

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, DECEMBER 16, 2015

The Council met at 7:05 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 December 16, 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 December 11, 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. Jose Rosario addressed the council regarding the Liberty Humane Society.

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02. Carol McNichol addressed the council on the subject of the animal control contract.

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03. Denise Scholz addressed the council on the subject of the animal control contract.

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04. Peter Franco addressed the council regarding the subject of animal control services.

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05. Irene Bornbraeber of Liberty Humane Society addressed the council on the subject of animals.

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06. Adele Puccio addressed the council on the subject of NJ Animal Control and Rescue, Geoffery Santini and Liberty Humane.

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07. Kathleen O'Malley addressed the council on the subject of Hudson County Animal League's position regarding the animal control contract.

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08. Heather A. Sheppard addressed the council on the contract with Liberty Humane Society.

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09. Paul Swibinski addressed the council on the subject of Geoffrey Santini.

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10. The Clerk announced:

AN ORDINANCE ENTITLED, "ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON APPROVING A FINANCIAL AGREEMENT WITH 230-250 AVENUE E URBAN RENEWAL, LLC," which was introduced and passed a first reading at a meeting held November 10, 2015, was published in the Jersey Journal and posted on the bulletin board as required by law, with notice that it would be further considered for final passage following a public hearing at this meeting of December 16, 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 APPROVING A FINANCIAL AGREEMENT WITH 230-250 AVENUE E URBAN RENEWAL, LLC,"

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 persons spoke:

- Joseph Nichols - Tax Assessor
- Ed Szawiel - 165 West 33rd Street
- Christos Genes - 31 Newman Avenue
- Frank Pellitieri - 57 West 5th Street
- Kathleen Henderson - 88 West 6th Street
- Jill Pustorino - 74 West 46th Street
- Washington Flores - 28 Eat 38th Street

The Clerk made the following statement: "No protest against, objections to, or statements in favor of this ordinance or its passage have been filed with me."

Council President Nadrowski motioned to closed 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 a resolution for final passage, seconded by Council Member President Nadrowski, which failed adoption by the following vote.

Yeas - Council Members Gullace and President Nadrowski.

Nays - Council Members Cotter, LaPelusa and Perez.

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11. The Clerk announced:

AN ORDINANCE ENTITLED, "ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON APPROVING A FINANCIAL AGREEMENT WITH INGERMAN DEVELOPMENT COMPANY, LLC AND BAYONNE 19TH STREET URBAN RENEWAL ASSOCIATES, LLC," which was introduced and passed a first reading at a meeting held November 10, 2015, was published in the Jersey Journal and posted on the bulletin board as required by law, with notice that it would be further considered for final passage following a public hearing at this meeting of December 16, 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 President Nadrowski, which motion was adopted.

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

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

The Clerk read the ordinance by title: "ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON APPROVING A FINANCIAL AGREEMENT WITH INGERMAN

DEVELOPMENT COMPANY, LLC AND BAYONNE 19TH STREET URBAN RENEWAL ASSOCIATES, LLC,”

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 persons spoke: Anthony D'Amico - 429 Broadway
Christos Genes - 31 Newman Avenue

The Clerk made the following statement: "No protest against, objections to, or statements in favor of this ordinance or its passage have been filed with me."

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

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

The Council as a whole moved the following resolution, seconded by Council Member Cotter, which was read by the Clerk and adopted.

WHEREAS, an ordinance entitled, “ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON APPROVING A FINANCIAL AGREEMENT WITH INGERMAN DEVELOPMENT COMPANY, LLC AND BAYONNE 19TH STREET URBAN RENEWAL ASSOCIATES, LLC,” was introduced and passed a first reading at a meeting held November 10, 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 December 16, 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-15-45.

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

Nays - Council Member LaPelusa.

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12. The Clerk announced:

AN ORDINANCE ENTITLED, “AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 37, HISTORIC PRESERVATION” which was introduced and passed a first reading at a meeting held November 10, 2015, was published in the Jersey Journal and posted on the bulletin board as required by law, with notice that it would be further considered for final passage following a public hearing at this meeting of December 16, 2015, is now before the Council for its consideration and a public hearing.

The Council as a whole moved that the following resolution of second reading be adopted, 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 37, HISTORIC PRESERVATION”

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 of object to the ordinances or to its passage.

The Clerk made the following statement: "No protest against, objections to, or statements in favor of this ordinance or its passage have been filed with me."

Council President Nadrowski motioned to closed the hearing, seconded by Council Member Cotter, which motion was adopted.

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

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

WHEREAS, an ordinance entitled, "AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 37, HISTORIC PRESERVATION" was introduced and passed a first reading at a meeting held November, 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 December 16, 2015; and

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

WHEREAS, said ordinance was referred to the to the County Planning Board pursuant to the provisions of N.J.S. 40:55D-15, and to the Bayonne Planning Board for its review and 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-15-46.

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

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13. The Clerk announced:

AN ORDINANCE ENTITLED, "ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY APPROVING AND AUTHORIZING THE EXECUTION OF AN AMENDED AND RESTATED DEED TO BAYONNE AUTO TERMINAL, LLC FOR PROPERTY KNOWN AS BLOCK 1180, LOT 1 LOCATED IN THE MARITIME DISTRICT OF THE PENINSULA, IN THE CITY OF BAYONNE," which was introduced and passed a first reading at a meeting held November 10, 2015, was published in the Jersey Journal and posted on the bulletin board as required by law, with notice that it would be further considered for final passage following a public hearing at this meeting of December 16, 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 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: "ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY APPROVING AND AUTHORIZING THE EXECUTION OF AN AMENDED AND RESTATED DEED TO BAYONNE AUTO TERMINAL, LLC FOR PROPERTY KNOWN AS BLOCK 1180, LOT 1 LOCATED IN THE MARITIME DISTRICT OF THE PENINSULA, IN THE CITY OF BAYONNE,"

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 response appearing to protest against or object to the ordinance or to its passage.

The Clerk made the following statement: "No protest against, objections to, or statements in favor of this ordinance or its passage have been filed with me."

Council Member Cotter motioned to closed 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, seconded by Council Member Perez, which was read by the Clerk and adopted.

WHEREAS, an ordinance entitled, "ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY APPROVING AND AUTHORIZING THE EXECUTION OF AN AMENDED AND RESTATED DEED TO BAYONNE AUTO TERMINAL, LLC FOR PROPERTY KNOWN AS BLOCK 1180, LOT 1 LOCATED IN THE MARITIME DISTRICT OF THE PENINSULA, IN THE CITY OF BAYONNE," was introduced and passed a first reading at a meeting held November 10, 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 December 16, 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-15-47.

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

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14. 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 November 10, 2015, was published in the Jersey Journal and posted on the bulletin board as required by law, with notice that it would be further considered for final passage following a public hearing at this meeting of December 16, 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 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 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 response appearing to protest against or object to the ordinance or to its passage.

The Clerk made the following statement: "No protest against, objections to, or statements in favor of this ordinance or its passage have been filed with me."

Council President Nadrowski motioned to closed the hearing, seconded by Council Member Cotter, which motion was adopted.

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

Council Member LaPelusa moved the following resolution, seconded by Council 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 November 10, 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 December 16, 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-15-48.

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

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15. Council Member Perez introduced

AN OORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING A REDEVELOPMENT PLAN FOR A PORTION OF THE PENINSULA IDENTIFIED AS BLOCK 700 LOT 1; BLOCK 720, LOT 1; BLOCK 730 LOT 1; BLOCK 731, LOT 1; BLOCK 751, LOT 1; BLOCK 770, LOT 1; BLOCK 780, LOT 1; BLOCK 790, LOT 1; AND BLOCK 730, LOT 2 ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE, AND REFERRED TO AS “HARBOR STATION SOUTH”

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, on March 18, 1998, the Bayonne Municipal Council (the “Municipal Council”) adopted Resolution 98-03-18-065 requesting the Planning Board of the City (the “Planning Board”) to conduct a preliminary investigation pursuant to *N.J.S.A. 40A:12A-6* to determine whether the subject area (the “Peninsula Study Area”), qualified as ‘an area in need of redevelopment’ in accordance with the criteria set forth in *N.J.S.A. 40A: 12A-5*, and if so, to prepare a redevelopment plan; and

WHEREAS, on November 23, 1999, the Municipal Council adopted Resolution 99-11-23-078 designating the Peninsula Study Area, as an area in need of redevelopment (the “Peninsula Redevelopment Area”); and

WHEREAS, on August 24, 2001, the Municipal Council passed Ordinance O-01-45, which adopted the original Redevelopment Plan for the Peninsula Redevelopment Area in accordance with the Redevelopment Law; and

WHEREAS, on December 15, 2004, the Municipal Council passed Ordinance O-04-39, adopting a new Redevelopment Plan for the Peninsula Redevelopment Area, titled “The Peninsula at Bayonne Harbor” with an amendment dated February 14, 2006; and

WHEREAS, by Ordinance No. O-06-24, the Municipal Council adopted a revision of The Peninsula at Bayonne Harbor Redevelopment Plan dated July 19, 2006 (the "Redevelopment Plan"), which incorporated and superseded the prior redevelopment plans and amendments; and

WHEREAS, the Redevelopment Plan was adopted a number of years ago when market conditions were different from current market conditions; and
WHEREAS, portions of the Peninsula Redevelopment Area currently remain vacant and/or undeveloped; and

WHEREAS, the Municipal Council, pursuant to Resolution No. 15-09-16-069 referred the Redevelopment Plan to the Planning board, to prepare and review an update to the Redevelopment Plan for those portions of the Peninsula Redevelopment Area located within Harbor Station South District identified as Block 700 Lot 1; Block 720, Lot 1; Block 730 Lot 1; Block 731, Lot 1; Block 751, Lot 1; Block 770, Lot 1; Block 780, Lot 1; Block 790, Lot 1; and Block 730, Lot 2 on the official tax map of the City of Bayonne, referred to as "Harbor Station South."

WHEREAS, the City of Bayonne, Division of Planning & Zoning, Department of Municipal Services has prepared a Redevelopment Plan for the Property titled "Redevelopment Plan for the Peninsula at Bayonne Harbor - Harbor Station South" dated December 2015 (the "Redevelopment Plan"); and

WHEREAS, on December 8, 2015, the Planning Board adopted a Resolution recommending the Redevelopment Plan to the Municipal Council and concluding that the Rehabilitation 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 Redevelopment Plan, the Municipal Council believes that the adoption of the Redevelopment Plan is in the best interests of the City for the redevelopment of the Property.

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 Redevelopment Plan is hereby adopted pursuant to the terms of *N.J.S.A. 40A:12A-7* and *N.J.S.A. 40A:12A-15* of the Redevelopment Law for the Property identified as Block 700 Lot 1; Block 720, Lot 1; Block 730 Lot 1; Block 731, Lot 1; Block 751, Lot 1; Block 770, Lot 1; Block 780, Lot 1; Block 790, Lot 1; and Block 730, Lot 2 on the official tax map of the City of Bayonne, referred to as "Harbor Station South."

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

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

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

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

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

BE IT RESOLVED, that an ordinance entitled "ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING A REDEVELOPMENT PLAN FOR A PORTION OF THE PENINSULA IDENTIFIED AS BLOCK 700 LOT 1; BLOCK 720, LOT 1; BLOCK 730 LOT 1; BLOCK 731, LOT 1; BLOCK 751, LOT 1; BLOCK 770, LOT 1; BLOCK 780, LOT 1; BLOCK 790, LOT 1; AND BLOCK 730, LOT 2 ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE, AND REFERRED TO AS "HARBOR STATION SOUTH"," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, January 20, 2016 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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16. Council Member Cotter introduced:

REFUNDING BOND ORDINANCE OF THE CITY OF BAYONNE, IN THE COUNTY OF HUDSON, STATE OF NEW JERSEY (THE "CITY") PROVIDING FOR (i) THE REFUNDING OF CERTAIN OUTSTANDING GENERAL IMPROVEMENT BONDS OF THE CITY DATED JUNE 24, 2009 AND SCHOOL BONDS OF THE CITY DATED DECEMBER 22, 2004 TO PROVIDE DEBT SERVICE SAVINGS, AND (ii) AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$80,000,000 AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION REFUNDING BONDS OF THE CITY TO EFFECT SUCH REFUNDING AND APPROPRIATING THE PROCEEDS THEREFOR

WHEREAS, pursuant to the Local Bond Law, N.J.S.A. 40A:2-1 et seq., as amended and supplemented (the "Local Bond Law"), the City of Bayonne, in the County of Hudson, State of New Jersey (the "City"), had previously issued \$67,625,000 aggregate principal amount of General Improvement Bonds (Qualified Pursuant to the Provisions of the Municipal Qualified Bond Act, P.L. 1976, c. 38 as amended) on June 24, 2009 and \$55,309,000 School Bonds (New Jersey School Bond Reserve Act, P.L. 1980, c. 72) on December 22, 2004 ("Original School Bonds" and together with the "Original General Bonds", the "Original Bonds"); and

WHEREAS, \$67,945,000 outstanding Original Bonds, consisting of \$64,345,000 Original General Bonds maturing in the years 2020 through 2039 (the "Refunded General Bonds"), and \$3,600,000 Original School Bonds maturing in the years 2016 through 2025 (the "Refunded School Bonds" and together with the Refunded General Bonds, the "Refunded Bonds") are currently subject to redemption, either in whole or in part, prior to their stated maturity; and

WHEREAS, the City Council has determined that the current tax-exempt interest rate environment would enable it to realize debt service savings for the City taxpayers by refunding all or a portion of the aforesaid Refunded Bonds through the issuance of its General Obligation Refunding Bonds in an aggregate principal amount not to exceed \$80,000,000 (the "Refunding Bonds"), consisting of General Improvement Refunding Bonds and School Refunding Bonds; and

WHEREAS, the City Council now desires to adopt this Refunding Bond Ordinance (the "Refunding Bond Ordinance") authorizing the issuance of the Refunding Bonds in an aggregate principal amount not exceeding \$80,000,000, consisting of General Improvement Refunding Bonds and School Refunding Bonds, a portion of the sale proceeds of which shall be used to refund the Refunded Bonds.

