

ADJOURNED 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, JUNE 30, 2015

The Council met at 4:00 P.M.

The Council President Nadrowski announced: “I would like to advise all those present that notice of this adjourned meeting of the Municipal Council of the City of Bayonne of June 30, 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 June 19, 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. Council Member Perez moved that the following resolution, seconded by Council President Nadrowski, which was read by the Clerk and adopted.

WHEREAS, by resolution adopted at the June 17, 2015 regular meeting, this council adjourned said meeting until Tuesday, June 30, 2015 at 12:00 P.M.; and

WHEREAS, in the interim it became apparent that one or more of the council members would be unable to attend the meeting at the 12:00 P.M. scheduled starting time; and

WHEREAS, anticipating that the meeting would probably not be able to start until 4:00 P.M. on Tuesday, June 30, 2015, the City Clerk sent notices in compliance with the Open Public Meetings Act advising that the meeting would start at 4:00 P.M.; now, therefore, be it

RESOLVED, that the delay of the start of this meeting from the originally scheduled 12:00 P.M. starting time to 4:00 P.M. be and is hereby ratified and confirmed; and be it further

RESOLVED, that the actions of the City Clerk in providing notice of the meeting in as required by the Open Public Meetings Act with a meeting time of 4:00 P.M. instead of 12:00 P.M. be and are hereby ratified and confirmed.

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

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02. Council Member Perez introduced:

A CAPITAL ORDINANCE TO PROVIDE FUNDING FOR THE IMPROVEMENT OF VARIOUS PUBLIC RECREATIONAL FACILITIES IN THE AMOUNT OF \$1,125,000.00

Whereas, a need exists to improve various recreational facilities located within the City of Bayonne, now therefore, be it

ORDAINED, that a Capital Improvement Ordinance be established to fund the following:

Veteran's Stadium	\$500,000.00
ADA Park at 16th Street Park	\$250,000.00
ADA Equipment at Clark Park	\$375,000.00

Be it furthur

ORDAINED, that funding is provided through the Hudson County Open Space Fund in the amount of \$625,000.00 and Green Acres Funding in the amount of \$500,000.00.

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

BE IT RESOLVED, that an ordinance entitled "A CAPITAL ORDINANCE TO PROVIDE FUNDING FOR THE IMPROVEMENT OF VARIOUS PUBLIC RECREATIONAL FACILITIES IN THE AMOUNT OF \$1,125,000.00," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, July 22, 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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03. Council Member Perez introduced:

ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AUTHORIZING FIVE (5) YEAR TAX EXEMPTION ON THE ASSESSED VALUE OF NEW IMPROVEMENTS ONLY FOR NEWLY CONSTRUCTED RESIDENTIAL UNITS WITH RESPECT TO THE PARCEL OF LAND LOCATED AT BLOCK 258, LOT 8 (A/K/A 298-304 BROADWAY) ON THE TAX MAP OF THE CITY OF BAYONNE.

WHEREAS, the City of Bayonne, in the County of Hudson, New Jersey (the "City"), a public body corporate and politic of the State of New Jersey, 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 or an area in need of redevelopment; and

WHEREAS, on February 4, 1998 by resolution No. 98-02-04-040 the entire City was designated as an area in need of rehabilitation pursuant to the Redevelopment Law; and

WHEREAS, pursuant to the Five Year Exemption and Abatement Law, *N.J.S.A. 40A:21-1 et seq.* (the "Five Year Law") improvements to property located within an area in need of rehabilitation or redevelopment may qualify for short term tax exemptions; and

WHEREAS, on May 22, 2013 the Municipal Council adopted Ordinance No. O-13-15 authorizing tax exemptions for the construction of 'multiple dwellings' (as defined in the Hotel and Multiple Dwelling Law, *N.J.S.A. 55:13A-1 et seq.*) in the City as authorized under *N.J.S.A. 40A:21-8* of the Five Year Law; and

