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,FEBRUARY 18, 2015

The Council met at 7:00 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 February 18, 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 February 13, 2015."

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

The Clerk called the roll.

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

The Council President led the Pledge of Allegiance.

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01. Peter Franco addressed the Council on general city matters regarding new hires.

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02. The Clerk announced:

AN ORDINANCE ENTITLED, "AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 8, TAXICABS AND LIMOUSINES," which was introduced and passed a first reading at a meeting held January 21, 2015, was published in the Jersey Journal and posted on the bulleting board as required by law, with notice that it would be further considered for final passage following a public hearing at this meeting of February 18, 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 8, TAXICABS AND LIMOUSINES,"

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 Gullace, which motion was adopted.

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

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

WHEREAS, an ordinance entitled, "AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 8, TAXICABS AND LIMOUSINES," was introduced and passed a first reading at a meeting held January 21, 2015; and

WHEREAS, said ordinance makes references to taxicab fares to and from "The Military Ocean Terminal;" and

WHEREAS, since the original ordinance setting taxicab fares to and from the Military Ocean Terminal, that property's name has been changed to "The Peninsula at Bayonne Harbor;" now, therefore, be it

RESOLVED, that the foregoing ordinance be and is hereby amended to change the references to "the Military Ocean Terminal" to read "the Peninsula at Bayonne Harbor" in those portions of the ordinance adding new language, but leaving references to "the Military Ocean Terminal" unchanged in those portions of the ordinance where language is being deleted.

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

WHEREAS, an ordinance entitled, "AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 8, TAXICABS AND LIMOUSINES," was introduced and passed a first reading at a meeting held January 21, 2015, and was published and posted as required by law, with notice that it would be considered for final passage following a public hearing at this meeting of February 18, 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-15-03.

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

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03. The Clerk announced:

AN ORDINANCE ENTITLED, "AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 4, LICENSING, REGISTRATION AND BUSINESS REGULATIONS," which was introduced and passed a first reading at a meeting held January 21, 2015, was published in the Jersey Journal and posted on the bulleting board as required by law, with notice that it would be further considered for final passage following a public hearing at this meeting of February 18, 2015, is now before the Council for its consideration and a public hearing.

Council Member Gullace moved that the following resolution of second reading be adopted, seconded by Council President Nadrowski, 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 4, LICENSING, REGISTRATION AND BUSINESS REGULATIONS,"

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

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

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

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

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

Council Member LaPelusa moved the following resolution, seconded by Council President Nadrowski, 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 4, LICENSING, REGISTRATION AND BUSINESS REGULATIONS,” was introduced and passed a first reading at a meeting held January 21, 2015, and was published and posted as required by law, with notice that it would be considered for final passage following a public hearing at this meeting of February 18, 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-15-04.

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

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04. The Clerk announced:

AN ORDINANCE ENTITLED, “AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC,” which was introduced and passed a first reading at a meeting held January 21, 2015, was published in the Jersey Journal and posted on the bulleting board as required by law, with notice that it would be further considered for final passage following a public hearing at this meeting of February 18, 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 LaPelusa, 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 LaPelusa moved to close the hearing, seconded by Council Member Perez, which motion was adopted.

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

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

WHEREAS, an ordinance entitled, "AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC," was introduced and passed a first reading at a meeting held January 21, 2015, and was published and posted as required by law, with notice that it would be considered for final passage following a public hearing at this meeting of February 18, 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-15-05.

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

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05. Council Member LaPelusa introduced:

ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING A REDEVELOPMENT PLAN FOR PROPERTY IDENTIFIED AS BLOCK 195, LOT 2 AND BLOCK 196, LOTS 1-2 AND 4-7 ON THE TAX MAP OF THE CITY OF BAYONNE

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

WHEREAS, on April 9, 2014, the Municipal Council of the City (the "Municipal Council") adopted Resolution No. 14-04-09-004 designating the property identified as Block 195, Lot 2, Block 196, Lots 1-7 on the tax map of the City of Bayonne as an area in need of redevelopment under the Redevelopment Law in accordance with the provisions of *N.J.S.A.* 40A:12A-6 of the Redevelopment Law; and

WHEREAS, on December 10, 2014, the Municipal Council adopted Resolution No. 14-12-10-053 rescinding the designation of Block 196, Lot 3 as an area in need of redevelopment, and affirming the prior designation of Block 195, Lot 2 and Block 196, Lots 1-2 and 4-7 (the "Redevelopment Area") as an area in need of redevelopment under the Redevelopment Law; and

WHEREAS, the Redevelopment Area encompasses approximately 2.1452 acres of land located on the western side of Broadway between W. 23rd and W. 24th Streets, including a service road known as Del Monte Drive between W. 23rd and W.24th Streets.

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

WHEREAS, the Planning Board of the City (the "Planning Board") has been requested by the Municipal Council to review the Redevelopment Plan, a copy of which is attached hereto as <u>Exhibit A</u>, and to transmit its recommendations relating to the Redevelopment Plan to the Municipal Council in accordance with the provisions of *N.J.S.A.* 40A:12A-7 of the Redevelopment Law; and

WHEREAS, upon receipt of the Planning Board's recommendations relating to the Redevelopment Plan, the Municipal Council believes that the adoption of the Redevelopment Plan is in the best interests of the City for the redevelopment of the Redevelopment Area.

NOW THEREFORE, BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE CITY OF BAYONNE, NEW JERSEY AS FOLLOWS:

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

Section 2. Contingent upon the receipt of the Planning Board's recommendations, the Redevelopment Plan, attached hereto as Exhibit A and made a part hereof, is hereby adopted pursuant to the terms of *N.J.S.A.* 40A:12A-7 of the Redevelopment Law. Further, the Redevelopment Plan shall amend, replace and supersede any prior redevelopment plans with respect to Redevelopment Area.

Section 3. The zoning district map in the zoning ordinance of the City is hereby amended to include the "Redevelopment Area" per the boundaries described in the Redevelopment Plan and the provisions therein.

Section 4. If any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Ordinance.

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

Section 6. This Ordinance shall take effect in accordance with all applicable laws.

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

BE IT RESOLVED, that an ordinance entitled "ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING A REDEVELOPMENT PLAN FOR PROPERTY IDENTIFIED AS BLOCK 195, LOT 2 AND BLOCK 196, LOTS 1-2 AND 4-7 ON THE TAX MAP OF THE CITY OF BAYONNE," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, March 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, and to forward a copy of said ordinance to the planning board for its review of and a report regarding same pursuant to NJSA 40:55D-26.