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

SECTION 1. The refunding of all or a portion of the Refunded Bonds is hereby authorized.

SECTION 2. In order to refund the Refunded Bonds and to pay all related costs associated therewith, the City is hereby authorized to issue the Refunding Bonds in an aggregate principal amount not to exceed \$80,000,000, consisting of General Improvement Refunding Bonds and School Refunding Bonds, all in accordance with the requirements of N.J.S.A. 40A:2-51 et seq., and appropriate the proceeds of such Refunding Bonds to such purpose described in Section 3 hereof. Such Refunding Bonds shall be designated as "General Obligation Refunding Bonds" with such series designation as may be necessary to identify such bonds, including but not limited, "General Improvement Refunding Bonds" and "School Refunding Bonds".

SECTION 3. The purpose of the issuance of the Refunding Bonds is to achieve debt service savings by refunding all or a portion of the Refunded Bonds.

SECTION 4. An aggregate amount not exceeding \$1,000,000 may be allocated from the aggregate principal amount of the Refunding Bonds to pay for items of expense listed and permitted under N.J.S.A. 40A:2-51(b), including, but not limited to, the aggregate allocated costs of issuance thereof, including underwriting, printing, credit enhancement or other insurance, advertising, accounting, financial, legal and other expenses in connection therewith.

SECTION 5. A certified copy of this Refunding Bond Ordinance has been filed with the Director of the Division of Local Government Services, in the New Jersey Department of Community Affairs prior to final adoption and enactment hereof.

SECTION 6. The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the City Clerk and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, in the New Jersey Department of Community Affairs, 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 and notes provided for in this Refunding Bond Ordinance and the said bonds and notes authorized by this Refunding Bond Ordinance will be within all debt limitations prescribed by the Local Bond Law.

SECTION 7. The Chief Financial Officer of the City is hereby authorized and directed to determine all matters and terms in connection with the Refunding Bonds, all in consultation with the City bond counsel and the City auditor, and the manual or facsimile signature of the Chief Financial Officer of the City upon any documents shall be conclusive as to all such determinations. The Mayor, the Chief Financial Officer of the City, the City Clerk and any other City official, officer or professional, including but not limited to, the City bond counsel and the City auditor, are each hereby authorized and directed to execute and deliver such documents as are necessary to consummate the sale and closing of the Refunding Bonds, including the refunding report required to be filed pursuant to N.J.A.C 5:30-2.5, and to take such actions or refrain from such actions as are necessary for the issuance of the Refunding Bonds, in consultation with City bond counsel and the City auditor, and any and all actions taken heretofore with respect to the sale and issuance of the Refunding Bonds are hereby ratified and confirmed.

SECTION 8. This Refunding Bond Ordinance shall take effect twenty (20) days after the first publication thereof after final adoption and approval by the Mayor, as provided by the Local Bond Law.

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

BE IT RESOLVED, that an ordinance entitled "REFUNDING BOND ORDINANCE OF THE CITY OF BAYONNE, IN THE COUNTY OF HUDSON, STATE OF NEW JERSEY (THE "CITY") PROVIDING FOR (i) THE REFUNDING OF CERTAIN OUTSTANDING GENERAL IMPROVEMENT BONDS OF THE CITY DATED JUNE 24, 2009 AND SCHOOL BONDS OF THE CITY DATED DECEMBER 22, 2004 TO PROVIDE DEBT SERVICE SAVINGS, AND (ii) AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$80,000,000 AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION REFUNDING BONDS OF THE CITY TO EFFECT SUCH REFUNDING AND APPROPRIATING THE PROCEEDS THEREFOR," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, January 20, 2016 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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17. Council Member Cotter introduced:

ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY
ADOPTING A REDEVELOPMENT PLAN FOR A PORTION OF THE PENINSULA
IDENTIFIED AS:

Portion of Block 830, Lot 1 on the tax map of the City of Bayonne, known as Parcels B4, B5, B6, B10, B11, B12, B13, B14, B15, B18.1, and B18.2 and portions of Parcels B7, B16 and B18.3, as shown on the existing Peninsula at Bayonne Harbor Redevelopment Plan, including the lands and rights of way for the streets know as I Street, J Street, K Street, South Park Avenue, Parkside Street, Bay View Drive, Center Street and Memorial Drive; and

Portion of Block 890, Lot 1 on the tax map of the City of Bayonne, known as Parcel B19 (“Hudson River Waterfront Walkway”).

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, on March 18, 1998, the Bayonne Municipal Council (the “Municipal Council”) adopted Resolution 98-03-18-065 requesting the Planning Board of the City (the “Planning Board”) to conduct a preliminary investigation pursuant to *N.J.S.A. 40A:12A-6* to determine whether the subject area (the “Peninsula Study Area”), qualified as ‘an area in need of redevelopment’ in accordance with the criteria set forth in *N.J.S.A. 40A:12A-5*, and if so, to prepare a redevelopment plan; and

WHEREAS, on November 23, 1999, the Municipal Council adopted Resolution 99-11-23-078 designating the Peninsula Study Area, as an area in need of redevelopment (the “Peninsula Redevelopment Area”); and

WHEREAS, on August 24, 2001, the Municipal Council passed Ordinance O-01-45, which adopted the original Redevelopment Plan for the Peninsula Redevelopment Area in accordance with the Redevelopment Law; and

WHEREAS, on December 15, 2004, the Municipal Council passed Ordinance O-04-39, adopting a new Redevelopment Plan for the Peninsula Redevelopment Area, titled “The Peninsula at Bayonne Harbor” with an amendment dated February 14, 2006; and

WHEREAS, by Ordinance No. O-06-24, the Municipal Council adopted a revision of The Peninsula at Bayonne Harbor Redevelopment Plan dated July 19, 2006 (the “Redevelopment Plan”), which incorporated and superseded the prior redevelopment plans and amendments; and

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

WHEREAS, portions of the Peninsula Redevelopment Area currently remain vacant and/or undeveloped; and

WHEREAS, the Municipal Council, pursuant to Resolution No. 15-03-18-55 referred the Redevelopment Plan to the Planning board, to prepare and review an update to the Redevelopment Plan for those portions of the Peninsula Redevelopment Area located within the Bayonne Bay District identified as:

a. Portion of Block 830, Lot 1 on the tax map of the City of Bayonne, known as Parcels B4, B5, B6, B10, B11, B12, B13, B14, B15, B18.1, and B18.2 and portions of Parcels B7, B16 and B18.3, as shown on the existing Peninsula at Bayonne Harbor Redevelopment Plan, including the lands and rights of way for the streets know as I Street, J Street, K Street, South Park Avenue, Parkside Street, Bay View Drive, Center Street and Memorial Drive; and

b. Portion of Block 890, Lot 1 on the tax map of the City of Bayonne, known as Parcel B19 (“Hudson River Waterfront Walkway”) (collectively, the “Property”), and to make recommendations to the Municipal Council in accordance with the Redevelopment Law; and

WHEREAS, the City of Bayonne, Division of Planning & Zoning, Department of Municipal Services has prepared a Redevelopment Plan for the Property titled "Bayonne Bay West Redevelopment City of Bayonne Hudson County New Jersey" dated November 2015 (the "Redevelopment Plan"); and

WHEREAS, on November 9, 2015, the Planning Board adopted a Resolution recommending the Redevelopment Plan to the Municipal Council and concluding that the Rehabilitation Plan is consistent with the Master Plan of the City of Bayonne (the "Resolution") and a supplementary Resolution was subsequently adopted by the Planning Board on December 8, 2015; and

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

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 Redevelopment Plan is hereby adopted pursuant to the terms of *N.J.S.A. 40A:12A-7* and *N.J.S.A. 40A:12A-15* of the Redevelopment Law for the Property identified as:

Portion of Block 830, Lot 1 on the tax map of the City of Bayonne, known as Parcels B4, B5, B6, B10, B11, B12, B13, B14, B15, B18.1, and B18.2 and portions of Parcels B7, B16 and B18.3, as shown on the existing Peninsula at Bayonne Harbor Redevelopment Plan, including the lands and rights of way for the streets know as I Street, J Street, K Street, South Park Avenue, Parkside Street, Bay View Drive, Center Street and Memorial Drive; and

Portion of Block 890, Lot 1 on the tax map of the City of Bayonne, known as Parcel B19 ("Hudson River Waterfront Walkway").

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

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

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

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

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

BE IT RESOLVED, that an ordinance entitled "ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING A REDEVELOPMENT PLAN FOR A PORTION OF THE PENINSULA IDENTIFIED AS: a. PORTION OF BLOCK 830, LOT 1 ON THE TAX MAP OF THE CITY OF BAYONNE, KNOWN AS PARCELS B4, B5, B6, B10, B11, B12, B13, B14, B15, B18.1, AND b. 18.2 AND PORTIONS OF PARCELS B7, B16 AND B18.3, AS SHOWN ON THE EXISTING PENINSULA AT BAYONNE HARBOR REDEVELOPMENT PLAN, INCLUDING THE LANDS AND RIGHTS OF WAY FOR THE STREETS KNOW AS I STREET, J STREET, K STREET, SOUTH PARK AVENUE, PARKSIDE STREET, BAY VIEW DRIVE, CENTER STREET AND MEMORIAL DRIVE; AND PORTION OF BLOCK 890, LOT 1 ON THE TAX MAP OF THE CITY OF BAYONNE, KNOWN AS PARCEL B19 ("HUDSON RIVER WATERFRONT WALKWAY")," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, January 20, 2016 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.

* * * * *

18. 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

049. Bernard Malinconico, 366 Broadway
Beginning at a point on the east side of Broadway, 75 feet south of the southeast corner of 17th Street and Broadway, and extending to a point 20 feet south thereof.

135. Daniel Youssef, 7 Agnes Street
Beginning at a point on the west side of Agnes Street, 80 feet north of the northwest corner of East 17th Street and Agnes Street, and extending to a point 22 feet north thereof.

202. Florence Starita, 41 West 16th Street
Beginning at a point on the north side of West 16th Street, 180 feet east of the northeast corner of Avenue C and West 16th Street, and extending to a point 22 feet east thereof.

203. Daniel Finnerty, 17 Hartley Place
Beginning at a point on the west side of Hartley Place, 179 feet south of the southwest corner of Hartley Place and Linden Street, and extending to a point 22 feet south thereof.

292. Margarita Gonzalez, 44 West 32nd Street
Beginning at a point on the south side of West 32nd Street, 185 feet east of the southeast corner of Avenue C and West 32nd Street, and extending to a point 22 feet east thereof.

ADD

203. Tony K. Chahine, 30 East 50th Street, Apt.372
Beginning at a point on the south side of East 50th Street, 217 feet east of the southeast corner of East 50th Street and Broadway, and extending to a point 20 feet east thereof.

292. Eugene Mincieli for his wife, Frances, 90 West 21st Street
Beginning at a point on the south side of West 20th Street, 224 feet east of the southeast corner of Kennedy Boulevard and West 20th Street, and extending to a point 18 feet east thereof.

310. Carloyn Beatty, 94 West 15th Street
Beginning at a point on the south side of West 15th Street, 204 feet east of the southeast corner of Kennedy Boulevard and West 15th Street, and extending to a point 18 feet east thereof.

355. Stanley Marko, 77 East 25th Street
Beginning at a point on the north side of East 25th Street, 191 feet west of the northwest corner of Avenue F and East 25th Street, and extending to a point 10 feet west thereof.

Gary O'Rourke, for his mother, Ethel, 13 Andrew Street
Beginning at a point on the north side of Andrew Street, 158 feet west of the northwest corner of Broadway and Andrew Street, and extending to a point 19 feet west thereof.

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

BE IT RESOLVED, that an ordinance entitled "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, January 20, 2016 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.

* * * * *

19. 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.

* * * * *

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

From Pasquale Agresti, Esq., filing notice of tort claim on behalf of JAMIE BETHANCUR, alleging injuries sustained July 3, 2015 in an assault at the basketball court in Hudson County Park.

* * * * *

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

From Paul K. DeGrado, Esq., filing notice of tort claim on behalf of MALGORZATA DOBROWOLSKA, alleging injuries sustained November 12, 2015 in an accident trying to open a window at the Head Start Building, 7 West 9th Street.

* * * * *

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

From Brian D. Schwartz, Esq., filing notice of tort claim on behalf of MARTA VARGA, alleging injuries sustained September 30, 2015 in a fall on the sidewalk at 525 Broadway.

