

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, APRIL 22, 2015

The Council met at 7:02 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 April 22, 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 April 16, 2015.”

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

The Clerk called the roll.

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

The Council President led the Pledge of Allegiance.

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01. Peter Franco addressed the Council on the subject of City financial matters.

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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 33, PLANNING AND DEVELOPMENT REGULATIONS,” which was introduced and passed a first reading at a meeting held March 18, 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 April 22, 2015, is now before the Council for its consideration and a public hearing.

Council Member LaPelusa 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 33, PLANNING AND DEVELOPMENT 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 reading the Planning Board's resolution in the minutes.

AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE ALLOWING GENERAL DEVELOPMENT PLANS TO THE CITY OF BAYONNE PLANNING BOARD

WHEREAS, THE MUNICIPAL COUNCIL, has requested the Planning Board of the City of Bayonne (Board) to review and make recommendations to an Ordinance amending and supplementing the revised general ordinances, Chapter 33, General Development Plan by adding Chapter 33-11.12 General Development Plan; Approval of Planned Development; and

WHEREAS, the Municipal Land Use Law (MLUL) N.J.S.A. 40:55d-45 et seq., allows a municipality to adopt ordinances to provide for planned developments and for the approval of general development plans within planned development; and

WHEREAS, N.J.S.A. 40:55d-26 requires the Planning Board to review and recommend any amendments to the proposed General Development Plan, Approval of Planned Developments Ordinance addition to the Planning and Development Regulations; and

WHEREAS, upon notice duly provided pursuant to N.J.S.A 40:55D-1 et seq., the Planning Board of the City of Bayonne held a public hearing on the General Development Plan on Tuesday, April 14, 2015; and

WHEREAS, the Planning Board of the City of Bayonne has reviewed the proposed addition to the General Development Plan entitled Approval of Planned Developments. The Planning Board concurs with the City of Bayonne that the ordinance for Planned Developments should be adopted by the City Council.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board of the City of Bayonne, County of Hudson and State of New Jersey hereby recommends the adoptions of the Ordinances concerning General Development Plans, Planned Developments and General Definitions, and caption §33-11.12 based upon its review; and

a. The Land Use Administrator of the Planning board shall forward a copy of this Resolution to the City Clerk

b. This Resolution shall take effect immediately

Council Member Nadrowski 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 to amend, seconded by Council Member Gullace, 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 33, PLANNING AND DEVELOPMENT REGULATIONS," was introduced and passed a first reading at a meeting held March 18, 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 April 22, 2015; and

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

WHEREAS, said ordinance was referred to the Planning Board as required by the Municipal Land Use Law for a report; and

WHEREAS, the Planning Board has reviewed the said ordinance and has forwarded a resolution approving same; 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-15-09.

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 2, ADMINISTRATION" which was introduced and passed a first reading at a meeting held March 18, 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 April 22, 2015, is now before the Council for its consideration and a public hearing.

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

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

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

The Clerk read the ordinance by title: "AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 2, ADMINISTRATION"

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."

The following person(s) spoke: Peter Franco - 127 West 12th Street

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 President Nadrowski, 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 2, ADMINISTRATION" was introduced and passed a first reading at a meeting held March 18, 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 April 22, 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-15-10.

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

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04. The Clerk announced:

AN ORDINANCE ENTITLED, ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY APPROVING THE APPLICATION AND FINANCIAL AGREEMENT FOR TAX EXEMPTION FOR AN URBAN RENEWAL PROJECT WITH RESPECT TO THE PROPERTY KNOWN AS 298-304 BROADWAY ("304 BROADWAY PARTNERS URBAN RENEWAL, LLC") LOCATED AT BLOCK 258, LOT 8 BAYONNE, NEW JERSEY (THE "PROPERTY"), which was introduced and passed a first reading at a meeting held March 18, 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 April 22, 2015, is now before the Council for its consideration and a public hearing.

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

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

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

The Clerk read the ordinance by title: ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY APPROVING THE APPLICATION AND FINANCIAL

AGREEMENT FOR TAX EXEMPTION FOR AN URBAN RENEWAL PROJECT WITH RESPECT TO THE PROPERTY KNOWN AS 298-304 BROADWAY ("304 BROADWAY PARTNERS URBAN RENEWAL, LLC") LOCATED AT BLOCK 258, LOT 8 BAYONNE, NEW JERSEY (THE "PROPERTY")

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."

The following person(s) spoke: Mitchell Burakovsky - 350 Albany St. New York
Annette Rubin - V.P. of Chamber of Commerce
James Cook - 803 Avenue A

The Clerk read all objections or protests against and statements in favor of the ordinance which were filed.

April 22, 2015

Robert F. Sloan, Esq.
Bayonne City Clerk
630 Avenue C
Bayonne, NJ 07002

As a small business owner, I care deeply about my hometown of Bayonne. I am an active sponsor of many of our community's best organizations including the Fire Prevention Bureau, BEOF, where I am a Board Member, the Chamber of Commerce, St. Henry's Church, Bayonne PAL, Little League, Cal Ripkin and All Saints Catholic Academy. My business is located at 315 Broadway, just North of 14th Street, I am writing to you today to regarding the SKye Development Project at 304 Broadway. Please read the body of this letter into the 4/22 council meeting record.

As you all are well aware, developing and maintaining an attractive and appealing Broadway is vital to this community. As an Allstate Agency Owner, I do my best to keep my store front clean and inviting, I work hard to be a good neighbor, On the West side of Broadway, my neighbors Perk Up Cafe and The Hair Shop do the same. Having an empty lot across the street hurts business. As business owners, we have done our part. It is time for this area of Broadway to get a boost. I have many customers in the neighborhood who would welcome a project of this magnitude. The people who occupy this building will bring shopping and spend their money.

Thank you for your consideration

Sincerely,
Rosemary Kellner
(signed)

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

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

ORDINANCE FAILED TO RECEIVED A MOTION FOR FINAL PASSAGE.

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05. The Clerk announced:

AN ORDINANCE ENTITLED: "ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING THE 8TH STREET STATION REHABILITATION PLAN," which was introduced and passed a first reading at a meeting held March 18, 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 April 22, 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: "ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING THE 8TH STREET STATION REHABILITATION PLAN,"

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.”

The following person(s) spoke: Suzanne Mack - City Planner
 Michael Miceli - Atty. for Contract Purchaser
 Lewis Ripps - 876 Kennedy Blvd.

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 President Nadrowski, which motion was adopted.

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

Council President Nadrowski moved to table ordinance until May 20, 2015 for further consideration, seconded by Council Member Cotter.

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

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06. 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 March 18, 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 April 22, 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 Member Perez, which motion was adopted.

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

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

The Clerk read the ordinance by title: “AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC,”

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

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

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

Council Member Perez 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 Member LaPelusa 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 7, TRAFFIC,” was introduced and passed a first reading at a meeting held March 18, 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 April 22, 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-15-11.

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

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07. The clerk announced:

AN ORDINANCE ENTITLED, "AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC," which was introduced and passed a first reading at a meeting held March 18, 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 April 22, 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 Perez 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 Member Perez moved the following resolution to amend, 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 7, TRAFFIC," was introduced and passed a first reading at a meeting held March 18, 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 April 22, 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-15-12.

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

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08. Council Member Perez introduced:

ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY
ADOPTING AN AMENDED REDEVELOPMENT PLAN FOR BLOCK 163, LOT 45
(COMMONLY REFERRED TO AS 662-666 AVENUE C).

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 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;

WHEREAS, the Scattered Site Redevelopment Area consists of 34 sites ranging from small vacant lots on Broadway to large former industrial lots near Route 169, including the subject parcel, which is known as Block 163, Lot 45 (the “Parcel”) on the Tax Map of the City (commonly referred to as 662-666 Avenue C);

WHEREAS, the Municipal Council, pursuant to Resolution No. 15-02-18-052, directed the Planning board, to review those portions of the Scattered Sites Redevelopment Plan (the “Redevelopment Plan”) relating to the Parcel known as Block 163, Lot 45, and make recommendations to the Municipal Council regarding an update to the Redevelopment Plan in accordance with the Redevelopment Law; and

WHEREAS, the City of Bayonne, Division of Planning & Zoning, Department of Municipal Services has prepared an amendment to the Redevelopment Plan for the Parcel titled “Amendment To The Scattered Site Redevelopment Plan To Provide For An Overlay Zone for Block 163, Lot 45) dated April 10, 2015 (the “Amended Redevelopment Plan”); and

WHEREAS, on April 14, 2015, the Planning Board of the City (the “Planning Board”) reviewed the Amended Redevelopment Plan and adopted a Resolution recommending the adoption of the Amended Redevelopment Plan to the Municipal Council and concluding that the Amended Redevelopment Plan is consistent with the Master Plan of the City of Bayonne (the “Resolution”); and

WHEREAS, upon review of the Planning Board’s Resolution and recommendations relating to the Amended Redevelopment Plan, the Municipal Council believes that the adoption of the Amended Redevelopment Plan is in the best interests of the City for the redevelopment of the.

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. The Amended 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.

Section 3. The zoning district map in the zoning ordinance of the City is hereby amended to include the “Rehabilitation Area” per the boundaries described in the Rehabilitation 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 Amended 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 Perez moved the following resolution to amend, seconded by Council Member Gullace, 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 AN AMENDED REDEVELOPMENT PLAN FOR BLOCK 163, LOT 45 (COMMONLY REFERRED TO AS 662-666 AVENUE C),” just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, May 20, 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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09. Council President Nadrowski introduced

CALENDAR YEAR 2015

ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.0% unless authorized by ordinance to increase it to 3.5% over the previous year’s final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Municipal Council of the City of Bayonne in the County of Hudson finds it advisable and necessary to increase its CY 2015 budget by up to 3.5% over the previous year’s final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Municipal Council of the City of Bayonne hereby determines that a 3.5% increase in the budget for said year, amounting to \$3,545,505.10 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law and prior to additional exceptions, is advisable and necessary; and,

WHEREAS the Municipal Council of the City of Bayonne hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years,

NOW THEREFORE BE IT ORDAINED, by the Municipal Council of the City of Bayonne, in the County of Hudson, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2015 budget year, the final appropriations of the City of Bayonne shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5% amounting to \$3,545,505.10 (exclusive of additional exceptions), and that the CY 2015 municipal budget for the City of Bayonne be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

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

BE IT RESOLVED, that an ordinance entitled “CALENDAR YEAR 2015 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14),” just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, May 20, 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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10. Council Member Perez introduced:

BOND ORDINANCE PROVIDING FOR VARIOUS 2015 CAPITAL IMPROVEMENTS, BY AND IN THE CITY OF BAYONNE, IN THE COUNTY OF HUDSON, STATE OF NEW JERSEY (THE “CITY”); APPROPRIATING \$3,975,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$3,780,000 BONDS OR NOTES OF THE CITY TO FINANCE PART OF THE COSTS THEREOF

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 the members thereof affirmatively concurring), AS FOLLOWS:

SECTION 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized as general improvements or purposes to be undertaken by the City of Bayonne, in the County of Hudson, State of New Jersey (the “City”). For the said improvements or purposes stated in Section 3, there is hereby appropriated the aggregate sum of \$3,975,000, said sum being inclusive of a down payment in the aggregate amount of \$195,000 for said improvements or purposes as required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the “Local Bond Law”). The down payment is now available by virtue of a provision or provisions in a previously adopted budget or budgets of the City for down payment or for capital improvement purposes.