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

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06. Council Member Perez introduced:

ORDINANCE OF THE CITY OF BAYONNE, IN THE COUNTY OF HUDSON, STATE OF NEW JERSEY, AUTHORIZING THE EXECUTION OF AN AMENDED LEASE AND AGREEMENT WITH THE HUDSON COUNTY IMPROVEMENT AUTHORITY FOR THE SECURITIZATION OF LEASE REVENUE REFUNDING BONDS (BAYONNE DPW GARAGE REFUNDING PROJECT) IN CONNECTION WITH THE BAYONNE DPW GARAGE REFUNDING PROJECT AND THE PROVISION OF CONSENT RELATED THERETO

WHEREAS, The Hudson County Improvement Authority (the "Authority") is authorized to issue its bonds pursuant to the provisions of the County Improvement Authorities Law, constituting Chapter 183 of the Laws of New Jersey of 1960, as amended and supplemented (N.J.S.A. 40:37A-44 et seq.) (the "Act"), and other applicable provisions of law; and

WHEREAS, the Mayor and City Council of the City of Bayonne, in the County of Hudson, State of New Jersey (together with any successor thereto, the "City") have permanently financed certain expenses of the City, as well as the cost of improving a Department of Public Works Garage, including all systems, furnishings, fixtures and appurtenances related thereto (the "Costs") through the entering into of the hereinafter defined Lease and Agreement in connection with the Authority's issuance of Lease Revenue Bonds, Series 2004 (Bayonne DPW Garage Project) in an aggregate principal amount not to exceed $10,000,000 and dated June 15, 2004 (the "Original Bonds") and in accordance with the terms of a resolution of the Authority adopted May 12, 2004 and entitled "Resolution Authorizing the Issuance of Lease Revenue Bonds, Series 2004 (Bayonne DPW Garage Project) of The Hudson County Improvement Authority" (together with any amendments thereof or supplements thereto in accordance with the terms thereof, the "Original Resolution") to assist the City with the permanent financing of such Costs; and

WHEREAS, in connection with the issuance of such Original Bonds, the City leased to the Authority the Department of Public Works Garage (the "Facilities") pursuant to the terms of a Lease and Agreement dated as of June 1, 2004, between the City and the Authority (together with any amendments thereof or supplements thereto in accordance with its terms, the "Lease and Agreement"); and

WHEREAS, pursuant to the Act, specifically Section 34 thereof (N.J.S.A. 40:37A-77), the City is authorized, without any referendum or public or competitive bidding, to enter into and perform any lease, including the Lease and Agreement, with the Authority for the use, maintenance or operation by the Authority as part of any public facility, any real or personal property which may be necessary or useful and convenient for the purposes of the Authority and accepted by the Authority; and

WHEREAS, the Facilities constitute a "public facility" as such term is defined in the Act; and

WHEREAS, in connection with the issuance of the Original Bonds, the Authority also leased the Facilities back to the City pursuant to the Lease and Agreement (the transactions contemplated by the Lease and Agreement shall sometimes be herein referred to as the "Project"); and

WHEREAS, pursuant to the Act, specifically Section 35 thereof (N.J.S.A. 40:37A-78), the Authority is authorized to enter into and perform any lease or other agreement, including the Lease and Agreement, with the City for the lease to or use by the City of all or any part of any public facility on any terms and conditions which may be agreed upon by the City and the Authority; and

WHEREAS, the Original Bonds are secured by general obligation lease payments of the City under the Lease and Agreement in scheduled lease payment amounts sufficient to pay in a timely manner the principal and redemption premium, if any, of and interest on the Original Bonds, pursuant to the terms of which Lease and Agreement the City is obligated, if necessary, to make such lease payments from the levy of *ad valorem* taxes upon all the taxable property within the City without limitation as to rate or amount; and

WHEREAS, $8,075,000 outstanding Original Bonds maturing in the years 2016 through 2034 (the "Refunded Bonds") are currently subject to redemption prior to their stated maturity; and

WHEREAS, the Authority and the Mayor and City Council have determined that the current interest rate environment would enable the Authority and the City to realize debt service and lease payment savings for the City by refunding all or a portion of the aforesaid Refunded Bonds through the Authority's issuance of its Lease Revenue Refunding Bonds (Bayonne DPW Garage Refunding Project) in an aggregate principal amount not to exceed $9,200,000 (the "Refunding Bonds") authorized by a supplemental resolution of Authority (the "Supplemental Resolution" and together with the Original Resolution, the "Resolution"); and

WHEREAS, the City Council now desires to adopt this ordinance authorizing, among other things, the execution of an Amended Lease and Agreement with the Authority (the "Amended Lease and Agreement") for the securitization of the Refunding Bonds in connection with the Bayonne DPW Garage Refunding Project, the Authority's issuance of the Refunding Bonds and the provision of consent related thereto to realize debt service and lease payment savings for the City (collectively, the "Refunding Project").

BE IT ORDAINED AND ENACTED BY THE CITY COUNCIL OF THE CITY OF BAYONNE, IN THE COUNTY OF HUDSON, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The recitals are fully incorporated herein.

Section 2. The City hereby consents to the undertaking of the Refunding Project by the Authority and the issuance of the Refunding Bonds in the aggregate principal amount not to exceed $9,200,000.

Section 3. The City is hereby authorized to amend and restate the Lease and Agreement as the Amended Lease and Agreement with the Authority in an amount necessary to secure all Refunding Bonds and Original Bonds issued pursuant to the Resolution, which Amended Lease and Agreement shall be in the form filed in the Office of the City Clerk on the date of introduction of this ordinance and attached hereto for convenience as Exhibit A with such changes, insertions and omissions thereto as the Mayor, Business Administrator or Chief Financial Officer (each an "Authorized City Officer"), after consultation with counsel to the City and bond counsel to the City, deems in the Authorized City Officer's sole discretion to be necessary or desirable for the execution thereof. The full faith and credit of the City are hereby pledged to the punctual payment of any of the City's payment obligations under the Amended Lease and Agreement and such payment obligations shall be direct, unlimited obligations of the City, and the City shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the City for the payment of such payment obligations, without limitation as to rate or amount.

Section 4. The Authorized City Officers, along with counsel, bond counsel and any other City representative or professional, are each hereby authorized and directed, as applicable, to execute the Amended Lease and Agreement and such other documents, certificates, opinions and other instruments as the same are necessary and may be reasonably required by the Authority in connection with the issuance of the Refunding Bonds and the Refunding Project.

Section 5. The City Clerk is hereby authorized and directed, upon the execution of the Amended Lease and Agreement in accordance with the terms of Section 4 hereof, to attest to the signature of the Authorized City Officers, along with counsel, bond counsel and any other City representative or professional, as applicable, upon such document or such other documents, certificates, opinions and other instruments as the same are necessary and may be reasonably required by the Authority in connection with the issuance of the Refunding Bonds and the Refunding Project and is also hereby further authorized and directed thereupon to affix the corporate seal of the City upon any such documents.

Section 6. Upon the execution and attestation and placing of the seal on the Amended Lease and Agreement as contemplated by Sections 4 and 5 hereof, the Authorized City Officers are each hereby authorized and directed to (i) deliver the fully executed, attested and sealed document to the other parties thereto and (ii) perform such other actions as the Authorized City Officers deem necessary or desirable in relation to the issuance by the Authority of the Refunding Bonds, the execution and delivery of the Amended Lease and Agreement and the undertaking of the Refunding Project.

Section 7. The City hereby authorizes the preparation and the distribution of financial statements and demographic and other information concerning the City, the Refunding Project, the Resolution, the Refunding Bonds, the Amended Lease and Agreement and a continuing disclosure agreement and the transactions contemplated thereby contained in a Preliminary Official Statement and final Official Statement to be issued in connection with the marketing of the Refunding Bonds. In furtherance of such authorization, the City Council hereby authorizes and directs each Authorized City Officer to take such action and execute such certificates, documents or instruments as such Authorized Officer, after consultation with counsel and bond counsel, deems in his sole discretion to be necessary, desirable or convenient in connection with the preparation and distribution of the Preliminary Official Statement and the final Official Statement.

Section 8. This ordinance shall take effect twenty (20) days after first publication hereof after final adoption.