* * * * *

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

From John J. Smith, Esq., filing notice of tort claim on behalf of MICHELE BARBA, alleging injuries sustained October 8, 2015 in a fall in the crosswalk at 26th Street and Broadway.

* * * * *

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

From Peter N. Davis, Esq., filing notice of tort claim on behalf of ANA MARTINEZ, alleging injuries sustained August 3, 2015 in a sidewalk fall down at 636 Avenue A.

* * * * *

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

From JOHN LAGO, father of JOHNNY LEE LAGO, a minor, filing notice of tort claim alleging personal injury sustained July 7, 2015 from a roller skating injury on a Mary J. Donohue summer camp program at the Arenas At Woodbridge.

* * * * *

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

From MICHELE MENAFRO, filing notice of tort claim alleging property damage to the curb and sidewalk at her home on various dates resulting from being run over by garbage trucks at 122 West 16th Street.

* * * * *

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

From MAURA B. FRANCONERI, filing notice of tort claim alleging property damage to her automobile tire on October 9, 2015 resulting from running over the curb at a catch basin at 57th Street and Avenue C.

* * * * *

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

From PUBLIC SERVICE ELECTRIC & GAS, filing notice of tort claim alleging property damage to a gas main on September 29, 2015 resulting from a DPW front end loader striking it at the 40th Street bridge.

* * * * *

29. 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, “FRENKEL & CO. vs. THE CITY OF BAYONNE.” (Seeking compensation for commissions as risk management consultant during 2013 and 2014.)

* * * * *

30. 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, “MARROQUIN vs. SCIANNI and THE CITY OF BAYONNE, et al.” (Civil rights violation on March 23, 2014 at the St. Patrick’s Day Parade)

* * * * *

31. 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, “BUCHHOLTZ vs. THE CITY OF BAYONNE.” (Sidewalk fall down on February 19, 2015 at the 31st Street side of the Free Public Library)

* * * * *

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

From the United States District Court, Eastern District of New York, Summons and Complaint in matter entitled, “GATSON vs. F.B.I., et al., incl. THE CITY OF BAYONNE, et al.” (Civil rights violations from an arrest on October 10, 2013)

* * * * *

33. 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, “PLANET HOME LENDING, LLC vs. THE CITY OF BAYONNE, et al.” (Mortgage foreclosure – city has two docketed judgments against)

* * * * *

34. 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, “M&T BANK vs. GARCIA, et al., incl. THE CITY OF BAYONNE.” (Mortgage foreclosure in which the city may hold 2 judgments)

* * * * *

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

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

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

* * * * *

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

November 13, 2015

Dear Council President Nadrowski
and Honorable Members of the City Council

I hereby appoint the following individuals to the Historical Preservation Commission of the City of Bayonne:

- CLASS B:
- | | |
|--|--------------------------------|
| Carmela Ascoles Karnoutsos | |
| 136E West 32nd Street, Bayonne, NJ 07002 | Term Expires December 31, 2018 |
- P. Gerard Nowick
- | | |
|---|--------------------------------|
| 124 West 25th Street, Bayonne, NJ 07002 | Term Expires December 31, 2017 |
|---|--------------------------------|
- CLASS C:
- | | |
|-----------------------------------|--------------------------------|
| Priscilla Ege | |
| 8 Howard Place, Bayonne, NJ 07002 | Term Expires December 31, 2018 |
- Lee Fahley
- | | |
|--|--------------------------------|
| 35 East 33rd Street, Bayonne, NJ 07002 | Term Expires December 31, 2016 |
|--|--------------------------------|
- ALTERNATE #1:
- Meryl Robin

106 West 8th Street, Bayonne, NJ 07002

Term Expires December 31, 2015

ALTERNATE #2:

Baer Hanusz-Rajkowski

84 Trask Avenue, Bayonne, NJ 07002

Term Expires December 31, 2018

In conjunction with this appointment the City Clerk has been directed to add an accompanying item on the December 9, 2015 Council Caucus Meeting agenda to be received and filed.

Sincerely,
James M. David
Mayor
(signed)

* * * * *

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

November 12, 2015

Dear Council President Nadrowski
and Honorable Members of the City Council

I hereby appoint the following individual to the Alcoholic Beverage Control Board of the City of Bayonne and request the City Council's consenting agenda:

John Minella (D)

16 Elco Court, Bayonne, NJ 07002

Term expiring on December 31, 2018.

In conjunction with this appointment the City Clerk has been directed to add an accompanying item on the December 9, 2015 Council Caucus Meeting agenda to be received and filed.

Sincerely,
James M. David
Mayor
(signed)

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

* * * * *

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

November 12, 2015

Dear Council President Nadrowski
and Honorable Members of the City Council

I hereby appoint the following individuals to the Planning Board of the City of Bayonne and request this communication to be marked as received and filed:

CLASS II MEMBER(S)

Terrence Malloy

Chief Financial Officer, City of Bayonne

Term expiring on December 31, 2016

CLASS IV MEMBER(S)

Miguel Quintela

33 Roosevelt Terrace, Bayonne, NJ

Term expiring on December 31, 2019

In conjunction with this appointment the City Clerk has been directed to add an accompanying item on the December 9, 2015 Council Caucus Meeting agenda to be received and filed.

Sincerely,
James M. David
Mayor
(signed)

* * * * *

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

November 24, 2015

Dear Council President Nadrowski
and Honorable Members of the City Council

I hereby appoint Vincent Vega, 68 West 38th Street, Bayonne, New Jersey 07002, as my Class I Designee of the Planning Board of the City of Bayonne. This appointment shall be effective immediately and shall replace Robert Wondolowski in his capacity as Class I Designee.

In conjunction with this appointment the City Clerk has been directed to add an accompanying item on the December 9, 2015 Council Caucus Meeting agenda to be received and filed.

Sincerely,
James M. David
Mayor
(signed)

* * * * *

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

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

* * * * *

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

From Terrence Malloy, CFO, submitting the Supplement Debt Statement as of December 16, 2015.

* * * * *

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

DATE November 6, 2015

TO: Terrence Malloy, CFO
Robert Sloan, City Clerk

CC: Leo J. Smith, Jr., School Business Administrator

FROM: Janet Convery, Treasurer

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

\$5,097,854.00 CLAIMS & PAYROLL FOR NOVEMBER 2015

* * * * *

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

DATE December 3, 2015

TO: Terrence Malloy, CFO
Robert Sloan, City Clerk

CC: Leo J. Smith, Jr., School Business Administrator

FROM: Janet Convery, Treasurer

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

\$5,097,854.00 CLAIMS & PAYROLL FOR DECEMBER 2015

* * * * *

44. 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.

* * * * *

45. 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, November 10, 2015 be and the same are hereby approved.

* * * * *

46. 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, November 4, 2015, be and the same are hereby approved.

* * * * *

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

WHEREAS, Mayor James M. Davis has recommended Barry Kushnir, for appointment to the Zoning Board of Adjustment as Alternate #4 for a term to expire December 31, 2016; now, therefore be it

RESOLVED, that Barry Kushnir be and is hereby appointed to the Zoning Board of Adjustment as Alternate #4 for a term expiring December 31, 2016.

* * * * *

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

BE IT RESOLVED, that the HON. JUAN PEREZ be and is hereby appointed as the Class III member of the Planning Board for a term expiring December 31, 2016.

* * * * *

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

WHEREAS, Mayor James M. Davis has recommended David Rivera, for reappointment to the Zoning Board of Adjustment as Alternate #1 for a term to expire December 31, 2016, Frank Pelliterri for reappointment as Alternate #2 for a term to expire December 21, 2017, and has recommended Matt Dorans for appointment as Alternate \$3 for a term to expire December 31, 2016; now, therefore be it

RESOLVED, that the following be and are hereby appointed or reappointed to the Zoning Board of Adjustment to the positions for terms expiring as indicated:

Name	Position	Term expires
David Rivera	Alternate #1	December 31, 2017
Frank Pellitteri	Alternate #2	December 31, 2017
Matt Dorans	Alternate #3	December 31, 2016

* * * * *

50. 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
94	17	Ocean First Bank	2,677.67
151	37.02	Joseph Barbero	2,885.60
174	15	Jorge Cirino	1,429.16
177	46	Joyce Gleason	5.00
184	5	A E R L, LLC	88.90
188	31	78-80 West 25 th , LLC	2,448.01
201	23	Marco Pagan	417.02
240	18	Harold Tillson	250.00
247	11	PNC Mortgage	1,053.76
248	14	Peter Saleh	1,716.39
307	1.05	Jose Paez	1,010.64
406	2.0111	Daniel Leavey	1,251.36
406	23	Diane Policastro	739.76
Total:			15,973.27

* * * * *

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

WHEREAS, the properties set forth below have received judgments in their favor from the Tax Court of New Jersey; and

WHEREAS, the Director of Finance has recommended that these amounts, resulting from the aforementioned judgments be refunded to the property owners; now, therefore be it

RESOLVED, that warrants be drawn in the names and amounts set forth below, and forwarded to the Tax Collector for release to the property owners.

<u>BLOCK</u>	<u>LOT</u>	<u>PAYEE</u>	<u>AMOUNT</u>
54	23	M. Vespasiano, Esq./ 1030 Broadway, LLC	10,677.25
Total:			10,677.25

* * * * *

52. 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 \$21.00 be drawn of the Bureau of Rabies Control, State Department of Health, Trenton, New Jersey, covering the issuance of licenses Nos. 1275-1279 inclusive, 5 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.

* * * * *

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

WHEREAS, the City of Bayonne is in need of continuing maintenance services for Alchemy brand document-imaging software housed in the Police Department; and

WHEREAS, Open Text, Inc., c/o J.P. Morgan Lockbox, 24685 Network Place Chicago, IL 60673 has provided the City with an invoice for said services for the period commencing January 1, 2016 and ending December 31, 2016, for a total contract amount of \$4,414.00; and

WHEREAS, funds for said agreement have been certified as available in Account #PS-9/01-201-25-240-2-020 pending adoption of the 2016 budget; and

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

RESOLVED, that the Mayor and the City Clerk of the City of Bayonne are hereby authorized to enter into a service agreement with Open Text, Inc., c/o J.P. Morgan Lockbox, 24685 Network Place Chicago, IL 60673, for application software support services for Alchemy brand document-imaging software housed in the Police Department for a one year period commencing January 1, 2015 and ending December 31, 2015, for a total contract amount of \$4,414.00, and said funds have been certified available in Account #PS-9 01-201-25-240-2-020; and be it further

RESOLVED, that the Municipal Treasurer be and is hereby authorized and directed to issue a warrant payable to Open Text, Inc. in the amount of \$4,414.00 in payment for such services.

* * * * *

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

WHEREAS, the Bayonne Fire Department has an ongoing need for uninterrupted prevention maintenance services for it breathing air system; and

WHEREAS, it is essential for the safety and welfare of the public that the Fire Department's breathing air system be maintained in order to respond to the public in the most effective manner; and

WHEREAS, Air and Gas Tech, Inc., 42 Industrial Drive, Cliffwood Beach, New Jersey 07735 provided the City with an invoice for the annual continued prevention maintenance services for the Fire Department's breathing air system for the amount of \$1,295.51; and

WHEREAS, in order to maintain uninterrupted prevention maintenance services for the Fire Department's breathing air system it was necessary for the Treasurer to issue a warrant to Air and Gas Tech, Inc. in the amount of \$1,295.51 as payment for said services prior to obtaining approval from this body; and

WHEREAS, funds have been certified in Account 01-201-25-265-2-020; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The actions of the Treasurer in issuing a warrant in the amount of \$1,295.51 to Air and Gas Tech, Inc. 42 Industrial Drive, Cliffwood Beach, New Jersey 07735 provided the City with an invoice for the annual continued prevention maintenance services for the Fire Department's breathing air system are hereby ratified and confirmed.

* * * * *

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

RESOLVED, that the actions of the Municipal Treasurer in issuing payment from Current Fund in the amount of \$ 7,454,242.19 payable to the County of Hudson for Fourth Quarter County Taxes of 2015 is hereby ratified and confirmed.

* * * * *

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

RESOLVED, that the actions of the Treasurer in issuing warrants totaling \$ 31,800.00 payable to Supreme Tours, LLC and Bayshore Bus Company is hereby ratified and confirmed. Said warrants are to be charged to Parks and Playgrounds-O.E.

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

WHEREAS, Section 17-23, Charitable Clothing Bins, of the Revised General Ordinances of the City of Bayonne requires that a permit be obtained by a qualifying non-profit organization in order for it to place donation clothing bins within the City of Bayonne, provided certain requirements in the ordinance are met; and

WHEREAS, ST. ANDREW CHURCH, 2 West 4th Street, Bayonne, NJ, has applied for a permit for one (1) clothing donation bin to be located at 2 West 4th Street, and has paid the appropriate fees and supplied the required documents; now, therefore be it

RESOLVED, that the application of ST. ANDREW CHURCH, 2 West 4th Street, Bayonne, NJ, for a permit for one (1) clothing donation bin to be located at 2 West 4th Street at the specific location designated on the map submitted as part of their application, be and is hereby approved for the calendar year 2016; and be it further

RESOLVED, that the City Clerk be and is hereby authorized and directed to issue a permit for one (1) clothing donation bin to St. Andrew Church for calendar year 2016.