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof and to meet the part of said \$3,975,000 appropriation not provided for by application hereunder of said down payment, negotiable bonds of the City are hereby authorized to be issued in the aggregate principal amount not exceeding \$3,780,000 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the City in an aggregate principal amount not exceeding \$3,780,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

SECTION 3. (a) The improvements hereby authorized and purposes for the financing of which said obligations are to be issued, include but are not limited to, are as follows:

<u>Description</u>	<u>Appropriation</u>	<u>Authorization</u>	<u>Down Payment</u>	<u>Useful Life</u>
(i) <u>Roadway Improvements</u> – Various Road Improvements Throughout The City, Including But Not Limited To, As Applicable, Milling, Paving, Joint Stabilization, Construction, Reconstruction And Resurfacing The Roadways, The Repairing And/Or Installation Of Curbs, Sidewalks And Driveway Aprons, The Acquisition And Installation Of Various Signage, Drainage Work, Roadway Painting, Landscaping	\$600,000	\$570,567	\$29,433	10 years

<u>Description</u>	<u>Appropriation</u>	<u>Authorizatio n</u>	<u>Down Paymen t</u>	<u>Useful Life</u>
And Other Aesthetic Improvements;				
(ii) <u>Technology and Telephone System Improvements</u> – Acquisition And Installation, As Applicable, Of A Computer System Network And Telephone System, Including But Not Limited To, Hardware, Software, Wiring And Equipment;	150,000	142,642	7,358	7 years
(iii) <u>Improvements to the Richard J. Korpi Ice Rink</u> – Various Improvements To The Richard J. Korpi Ice Rink, Including But Not Limited To, The Replacement Of The Existing Ice Rink, Mechanical Improvements, Bathroom Improvements, Rink Board Improvements And The Acquisition And Installation Of A Score Board;	2,125,000	2,020,752	104,248	15 years
(iv) <u>Park And Playground Improvements</u> - Reconstruction, Renovation And Rehabilitation Of And Improvements To Various City Parks And Playgrounds, Including But Not Limited To, Athletic And Other Field Improvements, Facility Improvements, Playground Improvements, Court Resurfacing, The Acquisition And Installation, As Applicable, Of Lighting And Park Amenities And Equipment; And	700,000	665,661	34,339	15 years
(v) <u>Department Of Public Works Equipment and Non-Passenger Vehicles</u> – The Acquisition And Installation, As Applicable Of Various Equipment And Non-Passenger Vehicles, Including But Not Limited To, Work Trucks, Salt Spreaders And Appurtenances.	400,000	380,378	19,622	5 years
TOTALS	<u>\$3,975,000</u>	<u>\$3,780,000</u>	<u>\$195,000</u>	

(b) The aggregate estimated maximum amount of bonds or notes to be issued for said improvements or purposes is \$3,780,000.

(c) The aggregate estimated cost of said improvements or purposes is \$3,975,000, the excess amount thereof over the said estimated maximum amount of bonds or notes to be issued therefor is the down payment available for said purposes.

(d) All such improvements or purposes set forth in Section 3(a) shall include, but are not limited to, as applicable, all engineering and design work, surveying, construction planning, preparation of plans and specifications, permits, bid documents, construction inspection and contract administration, and also shall include all work, materials, equipment, accessories, labor and appurtenances necessary therefor or incidental thereto and all in accordance with the plans and specifications therefor on file in the Office of the Clerk of the City and available for public inspection and hereby approved.

SECTION 4. In the event the United States of America, the State of New Jersey, and/or the County of Hudson make a contribution or grant in aid to the City for the improvements and purposes authorized hereby and the same shall be received by the City prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey, and/or the County of Hudson. In the event, however, that any amount so contributed or granted by the United States of America, the State of New Jersey, and/or the County of Hudson shall be received by the City after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the City, provided that no note shall mature later than one (1) year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer of the City shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of N.J.S.A. 40A:2-8.1. The Chief Financial Officer is hereby

authorized to sell part or all of the notes from time to time at a public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The capital budget of the City is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith and a resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital programs as approved by the Director of the Division of Local Government Services, Department of Community Affairs, State of New Jersey, is on file in the Office of the Clerk of the City and is available for public inspection.

SECTION 7. The following additional matters are hereby determined, declared, recited and stated:

(a) The purposes described in Section 3 of this bond ordinance are not current expenses and are improvements which the City may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said purposes within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 12.93 years.

(c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the City and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, Department of Community Affairs, State of New Jersey, and such statement shows that the gross debt of the City as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$3,780,000 and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$150,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements herein before described.

SECTION 8. The full faith and credit of the City are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the City, and the City shall be obligated to levy *ad valorem* taxes upon all the taxable property within the City for the payment of the principal of the obligations and the interest thereon without limitation as to rate or amount.

SECTION 9. The City hereby declares the intent of the City to issue the bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3 of this bond ordinance. This Section 9 is a declaration of intent within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.

SECTION 10. The City Chief Financial Officer is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the City and to execute such disclosure document on behalf of the City. The City Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the City pursuant to Rule 15c2-12 of the Securities and Exchange Commission⁴ (the "Rule") for the benefit of holders and beneficial owners of obligations of the City and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the City fails to comply with its undertaking, the City shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

SECTION 11. The City covenants to maintain the exclusion from gross income under Section 103(a) of the Code of the interest on all bonds and notes issued under this bond ordinance.

SECTION 12. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

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

BE IT RESOLVED, that an ordinance entitled “BOND ORDINANCE PROVIDING FOR VARIOUS 2015 CAPITAL IMPROVEMENTS, BY AND IN THE CITY OF BAYONNE, IN THE COUNTY OF HUDSON, STATE OF NEW JERSEY (THE “CITY”); APPROPRIATING \$3,975,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$3,780,000 BONDS OR NOTES OF THE CITY TO FINANCE PART OF THE COSTS THEREOF,” just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, May 20, 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.

* * * * *

11. Council Member La Pelusa introduced:

AN ORDINANCE AMENDING AND SUPPLEMENTING THE 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, Subsection 7-16.1, Parking Prohibited During Certain Hours on Certain Streets, is hereby amended and supplemented as follows (Additions ****between asterisks and/or in bold****, deletions ~~{within brackets and/or struck through}~~):

Names of Street	Sides	Hours	Location
West 40 th Street	North	{Monday through	Beginning at a point
89		Friday} **Daily**	feet west of the
		9:00 a.m. to	Northwest corner of
West			
{5} **9** :00 p.m.		40 th Street and Broadway,	
		Extending to a point 24	
		feet West thereof.	

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

BE IT RESOLVED, that an ordinance entitled “AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC,” just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, May 20, 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.

* * * * *

12. Council President Nadrowski introduced:

AN ORDINANCE AMENDING AND SUPPLEMENTING THE 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, Subsection 7-16.1, Parking Prohibited During Certain Hours on Certain Streets, is hereby amended and supplemented as follows (Additions ****between asterisks and/or in bold****, deletions ~~{within brackets and/or struck through}~~):

Names of Street	Sides	Hours	Location
East 34th Street	South	Monday through Friday 10:00 a.m. to 4:00 p.m. (for use as a loading zone)	Beginning at a point 76.5 feet east of the southeast corner of East 34th Street and Broadway and extending to a point 97.7 feet east thereof.

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

BE IT RESOLVED, that an ordinance entitled “AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC,” just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, May 20, 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.

* * * * *

13. Council Member Perez introduced:

AN ORDINANCE AMENDING AND SUPPLEMENTING THE 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, Subsection 7-16.1, Parking Prohibited During Certain Hours on Certain Streets, is hereby amended and supplemented as follows (Additions ****between asterisks and/or in bold****, deletions ~~{within brackets and/or struck through}~~):

Names of Street	Sides	Hours	Location
West 7th Street	South	Monday through Friday 6:00 a.m. to 6:00 p.m. (for use as a loading zone)	Beginning at a point 113.00 feet west of the southwest corner of West 7th Street and Newman Avenue and extending to a point 250.1 feet west thereof.

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

BE IT RESOLVED, that an ordinance entitled “AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC,” just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, May 20, 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.

* * * * *

14. Council Member LaPelusa introduced:

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

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

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

RESTRICTIVE PARKING ZONES

DELETE

048. Alan Leavy, 75 East 25th Street
Beginning at a point on the north side of East 25th Street, 148 feet east of the northeast corner of East 25th Street and Prospect Avenue, and extending to a point 12 feet east thereof.
161. Robert Astuni, 306 Broadway
Beginning at a point on the north side of East 14th Street, 44 feet east of the northeast corner of East 14th Street and Broadway, and extending to a point 18 feet east thereof.
216. Edward Lewandowski, 65 Garretson Avenue
West side of Garretson Avenue beginning at a point 216 feet north of the northwest corner of Garretson Avenue and 3rd Street, Kennedy Boulevard and extending to a point 22 feet in a northerly direction.
241. Clementine R. Bogart, 82 West 6th Street
South side of 6th Street beginning at a point 171 feet west of the southwest corner of Newman Avenue and 6th Street and extending 22 feet in a westerly direction.
326. Helene P. Ramer-Zdyb, 14 Cooper Street
Beginning at a point on the east side of Cooper Street, 155 feet north of the northeast corner of Cooper Street and East 17th Street, and extending to a point 20 feet north thereof.

ADD

161. Thomas Turleik, 539 Avenue A – 1st Floor
Beginning at a point on the north side of West 23 Street, 35 feet west of the northwest corner of Avenue A and West 23rd Street, and extending to a point 22 feet west thereof.
216. Patricia Daly, 86 West 7th Street
Beginning at a point on the west side of Newman Avenue, 31 feet south of the southwest corner of Newman Avenue and West 7th Street, and extending to a point 22 feet south thereof.
362. Patricia Souvlatsis, 15 Cottage Street
Beginning at a point on the north side of Cottage Street, 205 feet east of the northeast corner of Broadway and Cottage Street, and extending to a point 22 feet east thereof.

RENUMBER

From 346. to 326. Martin Schnitzer, 3 Bergen Court, Apt. 2-C
Beginning at a point on the north side of West 49th Street, 500 feet west of the northwest corner of Kennedy Boulevard and West 49th Street, and extending to a point 20 feet west thereof.