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

BE IT RESOLVED, that an ordinance entitled "ORDINANCE OF THE CITY OF BAYONNE, ON THE COUNTY OF HUDSON, STATE OF NEW JERSEY, AUTHORIZING THE EXECUTION OF AN AMENDED LEASE AND AGREEMENT WITH THE HUDSON COUNTY IMPROVEMENT AUTHORITY FOR THE SECURITIZATION OF LEASE REVENUE REFUNDING BONDS (BAYONNE DPW GARAGE REFUNDING PROJECT) IN

CONNECTION WITH THE BAYONNE DPW GARAGE REFUNDING PROJECT AND THE PROVISION OF CONSENT RELATED THERETO," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, March 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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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.

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

From Daniel A. Levy, Esq., filing notice of tort claim on behalf of NASHED SAMAH, alleging injuries sustained October 7, 2014 in a fall in the street at West 21st Street near Kennedy Boulevard.

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

From NATALIE GALA, filing notice of tort claim alleging property damage to her automobile on January 14, 2015 resulting from being backed into by a municipal vehicle at Ayres Court near 14th Street.

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

From PATRICIA M. FEUER, filing notice of tort claim alleging property damage to her automobile on October 31, 2014 resulting from being struck by a police cruiser at 30th Street near Prospect Avenue.

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11. 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, "EVERGREEN MORTGAGE COMPANY vs. ULICHNY, et al., incl. THE CITY OF BAYONNE." (mortgage foreclosure in which the city may hold a subsidiary mortgage)

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

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

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

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

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13. 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.

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

From Terrence Malloy, Chief Financial Officer CFO, submitting Annual Debt Statement for CY 2014.

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

Date: January 9, 2015

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:

$4,949,372.83 - Claims & Payroll for January 2015.

Janet Convery
(signed)

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

Date: February 6, 2015

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 February 2015.

Janet Convery
(signed)

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

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

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

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

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18. 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, January 21, 2015 be and the same are hereby approved.

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19. 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, January 14, 2015, be and the same are hereby approved.

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20. 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
16	14	Teresa D'Angelo	1,347.55
120	22	M. & H. Dela Cruz	775.42
155	22.0114	Prakshoti Pawar	2,585.43
157	15.01 C203	Thomas Gipson	5,176.87
219	45.11	K & E Capital Asset	1,762.79
219	45.12	K & E Capital Asset	1,187.88
219	45.23	K & E Capital Asset	1,265.85
219	45.32	K & E Capital Asset	1,308.97

219	45.42	K & E Capital Asset	1,308.52
219	45.43	K & E Capital Asset	1,265.85
219	45.45	K & E Capital Asset	1,158.43
318	50	Joseph Sweeney	1,900.24
321	12	James Wisely	2,138.06
Total:			23,181.86

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

WHEREAS, SESAC, INC., P.O. Box 900013, Raleigh, NC 27675-9013 has been aggressively asserting the rights of its members against small municipalities for copyright infringement when such municipalities play their music at various functions including, but not limited to, festivals, firework shows, concerts in the park, community centers and even while on "hold" during telephone calls, without a license to do so; and

WHEREAS, the licensing fee for the current license period is $1,171.00; and

WHEREAS, funds are certified as available in account #BA-2; now therefore be it

RESOLVED, that the Treasurer is herby authorized to issue a warrant payable to SESAC, Inc. in the amount of $1,171.00; and be it further

RESOLVED, that funds are certified available in Account #BA-2.

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22. 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 $1,152.60 be drawn of the Bureau of Rabies Control, State Department of Health, Trenton, New Jersey, covering the issuance of licenses Nos. 439-1027 inclusive, 588 dog licenses, representing one dollar per license for the state fee, twenty cents per license for the state clinic and three dollars per license for non-spayed and non-neutered dogs.

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

RESOLVED, that the actions of the Municipal Treasurer in issuing a warrant from the Unemployment Trust Fund in the amount of $ 35,570.11 payable to the State of New Jersey Division of Employer Accounts is hereby ratified and confirmed. Said warrant is for the City of Bayonne unemployment bills for quarter ending 12/31/2014.

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

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

LICENSEE	TIME & PLACE	LICENSE
Trinity Parish in Bergen Point	6:00-9:30 PM 406 Broadway October 24, 2015	RL: 9019
Bayonne Jewish Community Center	6:30-10:30 PM 1050 Kennedy Blvd. April 23, 2015	RL: 9020

St. Henry Church	8:00 PM 625 Avenue C May 31, 2015	RL: 9021
Friends of Marist, Inc.	6:00-10:00 PM 1241 Kennedy Blvd. April 21, 2015	RL: 9022

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25. Council Member Perez moved that the following resolution, seconded by Council President 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 Flourney Gethers VFW Post 7470, 33-35 West 19th Street , Bayonne, New Jersey 07002 is an organization which has among its objectives assisting persons of lower income households; and

WHEREAS, the Flourney Gethers VFW Post 7470 has requested and submitted a formal written application dated February 28, 2014 for said CDBG Grant Funds for the amount of $ 2,500.00 for the purpose of providing the cost of architectural plans from Kawalek & Kawalek Architects, 764 Avenue C, Bayonne, NJ 07002.

WHEREAS, the Assistant Director of Community Development has advised that the availability of said Community Development Block Grant Funds for the purpose of providing the cost of architectural plans from Kawalek & Kawalek Architects, 764 Avenue C, Bayonne, NJ 07002 ; 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 Flourney Gethers VFW Post 7470, 33-35 West 19th Street , Bayonne, New Jersey 07002 for the provision of providing the cost of architectural plans from Kawalek & Kawalek Architects, 764 Avenue C, Bayonne, NJ 07002 in the amount of $2,500.00 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, Perez and President Nadrowski.

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26. Council Member LaPelusa moved that the following resolution, seconded by Council Member Gullace, 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 Bayonne Jewish Community Center, 1050 Kennedy Blvd. , Bayonne, New Jersey 07002 is an organization which has among its objectives, assisting persons of lower income households; and

WHEREAS, the Bayonne Jewish Community Center has requested and submitted a formal written application dated February 28, 2014 for said CDBG Grant Funds for the amount of $ 3,500.00 for the purpose of providing the cost of architectural plans from Alan Feld Associates, 215 14th Street #200 Jersey City, NJ 07310.

WHEREAS, the Assistant Director of Community Development has advised that the availability of said Community Development Block Grant Funds for the purpose of providing the cost of architectural plans from Alan Feld Associates, 215 14th Street #200 Jersey City, NJ 07310 ; 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 Bayonne Jewish Community Center, 1050 Kennedy Blvd. , Bayonne, New Jersey 07002 for the provision of providing the cost of architectural plans from Alan Feld Associates, 215 14th Street #200 Jersey City, NJ 07310in the amount of $3,500.00 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, Perez and President Nadrowski.

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27. Council Member Perez moved that the following resolution, seconded by Council President 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 Bayonne Community Day Nursery, 591 Broadway, Bayonne, New Jersey 07002 is an organization which has among its objectives assisting persons of lower income households; and

WHEREAS, the Bayonne Community Day Nursery has requested and submitted a formal written application dated February 28, 2014 for said CDBG Grant Funds for the amount of $ 7,594.00 for the purpose of providing the cost of architectural plans from Carminio Architecture, LLC 655 Jerusalem Road, Scoth Plain, NJ 07076.

WHEREAS, the Assistant Director of Community Development has advised that the availability of said Community Development Block Grant Funds for the purpose of providing the cost of architectural plans from Carminio Architecture, LLC 655 Jerusalem Road, Scoth Plain, NJ 07076; 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 Bayonne Community Day Nursery, 591 Broadway, Bayonne, New Jersey 07002 for the provision of providing the cost of architectural plans from Carminio Architecture, LLC 655 Jerusalem Road, Scoth Plain, NJ 07076 in the amount of $7,594.00 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.