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

WHEREAS, pursuant to N.J.S.A. 10:4-6, et seq., known as the Open Public Meetings Act, all meetings of all public bodies wherein formal action, decisions or discussion relating to the public business of said bodies may take place, are required to be publicly announced and schedules posted of regular meetings for the calendar year; now, therefore be it

RESOLVED, as follows:

1. The City Council of the City of Bayonne shall meet for the calendar year 2016 according to the following schedule; the meetings are hereby designated as Caucus Meetings and Regular Meetings as indicated and shall be held in the Dorothy Harrington Council Chambers, 630 Avenue C, Bayonne, New Jersey, on the dates and at the times listed:

CAUCUS MEETINGS: REGULAR MEETINGS:

January 13	- 7:00 P.M.-Wed.	January 20	-7:00 P.M.-Wed.
February 10	- 7:00 P.M.-Wed.	February 17	-7:00 P.M.-Wed.
March 9	- 7:00 P.M.-Wed.	March 16	-7:00 P.M.-Wed.
April 13	- 7:00 P.M.-Wed.	April 20	-7:00 P.M.-Wed.
May 11	- 7:00 P.M.-Wed.	May 18	-7:00 P.M.-Wed.
June 15	- 7:00 P.M.-Wed.	June 22	-7:00 P.M.-Wed.
July 13	- 7:00 P.M.-Wed.	July 20	-7:00 P.M.-Wed.
August 17	- 7:00 P.M.-Wed.	August 24	-7:00 P.M.-Wed.
September 14	- 7:00 P.M.-Wed.	September 21	-7:00 P.M.-Wed.
October 12	- 7:00 P.M.-Wed.	October 19	-7:00 P.M.-Wed.
November 2	- 7:00 P.M.-Wed.	November 9	-7:00 P.M.-Wed.
December 7	- 7:00 P.M.-Wed.	December 14	-7:00 P.M.-Wed.

2. Caucus meetings are for the purpose of discussing matters of council business for inclusion on the agenda for the regular meeting, along with any other Council business. The public may attend but may not participate; formal action will not be taken at Caucus meetings. Formal action will be taken at Regular Meetings, which may include action on new business items not presented or discussed at the caucus meeting.

3. The City Council may adjourn any regular or adjourned meeting to a future date and may schedule such other meetings during the calendar year as its business may require. Proper notice to the public shall be given by the City Clerk regarding adjourn meetings, if any.

4. The City Clerk is hereby directed to insure that proper notice of City Council meetings of all types is provided to the public as follows:

- a) Posting a copy of the Annual Schedule (this resolution) and appropriate notices of meetings on the bulletin board in the lobby of the Municipal Building.
- b) Filing a copy of said notices in the City Clerk's Office.
- c) Mailing, faxing, or otherwise delivering copies of said notices to the Jersey Journal and the Star Ledger within the time prescribed by the Open Public Meetings Act.
- d) Complying with any additional statutory requirements not specified herein.

* * * * *

59. 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 BINGO LICENSE be granted:

LICENSEE	TIME & PLACE	LICENSE
Holy Name Society	6:00PM 19 West 13th Street 2016 Jan 8,15,22,29 Feb. 5,12,19,26 Mar. 4, 11, 18, Apr. 1,8,15,22,29 May 6,13,20,27 June 3,10,17,24	BL: 2412

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60. 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
St. Andrew/St. Mary Holy Name Society	11:00 PM 126 Broadway March 12, 2016	RL: 9069
Jackie Robinson Baseball League	7:00 - 11:00 PM 400 Route 440 February 6, 2016	RL: 9070
Society of Friendly Sons of St. Patrick's	10:00 PM 1081 Broadway March 4, 2016	RL: 9071
The Hudson County Animal League	2:30-6:30 PM 290 Avenue E February 2, 2016	RL: 9072 RL: 9073
Hudson Hospice Volunteers, Inc.	6:00-10:00 PM 1081 Broadway February 4, 2016	RL: 9074 RL: 9075
Bridgemen Organization Inc.	7:00 PM 57 West 6th Street Feb. 6, 13, 20, 27 Mar. 5,12,19,26 Apr. 2,9,16,23,30 May 7,14,21,28 June 4,11,18,25 July 2,9,16,23,30	RL: 9076
Our Lady of Mt. Carmel	11:00 AM 39 East 22nd Street March 13, 2016	RL: 9077

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

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

WHEREAS, the Bayonne Housing Authority, 549 Avenue A., Bayonne, New Jersey 07002 is an organization which has among its objectives assisting persons of lower income households; and

WHEREAS, the Bayonne Housing Authority has requested and submitted a formal written application dated September 4, 2015 for said CDBG Grant Funds in the amount of \$14,600.00 for the purpose of providing the cost of architectural plans from DAL Design Group, 11 West 8th Street, Bayonne, NJ 07002; and

WHEREAS, the Assistant Director of Community Development has advised that the availability of said Community Development Block Grant Funds for the purpose of providing the cost of architectural plans from DAL Design Group, 11 West 8th Street, Bayonne, NJ 07002; and

WHEREAS, said CDBG Funds are certified as available in Account CDBG-843; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized to enter into an agreement with the Bayonne Housing Authority, 549 Avenue A, Bayonne, New Jersey 07002 for the provision of providing the cost of architectural plans from DAL Design Group, 11 West 8th Street , Bayonne, NJ 07002 in the amount of \$14,600.00 for the period commencing September 1, 2014 and ending August 31, 2015.

2. Funds shall be charged to Account #CDBG-843

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

* * * * *

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

WHEREAS, Municipal Council Resolution No. 15-10-21-067 was adopted on October 21, 2015 authorizing the Mayor and City Clerk to enter into an agreement with Bayonne Community Day Nursery, having an address at 591 Broadway, Bayonne, New Jersey 07002 in the amount of \$19,000.00 for the purpose of providing the cost of reconstruction of the sidewalk in front of their building (the "Project") for the period commencing September 1, 2013 and ending August 31, 2014; and

WHEREAS, pursuant to the aforesaid Resolution No. 15-10-21-067, the City of Bayonne entered into Agreement No. CY 15-088 with Bayonne Community Day Nursery, and

WHEREAS, subsequent to the commencement of the work, the contractor advised that installation of exterior door necessary to complete the Project was more extensive than was anticipated in his original proposal; and

WHEREAS, the contractor has provided the Director of Community Development with a formal written supplemental proposal dated December 1, 2015 in the amount of 7,800.00 to include the installation of the exterior door necessary to complete the Project; and

WHEREAS, funds are certified 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 execute an amendment to Agreement No. CY15-088 with Bayonne Community Day Nursery to include the installation of the exterior door necessary to complete the project which was not anticipated at the time of the original proposal for the amount of \$7,800.00 pursuant to the contractor's proposal dated December 1, 2015.

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

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

* * * * *

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

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

WHEREAS, the law firm of Chiesa, Shahinian & Giantomasi, PC, One Boland Drive, West Orange, New Jersey 07052 has submitted to the City of Bayonne a formal written response to the City's Request for Qualifications/Proposals for said professional legal services; and

WHEREAS, the law firm of Chiesa, Shahinian & Giantomasi, PC is qualified, ready, willing and able to provide said services; and

WHEREAS, funds are certified as available in Account #01-201-20-156-2-020 pending adoption of the CY2016 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 directed to execute an agreement with the law firm of Chiesa, Shahinian & Giantomasi, PC, One Boland Drive, West Orange, New Jersey 07052 to provide professional legal services in defense of the City of Bayonne in matters before the State Tax Court of the State of New Jersey, for a maximum contract amount not to exceed \$55,000.00, at an hourly rate of \$165.00 per hour for the period commencing February 1, 2016 and ending December 31, 2016.

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

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

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

* * * * *

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

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

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

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

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

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

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

WHEREAS, the City of Bayonne desires to retain the services of Richard N. Campisano, Esq., as attorney for the Planning Board for the period commencing February 1, 2016 and ending December 31, 2016 for an amount of \$9,900.00 payable at the rate of \$900.00 per month for all legal and administrative duties associated with his function as Board attorney. There shall be additional compensation of \$150.00 per hour for escrow billings and in the event the Planning Board is involved in litigation, said amount not to exceed \$5,000.00 for the period commencing February 1, 2016 and ending December 31, 2016, and

WHEREAS, funds are certified as available in Account #M-4 01-201-21-180-2-028; pending adoption of the CY2016 Budget; now, therefore, be it

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

1. The Mayor and the City Clerk are hereby authorized and directed to execute an agreement with Richard N. Campisano, Esq., 34-36 Jones Street Jersey City, New Jersey 07306 to act as attorney for the Planning Board, for an amount of \$9,900.00 payable at the rate of \$900.00 per month for all legal and administrative duties associated with his function as Board attorney. There shall be additional compensation of \$150.00 per hour for escrow billings and in the event the Planning Board is involved in litigation, said amount not to exceed \$5,000.00 for the period commencing February 1, 2016 and ending December 31, 2016.

2. Funds shall be charged to Account #M-4 01-201-21-180-2-028 pending adoption of the CY2016 Budget.
3. Notice of the action shall be printed once in a newspaper of general circulation within the boundaries of the City of Bayonne.

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

* * * * *

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

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

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

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

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

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

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

WHEREAS, the City of Bayonne desires to retain the services of Richard N. Campisano, Esq. as attorney for the Zoning Board for the period commencing February 1, 2016 and ending December 31, 2016 for an amount of \$12,100.00 payable at the rate of \$1,100.00 per month for all legal and administrative duties associated with his function as Board attorney. There shall be additional compensation of \$150.00 per hour for escrow billings and in the event the Zoning Board is involved in litigation, said amount not to exceed \$9,000.00 for the period commencing February 1, 2016 and ending December 31, 2016, and

WHEREAS, funds are certified as available in Account #M-6 01-201-21-185-2-028; pending adoption of CY2015 and CY2016 Budgets; now, therefore, be it

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

1. The Mayor and the City Clerk are hereby authorized and directed to execute an agreement with Richard N. Campisano, Esq., 34-36 Jones Street Jersey City, New Jersey 07306 to act as attorney for the Zoning Board, for an amount of \$12,100.00 payable at the rate of \$1,100.00 per month for all legal and administrative duties associated with his function as Board attorney. There shall be additional compensation of \$150.00 per hour for escrow billings and in the event the Zoning Board is involved in litigation, said amount not to exceed \$9,000.00 for the period commencing February 1, 2016 and ending December 31, 2016.
2. Funds shall be charged to Account M-4 01-201-21-185-2-028 pending adoption of CY2016 Budget.
3. Notice of the action shall be printed once in a newspaper of general circulation within the boundaries of the City of Bayonne.

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

* * * * *

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

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

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

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

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

WHEREAS, the response submitted by the law firm of Hughes & Finnerty, P.C. was the sole response received pursuant to the City's advertisement; and

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

WHEREAS, the City desires to retain the services of the law firm of Hughes & Finnerty, P.C. for professional legal services as Municipal Public Defender in connection with the representation of indigent individuals coming before the Municipal Court of the City of Bayonne for the period commencing February 1, 2016 and ending December 31, 2016 for an amount not to exceed \$64,166.67; and

WHEREAS, funds are certified as available in Account #01-201-43-495-2-028 pending adoption of the CY 2016 Budget, now, therefore, be it

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

1. The Mayor and the City Clerk are hereby authorized and directed to execute an agreement with Hughes & Finnerty, P.C., 25 West 8th Street, P.O. Box 65, Bayonne, NJ 07002 to perform professional legal services as the Municipal Public Defender in connection with the representation of indigent individuals coming before the Municipal Court of the City of Bayonne, for a total amount not to exceed \$64,166.67 for the period commencing February 1, 2016 and ending December 31, 2016.
2. Funds shall be charged to Account #01-201-43-495-2-028 pending adoption of the CY2016 Budget
3. A notice of this award shall be published once in a newspaper of general circulation within the boundaries of the City of Bayonne.

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

* * * * *

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

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

WHEREAS, Anthony R. Suarez, Esq., c/o Werner, Suarez & Moran, LLC, One University Plaza, Suite 117, Hackensack, New Jersey 07602 has submitted to the City of Bayonne a formal, written response to the City's Request for Qualifications/Proposals for said professional legal services; and

WHEREAS, Anthony R. Suarez, Esq. is qualified, ready, willing and able to provide said professional legal services; and

WHEREAS, funds have been certified as available in Account #M-19 01-201-20-100-2-020 pending adoption of the CY2016 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 directed to execute an agreement with Anthony R. Suarez, Esq., c/o Werner, Suarez & Moran, LLC, One University Plaza, Suite 117, Hackensack, New Jersey 07602 professional legal services on behalf of the City’s Rent Control Board for the period commencing March 1, 2016 through December 31, 2016, for an amount not to exceed \$12,500.00.