Council Member La Pelusa moved the following resolution to amend, seconded by Council Member Gullace, which was read by the Clerk and adopted.

BE IT RESOLVED, that an ordinance entitled “AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC,” just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, May 20, 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.

* * * * *

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

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

RESOLVED, That the following items which have been included on the agenda for this regular meeting as 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.

* * * * *

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

From Linda J. Hockstein, Esq., filing notice of tort claim on behalf of IRIS PAGANO, alleging injuries sustained February 5, 2015 in a fall in the parking lot at 535 Avenue A.

* * * * *

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

From Vincent Falcetano, Esq., filing notice of tort claim on behalf of JOHN A DIXON, alleging injuries sustained January 19, 2105 in a fall on ice in the Cape Liberty parking lot.

* * * * *

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

From KATARZYNA SZYPEREK, filing notice of tort claim alleging property damage to her automobile tire on March 4, 2015 resulting from striking a pothole at Avenue E and 52nd Street.

* * * * *

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

From the Superior Court of New Jersey, Law Division, Summons and Complaint in matter entitled, “BORRELLI STEEL FABRICATORS, LLC vs. PEREIRA ELECTRICAL CONTRACTORS, THE CITY OF BAYONNE, et al.” (Suit for payment as a subcontractor on the fire station project)

* * * * *

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

From the Superior Court of New Jersey, Law Division, Summons and Complaint in matter entitled, “SALEEB vs. THE CITY OF BAYONNE.” (Seeking damages for the issuance of a warrant for his arrest)

* * * * *

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

From the United States District Court, District of New Jersey, Summons and Complaint in matter entitled, “GLUNK vs. THE CITY OF BAYONNE.” (Assault by police officers on April 26, 2014 at 661 Kennedy Boulevard)

* * * * *

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

C-7 From the Superior Court of New Jersey, Chancery Division, Summons and Complaint in matter entitled, “US BANK, NA vs. HAMPTON, et al., incl. THE CITY OF BAYONNE.” (Mortgage foreclosure – city has a judgment against the defendant)

* * * * *

23. 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, “GREEN TREE SERVICING, LLC vs. CASTELLUZZO, et al., incl. THE CITY OF BAYONNE.” (Mortgage foreclosure on a property on which the city holds a Community Development Office mortgage)

* * * * *

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

From the Tax Court of New Jersey, complaint in matter entitled, “528, LLC vs. CITY OF BAYONNE.” (New Hook Road & 22nd Street, Block 452.02, lot 5 - commercial)

* * * * *

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

From the Tax Court of New Jersey, complaint in matter entitled, “PSE&G CO. vs. CITY OF BAYONNE.” (160 West 63rd Street, Block 3, lot 3 - industrial)

* * * * *

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

From the Tax Court of New Jersey, complaint in matter entitled, “MARL ASSO vs. CITY OF BAYONNE.” (26 North Street, Block 297, lot 3 - vacant)

* * * * *

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

From the Tax Court of New Jersey, complaint in matter entitled, “MPT OF BAYONNE, LLC vs. CITY OF BAYONNE.” (Bayonne Medical Center, various Blocks and lots - commercial & vacant)

* * * * *

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

From the Tax Court of New Jersey, complaint in matter entitled, “GORDON TERMINAL SERVICE CO. OF NJ, INC. vs. CITY OF BAYONNE.” (2 Hook Road, Block 481, lots 1 & 2 - industrial)

* * * * *

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

C-14 From the Tax Court of New Jersey, complaint in matter entitled, “NJIND HOOK RD, LLC vs. CITY OF BAYONNE.” (99 Hook Road, Block 414, lot 1.01 - industrial)

* * * * *

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

From the Tax Court of New Jersey, complaint in matter entitled, “NJIDN HOOK ROAD, LLC vs. CITY OF BAYONNE.” (99 Hook Road, Block 414, lot 1.02 - industrial)

* * * * *

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

From the Tax Court of New Jersey, complaint in matter entitled, “CENTERPOINT PULASKI, LLC vs. CITY OF BAYONNE.” (30 Pulaski Street, Block 397, lot 1 - commercial)

* * * * *

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

From the Tax Court of New Jersey, complaint in matter entitled, “51-53 HOOK ROAD, LLC vs. CITY OF BAYONNE.” (51-53 Hook Road, Block 417, lot 4 - industrial)

* * * * *

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

From the Tax Court of New Jersey, complaint in matter entitled, “JERSAM, INC. vs. CITY OF BAYONNE.” (63-67 Hook Road, Block 416, lot 3 - industrial)

* * * * *

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

From the Tax Court of New Jersey, complaint in matter entitled, “SUBHA REALTY, INC. c/o PURNA ALTURI vs. CITY OF BAYONNE.” (2nd Street & Lexington Avenue, Block 359, lot 4.04 - industrial)

* * * * *

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

From the Tax Court of New Jersey, complaint in matter entitled, “ONE COMMERCE ST, LLC vs. CITY OF BAYONNE.” (Hook Road, Block 482, lots 1 & 2- industrial)

* * * * *

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

C-21 From the Tax Court of New Jersey, complaint in matter entitled, “ENGEL HOLDING COMPANY vs. CITY OF BAYONNE.” (48-52 New Hook Road, Block 427, lot 1 - industrial)

<u>Bidder(s) Name</u>	<u>Total Annual Price Payable to the City of Bayonne</u>
The Sand Castle 34 Newark Bay Ct. Bayonne, NJ 07002	\$8,222.22

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

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

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

Legal Approval:
John F. Coffey II Esq.
Corporation Counsel

* * * * *

42. 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.

* * * * *

43. 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, March 18, 2015 be and the same are hereby approved.

* * * * *

44. 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, March 11, 2015, be and the same are hereby approved.

* * * * *

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

WHEREAS, the Hon. Frank T. Carpenter, M.C.J., is currently presiding as a City of Bayonne Municipal Court Judge; and

WHEREAS, the City of Bayonne desires to designate the Hon. Frank T. Carpenter as Chief Judge of the Bayonne Municipal Court; now, therefore, be it

RESOLVED by the Municipal Counsel that the Hon. Frank T. Carpenter, J.M.C., is hereby designated Chief Judge of the Bayonne Municipal Court.

* * * * *

46. 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
15	5	Julio Herrera	1,287.76
30	13	Gail Soprano	103.88
106	22	1216-22 Kennedy Blvd. Corp.	321.44
111	4	William Lucy	1,144.95
120	15	Paul Kuzminski	298.12
131	10	Judi Lucas	1,680.88
162	9	Elena Feijoo	2,881.17
170	3	Peter Kotch	581.28
186	21	Rose Montes	878.11
236	22	Antonio Destito	2,731.78
245	52	BIGF, LLC	1,728.81
245	53	BIGF, LLC	1,826.77
254	40	Michael Frusci	684.94
281	4	Ann Reilly	834.38
289	6	Frank Ajosa	1,557.97
313	9	Anne Langan	274.48
329	7	Michael Scarpa	1,518.84
364	3	Linda Eckert	116.02
365	8	Michael Frusci	65.36
377	3	Nina Union	3,031.43
405	25	Michael Frusci	699.83
410	22	Wilson Castillo	287.58
444	17	Michael Scarpa	552.85
Total:			25,088.63

* * * * *

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

WHEREAS, the City Clerk’s Office has issued seventy-eight (78) Marriage Licenses during the months of January, February and March, and has collected \$25.00 per license, which is to be forwarded to the Division of Youth and Family Services, now, therefore be it

RESOLVED, that a warrant in the amount of One thousand nine hundred and fifty dollars (\$1950.00) be drawn to the order of the Treasurer, State of New Jersey and forwarded to the City Clerk's Office for disbursement.

* * * * *

48. 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 \$75.60 be drawn of the Bureau of Rabies Control, State Department of Health, Trenton, New Jersey, covering the issuance of licenses Nos. 1115-1143 inclusive, 29 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.

* * * * *

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

WHEREAS, the Bayonne Hometown Fair is being held on June 6th and June 7th of 2015, and

WHEREAS, said event requires the Bayonne Urban Enterprise Zone to oversee and coordinate the various actions required in managing this event, and

WHEREAS, the funding for this event will be coordinated through the Bayonne Urban Enterprise Zone, now, therefore, be it

RESOLVED, that the Bayonne Urban Enterprise Coordinator is hereby authorized to undertake all actions required to effectuate the goal of successfully hosting the Bayonne Hometown Fair, and be it further

RESOLVED, that any permit fees that may be required of participating vendors are hereby waived, and be it

RESOLVED, that the Coordinator is hereby authorized to create a project entitled, "Bayonne Hometown Fair" through the use of 2nd generation funds.

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

WHEREAS, the City of Bayonne will be renovating Don Ahern Veteran's Stadium; and

WHEREAS, the City of Bayonne desires to offer sponsorship opportunities along the outfield fence and other appropriate areas when renovations are complete; now, therefore, be it

RESOLVED, that the City's purchasing agent is hereby authorized to solicit bids for sponsorships along the outfield fence and other appropriate areas; and be it further

RESOLVED, that the Purchasing Agent is hereby instructed to require a base bid of \$1,000.00 from each proposed sponsor.

* * * * *

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

RESOLVED, that pursuant to and consistent with a State Training Fee Report dated April 1, 2015, by Michael J. Feuer, Construction Official, the Municipal Treasurer is hereby authorized and directed to issue a warrant drawn to the order of the State of New Jersey, in the amount of \$7,502.00 representing payment of state surcharge fees on new construction and alterations collected during the 1st quarter of 2015; and be it further

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

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

* * * * *

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

Whereas, the Tax Assessor for the City of Bayonne has approved the exemption application dated March 13, 2015 by a 100% Disabled Veteran who occupies a one family home located at Block 123 Lot 10 (10 Wesley Court), in the City of Bayonne, and

Whereas, the tax assessor has, due to the status of the property, approved the exemption for 100% of assessment (and taxes) otherwise applying to the property for the 2015 Tax Year, and

Whereas, the Tax Assessor has also confirmed that the veteran would have been eligible as of December 2, 2013 (the effective date of his 100% disability determination) but for the fact the Department of Veteran’s Affairs had not yet confirmed his qualifying disability which was subsequently done by letter provided in 2014, and

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

Now therefore be it resolved as follows:

1. The property taxes on (100%) of the one family home located at Block 123 Lot 10 (10 Wesley Court), in the City of Bayonne occupied by said qualifying veteran are hereby canceled effective December 2, 2013 with the assessor to revise the assessment going forward and the tax collector to calculate any resulting overpayment of the tax bills from that date to the date of passage of this resolution (estimated at approximately \$13,416.36 for the prorated portion of the prior 2013 and 2014 tax years and an additional \$3,040.20 for the amount paid so far in 2015, EXPRESSLY SUBJECT TO the Tax Collector’s records and calculations based on the final tax rate and the amount of tax actually billed and paid for the year or years to which the exemption applies.
2. The Tax Collector upon performing the above calculations is authorized to refund any overpayment amount which exceeds such outstanding taxes, so as to assure that the exemption is fully effectuated in 2015. The Tax Collector is further authorized to credit or adjusting all 2016 and future bills in conformance with this resolution for the duration of the veteran’s qualified status with respect to this property.
3. The Tax Collector, Tax Assessor and City Treasurer are authorized to take any and all appropriate action to effectuate this resolution, including but not limited to, cancellation of taxes as set forth above and the refund or credit of any excess taxes which may have been paid by said qualifying veterans during the periods noted herein.

