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, MARCH 16, 2016

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 March 16, 2016 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 March 11, 2016."

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. The clerk announced:

AN ORDINANCE ENTITLED, "ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING A REDEVELOPMENT PLAN FOR PROPERTY IDENTIFIED AS BLOCK 330, LOTS 6-12 (17 W. 5TH STREET; 15 W. 5TH STREET; 11 W. 5TH STREET; 9 W. 5TH STREET; 155-157 BROADWAY; 159 BROADWAY; AND 161 BROADWAY) ON THE TAX MAP OF THE CITY OF BAYONNE," which was introduced and passed a first reading at a meeting held February 17, 2016, 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 March 16, 2016, and was referred to the planning board for its review 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 ADOPTING A REDEVELOPMENT PLAN FOR PROPERTY IDENTIFIED AS BLOCK 330, LOTS 6-12 (17 W. 5TH STREET; 15 W. 5TH STREET; 11 W. 5TH STREET; 9 W. 5TH STREET; 155-157 BROADWAY; 159 BROADWAY; AND 161 BROADWAY) ON THE TAX MAP OF 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 person appearing to protest against or 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 Member Perez motioned to close the hearing, seconded by Council Member LaPelusa, which motion was adopted.

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

Council Member Perez moved a resolution for final passage, seconded by Council Member Cotter, which failed adoption by the following vote.

WHEREAS, an ordinance entitled, "ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING A REDEVELOPMENT PLAN FOR PROPERTY IDENTIFIED AS BLOCK 330, LOTS 6-12 (17 W. 5TH STREET; 15 W. 5TH STREET; 11 W. 5TH STREET; 9 W. 5TH STREET; 155-157 BROADWAY; 159 BROADWAY; AND 161 BROADWAY) ON

THE TAX MAP OF THE CITY OF BAYONNE," was introduced and passed a first reading at a meeting held February 17, 2016, 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 March 16, 2016; and

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

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

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

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

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

RESOLVED, that the said ordinance be passed and designated as Ordinance No. O-16-10.

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

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02. The clerk announced:

AN ORDINANCE ENTITLED, "AN ORDINANCE APPROVING A FINANCIAL AGREEMENT (PILOT) WITH 662 AVENUE C URBAN RENEWAL LLC," which was introduced and passed a first reading at a meeting held February 17, 2016, 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 March 16, 2016, is now before the Council for its consideration and a public hearing.

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

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

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

The Clerk read the ordinance by title: "AN ORDINANCE APPROVING A FINANCIAL AGREEMENT (PILOT) WITH 662 AVENUE C 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.

There was no response - no person appearing to protest against or 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 Member Perez motioned to close the hearing, seconded by Council President Nadrowski, which motion was adopted.

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

Council Member Perez moved a resolution for final passage, seconded by Council Member Cotter, which failed adoption by the following vote.

WHEREAS, an ordinance entitled, "AN ORDINANCE APPROVING A FINANCIAL AGREEMENT (PILOT) WITH 662 AVENUE C URBAN RENEWAL LLC," was introduced and passed a first reading at a meeting held February 17, 2016, 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 March 16, 2016; 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-16-11.

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

Nay – Council Member LaPelusa.

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03. The clerk announced:

which was introduced and passed a first reading at a meeting held February 17, 2016, 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 March 16, 2016, is now before the Council for its consideration and a public hearing.

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

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

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

The Clerk read the ordinance by title:

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

There was no response - no person appearing to protest against or object to the 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 Member Perez motioned to close the hearing, seconded by Council President Nadrowski, which motion was adopted.

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

Council Member Cotter moved a resolution for final passage, seconded by Council Member Perez, which failed adoption by the following vote.

WHEREAS, an ordinance entitled, “AN ORDINANCE APPROVING A FINANCIAL AGREEMENT (PILOT) WITH 195 EAST 22ND STREET URBAN RENEWAL LLC,” was introduced and passed a first reading at a meeting held February 17, 2016, 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 March 16, 2016; 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-16-12.

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

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04. The clerk announced:

AN ORDINANCE ENTITLED, "AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 13, SWIMMING POOL, DOCKS, DON AHERN VETERANS MEMORIAL STADIUM, PUBLIC BOAT RAMP, MUNICIPAL PARKS AND PLAYGROUNDS AND BAYONNE PUBLIC LIBRARY AND BAYONNE MUSEUM," which was introduced and passed a first reading at a meeting held February 17, 2016, 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 March 16, 2016, 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: "AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 13, SWIMMING POOL, DOCKS, DON AHERN VETERANS MEMORIAL STADIUM, PUBLIC BOAT RAMP, MUNICIPAL PARKS AND PLAYGROUNDS AND BAYONNE PUBLIC LIBRARY AND BAYONNE MUSEUM,"

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

There was no response - no person appearing to protest against or object to the 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 Member Perez motioned to close the hearing, seconded by Council President Nadrowski, which motion was adopted.

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

Council Member Perez moved a resolution for final passage, seconded by Council President Nadrowski, which failed adoption by the following vote.

WHEREAS, an ordinance entitled, "AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 13, SWIMMING POOL, DOCKS, DON AHERN VETERANS MEMORIAL STADIUM, PUBLIC BOAT RAMP, MUNICIPAL PARKS AND PLAYGROUNDS AND BAYONNE PUBLIC LIBRARY AND BAYONNE MUSEUM," was introduced and passed a first reading at a meeting held February 17, 2016, 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 March 16, 2016; 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-16-13.

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

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05. The clerk announced:

AN ORDINANCE ENTITLED, "CAPITAL IMPROVEMENT ORDINANCE TO PROVIDE FOR FUNDING FOR THE IMPROVEMENT OF CLARK PARK IN THE AMOUNT OF $390,000.00," which was introduced and passed a first reading at a meeting held February 17, 2016, 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 March 16, 2016, 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 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: "CAPITAL IMPROVEMENT ORDINANCE TO PROVIDE FOR FUNDING FOR THE IMPROVEMENT OF CLARK PARK IN THE AMOUNT OF $390,000.00,"

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

There was no response - no person appearing to protest against or object to the 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 Member Perez motioned to close the hearing, seconded by Council President Nadrowski, which motion was adopted.

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

Council Member Cotter moved a resolution for final passage, seconded by Council Member Nadrowski, which failed adoption by the following vote.

WHEREAS, an ordinance entitled, "CAPITAL IMPROVEMENT ORDINANCE TO PROVIDE FOR FUNDING FOR THE IMPROVEMENT OF CLARK PARK IN THE AMOUNT OF $390,000.00," was introduced and passed a first reading at a meeting held February 17, 2016, 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 March 16, 2016; 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-16-14.

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

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06. The clerk announced:

AN ORDINANCE ENTITLED, "AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC," which was introduced and passed a first reading at a meeting held January 20, 2016, 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 February 17, 2016, is now before the Council for its consideration and a public hearing.

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

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

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

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

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

There was no response - no person appearing to protest against or object to the 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 Member LaPelusa motioned to close the hearing, seconded by Council Member Perez, which motion was adopted.

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

Council President Nadrowski moved a resolution for final passage, seconded by Council Member Cotter, which failed adoption by the following vote.

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 February 17, 2016, 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 March 16, 2016; 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-16-15.

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

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07. The clerk announced:

AN ORDINANCED 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 February 17, 2016, 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 March 16, 2016, 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: “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 person appearing to protest against or 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 Member LaPelusa motioned to close the hearing, seconded by Council Member Perez, which motion was adopted.

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

Council Member LaPelusa moved a resolution for final passage, seconded by Council Member Perez, which failed adoption by the following vote.

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 February 17, 2016, 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 March 16, 2016; 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-16-16.

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

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08. Council Member Perez introduced:

ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING A REDEVELOPMENT PLAN FOR A PORTION OF THE BROADWAY CORRIDOR REDEVELOPMENT AREA IDENTIFIED AS BLOCK 221, LOTS 8-13 ON THE TAX MAP OF THE CITY OF BAYONNE

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

WHEREAS, the Municipal Council of the City (the "Municipal Council") identified certain properties in the City, designated as Block 211, Lots 16, 17, 18 and 19, Block 221, Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28 and 29, Block 226, Lots 30, 31, 32, 33, 34 and 35, and Block 458, Lots 12 and 13 on the City's Tax Maps (the "Study Area"), to be considered for designation as an "area in need of redevelopment" under the Redevelopment Law; and

WHEREAS, by Resolution No. 03-07-16-071 adopted on July 16, 2003, the Municipal Council authorized and directed the Planning Board to conduct a preliminary investigation to determine whether the Study Area constitutes an "area in need of redevelopment" according to the criteria set forth in *N.J.S.A.* 40A:12A-5; and

WHEREAS, John Fussa, P.P., then City Planner of the City of Bayonne, Division of Planning & Zoning, prepared a written report, which included the Property, entitled "Redevelopment Study – Broad Corridor Study Area, City of Bayonne, Hudson County, New Jersey" dated August 2004; and

WHEREAS, on September 14, 2004 and October 12, 2004, the Planning Board held a public hearing, duly noticed under the Redevelopment Law, and any persons interested in or affected by a determination that the Property is an area in need of redevelopment were given an opportunity to be heard, and any objections to such a determination and evidence in support of those objections, were received and considered and made part of the public record; and

WHEREAS, by Resolution 04-11-10-082 adopted on November 10, 2004, the Municipal Council adopted a Resolution formally designating the Property as an "area in need of redevelopment" (the "Broadway Corridor Redevelopment Area"); and

WHEREAS, the Broadway Corridor Redevelopment Area includes certain properties located at 33-43 East 19th Street, 197-205 Avenue E Rear and 4 Standard Place in the City, which properties are identified as Block 221, Lots 8, 9, 10, 11, 12 and 13, on the official Tax Map of the City (the "Property");

WHEREAS, on January 20, 2016, the Planning Board of the City (the "Planning Board") was directed by the Municipal Council pursuant to Resolution No. 16-01-20-011 to prepare and review a Redevelopment Plan, and to transmit its recommendations relating to the Redevelopment Plan to the Municipal Council in accordance with the provisions of *N.J.S.A.* 40A:12A-7 of the Redevelopment Law; and

WHEREAS, the City of Bayonne, Division of Planning and Zoning, Department of Municipal Services, prepared a redevelopment plan entitled the "Redevelopment Plan Block 221, Lots 8,9,10,11,12,13 Villa Nova Site Known as 33-43 East 19th Street, 197-205 Avenue E Rear and 4 Standard Place" dated March 8, 2016, (the "Redevelopment Plan") for the Municipal Council's consideration; and

WHEREAS, on March 8, 2016, the Planning Board reviewed the Redevelopment Plan and adopted a Resolution, which recommended the adoption of the Redevelopment Plan to the Municipal Council and concluded that said Plan is consistent with the Master Plan of the City of Bayonne (the "Resolution"); and

WHEREAS, upon receipt and review of the Planning Board's recommendations relating to the Redevelopment Plan, the Municipal Council believes that the adoption of the Redevelopment Plan is in the best interests of the City for the redevelopment of the Property (collectively, referred to as the "Redevelopment Area");

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

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

Section 2. The Redevelopment Plan titled "Redevelopment Plan Block 221, Lots 8,9,10,11,12,13 Villa Nova Site Known as 33-43 East 19th Street, 197-205 Avenue E Rear and 4 Standard Place," dated March 8, 2016, is hereby adopted pursuant to the terms of *N.J.S.A.* 40A:12A-7 of the Redevelopment Law. Further, the Redevelopment Plan shall amend, replace and supersede any prior redevelopment plans with respect to Redevelopment Area.

Section 3. The zoning district map in the zoning ordinance of the City is hereby amended to include the 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 Gullace, which was read by the Clerk and adopted.

