required insurance policy, the payment of an administrative fee of one thousand (\$1,000.00) dollars, and upon approval by the Chief of Police, shall issue in duplicate a license to operate showing that the owner of the limousine has complied with the terms and provisions of this Article.

The administrative fee of one thousand (\$1,000.00) dollars is to cover administration costs, including but not limited to the enforcement of this Article.

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

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

The original license or a copy thereof shall be retained within the limousine and shall be available for inspection by any law enforcement officer in the State. In addition to the recital of insurance information required on the license pursuant to this section, the owner of a limousine shall attach to the original license or copy thereof retained within the limousine a notarized letter from an insurance company containing the same insurance information required in the recital and the Vehicle Identification Number (VIN) or a notarized certificate of insurance for the particular limousine showing the VIN as well as the limits of insurance coverage, and available insurance card, which shall constitute proof of insurance coverage, and which shall also be available for inspection by any law enforcement officer in the State. A copy of the notarized letter or notarized certificate of insurance shall constitute proof to the chief administrator, that the applicant has complied with the insurance provisions of this section.

The license shall be renewed annually on the 31st day of March with the City Clerk for a fee of ~~(fifty (\$50.00))~~ ****one hundred (\$100.00)**** dollars and an administrative fee of ~~(three) **six**~~ **hundred (\$3**6**00.00)** dollars.

It shall be the obligation of the licensee to notify the City Clerk of any changes not in the original application made since the original application was filed within thirty (30) days. Circumstances requiring notice shall include but not be limited to the hiring of any new drivers and the submission of their driver's license with chauffeur endorsement, any changes to insurance coverage and submission of the documentation thereof, and the addition of any new vehicles including the documentation thereof and payment of a fifteen (\$15.00) dollar fee. The failure to notify the City Clerk of such changes within thirty (30) days shall subject the holder of the license to a fine as set forth in the general penalty provision of Section 1-5 of the City ordinances. (Ord. No. O-00-56 § 7-23.5; Ord. No. O-11-06; Ord. No. O-12-02 § 6)

8-30.8 Equipment.
NO CHANGE

8-30.9 Provisions Not to be Impaired.
NO CHANGE

8-30.10 Effective Date.
NO CHANGE

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

BE IT RESOLVED, that an ordinance entitled "AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 8, TAXICABS AND LIMOUSINES," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, February 18, 2015 at 7:00 P.M., or as soon thereafter as the matter can be reached, and the Dorothy E. Harrington Council Chamber, Municipal Building, 630 Avenue, Bayonne, New Jersey, are hereby fixed as the time and place when and where such ordinance will be further considered for final passage, at which time and place all persons interested shall be given an opportunity to be heard concerning the same; and, be it further

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

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

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05. Council Member LaPelusa introduced:

AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 4, LICENSING, REGISTRATION AND BUSINESS REGULATION.

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 4, Licensing, Registration and Business Regulation, be amended and supplemented as follows: (New material **underlined**, **between asterisks**, deletions ~~{within brackets}~~)

4-29 { ~~towing~~ } **TOWING**.

4-29.1 Licenses.

a. *License Required.* In compliance with N.J.S.A. 40:48-2.49, no person, persons, partnership or corporation shall engage in the business of operating wreckers or tow trucks for the purpose of municipal police towing within the City of Bayonne without first obtaining a license as provided for herein.

b. *Application Procedure.*

1. Applicants for a license under this section must meet all the qualifications set forth herein and shall file with the Municipal Clerk, in duplicate, a sworn application in writing, on a form furnished by the Clerk, which must contain the following information:

(a) The full name and address of the applicant. If the application is made by a corporation, it shall state the names and addresses of the registered office and the name of the registered agent; if made by a partnership, the name and address of each partner.

(b) The year, make and type of each tow truck and/or wrecker to be used in the towing service, its vehicle identification number, license plate number and the name of the registered owner.

(c) The address where the tow trucks and/or wreckers are regularly garaged; available telephone numbers for service twenty-four (24) hours per day, seven (7) days per week; and the names, addresses and motor vehicle driver's license numbers of all operators.

(d) The address of the garage or storage area to which vehicles shall be towed.

2. The application for a license shall be accompanied by certificates of insurance for the required coverages set forth in subsection 4-29.1c, 2, issued by a company in good standing and certified to do business in the State of New Jersey. Each certificate, prior to execution of the license by the City pursuant to subsection 4-29.1d, 3, must contain an endorsement providing for thirty (30) days notice of cancellation or nonrenewal, and stating that the City of Bayonne and the licensee shall receive, in writing, thirty (30) days notice of cancellation or nonrenewal by certified mail, return receipt requested. The municipality shall be named as an additional insured under the liability portion of any and all insurance coverage.

3. Each applicant shall execute an Indemnification/Hold Harmless Agreement in the form provided by the Municipal Clerk, which form shall be attached to the application for a license. The licensee is required to defend and hold harmless the City of Bayonne for liability from any and all obligations, liabilities, judgments, claims and demands for personal injuries and damages to property which may arise out of the performance of municipal police towing exclusive of the negligent acts of the City of Bayonne. The licensee shall save harmless the municipality from all actions at law for any infringements of patent rights of tools, equipment, apparatus or methods used by him.

c. *Qualifications of Licensee.*

1. Each licensee shall meet the following standards and qualifications:

(a) The licensee must have a garage and storage area located within the City of Bayonne. For purposes of this section, "storage area" is any lot, area or place, indoors or outdoors, wherein a minimum of twenty five (25) motor vehicles towed from the City of Bayonne can be placed and/or stored, which area is equipped with lighting, is surrounded entirely by a fence adequate for the protection of vehicles, and is in an area where storage of vehicles is a permitted use according to the Zoning Ordinance of the municipality in question, or where said use has been approved by the local Land Use Board. No outdoor storage area is required. However, if a licensee uses an outdoor storage area, in addition thereto said licensee must have an indoor storage area capable of storing not less than five (5) motor vehicles for holding vehicles for evidence and/or processing by the Police Department, so as to ensure that said vehicles shall not be tampered with. All vehicles held for such purposes must be stored indoors.

(b) A person retrieving his vehicle shall be able to transact all business, including the pickup of the vehicle and payment of fees, at the same location. Said location shall have a clean bathroom, a waiting room and access to a public or other phone. Vehicles shall be available for pickup at said location twenty-four (24) hours a day, seven (7) days a week. There shall be no additional charge to the vehicle owner if the vehicle being retrieved must be brought from another location, or the owner transported to the vehicle.

2. The licensee must maintain the following insurance policies from companies rated B Plus and approved by the Department of Banking and Insurance and authorized to do business in the State of New Jersey:

- (a) Workers' compensation insurance, in accordance with the requirements of the law of the State of New Jersey;
 - (b) Public liability insurance in an amount not less than one million (\$1,000,000.00) dollars single limit, to indemnify the municipality and the public against any loss due to injuries, accidents or damage of any nature or character whatsoever, when such damage is the result of any act or omission of the licensee, his agents or employees, in the performance of or due to the execution of the work to be performed in connection with the license for municipal police towing;
 - (c) Automobile and garage liability insurance with limits of not less than one million (\$1,000,000.00) dollars for each occurrence;
 - (d) Garage keepers primary liability insurance in an amount not less than fifty thousand (\$50,000.00) dollars for any one (1) auto or two hundred fifty thousand (\$250,000.00) dollars for any one (1) loss with deductibles of no greater than five hundred (\$500.00) dollars for comprehensive and collision.
 - (e) Umbrella coverage with a limit of two million (\$2,000,000.00) dollars per occurrence in excess over the general liability and garage liability required above (a total of \$3,000,000.00 in coverage).
 - (f) All insurance required shall contain the following provisions in these exact words: "The City of Bayonne and its officers, agents and employees are additional insureds and are fully covered by the provisions of this policy of insurance."
3. The licensee must meet all the requirements of Title 39 of the New Jersey Revised Statutes, Motor Vehicle Rules and Regulations.
4. The licensee must own or lease, and have in operation at all times certain equipment, which shall be available to answer a call at a location within the boundaries of the City of Bayonne when so dispatched by the Bayonne Police Department. Said equipment shall include:
- (a) At least three (3) light duty tow trucks.
 - (b) At least two (2) heavy duty tow trucks. Said tow trucks must also be equipped with a passenger seat. Licensee may contract with a subcontractor for the provision of heavy duty tow trucks, who shall be on call twenty-four (24) hours a day with such equipment.
 - (c) One (1) flatbed type tow truck which is at least twenty-six (26) feet, measured bumper to bumper.
 - (d) In addition to the vehicles required in the preceding paragraphs, a flatbed trailer and truck (for the removal of heavily damaged trucks, buses, etc.) with a gross vehicle weight (GVW) of eighty thousand (80,000) pounds. Alternatively, licensee may contract with a subcontractor, who shall be on call twenty-four (24) hours a day with such equipment.
 - (e) An air cushion recovery system with a minimum of two (2) air cushions. Alternatively, licensee may contract with a subcontractor, who shall be on call twenty-four (24) hours a day with such equipment.
 - (f) A forklift for unloading cargo or cleaning up cargo spilled on the roadway with a minimum rating of seven thousand (7,000) pounds. Alternatively, licensee may contract with a subcontractor, who shall be on call twenty-four (24) hours a day with such equipment.
 - (g) All subcontractors referred to in this paragraph are subject to the **same** terms and conditions (in this section) **as a licensee. All licensees are required to provide a copy of any contracts or agreements with any subcontractors.**
 - (h) Equipment for jump starts, the changing of flat tires, and portable heavy-duty lighting.
 - (i) One (1) large broom and shovel in each vehicle.
 - (j) Steering wheel lock for towing vehicles from the rear.
 - (k) Tow-sling type tow bar to prevent any part of the crane metal from touching the towed vehicles.
 - (l) Safety flares for night work.
5. The name, address and phone number of licensee shall be conspicuously displayed on each vehicle listed in this section.
6. Licensee must have available twenty-four (24) hours a day, seven (7) days a week, including holidays, at least three (3) employees with commercial drivers licenses, and appropriate endorsements for operation of the equipment listed in subsection 4-29.1c, 4, above.
7. Wrecker/tow trucks shall have two-way radio capabilities with their dispatching center on a twenty-four(24)-hour-a-day basis.
8. Licensee must maintain a telephone number where the licensee may be reached twenty-four (24) hours a day, seven (7) days a week.
9. Licensee must accept at least one (1) major credit card.
10. Any person, company or corporation applying for a municipal police towing license must have maintained a towing business for a minimum period of one (1) year and must be of known good reputation in the field of wrecking and towing.
- d. *Investigation of Applicant: Denial or Issuance of License.*

1. Upon receipt of an application for a municipal police towing license, the original shall be referred by the Municipal Clerk to the Police Chief, who shall cause to be made an investigation of the qualifications and facilities of the applicant. The Police Chief shall also investigate the driving record of the applicant and all persons employed by the applicant as drivers or operators of towing vehicles and, as he deems necessary for the protection of the public health, welfare and safety, the moral character of the applicant.

2. If, as a result of such investigation, the applicant's qualifications are found to be unsatisfactory, or if it is found that the issuance of a license to the applicant would present a danger to the public health, welfare or safety, the Police Chief shall indicate his disapproval on such application, and his reasons for said disapproval and shall return the application to the Municipal Clerk, who shall notify the applicant in writing that his/her application is disapproved, the reasons for said disapproval and the applicant's right to a hearing.

3. If, as a result of such investigation, the qualifications of the applicant are found to be satisfactory, and it is found that the issuance of a license to the applicant will not present a danger to the public health, welfare and safety, the Police Chief shall endorse his approval on the application, and return the application to the Municipal Clerk, who shall upon payment of the prescribed fee and receipt of the certificates of insurance set forth in subsection 4-29.1c, 2, execute and deliver to the applicant a license which shall be posted at his place of business for public inspection.

e. *License Form.*

1. Any license issued pursuant to this section shall contain the signature of the Municipal Clerk and the seal of the municipality and it shall show the name and address of the applicant, the date of issuance and the length of time it shall be operative.

2. The Municipal Clerk shall keep a record of all licenses issued and all complaints received, if any, concerning such licensee. The Municipal Clerk shall send a copy of the license to the Bayonne Police Department for filing.

f. *Duration of License, Annual Fee, Renewal.*

1. Each license ~~{shall be for a period commencing on the date of issuance and terminating on December 31 of the same year of issuance.}~~ **issued shall be for a period of two years commencing on the date of the issuance.**

2. The fee for a municipal police towing license shall ~~{be prorated according to the effective date of such license, and based on the annual fee of two hundred fifty (\$250.00) dollars.}~~ **two thousand five hundred dollars (\$2,500)**, which shall be paid to the Municipal Clerk.

3. All licensees who wish to renew their licenses shall submit to the Municipal Clerk an application for renewal of license, together with the annual license fee, a minimum of thirty (30) days prior to the expiration date of the current license, which date shall be no later than December 1 of each year. The application for renewal shall be on the same form as the original application, but shall be conspicuously marked "Renewal."

g. *Licenses Nontransferable.* The licensee shall not assign, transfer, convey, sublet or otherwise dispose of the license to any other person or legal entity. Violation of this provision shall be sufficient cause for cancellation of the contract and revocation of the license.

h. *Duties and Responsibilities of Licensee.*

1. The licensee shall be available twenty-four (24) hours a day, seven (7) days a week.

2. The licensee, upon receiving a call for service from the Bayonne Police Department, must respond to the scene within twenty (20) minutes. If there is no response within twenty (20) minutes, the Bayonne Police Department may notify another licensed tower to respond to the scene and cancel the original tower. The Bayonne Police Department will have the discretion to lessen the twenty (20) minute time period in the event of exigent circumstances at the time of the incident. In the event another licensed tower is called under this subsection, neither the City nor the vehicle owner/operator will be responsible for any damages incurred by the original tower that failed to or could not respond in time.