* * * * *

53. 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
Rotary Club of Bayonne	8:00 PM 1081 Broadway June 30, 2015	RL: 9028
St. Henry's Church	6:00 PM-10:00 PM May 29, 2015 1:00 PM - 10:00 PM May 30, 2015 1:00 PM - 8:00 PM May 31, 2015 Church Grounds	RL: 9029
Trinity Parish in Bergen Point	12:00-5:00 PM 141 Broadway	RL: 9030

October 17, 2015

PTA Mary J. Donohoe School	7:00-9:00 PM 25 East 5th Street May 15, 2015	RL: 9031
Liberty Humane Society	1:00-4:30 PM 669 Avenue A May 9, 2015	RL: 9032

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

WHEREAS, the city clerk, advertised in the Jersey Journal on March 6, 2015 that sealed bids for the lease of the food concession at the Municipal Pool would be received on March 24, 2015; and

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

Bidders	Bid Amount
The Sand Castle	\$ 8,222.22 per year

34 Newark Bay Court
Bayonne, NJ 07002
and

WHEREAS, Amy Dellabella, R.P.P.O., Q.P.A. and Joseph DeMarco, Business Administrator have examined the bids or proposals and have determined that the bid of The Sand Castle is a regular bid and is most advantageous to the City of Bayonne for the lease of the food concession at the Municipal Pool; and

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

RESOLVED, that the contract for the lease of the food concession at the Municipal Pool be awarded to:

The Sand Castle
34 Newark Bay Court
Bayonne, NJ 07002

for the following bid price: \$ 8,222.22 per year for a term commencing May 1, 2015 and ending Labor Day, 2015, and that the contract be executed in the name of the City of Bayonne by the proper city officials, and that the income be credited to the Account – Swimming Pool.

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

* * * * *

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

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

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

WHEREAS, the Peninsula Lodge/Bayonne Masonic Temple has requested and submitted a formal written application dated February 28, 2014 for said CDBG Grant Funds for the amount of \$ 21,990.00 for the purpose of providing rehabilitation and maintenance of the knee wall and fence from Flash Point Services Group LLC. 122 Westover Avenue, West Caldwell, NJ 07006; 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 of providing rehabilitation and maintenance of the knee wall and fence is limited to the amount of \$21,990.00; and

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

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized to enter into an agreement with the Peninsula Lodge/Bayonne Masonic Temple, 888 Avenue C, Bayonne, New Jersey 07002 for the provision of providing rehabilitation and maintenance of the knee wall and fence in the amount of \$21,990.00 from Flash Point Services Group LLC. 122 Westover Avenue, West Caldwell, NJ 07006 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.

* * * * *

56. 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 professional engineering services as consulting engineering for traffic and transportation; and

WHEREAS, Jacobs Engineering Group, Inc., 299 Madison Avenue, P.O. Box 1936, Morristown, New Jersey 07962 has submitted to the City of Bayonne a formal, written response to the City's Request for Qualifications/Proposals for said professional engineering services; and

WHEREAS, Jacobs Engineering Group, Inc. is qualified, ready, willing and able to provide said professional engineering services for an amount not to exceed \$20,000.00; and

WHEREAS, funds have been certified as available in Account BA-2 pending adoption of the CY2015 budget pending adoption of the CY2015 budget; 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 Yeas - Council directed to execute an agreement with Jacobs Engineering Group, Inc., 299 Madison Avenue, P.O. Box 1936, Morristown, New Jersey 07962 for professional engineering services in as consulting engineer for traffic and transportation for the period terminating December 31, 2015 for an amount not to exceed \$20,000.00.

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 BA-2 pending adoption of the CY2015 budget.

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

* * * * *

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

WHEREAS, the City of Bayonne (hereinafter the "City") and the Bayonne Board of Education (hereinafter the "School District") have determined that it is in their best interests, and in the best interests of the taxpayers of the City of Bayonne, to enter into a Shared Services Agreement to operate, finance, develop, utilize and administer the Richard L. Korpi Bayonne Ice Rink for the joint benefit of the general public and school district; and

WHEREAS, the City and School District are empowered to provide the services described herein within their respective jurisdictions; and

WHEREAS, the City and School District are authorized by N.J.S.A. 40A:65-1 et seq., to enter into a Shared Services Agreement; now, therefore, be it

RESOLVED, that the Mayor and Clerk are hereby authorized to enter into a Shared Services Agreement with the Bayonne Board of Education to operate, finance, develop, utilize and administer the Richard L. Korpi Bayonne Ice Rink for the joint benefit of the general public and school district.

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

* * * * *

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

WHEREAS, by way of Resolution No. 14-07-16-047 adopted by the Municipal Council on July 16, 2014 the City of Bayonne accepted grant funds in the amount of \$295,291.00 from the United States Department of Homeland Security pursuant to the FY 2013 Assistance to Firefighters Grant Program with a 10% cash match for firefighter safety turnout gear and high-angle rescue training in the Fire Department (FEMA Assistance Grant #EMW-2013-FO-04777); and

WHEREAS, the purpose of said Assistance to Firefighters Grant Program is to protect the health and safety of the public and firefighting personnel against fire and fire-related hazards; and

WHEREAS, there existed a need for the Bayonne Fire Department to purchase Structural Protective Gear (Firefighter Coats, Pants, Boots, Helmets, etc.); and

WHEREAS, ninety (90%) per cent of said purchase was to be funded through the aforesaid FEMA Assistance Grant #EMW-2013-FO-04777; and

WHEREAS, the performance deadline of said FEMA Assistance Grant #EMW-2013-FO-04777 is June 24, 2015; and

WHEREAS, it is essential for the health, safety and welfare of the citizens of Bayonne and in the best interest of the citizens of Bayonne for the Fire Department to purchase the aforesaid Structural Protective Gear, with ninety (90%) of said purchase to be funded by the aforesaid FEMA Assistance Grant #EMW-2013-FO-04777; and

WHEREAS, due to exigent circumstances, the Purchasing Agent did purchase the aforesaid Structural Protective Gear from SAFE-T Company of Riverdale, New Jersey for an amount of \$200,030.72 under State Contract Nos. 80958 (HAIX Equipment) and 80948 (all other equipment) prior to obtaining the approval of this body in order to meet the aforesaid performance deadline; and

WHEREAS, funds are certified as available in Accounts FEMA Grant and Fire Department O.E.; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The actions of the Purchasing Agent in purchasing the aforesaid Structural Protective Gear from SAFE-T Company of Riverdale, New Jersey for an amount of \$200,030.72 under State Contract Nos. 80958 (HAIX Equipment) and 80948 (all other equipment) are hereby ratified and confirmed.
2. Funds shall be charged to Account No. FEMA Grant and Fire Department O.E.

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

* * * * *

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

WHEREAS, the Bayonne Urban Enterprise Zone Corporation (the "UEZ") was created by the adoption of City Ordinance No. 0-09-10 as amended from time to time, pursuant to the provisions of N.J.S.A. 52:27H-60 et seq; and

WHEREAS, pursuant to the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq., the City of Bayonne (the "City") is authorized to enter into a shared services agreement with the UEZ; and

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

WHEREAS, pursuant to Resolutions 12-07-18-046, 13-04-24-075 and 14-04-16-073, the Municipal Council authorized the Mayor and City Clerk to take the necessary action to negotiate, execute and implement a Shared Services Agreement between the City and the UEZ, pursuant to which the UEZ would manage and promote the Farmer's Market and enter into license agreements with individual vendors for the use and occupancy of municipal lands, in exchange for which, the City would reimburse the UEZ for its expenses incurred and further compensate the UEZ by sharing the profits, if any, equally with the UEZ; and

WHEREAS, the Bayonne Hometown Fair constitutes a similar undertaking consisting of a two (2) day event scheduled to be held on Saturday, June 6, 2015 from 11:00 a.m. to 7:00 p.m. and Sunday, June 7, 2015 from 12:00 p.m. to 6:00 p.m., during which local vendors will offer for sale goods and services from various stalls in the right-of-way located at DelMonte Drive between 22nd and 24th Streets; at Broadway between 22nd and 24th Streets and on 23rd Street between Broadway and DelMonte Drive; and

WHEREAS, because the Farmer's Market has proven a successful and desired event in the City of Bayonne, the New Jersey Council of Farmer's and Communities is interested in facilitating a 2015 Farmer's Market; and

WHEREAS, in light of the Farmer's Market, past Hometown Fairs and other similar recent events, the City expects the Bayonne Hometown Fair to be a successful and desired event in the City of Bayonne; and

WHEREAS, the City and the UEZ are in agreement that it is more efficient, economical and in the best interest of the citizens of Bayonne to have the UEZ operate and manage both the Bayonne Hometown Fair and the Farmer's Market pursuant to the Shared Services Agreement under the same terms, which should be renewed for a period commencing May 1, 2015 and continuing to December 1, 2015; and

WHEREAS, due to anticipated construction in the vicinity of DelMonte Drive scheduled to begin after the Bayonne Hometown Fair but during the operational months of the Farmer's Market, the Farmer's Market should be relocated to Church Lane or other City lands to be determined as appropriate in the discretion of the UEZ; now, therefore, be it

RESOLVED that the Mayor and the City Clerk are hereby authorized and directed to take all steps necessary and execute any and all documents to renew the 2012 Shared Services Agreement for The Bayonne Farmer's Market and to include the Hometown Fair as within the scope of services contemplated under the Agreement Between the City of Bayonne and the Bayonne Urban Enterprise Zone Corporation for shared services, employees and compensation / reimbursement thereof from May 1, 2015 through December 1, 2015 and to permit the use of municipal lands by individual vendors pursuant to license agreements.