WHEREAS, 304 Broadway Partners Urban Renewal Co. LLC is the owner of and has developed a parcel of land located at BLOCK 258, LOT 8, (with a property address commonly known as "298-304 Broadway" which is also known as the "Project Area") on the tax map of the City and constructed or will cause to be constructed thereon certain real estate improvements consisting of residential development containing five stories, thirty-eight (38) residential dwelling units with parking on the ground floor (the "Project"); and

WHEREAS, 304 Broadway Partners Urban Renewal Co. LLC has submitted an application to the City requesting a tax exemption under the Five Year Law for itself and/or on behalf of the new owners of the 38 residential units seeking a 5 year exemption agreement on the improvements; and

WHEREAS, the Municipal Council has determined that the authorization of a tax exemption for the aforesaid Project is in the best interests of the City and facilitates the goals of rehabilitation and productive use;

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

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

Section 2. The Municipal Council hereby approves an individual tax agreement for the exemption of real estate taxes on the parcel set forth above and any future sublots

created by virtue of the development thereof in the Project Area allowing for a 5 Year exemption on the improvement on each individual parcel substantially in the form attached to this Ordinance and shall calculate payments in lieu of taxes in accordance with the tax phase-in basis and be in the form substantially as provided in Exhibit A also attached hereto. Each such agreement is intended to apply to the individual parcel involved for the five years following substantial completion of the property provided that the terms of the agreement are met and shall be executed with respect to each such parcel by the owner of that parcel following the effective date of this ordinance. Each such Tax Agreement shall be for no longer than five (5) years and only applicable to the assessed value of the new improvement (building) constructed on that parcel as such value is determined by the City Tax Assessor. Each such Tax Agreement shall also provide that; at all relevant times herein, the land values (land assessment) for the Project will NOT be subject to any Exemption or Abatement and that Land Taxes paid in full throughout any period of exemption on the improvement. If the effective date of this ordinance is subsequent to the date of substantial completion, the exemption shall nonetheless be credited from the first day of the month following substantial completion provided that the application was timely filed within 30 days of substantial completion and all other terms of the agreement are met. If the date of substantial completion should be prior to the effective date of this ordinance, the Mayor, in consultation with legal counsel to the City, is hereby authorized to execute each of these Tax Agreements, with such modifications or revisions deemed necessary by the Mayor, and to prepare, amend or execute any other agreements necessary to effectuate the Tax Agreement and this Ordinance.

Section 3. Within thirty (30) days of its execution, the City Clerk shall forward a copy of the Tax Agreement to the Director of the Division of Local Government Services in the Department of Community Affairs as prescribed by *N.J.S.A. 40A:21-11(d)*.

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

Council Member Perez moved that the following resolution, 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 AUTHORIZING FIVE (5) YEAR TAX EXEMPTION ON THE ASSESSED VALUE OF NEW IMPROVEMENTS ONLY FOR NEWLY CONSTRUCTED RESIDENTIAL UNITS WITH RESPECT TO THE PARCEL OF LAND LOCATED AT BLOCK 258, LOT 8 (A/K/A 298-304 BROADWAY) ON THE TAX MAP OF THE CITY OF BAYONNE," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, July 22, 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 be it further

RESOLVED, that the ordinance bearing the same title as the foregoing ordinance, which was introduced and passed a first reading at the meeting held June 17, 2015 and scheduled for a public hearing at the meeting of July 22, 2014 at 7:00 P.M. be and is hereby ABANDONED.

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

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04. Council Member LaPelusa moved that the communication be received and filed, seconded by Council Member Perez, which motion was adopted.

WHEREAS, Purchasing Agent, Legal Counsel, and the City’s Engineer CME Associates have recommended the award of the contract for IMPROVMENTS TO THE RICHARD KORPI ICE RINK to C.R. Construction Co., Inc in the amount of \$1,954,500.00 as the bid submitted by C.R. Construction Co., Inc is the lowest responsible bid for the IMPROVEMENTS TO THE RICHARD KORPI ICE RINK utilizing deletion item no. 2; and

WHEREAS; Alna Construction failed to indicate that it had any previous, relevant experience with ice rinks, which was specifically required by the specifications. In addition, Alna Construction also failed to identify at least one subcontractor with ice-rink experience required by the bid specifications.