3. Broken glass and debris shall be cleaned by the driver of the wrecker/tow truck from the scene of an accident to which he is summoned. If the driver does not remove the debris from the scene of the accident, he may be subject to a fine of not less than twenty-five (\$25.00) dollars nor more than fifty (\$50.00) dollars, as provided for by N.J.S.A. 39:4-56.8, and/or liability for breach of contract.

4. Under appropriate circumstances, and with due consideration for safety, the licensee shall transport the driver of the vehicle to be towed, at no additional cost to the owner of the vehicle to the site to which the vehicle is to be towed or other point of safety within the City of Bayonne, at the discretion of the police officer at the scene.

5. Vehicles shall be towed and stored in a safe manner so as to prevent any damage to such vehicles.

6. The licensee shall be responsible for any valuables left in or on motor vehicles in his custody. The licensee shall be responsible for making an inventory of valuables in the presence of a police officer at the scene.

7. The licensee shall post in a conspicuous place at the storage area both the State and municipal rates for towing.

8. The licensee shall provide the Bayonne Police Department with the following information on vehicles unclaimed over ten (10) days; the year, make, color, vehicle identification number, state of registration, registration number, name and address of owner (if available), and the Police Department case number for the incident resulting in the towing of the subject vehicle.

9. All wreckers/tow trucks used and employed in towing of vehicles shall be kept in a clean, good working condition.

10. ~~The sale of abandoned vehicles will be governed by the standards set forth in N.J.S.A. 39:10A-1 to N.J.S.A. 39:10A-7, and guidelines developed by the Bayonne Police Department. From the proceeds of a public auction, the licensee shall be first entitled to a reimbursement of towing and storage fees in the fixed amount of fifty (\$50.00) dollars per vehicle. The City of Bayonne shall be entitled to any remaining proceeds.~~ **The licensee shall have twenty (20) spaces available for use by the City of Bayonne to store abandoned vehicles. Storage charges shall accumulate as per section, 4-29.2. Storage and towing fees shall be paid to the tower from any proceeds received from the auction of the abandon vehicle, except for the first \$50 that is received from the auction or sale which will be retained by the City to offset costs and expenses associated with the auction. In addition any proceeds in excess of the accumulated fees shall be retained by the City. In the event the proceeds from such auction or sale shall be insufficient to pay the accrued towing and storage charges, the City shall not be liable. The licensee shall accept such limited proceeds as full payment. The sale of abandoned vehicles will be governed by the standards set forth in N.J.S.A. 39:10A-1 to 7 and guidelines developed by the Bayonne Police department.**

11. The licensee shall pay a fee of ten (\$10.00) dollars for each "junk title" applied for to the municipality to cover the cost of the title and administrative processing.

12. All licensees shall be required to comply at all times with all State and local laws.

13. The licensee shall, when performing under this license, follow the lawful directions of the officers of the Bayonne Police Department, agents or representatives of the City of Bayonne.

14. Upon request from the Bayonne Police Department, the licensee shall remove abandoned truck trailers, roll-off dumpsters, or anything related thereto, from the public right-of-way or public property. The City of Bayonne shall be responsible for the reasonable disposal fees of the contents of the trailer, dumpster, or other related item.

15. All persons operating a tower, or their agents when operating a tower, shall keep in their possession a pad of bills containing the owner's name and the address of his or her place of business and, before towing a vehicle, shall prepare a bill on their billhead form, in duplicate, the original of which shall be furnished to the owner of the vehicle or such owner's authorized representative. The bill shall contain the following information:

- (a) The full name, address and business telephone number of the licensee.
- (b) The full name and address of the person engaging the towing car.
- (c) State registration number of the vehicle towed.
- (d) The maximum rates which may be charged for towing and storage.
- (e) Full name and address of the tower operator.
- (f) State registration number of the tower.
- (g) Tower's license number.
- (h) Address of the place to where the vehicle will be towed and stored.

16. The licensee shall keep an accurate record of all rotation and private property towing. The record shall contain, at a minimum, an itemized list of charges, as well as pick-up and drop-off locations. The record shall be kept and maintained for at least eighteen (18) months and shall be available for review by the Police Chief and/or his designee.

17. No operator of a tower shall engage in cruising.

18. No licensee shall tow away a vehicle to a place other than that which is designated by the owner or driver of the vehicle or to the off-street storage place designated by the licensee on the license application. In the event that such owner or driver of the vehicle is incapacitated by reason of injuries or otherwise, and the owner's authorized agent is not immediately available, the licensee shall tow the vehicle to the storage place designated on the licensee's application for a tower's license.

19. An operator of a tower shall not remove a motor vehicle involved in an accident in which a person has been killed or seriously injured unless such vehicle has been released by a duly authorized member of the Police Department.

20. No licensee shall refuse to render towing and storage services to a vehicle when duly summoned by the police, and no licensee shall refuse to remove residual debris from the scene of an accident pursuant to a police directive made in the interest of public safety.

21. No person holding a license issued pursuant to this section shall use a shortwave radio capable of operating on a frequency assigned by the Federal Communications Commission for fire, police, municipal or other governmental use.

22. As a condition of receiving a tower's license under this section, a licensee shall at a minimum arrange to accept payment by Visa, MasterCard, American Express, cash and money order. Personal checks or other methods of payment will be at the option of the licensee. The licensee must provide an itemized receipt, including licensee's name, address and telephone number, listing all fees charged. The payment options available shall be posted in a conspicuous place near the place of payment and shall be on the rate schedule required to be given to the owner or driver of vehicles. The wording and placement of the payment options shall be approved by the Police Chief.

23. Any violation of this section shall be grounds for suspension or revocation after hearing pursuant to the procedures set forth herein.

i. *Denial, Suspension or Revocation of Licenses.*

1. Licenses issued under this section may be denied, suspended or revoked by the Police Chief for violations of any terms or conditions of this section, the Guidelines for the Public Auction of Vehicles Towed By the Bayonne Police Department, the application submitted by licensee or for good cause.

2. Notice of hearing for denial, suspension or revocation of a license shall be given in writing, setting forth the grounds of the complaint and the time and place of hearing. Such notice shall be served personally upon the licensee or mailed by registered letter to the licensee at his last known address at least five (5) days prior to the date set for the hearing.

3. In the event of a denial, suspension or revocation of a license, the Police Chief shall report his findings and reasons therefor to the Mayor and Council.

j. *Appeal or Denial, Suspension or Revocation of Licenses.*

1. Any licensee aggrieved by the action of the Police Chief or the Municipal Clerk in the denial, suspension or revocation of an application for a license as provided in this section shall have the right of appeal to the Municipal Council. Such appeal shall be taken by filing with the Municipal Council within fourteen (14) days after notice of the action has been mailed to the licensee's last known address, a written statement setting forth fully all the facts why the action of the Police Chief or Municipal Clerk was improper. The Municipal Council shall set a time and place for hearing on such appeal and notice of such hearing shall be given to the appellant in the same manner as he was notified for the hearing of suspension, revocation or denial of application as outlined above.

2. The decision and order of the Municipal Council on such appeal shall be final and conclusive.

(Ord. No. O-04-13 § 1)

4-29.2 Towing Activity.

a. *Use of Towers; Rotational Shifts.*

1. The Police Chief shall maintain a revolving list of licensed towers to provide service where needed and shall instruct all on-duty officers to call those listed in alphabetical order on a rotational basis.

2. The Police Chief or his designee reserves the right, under extenuating or emergent circumstances, to deviate from the rotational list of licensees due to a specific type of equipment and/or expertise required, and in addition, due to a large volume of required vehicles to be towed, to contact more than one (1) licensed tower to respond to the scene.

3. All owners or operators of disabled vehicles must first be advised, whenever feasible, under traffic safety guidelines, that they have a right to call a tower of their own choosing and direct the towing vehicle to remove the damaged vehicle to a garage or storage area of their own choosing.

4. Nothing in this section shall prevent the owner or the operator of an automobile from contacting a tower of his own choice to remove his vehicle from the public streets or highways of the municipality after it has become disabled or otherwise inoperable by virtue of accident or other reason. Said owner or operator shall have a reasonable time within which to select a tower of his choice to remove the vehicle from the public roadways of the municipality. After expiration of a reasonable period of time, the Bayonne Police Department shall have the motor vehicle removed.

5. In the absence of emergent or hazardous conditions, "reasonable time" shall be a period not in excess of twenty (20) minutes. The discretion of the Police Officer involved at the scene shall be controlling as to a determination of conditions requiring immediate removal of vehicles involved, as per subsection 4-29.2b,7.

6. No individual owner or operator of a wrecker shall respond to the scene of an auto accident except upon notification by the officer in charge of the Police Department or his designee or upon request of the driver or owner of the vehicle involved.

7. Each rotational shift, as referenced above, shall commence on Monday at 12:01 a.m. and end on the following Sunday at 12:00 midnight.

b. *Towing Rates, Fee Cards.*

~~{ 1. Towing rates and other charges for all police directed towing of automobiles, vans, pick-up trucks, motorcycles, scooters, and/or mopeds, which were involved in an accident, recovered after having been stolen, or impounded at police direction (said impoundment shall include but not be limited to vehicles which have been utilized in the commission of a crime, as well as those vehicles in violation of the parking prohibitions set forth in Chapter 7, Traffic, of the Revised General Ordinances of the City of Bayonne) shall be payable by the vehicle owner as follows:~~

~~—— (a) —— When towing services are required at the scene of an accident from one location within the City of Bayonne to another location in the City of Bayonne:~~

~~—— (1) —— Between 8:00 a.m. and 4:30 p.m., Monday through Friday, except for New Jersey State holidays:~~

~~Class I vehicles (up to six thousand (6,000) pounds gross weight):~~

~~First mile or less \$70.00~~

~~Each additional mile \$1.75~~

~~Class II vehicles (over six thousand (6,000) pounds gross weight up to eighteen thousand (18,000) pounds gross weight):~~

~~First mile or less \$100.00~~

~~Each additional mile \$1.75~~

~~Class III vehicles (tractors and buses less than eighteen thousand (18,000) pounds gross weight):~~

~~First mile or less \$200.00 per hour (minimum of two (2) hours)~~

~~—— (2) —— On New Jersey State holidays (between 8:00 a.m. and 4:30 p.m.), evenings (4:31 p.m. through 7:59 a.m.), and weekends (4:31 p.m. Friday through 7:59 a.m. Monday):~~

~~Class I vehicles (up to six thousand (6,000) pounds gross weight):~~

~~First mile or less \$70.00~~

~~Each additional mile \$1.75~~

~~Class II vehicles (over six thousand (6,000) pounds gross weight up to eighteen thousand (18,000) pounds gross weight):~~

~~First mile or less \$100.00~~

~~Each additional mile \$1.75~~

~~Class III vehicles (tractors and buses less than eighteen thousand (18,000) pounds gross weight):~~

~~First mile or less \$200.00 per hour (minimum of two (2) hours)~~

~~—— (b) —— For towing when a stolen vehicle is recovered from one location within the City of Bayonne to another location in the City of Bayonne:~~

~~—— (1) —— Between 8:00 a.m. and 4:30 p.m., Monday through Friday, except for New Jersey State holidays:~~

~~Class I vehicles (up to six thousand (6,000) pounds gross weight):~~

~~First mile or less \$70.00~~

~~Each additional mile \$1.75~~

~~Class II vehicle (over six thousand (6,000) pounds gross weight up to eighteen thousand (18,000) pounds gross weight):~~

~~First mile or less \$100.00~~

~~Each additional mile \$1.75~~

~~Class III vehicles (tractors and buses less than eighteen thousand (18,000) pounds gross weight):~~

~~First mile or less \$200.00 per hour (minimum of two (2) hours)~~

~~—— (2) —— On New Jersey State holidays, evenings, and weekends:~~

~~Class I vehicles (up to six thousand (6,000) pounds gross weight):~~

~~First mile or less \$70.00~~

~~Each additional mile \$1.75~~

~~Class II vehicles (over six thousand (6,000) pounds gross weight up to eighteen thousand (18,000) pounds gross weight):~~

~~First mile or less \$100.00~~

~~Each additional mile \$1.75~~

~~Class III vehicles (tractors and buses less than eighteen thousand (18,000) pounds gross weight):~~

~~First mile or less \$200.00 per hour (minimum of two (2) hours)}~~

**1. Towing charges:

a. All vehicles five tons and under, \$125.00 plus \$20.00 administrative fee;

b. All vehicles over five tons, \$250.00 per hour two hour minimum plus \$20.00 administrative fee;

c. Motorcycles or motor scooters, \$125.00 plus \$20.00 administrative fee;

d. Police and other municipal vehicles, all licensees shall be obligated to tow and to make minor roadside service repairs to vehicles owned by the City of Bayonne and/or its related entities in the event that they become disabled, without charge to the City if towed within the County of Hudson;

e. Services related to damaged or motor vehicle accidents:

1. Crash or window wrap, flat fee of \$75.00;

2. Site clean up, \$25.00 per bag of absorbent and \$25.00 for debris removal;

3. Winching service charges:

(i) Light tow vehicle, \$75 per hour

(ii) Heavy tow vehicle (over 10,000 lbs), \$150 per hour

(iii) Snow-locked vehicles, \$50 per tow, additional charge.

(iv) Winching fees are not applicable to towing of parked automobiles or minor maneuvering of automobiles prior to towing.