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

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

BINDING THE CITY OF BAYONNE TO PURCHASE ELECTRIC GENERATION SERVICES THROUGH THE HUDSON COUNTY COOPERATIVE PRICING SYSTEM ("HCCPS") BID Cooperative Pricing System ID# 83-HCPS

WHEREAS, the Hudson County Cooperative Pricing System (hereinafter referred to as "HCCPS") was formed by the County of Hudson, with the County acting as Lead Agency, to effect substantial economies in the provision of goods and services, specifically to provide the opportunity for local government units located within the County to join together with the County of Hudson to take advantage of the benefits of bulk purchasing for energy, at no out-of-pocket expense to the participating local government units or the County, and to thereby minimize the cost of electric generation

service (a.k.a. electricity supply) for participating local units, and the HCCPS remains a cooperative pricing system duly-registered with the New Jersey Department of Community Affairs - Division of Local Government Service; and

WHEREAS, the City of Bayonne has been a Participating Member of the HCCPS and has enjoyed the electricity supply cost savings resulting from prior bids conducted by the HCCPS; and

WHEREAS, the HCCPS will from time to time solicit bids from electric power suppliers for electric generation services in accordance with the "Local Public Contracts Law", N.J.S.A. 40A:11-11(5), the Electric Discount and Energy Competition Act, N.J.S.A. 48:3-91.3 ("EDECA") and the regulations promulgated thereunder; and

WHEREAS, the City of Bayonne (hereinafter referred to as the Local Government Unit or "LGU"), as a Participating Member of the HCCPS is eligible thereby to obtain electric generation services for its own use through one or more contracts to be awarded to electric power suppliers following said bids for electric generation services pursuant to the aggregation program; and

WHEREAS, due to significant volatility in the wholesale energy market there is a need for the Lead Agency to award contracts within a short period of time after the receipt of bids in order to lock-in favorable pricing; and

WHEREAS, the Lead Agency will from time to time issue one or more requests for Bids for electric generation services on behalf of the Participating Members of the HCCPS which are reasonably forecasted to provide estimated savings to the Participating Members based upon their previous electric usage and utility-provided Basic Generation Service tariff rates; and

WHEREAS, the Lead Agency will only award contracts for electric generation services to electric power suppliers that submit bids with pricing reasonably estimated to be lower than the utility-provided Basic Generation Service tariff rates; and

WHEREAS, the LGU agrees to purchase all electricity supply needed for its own use (exclusive of on-site electric generation sources) through any electric power supplier(s) awarded a contract by the Lead Agency, it being understood that the term of any one contract shall be subject to the provisions of Local Public Contracts Law; and

WHEREAS, the Lead Agency will notify the Department of Community Affairs' Division of Local Government Services by mail prior to the issuance a Request for Bids for electric generation services, with the understanding that if the Division of Local Government Services does not respond within 10 business days, it will be deemed to have approved the issuance of the Request for Bids or the Request for Rebids.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the [PUBLIC ENTITY], County of Hudson, State of New Jersey that the LGU binds itself to the HCCPS, Cooperative Pricing System #83-HCPS, to purchase all electricity supply needed for its own use (exclusive of on-site electric generation sources) from the electric power supplier or suppliers awarded a contract for electric generation services by the Lead Agency; and

BE IT FURTHER RESOLVED that the Lead Agency of the HCCPS Cooperative Pricing System is hereby authorized to execute a master performance agreement that obligates the LGU to purchase electricity at the terms and conditions stated therein with a third-party supplier or suppliers who have been awarded the contract or contracts by the Lead Agency on behalf of the Participating Members of the HCCPS, Cooperative Pricing System #83-HCPS (or any CPS number to be assigned in the future), and provided further that all such contracts shall be at prices reasonably forecast and estimated by the Lead Agency to provide savings to the LGU relative to the price charged for Basic Generation Service by the electric public utility that would otherwise provide such service; and

BE IT FURTHER RESOLVED that HCCPS is authorized to continue to bid to obtain electric generation services through a rebid if energy market conditions do not initially lead to a successful bid, on additional dates to be determined by the Lead Agency; and

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon passage. The authorization provided to the County of Hudson pursuant to the Local Public Contracts Laws (N.J.S.A. 40A: 11-11(5)), Administrative Code (N.J.A.C. 14:4-

6.4) shall be valid throughout the life of the Cooperative Pricing System and its subsequent renewals. Any rescission or expiration of this resolution shall not affect any Agreements entered into prior to such rescission or expiration.

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

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

WHEREAS, pursuant to N.J.S.A. 52:24-6.2(b)(3) the City of Bayonne is permitted to join national cooperative purchasing programs; and

WHEREAS, the Houston-Galveston Area Council "H-GAC" Purchasing Program of 3555 Timmons Lane, Suite 120, Houston, TX 77027 is a national cooperative purchasing program which assists local governments in reducing procurement costs; and

WHEREAS, the City of Bayonne can realize substantial cost savings by joining this cooperative purchasing program; now, therefore, be it

RESOLVED, that the Mayor and Clerk are hereby authorized to enter into an Interlocal Agreement for Cooperative Purchasing with the Houston-Galveston Area Council "H-GAC" Purchasing Program of 3555 Timmons Lane, Suite 120, Houston, TX 77027.

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

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

WHEREAS, Resolution No. 14-11-12-047 adopted by the Municipal Council on November 12, 2014 authorized a short term Lease Agreement with Blue Apron, a corporate citizen of Jersey City, for a certain real property located in the vicinity of Center Street comprising a portion of what is commonly known as "Harbor Station North" within Block 600, Lot 1 for temporary employee parking for up to 200 privately-owned vehicles for the sole benefit of Blue Apron Employees commencing November 12, 2014 and terminating on May 11, 2015 with a thirty (30) day notice of termination, unless renewed thereafter on a month-to-month basis in the sole and absolute discretion of the City more specifically as follows:

Use: Parking of privately-owned Blue Apron vehicles for the benefit of the employees of Blue Apron only
Premises Access: As necessary for the reasonable employee use of Blue Apron
Monthly rent: \$3,500.00
Utilities: To be paid by Blue Apron
Temporary Lighting: To be installed by Blue Apron prior to possession at its sole cost and expense and upon the issuance of appropriate municipal permits
Additional rent: Property Taxes Included
Insurance: Provided and paid for by Blue Apron having limits of liability that are acceptable to the City in the sole and absolute discretion of the Corporation Counsel by Blue Apron naming the "City of Bayonne" as additional insured.
Security Deposit: \$3,500.00
Term: For a six (6) month period and subsequent month-to-month extension at the sole and absolute discretion of the City; and at all times termination upon thirty (30) days notice; and

WHEREAS, the Director of Municipal Services has requested an extension of the aforesaid Lease Agreement through August 30, 2015 at an additional rental fee of \$10,500; and

WHEREAS, it is in the City's best interest to agree to enter into an extension of the aforesaid Lease Agreement through August 30, 2015 for an additional rental fee of \$10,500; now, therefore, be it

RESOLVED by the Municipal Counsel that the Mayor and City Clerk are hereby authorized to enter into an extension of the aforesaid Lease Agreement with Blue Apron of Jersey City, New Jersey through August 30, 2015 for an additional amount of \$10,500.00.

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

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

RESOLUTION AUTHORIZING AND DIRECTING THE PLANNING BOARD OF THE CITY OF BAYONNE TO CONDUCT A PRELIMINARY INVESTIGATION TO DETERMINE WHETHER CERTAIN PROPERTY (BLOCK 330, LOTS 6, 7, 8, 9, 10, 11 AND 12, AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY, MORE COMMONLY KNOWN AS 17 WEST 5TH STREET, 15 WEST 5TH STREET, 11 WEST 5TH STREET, 9 WEST 5TH STREET, 155-157 BROADWAY, 159 BROADWAY AND 161 BROADWAY) WITHIN THE CITY CONSTITUTES A NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, *N.J.S.A. 40A:12A-1 ET SEQ.*

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*; and

WHEREAS, N.J.S.A. 40A:12A-6 authorizes the governing body of any municipality, by resolution, to have its Planning Board conduct a preliminary investigation to determine whether an area of the municipality is a non-condemnation “area in need of redevelopment” pursuant to the criteria contained in N.J.S.A. 40A:12A-5; and

WHEREAS, the Mayor and Municipal Council consider it to be in the best interest of the City to have the Planning Board of the City (the “Planning Board”) conduct such an investigation to determine if certain properties located at the northwest corner of Broadway and West 5th Street in the City, which properties are identified as Block 330, Lots 6, 7, 8, 9, 10, 11 and 12, as shown on the official Tax Map of the City (the “Property”), (more commonly known as 17 West 5th Street, 15 West 5th Street, 11 West 5th Street, 9 West 5th Street, 155-157 Broadway, 159 Broadway and 161 Broadway), constitute a non-condemnation “area in need of redevelopment”; and

WHEREAS, the City believes the Property is potentially valuable for contributing to, serving, and protecting the public health safety and welfare and for the promotion of smart growth within the City: and

WHEREAS, the preliminary investigation will be designed to evaluate the area to determine whether designation of the Property as a non-condemnation “area in need of redevelopment” is appropriate and in conformance with the statutory criteria contained in N.J.S.A. 40A:12A-5;

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

Section 1. The Planning Board is hereby directed to conduct a preliminary investigation to determine whether the aforementioned Property, or any portions thereof, constitute a non-condemnation “area in need of redevelopment” according to the criteria set forth in N.J.S.A. 40A:12A-5;

Section 2. The Planning Board is hereby directed to study the area known as Block 330, Lots 6, 7, 8, 9, 10, 11 and 12 (more commonly known as 17 West 5th Street, 15 West 5th Street, 11 West 5th Street, 9 West 5th Street, 155-157 Broadway, 159 Broadway and 161 Broadway); to develop a map reflecting the boundaries of the proposed non-condemnation redevelopment area; to provide public notice and conduct public hearings pursuant to N.J.S.A. 40A:12A-6; and to draft a report/Resolution to the Mayor and Municipal Council containing its findings; and

Section 3. The results of such preliminary investigation shall be submitted to the Mayor and Municipal Council for review and approval in accordance with the provisions of the Redevelopment Law.

Section 4. This Resolution shall take effect immediately.