BE IT RESOLVED, that an ordinance entitled "AN ORDINANCE ADOPTING A REDEVELOPMENT PLAN FOR BLOCK 221, LOTS 8-13, KNOWN AS 33-43 EAST 19TH STREET, 197-205 AVENUE E REAR AND 4 STANDARD PLACE ** ," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, April 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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09. Council Member Perez introduced:

ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING REDEVELOPMENT PLAN FOR BLOCK 295, LOTS 16 AND 17 ALSO REFERRED TO AS NORTH STREET REAR AND NORTH STREET BETWEEN 105A AND 107 – ALSO REFERRED TO AS 105.5 NORTH STREET ON THE TAX MAPS OF THE CITY OF BAYONNE

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

WHEREAS, on, the Municipal Council of the City (the "Municipal Council") adopted 98-02-04-040, designated the entirety of the City of Bayonne as an area in need of rehabilitation in accordance with the provisions of *N.J.S.A.* 40A:12A-14 of the Redevelopment Law; and

WHEREAS, the Municipal Council, pursuant to Resolution No. 15-03-18-020, directed the Planning board, to prepare and review a Redevelopment Plan for Block 295, Lot 17 (the "Rehabilitation Area") and make recommendations to the Municipal Council in accordance with the Redevelopment Law; and

WHEREAS, subsequently the Parcel identified as Block 295, Lot 16 has been acquired and is under common ownership with Block 295, Lot 17; and

WHEREAS, the Municipal Council, pursuant to Resolution No. 16-01-20-012, directed the Planning board, to prepare and review a Redevelopment Plan for Block 295, Lot 16 and 17 (the "Rehabilitation Area") and make recommendations to the Municipal Council in accordance with the Redevelopment Law; and

WHEREAS, the Rehabilitation Area encompasses approximately 0.66 acres of land and consists of property located at 105.5 North Street between Avenue A and North Lane; and

WHEREAS, the City of Bayonne, Division of Planning & Zoning, Department of Municipal Services has prepared a Redevelopment Plan for the Rehabilitation Area titled "Redevelopment Plan Block 295, Lots 16-17 105.5 North Street" dated January 17, 2016 (the "Redevelopment Plan"); and

WHEREAS, on March 8, 2016 the Planning Board adopted a Resolution recommending the Redevelopment Plan to the Municipal Council and concluding that the Redevelopment Plan is consistent with the Master Plan of the City of Bayonne (the "Resolution"); and

WHEREAS, upon review of the Planning Board's Resolution and recommendations relating to the 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 Rehabilitation Area.

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

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

Section 2. 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.

Section 3. The zoning district map in the zoning ordinance of the City is hereby amended to include the "Rehabilitation Area" per the boundaries described in the 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 REDEVELOPMENT PLAN FOR BLOCK 295, LOTS 16 AND 17 ALSO REFERRED TO AS NORTH STREET REAR AND NORTH STREET BETWEEN 105A AND 107 – ALSO REFERRED TO AS 105.5 NORTH STREET ON THE TAX MAPS OF THE CITY OF BAYONNE," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, April 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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10. Council Member Cotter introduced:

ORDINANCE AUTHORIZING THE VACATION OF A PORTION OF WEST SIXTH STREET

WHEREAS, the property owners whose property abuts a portion of West Sixth Street on both sides have requested that the City of Bayonne vacate that portion of West Sixth Street which is adjacent to their property; and

WHEREAS, the portion of West Sixth Street referred to herein has never been utilized by the City of Bayonne as a public street and, therefore, pursuant to N.J.S.A.40:67-19, the Mayor and Council have determined that the public interest will be better served by releasing these lands and extinguishing the public right to this property ; and

WHEREAS, pursuant to N.J.S.A. 40:49-6, after introduction and passage on first reading, notice of this ordinance shall be published at least once, not less than 10 days prior to the hearing when the ordinance shall be considered for final passage and at least one week prior to consideration for final passage a copy of the ordinance and notice of introduction shall be mailed to every party whose lands are affected by this ordinance; and

WHEREAS, it is the intent of the Ordinance to vacate a portion of West Sixth Street, as more particularly set forth in the metes and bounds description set forth in this ordinance.

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

SECTION 1. Pursuant to the authority granted by N.J.S.A.40:67-19, a portion of West Sixth Street in the City of Bayonne, as more particularly described in the metes and bounds description set forth herein, is hereby vacated:

METES AND BOUNDS DESCRIPTION OF
WEST SIXTH STREET,
A MUNICIPAL RIGHT OF WAY TO BE VACATED
CITY OF BAYONNE, HUDSON COUNTY, NEW JERSEY

Beginning at a point 200 feet North of the intersection formed by the Westerly line of Avenue A, a road with 70 foot right of way, and the Northerly line of West Fifth Street, a road with a 80 foot right of way, said point also being the Southeastern corner of West Sixth Street, an unimproved and undedicated 50 foot wide road, and running thence

1) North 33° 30’ 40” East, 50.00 feet along said westerly line of Avenue A to a point in the northerly line of West Sixth Street thence

2) North 56° 29’ 20” West, 150.00 feet along said Northerly line of West Sixth Street to a point in the Westerly line of West Sixth Street, thence

3) South 33° 30’ 40” West, 50.00 along said Westerly line of West Sixth Street to a point in the Southerly line of West Sixth Street, thence

4) South 56° 29’ 20” East, 150.00 feet along said Southerly line of West Sixth Street to the point or place of beginning

Containing an area of 7,500 square feet or 0.172 acres

SECTION 2. All costs and expenses incidental to the introduction, passage and publication of this ordinance, including preparation and mailing of any and all notices related to the Ordinance upon property owners whose property is affected by the proposed vacation of the above described portion of West Sixth Street and publication shall be borne and paid for by West Sixth Street Realty LLC.

SECTION 3. West Sixth Street Realty LLC shall file this Ordinance with the Hudson County Clerk within sixty days after the Ordinance becomes effective. Upon filing with the Hudson County Clerk, title shall vest in West Sixth Street Realty LLC and C & A Development Corp.

SECTION 4. This Ordinance shall be subject to the following:

1. In the event the utilities, if any, presently located under the right of way being vacated hereunder, are not moved to another location, an easement in perpetuity is reserved for the benefit of the City of Bayonne and all public utility companies, including any cable television company as defined in the “Cable Television Act” (N.J.S.A. 48:5A-1 et seq.) for the purpose of ingress and egress over and upon the area subject to this vacation ordinance in order to maintain, repair or replace

existing utility facilities including water lines, sewer lines, gas lines and telephone, electrical and cable television wires and poles which may be located either beneath or above the surface of the area subject to this vacation ordinance.

SECTION 5. If any section, paragraph provision of this Ordinance shall be adjudged invalid, such adjudication shall not affect the validity of the remaining sections, paragraphs or provisions of this Ordinance, which shall otherwise remain in full force and effect.

SECTION 6. This Ordinance shall take effect upon final passage and publication as required by law.

SECTION 7. All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed.

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

BE IT RESOLVED, that an ordinance entitled "AN ORDINANCE VACATING A PORTION OF WEST 6TH STREET," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, April 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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11. Council Member LaPelusa introduced:

CALENDAR YEAR 2016
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)

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

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

WHEREAS, the Municipal Council of the City of Bayonne in the County of Hudson finds it advisable and necessary to increase its CY 2016 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Municipal Council of the City of Bayonne hereby determines that a 3.5% increase in the budget for said year, amounting to $3,545,505.10 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law and prior to additional exceptions, is advisable and necessary; and, WHEREAS the Municipal Council of the City of Bayonne hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years,

NOW THEREFORE BE IT ORDAINED, by the Municipal Council of the City of Bayonne, in the County of Hudson, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2016 budget year, the final appropriations of the City of Bayonne shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5% amounting to $3,545,505.10 (exclusive of additional exceptions), and that the CY 2016 municipal budget for the City of Bayonne be approved and adopted in accordance with this ordinance; and,

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

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

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

Council 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 "CALENDAR YEAR 2016 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, April 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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12. Council Member LaPelusa introduced:

AUTHORIZING THE DISABLED AMERICAN VETERANS CHAPTER #5 TO CONVEY BY WAY OF DEED OWNERSHIP OF BLOCK 318, LOT 25 (ALSO KNOWN AS 14-16 WEST 7TH STREET), BAYONNE, NEW JERSEY TO THE DISABLED AMERICAN VETERANS, CHAPTER #5 AND THE VIETNAM VETERANS OF AMERICA, INC., CHAPTER 151, PURSUANT TO N.J.S.A. 40A: 12-21.

WHEREAS, on February 20, 1956, the City of Bayonne conveyed by deed the former lots 20 and 20 ½ in former Block 469 (now known as Block 318, Lot 25), also known as 14-16 West 7th Street, Bayonne, New Jersey to the Disable American Veterans, Chapter #5; and

WHEREAS, the Disabled American Veterans, Chapter #5 is part of a nationally chartered and distinguished organization of disabled veterans of war; and

WHEREAS, the aforesaid deed contains a clause which states, "The above described premises shall be used only for the corporate purposes of the grantee organization." and

WHEREAS, the aforesaid deed also contains a clause which states, "Upon cessation of such use the property shall thereupon revert to the City of Bayonne."; and

WHEREAS, pursuant to N.J.S.A. 40A12-21, private sales to nationally chartered organizations or associations of veterans of any war may be made by the City of Bayonne as long as the lands and buildings revert to the ownership of the City of Bayonne if the lands and buildings fail to be used for the purposes of the aforesaid organizations or associations; and

WHEREAS, the Disabled American Veterans, Chapter #5 is desirous of conveying, by way of deed, joint ownership of the aforesaid property to themselves and the Vietnam Veterans of America, Inc., Chapter 151; and

WHEREAS, the Vietnam Veterans of America, Inc., Chapter 151, is part of a nationally chartered and distinguished organization of veterans of the Vietnam War; and

WHEREAS, the Disabled American Veterans, Chapter #5 desires to confirm that the aforesaid transfer shall not violate the terms of the deed and shall not cause a reversion of the ownership of the aforesaid lands and buildings to the City of Bayonne; now, therefore, be it

ORDAINED BY THE MUNICIPAL COUNCIL OF THE CITY OF BAYONNE AS FOLLOWS:

Section 1. That the City of Bayonne hereby authorizes the Disabled American Veterans, Chapter #5 to execute a deed of conveyance from the Disabled American Veterans, Chapter #5 and to the Vietnam Veterans of America, Inc., Chapter 151 to jointly own and use the aforesaid property for the purposes of the aforesaid organizations.

Section 2. That this conveyance shall not cause a reverter of the ownership of the aforesaid lands and buildings to the City of Bayonne.

Section 3. This authorization is conditioned upon the deed containing the following limitation: "That the lands and buildings shall be used only for the purposes of the Disabled American Veterans, Chapter #5 and the Vietnam Veterans of America, Inc., Chapter 151 and not for commercial business, trade or manufacture, and if said lands and buildings are not used in accordance with this limitation, the title for the property, lands and buildings shall revert to the City of Bayonne without the need for entry or reentry by the City of Bayonne.

Section 4. That the conveyance and transfer shall take place on or before June 1, 2016.

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

BE IT RESOLVED, that an ordinance entitled "AUTHORIZING THE DISABLED AMERICAN VETERANS CHAPTER #5 TO CONVEY BY WAY OF DEED OWNERSHIP OF BLOCK 318, LOT 25 (ALSO KNOWN AS 14-16 WEST 7TH STREET), BAYONNE, NEW JERSEY TO THE DISABLED AMERICAN VETERANS, CHAPTER #5 AND THE VIETNAM VETERANS OF AMERICA, INC., CHAPTER 151, PURSUANT TO N.J.S.A. 40A: 12-21," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, April 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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13. Council Member Perez introduced:

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

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

Section 1. That the Revised General Ordinances of the City of Bayonne, Chapter 7, TRAFFIC, Subsection 7-15, Parking Prohibited During Certain Hours on Certain Streets, is hereby amended and supplemented as follows (Additions **between asterisks and/or in bold**, deletions {~~within brackets and/or struck through~~ }:

Names of Street	Sides	Location
Pulaski Street	~~{North~~	~~Beginning at Route 169 and continuing in an easterly direction for 1,270 feet}~~
	**Both	Beginning at Route 440 and Continuing in an easterly Direction for 3,000 feet.**

Council Member Perez moved the following resolution, seconded by Council President Nadrowski, 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, April 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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14. Council Member Cotter 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

013. Eugene Miller, 132 West 16th Street
Beginning at a point on the south side of West 16th Street, 67 feet east of the southeast corner of Avenue A and West 16th Street, and extending to a point 22 feet east thereof.