If the owner of an unattended vehicle appears on the scene and the vehicle does not need to be towed or impounded, the licensee shall not charge for the service call, unless the vehicle has been hooked up to the tow truck, in which event a flat fee of \$100 Towing charge may be assessed against the owner of the vehicle. The fee includes the \$20 administration fee. The Tow operator is not required to wait more than 5 minutes on scene to receive payment. **

~~{ (c) — In addition to the above charges, recovery of an overturned vehicle, uprighting it, or removing it from a hill, ditch, or other similar precarious position will be charged no more than the rate of fifty (\$50.00) dollars per hour for Class I vehicles, one hundred (\$100.00) dollars per hour for Class II vehicles and two hundred (\$200.00) dollars per hour for Class III vehicles. If an issue arises as to these charges, it shall be the burden of the tower to provide documentation in the form of photographs as to particular circumstances (e.g., position of vehicles) requiring additional charges. No charge shall be imposed for waiting time, clean up, yard fee, or any other service not specifically authorized by this chapter. }~~

2. The above fees are chargeable once services are rendered.

~~{ 3. — Any and all municipal owned vehicles will be towed by the licensee for a rate not to exceed fifty (\$50.00) dollars for the first mile and one dollar and seventy five (\$1.75) cents for each additional mile. }~~

~~{ 4. — Any road service call for gasoline, jump start or change of a flat tire will have a maximum fee of twenty five (\$25.00) dollars. In the event of a call for gasoline, the licensee shall also be permitted to charge the motorist for the cost of the gasoline provided. }~~

~~{ 5. — On any occasion that the licensee is directed by the police to respond to a location, but upon arrival his services are not required, at the discretion of the licensee, a call out fee not to exceed thirty five (\$35.00) dollars for a light duty tow and one hundred (\$100.00) dollars for a heavy duty tow may be charged to the owner/driver of the vehicle. }~~

~~{ 6. }~~ ^{**3**}. On any occasion that the highest ranking officer on duty deems an incident to be a hazard or emergent in nature, said officer is empowered to direct the licensee to respond to the scene of said incident and to take the appropriate action to ensure the public safety and welfare. The owner/operator of the involved motor vehicle will be advised at the time of the incident that the motor vehicle will be impounded at the scene at police direction, and stored until the appropriate payment for the directed services are paid to the licensee.

~~{ 7. }~~ ^{**4**}. Towing service to a location other than the licensee's storage area, when requested by the motor vehicle owner or driver, shall be at a rate agreed upon by both the licensee and motor vehicle owner or driver.

~~{ 8. }~~ ^{**5**}. Fee cards and/or fee schedules conspicuously indicating the maximum rates for towing and storage of a vehicle within the municipality shall be kept in the possession of the drivers of all tow trucks/wreckers and, if possible, presented to the driver or owner of any vehicle to be towed prior to the rendering of services by the tower.

c. *Payment.* All charges made by any licensee shall be paid by the owner or operator or any person, firm or corporation claiming the right to possession of any

vehicle towed or stored by the licensee as provided for herein. The municipality shall not be liable for the payment of any sum to the licensee which may be due on account of towing or storage.

- ~~(d. — Storage.~~
- ~~— Class I Vehicles~~
- ~~— Inside building \$25.00*~~
- ~~— Outside building \$25.00*~~
- ~~— Class II Vehicles~~
- ~~— Inside building \$35.00*~~
- ~~— Outside building \$35.00*~~
- ~~— Class III Vehicles~~
- ~~— Inside building \$80.00*~~
- ~~— Outside building \$80.00*~~

~~*Per day, weekends and New Jersey holidays; however, vehicles released within two (2) hours of being towed will not be charged a storage fee. A day shall be calculated as a calendar day or any part thereof in excess of the initial two (2) hours.~~

~~No vehicle shall be released from storage by the licensee unless (a) proper owner and vehicle identification are shown by the party seeking release of a vehicle and (b) licensee confirms with the Police Department that the vehicle can be released.)~~

~~**d. Storage Charges:~~

(1) All vehicles five tons and under (including motorcycles), \$35 per 24 hour period or part thereof. No charge for storage will apply for the first six (6) hours.

(2) All vehicles over five tons, \$100 per 24 hour period or part thereof.

(3) Any licensee found to be in violation of the terms and conditions of this chapter two times within any one year shall have its license to operate a tow vehicle or towing service in the City of Bayonne suspended for six months.

(4) It shall be the duty of all official towers and towing services to maintain a listing of the rates shown herein in their vehicles and posted at their facility.

(5) There shall be no charge for towing, storage, impoundment if it is determined by the Director of Police that such vehicles have been towed, stored or impounded due to an error by the towing operator or the Police. This determination shall be in the sole discretion of the Director of Police and is binding upon the licensee, who shall make no claims against the City or the owner of the vehicle, and if payment has been received, the payor shall be reimbursed the full amount.**

e. *Prohibited Activities.*

1. The practice of cruising with a tow truck is forbidden. Furthermore, no licensee or one acting on his behalf or for his benefit shall pay any emolument to any third person not involved in the accident or to any Police Officer for information as to the location of any accident or soliciting the employment of the licensees for any accident or soliciting the employment of the licensees service, nor shall a licensee or one acting on his behalf give any gratuities, fees, or other compensation or gifts to any members of the Police Department.

2. No solicitation for automobile repairs shall be made by a licensee at the scene of an accident or within forty-eight (48) hours of the release of the automobile owner from any hospital.

3. A licensee shall have no connection, directly or indirectly, in any way, with the business of another licensee.

4. No licensee shall share storage facilities, office space, telephone or any other business facility or equipment with any other licensee.

5. No licensee shall rent or lease any facilities or equipment required herein from any other licensee.

(Ord. No. O-04-13 § 1)

** Any or all other ordinances or parts thereof in conflict or inconsistent with any of the terms hereof are hereby repealed to such extent as they are so in conflict or inconsistent.

In case any article, section or provision of this ordinance shall be held invalid in any court of competent jurisdiction, the same shall not affect any other article, section or provision of this ordinance except insofar as the article or provision so declared invalid shall be inseparable from the remainder or any portion thereof.**

Council Member La Pelusa moved that the following resolution of second reading be adopted, seconded by Council Member Gullace, 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 4, LICENSING, REGISTRATION AND BUSINESS REGULATIONS,” just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, February 18, 2015 at 7:00 P.M., or as soon thereafter as the matter can be reached, and the Dorothy E. Harrington Council Chamber, Municipal Building, 630 Avenue, Bayonne, New Jersey, are hereby fixed as the time and place when and where such ordinance will be further considered for final passage, at which time and place all persons interested shall be given an opportunity to be heard concerning the same; and, be it further

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

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

* * * * *

06. Council President Nadrowski introduced:

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

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

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

RESTRICTIVE PARKING ZONES

DELETE

- 34A. Irene Brauer, 7 Country Village Court
Beginning at a point on the west side of Country Village Court 102 feet north of the northwest corner of Country Village Court and West 16th Street and extending to a point 22 feet north thereof.
- 107A. Rita Patel for her son, Harry Patel, 761 Avenue A
Beginning at a point on the west side of Avenue A, 25 feet south of the southwest corner of Newark Bay Court and Avenue A, and extending to a point 20 feet south thereof.
157. Paul Bonczkowski, 75 West 30th Street
Beginning at a point on the north side of West 30th Street 272 feet west of the northwest corner of Avenue C and extending 22 feet in a westerly direction.
210. Stanley Szymanski, 64 West 27th Street
Beginning at a point on the south side of West 27th Street, 120 feet west of the southwest corner of West 27th Street and Avenue C, and extending to a point 22 feet west thereof.
330. Suzanne Weicker, 103 Garretson Avenue
Beginning at a point on the west side of Garretson Avenue, 209 feet south of the southwest corner of West 5th Street and Garretson Avenue and extending to a point 20 feet south thereof.

ADD

157. Anthony Vetter, 138 Lexington Avenue
Beginning at a point on the east side of Lexington Avenue, 88 feet north of the northeast corner of Lexington Avenue and George Street, and extending to a point 18 feet north thereof.
256. Sharon Porter, 179 West 48th Street
Beginning at a point on the south side of West 48th Street, 398 feet west of the southwest corner of Kennedy Boulevard and West 48th Street, and extending to a point 8 feet west thereof.
298. Dawn Sullivan, 133 West 28th Street

Beginning at a point on the north side of West 28th Street, 100 feet west# of the northwest corner of Kennedy Boulevard and West 28th Street, and extending to a point 18 feet west thereof.

343. Cynthia Geroldi, 101 Humphrey Avenue

Beginning at a point on the west side of Humphrey Avenue, 204 feet north of the northwest corner of West 4th Street and Humphrey Avenue, and extending to a point 20 feet north thereof.

346. Martin Schnitzer, 3 Bergen Court, Apt. 2-C

Beginning at a point on the north side of West 49th Street, 500 feet west of the northwest corner of Kennedy Boulevard and West 49th Street, and extending to a point 20 feet west thereof.

RELOCATE

352. Perpetuo Ledda from 9 Cottage Street to 98 West 6th Street

OLD LOCATION: Beginning at a point on the north side of Cottage Street, 122 feet east of the northeast corner of Cottage Street and Broadway, and extending to a point 18 feet east thereof.

NEW LOCATION: Beginning at a point on the south side of West 26th Street, 140 feet east of the southeast corner of West 26th Street and Kennedy Boulevard, and extending to a point 18 feet east thereof.

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

BE IT RESOLVED, that an ordinance entitled “AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC,” just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, February 18, 2015 at 7:00 P.M., or as soon thereafter as the matter can be reached, and the Dorothy E. Harrington Council Chamber, Municipal Building, 630 Avenue, Bayonne, New Jersey, are hereby fixed as the time and place when and where such ordinance will be further considered for final passage, at which time and place all persons interested shall be given an opportunity to be heard concerning the same; and, be it further

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

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

* * * * *

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

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

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

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

* * * * *

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

From Joseph Peters, Esq., filing notice of tort claim on behalf of JOSEPH GROHOL, alleging injuries sustained August 4, 2014 in a fall on the sidewalk at 45 West 25th Street.

* * * * *

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

From Robert F. Jones, Esq., filing notice of tort claim on behalf of EIAD SALEH and HEDAIA SALEH, alleging property damage to his tires sustained September 16, 2014 in a pothole incident at Route 440 north of Pulaski Drive.

* * * * *

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

From WILLIAM HURLEY, filing notice of tort claim alleging property damage to his automobile on November 10, 2014 resulting from being sideswiped by a fire truck at Kennedy Boulevard between 48th and 49th Streets.

* * * * *

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

From the United States District Court, District of New Jersey, Summons and Complaint in matter entitled, “WALSH vs. THE CITY OF BAYONNE, et al.” (False arrest on December 27, 2013)

* * * * *

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

From the United States District Court, District of New Jersey, Summons and Complaint in matter entitled, “CRESCI vs. O’DONNELL, et al., incl. THE CITY OF BAYONNE.” (False arrest, malicious prosecution in June, 2011)

* * * * *

13. 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, “JOHNSON vs. THE CITY OF BAYONNE.” (False arrest, malicious prosecution on December 14, 2012)

* * * * *

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

From the Superior Court of New Jersey, Chancery Division, Summons and Complaint in matter entitled, “ORIX REAL ESTATE CAPITAL, INC. vs. MALAWICH, et al., incl. THE CITY OF BAYONNE.” (Municipal lien foreclosure)

* * * * *

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

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

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

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

* * * * *

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

December 18, 2014

Dear Council President Nadrowski
and Honorable Members of City Council

I hereby name the following individual to the Alcoholic Beverage Control Board of the City of Bayonne:

Appointment

H. Mickey McCabe (D) Term to expire on December 31, 2017
14 East 41st Street, Bayonne, NJ 07002

In conjunction with this appointment the City Clerk has been directed to add an accompanying communication on the January 21, 2015 Regular Council Meeting agenda for consideration by the City Council.

Sincerely,
James M. Davis
Mayor
(signed)

BE IT RESOLVED, that the Municipal Council of the City of Bayonne hereby consents to and confirms the foregoing appointment.

* * * * *

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

January 12, 2015

Dear Council President Nadrowski
and Honorable Members of City Council

I hereby name the following individual to the Planning Board of the City of Bayonne as a Class IV Member:

Appointment

Miguel Quintela Term to expire on December 31, 2015
33 Roosevelt Terrace, (unexpired term of Ramon Veloz)
Bayonne, NJ 07002

In conjunction with this appointment the City Clerk has been directed to add an accompanying communication on the January 21, 2015 Regular Council Meeting agenda for consideration by the City Council.

Sincerely,
James M. Davis
Mayor
(signed)

BE IT RESOLVED, that the Municipal Council of the City of Bayonne hereby consents to and confirms the foregoing appointment.

* * * * *

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

January 5, 2015

Dear Council President Nadrowski
and Honorable Members of City Council

I hereby name the following individual to the Housing Authority of the City of Bayonne:

Appointment

Ludovico Nolfo Term to expire on December 31, 2019
87 Trask Avenue, Bayonne, NJ 07002

In conjunction with this appointment the City Clerk has been directed to add an accompanying communication on the January 21, 2015 Regular Council Meeting agenda for consideration by the City Council.

Sincerely,
James M. Davis
Mayor
(signed)

BE IT RESOLVED, that the Municipal Council of the City of Bayonne hereby consents to and confirms the foregoing appointment.