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

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

RESOLUTION OF THE CITY OF BAYONNE DESIGNATING CERTAIN PROPERTY DESIGNATED AS BLOCK 77, LOTS 16, 17, 18, 19, 20, 21, 22, 23 AND 24 ON THE CITY'S TAX MAPS (THE "PROPERTY"), (MORE COMMONLY KNOWN AS 15 WEST 46TH STREET, 13 WEST 46TH STREET, 11 WEST 46TH STREET, 9 WEST 46TH STREET, 957 BROADWAY, 959 BROADWAY, 961 BROADWAY, 963 BROADWAY AND 965 BROADWAY) WITHIN THE CITY AS A NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, *N.J.S.A. 40A:12A-1 ET SEQ.*

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, *N.J.S.A. 40A:12A-6* authorizes the governing body of any municipality, by resolution, to have its Planning Board conduct a preliminary investigation to determine whether an area of the municipality is a non-condemnation "area in need of redevelopment" pursuant to the criteria contained in *N.J.S.A. 40A:12A-5*; and

WHEREAS, the Municipal Council of the City (the "Municipal Council") has identified certain properties in the City, designated as Block 77, Lots 16, 17, 18, 19, 20, 21, 22, 23 and 24 on the City's Tax Maps (the "Property"), (more commonly known as 15 West 46th Street, 13 West 46th Street, 11 West 46th Street, 9 West 46th Street, 957 Broadway, 959 Broadway, 961 Broadway, 963 Broadway and 965 Broadway), to be considered for designation as a non-condemnation "area in need of redevelopment" under the Redevelopment Law; and

WHEREAS, by resolution on March 18, 2015, the Municipal Council authorized and directed the Planning Board to conduct a preliminary investigation to determine whether the Property constitutes a non-condemnation "area in need of redevelopment" according to the criteria set forth in *N.J.S.A. 40A:12A-5*; and

WHEREAS, the Municipal Council further directed the Planning Board to develop a map reflecting the boundaries of the Property to be included within the proposed redevelopment area, to conduct a public hearing pursuant to *N.J.S.A. 40A:12A-6*, and to draft a report/resolution to the Mayor and Municipal Council containing its findings; and

WHEREAS, *N.J.S.A. 40A-12A-6.b(4)-(5)* of the Redevelopment Law provides in pertinent part relative to the Planning Board's public hearing on the Preliminary Investigation and whether the Study Area should be considered for designation as a non-condemnation "area in need of redevelopment";

"(4) At the hearing, which may be adjourned from time to time, the planning board shall hear all persons who are interested in or would be affected by a determination that the delineated area is a redevelopment area. All objections to such a determination and evidence in support of those objections, given orally or in writing, shall be received and considered and made part of the public record.

(5) (a) After completing its hearing on this matter, the planning board shall recommend that the delineated area, or any part thereof, be determined, or not be determined, by the municipal governing body to be a redevelopment area"; and

WHEREAS, on April 14, 2015, the Planning Board held a public hearing, duly noticed under the Redevelopment Law, and reviewed an investigation/report prepared the City of Bayonne, Division of Planning & Zoning, Department of Municipal Services dated April 10, 2015, and any persons interested in or affected by a determination that the Property is a non-condemnation redevelopment area were given an opportunity to be heard, and any objections to such a determination and evidence in support of those objections, were received and considered and made part of the public record, and;

WHEREAS, on April 14, 2015, the Planning Board further adopted the Resolution attached hereto recommending that the Property be determined by the Municipal Council to be a non-condemnation “area in need of redevelopment” under the Redevelopment Law, *N.J.S.A. 40A:12A-1 et seq.*; and

WHEREAS, the Municipal Council concurs and agrees with Planning Board’s recommendation, as supported by the reasons stated in the Preliminary Investigation, that the Property constitutes and meets the criteria under the Redevelopment Law and that the Property should be determined and declared a non-condemnation “area in need of redevelopment”, which determination shall, among other things, authorize the City to use all of the powers provided by the Legislature for use in a redevelopment area, however, it shall not authorize the City to exercise the power of eminent domain to acquire all or any portion of such Property.

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

Section 1. Block 77, Lots 16, 17, 18, 19, 20, 21, 22, 23 and 24, (more commonly known as 15 West 46th Street, 13 West 46th Street, 11 West 46th Street, 9 West 46th Street, 957 Broadway, 959 Broadway, 961 Broadway, 963 Broadway and 965 Broadway), as shown on the official Tax Map of the City is hereby designated a non-condemnation “area in need of redevelopment” under the Redevelopment Law, *N.J.S.A. 40A:12A-1 et seq.*; and

Section 2. The Municipal Council hereby directs the City Clerk to transmit a copy of the within resolution to the Commissioner of the Department of Community Affairs and to serve notice that Block 77, Lots 16, 17, 18, 19, 20, 21, 22, 23 and 24, (more commonly known as 15 West 46th Street, 13 West 46th Street, 11 West 46th Street, 9 West 46th Street, 957 Broadway, 959 Broadway, 961 Broadway, 963 Broadway and 965 Broadway), is designated a non-condemnation redevelopment area on the owners of such Property and other parties within ten (10) days of the date hereof, in accordance with *N.J.S.A. 40A:12A-6.b(5)*.

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

* * * * *

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

RESOLUTION OF THE CITY OF BAYONNE AUTHORIZING AND DIRECTING THE PLANNING BOARD TO PREPARE A REDEVELOPMENT PLAN FOR BLOCK 77, LOTS 16, 17, 18, 19, 20, 21, 22, 23 & 24 (MORE COMMONLY KNOWN AS 15 WEST 46TH STREET, 13 WEST 46TH STREET, 11 WEST 46TH STREET, 9 WEST 46TH STREET, 957 BROADWAY, 959 BROADWAY, 961 BROADWAY, 963 BROADWAY AND 965 BROADWAY)

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, *N.J.S.A. 40A:12A-6* authorizes the governing body of any municipality, by resolution, to have its Planning Board conduct a preliminary investigation to determine whether an area of the municipality is a non-condemnation “area in need of redevelopment” pursuant to the criteria contained in *N.J.S.A. 40A:12A-5*; and

WHEREAS, the Municipal Council of the City (the “Municipal Council”) has identified certain properties in the City, designated as Block 77, Lots 16, 17, 18, 19, 20, 21, 22, 23 and 24 on the City’s Tax Maps (the “Property”), (more commonly known as 15 West 46th Street, 13 West 46th Street, 11 West 46th Street, 9 West 46th Street, 957 Broadway, 959 Broadway, 961 Broadway, 963 Broadway and 965 Broadway), to be considered for designation as a non-condemnation “area in need of redevelopment” under the Redevelopment Law; and

WHEREAS, by resolution dated March 18, 2015, the Municipal Council authorized and directed the Planning Board to conduct a preliminary investigation to

determine whether the Property constitutes a non-condemnation “area in need of redevelopment” according to the criteria set forth in *N.J.S.A. 40A:12A-5*; and

WHEREAS, the Municipal Council further directed the Planning Board to develop a map reflecting the boundaries of the Property to be included within the proposed redevelopment area, to conduct a public hearing pursuant to *N.J.S.A. 40A:12A-6*, and to draft a report/resolution to the Mayor and Municipal Council containing its findings; and

WHEREAS, *N.J.S.A. 40A-12A-6.b(4)-(5)* of the Redevelopment Law provides in pertinent part relative to the Planning Board’s public hearing on the Preliminary Investigation and whether the Study Area should be considered for designation as a non-condemnation “area in need of redevelopment”;

“(4) At the hearing, which may be adjourned from time to time, the planning board shall hear all persons who are interested in or would be affected by a determination that the delineated area is a redevelopment area. All objections to such a determination and evidence in support of those objections, given orally or in writing, shall be received and considered and made part of the public record.

(5) (a) After completing its hearing on this matter, the planning board shall recommend that the delineated area, or any part thereof, be determined, or not be determined, by the municipal governing body to be a redevelopment area”; and

WHEREAS, on April 14, 2015, the Planning Board held a public hearing, duly noticed under the Redevelopment Law, and reviewed an investigation/report prepared the City of Bayonne, Division of Planning & Zoning, Department of Municipal Services and any persons interested in or affected by a determination that the Property is a non-condemnation redevelopment area were given an opportunity to be heard, and any objections to such a determination and evidence in support of those objections, were received and considered and made part of the public record, and;

WHEREAS, on April 14, 2015, the Planning Board further adopted a Resolution recommending that the Property be determined by the Municipal Council to be a non-condemnation “area in need of redevelopment” under the Redevelopment Law, *N.J.S.A. 40A:12A-1 et seq.*; and

WHEREAS, on April 22, 2015, the Municipal Council adopted a Resolution formally designating the Property as a non-condemnation “area in need of redevelopment”; and

WHEREAS, the Municipal Council is hereby authorizing and directing the Planning Board to prepare and present a Redevelopment Plan for the Property in accordance with the Redevelopment Law, *N.J.S.A. 40A:12A-1 et seq.*

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

Section 1. The Planning Board of the City of Bayonne is hereby authorized and directed to prepare a Redevelopment Plan for the non-condemnation “area in need of redevelopment” identified as Block 77, Lots 16, 17, 18, 19, 20, 21, 22, 23 and 24, (more commonly known as 15 West 46th Street, 13 West 46th Street, 11 West 46th Street, 9 West 46th Street, 957 Broadway, 959 Broadway, 961 Broadway, 963 Broadway and 965 Broadway), as shown on the official Tax Map of the City in accordance with the Redevelopment Law, *N.J.S.A. 40A:12A-1 et seq.*; and

Section 2. The Planning Board shall transmit the Redevelopment Plan to the Municipal Council for further consideration and action upon completion of same.

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

* * * * *

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

WHEREAS, the Annual Audit for calendar year 2013 has been received by the City of Bayonne; and

WHEREAS, certain finding were made by the auditors which the city administration has determined to address; and

WHEREAS, the city administration has prepared a Corrective Action Plan designed to address such findings, a copy of which is attached hereto and made a part hereof; now, therefore, be it

RESOLVED, by the Municipal Council of the City of Bayonne that the Corrective Action Plan attached hereto be and is hereby approved and endorsed; and be it further

RESOLVED, that the appropriate municipal officers are directed to take the corrective actions listed therein, and that a copy of the Corrective Action Plan be maintained and available for inspection by the general public.

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

* * * * *

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

WHEREAS, the Annual Audit for calendar year 2013 has been received by the City of Bayonne; and

WHEREAS, certain finding were made by the auditors which the city administration has determined to address; and

WHEREAS, the city administration has prepared a Corrective Action Plan designed to address such findings, a copy of which is attached hereto and made a part hereof; now, therefore, be it

RESOLVED, by the Municipal Council of the City of Bayonne that the Corrective Action Plan attached hereto be and is hereby approved and endorsed; and be it further

RESOLVED, that the appropriate municipal officers are directed to take the corrective actions listed therein, and that a copy of the Corrective Action Plan be maintained and available for inspection by the general public.

COMMENTS AND RECOMMENDATIONS-

FINDING #1

DESCRIPTION: There are reserves in the City's Current Fund which have been inactive for several years.

ANALYSIS: There are reserves in Current Fund that need proper follow-up and disposition.

CORRECTIVE ACTION: The City has written off numerous inactive reserves and will continue to do so.

IMPLEMENTATION DATE: All inactive reserves will be investigated and appropriate action taken this fiscal year.

PERSON RESPONSIBLE FOR IMPLEMENTATION: Terrence Malloy, CFO

FINDING #2

DESCRIPTION: Testing of City's fixed assets inventory revealed that new additions and deletions or transfers rely heavily on input from department heads.

ANALYSIS: The City's fixed assets inventory was not always accurate.

CORRECTIVE ACTION: The City will provide stronger controls over additions and disposals of fixed assets and conduct a field audit.

IMPLEMENTATION DATE: A full field audit will be completed this fiscal year.