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

3. Funds have been certified as available in Account #M-19 01-201-20-100-2-020.

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

* * * * *

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

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

WHEREAS, the law firm of Inglesino, Webster, Wyciskala & Taylor, LLC, 600 Parsippany Road, Suite 204, Parsippany, New Jersey 07054 has submitted formal written responses to the City of Bayonne’s Request for Qualifications for said professional legal services; and

WHEREAS, this professional services contract was determined under the Fair & Open Contracting Requirements pursuant to N.J.S.A. 19:44A:20.4 and .5; and

WHEREAS, the law firm of Inglesino, Webster, Wyciskala & Taylor, LLC is qualified, ready and able to provide said services; and

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

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

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

1. The Mayor and the City Clerk are hereby authorized and directed to execute an agreement with the law firm of Inglesino, Webster, Wyciskala & Taylor, LLC, 600 Parsippany Road, Suite 204, Parsippany, New Jersey 07054 for professional legal services as Redevelopment/Land Use Counsel for the period commencing February 1, 2016 and ending December 31, 2016, in accordance with its response to the City's Request for Qualifications.

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

3. This contract is awarded without competitive bidding as a “Professional Service” under the provisions of the Local Public Contracts Law because the service is a recognized profession, licensed and regulated by the State of New Jersey, and bids are not required as per N.J.S.A. 40A:11-1, et seq.

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

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

* * * * *

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

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

WHEREAS, the law firm of Archer & Greiner, P.C., 21 Main Street, Suite 353, Hackensack, New Jersey 07601-7095, has submitted a formal written response to the City's Request for Qualifications/Proposals for the aforesaid professional legal services to act as bond counsel; and

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

WHEREAS, funds are certified as available from Various Capital Bond Ordinances, BA-2 and Various Other Accounts; and

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

WHEREAS, this professional services contract was determined under the Fair & Open Contracting Requirements pursuant to N.J.S.A. 19:44A:20.4 and .5; now, therefore, be it

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

1. The Mayor and the City Clerk are hereby authorized and directed to execute an agreement with the law firm of Archer & Greiner, P.C., 21 Main Street, Suite 353, Hackensack, New Jersey 07601-7095 to act as bond counsel for the period commencing February 1, 2016 and ending December 31, 2016, in accordance with their Response to the City's Request for Qualifications.
2. Funds are chargeable to Various Capital Bond Ordinances, BA-2 and Various Other Accounts.
3. This contract is awarded without competitive bidding as a "Professional Service" under the provisions of the Local Public Contracts Law because the service is a recognized profession, licensed and regulated by the State of New Jersey, and bids are not required as per N.J.S.A. 40A:11-1, et seq.
4. A notice of this action shall be printed once in a newspaper of general circulation within the boundaries of the City of Bayonne.

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

* * * * *

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

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

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

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

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

WHEREAS, the response submitted by the law firm of Krivit & Krivit, P.C. was the sole response received pursuant to the City's advertisement; and

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

WHEREAS, the City desires to retain the services of the law firm of Krivit & Krivit, P.C. for professional legal services in connection with Federal and State Grants and Funding for the period commencing February 1, 2016 and ending December 31, 2016 for an amount not to exceed \$91,666.67; and

WHEREAS, funds have been certified in Account No. PS-9 01-201-25-240-2-020 pending adoption of the CY2016 Budget; now, therefore, be it

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

1. The Mayor and the City Clerk are hereby authorized and directed to execute an agreement with Krivit & Krivit, P.C., 1000 Potomac Street, N.W., Suite 250, Washington, D.C. 20007-3501 for professional legal services in connection with Federal and State Grants and Funding for the City for the period commencing February 1, 2016 and ending December 31, 2016 for a total contract amount not to exceed \$91,666.67.
2. Funds shall be charged to account PS-9 01-201-25-240-2-020.
4. A notice of this action shall be printed once in a newspaper of general circulation within the boundaries of the City of Bayonne.

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

* * * * *

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

WHEREAS, the City of Bayonne is in need of professional legal services to conduct arbitration hearings, litigation before the courts, negotiations and PERC hearings involving various unions and the City of Bayonne; and

WHEREAS, the law firms of Florio, Kenny & Raval, L.L.P., 5 Marine View Plaza, Suite 103, P.O. Box 771, Hoboken, New Jersey 07030 and Roth D'Aquanni, LLC, 150 Morris Avenue, Suite 206, Springfield, New Jersey 07081 have submitted to the City of Bayonne formal written responses to the City's Request for Qualifications/Proposals for said professional legal services; and

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

WHEREAS, funds are certified as available in Account #01-201-20-156-2-020 pending adoption of the CY2016 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 directed to execute agreements with the law firms of Florio, Kenny & Raval, L.L.P., 5 Marine View Plaza, Suite 103, P.O. Box 771, Hoboken, New Jersey 07030 and Roth D'Aquanni, LLC, 150 Morris Avenue, Suite 206, Springfield, New Jersey 07081 to provide professional legal services to conduct arbitration hearings, litigation before the courts, negotiations and PERC hearings involving various unions and the City of Bayonne for maximum contract amounts not to exceed \$30,000.00 each payable at an hourly rate of \$165.00 per hour for the period commencing February 1, 2016 and ending December 31, 2016.

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

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

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

* * * * *

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

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

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

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

WHEREAS, Stack, Coolahan & Stack, LLC is willing to perform these services for the period commencing February 1, 2016 and ending December 31, 2016 for an amount not to exceed \$74,250.00, and

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

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

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

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

1. That the Mayor and the City Clerk are hereby authorized and directed to execute an agreement with Stack, Coolahan & Stack, LLC, 90 Hudson Street, Suite 200, Hoboken, New Jersey 07030, for the above mentioned real property appraisals and expert testimony services for the period commencing February 1, 2016 and ending December 31, 2016, for an amount not to exceed \$74,250.00.

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

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

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

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

* * * * *

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

WHEREAS, there exists a need for professional services to audit of books, accounts and financial transactions of the City of Bayonne for the Calendar Year 2015 as prescribed by N.J.S. 40A:5-4 et seq.; to audit the City's Public Assistance Trust Fund in compliance with State regulations of the Bureau of Welfare; to assist in the preparation of the Calendar Year 2016 budget preparation process, excluding department detail worksheets; to review the unaudited Calendar Year ended December 31, 2015,

financial statements prior to submission to the State; to attend Municipal Council meetings, as required; to provide technical advice during the Calendar Year ending December 31, 2016, as needed, and to review the Employee's Deferred Compensation Plan; and

WHEREAS, Donohue, Gironda, Doria & Tomkins, LLC, 310 Broadway, Bayonne, New Jersey 07002, has submitted to the City of Bayonne a formal, written proposal for said services; and

WHEREAS, Donohue, Gironda, Doria & Tomkins, LLC, 310 Broadway, Bayonne, New Jersey 07002, is ready, willing and able to provide said services; and

WHEREAS, the response submitted by Donohue, Gironda, Doria & Tomkins, LLC, was the sole response received pursuant to the City's advertisement; and

WHEREAS, Donohue, Gironda, Doria & Tomkins, LLC, is willing to perform these services for the period commencing January 1, 2016 and ending December 31, 2016 for an amount not to exceed \$85,000.00, and

WHEREAS, funds are certified as available in Account Budget and Accounting Fees 01-201-20-135-2-028, CDBG 200 and Parking Utility - Other Expenses 10-201-20-104-2-199 pending adoption of the CY 2016 Budget; now, and

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

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

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

1. That the Mayor and the City Clerk are hereby authorized and directed to execute an agreement with Donohue, Gironda, Doria & Tomkins, LLC, 310 Broadway, Bayonne, New Jersey 07002 for the above mentioned services for the period commencing January 1, 2016 and ending December 31, 2016, for an amount not to exceed \$85,000.00, and funds are certified as available in Account Budget and Accounting Fees 01-201-20-135-2-028, CDBG -200 and Parking Utility - Other Expenses 10-201-20-104-2-199 pending adoption of the CY 2016 Budget.

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

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

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

* * * * *

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

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

WHEREAS, Alpha Dog Solutions, Inc., 335 Union Avenue, Belleville, New Jersey 07109 has submitted to the City of Bayonne a formal, written proposal for said website design, management and maintenance services; and

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

WHEREAS, the Business Administrator for the City of Bayonne has provided a certification of extraordinary and unspecifiable services to the Municipal Council indicating the services to be provided by Alpha Dog Solutions, Inc. are "unique, specialized and qualitative in nature requiring expertise, extensive training and a

proven reputation in the field of information technology, computer systems and network administration and support services;” and

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

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

WHEREAS, the maximum amount the contract is not to exceed \$49,500.00, the term of the contract is from March 1, 2016 through December 31, 2016, and

WHEREAS, funds are certified as available in 01-201-20-101-2-020, UEZ & SID pending adoption of the CY 2016 Budget; now, therefore, be it

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

1. The Mayor and the City Clerk are hereby authorized and directed to execute an agreement with Alpha Dog Solutions, Inc., 335 Union Avenue, Belleville, New Jersey 07109 to provide website design, management and maintenance services for a maximum contract amount not to exceed \$49,500.00 for the period commencing March 1, 2016 and ending December 31, 2016.
2. A notice of this action shall be printed once in a newspaper of general circulation within the boundaries of the City of Bayonne.
3. Funds shall be charged to Account 01-201-20-101-2-020, UEZ & SID.

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

* * * * *

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

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

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

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

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

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

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

Matrix New World Engineering, P.C.
26 Columbia Turnpike
Florham Park, New Jersey 07922

Jacobs Engineering Group, Inc.
299 Madison Avenue
P.O. Box 1936
Morristown, New Jersey 07962-1936

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

* * * * *

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

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

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

WHEREAS, the firm of Remington, Vernick & Arango Engineers, 101 Route 130, Suite 600, Cinnaminson, New Jersey 08077 has submitted formal written responses to the City's aforesaid Request for Qualifications/Proposals; and

WHEREAS, the firms of Remington, Vernick & Arango Engineers is qualified, ready, willing and able to provide said professional Licensed Site Remediation Services for the period commencing February 1, 2016 and ending December 31, 2016 for an amount not to exceed \$17,500.00 each; and

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

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

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

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

1. The Mayor and the City Clerk are hereby authorized and directed to execute an agreement with Remington, Vernick & Arango Engineers, 101 Route 130, Suite 600, Cinnaminson, New Jersey 08077 for professional Licensed Site Remediation services in connection with various upcoming potential projects during CY2016 for the period commencing February 1, 2016 and ending December 31, 2016 for a total contract amounts not to exceed \$17,500.00.

2. Funds shall be charged to Various Accounts.

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

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

* * * * *

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

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

WHEREAS, Triad Advisory Services, Inc., 1301 West Forest Grove Road, Vineland, New Jersey 08360 has submitted to the City of Bayonne a formal written response to the City's Request for Qualifications/Proposals for said professional consulting services; and

WHEREAS, Triad Advisory Services, Inc., is qualified, ready, willing and able to provide said services for the period commencing February 1, 2016 and ending December 31, 2016 for an amount not to exceed \$45,833.33 and

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

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

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

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

1. The Mayor and the City Clerk are hereby authorized and directed to execute an agreement with Triad Advisory Services, Inc., 1301 West Forest Grove Road, Vineland, New Jersey 08360 for professional consulting services relating to the planning, administration and implementation of the City's Community Development Block Grant Program for a maximum contract amount not to exceed \$45,833.33 for the period commencing February 1, 2016 and ending December 31, 2016.

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

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

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

* * * * *

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

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

WHEREAS, Clarke, Caton, Hintz, 100 Barrack Street, 3rd Floor, Trenton, New Jersey 08608 has submitted to the City a formal written proposal for said professional planning services; and

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

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

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

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

WHEREAS, the City of Bayonne desires to retain the services of Clarke, Caton, Hintz for professional planning services as Counsel on Affordable (COAH) Consultant for the period commencing February 1, 2016 and ending December 31, 2016 for an amount not to exceed \$33,000.00, and

WHEREAS, funds are certified as available in Affordable Housing Trust Fund Account; now, therefore, be it

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

1. The Mayor and the City Clerk are hereby authorized and directed to execute an agreement with Clarke, Caton, Hintz, 100 Barrack Street, 3rd Floor, Trenton, New Jersey 08608 for professional planning services as Counsel on Affordable Housing (COAH) Consultant for the period commencing February 1, 2016 and ending December 31, 2016 for a total contract amount not to exceed \$33,000.00.

2. Funds shall be charged to Affordable Housing Trust Fund Account.

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

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

* * * * *

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

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

WHEREAS, Millennium Strategies, LLC, 60 Roseland Avenue, Caldwell, New Jersey 07006 has submitted to the City of Bayonne a formal written proposal for said professional grant writing and management services; and

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

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

WHEREAS, Millennium Strategies, LLC, is qualified, ready, willing and able to provide said services; and

WHEREAS, the maximum amount of the contract is not to exceed \$44,000.00 for the period commencing February 1, 2016 and ending December 31, 2016; and

WHEREAS, funds have been certified in Account No. BA-01-201-20-101-2-020 pending adoption of the CY2016 budget; and

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

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

1. The Mayor and the City Clerk are hereby authorized and directed to execute an agreement with Millennium Strategies, LLC, 60 Roseland Avenue, Caldwell, New Jersey 07006 for the period commencing February 1, 2016 and ending December 31, 2016 for professional grant writing and management services for a total contract amount not to exceed \$44,000.00 .
2. Funds shall be charged to account BA-01-201-20-101-2-020.
3. A notice of this action shall be printed once in a newspaper of general circulation within the boundaries of the City of Bayonne.