* * * * *

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

January 14, 2015

Dear Council President Nadrowski
and Honorable Members of City Council

I hereby name the following individual to the Municipal Utilities Authority of the City of Bayonne:

Appointment

John Budnik Term to expire on January 31, 2020
20 West 46th Street, Bayonne, NJ 07002

In conjunction with this appointment the City Clerk has been directed to add an accompanying communication on the January 21, 2015 Regular Council Meeting agenda for consideration by the City Council.

Sincerely,
James M. Davis
Mayor
(signed)

BE IT RESOLVED, that the Municipal Council of the City of Bayonne hereby consents to and confirms the foregoing appointment.

* * * * *

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

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

* * * * *

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

Date: December 5, 2014

To: Terrence Malloy, CFO
Robert F. Sloan, City Clerk

From: Janet Convery, Treasurer

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

\$4,949,372.85 - Claims & Payroll for December, 2014.

Janet Convery
(signed)

* * * * *

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

From the Purchasing Department reporting on bids received (**) for emergency medical services and emergency medical dispatch services. (#bidders)

* * * * *

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 Cotter, Gullace, LaPelusa, Perez and President Nadrowski.

* * * * *

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, December 10, 2014 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, December 3, 2014, 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.

BE IT RESOLVED, that the Municipal Council of the City of Bayonne, County of Hudson, State of New Jersey hereby appoints JOHN CALCATERRA to the Zoning Board of Adjustment to fill the unexpired term of Miguel Quintela, which term expires December 31, 2015.

* * * * *

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

BE IT RESOLVED, that the Municipal Council of the City of Bayonne, County of Hudson, State of New Jersey hereby appoints DAVID RIVERA to the Zoning Board of Adjustment as Alternate #3, (replacing John Calcaterra) for a term expiring December 31, 2015, and appoints FRANK PELLITTERI to the Zoning Board of Adjustment as Alternate #4 (replacing David Rivera) for a term expiring December 31, 2015.

* * * * *

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

BE IT RESOLVED, that the Municipal Council of the City of Bayonne, County of Hudson, State of New Jersey hereby appoints HON. SHARON NADROWSKI and HON. JUAN PEREZ to the Urban Enterprise Zone Development Corporation Board of Trustees for a term coterminous with their term on the Municipal Council.

* * * * *

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

WHEREAS, the Veterans of Foreign Wars will be honored by the students of Marist High School on February 21, 2015; and

WHEREAS, in conjunction with the February 21st celebration, the students of Marist High School have requested that this Municipal Council commemorate and celebrate the contributions that our Veterans of Foreign Wars have made to our country by designating the corner of 9th Street and Broadway as “Patriot’s Way”; now, therefore, be it

RESOLVED, that 9th Street and Broadway is hereby ceremonially named “Patriot’s Way” in honor of the contributions made to our country by the Veterans of Foreign Wars; and, be it further

RESOLVED, that the Director of Public Works is hereby authorized to install a courtesy street sign on the corner of 9th Street and Broadway designating same as “Patriots Way” in time for the February 21, 2015 ceremony honoring the Veterans of Foreign Wars.

* * * * *

30. 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
126	23	Ruth Yau	2,307.95
140	47	Sam Hanna	1,275.95
145	18	S. Adimoolam	3,722.50
155	9	Carolina Rusnak	1,436.23
157	15.01 C106	Catherine Howe	366.67
170	29	George Wasef	3,631.92
183	26	Ronald Largmann	931.16
186	6	Domenico Maceri	2,779.78
186	45	Marco Scarabaggio	2,624.76
205	9	Lara Group, LLC	1,985.25
220	1	Jyothi Prakash	1,628.73

239	1.10	Abraham Mitchell Jr.	1,980.37
239	1.16	Joseph Spengler	1,303.63
240	22	S. Adimoolam	1,556.01
244	25	Michele Menafro	2,655.85
270	10	Chase	2,062.26
280	20	Brian O'Connor	1,459.22
285	24	Jorge Gamarra	2,403.11
303	20	Tasha Perez	3,111.38
354	32	Anthony Saint James	1,661.02
369	1	Maria Chiaravalloti	2,844.61
369	58	Raymond Branagan	673.37
460	12	Henry Budney	1,549.40
460	13	Henry Budney	1,995.27
Total:			47,946.40

* * * * *

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

WHEREAS, the Police Department of the City of Bayonne, pursuant to a grant received under the State Homeland Security Program (SHSP-FY 10), administered through the County of Hudson, purchased a policy management software package (DMS Software) from Innovative Data Solutions, Inc., P.O. Box 2468, Orlando, FL 32802, on March 9, 2011, which included two years of software maintenance; and

WHEREAS, Power DMS has provided the city with an invoice for software maintenance services for the one-year period commencing January 1, 2015 and ending December 31, 2015, for a total contract amount of \$1,654.20; and

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

WHEREAS, N.J.S.A. 40A:11-3(a), allows for the award of a contract without the necessity of public advertising for bids where the municipality has a Qualified Purchasing Agent, and when the cost or price does not exceed \$29,000.00; now, therefore, be it

RESOLVED, that the Mayor and the City Clerk of the City of Bayonne are hereby authorized to enter into a service agreement with PowerDMS, P.O. Box 2468, Orlando, FL 32802, for annual software support services for the Police Department's policy management software package (DMS Software) for the one-year period commencing January 1, 2015 and ending December 31, 2015, for a total contract amount of \$1,657.20 and said funds have been certified available in Account #PS-9/01-201-25-240-2-020 pending adoption of the CY 2015 budget; and be it further

RESOLVED, that the Municipal Treasurer be and is hereby authorized and directed to issue a warrant payable to PowerDMS in the amount of \$1,657.20 in payment for such services.

* * * * *

32. 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 Ninety-nine (99) Marriage Licenses during the months of October, November and December, and has collected

\$25.00 per license, which is to be forwarded to the Division of Youth and Family Services, now, therefore be it

RESOLVED, that a warrant in the amount of Two thousand four hundred and seventy-five dollars (\$2475.00) be drawn to the order of the Treasurer, State of New Jersey and forwarded to the City Clerk's Office for disbursement.

* * * * *

33. 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 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 \$7,825.00 representing payment of state surcharge fees on new construction and alterations collected during the 4th quarter of 2014; 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.

* * * * *

34. 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 \$ 14.40 be drawn of the Bureau of Rabies Control, State Department of Health, Trenton, New Jersey, covering the issuance of licenses Nos. 1314-1421 inclusive, 8 dog licenses, representing one dollar per license for the state fee, twenty cents per license for the state clinic and three dollars per license for non-spayed and non-neutered dogs.

* * * * *

35. 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 \$ 716.40 be drawn of the Bureau of Rabies Control, State Department of Health, Trenton, New Jersey, covering the issuance of licenses Nos. 1-438 inclusive, 437 dog licenses, representing one dollar per license for the state fee, twenty cents per license for the state clinic and three dollars per license for non-spayed and non-neutered dogs.

* * * * *

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

WHEREAS, on June 10, 2013 the Bayonne Municipal Utility Authority (BMUA) determined that a motor vehicle (specifically, a Ford Ranger/Pickup, VIN#1FTYR10U78PA01098) was no longer needed for public use by the BMUA; and

WHEREAS, on June 10, 2013, the BMUA donated said vehicle to the City of Bayonne way of resolution; and

WHEREAS, the City of Bayonne has now determined that said vehicle is no longer needed for public use by the City of Bayonne; and

WHEREAS, the Bayonne Economic Opportunity Foundation (BEOF) has requested that the City of Bayonne donate said vehicle to the BEOF for use in connection with its mobile meals program; now, therefore, be it

RESOLVED, that the aforesaid motor vehicle is hereby donated, without cost, to the Bayonne Economic Opportunity Foundation for its use and ultimate disposal; and be it further

RESOLVED, that this donation is being made on an “as is” basis without any representation on the part of the City of Bayonne as to fitness for use and is made without any warranties and/or indemnifications on the part of the City of Bayonne; and, be it further

RESOLVED, that the Mayor and Clerk are hereby authorized to execute any and all documents necessary to effectuate the transfer of title for the vehicle from the City of Bayonne to the Bayonne Economic Opportunity Foundation.

* * * * *

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

WHEREAS, by way of Resolution No. 14-10-15-056 adopted by the Municipal Council on October 15, 2014 the City of Bayonne entered into Agreement No. CY14-100 with the firm of Clarke, Caton, Hintz, 100 Barrack Street, Trenton, New Jersey 08608 for an amount not to exceed \$25,000.00 to provide planning services for the period commencing January 1, 2014 and ending December 31, 2014 in accordance with their Response to the City’s Request for Qualifications; and

WHEREAS, Resolution No. 14-12-10-037 amended the aforesaid Resolution No. 14-10-15-056 to correct the account from which funds were to be charged to reflect the Account - Affordable Housing Trust Account #12-286-45-199; and

WHEREAS, said Resolution No. 14-12-10-037 also authorized the Mayor and City Clerk to execute an amendment to the aforesaid agreement with Clarke, Caton, Hintz to reflect the correct account from which funds were to be charged; and

WHEREAS, the aforesaid Resolution 14-12-10-037 contained a typographical error and should have stated the Agreement No. was CY14-100 (erroneously CY14-109); now, therefore, be it

RESOLVED, by the Municipal Council as follows:

- 1. Resolution No. 14-12-10-037 is hereby amended to reflect that the Mayor and City Clerk are authorized to execute an amendment to Agreement No CY14-100 with Clarke, Caton, Hintz to reflect the correct account from which funds shall be charged to Account - Affordable Housing Trust Account #12-286-45-199.
- 2.. All other terms and conditions of Resolution No. 14-10-15-056 and Agreement No. CY14-100 shall remain the same.

* * * * *

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

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

LICENSEE	TIME & PLACE	LICENSE
Friends of Marist, Inc.	2:30 PM 1241 Kennedy Blvd. March 2, April 17, May 1, 15, 2015	RL: 8999A
Our Lady of Mt. Carmel Church	10:00 AM 39 East 22nd Street 2015 Apr. 15, May 15, June 15, July 15, Aug. 15, Sept. 15, Oct. 15, Nov. 15, Dec. 15	RL: 9001

	2016 Jan. 15, Feb. 15, Mar. 15	
PTC W.F. Robinson School	3:00 PM 95 West 31st St. April 15, 2015	RL: 9002
Hudson Hospice Volunteers, Inc.	6:00 - 10:00 PM 1081 Broadway February 26, 2015	RL: 9003 RL: 9004
Hudson Hospice Volunteers, Inc.	9:00 PM 1081 Broadway June 8, 2015	RL: 9005
Bayonne Babe Ruth & Cal Ripken	12:00 PM 145 East 5th St. April 11, 25 May 9,23 June 6, 20 July 4, 18 Aug. 1, 15, 29 Sept. 5	RL: 9006
Bayonne Feral Cat Foundation	6:30-10:30 PM 979 Avenue C February 28, 2015	RL: 9007
Our Lady of the Assumption Church	7:30 PM 93 West 23rd Street May 5, 2015	RL: 9008
St. Mary, Star of the Sea Church	10:00 PM 19 West 13th Street May 2, 2015	RL: 9009
St. Mary, Holy Name Society	6-11 PM 19 West 13th Street Apr. 28. 29. 30 May 1 3-11 PM May 2, 2015	RL: 9010
St. Mary, Holy Name Society	6-11 PM 19 West 13th Street Apr. 28. 29. 30 May 1 3-11 PM May 2, 2015	RL: 9011
Friends of Marist, Inc.	6:00-10:00 PM 1241 Kenn. Blvd. March 28, 2015	RL: 9012
St. Andrew's Parish	12:00-4:00 PM 125 Broadway April 18, 2015	RL: 9013 RL: 9014
Bayonne Education Foundation	6:30 PM 669 Avenue A March 28, 2015	RL: 9015
Philip G. Vroom School, PTA	6:00-10:00 PM 18 West 26th Street February 27, 2015	RL: 9016
Hudson County Animal League	2:30-6:30 PM 290 Avenue E February 7, 2015	RL: 9017 RL: 9018

* * * * *

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

WHEREAS, Resolution No.14-10-15-72 , passed by the Municipal Council on October 15, 2014 authorized the City Clerk to advertise in the Jersey Journal for sealed bids for ambulance emergency medical response services including emergency dispatch services; and

WHEREAS, pursuant to such advertisement, on January 6, 2015, two proposals were received: one from McCabe Ambulance Services, Inc., with offices at 7 West 41st Street, Bayonne, New Jersey at no cost to the City of Bayonne and another from Jersey City Medical Center, with offices at 355 Grand Street, Jersey City, New Jersey 07302, also at no cost to the City of Bayonne; and

WHEREAS, the Office of the Purchasing Agent and Corporation Counsel for the City of Bayonne examined the two bid proposals submitted and determined that both bids were responsive, responsible and in compliance with the bid submission requirements; and

WHEREAS, a review committee comprised of the Business Administrator, the Purchasing Agent, a member of the Bayonne Municipal Council and a representative of the Office of Public Safety has reviewed and graded both bids submitted and, based upon same, recommends that the contract be awarded to McCabe Ambulance Services, Inc. for the term February 1, 2015 through January 31, 2020; now, therefore, be it

RESOLVED, that the contract for ambulance emergency medical response services including emergency dispatch services for the period commencing February 1, 2015 and ending January 31, 2020 be awarded to: McCabe Ambulance Services, Inc., with offices at 7 East 41st Street, Bayonne, New Jersey at no cost to the City of Bayonne; and be it further

RESOLVED, that the Mayor and the City Clerk are hereby authorized and directed to execute an agreement with McCabe Ambulance Services, Inc., for the aforesaid ambulance emergency medical response services including emergency dispatch services at no cost to the City of Bayonne, for a period of five (5) years commencing February 1, 2015 and ending January 31, 2020.