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

127. Marilyn Kline, 130 Prospect Avenue
Beginning at a point on the east side of Prospect Avenue, 117 feet north of the northeast corner of East 25th Street and Prospect Avenue, and extending to a point 22 feet north thereof.

232. Donna Christenson, 24 Cottage Street
Beginning at a point on the south side of Cottage Street, 278 feet east of the southeast corner of Broadway and Cottage Street, and extending to a point 22 feet east thereof.

ADD

368. Henry M. Ashe, 19 George Street
Beginning at a point on the north side of George Street, 171 feet west of the northwest corner of Hobart Avenue and George Street, and extending to a point 20 feet west thereof.

369. Lori Vida, 32 West 45th Street
Beginning at a point on the south side of West 45th Street, 392 feet east of the southeast corner of West 45th Street and Avenue C, and extending to a point 17 feet east thereof.

370. Jane Wojslawowics, 44 East 19th Street
Beginning at a point on the south side of East 19th Street, 172 feet west of the southwest corner of East 19th Street and Avenue E, and extending to a point 20 feet west thereof.

RELOCATE

207. Paul Kuzminski for his daughter Stephanie from 10 West 37th Street to 136 West 16th Street
OLD LOCATION: Beginning at a point on the south side of West 37th Street, 114 feet west of the southwest corner of West 37th Street and Broadway, and extending to a point 22 feet west thereof.
NEW LOCATION: Beginning at a point on the south side of West 16th Street, 28 feet east of the southeast corner of West 16th Street and Avenue A, and extending to a point 18 feet east thereof.

357. Judith Martin from 76 West 34th Street to 82 West 7th Street
OLD LOCATION: Beginning at a point on the south side of West 34th Street, 333 feet west of the southwest corner of West 34th Street and Avenue C, and extending to a point 20 feet west thereof.
NEW LOCATION: Beginning at a point on the south side of West 7th Street, 47 feet east of the southeast corner of West 7th Street and Newman, and extending to a point 16 feet east thereof.

364. Karim Abdelmalak for his daughter Hanna Noor from 81 Andrew Street to 45 East 18th Street
OLD LOCATION: Beginning at a point on the north side of Andrew Street, 329 feet west of the northwest corner of Avenue C and Andrew Street, and extending to a point 20 feet west thereof.
NEW LOCATION: Beginning at a point on the north side of East 18th Street, 127 feet west of the northwest corner of East 18th Street and Avenue E, and extending to a point 18 feet west thereof.

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

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

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

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

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

From Robert M. Anderson, Esq., filing notice of tort claim on behalf of GAIL BURNS, alleging injuries sustained November 24, 2015 in a fall on the sidewalk at 25th and Broadway.

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

From MARY ANN FLORA, filing notice of tort claim alleging property damage to her automobile on January 24, 2016 resulting from being struck by a snow plow at 85 West 47th Street.

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

From JOE KOVAL, filing notice of tort claim alleging property damage to his sidewalk and driveway on February 7, 2016 resulting from damage during snow removal at 336 Avenue E.

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

From the Tax Court of New Jersey, complaint in matter entitled, “NORTH HOOK ASSOCIATES, LLC vs. CITY OF BAYONNE.” (69-73 LeFante Way, Block 412, lot 3 - industrial)

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

From the Superior Court of New Jersey, Law Division, Summons and Complaint in matter entitled, “RYAN vs. SULLIVAN and THE CITY OF BAYONNE, et al.” (Auto accident on March 17, 2014 at 14th Street and Avenue A)

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

From the Tax Court of New Jersey, complaint in matter entitled, “MPT OF BAYONNE, LLC vs. CITY OF BAYONNE.” (29th Street & Avenue E, Block 159, lot 14 & 15; Block 164, lots 5 & 6; Block 420.02, lot 2; Block 504, lot 7.01 – commercial & vacant)

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

From Donahue, Gironda, Doria, & Tompkins, CPA’s, ANNUAL AUDIT REPORT for the year ended December 31, 2014.

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

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

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

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

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

February 18, 2016

City of Bayonne
Office of the City Council
630 Avenue C
Bayonne, NJ 07002

Dear Council President Nadrowski
and Honorable Members of the City Council

I hereby re- appoint the following individuals to the Rent Control Board of the City of Bayonne and request the City Council's consenting action:

Ruth Cummings-Hypolite One Chase Court, Bayonne, NJ 07002	Term expiring on December 31, 2018
Debra A. Noble 600 Avenue E, Bayonne, NJ 07002	Term expiring on December 31, 2017
James O. O'Brien, Jr. 69 West 8th Street, 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 March 9, 2016 Council Caucus Meeting Agenda for consideration by the City Council .

Sincerely,
James M. Davis
Mayor
(signed)

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

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

February 18, 2016

City of Bayonne
Office of the City Council
630 Avenue C
Bayonne, NJ 07002

Dear Council President Nadrowski
and Honorable Members of the City Council

I hereby appoint the following individual to the Library Board of Trustees of the City of Bayonne and request the City Council's consenting action:

Jack Kennedy — Term expiring on December 31, 2018
65 West 7th Street, Bayonne, NJ 07002

In conjunction with this appointment the City Clerk has been directed to add an accompanying item on the March 9, 2016 Council Caucus Meeting Agenda for consideration by the City Council .

Sincerely,
James M. Davis
Mayor
(signed)

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

February 18, 2016

City of Bayonne
Office of the City Council
630 Avenue C
Bayonne, NJ 07002

Dear Council President Nadrowski
and Honorable Members of the City Council

I hereby re- appoint the following individual to the Urban Enterprise Zone Development Corporation of the City of Bayonne and request the City Council's consenting action:

Samantha Howard — Term expiring on December 31, 2020
B.E.O.F Representative

In conjunction with this appointment the City Clerk has been directed to add an accompanying item on the March 16, 2016 Regular Meeting of the City Council for it to be formally received and filed.

Sincerely,
James M. Davis
Mayor
(signed)

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27. The Council as a whole moved the following communication be received and filed, which motion was adopted.
February 18, 2016

City of Bayonne
Office of the City Council
630 Avenue C
Bayonne, NJ 07002

Dear Council President Nadrowski
and Honorable Members of the City Council

I hereby re- appoint the following individuals to the Planning Board of the City of Bayonne and request the City Council's consenting action:

Ted Garelick — Term expiring on December 31, 2017
31 Parkview Terrace, Bayonne, NJ 07002

In conjunction with this appointment the City Clerk has been directed to add an accompanying item on the March 16, 2016 Regular Meeting of the City Council for it to be formally received and filed.

Sincerely,
James M. Davis
Mayor
(signed)

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

March 3, 2016

City of Bayonne
Office of the City Council
630 Avenue C
Bayonne, NJ 07002

Dear Council President Nadrowski
and Honorable Members of the City Council

Pursuant to the powers vested in my by the laws of the State of New Jersey and the regulations promulgated by the Office of the State Attorney General, NJ Office of Emergency Management, I do hereby make the following appointment:

Edoardo Ferrante, Jr.
78 West 23rd Street
Bayonne, NJ 07002
AS
Emergency Management Coordinator
Effective March 4, 2016
Term Expiration March 4, 2019

In conjunction with this appointment the City Clerk has been directed to add an accompanying item on the March 16, 2016 Regular Meeting of the City Council for it to be formally received and filed.

Sincerely,
James M. Davis
Mayor
(signed)

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29. 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.

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

From Terrance Malloy, Chief Financial Officer, submitting the Annual Financial Statement (Unaudited) for calendar year 2015.

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

DATE: February 5, 2016

TO: Terrance 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 FEBRUARY, 2016

Janet Convery
(signed)

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

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

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

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

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33. 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, February 17, 2016 be and the same are hereby approved.

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34. 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, February 10, 2016, be and the same are hereby approved.

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35. 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
17	23	Michael & Judith Jasinski	314.01
93	1	Margaret Lynch	3,097.04
108	13	Nancy Anderson	363.17

161	8	Investors Bank	2,638.37
244	14	Danielle Rafalko	2,818.67
244	34	Mary Santoro	131.86
246	14	Frances & Anthony Andrade	319.79
246	18	Grzegorz Zamirski	1,608.57
316	31	Charlotte Schuman	250.00
324	6	Joan Serpe	267.91
334	18	Brian Cotter	602.41
345	31	Brian Cotter	209.12
Total:			12,620.92

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

WHEREAS, the City Clerk's Office has issued One Hundred and two (102) Marriage Licenses during the months of October, November and December, and has collected $25.00 per license, which is to be forwarded to the Division of Youth and Family Services, now, therefore be it

RESOLVED, that a warrant in the amount of Two thousand five hundred and fifty dollars ($2550.00) be drawn to the order of the Treasurer, State of New Jersey and forwarded to the City Clerk's Office for disbursement.

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37. 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 $ 153.00 be drawn of the Bureau of Rabies Control, State Department of Health, Trenton, New Jersey, covering the issuance of licenses Nos. 1008-1087 inclusive, 80 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.

* * * * * * * *

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

WHEREAS, the Director of Public Safety has determined that the following vehicles are out of service and beyond repair:

Police Unit #24 2005 Chevy Impala VIN#2g1wf55k759217616
Police Unit #3 2005 Dodge Durango VIN#1d4hb48n05f579308
Police Unit #76 2005 Dodge Durango VIN#1D4HB48N05F579309
DPW 1988 Chevy Caprice VIN#1g1b1516xjr193764

WHEREAS, the Director of Public Safety has further determined that the City no longer has a need for the aforesaid vehicles and that said vehicles should be sold to the highest bidder; now, therefore, be it

RESOLVED by the Municipal Counsel as follows:

The Director of Public Safety and/or any other appropriate City Official is/are hereby authorized to auction off the above listed vehicles to the highest bidder subject to the applicable statutes and regulations governing such sales.

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

WHEREAS, the Fire Chief has determined that the firehouse apparatus tent located on the former site of Fire Station 1 is in a state of disrepair and should be removed; and

WHEREAS, the Fire Chief has further determined that the fire department no longer has a need for the tent and that the tent should be sold to the highest bidder; now, therefore, be it

RESOLVED by the Municipal Counsel as follows:

The Fire Chief and/or any other appropriate City Official is/are hereby authorized to auction off the firehouse apparatus tent to the highest bidder subject to the applicable statutes and regulations governing such sales.

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

WHEREAS, Resolution No. 15-01-21-050 adopted by the Municipal Council on January 21, 2015 authorized an agreement with Nowell, Amoroso, Klein, Bierman, P.A., 155 Polify Road, Hackensack, New Jersey 07601 for professional legal services in defense of the City of Bayonne in connection with State Tax Court Appeals for the period commencing February 1,2015 and ending January 31, 2016 for a contract amount not to exceed $55,000.00 payable at an hourly rate of $165.00 per hour; and

WHEREAS, subsequent thereto the City entered into Agreement No. CY15-003 for the aforesaid professional legal services; and

WHEREAS, pursuant to the terms of the aforesaid Agreement No. CY15-003, the City terminated its agreement with Nowell, Amoroso, Klein, Bierman, P.A. as of May 31, 2015; and

WHEREAS, the total amount of charges for the aforesaid professional legal services rendered by Nowell, Amoroso, Klein, Bierman, P.A. pursuant to Agreement No. CY15-003 was $41,339.94; and

WHEREAS, Nowell, Amoroso, Klein, Bierman, P.A. has been paid in full for the aforesaid professional legal services rendered pursuant to Agreement No. CY15-003; now, therefore, be it

RESOLVED by the Municipal Council that Resolution No. 15-01-21-050 adopted by the Municipal Council on January 21, 2015 authorizing an agreement with Nowell, Amoroso, Klein, Bierman, P.A., 155 Polify Road, Hackensack, New Jersey 07601 for professional legal services in defense of the City of Bayonne in connection with State Tax Court Appeals for the period commencing February 1,2015 and ending January 31, 2016 for a contract amount not to exceed $55,000.00 payable at an hourly rate of $165.00 per hour is hereby amended to reflect a total contract amount of $41,339.94.