WHEREAS, publicly bid contracts are in compliance with the fair and open process pursuant to N.J.S.A. 19:44A-20.4 et seq.; and

WHEREAS, the award of this Contract is necessary for the efficient operation of the City; and

WHEREAS, the Certificate of Available Funds, maintained on file at the City, sets forth that sufficient funds for the subject procurement have been allotted in the City's budget and that such funds have been appropriated.

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

- 1. The bid of C.R. Construction Co., Inc, 7108 Tonnelle Avenue, North Bergen, NJ 07047, on the bid for RICHARD KORPI ICE RINK in the amount of \$1,954,500.00 chargeable to the bond ordinance O-15-16 be and the same is hereby accepted. The quantities bid shall renew upon the anniversary of the contract in accordance with the bid proposals.
- 2. Appropriate officials are hereby authorized and directed on behalf of the City of Bayonne to enter into a contract for RICHARD KORPI ICE RINK IMPROVEMENTS with C.R. Construction Co., Inc.
- 3. The Chief Financial Officer’s Certification that funds are available shall be on file at the City and made a part hereof, and that the contract be chargeable to Bond Ordinance O-15-16.
- 4. The City Clerk shall forward a copy of this Resolution to each bidder on this contract.
- 5. The bid security of unsuccessful bidders shall be returned as per the provisions of the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.
- 6. A Copy of this resolution and the contract when executed shall be kept on file for public inspection in the Office of the Municipal Clerk.

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

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

WHEREAS, the local municipal budget for the calendar year 2015 was approved on the 22nd day of April, 2015 and,

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

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

THEREFORE BE IT RESOLVED, by the Municipal Council of the City of Bayonne, County of Hudson, that the following amendments to the approved budget of calendar year 2015 be made:

	FROM	TO
1. Surplus Anticipated	6,000,000.00	6,421,172.58
Total Surplus Anticipated	6,000,000.00	6,421,172.58

Section B:		
Regular School Debt Service Debt	120,000.00	0.00
Total Section B	8,949,801.00	8,829,801.00
Section F:		
Uniform Fire Safety Act	115,070.30	0.00
Bullet Proof Vest/Office of Justice	0.00	1,072.00
Public Works Reimbursement	3,240.00	0.00
Total Section F:	1,639,132.53	1,521,894.23
Section G:		
Uniform fire Safety Act	0.00	115,070.30
Capital Growth Transaction	2,800,000.00	2,378,827.42
Public Works Reimbursement	0.00	3,240.00
Total Section G:	23,847,714.00	23,544,851.72
Total Miscellaneous Revenues	45,025,938.21	44,485,837.63
5. Subtotal General Revenues (Items 1,2,3, and 4)	51,235,938.21	51,117,010.21
a)Local Tax for Municipal Purposes Including Reserve for Uncollected Taxes	69,311,442.56	69,121,442.56
b)Addition to Local District School Tax	9,577,000.00	9,737,000.00
Total Amount to be Raised by Taxes for Support of Municipal Budget	80,658,755.49	80,628,755.49
7. Total General Revenues	131,894,693.70	131,745,765.70
8. General Appropriations		
(A) Operations-within "CAPS"		
Business Administrator's Office	800,000.00	785,000.00
Planning Board-Other Expenses	55,000.00	50,000.00
Board of Health-Salaries & Wages	875,000.00	835,000.00
Board of Health-Other Expenses	495,000.00	487,264.00
Fire Department-Other Expenses	415,000.00	410,000.00
Uniform Fire Safety Act	0.00	115,070.30
Snow Removal-Salaries & Wages	175,000.00	165,000.00
Snow Removal-Other Expenses	215,000.00	200,000.00
Public Works Reimbursement	0.00	3,240.00
General Liability/Worker's Compensation	3,180,000.00	3,170,000.00
Employee Group Health	15,250,000.00	16,362,200.00
Total Operations within "CAPS"	86,891,384.82	88,014,159.12
Total Operations Including Contingent within "CAPS"	86,892,384.82	88,014,159.12
(1) Deferred Charges		
Funding of Various Capital Ordinances	50,114.00	0.00
(2) Statutory Expenditures		
Public Employees Retirement System	2,005,000.00	1,965,000.00
Total Deferred Charges & Statutory Expenditures - Municipal with "CAPS"	14,201,145.35	14,111,031.35
Total General Appropriations for Municipal Purposes with "CAPS"	101,093,530.17	102,126,190.47
(A)Operations-Excluded from "CAPS"		
Employee Group Health Insurance	1,122,200.00	0.00
Total Other Operations-Excluded from "CAPS"	2,942,200.00	1,820,000.00
Public & Private Programs Offset by Revenues		
Public Works Reimbursment	3,240.00	0.00
Board of Health-Other Expenses (Municipal Alliance Match)	0.00	7,736.00
Uniform Fire Safety Code	115,070.30	0.00
Bullet Proof Vest/Office of Justice	0.00	1,072.00
Total Public & Private Programs Offset by Revenues	1,976,933.53	1,867,431.23
Total Operations Excluded from "CAPS"	5,039,133.53	3,807,431.23
Subtotal General Appropriations	129,294,693.70	129,145,765.70
9. Total General Appropriations	131,894,693.70	131,745,765.70