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

* * * * *

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

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

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

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

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

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

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

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

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

WHEREAS, the City of Bayonne desires to retain the services of John T. Dedousis, M.D., for the period commencing February 1, 2016 and ending December 31, 2016 for maximum contract amount not to exceed \$33,000.00; and

WHEREAS, funds are available in Account #01-201-27-330-2-020 pending adoption of the CY 2016 Budget; now, therefore, be it

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

1. The Mayor and the City Clerk are hereby authorized and directed to execute an agreement with John Dedousis, M.D., 1166 Kennedy Boulevard, Bayonne, New Jersey 07002 to provide professional medical services to the City's uniformed employees, for the period commencing February 1, 2016 and ending December 31, 2016 for a total amount not to exceed \$33,000.00.
2. Funds shall be charged to Account #01-201-27-330-2-020.
3. A notice of this award shall be published once in a newspaper of general circulation within the boundaries of the City of Bayonne.

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

* * * * *

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

WHEREAS, the City of Bayonne is in need of financial advisory services for the preparation and selling of Municipal debt instruments such as Municipal Bonds, Refunding Bonds, Bond Anticipation Notes, and other Notes; assistance in the preparation of and review of the City's Official Statement; conducting and providing the necessary calculations for Bonds and Notes sales; providing assistance to and interacting with Bond Counsel with regard to all relevant past, present and future City of Bayonne Bonds and Notes issues, and all required financial matters; assist City personnel during Bonds and Notes rating processes; representation at any required Local Finance Board Meetings; assistance in the production of applications to the Local Finance Board; assistance in obtaining Bond Insurance; providing financial analyses when required by the City and with regard to the timing of Bond Refundings, Notes sales, and the permanent financing of temporary debt; and advising the City with regard to legislation affecting Municipal Finance Matters and

WHEREAS, NW Financial Group, LLC, 2 Hudson Place, 3rd Floor, Hoboken, New Jersey 07030 has submitted to the City of Bayonne a formal, written proposal for said financial advisory services; and

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

WHEREAS, the Business Administrator for the City of Bayonne has provided a certification of extraordinary and unspecifiable services to the Municipal Council indicating the services to be provided by NW Financial Group, LLC are "unique, specialized and qualitative in nature requiring expertise, extensive training and a proven reputation in the field of financial advisory services;" and

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

WHEREAS, NW Financial Group, LLC is qualified, ready, willing and able to provide said services; and

WHEREAS, the term of the contract is for the period commencing April 1, 2016 and ending December 31, 2016, and

WHEREAS, funds are certified as available in Accounts BA-2 and Various Capital Ordinances pending adoption of the CY 2016 Budget; now, therefore, be it

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

1. The Mayor and the City Clerk are hereby authorized and directed to execute an agreement with NW Financial Group, LLC, 2 Hudson Place, 3rd Floor, Hoboken, New Jersey 07030 to provide financial advisory services for the period commencing April 1, 2016 and ending December 31, 2016.
2. A notice of this action shall be printed once in a newspaper of general circulation within the boundaries of the City of Bayonne.
3. Funds shall be charged to Accounts BA-2 and Various Capital Ordinances.

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

* * * * *

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

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

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

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

Cifelli & Davie, Esqs.
334 Harrison Avenue
Harrison, New Jersey 07029-1796; and

Florio, Kenny & Raval, L.L.P.
5 Marine View Plaza
Suite 109
P.O. Box 771
Hoboken, New Jersey 07030

; and

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

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

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

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

WHEREAS, funds are certified as available from Various Accounts, pending adoption of the CY2016 budget; now, therefore, be it

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

1. The Corporation Counsel is hereby authorized to retain the services of and execute retainer agreements with the aforementioned law firms from time to time for the

aforementioned professional legal services for the period commencing February 1, 2016 and ending December 31, 2016 pursuant to the aforementioned fee schedule.

2. Funds shall be charged to Various Accounts.

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

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

* * * * *

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

WHEREAS, the Police Department of the City of Bayonne has established that there is a need for yearly maintenance of the citywide communications system infrastructure; and

WHEREAS, Motorola Corporation is capable of supplying such services under State Contract #A-53804 for a one year period commencing January 1, 2016 and ending December 31, 2016 at a cost of \$228,131.90, pursuant to a Services Agreement dated July 9, 2015; and

WHEREAS, funds are certified as available in various municipal accounts pending adoption of the CY 2016 budget; now, therefore, be it

RESOLVED, that the Mayor and City Clerk are hereby authorized to enter into an agreement with Motorola Solutions, ATTN: National Service Support/4th Floor, 1301 East Algonquin Road, Schaumburg, IL 60196, for maintenance of the citywide communications system infrastructure, pursuant to State Contract #A-53804, at a cost of \$228,131.90; and be it further

RESOLVED, that funds are certified available in various accounts pending adoption of the CY 2016 budget; and be it further

RESOLVED, that the Treasurer be and is hereby authorized to issue a warrant or warrants in the amount of \$228,131.90 in payment.

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

WHEREAS, Mobile Techtronics, Inc., 1127 Lake Avenue, Clark, N. J. 07066, has previously been awarded a contract for such services, and is willing to provide this service under state contract number 83924(T-0109), at a cost of \$8,656.00, for a one year period commencing January 1, 2016 and ending December 31, 2016; and

WHEREAS, funds are certified available in various accounts pending adoption of the CY 2016 budget; now, therefore, be it

RESOLVED, that the Mayor and City Clerk are hereby authorized to enter into an agreement with Mobile Techtronics, Inc., 1127 Lake Avenue, Clark, NJ 07066, for maintenance of eight Zetron brand 3200 9-1-1 Telephone Consoles in the communication center, at a cost of \$8,656.00, for a one year period commencing January 1, 2016 and ending December 31, 2016; and be it further

RESOLVED, that funds are certified available in various accounts pending adoption of the CY 2016 budget; and be it further

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

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

* * * * *

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

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

WHEREAS, Mobile Techtronics, Inc., 1127 Lake Avenue, Clark, N. J. 07066, has previously been awarded a contract for such services, and is willing to provide this service under state contract number 83924(T-0109), at a cost of \$8,656.00, for a one year period commencing January 1, 2016 and ending December 31, 2016; and

WHEREAS, funds are certified available in various accounts pending adoption of the CY 2016 budget; now, therefore, be it

RESOLVED, that the Mayor and City Clerk are hereby authorized to enter into an agreement with Mobile Techtronics, Inc., 1127 Lake Avenue, Clark, NJ 07066, for maintenance of eight Zetron brand 3200 9-1-1 Telephone Consoles in the communication center, at a cost of \$8,656.00, for a one year period commencing January 1, 2016 and ending December 31, 2016; and be it further

RESOLVED, that funds are certified available in various accounts pending adoption of the CY 2016 budget; and be it further

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

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

* * * * *

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

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

WHEREAS, KovaCorp, 102 East Bay Avenue, Suite J, Manahawkin, NJ 08050 is capable of supplying such services under state contract number 83906(T-0109) for a one year period commencing January 1, 2016 and ending December 31, 2016 at a cost of \$35,681.41; and

WHEREAS, funds are certified as available in various CY 2015 accounts, pending adoption of the CY 2016 budget; now, therefore, be it

RESOLVED, that the Mayor and City Clerk are hereby authorized to enter into an agreement with KovaCorp, 102 East Bay Avenue, Suite J, Manahawkin, NJ 08050, for maintenance of the city's Audiolog Recording System (9-1-1 and citywide radio multi-server audio recording system) under state contract number 83906(T-0109) for a one year period commencing January 1, 2016 and ending December 31, 2016 at a cost of \$35,681.41; and be it further

RESOLVED, that funds are certified available in various CY 2015 accounts pending adoption of the CY 2016 budget; and be it further

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

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

* * * * *

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

WHEREAS, Resolution No. 15-04-22-056 adopted by the Municipal Council on April 22, 2015 as amended by Resolution No. 15-06-30-008 adopted by the Municipal Council on June 30, 2015 awarded 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 \$70,000.00 pursuant to the Fair & Open Contracting Requirements pursuant to N.J.S.A.:20.4.5; and

WHEREAS, subsequent thereto the City entered into Agreement No. CY15-041 with Jacobs Engineering Group, Inc., for the aforesaid professional engineering services; and; and

WHEREAS, Resolution No. 15-10-21-058 adopted by the Municipal Council on October 21, 2015 authorized an increase in the contract amount of \$20,000.00, making the total contract amount not to exceed \$90,000.00 to cover the cost of updating the traffic analysis for amending the Highway Access Permit; and

WHEREAS, the Contractor has advised that an updated traffic impact study is required under the conditions of the approved Highway Access Permit, and has provided the City with a request for authorization of additional funds in the amount of \$35,042.00 to prepare the required updated traffic impact study dated November 23, 2015; and

WHEREAS, it is in the best interest of the City for the Contractor to provide the aforesaid additional professional engineering services and to increase the contract award in the amount of \$35,042.00 making the total contract amount not to exceed \$125,042.00; and

WHEREAS, funds are certified as available in the Various Accounts; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized to execute an amendment to Agreement No. CY15-041 with Jacobs Engineering Group, Inc., 299 Madison Avenue, P.O. Box 1936, Morristown, New Jersey 07962-1936 increasing same in the amount of \$35,042.00, pursuant to the Contractor's request for authorization of additional funds dated November 23, 2015, making the total contract amount not to exceed \$125,042.00.

2. Funds shall be chargeable to account Various Accounts.

3. All other terms and conditions of Agreement No. CY15-041 shall remain the same.

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

* * * * *

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

WHEREAS, Resolution No. 14-11-12-042 adopted by the Municipal Council on November 12, 2014 authorized an Agreement with CME Associates t/a Consulting and Municipal Engineers, L.L.C., 1460 Route 9 South, Howell, New Jersey for professional engineering services to act as in-house engineers for the period commencing December 1, 2014 for an amount not to exceed \$125,000.00; and

WHEREAS, subsequent thereto, the City of Bayonne entered into Agreement No. CY14-107 with CME Associates t/a Consulting and Municipal Engineers, L.L.C., for the aforesaid professional engineering services, and

WHEREAS, Resolution No. 15-07-22-062 adopted by the Municipal Council on July 22, 2015 authorized an increase in the aforesaid Agreement No. CY15-107 making the total contract amount not to exceed \$300,000.00 due to services rendered above the original contract amount and also authorized an extension of same through December 31, 2015; and

WHEREAS, the Business Administrator has advised that it is necessary to increase the Agreement in the amount of \$270,000.00 due to additional services rendered above the original contract as amended making the total contract amount not to exceed \$570,000.00; and

WHEREAS, funds are certified as available in Account No. #01-201-26-300-2-020; and Various Capital Ordinances and Grants and Various Other Accounts; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized to execute an amendment to Agreement No. CY14-107 with CME Associates t/a Consulting and Municipal Engineers, L.L.C., 1460 Route 9 South, Howell, New Jersey for professional engineering services to act as in-house engineers increasing same in the amount of \$270,000.00 making the total contract amount not to exceed \$570,000.00.
2. Funds shall be charged to Account No. #01-201-26-300-2-020; and Various Capital Ordinances and Grants and Various Other Accounts.
3. All other terms and conditions of Agreement No. CY14-107 shall remain the same.

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

* * * * *

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

WHEREAS, Resolution No. 15-02-18-037 adopted by the Municipal Council on February 18, 2015 authorized an Agreement with All Covered IT Services from Konica Minolta, 100 Dobbs Lane, Suite 208, Cherry Hill, New Jersey 08037 (the "Contractor") for information technology, computer system and network administration and support services for the period commencing March 1, 2015 through February 29, 2016 for an amount not to exceed \$25,000.00; and

WHEREAS, subsequent thereto, the City entered into Agreement No. CY15-024 with the Contractor for the aforesaid information technology, computer system and network administration and support services; and

WHEREAS, the Business Administrator has advised that it is necessary to increase the Agreement in the amount of \$65,000.00 due to additional services rendered outside the scope of services of the original contract; and

WHEREAS, the Contractor has provided the City with invoices representing the aforesaid additional services rendered outside the scope of services of the original contract; and

WHEREAS, funds are certified as available in Various Accounts; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized to execute an amendment to Agreement No. CY15-024 with All Covered IT Services from Konica Minolta, 100 Dobbs Lane, Suite 208, Cherry Hill, New Jersey 08037 for information technology, computer system and network administration and support services increasing same in the amount of \$65,000.00, making the total contract amount not to exceed \$90,000.00 for additional services rendered outside the scope of services of the original contract and amend the scope of services of the original contract to include the aforesaid additional services rendered.
2. Funds shall be charged to Various Accounts.
3. All other terms and conditions of Agreement No. CY15-024 shall remain the same.

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

* * * * *

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

WHEREAS, Resolution No. 15-01-21-048 adopted by the Municipal Council on January 21, 2015 authorized an Agreement with Remington, Vernick & Arango Engineers, 101 Route 130, Suite 600, Cinnaminson, New Jersey 08077 for professional Licensed Site Remediation Specialist services in connection with various upcoming potential projects during CY2015 and CY2016 for an amount not to exceed \$17,500.00 pursuant to the Fair and Open process; said Agreement being designated as Agreement No. CY15-021; and

WHEREAS, the Business Administrator has advised that it is necessary to increase the Agreement in the amount of \$300.00 due to additional services rendered above the original contract making the total contract amount not to exceed \$17,800.00; and

WHEREAS, funds are certified as available in Various Accounts; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized to execute an amendment to Agreement No. CY15-021 with Remington, Vernick & Arango Engineers, 101 Route 130, Suite 600, Cinnaminson, New Jersey 08077 for professional Licensed Site Remediation Specialist services in connection with various upcoming potential projects during CY2015 and CY2016 increasing same in the amount of \$300.00, making the total contract amount \$17,800.00.
2. Funds shall be charged to Various Accounts.
3. All other terms and conditions of Agreement No. CY15-021 shall remain the same.