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

WHEREAS, the Municipal Council adopted Resolution No. 15-06-17-047 on June 17, 2015 authorizing an agreement with Chiesa, Shahinian & Giantomasi, P.C., One Boland Drive, West Orange, New Jersey 07052 for the aforesaid professional legal services in defense of the City of Bayonne in connection with State Tax Court Appeals for the period commencing June 1, 2015 and ending December 31, 2015 for an amount not to exceed the unexpended and unbilled portion of Agreement No. CY15-003 through May 31, 2015 under the same terms and at the same hourly rate of $165.00, as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 *et seq.*; and

WHEREAS, pursuant to the aforesaid Resolution No. 15-06-17-047, the City entered into Agreement No. CY15-050 with Chiesa, Shahinian & Giantomasi, P.C.; and

WHEREAS, the law firm of Chiesa, Shahinian & Giantomasi, P.C. has provided the aforesaid professional legal services to the City for the period commencing June 1, 2015 through December 31, 2015 and has provided the City with invoices for same in the amount of $49,277.96 billed at the rate of $165.00 per hour; and

WHEREAS, funds are certified as available in Account #01-203-20-156-2-020.

RESOLVED by the Municipal Council as follows:

1. Resolution No. 15-06-10-047 is hereby amended to reflect a total contract amount of $49,277.96 chargeable to Account #01-203-20-156-2-020.

2. The Mayor and City Clerk are hereby authorized to execute an amendment to Agreement No. CY15-050 with Chiesa, Shahinian & Giantomasi, P.C. reflecting same.

3. All other terms and conditions of Agreement No. CY15-050 shall remain the same.

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42. 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	LICENSE
Hudson Hospice Volunteers, Inc.	RL: 9096
American Legion Post	RL: 9097
St. Vincent de Paul R.C. Church	RL 9098
Hudson County Animal League	RL 9099 RL 9100
St. Henry's Church	RL: 9101

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

WHEREAS, the City Clerk advertised in the Jersey Journal on January 27, 2016 that sealed bids for improvements to Clark Park would be received on February 11,2 016; and

WHEREAS, pursuant to such advertisement, eight (8) proposals were received from:

Bidder	Total Base Bid	Del-1/Add-1 Remove Brick Finish Concrete Wall, Brick Finish Column, Ornamental Steel Fence and associated Improvements	Del-2 Remove Tree Grate and Frame	Del-3/Add-3 Remove Stamped concrete along Ave. C Frontage and associated Improvements	Del-4 Remove Decorative Street light foundation, conduit and associated Improvements
Picerno-Giordano Construction, LLC 200 Market Street Kenilworth, NJ 07033	$796,103.75	($36,860.00)	($15,000.00)	($30,975.00)	($15,500.00)
T&S Builder, LLC 174 Cedar Road New Milford, NJ 07646	$820,439.00	($36,260.00)	($12,500.00)	($30,285.00)	($8,950.00)
Adamo Brothers Construction 1033 Alexander Ave.					

Ridgefield, NJ 07657	$875,582.00	($34,300.00)	($13,750.00)	($33,230.00)	($10,550.00)
JC Landscape Construction & Management Co. Inc. 8 Industrial Rd. Paquannock, NJ 07440	$939,273.80	($48,500.00)	($12,500.00)	($23,427.50)	($11,660.00)
Tec-Con Contractors, Inc. 9 Dodd Street East Orange, NJ 07017	$983,273.00	($25,180.00)	($14,500.00)	($30,339.00)	($18,000.00)
Let It Grow, Inc. 52 Ackerson Street River Edge, NJ 07661	$987,572.00	($52,027.00)	($15,000.00)	($28,930.00)	($7,711.00)
Applied Landscape Technologies 145 River Rd. Montville, NJ 07045	$1,022,523.10	($39,280.00)	($20,500.00)	($29,190.00)	($51,750.00)
TSivicos Enterprises, Inc. 1420 Ninth Ave. Suite 23 Neptune, NJ 07753	$1,095,000.00	($35,100.00)	($12,500.00)	($33,500.00)	($9,475.00)

WHEREAS, Amy Dellabella, R.P.P.O., Q.P.A. and Gary S. Chmielewski, Director of Public Works and Parks have examined the bids or proposals and have determined that the bid of PICERNO-GIORDANO CONSTRUCTION, LLC is a regular bid and is most advantageous to the City of Bayonne for improvements to Clark Park; and

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

RESOLVED, that the contract for improvements to Clark Park be awarded to:

PICERNO-GIORDANO CONSTRUCTION, LLC, 200 Market Street, Kenilworth, NJ 07033, for the following bid price: $796,103.75, and that the contract be executed in the name of the City of Bayonne by the proper city officials and the said sum be charged to accounts: O-15-16, O-15-23 and Capital Improvement Ordinance O-16-14, adopted at this meeting and pending approval by the Mayor.

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

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

WHEREAS, the city clerk, advertised in the Jersey Journal on January 27, 2016 that sealed bids for DiDomenico Park fixed dock would be received on February 9, 2016; and

WHEREAS, pursuant to such advertisement, four (4) proposals were received from:

Bidder	Total Base Bid
Marbro General Contractor 127 Pine Street Montclair, NJ 07042	$591,117.00
Bird Construction 105 Harbor Inn Road Bayville, NJ 08721	$684,550.00
D'Onofrio General Contractor 202 28th Street Brooklyn, NY 11232	$1,924,900.00

Lomma Construction Corp.
80 Wakefield Road
Staten Island, NY 10312 $2,695,000.00
and

WHEREAS, Amy Dellabella, R.P.P.O., Q.P.A. and Gary S. Chmielewski, Director of Public Works and Parks have examined the bids or proposals and have determined that the bid of Marbro General Contractor is a regular bid and is most advantageous to the City of Bayonne for DiDomenico Park fixed dock; and

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

RESOLVED, that the contract for DiDomenico Park fixed dock be awarded to:

MARBRO INC.
127 Pine Street
P.O. Box 134
Montclair, NJ 07042 for the following bid price: $591,117.00, and that the contract be executed in the name of the City of Bayonne by the proper city officials and that the said sum be charged to account: Capital Improvement Ordinance O-16-14, adopted at this meeting and pending approval by the Mayor.

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

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45. 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's Director of Public Works and Parks has evidenced that there is a need for the purchase of an E350 Cutaway bucket truck with a Versalift Model #VT29IHQ-6703A option to be used in the Department of Public Works and Parks; and

WHEREAS, Route 23 Auto Mall, 1301 Route 23 South, Butler, NJ 07405 has provided the City of Bayonne with a quotation for the purchase of said item in the amount of $80,589.00 under State Contract #40321; and

WHEREAS, funds have been certified as available in Account CBO #012-39 & #015-16; now, therefore be it

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

1. The Mayor and Clerk of the City of Bayonne are hereby authorized to execute any and all documents necessary to effectuate the purchase of an E350 Cutaway bucket truck with a Versalift Model #VT29IHQ-6703A from Route 23 Auto Mall, 1301 Route 23 South, Butler, NJ 07405 in an amount not to exceed $80,589.00 under NJ State Contract #40321. and

2. Funds have been certified as available in Account CBO #O-12-39 & O-15-16.

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

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

WHEREAS, the City of Bayonne's Public Safety Director has evidenced that there is a need for the lease of ten (10) fully equipped 2017 Ford Interceptor Patrol Vehicles to be used in various divisions within the Police Department; and

WHEREAS, Winner Ford, Cherry Hill, New Jersey has provided the City of Bayonne with a quotation for the purchase of said vehicles in the amount of $356,780.000 under State Contract #88728; and

WHEREAS, lease terms have to be finalized by the Chief Financial Officer; and

WHEREAS, funds have been certified as available in Account "Police Department – Other Expenses"; now, therefore be it

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

1. The Mayor and Clerk of the City of Bayonne are hereby authorized to execute any and all documents necessary to effectuate the lease of ten (10) fully equipped Interceptor Patrol Vehicles to be used in various divisions within the Police Department, pursuant to the quotation provided by Winner Ford, Cherry Hill, New Jersey under NJ State Contract #A88728 once the Chief Financial Officer has finalized and approved the lease terms; and

2. Funds have been certified as available in Account "Police Department – Other Expenses".

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

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

WHEREAS, the City of Bayonne is in need of professional engineering and planning services on an on-call basis for the period terminating December 31, 2016; and

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

WHEREAS, Jacobs Engineering Group, Inc. has also submitted a formal written proposal for the aforesaid professional engineering and planning services dated February 27, 2016; and

WHEREAS, Jacobs Engineering Group, Inc. is qualified, ready, willing and able to provide said professional engineering services; and

WHEREAS, funds have been certified as available in various accounts 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, Jacobs Engineering Group, Inc. has qualified pursuant to 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 Jacobs Engineering Group, Inc., 299 Madison Avenue, P.O. Box 1936, Morristown, New Jersey 07962 for professional engineering and planning services on an on-call basis for the period terminating December 31, 2016 for an amount not to exceed $90,000.00.

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

3. Funds have been certified as available in various accounts pending adoption of the CY2016 budget.

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

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48. 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 engineering services to provide special engineering services for the period terminating December 31, 2016; and

WHEREAS, Matrix New World Engineering, Inc., 442 State Route 35, 2nd Floor, Eatontown, New Jersey 07724 is qualified, ready, willing and able to provide said professional special engineering services for the period terminating December 31, 2016 for an amount not to exceed $300,000.00; and

WHEREAS, funds have been certified as available in various accounts 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, Matrix New World Engineering, Inc. has qualified pursuant to the Fair & Open Contracting Requirements pursuant to N.J.S.A.19:44A:20.4.5; now, therefore, be it

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

1. The Mayor and the City Clerk are hereby authorized and directed to execute an agreement with Matrix New World Engineering, Inc., 442 State Route 35, 2nd Floor, Eatontown, New Jersey 07724 to provide special engineering services for the period terminating December 31, 2016 an amount not to exceed $300,000.00.

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

3. Funds shall be charged to various accounts.

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

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

WHEREAS, the Public Safety Director has established that it is necessary to enter into a credit card processing agreement in connection with the pay stations located at the City of Bayonne's metered public parking lots to allow for credit card payments at these lots; and

WHEREAS, Transfirst, LLC, 12202 Airport Way, Suite 100, Broomfield, CO 80021 is willing and able to supply said services for the period commencing March 17, 2016 and ending December 31, 2016 at no cost to the City of Bayonne; now, therefore, be it

RESOLVED by the Municipal Counsel as follows:

1. The Mayor and Clerk are hereby authorized to execute an "application for merchant card processing" and any other documents necessary to effectuate a credit card processing agreement with Transfirst, LLC, 12202 Airport Way, Suite 100, Broomfield, CO 80021 which will allow for credit cards to be utilized at the pay stations located at the City of Bayonne's metered parking lots.

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

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

WHEREAS, the Bayonne Board of Education (the "Board") utilizes equipment and will have access to emergency frequencies monitored by the City of Bayonne's Centralized Radio Room so that the Board of Education is able to contact the City's Police Department, Fire Department and EMT Services in the case of an emergency or dangerous situation (the "Emergency System"); and

WHEREAS the Emergency System is maintained by the City of Bayonne (the "City"), at the sole cost and expense of the City; and

WHEREAS, the City desires to enter into a Shared Services agreement with the Board establishing that the Board of Education shall reimburse the City for any maintenance costs directly attributable to the aforesaid equipment utilized by the Board; and

WHEREAS, the New Jersey Uniform Shared Services Consolidation Act, N.J.S.A. 40A:65-1 *et seq,* allows local units and authorities established by local units to contract with one another for the joint provision within their several jurisdictions of any service which any party to the agreement is empowered to render within its own jurisdiction; now, therefore, be it

RESOLVED, that the Mayor and City Clerk are hereby authorized to enter into a Shared Services Agreement with the Bayonne Board of Education establishing that the Board shall reimburse the City for maintenance costs directly attributable to the aforesaid equipment utilized by the Board in connection with the City's Emergency System for a two (2) year period commencing April 1, 2016 and ending March 31, 2018 renewable for successive two (2) year periods unless renegotiated or terminated by either party and upon approval by the Municipal Council.