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

Abstain - Council Member Cotter.

* * * * *

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

WHEREAS, the Police Department of the City of Bayonne has established that there is a continuing need for maintenance of eight Zetron brand 3200 9-1-1 Telephone Consoles in the communication center; and

WHEREAS, Mobile Techtronics, Inc., 1127 Lake Avenue, Clark, N. J. 07066, has previously been awarded a contract for such services, and is willing to provide this service under state contract number 83924(T-0109), at a cost of \$8,656.00, for a one year period commencing January 1, 2015 and ending December 31, 2015; and

WHEREAS, funds are certified available in various accounts; now, therefore, be it

RESOLVED, that the Mayor and City Clerk are hereby authorized to enter into an agreement with Mobile Techtronics, Inc., 1127 Lake Avenue, Clark, NJ 07066, for maintenance of eight Zetron brand 3200 9-1-1 Telephone Consoles in the communication center, at a cost of \$8,656.00, for a one year period commencing January 1, 2015 and ending December 31, 2015; and be it further

RESOLVED, that funds are certified available in various accounts pending adoption of the CY 2015 budget; and be it further

RESOLVED, that the Municipal Treasurer be and is hereby authorized and directed to issue a warrant payable to Mobile Techtronics, Inc., in the amount of \$8,656.00 in payment of said services.

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

* * * * *

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

WHEREAS, the Police Department of the City of Bayonne has established that there is a need for yearly maintenance of the city's Audiolog Recording System (9-1-1 and citywide radion multi-server audio recording system); and

WHEREAS, KovaCorp, 102 East Bay Avenue, Suite J, Manahawkin, NJ 08050 is capable of supplying such services under state contract number 83906(T-0109) for a one year period commencing January 1, 2015 and ending December 31, 2015 at a cost of \$35,681.41; and

WHEREAS, funds are certified as available in various CY 2015 accounts, pending adoption of the CY 2015 budget; now, therefore, be it

RESOLVED, that the Mayor and City Clerk are hereby authorized to enter into an agreement with KovaCorp, 102 East Bay Avenue, Suite J, Manahawkin, NJ 08050, for maintenance of the city's Audiolog Recording System (9-1-1 and citywide radio multi-server audio recording system) under state contract number 83906(T-0109) for a one year period commencing January 1, 2015 and ending December 31, 2015 at a cost of \$35,681.41; and be it further

RESOLVED, that funds are certified available in various CY 2015 accounts pending adoption of the CY 2015 budget; and be it further

RESOLVED, that the Municipal Treasurer be and is hereby authorized and directed to issue a warrant payable to KovaCorp, in the amount of \$35,681.41 in payment for said services.

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

* * * * *

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

WHEREAS, the Police Department of the City of Bayonne has established that there is a need for annual support with upgrades for the POSS Enterprise Edition scheduling software; and

WHEREAS, Visual Computer Solutions, Inc., 4400 US Highway 9 South, Suite 3500, Freehold, NJ 07728 is able to supply the aforesaid services for the period commencing March 1, 2015 and ending February 29, 2016 at a cost of \$4,749.60; and

WHEREAS, funds are certified as available in Account #PS-9/01-201-25-240-2-020 pending adoption of the CY 2015 Budget; and

WHEREAS, N.J.S.A. 40A:11-3(a), allows for the award of a contract without the necessity of public advertising for bids where the municipality has a Qualified Purchasing Agent, and when the cost or price does not exceed \$29,000.00; now, therefore, be it

RESOLVED, that the Mayor and Clerk of the City of Bayonne are hereby authorized to enter into an agreement with Visual Computer Solutions, Inc., 4400 US Highway 9 South, Suite 3500, Freehold, NJ 07728 for annual support with upgrades for the POSS Enterprise Edition scheduling software in use in the Police Department for the period commencing March 1, 2015 and ending February 29, 2016 at a cost of \$4,749.60; and be it further

RESOLVED, that funds are certified available in Account #PS-9/01-201-25-240-2-020 pending adoption of the CY 2015 Budget; and be it further

RESOLVED, that the Municipal Treasurer be and is hereby authorized and directed to issue a warrant payable to Visual Computer Solutions, Inc., in the amount of \$4,749.60 in payment for said services.

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

* * * * *

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

WHEREAS, the City of Bayonne is in need of continued supplementation services for the Revised General Ordinances of the City of Bayonne; and

WHEREAS, Coded Systems, LLC, 608 Highway 71, Spring Lake Heights, New Jersey 07762, has previously been awarded a contract for such services on an annual basis, and is willing to continue to supply said services for the period commencing January 1, 2015 and ending December 31, 2014 in accordance with the terms of a proposal dated December 9, 2014; and

WHEREAS, funds are certified as available in Account C-6 (01-201-26-300-2-020); and

WHEREAS, bids need not be solicited for these services insofar as the Agreement complies with the statutory guidelines of N.J.S.A. 40A:11-5(1)(a)(x); now, therefore be it

RESOLVED, that the Mayor and City Clerk be and are hereby authorized to enter into a contract with Coded Systems, LLC, 608 Highway 71, Spring Lake Heights, New Jersey 07762, for continuation of supplementation service for the Revised General Ordinances of the City of Bayonne for the period commencing January 1, 2015 and ending December 31, 2015, for a contract amount not to exceed Fifteen Thousand (\$15,000.00) Dollars; and be it further

RESOLVED, that funds are certified as available in Account C-6 (01-201-26-300-2-020) pending adoption of the CY 2014 budget.

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

* * * * *

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

WHEREAS, there exists a need for professional planning services as Counsel on Affordable Housing (COAH) Consultant; and

WHEREAS, Clarke, Caton, Hintz, 100 Barrack Street, Trenton, New Jersey 08608 has submitted to the City a formal written proposal for said professional planning services; and

WHEREAS, this professional services contract was advertised under the Fair & Open Contracting Requirements pursuant to N.J.S.A.19:44A:20.4.5; and

WHEREAS, Clarke, Caton, Hintz is qualified, ready and able to provide said services; and

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

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

WHEREAS, the City of Bayonne desires to retain the services of Clarke, Caton, Hintz for professional planning services as Counsel on Affordable (COAH) Consultant for a period of one year commencing February 1, 2015 and ending January 31, 2016 for an amount not to exceed \$36,000.00, and

WHEREAS, funds are certified as available in Affordable Housing Trust Fund Account; 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 Clarke, Caton, Hintz, 100 Barrack Street, Trenton, New Jersey 08608 for professional planning services as Counsel on Affordable Housing (COAH) Consultant for the period commencing February 1, 2015 and ending January 31, 2016 for a total contract amount not to exceed \$36,000.00.
2. Funds shall be charged to Affordable Housing Trust Fund Account.
3. Notice of the action shall be printed once in a newspaper of general circulation within the boundaries of the City of Bayonne.

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

* * * * *

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

WHEREAS, the City of Bayonne's Ethical Standards Board is in need of legal representation; and

WHEREAS, the law firm of Triarsi, Betancourt, Wukovits & Dugan, L.L.C, 186 North Avenue, East Cranford, New Jersey 07016 has submitted to the City of Bayonne a formal, written response to the City's Request for Qualifications/Proposals for said professional legal services; and

WHEREAS, the law firm of Triarsi, Betancourt, Wukovits & Dugan, L.L.C is qualified, ready, willing and able to provide said legal services for an amount not to exceed \$1,000.00 per month for each month that the Ethics Board holds a meeting for a total contract amount not to exceed \$10,000.00 for the period February 1, 2015 through January 31, 2016; and

WHEREAS, funds have been certified as available in Account #01-201-20-156-2-020 pending adoption of the CY2015 and CY2016 budgets; and

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

WHEREAS, this professional services contract was advertised under the Fair & Open Contracting Requirements pursuant to N.J.S.A.19:44A:20.4.5; now, therefore, be it

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

1. The Mayor and the City Clerk are hereby authorized and directed to execute an agreement with the law firm of Triarsi, Betancourt, Wukovits & Dugan, L.L.C for professional legal services on behalf of the City's Ethical Standard's Board for the period covering February 1, 2015 through January 31, 2016, for an amount not to exceed \$1,000.00 per month for each month that the Ethics Board holds a meeting or subcommittee meeting for a total contract amount not to exceed \$10,000.00.
2. A notice of this action shall be printed once in a newspaper of general circulation within the boundaries of the City of Bayonne.
3. Funds have been certified as available in Account #01-201-20-156-2-020 pending adoption of the CY2015 and CY2016 budgets.

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

* * * * *

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

WHEREAS, there exists a need for real property appraisals and expert testimony services in tax appeals before the State Tax Court and Hudson County Tax Board and condemnation proceedings for residential, commercial, apartment buildings and warehouses; and

WHEREAS, Stack, Coolahan & Stack, LLC, 90 Hudson Street, Suite 200, Hoboken, New Jersey 07030, has submitted to the City of Bayonne a formal, written response to the City's Request for Qualifications/Proposals for said real property appraisals and expert testimony services; and

WHEREAS, Stack, Coolahan & Stack, LLC, 90 Hudson Street, Suite 200, Hoboken, New Jersey 07030, is qualified, ready, willing and able to provide said services; and

WHEREAS, Stack, Coolahan & Stack, LLC is willing to perform these services for the period commencing February 1, 2015 and ending January 31, 2016 for an amount not to exceed \$81,000.00, and

WHEREAS, funds are certified as available in Account #01-201-20-101-2-20 pending adoption of the CY 2015 and CY 2016 Budgets; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1, et seq.) requires 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, this professional services contract was determined under the Fair & Open Contracting Requirements pursuant to N.J.S.A. 19:44A:20.4.5; now, therefore, be it

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

1. That the Mayor and the City Clerk are hereby authorized and directed to execute an agreement with Stack, Coolahan & Stack, LLC, 90 Hudson Street, Suite 200, Hoboken, New Jersey 07030, for the above mentioned real property appraisals and expert testimony services for the period commencing February 1, 2015 and ending January 31, 2016, for an amount not to exceed \$81,000.00.

2. Funds are certified as available in Account #01-201-20-101-2-20.

3. This contract is awarded without competitive bidding as a "Professional Service" in accordance with 40A:11-5(1)(a) of the Local Public Contracts Law because this service will be performed by persons recognized by law to practice such a profession, and bids are not required as per N.J.S.A. 4A: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 Cotter, Gullace, LaPelusa, Perez and President Nadrowski.

* * * * *

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

WHEREAS, the City has a need to retain professional engineering services in connection with various upcoming potential special projects during CY2015 and CY2016; and

WHEREAS, the City of Bayonne advertised a Request for Qualifications/Proposals for engineering firms as special project engineer under the Fair & Open Contracting Requirements pursuant to N.J.S.A. 19:44A:20.4 and 5; and

WHEREAS, the following engineering firms have submitted responses to the City's aforesaid Request for Qualifications/Proposals; and

WHEREAS, the following engineering firms are qualified, willing and able to provide said services for amounts to be negotiated pursuant to the fee schedules attached to their proposals; now, therefore, be it

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

1. The following engineering firms are hereby designated as qualified special project engineers in connection various upcoming potential special projects during CY2015 and CY2016:

Carroll Engineering
105 Raider Boulevard, Suite 206
Hillsborough, New Jersey 08844-1528

Matrix New World Engineering, Inc.
26 Columbia Turnpike
Florham Park, New Jersey 07936

Neglia Engineering Associates
34 Park Avenue
Lyndhurst, New Jersey 07071

Jacobs Engineering Group, Inc.
299 Madison Avenue
Morristown, New Jersey 07962

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

* * * * *

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

WHEREAS, the City has a need to retain the services of a professional Licensed Site Remediation Specialist in connection with various upcoming potential projects during CY2015 and CY2016; and

WHEREAS, the City of Bayonne advertised a Request for Qualifications for a professional Licensed Site Remediation Specialist under the Fair & Open Contracting Requirements pursuant to N.J.S.A. 19:44A:20.4 and 5; and

WHEREAS, Matrix New World Engineering, Inc., 26 Columbia Turnpike, Florham Park, New Jersey 07932 and Remington, Vernick & Arango Engineers, Inc, 101 Route 130, Suite 600, Cinnaminson, New Jersey 08077 have submitted formal written responses to the City's aforesaid Request for Qualifications/Proposals; and

WHEREAS, Matrix New World Engineering, Inc. and Remington, Vernick & Arango Engineers, Inc. are qualified, ready, willing and able to provide said professional Licensed Site Remediation Services for the period commencing February 1, 2015 and ending January 31, 2016 for an amount not to exceed \$17,500.00 each; and

WHEREAS, funds have been certified as available in Various Accounts pending adoption of the CY2015 and CY2016 budgets; and

WHEREAS, this professional services contract was determined under the Fair & Open Contracting Requirements pursuant to N.J.S.A. 19:44A-20.4.5; 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; 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 agreements with Matrix New World Engineering, Inc., 26 Columbia Turnpike, Florham Park, New Jersey 07932 and Remington, Vernick & Arango Engineers, Inc, 101 Route 130, Suite 600, Cinnaminson, New Jersey 08077 for professional Licensed Site Remediation services in connection with various upcoming potential projects during CY2015 and CY2016 for the period commencing February 1, 2015 and ending January 31, 2016 for total contract amounts not to exceed \$17,500.00 each.