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

WHEREAS, the City has been awarded Title III Grant funds from the Department of Health and Human Services, Area Agency on Aging in the amount of $603,525.00 for CY2015 to be allocated as follows: Projects #1 Care Management - $63,040; #001-1 Emergency - $19,578; #561 Congregate Nutrition - $172,274; #601 Caregiver Support - $14,772; #1 Care Management - $15,816; #601 Care Giver Support - $12,958; #58 Home Delivered Meals - $269,100; #306 Physical Health - Eye Glasses - $21,100; and #59 State Weekend Home Delivered Meals -$14,887; and

WHEREAS, the Municipal Council of the City of Bayonne intends to utilize said grant funds for the Office on Aging and the nutrition program administered by the Bayonne Economic Opportunity Foundation; now, therefore, be it

RESOLVED, by the Municipal Council of the City of Bayonne that the City of Bayonne hereby accepts $603,525.00 grant funds from the County of Hudson, Department of Health and Human Services, Area Agency on Aging, $150,300 for Projects #1 Care Management - $63,040; #001-1 Emergency - $19,578; #561 Congregate Nutrition - $172,274; #601 Caregiver Support - $14,772; #1 Care Management - $15,816; #601 Care Giver Support - $12,958; #58 Home Delivered Meals - $269,100; #306 Physical Health - Eye Glasses - $21,100; and #59 State Weekend Home Delivered Meals -$14,887.

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

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

WHEREAS, the City has been awarded Title III Grant funds from the Department of Health and Human Services, Area Agency on Aging in the amount of $609,439.00 for CY2015 to be allocated for programs administered by the Office on Aging and for the nutrition program administered by the Bayonne Economic Opportunity Foundation; and

WHEREAS, it is the City's intention to utilize $456,261.00 of said grant funds for the purpose of continuing to provide a Nutritional Feeding Program for Senior Citizens consistent with Programs #561 Congregate Nutrition - $172,274.00; #58 Home Delivered Meals - $269,100.00; and #59 State Weekend Home Delivered Meals - $14,887.00; and

WHEREAS, the Bayonne Economic Opportunity Foundation, 555 Kennedy Boulevard, Bayonne, New Jersey administers a Nutrition Program for Senior Citizens; and

WHEREAS, funds are certified as available in account #02-213-41-737-2-199; now, therefore, be it

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

2. The Mayor and City Clerk are hereby authorized to enter into an agreement with the Bayonne Economic Opportunity Foundation, 555 Kennedy Boulevard, Bayonne, New Jersey 07002 for the amount of $456,261.00 of said grant funds for the purpose of continuing to provide a Nutritional Feeding Program for Senior Citizens consistent with Projects #561 Congregate Nutrition - $172,274.00; #58 Home Delivered Meals - $269,100.00; and #59 State Weekend Home Delivered Meals - $14,887.00 for the period commencing January 1, 2015 and ending December 31, 2015.

3. Funds shall be charged to account 02-213-41-737-2-199.

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

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30. Council Member Perez moved that the following resolution, seconded by Council Member Gullace, 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 Bayonne Economic Opportunity Foundation, 555 Kennedy Blvd, Bayonne, New Jersey 07002 is an organization which has among its objectives assisting persons of lower income households; and

WHEREAS, the Bayonne Economic Opportunity Foundation has requested and submitted a formal written application dated February 28, 2014 for said CDBG Grant Funds for the amount of $ 4,614.36 for the purpose of providing rehabilitation and maintenance of floor and ceiling tiles on the 1st and 2nd floors; 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 floor and ceiling tiles on the 1st and 2nd floors is limited to the amount of $4,614.36; 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 Bayonne Economic Opportunity Foundation, 555 Kennedy, Bayonne, New Jersey 07002 for the provision of providing rehabilitation and maintenance of the floor and ceiling tiles on the 1st and 2nd floors in the amount of $4,614.36 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, Perez and President Nadrowski.

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31. Council Member LaPelusa moved that the following resolution, seconded by Council President 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 Bayonne Economic Opportunity Foundation, 555 Kennedy Blvd, Bayonne, New Jersey 07002 is an organization which has among its objectives assisting persons of lower income households; and

WHEREAS, the Bayonne Economic Opportunity Foundation has requested and submitted a formal written application dated February 28, 2014 for said CDBG Grant Funds for the amount of $ 2,800.00 for the purpose of providing the installation of three security cameras.

WHEREAS, the Assistant Director of Community Development has advised that the availability of said Community Development Block Grant Funds for the purpose of providing installation of three security cameras is limited to the amount of $2,800.00; 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 Bayonne Economic Opportunity Foundation, 555 Kennedy Blvd, Bayonne, New Jersey 07002 for the provision of providing the installation of three security cameras in the amount of $2,800.00 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, Perez and President Nadrowski.

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32. Council President Nadrowski moved that the following resolution, 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 Windmill Alliance 331 Broadway, Bayonne, New Jersey 07002 is an organization which has among its objectives assisting persons of lower income households; and

WHEREAS, the Windmill Alliance has requested and submitted a formal written application dated February 26, 2014 for said CDBG Grant Funds for the amount of $ 4,950.00 for the purpose of the repair of the fire sprinkler system from the Domestic Fire Protection LLC Jersey City, NJ 07305; 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 the repair of the fire sprinkler system from Domestic Fire Protection LLC Jersey City, NJ 07305; 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 Windmill Alliance, 331 Broadway, Bayonne, New Jersey 07002 for the provision of providing the repair of the fire sprinkler system from Domestic Fire Protection LLC Jersey City, NJ 07305 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, Perez and President Nadrowski.

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33. Council Member LaPelusa moved that the following resolution, seconded by Council Member Gullace, 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 Windmill Alliance 331 Broadway, Bayonne, New Jersey 07002 is an organization which has among its objectives assisting persons of lower income households; and

WHEREAS, the Windmill Alliance has requested and submitted a formal written application dated February 26, 2014 for said CDBG Grant Funds for the amount of $ 4,400.00 for the purpose of the replacement of (4) 40 Gallon Rheem Hot Water Heaters from Hansson's Heating & A/C Inc., 57 Kennedy Blvd., Bayonne, NJ 07002; 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 the replacement of (4) 40 Gallon Rheem Hot Water Heaters from Hansson's Heating & A/C Inc.,
57 Kennedy Blvd., Bayonne, NJ 07002 ; 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 Windmill Alliance, 331 Broadway, Bayonne, New Jersey 07002 for the provision of providing the replacement of (4) 40 Gallon Rheem Hot Water Heaters from Hansson's Heating & A/C Inc., 57 Kennedy Blvd., Bayonne, NJ 07002 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, Perez and President Nadrowski.

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34. Council Member Gullace moved that the following resolution, seconded by Council Member LaPelusa, 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 Windmill Alliance 331 Broadway, Bayonne, New Jersey 07002 is an organization which has among its objectives assisting persons of lower income households; and

WHEREAS, the Windmill Alliance has requested and submitted a formal written application dated February 26, 2014 for said CDBG Grant Funds for the amount of $ 3,475.00 for the purpose basement ceiling repairs from AA-ABCO Construction, 47 Newman Avenue, Bayonne, NJ 07002; 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 the basement ceiling repairs from AA-ABCO Construction, 47 Newman Avenue, Bayonne, NJ 07002; 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 Windmill Alliance, 331 Broadway, Bayonne, New Jersey 07002 for the provision of providing the basement ceiling repairs from AA-ABCO Construction, 47 Newman Avenue, Bayonne, NJ 07002 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, Perez and President Nadrowski.