PERSON RESPONSIBLE FOR IMPLEMENTATION: Claudia Geerin, Sr. Accountant

Finding #3

DECSRIPTION: All interfund balances should be settled by year-end.

ANALYSIS: Interfunds have been advanced in order to meet cash flow requirements.

CORRECTIVE ACTION: The City has settled the outstanding year-end interfunds and will attempt to minimize year-end interfunds in the future.

IMPLEMENTATION DATE: Existing City Policy

PERSON RESPONSIBLE FOR IMPLEMENTATION: Janet Convery, Treasurer

FINDING #4

DESCRIPTION: During testing of the City's Payments in Lieu of Taxes (PILOT) it was noted that in two instances PILOT agreements were not on file and the billing amounts could not be verified.

ANALYSIS: The City is missing two pilot agreements.

CORRECTIVE ACTION: The City will make every effort to make certain all PILOT agreements are on file so the billings can be recalculated.

IMPLEMENTATION DATE: Existing City Policy and the Tax Collector has been specifically designated to handle.

PERSON RESPONSIBLE FOR IMPLEMENTATION: Joanne Sisk, CTC

FINDING #5

DESCRIPTION: Surety bond coverage was not obtained for the Court Administrator and surety bond coverage for the Tax Collector did not meet the minimum requirements.

ANALYSIS: Surety bond coverage for certain officials were not correct.

CORRECTIVE ACTION: The City will make sure Surety Bond Coverage is correct for all city officials.

IMPLEMENTATION DATE: Existing City Policy

PERSON RESPONSIBLE FOR IMPLEMENTATION: Brian Dellabella, Ins Commission Secretary

FINDING #6

DESCRIPTION: There are BRC's and W-9's unavailable for review and in a few instances there were purchase orders dated after the invoice date and vouchers that could not be found.

ANALYSIS:

CORRECTIVE ACTION: The City will maintain all vouchers, BRC's and W-9's on file. The City will assure that all purchase orders are issued prior to ordering goods or services.

IMPLEMENTATION DATE: Existing City Policy

PERSON RESPONSIBLE FOR IMPLEMENTATION: Amy Dellabella, Purchasing Agent

FINDING #7

DESCRIPTION: There were four instances where vendors were paid over the \$ 36,000 bid threshold absent of bid process or state contract awarded.

ANALYSIS: Vendors were paid over the \$ 36,000 bid threshold.

CORRECTIVE ACTION: The City will ensure that all contracts that exceed the bid threshold are awarded by resolution.

IMPLEMENTATION DATE: Existing City Policy

PERSON RESPONSIBLE FOR IMPLEMENTATION: Amy Dellabella, Purchasing Agent

FINDING #8

DESCRIPTION: There were twenty-five instances where voluntary deduction documentation was not available for review.

ANALYSIS: Voluntary deduction documentation was not in each employees file.

CORRECTIVE ACTION PLAN: The City will review each employees personnel file and update the file as necessary

IMPLEMENTATION DATE: CY 2015

PERSON RESPONSIBLE FOR IMPLEMENTATION: Gines Valdez, Payroll Supervisor

FINDING #9

DESCRIPTION: The City's departments do not reconcile their permits/licenses with the tax collector monthly.

ANALYSIS: Departments need to tie in their receipts with Tax Collector monthly.

CORRECTIVE ACTION PLAN: Assign an accountant the duty of coordinating the reconciling of department's receipts with tax collector.

IMPLEMENTATION DATE: CY 2015

PERSON RESPONSIBLE FOR IMPLEMENTATION: Claudia Geerin, Sr Accountant

FINDING #10

DESCRIPTION: General Capital Cash included cash deficits for ordinances that are over 5 years old.

ANALYSIS: Capital Fund ordinances need to be analyzed.

CORRECTIVE ACTION PLAN: City will raise in the CY 2015 Budget.

IMPLEMENTATION DATE: CY 2015

PERSON RESPONSIBLE FOR IMPLEMENTATION: Terrence Malloy, CFO

SCHEDULE OF FINDINGS & QUESTIONED COSTS – P 223-237

FINDING 13-01.

DESCRIPTION: Federal and State Grants Receivable and Schedule of Reserves for Grants has balances which have been inactive in excess of over five years.

ANALYSIS: The City is not regularly analyzing grant receivables and reserve balances for propriety.

CORRECTIVE ACTION: The City has and will continue to review all outstanding grant receivables and reserves and take action where appropriate.

IMPLEMENTATION DATE: Full review with appropriate action to be taken in CY 2015.

PERSON RESPONSIBLE FOR IMPLEMENTATION: Terrence Malloy, CFO

FINDING 13-02

DESCRIPTION: The Federal and State Grant Funds include items accounted for on the receivable and reserve schedules which are not grants.

ANALYSIS: The City is recording non-grant reimbursements through the Federal and State Grant Fund.

CORRECTIVE ACTION: The City will maintain all required documentation on all grants and eliminate non-grants from our grant fund.

IMPLEMENTATION DATE: Existing City Policy

PERSON RESPONSIBLE FOR IMPLEMENTATION: Terrence Malloy, CFO

FINDING 13-03

DECSRIPTION: The City could not provide supporting documentation for expenditures incurred for the Community Development Block Grant.

ANALYSIS: Law Enforcement officials have taken possession of financial records maintained by the Community Development Department.

CORRECTIVE ACTION: Upon the return of Community Development Block records to the City, all documents will be available for audit. The City did integrate CDBG spending into their financial accounting system.

IMPLEMENTATION DATE: ASAP

PERSON RESPONSIBLE FOR IMPLEMENTATION: Samantha Howard, Assistant CDBG Director

FINDING 13-04

DESCRIPTION: The City did not accurately account for program income generated from the use of Community Development Block Grant Funds.

ANALYSIS: The City does not have procedures in place to account for and recycle program income generated by the Community Development Block Grant Program.

CORRECTIVE ACTION: All program income is now being properly recorded and will be reprogrammed for eligible activities. The individual previously responsible for this action has been replaced.

IMPLEMENTATION DATE: Existing City Policy

PERSON RESPONSIBLE FOR IMPLEMENTATION: Samantha Howard, Assistant CDBG Director

FINDING 13-05

DESCRIPTION: The City did not properly monitor and was unable to provide documentation on subrecipient monitoring.

ANALYSIS: The City did not monitor sub recipients in accordance with the terms of the grant agreement.

CORRECTIVE ACTION: Subrecipient compliance monitoring will be conducted and documented as required. The individual previously responsible for this action has been replaced.

IMPLEMENTATION DATE: Existing City Policy

PERSON RESPONSIBLE FOR IMPLEMENTATION: Samantha Howard, Assistant CDBG Director

FINDING 13-06

DESCRIPTION: The City could not provide internal accounting information in order to determine if payments are being made within three days of deposit of grant.

ANALYSIS: The City is not in compliance with Cash Management provisions.

CORRECTIVE ACTION PLAN: The City must minimize the time lapsing between the transfer of CDBG funds and disbursement.

IMPLEMENTATION DATE: Existing City Policy

PERSON RESPONSIBLE FOR IMPLEMENTATION: Samantha Howard, Assistant CDBG Director

FININDING 13-07

DESCRIPTION: The City did not submit quarterly reports for FY 2012 or 2013.

ANALYSIS: The City is not in compliance with CDBG regulations requiring submission of Federal Financial Reports.

CORRECTIVE ACTION PLAN: Reports are being prepared and will be submitted to HUD. Policy and procedure manual has been revised to include SF 425 submission.

IMPLEMENTATATION DATE: CY 2015

PERSON RESPONSIBLE FOR IMPLEMENTATION: Samantha Howard, Assistant CDBG Director

FINDING 13-08

DESCRIPTION: The City did not have adequate checks and balances and was deficient in internal control over financial reporting.

ANALYSIS: The City does not have internal controls in place to ensure safeguarding CDBG funds.

CORRECTIVE ACTION PLAN: The City has integrated the CDBG department into their financial accounting system which provides greater internal controls.

IMPLEMENTATION DATE: Existing City Policy

PERSON RESPONSIBLE FOR IMPLEMENTATION: Samantha Howard. Assistant CDBG Director

FINDING 13-09

DESCRIPTION: The City did not have internal accounting available to ensure information in IDIS and CAPER was accurate and complete. Financial Summary showed City was over CAP of 20%.

ANALYSIS: The City is required to maintain records which identify the source and application of funds provided for financially-assisted programs.

CORRECTIVE ACTION PLAN: The 2013 program year is not over the 20% threshold for administrative spending. The staff is now following the CDBG policies and procedures manual.

IMPLEMENTATION DATE: Existing City Policy

PERSON RESPONSIBLE FOR IMPLEMENTATION: Samantha Howard, Assistant CDBG Director

FINDING 13-10

DESCRIPTION: The City failed to maintain adequate CDBG source documentation for its expenditures.

ANALYSIS: The City was not able to provide paid bills, payrolls and time sheets.

CORRECTIVE ACTION PLAN: A certification of compliance with 2 CFR Part 225 regulations was submitted relative to required source documentation. CDBG is maintaining source documentation including cancelled checks, paid bills, payrolls, time sheets, and contract and sub grant award documents.

IMPLEMENTATION DATE: Existing City Policy

PERSON RESPONSIBLE FOR IMPLEMENTATION: Samantha Howard, Assistant CDBG Director

FINDING 13-11

DESCRIPTION: Documentation for personnel costs did not include timesheets in accordance with semi-annual certifications.

ANALYSIS: Salary expenses are required to be tracked accurately.

CORRECTIVE ACTION PLAN: The City will adequately document personnel costs for which they seek reimbursement from HUD.

IMPLEMENTATION DATE: Existing City Policy

WHEREAS, the Annual Audit for calendar year 2013 has been received by the City of Bayonne; and

WHEREAS, certain finding were made by the auditors which the city administration has determined to address; and

WHEREAS, the city administration has prepared a Corrective Action Plan designed to address such findings, a copy of which is attached hereto and made a part hereof; now, therefore, be it

RESOLVED, by the Municipal Council of the City of Bayonne that the Corrective Action Plan attached hereto be and is hereby approved and endorsed; and be it further

RESOLVED, that the appropriate municipal officers are directed to take the corrective actions listed therein, and that a copy of the Corrective Action Plan be maintained and available for inspection by the general public.

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

* * * * *

68. Introducing the CY 2015 Local Municipal Budget

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

BE IT RESOLVED, the the following statments of revenues and appropriations shall constitute the Municipal Budget for the Year 2015

BE IT FURTHER RESOLVED, that said Budget be published in the Jersey Journal in the issue of May 11, 2015.

Notice is hereby given that the Budget and Tax Resolution was approved by the Municipal Council of the City of Bayonne, County of Hudson, on April 22, 2015. A hearing on the budget and tax resolution will be held at the Dorothy E. Harrington Council Chambers, 630 Avenue C, Bayonne, NJ, on May 20, 2015 at 7:00 PM, at which time and place objections to said Budget and Tax Resolution for the year 2015 may be presented by taxpayers or other interested persons.