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

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

WHEREAS, the Bayonne Board of Education (the "Board") has access to fuel all its vehicles at the City of Bayonne's Centralized Garage and reimburses the City of Bayonne (the "City") for bulk fuel purchases at wholesale prices; and

WHEREAS, the City desires to enter into a Shared Services agreement with the Board establishing that the Board shall have access to fuel all its vehicles and reimburse the City for bulk fuel purchase at wholesale prices; and

WHEREAS, the New Jersey Uniform Shared Services Consolidation Act, N.J.S.A. 40A:65-1 *et seq,* allows local units and authorities established by local units to contract with one another for the joint provision within their several jurisdictions of any service which any party to the agreement is empowered to render within its own jurisdiction; now, therefore, be it

RESOLVED, that the Mayor and City Clerk are hereby authorized to enter into a Shared Services Agreement with the Bayonne Board of Education establishing that the Board shall have access to fuel all its vehicles at the City of Bayonne's Centralized Garage and reimburses the City of Bayonne (the "City") for bulk fuel purchases at wholesale prices for a two (2) year period commencing April 1, 2016 and ending March 31, 2018 renewable for successive two (2) year periods unless renegotiated or terminated by either party and upon approval by the Municipal Council.

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

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

WHEREAS, the City of Bayonne (the "City") provides salt for snow and ice removal to the Bayonne Board of Education (the "Board"); and

WHEREAS, the Bayonne Board of Education permits residents to park on the various public school lots when schools are closed during snow emergencies in exchange for said provision of salt; and

WHEREAS, the City desires to enter into a Shared Services agreement with the Board establishing that the City of Bayonne shall provide salt for snow and ice removal to the Bayonne Board of Education in exchange for the Board permitting residents to park on the various public school lots when schools are closed during snow emergencies; and

WHEREAS, the New Jersey Uniform Shared Services Consolidation Act, N.J.S.A. 40A:65-1 *et seq,* allows local units and authorities established by local units to contract with one another for the joint provision within their several jurisdictions of any service which any party to the agreement is empowered to render within its own jurisdiction; now, therefore, be it

RESOLVED, that the Mayor and City Clerk are hereby authorized to enter into a Shared Services Agreement with the Bayonne Board of Education establishing that the City shall provide salt for snow and ice removal to the Bayonne Board of Education in exchange for the

Bayonne Board of Education permitting residents to park on the various public school lots when schools are closed during snow emergencies for a two year (2) period commencing April 1, 2016 and ending March 31, 2018 renewable for successive two (2) year periods unless renegotiated or terminated by either party and upon approval by the Municipal Council.

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

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

WHEREAS, the Bayonne Board of Education (the "Board") has first priority to utilize the Don Ahern Memorial Stadium and other City of Bayonne owned parks for athletic, recreation and extra-curricular programs; and

WHEREAS, the Board also has exclusive use of the 16th Street and Gorman Field on any school day up until 6:00 p.m. and at all other times is given first priority to use said facilities for school related purposes; and

WHEREAS, it is the City's intention that the following shall have priority to use the facility in descending order of preference:

the Board
the City
any City clubs or residents; and

WHEREAS, any use of the facilities must be coordinated between the City and the Board; and

WHEREAS, the City shall maintain all facilities; and

WHEREAS, the City desires to enter into a Shared Services agreement with the Bayonne Board of Education establishing that the Board shall be permitted to utilize the aforesaid facilities under the above referenced terms at no cost to the Board; and

WHEREAS, the New Jersey Uniform Shared Services Consolidation Act, N.J.S.A. 40A:65-1 *et seq,* allows local units and authorities established by local units to contract with one another for the joint provision within their several jurisdictions of any service which any party to the agreement is empowered to render within its own jurisdiction; now, therefore, be it

RESOLVED, that the Mayor and City Clerk are hereby authorized to enter into a Shared Services Agreement with the Bayonne Board of Education establishing the following:

1. The Board shall have first priority to utilize the Don Ahern Memorial Stadium and other City of Bayonne Owned parks for Board of Education athletic, recreation and extra-curricular programs.

2. The Board shall also have exclusive use of the 16th Street and Gorman Field on any school day up until 6:00 p.m. and at all other times shall be given first priority to use said facility for school related purposes.

3. The following shall have priority to use the facility in descending order:

   the Board
   the City
   any City clubs or residents.

4. Any use of the facilities must be coordinated between the City and the Board.

5. The City shall maintain all facilities.

6. The Board shall have use of the aforesaid facilities at no cost to the Board.

7. The term shall be effective immediately ending on December 31, 2018 renewable for successive two (2) year periods unless renegotiated or terminated by either party and upon approval of the Municipal Council.

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

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

WHEREAS, the Bayonne Board of Education (the "Board") permits the City of Bayonne (the "City") to utilize certain Bayonne Board of Education facilities on an as-needed basis including, but not limited to, the Korpi Ice facility for high rescue and repelling exercises/training for the City's staff; the Olympic size pool for water rescue and recovery training, and the public schools for active shooter and security drills conducted by the City's Police and Fire Departments at no cost to the City; and

WHEREAS, the basement of the Board's Juliet Street property shall also be made available to the City for hostage and rescue scenarios under terms and conditions of a separate lease agreement to be memorialized also at no cost to the City; and

WHEREAS, the City desires to enter into a Shared Services agreement with the Bayonne Board of Education establishing that the City shall be permitted to utilize certain Bayonne Board of Education facilities on an as-needed basis including, but not limited to, the Korpi Ice facility for high rescue and repelling exercises/training for the City's staff; the Olympic size pool for water rescue and recovery training, and the public schools for active shooter and security drills conducted by the City's Police and Fire Departments and shall also be permitted to utilize the basement of the Board's Juliet Street property for hostage and rescue scenarios under terms and conditions of a separate lease agreement to be memorialized; and

WHEREAS, the New Jersey Uniform Shared Services Consolidation Act, N.J.S.A. 40A:65-1 *et seq,* allows local units and authorities established by local units to contract with one another for the joint provision within their several jurisdictions of any service which any party to the agreement is empowered to render within its own jurisdiction; now, therefore, be it

RESOLVED, that the Mayor and City Clerk are hereby authorized to enter into a Shared Services Agreement with the Bayonne Board of Education establishing that the City shall be permitted to utilize certain Bayonne Board of Education facilities on an as-needed basis including, but not limited to, the Korpi Ice facility for high rescue and repelling exercises/training for the City's staff; the Olympic size pool for water rescue and recovery training, and the public schools for active shooter and security drills conducted by the City's Police and Fire Departments and shall also be permitted to utilize the basement of the Board's Juliet Street property shall be made available to the City for hostage and rescue scenarios under terms and conditions of a separate lease agreement to be memorialized at no cost to the City effective immediately through December 31, 2018 renewable for successive two (2) year periods unless renegotiated or terminated by either party and upon approval by the Municipal Council.

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

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

WHEREAS, the Bayonne Board of Education (the "Board") permits the City of Bayonne (the "City") to utilize Midtown Community School, Nicholas Oresko School, and the Korpi Ice facility primarily as shelters upon the State of New Jersey's determination of an emergency due to a natural or man-made disaster at no cost to the City; and

WHEREAS, the City also has also access to the locker and restrooms for use of any individuals utilizing the shelters during such emergent times at no cost to the City; and

WHEREAS, the City desires to enter into a Shared Services agreement with the Bayonne Board of Education establishing that the City shall be permitted to utilize Midtown Community School, Nicholas Oresko School, and the Korpi Ice facility primarily as shelters upon the State of New Jersey's determination of an emergency due to a natural or man-made disaster including access to the locker and restrooms for use of any individuals utilizing the shelters during such emergent times at no cost to the City; and

WHEREAS, the New Jersey Uniform Shared Services Consolidation Act, N.J.S.A. 40A:65-1 *et seq,* allows local units and authorities established by local units to contract with one another for the joint provision within their several jurisdictions of any service which any party to the agreement is empowered to render within its own jurisdiction; now, therefore, be it

RESOLVED, that the Mayor and City Clerk are hereby authorized to enter into a Shared Services Agreement with the Bayonne Board of Education establishing that the City shall be permitted to utilize Midtown Community School, Nicholas Oresko School, and the Korpi Ice facility primarily as shelters upon the State of New Jersey's determination of an emergency due to a natural or man-made disaster including access to the locker and restrooms for use of any individuals utilizing the shelters during such emergent times at no cost to the City effective immediately through December 31, 2018 renewable for successive two (2) year periods unless renegotiated or terminated by either party and upon approval by the Municipal Council.

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

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

WHEREAS, the Bayonne Board of Education (the "Board") has permitted the City of Bayonne (the "City") to use certain of its facilities in connection with the City Department of Parks and recreation services; and

WHEREAS, the Board has also permitted the City to utilize the following sites for City related recreation purposes:

Robinson School No. 3 (floor hockey);
Mary J. Donohue No. 4 (summer camp)
Lincoln Community School No. 5 (soccer squirts, ability program, and cooling center);
Horace Mann No. 6 (summer camp);
Washington Community School No. 9 (ability program);
Wilson No. 10 (ability program); and
Bayonne High School (adult and elementary basketball, twirlers, special skaters and soccer squirts); and

WHEREAS, it is expressly understood that the Board and the City must coordinate and reach agreement as to the use of the aforesaid facilities on an annual basis; and

WHEREAS, the City desires to enter into a Shared Services agreement with the Bayonne Board of Education establishing that the City shall be permitted to utilize the aforesaid facilities under the following terms at no cost to the City:

1. The Board shall be given priority use over any such facilities for all school related activities at all times during the calendar year.

2. The following shall have priority to use the aforesaid facilities in descending order of preference:

the Board;
the City's Recreation Departments;
any other entity or individuals

3. The Board shall continue to staff, maintain and otherwise operate said facilities in accordance with the Board of Education Policy.

4. The City's use of said facilities shall not interfere, in any way, with the Board's use of said facilities.

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

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57. 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 has been awarded a 2015 New Jersey Emergency Agency Assistance (EMMA) Grant from New Jersey's Emergency Management Performance Grant (EMPG) in the total amount of a $7,000.00 Federal Award (with a $7,000.00 Local

Matching Fund) for the performance period of July 1, 2015 through June 30, 2016 for the purpose of enhancing Bayonne's ability to prevent, protect against, respond to and recover from acts of terrorism, natural disasters and other catastrophic events and emergencies; and

WHEREAS, the City of Bayonne is required to formally accept these funds; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. That the Mayor and Clerk are hereby authorized to execute any and all documents necessary to effectuate the acceptance of the above referenced EMMA grant.
2. This resolution shall take effect immediately.

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

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

WHEREAS, the City of Bayonne has issued permanent debt relating to the public walkway located adjacent to the Bayonne Golf Club; and

WHEREAS, the Bayonne Golf Club is responsible for reimbursing the City for the cost of the related debt services, now, therefore, be it

RESOLVED, that the Bayonne Golf Club, or its sussessor owners, shall be responsible for reimbursing the City for the aforementioned debt per the below schedule;

ANNUAL PAYMENT SPECIAL ASSESSMENT BONDS

Year	Annual Payment	Accumulated Payment
1	225,000.00	225,000.00
2	260,000.00	485,000.00
3	285,000.00	770,000.00
4	310,000.00	1,080,000.00
5	330,000.00	1,410,000.00
6	350,000.00	1,760,000.00
7	360,000.00	2,120,000.00
8	375,000.00	2,495,000.00
9	400,000.00	2,895,000.00
10	425,000.00	3,320,000.00
11	450,000.00	3,770,000.00
12	475,000.00	4,245,000.00
13	500,000.00	4,745,000.00
14	525,000.00	5,270,000.00
15	550,000.00	5,820,000.00
16	550,000.00	6,370,000.00
17	550,000.00	6,920,000.00
18	550,000.00	7,470,000.00
19	550,000.00	8,020,000.00
20	552,608.09	8,572,608.09
	8,572,608.09	

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

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

#2 TEMPORARY EMERGENCY APPROPRIATION CY 2016

WHEREAS, an emergency condition has arisen with respect to providing appropriations to pay various costs, as per attached schedule, and no adequate provision has been made in the CY 16 Temporary Budget for the aforesaid purposes and N.J.S.:4-20 provides for the creation of an emergency temporary appropriation for the purposes above mentioned, and

WHEREAS, the total emergency resolution adopted in the CY 16 budget pursuant to the provisions of Chapter 96, P.L. 1951 (NJS 40A:4-20) including this resolution total

Current Fund	$	26,582,142.00
Parking Utility	$	259,000.00

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

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

Current Fund	$	23,932,142.00
Parking Utility	$	257,000.00

2- That said emergency temporary appropriation will be provided for the CY 16 budget under the title of, as per attached schedule:

Current Fund	$	23,932,142.00
Parking Utility	$	257,000.00

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

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

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

RESOLVED, that the budgetary transfers as set forth below pertaining to the CY 2015 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 same transfers in accordance herewith:

CURRENT FUND

	FROM		TO	
No.	Account	Amount	Account	Amount
1.	Solid Waste Disposal-O.E.	65,5000	Rent Control-O.E.	3,500.
			Law Dept-Contracts	25,000.
			Bus. Administration-O.E.	35,000.
			Streets & Roads-O.E.	2,000.
2.	Law Enforcement-Uniform -S& W	150,000.	Fire Dept. –Uniform- S& W	150,000.