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

WHEREAS, the City of Bayonne is in need of website design, management and maintenance services; and

WHEREAS, AlphaDog Solutions, Inc., 355 Union Avenue, Belleville, New Jersey 07109
has submitted to the City of Bayonne a formal, written proposal for said website design, management and maintenance services; and

WHEREAS, N.J.S.A. 40A:11-2(7) provides that a contract for extraordinary and unspecifiable services may be awarded by a public entity upon certification that the services are unique, specialized, and qualitative in nature, and

WHEREAS, the Business Administrator for the City of Bayonne has provided a certification of extraordinary and unspecifiable services to the Municipal Council indicating the services to be provided by AlphaDog Solutions, Inc. are "unique, specialized and qualitative in nature requiring expertise, extensive training and a proven reputation in the field of information technology, computer systems and network administration and support services;" and

WHEREAS, this extraordinary and unspecifiable 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

WHEREAS, AlphaDog Solutions, Inc., is qualified, ready, willing and able to provide said services; and

WHEREAS, the maximum amount the contract is not to exceed $55,000.00, the term of the contract is from March 1, 2015 through February 29, 2016, and

WHEREAS, funds are certified as available in 01-201-20-101-2-020, UEZ & SID 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 AlphaDog Solutions, Inc., 355 Union Avenue, Belleville, New Jersey 07109 to provide website design, management and maintenance services for a maximum contract amount not to exceed $55,000.00 for a period of one year commencing March 1, 2015 and ending February 29, 2016.

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 shall be charged to Account 01-201-20-101-2-020, UEZ & SID.

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

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

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

WHEREAS, Anthony R. Suarez, Esq. c/o Werner, Suarez & Moran, LLC, 1 University Plaza, Suite 117, 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, Anthony R. Suarez, Esq. is qualified, ready, willing and able to provide said professional legal services for an amount not to exceed $15,000.00 for the period February 1, 2015 through January 31, 2016; and

WHEREAS, funds have been certified as available in Account #M-19 01-201-20-100-2-020 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 Anthony R. Suarez, Esq. for professional legal services on behalf of the City's Rent Control Board for the period commencing March 1, 2015 through February 31, 2016, for an amount not to exceed $15,000.00.

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 #M-19 01-201-20-100-2-020.

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

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

WHEREAS, the City of Bayonne is in need of information technology, computer systems and network administration and support services; and

WHEREAS, All Covered IT Services from Konica Minolta, 100 Dobbs Lane, Suite 208, Cherry Hill, New Jersey 08037 has submitted to the City of Bayonne a formal, written proposal for said information technology, computer systems and network administration and support services; and

WHEREAS, N.J.S.A. 40A:11-2(7) provides that a contract for extraordinary and unspecifiable services may be awarded by a public entity upon certification that the services are unique, specialized, and qualitative in nature, and

WHEREAS, the Business Administrator for the City of Bayonne has provided a certification of extraordinary and unspecifiable services to the Municipal Council indicating the services to be provided by All Covered IT Services from Konica Minolta are "unique, specialized and qualitative in nature requiring expertise, extensive training and a proven reputation in the field of information technology, computer systems and network administration and support services;" and

WHEREAS, this extraordinary and unspecifiable 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

WHEREAS, All Covered IT Services from Konica Minolta is qualified, ready, willing and able to provide said services; and

WHEREAS, the maximum amount the contract is not to exceed $25,000.00, the term of the contract is from March 1, 2015 through February 29, 2016, and

WHEREAS, funds are certified as available in Various Accounts 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 All Covered IT Services from Konica Minolta, 100 Dobbs Lane, Suite 208, Cherry Hill, New Jersey 08037 to provide information technology, computer systems and network administration and support services for a maximum contract amount not to exceed $25,000.00 for a period of one year commencing March 1, 2015 and ending February 29, 2016.

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 shall be charged to Various Accounts.

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

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

WHEREAS, the City of Bayonne is in need of telecommunications consulting services to provide an assessment of the City's current domestic landline carrier contract and services; and

WHEREAS, Interconnected Technologies, LLC, 134 S. Poplar Avenue, Maple Shade, New Jersey 08052 has submitted to the City of Bayonne a formal, written proposal for said telecommunications consulting services; and

WHEREAS, N.J.S.A. 40A:11-2(7) provides that a contract for extraordinary and unspecifiable services may be awarded by a public entity upon certification that the services are unique, specialized, and qualitative in nature, and

WHEREAS, the Director of Municipal Services has provided a certification of extraordinary and unspecifiable services to the Municipal Council indicating the services to be provided by Interconnected Technologies, LLC are "unique, specialized and qualitative in nature requiring expertise, extensive training and a proven reputation in the field of telecommunications consulting services; and

WHEREAS, Interconnected Technologies, LLC,, is qualified, ready, willing and able to provide said services; and

WHEREAS, the maximum amount the contract is not to exceed $8,000.00, and

WHEREAS, funds are certified as available in 01-201-20-101-2-020 pending adoption of the CY 2015 Budget; 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 Interconnected Technologies, LLC, 134 S. Poplar Avenue, Maple Shade, New Jersey 08052 to provide telecommunications consulting services for an assessment of the City's current domestic landline carrier contract and services for a maximum contract amount not to exceed $8,000.00.

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 shall be charged to Account 01-201-20-101-2-020.

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

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

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

WHEREAS, The City Council of the City of Bayonne, County of Hudson, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,

WHEREAS, the City Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

WHEREAS, the City Council has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Hudson;

NOW, THEREFORE, BE IT RESOLVED by the City of Bayonne, County of Hudson, State of New Jersey hereby recognizes the following:

1. The City Council does hereby authorize submission of a strategic plan for the Bayonne Municipal Alliance grant year July 1, 2015 to June 30, 2016 in the amount of:

DEDR	$ 54,448.00
Cash Match	$ 14,000.00
In-Kind	$ 45,000.00

2. The City Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

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

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

WHEREAS, by way of Resolution No. 13-12-11-060 adopted by the Municipal Council on December 11, 2013, the City of Bayonne entered into Agreement No. CY14-013 with the Bayonne Community Mental Health Center, 601 Broadway, Bayonne, New Jersey 07002 for mental health services to provide mental health services to low income and public assistance clients from Bayonne for a one year period commencing January 1, 2014 and ending December 31, 2014 for an amount not to exceed $30,000.00 under the Fair & Open Contracting Requirements pursuant to N.J.S.A. 19:44A:20.4.5; and

WHEREAS, the City of Bayonne advertised a Request for Qualifications for the aforesaid mental health services to provide mental health services to low income and public assistance clients from Bayonne for the Calendar Year 2015 under the Fair & Open Contracting Requirements pursuant to N.J.S.A. 19:44A:20.4.5; and

WHEREAS, the City of Bayonne received no responses pursuant to the aforesaid advertisement; and

WHEREAS, the City of Bayonne advertised a subsequent Request for Qualifications for the aforesaid mental health services to provide mental health services to low income and public assistance clients from Bayonne for the Calendar Year 2015 under the Fair & Open Contracting Requirements pursuant to N.J.S.A. 19:44A:20.4.5; and

WHEREAS, responses to said advertisement were received on February 17, 2015; and

WHEREAS, the Review Committee is in the process of reviewing said responses; and

WHEREAS, the Bayonne Community Mental Health Center has continued to provide the aforesaid mental health services for the period commencing January 1, 2015 and is agreeable to providing said services through March 31, 2015 under the same terms and conditions as the previous contract for an amount not to exceed $7,500.00; and

WHEREAS, funds are certified as available in Account HW-4 01-201-27-330-2-020; 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 amendment to Agreement No. CY14-013 with the Bayonne Community Mental Health Center, 601 Broadway, Bayonne, New Jersey 07002 for professional mental health services to provide mental health services to low income and public assistance clients from Bayonne for a three month period commencing January 1, 2015 and ending March 31, 2015 for an additional amount of $7,500.00 for a total contract amount not to exceed $37,500.00.