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

* * * * *

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

Whereas, the City of Bayonne desires to adopt a Temporary Capital Budget for CY 2015, and, therefore be it

Resolved, that the following be and hereby is made part of CY 2015 Temporary Budget, and, also be it,

Resolved, that the following be included in the Capital Budget Section of CY 2015 Municipal Budget:

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

* * * * *

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

#3 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 15 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 15 budget pursuant to the provisions of Chapter 96, P.L. 1951 (NJS 40A:4-20) including this resolution total

Current Fund	\$	30,091,585.59
Parking Utility	\$	79,000.00

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	\$	8,550,395.76
Parking Utility	\$	5,000.00

2- That said emergency temporary appropriation will be provided for the CY 15 budget under the title of, as per attached schedule:

Current Fund	\$	8,550,395.76
Parking Utility	\$	5,000.00

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

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

* * * * *

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

RESOLUTION OF THE CITY OF BAYONNE MAKING APPLICATION TO THE NEW JERSEY LOCAL FINANCE BOARD PURSUANT TO N.J.S.A. 40A:3-1 ET SEQ. AND PREVIOUS APPROVALS BY SAID BOARD

WHEREAS, the City Council of the City of Bayonne, in the County of Hudson, State of New Jersey (the "City") desires to adopt a bond ordinance (the "Ordinance") providing for the issuance of one or more series of general improvement bonds of the City in the not to exceed aggregate principal amount of \$3,780,000 (the "Bonds") and notes in anticipation thereof, in order to finance various capital purposes of the City; and

WHEREAS, in connection with various previous applications by the City to the Local Finance Board, in the Division of Local Government Services, New Jersey Department of Community Affairs (including specifically its applications in connection with certain bonds and refunding bonds issued under the Municipal Qualified Bond Act, N.J.S.A. 40A:3-1 et seq. (the "MQBA")), the Local Finance Board has heretofore conditioned its approvals upon the undertaking by the City that, for the duration of such bond issues, all future capital authorizations shall require approval from the Local Finance Board; and

WHEREAS, the City believes that:

- (a) it is in the public interest to accomplish such purpose;
- (b) such purpose is in compliance with the requirements of the MQBA;
- (c) said purpose or improvements are for the health, welfare, convenience or betterment of the inhabitants of the City;
- (d) the amounts to be expended for such purpose or improvements are not unreasonable or exorbitant and are consistent with the requirements of the MQBA; and
- (e) the proposal is an efficient and feasible means of providing services for the needs of the inhabitants of the City and will not create an undue financial burden to be placed upon the City; and

WHEREAS, the City Council desires to make application to the Local Finance Board for (i) its approval of the adoption of the Ordinance and the capital authorizations contained therein, and (ii) its approval of the issuance of, and of the proposed maturity schedule for such Bonds, to be issued in the form of "qualified bonds" under the MQBA; and

WHEREAS, the City believes that the maturity schedules contained in the Application to the Local Finance Board are in the best interests of the City.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BAYONNE, IN THE COUNTY OF HUDSON, STATE OF NEW JERSEY, as follows:

Section 1. The Application to the Local Finance Board is hereby approved, and the City's Bond Counsel, Chief Financial Officer, Business Administrator and Financial Advisor, along with other representatives of the City, are hereby authorized to prepare such application, to file such application with the Local Finance Board and to represent the City in matters pertaining thereto.

Section 2. The Clerk is hereby directed to prepare and file a copy of this Resolution and the Ordinance with the Local Finance Board as part of such application.

Section 3. The Local Finance Board is hereby respectfully requested to consider such application and to record its findings, recommendations and/or approvals as provided by the applicable New Jersey Statute, including causing its consent to be endorsed upon a certified copy of the Ordinance.

Section 4. This Resolution shall take effect immediately upon its adoption.

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

* * * * *

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

RESOLUTION OF THE CITY OF BAYONNE, IN THE
COUNTY OF HUDSON, STATE OF NEW JERSEY (THE
"LOCAL UNIT") AUTHORIZING THE LOCAL UNIT'S
PARTICIPATION IN THE POOLED NOTE FINANCING
PROGRAM OF THE HUDSON COUNTY IMPROVEMENT
AUTHORITY

WHEREAS, the City of Bayonne, in the County of Hudson, State of New Jersey (the "Local Unit"), has previously duly adopted: (i) various bond ordinances authorizing the issuance of bonds or notes to finance the costs of various capital improvements (the "Capital Improvement Project"); and

WHEREAS, the Local Unit either has issued or desires to issue notes to temporarily finance the Local Unit Projects; and

WHEREAS, the Local Unit believes that the recent financial crisis in the United States has caused extreme volatility in the short term note market for municipalities resulting in the following problems: (1) market access problems due to the liquidity issues of traditional investors, (2) shrinking investor pools to purchase municipal notes,

(3) a reduced number of bids and in some instances no bids at municipal note sales, (4) unpredictable interest rates causing interest rate risk and budgeting problems and (5) increased costs due to investors unwilling to purchase unrated municipal notes and municipal notes without disclosure, causing municipalities to have municipal notes rated and disclosure documents prepared: and

WHEREAS, the Local Unit has reviewed the Pooled Note Financing Program proposed by The Hudson County Improvement Authority (the "HCIA"), whereby the Local Unit would either rollover its existing notes and/or issue new notes (collectively, the "Local Unit Notes") through the Pooled Note Financing Program of the HCIA; and

WHEREAS, the Local Unit believes that the HCIA's Pooled Note Financing Program cures many of the problems of the volatile note market by providing (1) market access to sell the Local Unit Notes, (2) a certain investor pool to purchase the Local Unit Notes, (3) a guaranteed purchaser of the Local Unit Notes, (4) a more predictable interest rate, whereby the Local Unit will benefit from reduced interest costs as a result of a guaranty by the County of Hudson, State of New Jersey (the "County Guaranty") on the debt service of the HCIA Pooled Note Financing Program, and (5) decreased costs due to all the local units in the Pooled Note Financing Program sharing in the costs of the HCIA Pooled Note Financing Program; and

WHEREAS, the Local Unit further believes that any savings the Local Unit can achieve for its taxpayers, especially during this time of financial crisis, is of utmost importance to its community and accordingly, the Local Unit desires to issue its Local Unit Notes through the Pooled Note Financing Program of the HCIA; and

WHEREAS, such Local Unit Notes shall be issued in accordance with the provisions of the Local Bond Law, *N.J.S.A. 40A:2-1 et seq.* and/or the Local Budget Law, *N.J.S.A. 40A:4-1 et seq.*

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF BAYONNE, THAT

Section 1. The Local Unit hereby authorizes the Local Unit's participation in the HCIA Pooled Note Financing Program.

Section 2. The Local Unit consents to the HCIA's application to the Local Finance Board of the Division of Local Government Services, in the New Jersey Department of Community Affairs (the "Local Finance Board") in connection with the Pooled Note Financing Program.

Section 3. The Chief Financial Officer of the Local Unit is hereby authorized to, or direct the appropriate party to, enter into one or more loans with the HCIA and is further authorized to execute one or more note purchase contracts, loan agreements and any and all documents, certificates, opinions and other instruments that are necessary and as may be reasonably required by the Authority in connection with such loan, after consultation with council to the Local Unit.

Section 4. This resolution shall take effect immediately.

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

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

WHEREAS, the United States of America, Department of Commerce, Economic Development Administration (herein the "Government") pursuant to its authority under the Public Works and Economic Development Act of 1965 (P. L. 89-136), as amended, entered into a Financial Assistance Award Agreement (herein the "Agreement") with the City of Bayonne, New Jersey on August 17, 2009; and

WHEREAS, said Agreement provided an Award not to exceed the lower of \$6,460,000.00 or ninety (90) percent of the actual cost of the project estimated to cost \$7, 177,778.00 and consisting of the stabilization and rebuilding of a portion of Berths E-1, E-2 and S- 1 at The Peninsula at Bayonne Harbor; and

WHEREAS , the parties have now determined that it is not feasible to complete the project as originally intended and that an accounting should be made and the Agreement terminated for the convenience of the parties; and

WHEREAS, the parties further agree that no eligible costs have been incurred or will be incurred pursuant to said Agreement; and

WHEREAS, for and in consideration of the premises and for the mutual benefit and convenience of the parties, the Government has tendered an Offer to Terminate dated April 9, 2015; and

WHEREAS, said Offer to Terminate must be accepted by the City of Bayonne and returned to the Government on or before May 9, 2015; now, therefore, be it

RESOLVED, that the Business Administrator is hereby authorized to accept, execute and return the Offer to Terminate Award for Convenience; and, be it further

RESOLVED, that the Clerk is authorized to Certify that this acceptance has been so authorized by the Governing Body of the City of Bayonne.

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

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

BE IT RESOLVED, That the City Clerk be and is hereby authorized to advertise for bids for construction of a handicapped playground area at DiDomenico Park.

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

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75. The Council as a whole moved the following resolution, which motion was adopted.

WHEREAS, in 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees; and

WHEREAS, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska; and

WHEREAS, Arbor Day is now observed throughout the nation and the world; and

WHEREAS, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce life-giving oxygen , and provide habitat for wildlife; and

WHEREAS, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires, and countless other wood products; and

WHEREAS, trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community; and

WHEREAS, trees, wherever they are planted, are a source of joy and spiritual renewal; now, therefore be it

RESOLVED, James M. Davis, Mayor, and the Municipal Council of the City of Bayonne do hereby proclaim Friday, April 24, 2015, as ARBOR DAY in the City of Bayonne, and urge all citizens to celebrate Arbor Day and to supp efforts to protect our trees and woodlands; and be it further

RESOLVED, that the Mayor and Municipal Council urge all citizens to plant trees to gladden the heart and to promote the well-being of this and future generations.

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

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

WHEREAS, the City of Bayonne is in need of professional engineering services in connection with CY2015 Road Improvement projects; and

WHEREAS, Carroll Engineering of NJ, LLC, 105 Raider Boulevard, Suite 206, Hillsborough, New Jersey 08844-1528 has submitted to the City of Bayonne a formal, written response to the City's Request for Qualifications/Proposals for said professional engineering services; and

WHEREAS, Carroll Engineering of NJ, LLC is qualified, ready, willing and able to provide said professional engineering services for an amount not to exceed \$75,000.00; 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 Carroll Engineering of NJ, LLC, 105 Raider Boulevard, Suite 206, Hillsborough, New Jersey 08844-1528 for professional engineering services in connection with CY2015 Road Improvement Projects for an amount not to exceed \$75,000.00 subject to the adoption of the Bond Ordinance.

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

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

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At 8:29 P.M., Council President Nadrowski motion to adjourn, seconded by Council Member Gullace, which motion was adopted.

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

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