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

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

WHEREAS, <u>N.J.S.A.</u> 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions: and

WHEREAS, the Annual Report of Audit for the year ended December 31, 2014 (with comparative totals for the year ended 2013) has been filed by a Registered Accountant with the Municipal Clerk as pursuant to <u>N.J.S.A. 40A:5-6</u>, and a copy has been received by each member of the governing body; and

WHEREAS, <u>R.S.</u> 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs, as per; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations"; and

WHEREAS, the members of the governing body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations" as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52 - to wit:

> R.S. 52:27BB-52: A local officer or member of a local governing body who, after a dated fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars ($1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW THEREFORE, BE IT RESOLVED, that the Municipal Council of the City of Bayonne, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

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

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

WHEREAS, the Annual Audit for calendar year 2014 has been received by the City of Bayonne; and

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

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

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

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

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

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

Introduction of CY 2016 Local Municipal Budget

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

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64. 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 DESIGNATING CERTAIN PROPERTY THAT IS GENERALLY LOCATED ON CONSTABLE HOOK (A/K/A NEW HOOK ROAD), AND MORE SPECIFICALLY KNOWN AS INCLUDING BLOCK 482, LOTS 10 AND 11 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE AS A NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, *N.J.S.A.* 40A:12A-1 *ET SEQ*.

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

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

WHEREAS, the Municipal Council of the City (the "Municipal Council") has identified certain properties in the City, designated as Block 482, Lots 10 and 11 on the City's Tax Maps (the "Property"), to be considered for designation as a non-condemnation "area in need of redevelopment" under the Redevelopment Law; and

WHEREAS, by resolution on February 17, 2016, the Municipal Council authorized and directed the Planning Board to conduct a preliminary investigation to determine whether the Property constitutes a non-condemnation "area in need of redevelopment" according to the criteria set forth in *N.J.S.A.* 40A:12A-5; and

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

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

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

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

WHEREAS, on March 15, 2016, the Planning Board held a public hearing, duly noticed under the Redevelopment Law, and reviewed an investigation/report titled "Area in Need of Redevelopment Study Block 482, Lots 10 and 11 City of Bayonne, New Jersey" prepared by the City of Bayonne, Division of Planning & Zoning, Department of Municipal Services and Matrix New World Engineering, P.C. dated February 22, 2016 (the "Study") and any persons interested in or affected by a determination that the Property is a non-condemnation redevelopment area were given an opportunity to be heard, and any objections to such a determination and evidence in support of those objections, were received and considered and made part of the public record, and;

WHEREAS, on March 15, 2016, the Planning Board further adopted the Resolution attached hereto recommending that the Property be determined by the Municipal Council to be a non-condemnation “area in need of redevelopment” under the Redevelopment Law, *N.J.S.A.* 40A:12A-1 et seq.; and

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

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

Section 1. Block 482, Lots 10 and 11, as shown on the official Tax Map of the City is hereby designated a non-condemnation “area in need of redevelopment” under the Redevelopment Law, *N.J.S.A.* 40A:12A-1 et seq.; and

Section 2. The Municipal Council hereby directs the City Clerk to transmit a copy of the within resolution to the Commissioner of the Department of Community Affairs and to serve notice that Block 482, Lots 10 and 11 is designated a non-condemnation redevelopment area on the owners of such Property and other parties within ten (10) days of the date hereof, in accordance with *N.J.S.A.* 40A:12A-6.b(5).

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

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65. 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 676-688 AVENUE E AND KNOWN AS BLOCK 402, LOTS 4, 5, 6 AND 7 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 676-688 Avenue E, which properties are identified as Block 402, Lots 4, 5, 6 and 7 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 402, Lots 4, 5, 6 and 7; 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.

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66. Council President Nadrowski moved the following resolution, seconded by Council Member Cotter, 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 THE SUBDIVISION OF BLOCK 476.01, LOT 10 FOR THE PURPOSE OF FACILITATING A LAND TRANSACTION IS IN THE BEST INTERESTS OF THE CITY OF BAYONNE

WHEREAS, the City of Bayonne, in the County of Hudson, New Jersey (the "City"), constitutes a public body corporate and politic of the State of New Jersey (the "State") is the owner in fee simple of certain property identified as Block 476.01, Lot 10 and commonly known as East 5th Street Access Road SE KVK on the City's Tax Maps (the "Property"); and

WHEREAS, a Subdivision of the Property would be necessary in order to divide the subject Property to, among other things, provide for the creation of a Right-Of-Way and public access easement in connection with a land transaction; and

WHEREAS, prior to authorizing such a Subdivision it must be determined that the City of Bayonne's best interests would be served by such a Subdivision;
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 a subdivision of the property known as Block 476.01, Lot 10 is in the best interests of the City of Bayonne; and

Section 2. The results of such preliminary investigation shall be submitted to the Mayor and Municipal Council for review and consideration.

Section 3. This Resolution shall take effect immediately.

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

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

WHEREAS, the Hudson County Open Space, Recreation, and Historic Preservation Trust Fund ("County Trust Fund"), provides matching grants to mu7niciapl governments and to nonprofit organizations who are sponsored by their local municipality for assistance in the development or redevelopment of park improvements; and

WHEREAS, the City of Bayonne desires to further the public interest by obtaining a matching grant of $871,390.00 from the County Trust Fund to fund the following project: FITZPATRICK PARK IMPROVEMENTS; and

WHEREAS, this municipal council has reviewed the County Trust Fund Statement, and the Trust Fund Park Improvement application and instructions and desires to make an application for such a matching grant and provide application information and furnish such documents as may be required; and

WHEREAS, the County of Hudson shall determine whether the application is complete and in conformance with the scope and intent of the County Trust Fund; and

WHEREAS, the applicant is willing to use the County Trust Fund in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the County of Hudson for the above named project and ensure its completion on or about the project contract expiration date; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. That the Mayor and Clerk are hereby authorized to submit the above referenced completed project application to the County by the deadline of March 18, 2016, as established by the County.
2. That, in the event of a County Trust Fund award that may be less than the grant amount requested above, the City of Bayonne has, or will secure, the balance of the funding necessary to complete the project, or modify the project as necessary.
3. That the City of Bayonne is committed to providing a match for the project in the amount of $621,390.00.
4. That only those park improvements identified and approved in the project application, its Trust Fund contract, or other documentation will be considered eligible for reimbursement.
5. That the City of Bayonne agrees to comply with all applicable federal, state and local laws, rules and regulations in its performance of the project.
6. This resolution shall take effect immediately.

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

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

WHEREAS, by way of Resolution No. 15-08-19-069 adopted on August 19, 2015, the Municipal Council granted permission to Tyree Environmental Corp. (Tyree), on behalf of Getty Properties Corp. (Getty) to install four (4) groundwater monitoring wells in the sidewalks of Avenue C and West 15th Street in connection with remedial investigation activities at the former Getty Service Station #95153 located at 354 Avenue C under certain terms and conditions and authorized the Mayor and City Clerk to sign any and all documents in a form or form(s) acceptable to the Law Division (now the Law Department) necessary to effectuate same; and

WHEREAS, the Law Department was advised that Getty retained the services of Antea USA, Inc., 2 Executive Drive, Suite 9, Morrestown, New Jersey, to perform the aforesaid remedial investigation activities as successor to Tyree; and

WHEREAS, Antea, on behalf of Getty, requested permission to install the aforesaid four (4) groundwater monitoring wells in the sidewalks of Avenue C and West 15th Street adjacent to the former Getty Services Station #95153 property in connection with the aforesaid remedial investigation activities; and

WHEREAS, the proposed groundwater monitoring wells are being installed to replace wells that were destroyed during the redevelopment of the former Getty Service Station #95153 property and to delineate impacted groundwater as a result of historic activities at the former Getty Service Station #95153; and

WHEREAS, Antea provided the City with a Scope of Work, Site Map and a diagram illustrating construction details of a typical groundwater monitoring well which were approved by the City's engineer and Licensed Site Remediation Professional; and

WHEREAS, due to exigent circumstances it was necessary for the Mayor and City Clerk to execute a Right of Entry/Access Agreement to Antea prior to obtaining authorization by this Municipal Council; and

WHEREAS, the installation of the aforesaid proposed groundwater monitoring wells is in the best interest of the health, safety and general welfare of the citizens of Bayonne; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The actions of the Mayor and City Clerk in executing a Right of Entry/Access Agreement to Antea USA, Inc., 2 Executive Drive, Suite 9, Morrestown, New Jersey in a form acceptable to the Law Department granting permission to Antea to install (4) groundwater monitoring wells in the sidewalks of Avenue C and West 15th Street in connection with the aforesaid remedial investigation activities consistent with the Scope of Work, Site Map and diagram attached hereto and made a part hereof in a form acceptable to the Law Department are hereby ratified and affirmed.

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

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

WHEREAS, the Law Director has established that there is a need for maintenance and support services for the Amicus Attorney software used in the Law Department; and

WHEREAS, Gavel & Gown Software, Inc., 365 Bay Street, Suite 700, Toronto, ON M5H 2V1 is willing and able to supply said services for the period commencing February 25, 2016 and ending February 24, 2017 for the amount of $2,415.00; and

WHEREAS, funds are certified as available in Account No. 01-201-20-155-2-090 pending adoption of the CY2016 budget; now, therefore, be it

RESOLVED by the Municipal Counsel as follows:

1. The Municipal Treasurer is hereby authorized to issue a warrant in the amount of $2,415.00 to Gavel & Gown Software, Inc. 365 Bay Street, Suite 700, Toronto, ON M5H 2V1 representing pay of the aforesaid maintenance and support services.

2. Funds shall be chargeable to Account No. 01-201—20-155-2-090.

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

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

WHEREAS, on December 1, 2015 the City of Bayonne entered into a Redevelopment Agreement with Bayonne Landco, LLC in connection with a redevelopment project concerning the property designated as Block 195, Lot 2 and Block 196, Lots 1 through 7 on the tax maps of the City of Bayonne (Broadway between 23rd and 24th streets, including a portion of Del Monte Drive); and

WHEREAS, as set forth within the body of the aforesaid Redevelopment Agreement, Bayonne Landco, LLC has been acting as an agent for an entity known as "Barnabas Health Realty – Bayonne Project, LLC" in connection with this redevelopment project; and

WHEREAS, Barnabas Health Realty – Bayonne Project, LLC has determined that it is no longer necessary for Bayonne Landco, LLC to act as the agent of Barnabas Health Realty – Bayonne Project, LLC in connection with this project; and

WHEREAS, Barnabas Health Realty – Bayonne Project, LLC has requested that the City of Bayonne permit the former to transfer the aforesaid Redevelopment Agreement and the designation of Redeveloper from Bayonne Landco, LLC to Barnabas Bayonne Development Corp., a wholly owned affiliate of Barnabas Health Realty - Bayonne Project, LLC; and

WHEREAS, once the transfer and re-designation to Barnabas Bayonne Development Corp. is approved, Barnabas Health Realty – Bayonne Project, LLC will transfer title to the

Project Premises and the appurtenant ground lease to Barnabas Bayonne Development Corp. which, in turn, will be reconstituted as an urban renewal entity; and

WHEREAS, the proposed transfer and re-designation is merely a transfer from a Barnabas agent to a Barnabas affiliate and will have no negative implications for the City of Bayonne or the project; now, therefore, be it

RESOLVED, that the Mayor and Clerk are hereby authorized to execute an amendment to the Redevelopment Agreement dated December 1, 2015 between the City of Bayonne and Bayonne Landco, LLC allowing for Barnabas Bayonne Development Corp. to be designated as the Redeveloper and transferring the Redevelopment Agreement to Barnabas Bayonne Development Corp.