2. Funds shall be charged to Account #HW-4 01-201-27-330-2-020 pending adoption of the CY2015 Budget.

3. All other terms and conditions of Agreement No. CY14-013 shall remain the same.

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

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

WHEREAS, by way of Resolution No. 13-12-11-058 adopted by the Municipal Council on December 11, 2013, the City of Bayonne entered into Agreement No. CY14-014 with the Bayonne Community Mental Health Center, 601 Broadway, Bayonne, New Jersey 07002 for mental health services to provide EAP services for municipal employees for a one year period commencing January 1, 2014 and ending December 31, 2014 for an amount not to exceed $27,000.00 under the Fair & Open Contracting Requirements pursuant to N.J.S.A. 19:44A:20.4.5; and

WHEREAS, the City of Bayonne advertised a Request for Qualifications for the aforesaid mental health services to provide EAP Services for the Calendar Year 2015 under the Fair & Open Contracting Requirements pursuant to N.J.S.A. 19:44A:20.4.5; and

WHEREAS, the City of Bayonne received no responses pursuant to the aforesaid advertisement; and

WHEREAS, the City of Bayonne advertised a subsequent Request for Qualifications for the aforesaid mental health services to provide EAP Services for the

Calendar Year 2015 under the Fair & Open Contracting Requirements pursuant to N.J.S.A. 19:44A:20.4.5; and

WHEREAS, responses to said advertisement were received on February 17, 2015; and

WHEREAS, the Review Committee is in the process of reviewing said responses; and

WHEREAS, the Bayonne Community Mental Health Center has continued to provide the aforesaid mental health services for the period commencing January 1, 2015 and is agreeable to providing said services through March 31, 2015 under the same terms and conditions as the previous contract for an amount not to exceed $6,750.00; and

WHEREAS, funds are certified as available in Account HW-4 01-201-27-330-2-020; 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 amendment to Agreement No. CY14-014 with the Bayonne Community Mental Health Center, 601 Broadway, Bayonne, New Jersey 07002 for professional mental health services in connection with the City's Employee Assistance Program, for a three month period commencing January 1, 2015 and ending March 31, 2015 for an additional amount of $6,750.00 for a total contract amount not to exceed $33,750.00.

2. Funds shall be charged to Account #HW-4 01-201-27-330-2-020 pending adoption of the CY2015 Budget.

3. All other terms and conditions of Agreement No. CY14-014 shall remain the same.

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

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

1 TEMPORARY EMERGENCY APPROPRIATION CY 2015

WHEREAS, an emergency condition has arisen with respect to providing appropriations to pay various costs, as per attached schedule, and no adequate provision has been made in the CY 14 Temporary Budget for the aforesaid purposes and N.J.S.:4-20 provides for the creation of an emergency temporary appropriation for the purposes above mentioned, and

WHEREAS, the total emergency resolution adopted in the CY 14 budget pursuant to the provisions of Chapter 96, P.L. 1951 (NJS 40A:4-20) including this resolution total

Current Fund	$	3,174,858.00
Parking Utility	$	4,000.00

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

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

Current Fund	$	3,174,858.00
Parking Utility	$	4,000.00

2- That said emergency temporary appropriation will be provided for the CY 13 budget under the title of, as per attached schedule:

Current Fund	$	3,174,858.00
Parking Utility	$	4,000.00

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

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

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43. Council Member Perez moved that the following resolution, seconded by Council Member LaPelusa, 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

No.	FROM Account	Amount	TO Account	Amount
1.	Building & Grounds-S&W	$15,000.00	Bus. Admin.-0.E.	$80,000.00
	Parks & Playgrounds-Rec.S&W	10,000.00	Vehicle Main. -O.E.	15,000.00
	Primary & General ElectionS&W	30,000.00	Building & Grounds-O.E.	14,000.00

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

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

RESOLUTION OF THE CITY OF BAYONNE, IN THE COUNTY OF HUDSON, NEW JERSEY DESIGNATING A REDEVELOPER FOR THE 230-250 AVENUE E REDEVELOPMENT AREA AND AUTHORIZING THE EXECUTION OF A REDEVELOPER'S AGREEMENT IN CONNECTION THEREWITH.

WHEREAS, on or about June 19, 2013 the Bayonne City Council (the "City Council") passed a resolution requesting the Planning Board of the City of Bayonne (the "Planning Board") conduct a preliminary investigation pursuant to *N.J.S.A.* 40A:12A-6 to determine whether certain parcels of land, including the property commonly known as Block 454, Lot 2 on the tax map of the City (the "Study Area"), qualify as an area in need of redevelopment in accordance with the criteria set forth in *N.J.S.A.* 40A: 12A-5 and, if so qualified, requesting the Planning Board to prepare redevelopment plans therefor; and

WHEREAS, John D. Fussa, P.P., on behalf of the Planning Board, submitted a report entitled "REDEVELOPMENT INVESTIGATION/PLAN – 230-250 Avenue E Redevelopment Area" (the "Redevelopment Study/Plan"), detailing the statutory criteria for determining whether the Study Area is an area in need of redevelopment pursuant to Section 5(g) of the Redevelopment Law and supporting a recommendation to the Planning Board that the Study Area is "an area in need of redevelopment" and detailing the terms for the development therein as part of the redevelopment plan; and

WHEREAS the City Council passed an ordinance designating the Study Area as an area in need of redevelopment ("the Redevelopment Area") and adopting the terms of the Redevelopment Study/Plan establishing the development and construction standards within the Redevelopment Area; and

WHEREAS, the Conditional Redeveloper has submitted information to the City outlining its financial capabilities, experience, expertise and project concept descriptions to design and construct a project on and has requested designation by the City as the redeveloper for the Redevelopment Area; and

WHEREAS, the City has evaluated the Conditional Redeveloper's financial capabilities, experience, expertise and project concept descriptions, and has determined that it is in the best interest of the City to enter into a negotiation with the Conditional Redeveloper to draft a redevelopment agreement for the development of a project on the Redevelopment Area; and

WHEREAS, the City and Conditional Redeveloper have negotiated this Agreement in furtherance of the aforesaid resolution and for the purpose of creating a framework for the preparation and adoption of an amended redevelopment plan for an expended redevelopment area and the execution of one or more Redevelopment Agreements.

WHEREAS, the City Council desires to designate 230-250 AVENUE E, L.L.C. (the "Redeveloper"), the redeveloper for the Redevelopment Area pursuant to Section 8 of the Redevelopment Law to undertake the redevelopment of the Property pursuant to the Redevelopment Plan; and

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

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

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

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

Section 2. 230-250 AVENUE E, L.L.C., or an affiliate thereof, is hereby designated as the Redeveloper of the Property, subject to the execution of a redevelopment agreement with the City.