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

* * * * *

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

RESOLUTION AUTHORIZING AND DIRECTING THE PLANNING BOARD OF THE CITY OF BAYONNE TO CONDUCT A PRELIMINARY INVESTIGATION TO DETERMINE WHETHER CERTAIN PROPERTY 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 33,35-37 and 39-43 East 19th Street, 197-205 Avenue E, 197-205 Avenue E Rear and 4 Standard Place Street in the City, which properties are identified as Block 221, Lots 8, 9, 19, 11, 12 and 13, as shown on the official Tax Map of the City (the "Property"), 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 221, Lots 8, 9, 10, 11, 12 and 13; 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.

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

* * * * *

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

RESOLUTION OF THE CITY OF BAYONNE AUTHORIZING AND DIRECTING THE PLANNING BOARD TO PREPARE A REDEVELOPMENT PLAN FOR BLOCK 482, LOTS 10 AND 11 LOCATED AT CONSTABLE HOOK

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 of the City (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, the adjacent property located at Block 482, Lot 9 was previously designated as an area in need of redevelopment and a Redevelopment Plan titled “Redevelopment Plan 401 Hook Road Redevelopment Area” was adopted by the Municipal Council for that area;

WHEREAS, the City is desirous of continuing revitalization and redevelopment efforts in the City;

WHEREAS, in order to ensure the success of rehabilitation in conformity with the City’s objectives, the Municipal Council is hereby authorizing and directing the Planning Board to review certain property located at Constable Hook, which is designated as Block 482, Lots 10 and 11 on the City’s Tax Maps (the “Parcel”), and to prepare and present a Redevelopment Plan for said Parcel in accordance with the Redevelopment Law, *N.J.S.A. 40A:12A-1 et seq.*

NOW THEREFORE, BE IT RESOLVED that:

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

Section 2. Pursuant to the provisions of *N.J.S.A. 40A:12A-7(e)* of the Redevelopment Law, the Planning Board, through the City’s staff and/or Planning Board professionals, is hereby authorized and directed to prepare a Redevelopment Plan for the Parcel identified as Block 482, Lots 10 and 11 on the City’s Tax Maps;

Section 3. The Clerk of the City shall forward a copy of this Resolution to the Planning Board for review pursuant to *N.J.S.A. 40A:12A-7(e)*.

Section 4. This Resolution shall take effect immediately.

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

* * * * *

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

RESOLUTION AUTHORIZING AND DIRECTING THE PLANNING BOARD OF THE CITY OF BAYONNE TO CONDUCT A PRELIMINARY INVESTIGATION TO DETERMINE WHETHER CERTAIN PROPERTY LOCATED AT 74-78 EAST 32ND STREET AND 258-270 PROSPECT AVENUE (BLOCK 411, LOTS 1, 6, 7, 8, 10.01, AND 11-15) 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 74-78 East 32nd Street and 258-270 Prospect Avenue in the City, which properties are identified as Block 411 Lots 1, 6, 7, 8, 10.01, 11, 12, 13, 14, and 15 as shown on the official Tax Map of the City (the “Property”), 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 411 Lots 1, 6, 7, 8, 10.01, 11, 12, 13, 14, and 15; 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.

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

* * * * *

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

RESOLUTION OF THE CITY OF BAYONNE AUTHORIZING THE PETITIONING OF THE COURT WITH AN AMENDED HOUSING ELEMENT AND FAIR SHARE PLAN

WHEREAS, the Planning Board of the City of Bayonne, County of Hudson, State of New Jersey, adopted an amended Housing Element and Fair Share Plan on December 15, 2015; and

WHEREAS, a true copy of the resolution of the Planning Board adopting the amended Housing Element and Fair Share Plan is attached hereto; and

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

Section 1. The Municipal Council of the City of Bayonne, County of Hudson, State of New Jersey, hereby endorses the amended Housing Element and Fair Share Plan as adopted by the Planning Board; and

Section 2. The Municipal Council of the City of Bayonne, pursuant to the October 9, 2015 Order of the Honorable Mary K. Costello, J.S.C., in the matter entitled In the Matter of the Application of the City of Bayonne for a Determination of Mount Laurel Compliance (Docket No. HUD-L-2873-15) hereby submits this petition for substantive certification of the amended Housing Element and Fair Share Plan to the Court for review and certification; and

Section 3. A Service List of names and addresses for all owners of sites in the Housing Element and Fair Share Plan, as well as the individuals directed to receive notice as set forth in the Supreme Court's decision in the Matter of the Adoption of N.J.A.C. 5:96 and 5:97 by the New Jersey Council on Affordable Housing, 221 N.J. 1 (2015), less any individuals that have requested to be removed from the Service List, has been included with the re-petition; and

Section 4. Notice of this re-petition for substantive certification shall be published in a newspaper of countywide circulation within seven (7) days of submission to the Court and that a copy of this resolution, the adopted amended Housing Element and Fair Share Plan and all supporting documentation shall be made available for public inspection at the City of Bayonne's municipal clerk's office located at 630 Avenue C, Bayonne, New Jersey, 07002 during the hours of 8:30 a.m. to 4:30 p.m. on Monday through Friday for a period of forty-five (45) days following the date of publication of the legal notice.

Section 5. This Resolution shall take effect immediately.

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

* * * * *

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

WHEREAS, the City of Bayonne is receipt of a request from the City of Jersey City requesting that the City of Bayonne consider rezoning the property located at the corner of West 55th Street and Garfield Avenue more properly known as Block 28, Lot 4 on the tax maps of the City of Bayonne from its current R-2 zoning status to a zoning status which would permit commercial development; and

WHEREAS, the reason for the request is that the Jersey City Division of Planning has been approached with respect to the commercial development of a contiguous lot located in Jersey City (Block: 30203, Lot: 4); now, therefore, be it

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

1. The Planning Board is hereby authorized to perform a study and provide comment to as to whether or not a change in the zoning for Block 28, Lot 4 from R-2 would be beneficial to the City of Bayonne.

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

* * * * *

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

RESOLUTION AUTHORIZING THE SALE OF REAL PROPERTY NOT NEEDED FOR PUBLIC USE

WHEREAS, the following properties owned by the City of Bayonne have been deemed not needed for public purposes:

Block 215, Lot 8, commonly known as 81 West 20th Street
Block 295, Lot 16, commonly known as North Street Rear
Block 333.01, Lot 1, commonly known as 16 Bayview Court
Block 467, Lot 2, commonly known as 78 Avenue E

and

WHEREAS, it has been determined that it is in the best interest of the City of Bayonne to sell such properties at public auction; and

WHEREAS, pursuant to N.J.S.A. 40A:12-13(a), said property can be sold by the City of Bayonne by open public auction to the highest bidder after advertisement thereof in a newspaper circulating in the municipality in which the land is situated, by two insertions at least once a week during two consecutive weeks, the last publication to be not earlier than seven days prior to such sale;

WHEREAS, pursuant to N.J.S.A. 40A:12-13, the City of Bayonne reserves the right to reject all bids where the highest bid is not accepted; and

WHEREAS, no bid will be accepted that is less than the minimum bid price as set forth in the attached list; now, therefore, be it

ORDAINED, by the Municipal Council of the City of Bayonne as follows;

Section 1. The City Clerk is authorized to advertise for the sale of the above noted properties by open public auction to the highest bidder.

Section 2. Said advertisement shall be made in a newspaper circulating in the City of Bayonne, by two insertions at least once a week during two consecutive weeks, the last publication to be not earlier than seven days prior to such sale.

Section 3. The advertisement shall set forth that the property is being sold "as is" and the City makes no representations, warranties or guarantees of any kind, including warranties of marketability or fitness for a particular use and the advertisement of sale shall reference same.

Section 4. The sale shall be subject to the following terms and conditions:

a. The public auction of the properties shall be held by the Finance Director or his designee at the Council Chambers, Municipal Building, 630 Avenue C, Bayonne, New Jersey, on January 6, 2016 at 11:00 a.m.

b. Upon the close of bidding for a property, the highest qualified bidder, as designated by the Finance Director, shall submit cash or certified check in the amount of 10% of the bid and shall immediately execute an offer to purchase at his bid price, which offer shall include the terms and conditions specified herein. Said offer shall be irrevocable for sixty (60) days from the date of the public sale.

c. All bids shall be referred to the Municipal Council for review and approval. The City of Bayonne reserves the right to accept the highest offer or reject any and all bids including the highest bid.

d. Conveyance of title shall be by Quitclaim Deed, subject to the provisions of N.J.S.A. 40A:12-13 and purchasers must be prepared to close title within 90 days from the date of the acceptance of a bid. The City reserves the right to extend this 90 days time frame as necessary. Within 30 days of the City's acceptance of a bid, a successful bidder shall be responsible for providing the City of Bayonne with a last owner and lien search on the property to be purchased. Failure to provide said last owner and lien search within 30 days of the acceptance of the bid may result in the rejection of the bid.

e. At closing of title, bidder shall submit payment in the form of cash, bank check or certified check for the balance of the purchase price plus an additional sum of money equal to the costs of all advertising of the sale and the recording of the City’s Deed.

f. The property shall be conveyed subject to restrictions and easements of record, such facts as an accurate survey will disclose, and local, county and state laws and regulations, including but not limited to those relating to zoning and development and any and all municipal or private utility improvements (both below and above ground), easements or rights of access, whether recorded or not, as may be necessary to effectuate and service said utilities.

g. In the event that a particular property is less than the minimum size required for development under the City of Bayonne’s municipal zoning ordinance and said property is without any capital improvements, the owner or owners of any real property contiguous to such real property shall be afforded the right to prior refusal to purchase such land consistent with N.J.S.A. 40A:12-13.2.

h. The City’s Quitclaim Deed shall not affect the right of lawful occupancy or use of any real property by any municipal or private utility to occupy or use any such property lawfully occupied or used by it.

Section 5. It is suggested and recommended that potential bidders perform title searches and/or last owner and lien searches on the properties that they are interested in bidding upon prior to the date of bid submission in order that the potential bidder may be adequately apprised of any encumbrances or restrictions of record affecting the use and enjoyment of the property or properties. The City of Bayonne shall not be responsible for the costs associated with such searches in the event that the City of Bayonne is unable to convey title and/or if a bid is rejected.

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

* * * * *

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

RESOLVED, that the budgetary transfers as set forth below pertaining to the CY2015 appropriations be and the same are hereby authorized, and be it further

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

FROM		CURRENT FUND	TO	
NO.	ACCOUNT	AMOUNT	ACCOUNT	AMOUNT
1.	Bus. Admin. -S&W	18,000.	Bus. Admin-O.E.	102,000.
	Primary & General Ele.-S&W	10,000.	City Clerk-S&W	16,000.
	Law Enforcement Uniform-S&W	329,300.	City Clerk-O.E.	10,000.
	Streets & Roads Maint.-S&W	20,000.	Social Security	40,000.
	Vehicle Maintenance-S&W	25,000.	Mun. Court-O.E.	1,000.
	Mun. Pensions Employee/Widow	5,000.	Pub. Defender-OE	6,500.
	Emp. Group Health Insurance	25,000.	Personnel-S&W	1,800.
	Budget & Accounting Fees	5,000.	Law Dept.-Contract	3,000.
	Fire Dept. - OE	20,000.	Law Dept.-S&W	13,000.
	Board of Health-OE	25,000.	Law Enforcement- Non-uniform-S&W	5,000.
			Building & Grounds S& W	10,000.
			Board of Health - S&W	45,000.
			Parks & Recreation - S&W	10,000.
			Other Public Works - O.E.	146,000.
			Maintenance of Parks-S&W	1,000.
			Fire Dept-Uniform - S&W	41,000.

			Solid Waste Collection-O.E.	26,000.
			DCRP	5,000.
2.	Streets & Roads Maintenance-OE	50,000.	Vehicle Maintenance -O.E.	37,000.
			Building & Grounds -O.E.	13,000.
3.	Municipal Debt Service- Bond Interest	270,000.	Municipal Debt Ser.-Bond Principal	270,000.
	School Debt Service- Bond Interest	280,000.	School Debt Service -Bond Principal	280,000.

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

* * * * *

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

CHAPTER 159 NO. 14

WHEREAS, N.J.S., 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount

SECTION 1

NOW THEREFORE BE IT RESOLVED that the City of Bayonne hereby requests the Director of Local Government Services to approve the insertion of an item of revenue in the Calendar Year Budget of 2015 in the sum of \$ 15,739.14 which has been granted by the State of New Jersey

SECTION II

BE IT FURTHER RESOLVED that a like sum of 15,739.14 and the same is hereby appropriated under the caption of

2015 BODY ARMOR FUND

SECTION III

BE IT FURTHER RESOLVED that the above is the result of moneys granted by the State of New Jersey.