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

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71. 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 the owner of a Ford Ranger, 2008, Vehicle Identification Number 1FTYR10U78PA01098; and

WHEREAS, the City of Bayonne desires donate the aforesaid Ford Ranger, 2008, Vehicle Identification Number 1FTYR10U78PA01098, to the Bayonne Economic Opportunity Foundation; and

WHEREAS, the title to the Ford Ranger, 2008, Vehicle Identification Number 1FTYR10U78PA01098 is unavailable; and

WHEREAS, in order to transfer the title from the City of Bayonne to the Bayonne Economic Opportunity Foundation a duplicate title must be obtained for the Ford Ranger, 2008, Vehicle Identification Number 1FTYR10U78PA01098; and

WHEREAS, in order to obtain a duplicate title from the State of New Jersey Motor Vehicle Commission, the authorized agent for the City of Bayonne must provide the Assistant City Attorney for the City of Bayonne, Karla Y. Garcia, Esq., a power of attorney authorizing her the right to obtain a duplicate title on behalf of the City of Bayonne; and

WHEREAS, a fee in the amount of $60.00 is to be provided to the State of New Jersey f Motor Vehicle Commission for purposes of obtaining a duplicate title on behalf of the City of Bayonne; now, therefore, be it

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

1. The Mayor as authorized agent for the City of Bayonne is hereby authorized to execute a Power of Attorney to Assistant City Attorney for the City of Bayonne, Karla Y. Garcia, for the purpose of obtaining a duplicate title to the aforesaid Ford Ranger, 2008, Vehicle Identification Number 1FTYR10U78PA01098;

2. The Treasurer is hereby authorized to issue a warrant in the amount of $60.00 payable to the State of New Jersey Motor Vehicle Commission representing the fee for providing the aforesaid duplicate title.

3. The Mayor, on behalf of the City of Bayonne, is hereby authorized to donate the aforesaid Ford Ranger, 2008, Vehicle Identification Number 1FTYR10U78PA01098 to the Bayonne Economic Opportunity Foundation and execute any and all documents to effectuate same.

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

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

WHEREAS, pursuant to Resolution No. 15-10-21-047 adopted October 21, 2015 the Municipal Council authorized an agreement with Suburban Disposal, Inc., ("Suburban") 54 Montesano Road, Fairfield, New Jersey for the Collection of Solid Waste (CY15-087) for a three

(3) year period commencing November 1, 2015 and ending October 31, 2018 for a total contract amount of $4,440,000 (the "Solid Waste Contract"); and

WHEREAS, pursuant to Resolution No. 15-10-21-048 adopted October 21, 2015 the Municipal Council authorized an agreement with Suburban Disposal, Inc., ("Suburban") 54 Montesano Road, Fairfield, New Jersey for the Collection of Recyclable Materials (CY15-086) for a three the (3) year period commencing November 1, 2015 and ending October 31, 2018 (the "Recyclables Contract"); and

WHEREAS, to better meet the needs of the Board of Education, the City sought to change the scope of work set forth in the Solid Waste Contract to provide for pick-up of solid waste from Grammar and High Schools on Tuesdays instead of Mondays and to change the scope of work in the Recyclables Contract to provide for the pick-up of recyclable materials two (2) days each week, namely, Wednesdays and Thursdays; and

WHEREAS, the Municipal Council adopted Resolution No. 16-01-20-043 on January 20, 2016 authorizing the following:

1. The Mayor and City Clerk to enter into an Amendment to Agreement No. CY15-087 with Suburban Disposal, Inc., 54 Montesano Road, Fairfield, New Jersey for the Collection of Solid Waste for a three (3) year period commencing November 1, 2015 and ending October 31, 2018 so as to provide for the pick-up of solid waste from Grammar and High Schools on Tuesdays instead of Mondays at an additional cost of $43,333.33 for the ten (10) month period commencing January 1, 2016 through October 31, 2016 and $52,000 per year for the two (2) year the period commencing November 1, 2016 and ending October 31, 2018 for a total additional amount of $147,333.33 payable monthly and to include the purchase of four (4) additional eight (8) yard dumpsters for use at Bayonne High School at a one-time cost of $8,500, making the total contract amount $4,595,833.33; and

2. The Mayor and City Clerk to enter into an Amendment to Agreement No. CY15-086 with Suburban Disposal, Inc., 54 Montesano Road, Fairfield, New Jersey for the Collection of Recyclable Materials for a three (3) year period commencing November 1, 2015 and ending October 31, 2018 so as to provide for the pick-up of recyclable materials from Grammar and High Schools two (2) days each week, namely, Wednesdays and Thursdays commencing as of January 1, 2016 through October 31, 2017 at no additional cost; and

WHEREAS, said Resolution was subject to the adoption of an Interlocal Agreement between the Bayonne Board of Education and the City of Bayonne whereby the Bayonne Board of Education would reimburse the City of Bayonne for costs associated with providing collection of solid waste and recyclable materials from the schools; and

WHEREAS, the Municipal Council adopted Resolution No. 16-01-20-044 authorizing an Interlocal Services Agreement with the Bayonne Board of Education for reimbursement of the aforesaid costs associated with the amendments to Agreement No. CY15-087 and Agreement No CY15-086 providing for collection of solid waste and recyclables from the Grammar and High Schools; and

WHEREAS, the Bayonne Board of Education has agreed to reimburse the City for the aforesaid costs associated with the amendments to Agreement No. CY15-087 and Agreement No CY15-086 providing for collection of solid waste and recyclables from the Grammar and High Schools; and

WHEREAS, the Bayonne Board of Education has advised the City that said costs were not included in its FY2016 budget but would be made available upon the adoption of its FY2017 budget commencing July 1, 2016 including reimbursement of retroactive costs commencing from January 1, 2016 through June 30, 2016 in the amount of $34,499.98 representing the one- time charge of $8,500.00 for the aforesaid four (4) additional dumpsters and $25,999.98 representing additional costs associated with the pick-up of solid waste from Grammar and High Schools on Tuesdays instead of Mondays for the six (6) month period commencing January 1, 2016 through June 30, 2016 payable at the rate of $4,333.33 per month; and

WHEREAS, Suburban has provided the Bayonne Board of Education with the aforesaid four (4) additional dumpsters and has also provided for the pick-up of solid waste from Grammar and High Schools on Tuesdays instead of Mondays from the period commencing January 1, 2016 and has submitted invoices to the City which have included charges for the additional services rendered for the period commencing January 1, 2016 through February 29, 2016 and the additional one-time charge of $8,500.00 for the aforesaid additional four (4) dumpsters totaling $17,166.66; and

WHEREAS, the Bayonne Board of Education and the City are in the process of finalizing the aforementioned Interlocal Services Agreement; and

WHEREAS funds were certified as available in Account #01-201-32-465-2-020; and

WHEREAS, the collection of solid waste and recyclables is essential for the health, safety and welfare of the citizens of Bayonne; and

WHEREAS, in order to ensure the continued collection of solid waste and recyclable materials throughout the City, the Treasurer will issue payment to Suburban which included $17,166.66 representing payment for the aforesaid additional solid waste collection services payable at the rate of $4,333.33 per month and the additional one-time charge for the four (4) additional dumpster of $8,500.00; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Treasurer is hereby authorized to issue payment to Suburban in the amount of $17,166.66 representing payment for the aforesaid additional solid waste collection services payable at the rate of $4,333.33 per month for the period commencing January 1, 2016 through February 29, 2016 and the additional one-time charge for the four (4) additional dumpsters of $8,500.00.

2. The Municipal Treasurer is hereby authorized to continue issuing the additional payment of $4,333.33 per month to Suburban for the period commencing March 1, 2016 through June 30, 2016 for the aforesaid additional solid waste collection services for a total amount of $17,333.32 pending reimbursement by the Bayonne Board of Education.

3. Funds shall be charged to Account No. #01-201-32-465-2-020.

4. The Mayor and City Clerk are hereby authorized to execute the aforesaid Amendments to Agreement No. CY15-087 and Agreement No CY15-086 with Suburban prior to the finalization and execution of the aforesaid Interlocal Agreement with the Bayonne Board of Education.

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

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73. 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 101 EAST 23RD STREET; 103 EAST 23RD STREET; 105 EAST 23RD STREET; EAST 23RD STREET; 102-106 EAST 24TH STREET; AND 162-170 AVENUE F (BLOCK 445, LOTS 1, 2, 3, 4, 5, AND 7) 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 101 East 23rd Street; 103 East 23rd

Street; 105 East 23rd Street; East 23rd Street; 102-106 East 24th Street; and 162-170 Avenue F in the City, which properties are identified as Block 445, Lots 1, 2, 3, 4, 5 and 7 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 445, Lots 1, 2, 3, 4, 5 and 7; 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.

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74. 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 COMMONLY KNOWN AS THE TEXACO SITE (BLOCK 332, LOT 3; BLOCK 360, LOT 2; BOCK 373, LOTS 1, 2, 13, 14 AND 15; BLOCK 390, LOTS 1 AND R667; BLOCK 391, LOTS 1 AND 2; AND BLOCK 511, LOTS 5 AND 6) WITHIN THE CITY CONSTITUTES A 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, in August 2003, the Municipal Council of the City (the "Municipal Council") previously designated the property known as the Texaco site, which is identified as Block 332, Lot 3; Block 360, Lot 2; Bock 373, Lots 1, 2, 13, 14 and 15; Block 390, Lots 1 and R667; Block 391, Lots 1 and 2; and Block 511, Lots 5 and 6, on the tax map of the City of Bayonne (the "Property") as an area in need of redevelopment under the Redevelopment Law in accordance with the provisions of *N.J.S.A.* 40A:12A-6 of the Redevelopment Law (the "Redevelopment Area"); 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 "Condemnation Redevelopment Area" pursuant to the criteria contained in N.J.S.A. 40A:12A-5; and

WHEREAS, the redevelopment area determination initiated hereunder intends to authorize the City and Municipal Council to use all those powers provided by the Redevelopment Law for use in a redevelopment area, including the power of eminent domain (referred to as a "Condemnation Redevelopment Area");

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 the Property constitutes a Condemnation Redevelopment Area; 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 an "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 Condemnation Redevelopment Area, according to the criteria set forth in N.J.S.A. 40A:12A-5, which authorizes the City and Municipal Council to use all those powers provided by the Redevelopment Law for use in a redevelopment area, including the power of eminent domain.

Section 2. The Planning Board is hereby directed to study the area identified as Block 332, Lot 3; Block 360, Lot 2; Bock 373, Lots 1, 2, 13, 14 and 15; Block 390, Lots 1 and R667; Block 391, Lots 1 and 2; and Block 511, Lots 5 and 6, on the tax map of the City of Bayonne; to develop a map reflecting the boundaries of the proposed 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.

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

WHEREAS, the Fire Chief has determined that one damaged aluminum outer boom section from a 1979 Baker Aerialscope no longer in department inventory and one 1975 Pennco 9000 gallon aluminum tanker are unusable; and

WHEREAS, the Fire Chief has further determined that the fire department no longer has a need for the aforesaid items and that they should be sold as scrap; now, therefore, be it

RESOLVED by the Municipal Counsel as follows:

The Fire Chief and/or any other appropriate City Official is/are hereby authorized to sell the aforesaid damaged aluminum outer boom section from a 1979 Baker Aerialscope no longer in department inventory and one 1975 Pennco 9000 gallon aluminum tanker for scrap.