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

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

Be It Resolved by the Municipal Council of the City of Bayonne, County of Hudson that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes state of the sums therein set forth as appropriations, and authorization of the amount of:

(a) \$69,121,442.56 (Item 2 below) for municipal purposes, and

(b) (Item 3 below) for school purposes in type I School District only (N.J.S.18A:9-2) to be raised by taxation and.

(c) \$9,737,000.00 (Item 4 below) to be added to the certificate of amount to be raised by taxation for local school purposes in Type II School Districts only (N.J.S. 18A:9-3) and certification to the County Board of Taxation of the following summary of general revenues and appropriations.

(d) (sheet 43) Open Space, Recreation, Farmland and Historic Preservation Trust Fund Levy.

(e) \$1,770,312.93 (Item 5 below) Minimum Library Tax

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

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

WHEREAS, the Municipal Council of the City of Bayonne adopted Resolution No. 15-04-22-056 on April 22, 2015 awarding a contract to Jacobs Engineering Group, Inc., 299 Madison Avenue, P.O. Box 1936, Morristown, New Jersey 07962 (the "Contractor") for professional engineering services as consulting engineer for traffic and transportation for an amount not to exceed \$20,000.00 pursuant to the Fair & Open Contracting Requirements pursuant to N.J.S.A. 19:44A:20.4.5; and

WHEREAS, the anticipated scope of services will substantially exceed the original anticipated award amount; and

WHEREAS, it is in the best interest of the City for the Contractor to provide the aforesaid professional engineering services as consulting engineer for traffic and transportation and to increase the contract award in the amount of \$50,000.00 making the total contract amount not to exceed \$70,000.00; and

WHEREAS, funds are certified as available in Account BA-2 pending adoption of the CY2015 budget; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. Resolution No. 15-04-22-056 is hereby amended to reflect the Mayor and City Clerk are authorized to execute an agreement with Jacobs Engineering Group, Inc., 299 Madison Avenue, P.O. Box 1936, Morristown, New Jersey 07962 for professional engineering services as consulting engineer for traffic and transportation for an amount not to exceed \$70,000.00 pursuant to the Fair & Open Contracting Requirements pursuant to N.J.S.A. 19:44A:20.4.5.

2. Funds shall be chargeable to account BA-2.

3. All other terms and conditions of Resolution No. 15-04-22-056 shall remain the same.

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

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At 4:16 P.M., Council President Nadrowski motioned to adjourn, seconded by Council Member Perez, which motion was adopted.

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

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