2. Funds shall be charged to Various Accounts.

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

* * * * *

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

WHEREAS, the City of Bayonne is in need of services to perform lead based paint inspections/risk assessments and clearance testing as required under CDBG regulations for residential properties being rehabilitated under the Community Development Block Grant Program; and

WHEREAS, Matrix New World Engineering, Inc., 26 Columbia Turnpike, Florham Park, New Jersey 07932 has submitted to the City of Bayonne a formal written response to the City's Request for Qualifications/Proposals for said services; and

WHEREAS, Matrix New World Engineering, Inc., is qualified, ready, willing and able to provide said services for the period commencing February 1, 2015 and ending January 31, 2016 for an amount not to exceed \$17,000.00; and

WHEREAS, funds are certified as available in Account CDBG-843; and

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

WHEREAS, this professional services contract was advertised under the Fair & Open Contracting Requirements pursuant to N.J.S.A.19:44A:20.4.5; now, therefore, be it

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

1. The Mayor and the City Clerk are hereby authorized and directed to execute an agreement with Matrix New World Engineering, Inc., 26 Columbia Turnpike, Florham Park, New Jersey 07932 to perform lead based paint inspections/risk assessments and clearance testing as required under CDBG regulations for residential properties being rehabilitated under the Community Development Block Grant Program for a maximum contract amount not to exceed \$17,000.00 for the period commencing February 1, 2015 and ending January 31, 2016.

2. Funds are certified as available in Account #CDBG-843.

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

* * * * *

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

WHEREAS, the City of Bayonne is in need of professional legal services in defense of the City of Bayonne in connection with State Tax Court Appeals;

WHEREAS, the law firm of Nowell, Amoroso, Klein, Bierman, P.A., 155 Polifly Road, Hackensack, New Jersey 07601 has submitted to the City of Bayonne a formal written response to the City's Request for Qualifications/Proposals for said professional legal services; and

WHEREAS, the law firm of Nowell, Amoroso, Klein & Bierman, P.A. is qualified, ready, willing and able to provide said services; and

WHEREAS, funds are certified as available in Account #01-201-20-156-2-020 pending adoption of the CY2015 and CY2016 budgets; and

WHEREAS, this contract constitutes a "Professional Service" contract under the provisions of the Local Public Contracts Law because the service is a recognized

profession, licensed and regulated by the State of New Jersey, and therefore, may be awarded without competitive bidding pursuant to N.J.S.A. 40A:11-1, et seq.; and

WHEREAS, this professional services contract was advertised under the Fair & Open Contracting Requirements pursuant to N.J.S.A.19:44A:20.4.5; now, therefore, be it

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

1. The Mayor and the City Clerk are hereby authorized and directed to execute an agreement with the law firm of Nowell, Amoroso, Klein, Bierman, P.A., 155 Polifly Road, Hackensack, New Jersey 07601 to provide professional legal services in defense of the City of Bayonne in matters before the State Tax Court of the State of New Jersey, for a maximum contract amount not to exceed \$55,000.00, at an hourly rate of \$165.00 per hour for the period commencing February 1, 2015 and ending January 31, 2016.

2. The contract amount is not to exceed \$55,000.00 payable at the rate of \$165.00 per hour.

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

4. Funds are certified as available in Account #01-201-20-156-2-020.

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

* * * * *

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

WHEREAS, the City of Bayonne is in need of professional legal services as Redevelopment/Land Use Attorney; and

WHEREAS, the law firms of Inglesino, Wyciskala & Taylor, LLC, 600 Parsippany Road, Parsippany, New Jersey 07054 and McManimon, Scotland & Baumann, LLC, 76 Livingston Avenue, Second Floor, Roseland, New Jersey 07068, have submitted formal written responses to the City of Bayonne's Request for Qualifications for said professional legal services; 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; and

WHEREAS, the law firms of Inglesino, Wyciskala & Taylor, LLC, 600 Parsippany Road, Parsippany, New Jersey 07054 and McManimon, Scotland & Baumann, LLC, 76 Livingston Avenue, Second Floor, Roseland, New Jersey 07068 are qualified, ready and able to provide said services; and

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

WHEREAS, 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; 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 agreements with the law firms of Inglesino, Wyciskala & Taylor, LLC, 600 Parsippany Road, Parsippany, NJ 07054 and McManimon, Scotland & Baumann, LLC, 76 Livingston Avenue, Second Floor, Roseland, New Jersey 07068 for professional legal services as Redevelopment/Land Use Counsel for the period commencing February 1, 2015 and ending January 31, 2016, in accordance with their responses to the City's Request for Qualifications.

2. Funds shall be charged to various escrow accounts and BA-2.

3. This contract is awarded without competitive bidding as a “Professional Service” under the provisions of the Local Public Contracts Law because the service is a recognized profession, licensed and regulated by the State of New Jersey, and 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 Cotter, Gullace, LaPelusa, Perez and President Nadrowski.

* * * * *

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

WHEREAS, the City of Bayonne is in need of professional grant writing and management services; and

WHEREAS, Bruno Associates, Inc., 1373 Broad Street, Suite 304, Clifton, New Jersey 07013 has submitted to the City of Bayonne a formal written proposal for said professional grant writing and management services; and

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

WHEREAS, this professional services contract was advertised under the Fair & Open Contracting Requirements pursuant to N.J.S.A.19:44A:20.4.5; and

WHEREAS, Bruno Associate, Inc. is qualified, ready, willing and able to provide said services; and

WHEREAS, the maximum amount of the contract is not to exceed \$48,000.00 for the period commencing February 1, 2015 and ending January 31, 2016; and

WHEREAS, funds have been certified in Account No. BA-01-201-20-101-2-020 pending adoption of the CY2015 AND CY2016 budgets; 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; 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 Bruno Associates, Inc., 1373 Broad Street, Suite 304, Clifton, New Jersey 07013 for a one year period commencing February 1, 2015 and ending January 31, 2016 for professional grant writing and management services for the City and affiliated agencies for a total contract amount not to exceed \$48,000.00.

2. Funds shall be charged to account BA-01-201-20-101-2-020.

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

* * * * *

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

WHEREAS, the City of Bayonne is in need of professional legal services to act as bond counsel; and

WHEREAS, the law firm of Archer & Greiner, Court Plaza South, West Wing, 21 Main Street, Suite 353, Hackensack, New Jersey 07601, has submitted a formal written response to the City’s Request for Qualifications/Proposals for the aforesaid professional legal services to act as bond counsel; and

WHEREAS, the law firm of Archer & Greiner, is ready, willing and able to provide said services; and

WHEREAS, funds are certified as available from Various Capital Bond Ordinances, BA-2 and Various Other Accounts; 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, 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 the law firm of Archer & Greiner, Court Plaza South, West Wing, 21 Main Street, Suite 353, Hackensack, New Jersey 07601 to act as bond counsel for the period commencing February 1, 2015 and ending January 31, 2016, in accordance with their Response to the City's Request for Qualifications.

2. Funds are chargeable to Various Capital Bond Ordinances, BA-2 and Various Other Accounts.

3. This contract is awarded without competitive bidding as a "Professional Service" under the provisions of the Local Public Contracts Law because the service is a recognized profession, licensed and regulated by the State of New Jersey, and 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 Cotter, Gullace, LaPelusa, Perez and President Nadrowski.

* * * * *

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

WHEREAS, the City of Bayonne is in need of professional consulting services relating to planning, administration and implementation of the City's Community Development Block Grant Program; and

WHEREAS, Ernest Swiger Consulting, Inc., 123 Acorn Lane, Stroudsburg, Pennsylvania 18360 has submitted to the City of Bayonne a formal written response to the City's Request for Qualifications/Proposals for said professional consulting services; and

WHEREAS, Ernest Swiger Consulting, Inc., is qualified, ready, willing and able to provide said services for the period commencing February 1, 2015 and ending January 31, 2016 for an amount not to exceed \$50,000.00; and

WHEREAS, funds are certified as available in Account CDBG-843;

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

WHEREAS, this professional services contract was advertised under the Fair & Open Contracting Requirements pursuant to N.J.S.A. 19:44A:20.4.5; now, therefore, be it

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

1. The Mayor and the City Clerk are hereby authorized and directed to execute an agreement with Ernest Swiger Consulting, Inc., 123 Acorn Lane, Stroudsburg, Pennsylvania 18360 for professional consulting services relating to the planning,

administration and implementation of the City's Community Development Block Grant Program for a maximum contract amount not to exceed \$50,000.00 for the period commencing February 1, 2015 and ending January 31, 2016.

2. Funds are certified as available in Account #CDBG-843.

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

* * * * *

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

WHEREAS, the City of Bayonne is in need of professional medical services for the City's Uniformed Employees; and

WHEREAS, John T. Dedousis, M.D., 1166 Kennedy Boulevard, Bayonne, New Jersey 07002 has submitted to the City of Bayonne a formal written proposal for said professional medical services; and

WHEREAS, this professional services contract was advertised under the Fair & Open Contracting Requirements pursuant to N.J.S.A.19:44A:20.4.5; and

WHEREAS, the response submitted by John T. Dedousis, M.D., was the sole response received pursuant to the City's advertisement; and

WHEREAS, John T. Dedousis, M.D. is qualified, ready and able to provide said services; and

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

WHEREAS, 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; now, therefore, be it

WHEREAS, the City of Bayonne desires to retain the services of John T. Dedousis, M.D., for a one year period commencing February 1, 2015 and ending January 31, 2016 for maximum contract amount not to exceed \$36,000.00; and

WHEREAS, funds are available in Account #01-201-27-330-2-020 pending adoption of the CY 2015 and CY2016 Budgets; 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 John Dedousis, M.D., 1166 Kennedy Boulevard, Bayonne, New Jersey 07002 to provide professional medical services to the City's uniformed employees, for the period commencing February 1, 2015 and ending January 31, 2016 for a total amount not to exceed \$36,000.00.

2. Funds shall be charged to Account #01-201-27-330-2-020.

3. A notice of this award shall be published once in a newspaper of general circulation within the boundaries of the City of Bayonne.

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

* * * * *

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

WHEREAS, there exists a need for professional planning services to act as the City's Town Planning Consultant; and

WHEREAS, CME Associates t/a Consulting and Municipal Engineers, 1460 Route 9, South, Howell, New Jersey 07731 has submitted to the City a formal written proposal for said professional planning services; and

WHEREAS, this professional services contract was advertised under the Fair & Open Contracting Requirements pursuant to N.J.S.A.19:44A:20.4.5; and

WHEREAS, CME Associates t/a Consulting and Municipal Engineers is qualified, ready and able to provide said services; and

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

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

WHEREAS, the City of Bayonne desires to retain the services of CME Associates t/a Consulting and Municipal Engineers as Town Planning Consultant for a period of one year commencing February 1, 2015 and ending January 31, 2016, and

WHEREAS, funds are certified as available in Various Escrow Accounts; 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 1460 Route 9, South, Howell, New Jersey 07731 for professional planning services as Town Planning Consultant for the period commencing February 1, 2015 and ending January 31, 2016.
2. Funds shall be charged to Various Escrow Accounts.
3. Notice of the action shall be printed once in a newspaper of general circulation within the boundaries of the City of Bayonne.

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

* * * * *

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

WHEREAS, the City of Bayonne is in need of professional legal services in connection with Federal and State Grants and Funding; and

WHEREAS, the law firm of Krivit & Krivit, P.C., 1000 Potomac Street, N.W., Suite 250, Washington, D.C. 20007-3501 has submitted to the City of Bayonne a formal written response to the City's Request for Qualifications/Proposals for said professional legal services; and

WHEREAS, Krivit & Krivit, P.C., is qualified, ready and willing to provide said services; and

WHEREAS, this professional services contract was determined under the Fair & Open Contracting Requirements pursuant to N.J.S.A.19:44A-20.4.5; and

WHEREAS, the maximum amount of the contract is \$100,000.00 for the period commencing February 1, 2015 and ending January 31, 2016; and

WHEREAS, funds have been certified in Account No. PS-9 01-201-25-240-2-020 pending adoption of the CY2015 and CY2016 Budgets; 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; 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 Krivit & Krivit, P.C., 1000 Potomac Street, N.W., Suite250, Washington, D.C. 20007-3501 for professional legal services in connection with Federal and State Grants and Funding for the City for the period commencing February 1, 2015 and ending January 31, 2016 for a total contract amount not to exceed \$100,000.00.

2. Funds shall be charged to account PS-9 01-201-25-240-2-020.

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 Cotter, Gullace, LaPelusa, Perez and President Nadrowski.

* * * * *

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

WHEREAS, there exists a need for professional legal services to represent the Zoning Board of the City of Bayonne at all meetings, defend any and all actions and other matters impacting on the Zoning Board; and

WHEREAS, Richard N. Campisano, Esq., 34-36 Jones Street, Jersey City, New Jersey 07306 has submitted to the City a formal written proposal for said professional legal services; and

WHEREAS, Richard N. Campisano, Esq. is qualified, ready and able to provide said services; and

WHEREAS, this professional services contract was advertised under the Fair & Open Contracting Requirements pursuant to N.J.S.A.19:44A:20.4.5; and

WHEREAS, the response submitted by Richard N. Campisano, Esq. was the sole response received pursuant to the City's advertisement; and

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

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

WHEREAS, the City of Bayonne desires to retain the services of Richard N. Campisano, Esq. as attorney for the Zoning Board for a period of one year commencing February 1, 2015 and ending January 31, 2016 for an amount of \$13,200.00 payable at the rate of \$1,100.00 per month for all legal and administrative duties associated with his function as Board attorney. There shall be additional compensation of \$150.00 per hour for escrow billings and in the event the Zoning Board is involved in litigation, said amount not to exceed \$9,000.00 for a period of one year commencing February 1, 2015 and ending January 31, 2016, and

WHEREAS, funds are certified as available in Account #M-6 01-201-21-185-2-028; pending adoption of CY2015 and CY2016 Budgets; 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 Richard N. Campisano, Esq., 34-36 Jones Street, Jersey City, New Jersey 07306 to act as attorney for the Zoning Board, for an amount of \$13,200.00 payable at the rate of \$1,100.00 per month for all legal and administrative duties associated with his function as Board attorney. There shall be additional compensation of \$150.00 per hour for escrow billings and in the event the Zoning Board is involved in litigation, said amount not to exceed

\$9,000.00 for a period of one year commencing February 1, 2015 and ending January 31, 2016.