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

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

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

Section 6. This resolution shall take effect immediately.

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

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

RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY REJECTING THE BID FOR THE PROPERTY COMMONLY KNOWN AS BLOCK 476.01, LOT 10 ON THE TAX MAP OF THE CITY OF BAYONNE AND AUTHORIZING THE SALE OF THE FORGOING PROPERTY TO DURABLE RECYCLING HOLDING, LLC AS A RELOCATION SITE PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, *N.J.S.A.* 40A:12A-1 *ET SEQ.*

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

WHEREAS, on October 6, 2004 and January 19, 2005, the municipal council of the City (the "City Council") adopted resolutions designating the property commonly known as Block 452.01, Lots 1, 2, 3, 4 and 9; Block 453.01, Lots 1, 2, 5, 6, 7, 8, 9, 10 and 11; Block 503, Lots 8 and 9.01 on the tax map of the City as an area in need of redevelopment (the "Redevelopment Area") pursuant to the provisions of the Redevelopment Law; and

WHEREAS, in furtherance of redeveloping the Redevelopment Area, on June 15, 2005, the City adopted Ordinance Number O-05-20 adopting a redevelopment plan entitled, "Redevelopment Plan Route 440 Corridor East Redevelopment Area", as amended on February 18, 2009 and August 12, 2009, establishing the development and construction standards within the Redevelopment Area; and

WHEREAS, in 2012, the City issued a Certificate of Completion with respect to the development of Block 452.01, Lots 3 and 4, Block 453.01, Lots 1, 2, 5, 6, 7, 8, 9, 10, 11 and 2.02 and Block 503, Lots 8 and 9.01 on the tax map of the City, and such property, in accordance with the Redevelopment Law, is no longer deemed to be in need of redevelopment; and

WHEREAS, the remaining portion of the Redevelopment Area commonly known as Block 452.01, Lots 1 and 2 on the tax map of the City (the "Redevelopment Parcel") contains a NJDEP Class B Recycling Facility operated by Durable Recycling Holding, LLC. (Durable); and

WHEREAS, pursuant to Resolution 13-04-24-071, on June 18, 2013, the City held a public auction for the sale of the property commonly known as Block 476.01, Lot 10 on the tax map of the City (the "Property") for which Durable was the only responsive bidder; and

WHEREAS, pursuant to Resolution 13-08-14-056, the City accepted the bid (the "Bid") and awarded the sale of the Property to Durable, which resolution also authorized the City to withdraw acceptance of the Bid and reject the Bid for failure to execute those instruments and documents necessary to effectuate the sale; and

WHEREAS, the City has determined that it is in the best interests of the City to withdraw and reject the Bid for failure to execute the documents to effectuate of the closing of the sale of the Property to Durable; and

WHEREAS, the City has determined that in order to implement the redevelopment of the Redevelopment Parcel, it shall sell the Property to Durable as a relocation site for Durable's business operations that are currently on the Redevelopment Parcel, pursuant to the authority granted under Section 22 of the Redevelopment Law; and

WHEREAS, it is in the best interests of the City to authorize the execution of an agreement of sale with Durable that permits Durable to issue a note and purchase money mortgage to the City for the sale of the Property.

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE CITY OF BAYONNE, NEW JERSEY AS FOLLOWS:

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

Section 2. The Bid submitted by Durable and accepted by the City is hereby rejected for failure of Durable to execute the appropriate documents for the sale.

Section 3. The City hereby authorizes the sale of the Property to Durable in consideration of $1,200,000 as a relocation site for Durable's NJDEP Class B Recycling Facility in furtherance of the redevelopment of the Redevelopment Parcel.

Section 4. The Mayor is hereby authorized to execute an agreement of sale with Durable with such terms and conditions deemed necessary by the Mayor in consultation with City professionals, which may also include the issuance of a note, purchase money mortgage or other security by Durable to secure the payment of the purchase price for the Property.

Section 5. The Mayor and the Business Administrator are hereby authorized to take any actions including the negotiation and execution of any documents, agreements or instruments deemed necessary to effectuate the terms of this resolution.

Section 6. A copy of this resolution shall be available for public inspection at the office of the City Clerk during regular business hours.

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

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

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

WHEREAS, the Municipal Council adopted Municipal Resolution No. 14-12-10-054 directing the Planning Board to conduct an investigation pursuant to *N.J.S.A.* 40A:12A-6 to determine whether "the 8th Street Station Rehabilitation Area" (hereinafter the "Study Area") satisfies the criteria set forth in *N.J.S.A.* 40A:12A-5 to be designated as an area in need of redevelopment; and

WHEREAS, the Municipal Council recognizes that pursuant to Municipal Council Resolution No. 98-02-04-040, the entirety of the City of Bayonne was previously designated an area in need of rehabilitation in accordance with *N.J.S.A.* 40A:12A-14; and

WHEREAS, as a result of the Municipal Council's designation of the City as an area in need of rehabilitation, the Municipal Council is not required to designate the Study Area as an area in need of redevelopment in order to adopt a Rehabilitation Plan for the Study Area; and

WHEREAS, the Municipal Council believes that it is in the best interest of the City of Bayonne to prepare a Rehabilitation Plan for the Study Area; and
WHEREAS, the Planning Board, in conjunction Local and Planning Services of the Department of Community Affairs, is authorized to prepare a Rehabilitation Plan for the Study Area to be transmitted to the Municipal Council for review and adoption; now, therefore, be it

RESOLVED that:

1. Resolution No. 14-12-10-054 is hereby rescinded and superseded in its entirety.

2. The Planning Board, in conjunction with Local and Planning Services of the Department of Community Affairs, is hereby authorized and directed to prepare and review a Rehabilitation Plan for the Study Area in accordance with the Local Redevelopment and Housing Law (*N.J.S.A.* 40A:12A-1 et seq.) and specifically in accordance with *N.J.S.A.* 40A:12A-7.

3. This Resolution shall take effect immediately.

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

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

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BAYONNE REFERRING THE PROPOSED ORDINANCE ALLOWING GENERAL DEVELOPMENT PLANS TO THE CITY OF BAYONNE PLANNING BOARD

WHEREAS, pursuant to the Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq., the "MLUL"), specifically N.J.S.A. 40:55D-65, municipalities are authorized to enact zoning regulations by the adoption of ordinances; and

WHEREAS, pursuant to the MLUL, specifically N.J.S.A. 40:55D- 45 et seq., municipalities are authorized to enact zoning ordinances to permit developers to obtain a General Development Plan ("GDP") for larger developments; and

WHEREAS, the purpose of the GDP process is intended to be general in nature and to provide an increased flexibility desirable to promote mutual agreement between a developer and the Planning Board regarding the basic scheme of a Planned Development with a more detailed presentation at the time of the subsequent applications for preliminary site plan and/or subdivision approvals so long as there is sufficient information to satisfy the Board that the proposed Planned Development complies with the zoning requirements and would not cause an unreasonably adverse impact on the area; and

WHEREAS, the City Council believe the purposes of the GDP process will provide a benefit to the City in long range planning for larger development and propose to adopt an ordinance permitting GDP's; and

WHEREAS, the City Council propose to enact the attached GDP Ordinance and desire to forward the Ordinance to the Planning Board for review pursuant to N.J.S.A. 40:55D-64 of the MLUL.