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

* * * * *

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

CHAPTER 159 NO. 15

WHEREAS, N.J.S., 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount

SECTION 1

NOW THEREFORE BE IT RESOLVED that the City of Bayonne hereby requests the Director of Local Government Services to approve the insertion of an item of revenue in the Calendar Year Budget of 2015 in the sum of \$ 40,373.12 which has been granted by the Department of Justice

SECTION II

BE IT FURTHER RESOLVED that a like sum of 40,373.12 and the same is hereby appropriated under the caption of

BULLETPROOF VEST GRANT

SECTION III

BE IT FURTHER RESOLVED that the above is the result of moneys granted by the Department of Justice.

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

* * * * *

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

RESOLUTION AWARDING THE SALE BY THE CITY OF BAYONNE, IN THE COUNTY OF HUDSON, NEW JERSEY OF ITS PROPERTY TAX LEVY FOR THE FISCAL YEAR ENDING DECEMBER 31, 2015 AND RATIFYING, CONFIRMING AND AUTHORIZING CERTAIN ACTIONS IN CONNECTION THEREWITH

WHEREAS, Chapter 99 of the Laws of New Jersey of 1997, effective May 12, 1997 (the "Act"), authorizes any municipality to sell its "total property tax levy" to the highest responsible bidder therefor in accordance with the procedures and limitations set forth therein; and

WHEREAS, the Tax Collector and Chief Financial Officer of the City of Bayonne, in the County of Hudson, New Jersey (the "City"), have heretofore caused to be prepared and distributed to potential bidders and others a "Notice of Sale Relating to the Purchase of the Property Tax Levy for the Fiscal Year Ending December 31, 2015 from the City of Bayonne, in the County of Hudson, New Jersey", dated July 2, 2015 (the "Notice of Sale"), requesting bids for the purchase of the City's property tax levy for the fiscal year ending December 31, 2015 (the "Fiscal Year"); and

WHEREAS, the Tax Collector and Chief Financial Officer of the City have heretofore also caused to be prepared and distributed to potential bidders and others, certain documents and other information, and the City's special counsel has heretofore caused to be published certain notices, each in connection with the Notice of Sale; and

WHEREAS, by Resolution No. 15-06-17-057, duly adopted on June 17, 2015 (the "Resolution"), the City Council of the City has heretofore authorized the sale of the property tax levy, the preparation and distribution of documents and other information as aforesaid and the publication of certain notices as aforesaid, and authorized the Chief Financial Officer of the City to receive bids and take all actions in connection therewith in accordance with the Notice of Sale; and

WHEREAS, the Tax Collector and Chief Financial Officer of the City have heretofore also caused to be prepared and distributed to potential bidders and others: (i) a form of Purchase and Sale Agreement, between the City and the purchaser of the property tax levy (the "Agreement"), (ii) the Financial Information (as such term is defined in the Agreement) and (iii) other items constituting part of the Bid Package (as such term is defined in the Agreement); and

WHEREAS, the City's special counsel has heretofore caused to be published a copy of the Notice of Sale (stating, among other things, the manner of submitting and method of receiving bids and the time and place of sale) in a newspaper circulating in the City at least 14 days in advance of the date fixed for receiving bids; and

WHEREAS, two bids complying with the requirements set forth in the Notice of Sale was received in response to the Notice of Sale, and the Chief Financial Officer has recommended that the City Council make an award to the Highest Responsible Bidder

(as such term is defined in the Act) in accordance with the provisions of the Notice of Sale; and

WHEREAS, the City Council desires to award the Agreement to the Highest Responsible Bidder, in accordance with Section 16(a) of the Act; and

WHEREAS, the Chief Financial Officer of the City has heretofore provided the City Council with a fiscal analysis (the "Fiscal Analysis") of the impact of the proposed sale of the property tax levy (the "Sale") on the current City budget and the projected City budgets for the next two subsequent years, in accordance with Section 14 of the Act; and

WHEREAS, the Chief Financial Officer of the City has heretofore caused or will cause to be forwarded to the Director of the Division of Local Government Services in the Department of Community Affairs (the "Division") copies of the Fiscal Analysis and the form of the Agreement (including pricing terms derived from the high bidder); and

WHEREAS, the Highest Responsible Bidder has heretofore delivered to the City a Credit Facility (as such term is defined in the Agreement), meeting the requirements set forth in the Notice of Sale and in the Agreement and otherwise in form and substance satisfactory to the City and its counsel.

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

SECTION 1. In accordance with the Notice of Sale and the Act, US Bank as Custodian for PFS Financial I LLC (the "Purchaser") is hereby determined to be the Highest Responsible Bidder for the purchase of the Property Tax Levy (as such term is defined in the Agreement) on the basis of the offer set forth in its proposal (the "Winning Bid"), a copy of which proposal is attached hereto as Exhibit A. The Winning Bid states a Levy Bid (as such term is defined in the Agreement) constituting a premium of \$401,000.00. The Agreement is hereby awarded to the Purchaser in accordance with the terms of the Act, the Notice of Sale and the Winning Bid.

SECTION 2. The Agreement and Fiscal Analysis, in substantially the forms on file with the City Clerk are hereby approved, and the Mayor of the City is hereby authorized and directed to execute and deliver the Agreement, with such changes as may be approved by such officers, their execution and delivery thereof being conclusive evidence as to such approval.

SECTION 3. The Credit Facility, in the form of cash deposited with M&T Bank and held thereby under the terms of an Escrow Agreement, is hereby determined to be acceptable to the City in substance, and is hereby approved and found to be sufficient in accordance with Section 17(b) of the Act, subject to any changes which may be required by the Mayor, the Chief Financial Officer or the City's special counsel.

SECTION 4. All actions heretofore taken by the Mayor, the Tax Collector and Chief Financial Officer, the City Counsel, Special Counsel, and all other employees and officials of the City (collectively, the "Authorized Persons") on behalf of the City in furtherance of the Sale are hereby ratified and confirmed, including specifically: (i) the request for sealed bids for the sale of the Property Tax Levy for the Fiscal Year, (ii) the preparation and distribution of certain information regarding the City including, without limitation, the Notice of Sale, the form of the Agreement, the Financial Information and other items constituting part of the Bid Package (the content of all of which is hereby ratified and confirmed), (iii) the publication of the Notice of Sale, in accordance with Section 16 of the Act, (iv) the receipt of sealed bids, the determination of the Highest Bidder in accordance with the provisions of the Notice of Sale, (v) the inclusion of the pricing terms derived from the Highest Bid in the form of the Agreement and the preparation, in accordance with Section 14 of the Act, of the Fiscal Analysis, taking into account the pricing terms derived from the high bidder and (vi) the submission of the form of the Agreement (including such pricing terms) and the Fiscal Analysis to the Director of the Division, and the representation of the City before the Division in all matters relating thereto.

SECTION 5. All Authorized Persons are hereby authorized and directed to do all things necessary or convenient in furtherance of the Sale, including without limitation the execution and delivery of all documents in connection therewith and in connection with the special tax sale referred to in Section 6 hereof.

SECTION 6. Pursuant to N.J.S.A. 54:5-19, the Act and other applicable statutes, the City hereby determines to enforce the liens for unpaid taxes for the Fiscal Year, in part, by holding a special tax sale no later than April 30, 2016, whereat "New Tax Sale Certificates" (as such term is defined in the Agreement), shall be issued or assigned and sold to the Purchaser, each upon compliance with the payment and other requirements set forth in the Agreement (which requirements include, among other things, the payment of certain taxes, assessments and other municipal charges). Such special tax sale shall be held without prejudice to the right of the City to hold one or more separate tax sales in accordance with applicable law to enforce taxes, assessments and other municipal charges for which tax sale certificates are not issued or assigned to the Purchaser in accordance with the Agreement (which separate tax sale(s) may be held before, simultaneously with or after the aforementioned special tax sale).

SECTION 7. The City Clerk, or any other Authorized Person, is hereby authorized and directed to cause such notices to be published or otherwise given, in accordance with applicable law, as may be necessary in connection with the issuance of tax sale certificates as provided in Section 6 hereof.

SECTION 8. Notwithstanding any resolution to the contrary, the Tax Collector is hereby authorized to remit such funds to the Purchaser as may be provided in the Agreement, and there shall be no municipal fiscal restrictions (within the meaning of N.J.S.A. 54:5-58, or otherwise) imposed upon the Tax Collector in connection therewith.

SECTION 9. The Tax Collector shall accept payment from the Purchaser of such portions of the Levy Price and the TSC Amount (as such terms are defined in the Agreement) as relate to properties which are the subject of prior municipally-held tax sale certificates not therefore redeemed.

SECTION 10. This resolution shall take effect upon adoption hereof and receipt by the City of the written approval of the Director of the Division of the execution of the Agreement, in accordance with Section 12(b) of the Act.

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

* * * * *

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

RESOLUTION OF THE CITY OF BAYONNE, IN THE COUNTY OF HUDSON, STATE OF NEW JERSEY MAKING APPLICATION TO THE LOCAL FINANCE BOARD PURSUANT TO N.J.S.A. 40A:2-51, N.J.S.A. 40A:3-4 AND N.J.S.A. 40A:3-11

WHEREAS, in order to achieve debt service savings for the City of Bayonne, in the County of Hudson, State of New Jersey (the "City") by refinancing various City bond issuances, the City Council authorizes the making of an application to the Local Finance Board for (i) its review and consent to the adoption by the City of a refunding bond ordinance (the "Refunding Ordinance") providing for the issuance of one or more series of general obligation refunding bonds, consisting of general improvement refunding bonds and school refunding bonds, of the City in the aggregate principal amount not to exceed \$80,000,000 (the "Refunding Bonds") in order to refund various series of bonds of the City; (iii) its approval of a portion of such Refunding Bonds to be issued in the form of "qualified bonds" under the Municipal Qualified Bond Act, N.J.S.A. 40A:3-1 et seq. (the "MQBA") and also entitled to the benefits of the New Jersey School Bond Reserve Act, as applicable; and

WHEREAS, the City Council, in its efforts to achieve debt service savings for the City, desires to make the aforesaid application to the Local Finance Application requesting the reviews, consents and approvals of the Local Finance Board previously requested and received; and

WHEREAS, the City believes that:

- (a) it is in the public interest to accomplish such purposes;
- (b) such applicable purposes are in compliance with the requirements of the MQBA;

- (c) said purposes or improvements are for the health, welfare, convenience or betterment of the inhabitants of the City;
- (d) the amounts to be expended for said purposes or improvements are not unreasonable or exorbitant and such applicable purposes or improvements are consistent with the requirements of the MQBA; and

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.

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 Making of an Application to the Local Finance Board is hereby approved, and the City's Bond Counsel, Chief Financial Officer, Business Administrator and Financial Advisor, as applicable, along with other representatives of the City, are each hereby authorized and directed to prepare and resubmit 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 Refunding 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 certified copies of the Refunding Ordinance.
- Section 4. This Resolution shall take effect immediately upon its adoption.

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

* * * * *

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

WHEREAS, the State of New Jersey has issued its review of funding received by the Bayonne Board of Education relating to Type I School District Debt issued by the City of Bayonne (OFAC Case #INV-015-15 issued by the Office of Fiscal Accountability and Compliance on December 3, 2015) and

WHEREAS, the report rejected the Bayonne Board of Education's claims of various credits to be applied to against the amount due and owing to the City of Bayonne, and

WHEREAS, the report further stated that reimbursements relating to Type I School District Debt should be and are owing to the City of Bayonne, and

WHEREAS, the Bayonne Board of Education has received \$2,926,123.61 of such funds during the period of May 16, 2015 through November 30, 2015, and

WHEREAS, the breakdown of said funds received is as follows:

School Name	G5 #	Received June '15	Received July '15	Received Aug. '15	Received Nov. '15	Total Received
Bayonne HS	G5 3189	0.00	0.00	0.00	440,067.71	440,067.71
Horace Mann	G5 3193	0.00	456,208.06	0.00	0.00	456,208.06
Lincoln	G5 3194	0.00	0.00	257,825.15	0.00	257,825.15
M J Donohue	G5 3195	341,069.46	0.00	0.00	0.00	341,069.46
Vroom	G5 3196	0.00	179,442.41	0.00	0.00	179,442.41
Washington	G5					

	3197	0.00	0.00	755,885.44	0.00	755,885.44
Wilson	G5					
	3198	505,625.38	0.00	0.00	0.00	505,628.38
		846,964.84	635,650.47	1,013,710.59	440,067.71	2,936,123.61

and,

WHEREAS, the Bayonne Board of Education acknowledges that said funds are due to the City of Bayonne, now, therefore, be it

RESOLVED, that the City of Bayonne hereby acknowledges that the \$2,926,123.61 received by the Bayonne Board of Education during the period of May 16, 2015 through November 30, 2015 relating to Type I School District Debt issued by the City of Bayonne is due and owing to the City, and be it further

RESOLVED, that the City accepts the receipt of said funds and that the use of the funds are restricted to offset the Type I School Debt Service that the City is required to raise by taxation.

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

* * * * *

At 10:55 P.M. Council Member Perez motion to adjourn, seconded by Council President Nadrowski, which motion was adopted.

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

* * * * *

President - Sharon A. Nadrowski

Clerk - Robert F. Sloan