2. Funds shall be charged to Account M-4 01-201-21-185-2-028 pending adoption of CY2015 and CY2016 Budgets.

3. Notice of the action shall be printed once in a newspaper of general circulation within the boundaries of the City of Bayonne.

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

* * * * *

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

WHEREAS, there exists a need for professional legal services to represent the Planning Board of the City of Bayonne at all meetings, defend any and all actions and other matters impacting on the Planning Board; and

WHEREAS, Richard N. Campisano, Esq., 34-36 Jones Street, Jersey City, New Jersey 07306 has submitted to the City a formal written proposal for said professional legal services; and

WHEREAS, Richard N. Campisano, Esq. is qualified, ready and able to provide said services; and

WHEREAS, this professional services contract was advertised under the Fair & Open Contracting Requirements pursuant to N.J.S.A.19:44A:20.4.5; and

WHEREAS, the response submitted by Richard N. Campisano, Esq., was the sole response received pursuant to the City's advertisement; and

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

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

WHEREAS, the City of Bayonne desires to retain the services of Richard N. Campisano, Esq., as attorney for the Planning Board for a period of one year commencing February 1, 2015 and ending January 31, 2016 for an amount of \$10,800.00 payable at the rate of \$900.00 per month for all legal and administrative duties associated with his function as Board attorney. There shall be additional compensation of \$150.00 per hour for escrow billings and in the event the Planning Board is involved in litigation, said amount not to exceed \$5,000.00 for a period of one year commencing February 1, 2015 and ending January 31, 2016, and

WHEREAS, funds are certified as available in Account #M-4 01-201-21-180-2-028; pending adoption of CY2015 and CY2016 Budgets; 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 Richard N. Campisano, Esq., 34-36 Jones Street, Jersey City, New Jersey 07306 to act as attorney for the Planning Board, for an amount of \$10,800.00 payable at the rate of \$900.00 per month for all legal and administrative duties associated with his function as Board attorney. There shall be additional compensation of \$150.00 per hour for escrow billings and in the event the Planning Board is involved in litigation, said amount not to exceed \$5,000.00 for a period of one year commencing February 1, 2015 and ending January 31, 2016.

2. Funds shall be charged to Account #M-4 01-201-21-180-2-028 pending adoption of CY2015 and CY2016 Budgets.

3. Notice of the action shall be printed once in a newspaper of general circulation within the boundaries of the City of Bayonne.

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

* * * * *

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

WHEREAS, the City of Bayonne is in need of the professional legal services of a Municipal Public Defender in connection with the representation of indigent individuals coming before the Municipal Court of the City of Bayonne; and

WHEREAS, the law firm of Hughes & Finnerty, P.C., 25 West 8th Street, P. O. Box 65, Bayonne, N. J. 07002, has submitted to the City of Bayonne a formal written proposal for said professional legal services; and

WHEREAS, the law firm of Hughes & Finnerty, P.C. is qualified, ready and able to provide said services; and

WHEREAS, this professional services contract was advertised under the Fair & Open Contracting Requirements pursuant to N.J.S.A.19:44A:20.4.5; and

WHEREAS, the response submitted by the law firm of Hughes & Finnerty, P.C. was the sole response received pursuant to the City's advertisement; 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, the City desires to retain the services of the law firm of Hughes & Finnerty, P.C. for professional legal services as Municipal Public Defender in connection with the representation of indigent individuals coming before the Municipal Court of the City of Bayonne for the period commencing February 1, 2015 and ending January 31, 2016 for an amount not to exceed \$70,000.00; and

WHEREAS, funds are certified as available in Account #01-201-43-495-2-028 pending adoption of the CY 2015 and CY 2016 Budgets, 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 Hughes & Finnerty, P.C., 25 West 8th Street, P.O. Box 65, Bayonne, NJ 07002 to perform professional legal services as the Municipal Public Defender in connection with the representation of indigent individuals coming before the Municipal Court of the City of Bayonne, for a total amount not to exceed \$70,000.00 for a period of one year commencing February 1, 2015 and ending January 31, 2016.
2. Funds shall be charged to Account #01-201-43-495-2-028 pending adoption of the CY2015 and CY2016 Budgets
3. A notice of this award shall be published once in a newspaper of general circulation within the boundaries of the City of Bayonne.

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

* * * * *

61. Council Member Perez moved that the following resolution of second reading be adopted, seconded by Council Member Cotter, 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 firms of Florio & Kenny, L.L.P., 5 Marine View Plaza, Suite 103, P.O. Box 771, Hoboken, New Jersey 07030 and Roth D'Aquanni, LLC, 150 Morris

Avenue, Suite 206, Springfield, New Jersey 07081 have submitted to the City of Bayonne formal written responses to the City's Request for Qualifications/Proposals for said professional legal services; and

WHEREAS, the law firms of Florio & Kenny, L.L.P. and Roth D'Aquani, LLC are qualified, ready, willing and able to provide said services for the period commencing February 1, 2015 and ending January 31, 2016 for total contract amounts not to exceed \$30,000.00 each payable at the rate of \$165.00 per hour; and

WHEREAS, funds are certified as available in Account #01-201-20-156-2-020 pending adoption of the CY2015 and CY2016 budgets; and

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

WHEREAS, this professional services contract was advertised under the Fair & Open Contracting Requirements pursuant to N.J.S.A.19:44A:20.4.5; now, therefore, be it

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

1. The Mayor and the City Clerk are hereby authorized and directed to execute agreements with the law firms of Florio & Kenny, L.L.P., 5 Marine View Plaza, Suite 103, P.O. Box 771, Hoboken, New Jersey 07030 and Roth D'Aquanni, LLC, 150 Morris Avenue, Suite 206, Springfield, New Jersey 07081 to provide professional legal services to conduct arbitration hearings, litigation before the courts, negotiations and PERC hearings involving various unions and the City of Bayonne for maximum contract amounts not to exceed \$30,000.00 each payable at an hourly rate of \$165.00 per hour for the period commencing February 1, 2015 and ending January 31, 2016.

2. Funds are certified as available in Account #01-201-20-156-2-020.

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

* * * * *

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

WHEREAS, the City is the recipient of Community Development Block Grant (CDBG) Funds from the U.S. Department of Housing and Urban Development (HUD) to benefit the City's low and moderate income families; and

WHEREAS, the American Legion Bayonne Post 19, 683 Broadway, Bayonne, New Jersey 07002 is an organization which has among its objectives assisting persons of lower income households; and

WHEREAS, the American Legion Bayonne Post 19 has requested and submitted a formal written application dated January 22, 2014 for said CDBG Grant Funds for the amount of \$8,500.00 for the purpose constructing a service platform for exhaust fan inspections required by state law for commercial stoves and

WHEREAS, the Assistant Director of Community Development has advised that the availability of said Community Development Block Grant Funds for the purpose of conducting the reconstruction project to meet the national objective of bring this facility into code compliance for the safety of low and moderate income patrons is limited to the amount of \$8,500.00; and

WHEREAS, said CDBG Funds are certified as available in Account CDBG-842; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized to enter into an agreement with the American Legion Bayonne Post 19, 683 Broadway, Bayonne, New Jersey 07002 for the provision of conducting constructing a service platform for exhaust

fan inspections, required by state law for commercial stoves and that benefit the low to moderate income patrons in the amount of \$8,500.00 for the period commencing September 1, 2013 and ending August 31, 2014.

2. Funds shall be charged to Account #CDBG-. 842

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

* * * * *

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

WHEREAS, by way of Resolution No. 14-11-12-053 adopted by the Municipal Council on November 12, 2014 the City of Bayonne entered into agreement No. CY14-110 with UCP of Hudson County, 721 Broadway, Bayonne, New Jersey for the purpose of finding the expansion of the play area and sleep area for their Pediatric Medical Daycare located at 721 Broadway for the period commencing September 1, 2014 and ending August 31,2015; and

WHEREAS, said Resolution No. 14-11-12-053 erroneously stated that funds were to be charged to Account No. CDBG-842; and

WHEREAS, the correct account from which funds are to be charged is Account No. CDBG-833; and

WHEREAS, the Assistant Director of Community Development has advised that it is necessary to increase said Contract No. CY14-110 with UCP of Hudson County in the amount of \$950.00 for the purpose of funding additional necessary work which was not foreseen at the time of the original contract award making the total contract amount \$26,735.00; and

WHEREAS, due to exigent circumstances, it was necessary for the Assistant Director of Community Development to authorize said additional necessary work prior to obtaining approval from this body; and

WHEREAS, funds are certified as available in Account CDBG-833; now, therefore, be it

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

1. Resolution No. 14-11-12-053 is hereby amended to reflect funds shall be charged to Account - CDBG-833.
2. The Mayor and City Clerk are hereby authorized to enter into an amendment to Agreement No. CY14-110 with UCP of Hudson County, 721 Broadway, Bayonne, New Jersey increasing same in the amount of \$950.00 for the purpose of funding additional necessary work which was not foreseen at the time of the original contract award making the total contract amount \$26,735.00 and reflecting funds are to be charged to Account CDBG-833.
3. The actions of the Assistant Director of Community Development in authorizing said additional necessary work are hereby ratified and confirmed.

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

* * * * *

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

WHEREAS, the City is the recipient of Community Development Block Grant (CDBG) Funds from the U.S. Department of Housing and Urban Development (HUD) to benefit the City's low and moderate income families; and

WHEREAS, the Peninsula Lodge/Bayonne Masonic Temple, 888 Avenue C, Bayonne, New Jersey 07002 is an organization which has among its objectives assisting persons of lower income households; and

WHEREAS, the Peninsula Lodge/Bayonne Masonic Temple has requested and submitted a formal written application dated February 28,2014 for said CDBG Grant Funds for the amount of \$ 1,400.00 for the purpose of providing rehabilitation and maintenance of the three boilers/flue system; and

WHEREAS, the Assistant Director of Community Development has advised that the availability of said Community Development Block Grant Funds for the purpose of providing rehabilitation and maintenance of the three boilers/flue system is limited to the amount of \$1,400.00; and

WHEREAS, said CDBG Funds are certified as available in Account CDBG 867; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized to enter into an agreement with the Peninsula Lodge/Bayonne Masonic Temple, 888 Avenue C, Bayonne, New Jersey 07002 for the provision of providing rehabilitation and maintenance of the three boilers/flue system in the amount of \$1,400.00 for the period commencing September 1, 2014 and ending August 31, 2015.

2. Funds shall be charged to Account #CDBG-867

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

Abstain - Council Member Perez.

* * * * *

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

RESOLVED, that the budgetary transfers as set forth below pertaining to the CY 2014 appropriations be and the same are hereby authorized, and be it further

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

CURRENT FUND

FROM			TO	
No.	Account	Amount	Account	Amount
1.	Pub. Employees Retirement System	\$26,000.00	Law Enforcement-Uniform-O.E.	\$20,000.
	Police & Firemen's Retirement System	\$35,500.	Bus. Administration-OE	\$20,000.
			Vehicle Maintenance-OE	\$15,000.
			Rent Control-OE	\$ 3,000.
			Parks & Playgrounds-Recreation-OE	\$ 2,000.
			Other Public Works-OE	\$ 1,500.

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

* * * * *

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

RESOLVED, by the Municipal Council that pursuant to N.J.S. 40A:4-19, the following appropriations be and the same are hereby made and approved for the year CY 2015, and be it further

RESOLVED, by the Municipal Council of the City of Bayonne, that the dedicated revenues pursuant to N.J.S. 40A:4 -39 for the period between the beginning of CY 2015 and the date of the adoption of the CY 2015 budget are hereby appropriated for the purpose to which said revenues are dedicated for in the said statues or other legal requirements:

Current Fund	Salaries	Expenses	Appropriation
Office of the Mayor	\$ 110,000.	\$ 3,500.	