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

1. The City Council hereby refers the proposed GDP Ordinance attached hereto as EXHIBIT A to the Planning Board for review and recommendation in accordance with the requirements of N.J.S.A. 40:55D-64.

2. The Planning Board is authorized and directed to prepare a report of its recommendations (the "Planning Board Report") to the proposed GDP Ordinance within thirty-five (35) days of the date hereof.

3. If the Planning Board Report is not transmitted to the Council within thirty-five (35) days of the date hereof, the Mayor and Council shall be relieved of the requirement to obtain a Planning Board Report for the Proposed Amendment to the Plan in accordance with N.J.S.A. 40:55D-26.

5. The Clerk of the City shall forward a copy of this Resolution and the Proposed Amendment to the Planning Board for review pursuant to N.J.S.A. 40:55D-64.

6. This Resolution shall take effect immediately.

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

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48. 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

<u>DELETE</u>

133. Joanne Hathaway, 60 Avenue C, Apt. 1
Beginning at a point on the east side of Avenue C, 187 feet south of the southeast corner of Avenue C and West 3rd Street, and extending to a point 22 feet south thereof.

<u>ADD</u>

034. Maryann McCrea, 437 Kennedy Boulevard
Beginning at a point on the south side of West 16th Street, 58 feet west of the southwest corner of Kennedy Boulevard and West 16th Street, and extending to a point 20 feet west thereof.
thereof.

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

WHEREAS, the Municipal Council adopted Resolution 15-01-21-056 awarding a contract for professional planning services as Town Planning Consultant for the period commencing February 1, 2015 and ending January 31, 2016; and

WHEREAS, the aforesaid Resolution No. 15-01-21-056 should have reflected the contract be awarded to CME Associates t/a Consulting and Municipal Engineers; now, therefore, be it

RESOLVED, Resolution No. 15-01-21-056 is hereby amended to reflect the Mayor and the City Clerk are hereby authorized and directed to execute an agreement with CME Associates t/a Consulting and Municipal Engineers, 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.

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

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

WHEREAS, the City of Bayonne has consistent needs for various professional, consulting, and extraordinary unspecifiable services; and

WHEREAS, the following contracts for the aforesaid various professional, consulting and extraordinary unspecifiable services expired as of December 31, 2014; and

WHEREAS, notwithstanding the December 31, 2014 expiration date, due to exigent circumstances, in order to protect the interests of the City of Bayonne, the following contractors have continued to provide said services through January 31, 2015:

Clarke, Caton, Hintz, P.C. - professional planning services as COAH consultant;
Consulting and Municipal Engineers, LLC - professional planning services
Krivit & Krivit, P.C. - professional legal services for Federal and State Grants and funding;
McManimon, Scotland & Baumann, LLC - professional legal services as Bond Counsel
Redevelopment/Land Use Counsel
Inglesino, Wyciskala & Taylor, LLC - professional legal services as Redevelopment/Land Use attorney
Stack, Coolahan & Stack, LLC - expert real estate appraisal services in connection with
State Court Tax Appeals
Donohue, Gironda & Doria, P.C. - professional accounting services as auditor
John J. Smith, Jr., Esq. - professional legal services to represent the Rent Control Board;
Richard Campisano, Esq. - professional legal services to represent the Planning Board;
Richard Campisano, Esq. - professional legal services to represent the Zoning Board;
Nowell, Amoroso, Klein, Bierman, P.A. - professional legal services to represent the City
in connection with State Tax Court Tax Appeals
Hughes & Finnerty, P.C. - professional legal services as Municipal Court Public Defender;
Millennium Strategies, P. C. - professional consulting services as Grant Writer

& Management Consultant
John T. Dedousis, M.D. - professional medical services for uniformed employees;
BC Systems, Inc. - information technology, computer systems and network administration and support services

WHEREAS, funds have been certified as available in various accounts pending adoption of the CY2015 budget; now, therefore, be it

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

1. The Treasurer is hereby authorized to issue warrants representing payment to the above contractors for amounts invoiced for the period commencing January 1, 2015 through January 31, 2015 subject to the presentation of bills from the providers and the submission of claims list for the month of January 2015 by the Chief Financial Officer.

2. Funds shall be charged to Various Accounts.

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

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51. Council Member Cotter moved that the communication be received and filed, seconded by Council President Nadrowski, which motion was adopted.

From Terrence Malloy, CFO, submitting Annual Financial Statement for the Year 2014 (UNAUDITED)

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

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

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

WHEREAS, pursuant to the Redevelopment Law, the Municipal Council adopted Resolution No. 98-02-04-040, designating the entire City as an area in need of rehabilitation in accordance with *N.J.S.A.* 40A:12A-14, including the property commonly known as Block 163, Lot 45 on the tax map of the City (the "Parcel"); and

WHEREAS, on March 16, 2005, the Bayonne Municipal Council (the "Municipal Council") adopted Resolution 05-03-16-048 requesting the Planning Board of the City (the "Planning Board") to conduct a preliminary investigation pursuant to *N.J.S.A.* 40A:12A-6 to determine whether the subject area, which consists of 34 sites including the Parcel (the "Scattered Site Study Area"), qualified as 'an area in need of redevelopment' in accordance with the criteria set forth in *N.J.S.A.* 40A: 12A-5, and if so, to prepare a redevelopment plan; and

WHEREAS, H2M Associates, Inc., on behalf of the Planning Board, prepared a report entitled the 'Scattered Site Redevelopment Study' dated December 7, 2005 (the "Scattered Site Redevelopment Study") for the Municipal Council's consideration; and

WHEREAS, on December 14, 2005, the Municipal Council adopted Resolution 05-12-14-064 designating the Scattered Site Study Area, which included the Parcel, as an area in need of redevelopment (the "Scattered Site Redevelopment Area"); and

WHEREAS, on January 25, 2006, the Municipal Council passed Ordinance O-06-02 which adopted the Scattered Site Redevelopment Plan prepared by H2M Associates, Inc. for the Scattered Site Redevelopment Area in accordance with the Redevelopment Law; and

WHEREAS, the Scattered Site Redevelopment Plan was adopted a number of years ago when market conditions were different from current market conditions, and

WHEREAS, certain portions of the Scattered Site Redevelopment Area, and in particular, the Parcel, currently remain vacant and/or undeveloped; and

WHEREAS, the City would like to review those portions of the Scattered Site Redevelopment Plan, which relate to the Parcel, in order to update the Plan and consider adopting an amendment to said Plan in order to ensure the success of redevelopment in the Redevelopment Plan Area in conformity with the City's redevelopment objectives.

RESOLVED that:

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

2. The Municipal Council hereby refers the Scattered Site Redevelopment Plan, attached hereto as Exhibit A, to the Planning Board for review and recommendation in accordance with the requirements of *N.J.S.A.* 40A:12A-7(e).

3. Pursuant to the Redevelopment Law, the Planning Board is hereby authorized and directed to review those portions of the Scattered Sites Redevelopment Plan relating to the Parcel known as Block 163, Lot 45 on the Tax Map of the City, and make recommendations to the Municipal Council regarding an update to the Redevelopment Plan and recommended amendments to same. The Planning Board Report is to be submitted to the Municipal Council within forty-five (45) days of the adoption of this Resolution.

4. The Clerk of the City shall forward a copy of this Resolution to the Planning Board for review pursuant to *N.J.S.A.* 40A:12A-7(e).

5. This Resolution shall take effect immediately.

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

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At 7:41 P.M., Council President Nadrowsaki motion 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 A. Nadrowski

Clerk - Robert F. Sloan