Planning Board		15,000.	
Board of Adjustment		6,000.	
Alcohol Beverage Control		1,000.	
Environmental Commission		1,000.	
Rent Control	5,000.	5,000.	
Bayonne Econ.Opportunity Fund		22,000.	
Business Administration	225,000.	100,000.	
Personnel	25,000.		
Group Insurance		5,000,000.	
General Liability/Worker Comp		2,500,000.	
Telephone Expenses		40,000.	
Municipal Council	50,000.	2,000.	
Budget & Accounting Fees		50,000.	
City Clerk's Office	100,000.	10,000.	
Primary & General Election	10,000.	10,000.	
Finance	325,000.		
Tax Assessor	100,000.		
Collection of Taxes	100,000.		
Postage		30,000.	
Planning & Zoning	120,000.	2,000.	
Law Dept.	190,000.	7,500.	
Law Dept.-Contracts		50,000.	
Board of Health	325,000.	350,000.	
Medical Expenses		1,000.	
Bayonne Health Center		1,000.	
Solid Waste Disposal		850,000.	
Solid Waste Collection		500,000.	
Fire Dept.-Uniform	5,000,000.	125,000.	
Fire Dept.-Non-Uniform	80,000.		
Law Enforcement-Uniform	6,500,000.	150,000.	
Law Enforcement-Non-Uniform	750,000.	4,000.	
Prosecutor's Office		20,000.	
Celebration of Public Holidays		12,000.	
Parks & Playgrounds	450,000.	30,000.	
Streets & Road Maintenance	450,000.	60,000.	
Building & Grounds	445,000.	40,000.	
Vehicle Maintenance	310,000.	100,000.	
Maintenance of Parks	470,000.	22,000.	
Other Public Works	110,000.	30,000.	
Snow Removal	70,000.	150,000.	
Swimming Pool		10,000.	
Public Defender		30,000.	
Bulk Levy Expenses		5,000.	
Retirement of Liquor Licenses		20,000.	
Gasoline, Oil, Grease, Etc.		150,000.	
Older American Program			50,000.
Utilities		600,000.	
Social Security		700,000.	
Consolidated P&F Ret.Sys		5,000.	
Public Employees' Retirement System		5,000.	
Police & Firemen's Retirement System		5,000.	
Unemployment Insurance		10,000.	
Muni. Pen. To Employee & Widows		20,000.	
Defined Contribution Retirement Program		5,000.	
Municipal Court	300,000.	32,000.	
Maintenance of Free Public Library			1,000,000.
Older American Act			200,000.
Us Depart of Economic Devel Authority		1,500,000.	
Congregate Meals Program		459,139.	
Green Communities Grant		3,000.	
	16,680,000.	11,897,000.	1,250,000.
	=====		
Total	29,827,500.		
	=====		
<u>Parking Utility</u>			
Operating	140,000.	60,000.	
Group Insurance		40,000.	
Other Insurance		20,000.	
Social Security		10,000.	

Public Employees' Retirement System	6,000.	
	140,000.	136,000.
	=====	
Total	276,000.	
	=====	

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

* * * * *

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

RESOLUTION AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$12,000,000 TAX ANTICIPATION NOTES OF 2015 OF THE CITY OF BAYONNE, IN THE COUNTY OF HUDSON, STATE OF NEW JERSEY

BE IT RESOLVED, by the City Council of the City of Bayonne (the "City"), in the County of Hudson, State of New Jersey, as follows:

Section 1: It is hereby determined and declared that the Chief Financial Officer made and filed in the office of the City Clerk a certificate pursuant to the provisions of Section 40A:4-66 of the Local Budget Law, N.J.S.A. 40A:4-1 et seq., certifying as follows:

(A) The gross borrowing power of the City in respect to tax anticipation notes of the fiscal year beginning January 1, 2015, being thirty percent (30%) of the tax levy for all purposes of the next preceding fiscal year, which ended December 31, 2014, for all purposes, plus thirty percent (30%) of the amount of miscellaneous revenues realized in cash during such next preceding fiscal year, is \$62,882,407.

(B) There are no notes of the City outstanding in anticipation of the collection of taxes of such fiscal year beginning January 1, 2015.

(C) The net borrowing power of the City is \$62,882,407.

Section 2: Pursuant to the Local Budget Law, the City shall borrow not to exceed \$12,000,000 in anticipation of the collection of taxes levied in and for the fiscal year beginning January 1, 2015, and in anticipation of other revenues for such fiscal year.

Section 3: The notes issued pursuant to this Resolution shall be negotiable notes issued in registered form or payable to bearer, shall be issued in an aggregate principal amount not to exceed \$12,000,000 (with the final principal amount of each note to be determined by the Chief Financial Officer and may be issued in more than one series) and shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law, and shall be payable at maturity, all as shall be determined by the Chief Financial Officer of the City in accordance with the provisions of Section Five (5) below. Any instrument issued pursuant to this resolution shall be a general obligation of the City, and the full faith and credit of the City are hereby pledged to the punctual payment of the principal of and interest on the obligations.

Section 4: The Chief Financial Officer is hereby designated as the financial officer to sign said notes, and the Mayor and the Chief Financial Officer are hereby authorized and directed to execute said notes, and the City Clerk or Deputy City Clerk are each hereby authorized and directed to affix the seal of said City to each of such notes and to attest such seal and said notes, and said officers, notwithstanding any resolution theretofore adopted by the City Council, are hereby authorized to issue said notes in such form as they may adopt in conformity with law and to recite therein that all requirements and conditions of law have been complied with in the issuance of said notes and that said notes are within every debt and other limit prescribed by the Constitution or statutes of New Jersey.

Section 5: The power to determine any matter with respect to said notes not determined by this Resolution and also the power to sell said notes from time to time as funds are granted is hereby granted to the Chief Financial Officer of the City, who is authorized to sell said notes at not less than par and accrued interest and to deliver said notes upon receiving the purchase price to be paid therefor. After the sale of the notes, the Chief Financial Officer shall make a report of such sale to the City Council pursuant to N.J.S.A. 40A:4-72.

Section 6: All sums borrowed by the issuance of said notes shall be applied only to purposes provided for in either (a) the budget adopted for the fiscal year beginning January 1, 2015, or (b) the purposes for which taxes are levied or are to be levied for such fiscal year.

Section 7: Said notes may be renewed from time to time but such notes and any renewals thereof shall mature not later than April 30, 2016.

Section 8. The Chief Financial Officer is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the City and to execute such disclosure document on behalf of the City. The Chief Financial Officer is further authorized to

enter into the appropriate undertaking to provide secondary market disclosure on behalf of the City pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the City and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the City fails to comply with its undertaking, the City shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 9. The City covenants to comply with the provisions of the Internal Revenue Code of 1986, as amended, necessary to maintain the exclusion from interest of the notes for Federal income tax purposes.

Section 10. This resolution shall take effect immediately.

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

* * * * *

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

WHEREAS, in comportment with the mandates of The Municipal Services Act, in particular N.J.S.A. 40:66-1.3(a), the City of Bayonne is required to provide solid waste and recycling collection services for private apartment complexes as defined under N.J.S.A. 40:66-1.3 et seq; and

WHEREAS, Camelot at Bayonne, LLC, ("Camelot") 433 River Road, Highland Park, New Jersey is the owner of a private apartment complex as defined under N.J.S.A. 40:66-1.3 et seq, located at 42 John F. Kennedy Boulevard; and comprised of ninety-six (96) residential units; and

WHEREAS, Camelot and the City of Bayonne desire to enter into a Solid Waste and Recycling Collection Agreement for the purpose of establishing the rights and obligations regarding the specific municipal services rendered and/or not rendered by the City of Bayonne to Camelot for the aforementioned apartment complex located at 42 John F. Kennedy Boulevard in accordance with N.J.S.A. 40:66-1.3 et seq; now therefore be it

RESOLVED, the Mayor and City Clerk, on behalf of the City of Bayonne, are hereby authorized to execute a Solid Waste and Recycling Collection Agreement with Camelot at Bayonne, LLC, 433 River Road, Highland Park, New Jersey for the purpose of establishing the rights and obligations regarding the specific municipal services rendered and/or not rendered by the City of Bayonne to Camelot in connection with the collection of solid waste and recycling collection for the aforementioned apartment complex located at 42 John F. Kennedy Boulevard in accordance with N.J.S.A. 40:66-1.3 et seq in a form acceptable to the Law Division.

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

* * * * *

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

WHEREAS, pursuant to Resolution No. 13-12-11-052 ROBERT L. HENNESSEY, ESQ., ("HENNESSEY") having an address at 61 Main Street, Bogota, New Jersey 07603, was appointed to serve as the Municipal Prosecutor for a one year term that expired on December 31, 2014; and

WHEREAS, HENNESSEY so served pursuant to Agreement No. CY14-010; and

WHEREAS, HENNESSEY was not reappointed as the Municipal Prosecutor for the 2015 term; and

WHEREAS, during his contract term, HENNESSEY was responsible for the prosecution of the matter captioned State v. Jason Rios, Complaint No.: W-2010-001176; a complicated case involving various witnesses, which has been ongoing since 2010; and

WHEREAS, the matter of State v. Rios is scheduled for trial February 4, 2015, and

WHEREAS, upon advice of Corporation Counsel, in light of HENNESSEY's knowledge of and involvement with this matter for approximately the last 4 years, it is in the best interest of the City of Bayonne and judicial economy for HENNESSEY to see the prosecution to a conclusion; and

WHEREAS, HENNESSEY is ready, willing and able to provide the continued limited prosecutorial services at a rate of \$150 per hour in an amount not to exceed \$5,000; and

WHEREAS, the proposed rate of \$150 per hour in an amount not to exceed \$5,000 is reasonable and within industry standard for the contemplated services and given HENNESSEY's legal experience; and

WHEREAS, this contract is not subject to the New Jersey Public Contracting Laws or the Pay to Play Laws in that it is below the monetary threshold required to trigger such laws; and

WHEREAS, funds are certified as available in Account No. 01-201-25-275-1-011; now therefore be it

RESOLVED, that the Municipal Council of the City of Bayonne hereby appoints HENNESSY as Municipal Prosecutor for the purposes of prosecuting State v. Rios, Complaint No.: W-2010-001176 and authorizes the Mayor and City Clerk to execute a contract with ROBERT L. HENNESSEY, ESQ., having an address at 61 Main Street, Bogota, New Jersey 07603 for limited prosecutorial services in the matter of State v. Jason Rios, Complaint No.: W-2010-001176 at a rate of \$150 per hour in an amount not to exceed \$5,000; and be it further

RESOLVED that funds are certified available in Account No.: 01-201-25-275-1-011.

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

* * * * *

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

WHEREAS, it has been determined there is a need for a revision of the City's Master Plan; now, therefore be it

RESOLVED, that Clerk and/or Corporation Counsel is/are hereby authorized to advertise for the solicitation of proposal and/or qualifications from professional for revisions to the City' Master Plan.

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

* * * * *

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

Resolution: Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the Various Streets - 2015 Project.

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 approves the grant application for the above stated project; and

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2015 – Various Streets - Bayonne - 00454 to the New Jersey Department of Transportation on behalf of the City of Bayonne; and

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.

RESOLVED, by the Municipal Council as follows:

1. That the Mayor and Clerk are hereby authorized to execute the initial Access Agreement and the First Amendment thereto “nunc pro tunc” in order to properly perfect the documentation attendant to this environmental work.

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

* * * * *

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

WHEREAS, by way of Resolution No. 14-11-12-043 adopted by the Municipal Council on November 12, 2014, the City of Bayonne entered into Agreement No. CY14-106 with The Rodgers Group, LLC, P.O. Box 831, Island Heights, New Jersey 08732 for consulting services for developing updated Police Department policies and procedures and for purposes of accreditation through the New Jersey State Chiefs of Police Association for a term not to exceed two years commencing from the date of the execution of the contract by all parties for an amount not to exceed \$70,000.00; and

WHEREAS, Resolution No. 14-12-10-039 amended the aforesaid Resolution No. 14-11-12-043 to correct the account from which funds were to be charged to reflect the Account #02-213-41-813-2-199; and

WHEREAS, the aforesaid Resolution 14-12-10-039 contained a typographical error and should have stated funds were to be charged to Account #02-213-41-713-2-199; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. Resolution No. 14-12-10-039 is hereby amended to reflect that funds are to be charged to Account #02-213-41-713-2-199.

2.. All other terms and conditions of Resolution No. 14-12-10-039 shall remain the same.

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

* * * * *

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

WHEREAS, from time to time, the City of Bayonne is in need of skilled attorneys to act as Special Legal Counsel for criminal defense, administrative law, employment law, bankruptcy, and foreclosure matters in which the City is named as a party; and

WHEREAS, the City of Bayonne advertised a Request for Qualifications for qualified attorneys interested in acting as Special Legal Counsel to the City of Bayonne from time to time under the Fair & Open Contracting Requirements pursuant to N.J.S.A. 19:44A:20.4 and.5; and

WHEREAS, the following attorneys / law firms have submitted responses to the City's aforesaid Request for Qualifications; and

Florio & Kenny, LLP
5 Marine View Plaza, Suite 103
P.O. Box 771, Hoboken, NJ 07030

Archer & Greiner, P.C.
21 Main Street, Suite 353
Court Plaza South, West Wing
Hackensack, NJ 07601

Roth D'Aquanni, LLC
150 Morris Avenue, Suite206
Springfield, New Jersey 07081

DeCotis, FitzPatrick & Cole, LLP
Glenpointe Centre West
500 Frank W. Burr Blvd., Suite 31

Teaneck, New Jersey 07666
and

WHEREAS, the aforementioned law firms are qualified, ready, willing and able to provide said services; and

WHEREAS, the fee schedule for Panel Counsel is \$165 per hour for all matters except those matters involving the defense of City of Bayonne Police Officers, in which cases the fee schedule shall be \$100 per hour and worker's compensation matters will be paid at a flat fee of \$1,250; and

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

WHEREAS, this professional services contract was advertised under the Fair & Open Contracting Requirements pursuant to N.J.S.A.19:44A:20.4.5; and

WHEREAS, funds are certified as available from Various Accounts, pending adoption of the CY 2015 and CY 2016 budget; now, therefore, be it

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

1. The Corporation Counsel is hereby authorized to retain the services of and execute retainer agreements with the aforementioned law firms from time to time for the aforementioned professional legal services for the period commencing February 1, 2015 and ending January 31, 2016 pursuant to the aforementioned fee schedule.

2. Funds shall be charged to Various Accounts.

3. Notice of the action shall be printed once in a newspaper of general circulation within the boundaries of the City of Bayonne.

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

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At 7:47 P.M., Council President Nadrowski motioned to adjourn, seconded by Council Member LaPelusa, which motion was adopted.

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

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President - Sharon Nadrowski

Clerk - Robert F. Sloan