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

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

RESOLUTION DETERMINING THE FORM AND OTHER DETAILS OF GENERAL OBLIGATION REFUNDING BONDS OF THE CITY OF BAYONNE, IN THE COUNTY OF HUDSON, STATE OF NEW JERSEY, AND PROVIDING FOR THE SALE AND THE DELIVERY OF SUCH GENERAL OBLIGATION REFUNDING BONDS

BE IT RESOLVED 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. (a) General Obligation Refunding Bonds, in an amount not exceeding $80,000,000 which may be issued in two separate series of bonds (or additional or lesser series issued on different dates, if market conditions so dictate) consisting of Qualified General Improvement Refunding Bonds, Series 2016A (the "Series A Refunding Bonds") and School Refunding Bonds, Series 2016B (the "Series B Refunding Bonds", and together with the Series A Refunding Bonds, the "Refunding Bonds") (each of the aforesaid series of Refunding Bonds and any additional or lesser series, if necessary due to market conditions, shall have such other year of designation as shall be applicable at the time of issuance thereof) of the City of Bayonne, in the County of Hudson, State of New Jersey (the "City") are hereby authorized to be issued and sold as Refunding Bonds (or sometimes referred to herein as the "Bonds").

(b) In order to effectuate the Refunding Plan (defined herein), the Chief Financial Officer shall determine the actual aggregate principal amount of the Refunding Bonds to be issued (including the principal amount of each of the Series A Refunding Bonds and the Series B Refunding Bonds); provided that such determination shall be consistent with (i) a refunding bond ordinance finally adopted by the City Council on January 20, 2016 and 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" (the “Refunding Ordinance”), and be within the parameters set forth in Section 2 of this resolution. The signature of the Chief Financial Officer on the Purchase Contract (as hereinafter defined) authorized in Section 2 hereof shall constitute evidence of the approval of such actual principal amounts.

Section 2. RBC Capital Markets, LLC, Parsippany, New Jersey, is hereby appointed underwriter (the “Underwriter”) for the Refunding Bonds and the Refunding Bonds are hereby authorized to be sold to the Underwriter. The Chief Financial Officer is hereby authorized and directed to execute and, on behalf of the City, negotiate the Purchase Contract (the "Purchase Contract") with the Underwriter in the form satisfactory to bond counsel and upon terms satisfactory to the Chief Financial Officer for the sale of the Refunding Bonds to the Underwriter in accordance with the provisions of this resolution, including the compensation to the Underwriter for the marketing and purchase of the Refunding Bonds, which compensation shall not exceed $5.50 per $1,000 of Refunding Bonds sold, and provided that the terms of the sale of the Refunding Bonds are otherwise sold in accordance with the terms provided in the approvals of the Local Finance Board, in the Division of Local Government Services, New Jersey Department of Community Affairs (the "Local Finance Board") granted on February 10, 2016 (the "Local Finance Board Approval"). The signature of the Chief Financial Officer on the Purchase Contract shall be conclusively presumed to evidence any necessary approvals.

Section 3. (a) The Refunding Bonds of each series shall be issued in the par amounts, consistent with the Local Finance Board Approval, determined by the Chief Financial Officer to be necessary to (collectively, the "Refunding Plan") pay costs of issuance and to provide a deposit to one or more escrow funds that, when invested, will be sufficient to (i) refund all or a portion of the City’s callable Qualified General Improvement Bonds (Qualified Pursuant to the Provisions of the Municipal Qualified Bond Act, P.L. 1976, c. 38 as amended) dated June 24, 2009, namely those bonds maturing on July 1 in the years 2020 through and including 2039 (the "2009 GI Refunded Bonds"), and to call for redemption the 2009 GI Refunded Bonds on July 1, 2019, or such other date determined by the Chief Financial Officer (the "2009 GI Redemption Date") at the option of the City at a redemption price of 100% of the principal amount of such 2009 GI Refunded Bonds to be redeemed plus any unpaid accrued interest to the 2009 GI Redemption Date; and (ii) refund all or a portion of the City's callable School Bonds dated December 15, 2004, namely those bonds maturing on July 15 in the years 2016 through and including 2025 (the "2004 School Refunded Bonds", and together with the 2009 GI Refunded Bonds, the "Refunded Bonds") and to call for redemption the 2004 School Refunded Bonds on April 19, 2016, or such other date determined by the Chief Financial

Officer (the "2004 School Redemption Date") at the option of the City at a redemption price of 100% of the principal amount of such 2004 School Refunded Bonds to be redeemed plus any unpaid accrued interest to the 2004 School Redemption Date The Bonds of each series shall mature as provided in paragraph (f) below.

(b) The Refunding Bonds shall bear interest at rates agreed to by the Chief Financial Officer as provided in the Purchase Contract, such rates to be set so that the aggregate present value savings of 3% can be achieved, and, further, that the refunding of each series of Refunded Bonds on its own produces positive savings, all as set forth in the Local Finance Board Approval.

(c) The Refunding Bonds may be subject to redemption prior to their stated maturities as determined by the Chief Financial Officer as part of the sale and as shall be set forth in the Purchase Contract.

(d) The Refunding Bonds shall be dated their date of delivery or such other later date consistent with the date of sale and shall bear interest at the rates per annum as the Chief Financial Officer shall determine.

(e) The Refunding Bonds shall be designated by the year of issuance, numbered and have such prefix or prefixes as determined necessary by the Chief Financial Officer and be sold and issued with such serial maturities or with such term bond maturities payable from mandatory sinking fund payments made by the City as determined in the Purchase Contract.

(f) The Refunding Bonds shall mature on the dates as shall be determined by the Chief Financial Officer and shall bear interest payable semiannually on the dates as shall be determined by the Chief Financial Officer and set forth in the Purchase Contract, at the rates per annum as may be determined by the Chief Financial Officer and as set forth in the Purchase Contract.

(g) The Refunding Bonds will be issued in fully registered form. One certificate shall be issued for the aggregate principal amount of each series of Refunding Bonds maturing in each year. Both principal of and interest on the Refunding Bonds will be payable in lawful money of the United States of America. Each certificate will be registered in the name of Cede & Co., as nominee of The Depository Trust Company, New York, New York, which will act as securities depository (the "Securities Depository"). The certificates will be on deposit with The Depository Trust Company. The Securities Depository will be responsible for maintaining a book-entry system for recording the interests of its participants or the transfers of the interests among its participants. The participants will be responsible for maintaining records recording the beneficial ownership interests in the Refunding Bonds on behalf of individual purchasers. Individual purchases may be made in denominations of $5,000 each or any integral multiple of $1,000 in excess thereof through book-entries made on the books and the records of the Securities Depository. The principal of and the interest on the Refunding Bonds will be paid to the Securities Depository by the City on the respective maturity dates and due dates and will be credited on the respective maturity dates and due dates to the participants of the Securities Depository as listed on the records of the Securities Depository as may be determined by the Chief Financial Officer (the "Record Dates" for the Refunding Bonds). The Refunding Bonds shall be executed by the manual or facsimile signatures of the Mayor and the Chief Financial Officer under the official seal or facsimile thereof affixed, printed, engraved or reproduced thereon and attested by the manual signature of the City Clerk.

(i) The following matters are hereby determined with respect to the Refunding Bonds:

Designations:	General Obligation Refunding Bonds, Series 2016 consisting of Qualified General Improvement Refunding Bonds, Series 2016A and School Refunding Bonds, Series 2016B (each of the aforesaid series of Refunding Bonds and any additional or lesser series, if necessary due to market conditions, shall have such other year of designation as shall be applicable at the time of issuance thereof)
Qualification:	The Refunding Bonds will **not** be designated as “qualified tax-exempt obligations” for the purposes of Section 265(b)(3)(B)(ii) of the Internal Revenue Code of 1986, as amended.
Date of Bonds:	Date of Delivery.

Principal Payment Date:	Dates to be determined by the Chief Financial Officer.
Interest Payment Date:	Dates to be determined by the Chief Financial Officer.
Redemption	The Bonds may be subject to redemption prior to their stated maturities.
Place of Payment:	Cede & Company, New York, New York

Section 4. The Refunding Bonds shall be substantially in the following form with such additions, deletions and omissions as may be necessary for the City to market the Refunding Bonds:

REGISTERED NUMBER **A**-___________ REGISTERED $__________

UNITED STATES OF AMERICA
STATE OF NEW JERSEY
COUNTY OF HUDSON

CITY OF BAYONNE

B. [QUALIFIED GENERAL IMPROVEMENT] [SCHOOL] REFUNDING BOND, SERIES 2016[__]

DATE OF ORIGINAL ISSUE:	MATURITY DATE:	RATE OF INTEREST PER ANNUM:	CUSIP:
__________, 2016	________ 1, 20__	_______%	______ ___

CITY OF BAYONNE, in the County of Hudson, State of New Jersey (the "City") hereby acknowledges itself indebted and for value received promises to pay to CEDE & CO., as nominee of The Depository Trust Company, which will act as Securities Depository, on the Maturity Date specified above, the principal sum of __________________________ DOLLARS ($____________), and to pay interest on such sum from the Date of Original Issue of this bond until it matures at the Rate of Interest Per Annum specified above semiannually on the ___ days of ________ and _______ in each year until maturity or prior redemption, as applicable, commencing on ________. Interest on this bond will be paid to the Securities Depository by the City's paying agent, __________________, __________, __________, or its successor (the "Paying Agent") and will be credited to the participants of The Depository Trust Company as listed on the records of The Depository Trust Company as of the ___ days of ________ and ________ next preceding the date of such payments (the "Record Dates" for such payments). Principal of this bond, upon presentation and surrender to the City will be paid to the Securities Depository by the Paying Agent and will be credited to the participants of The Depository Trust Company.

This bond is not transferable as to principal or interest except to an authorized nominee of The Depository Trust Company. The Depository Trust Company shall be responsible for maintaining the book-entry system for recording the interests of its participants or the transfers of the interests among its participants. The participants are responsible for maintaining records regarding the beneficial ownership interests in the bonds on behalf of individual purchasers.

This bond is one of an authorized issue of bonds issued pursuant to the Local Bond Law, N.J.S.A. 40A:2-1 et seq., as amended and supplemented (the "Local Bond Law"), a refunding bond ordinance of the City finally adopted on January 20, 2016, entitled **C**"____________________________", and a resolution of the City adopted on

March 16, 2016, entitled "RESOLUTION DETERMINING THE FORM AND OTHER DETAILS OF GENERAL OBLIGATION REFUNDING BONDS OF THE CITY OF BAYONNE, IN THE COUNTY OF HUDSON, STATE OF NEW JERSEY, AND PROVIDING FOR THE SALE AND DELIVERY OF SUCH GENERAL OBLIGATION REFUNDING BONDS", in all respects duly approved and published as required by law (the "Authorization Proceedings").

[The Bonds maturing on or after _____________ 1, 20__ are subject to redemption prior to maturity at the option of the City, as a whole at any time or in part from time to time on or after __________, 20__, in such order of maturity as directed by the City, at a redemption price equal to one hundred percent (100%) of the principal amount being redeemed plus accrued interest thereon to the date fixed for redemption.

Any Bond subject to redemption as aforesaid may be called in part, provided that the portion not called for redemption shall be in the principal amount of $5,000 or any integral multiple of $1,000 in excess thereof. If less than all of the Bonds of a particular maturity are to be redeemed, Bonds of that maturity shall be selected by the Chief Financial Officer (or by the Paying Agent) by lot.

When any Bonds are to be redeemed, the Chief Financial Officer (or the Paying Agent) shall give notice of the redemption of the Bonds by mailing such notice, by first class mail in a sealed envelope postage prepaid, to the registered owners of any Bonds or portions thereof which are to be redeemed, at their respective addresses as they last appear on the registration books of the City. Such mailing shall not be a condition precedent to such redemption, and failure to so mail or to receive any such notice to any of such registered owners shall not affect the validity of the proceedings for the redemption of the Bonds. Notice of redemption having been given as aforesaid, the Bonds, or portions thereof so to be redeemed, shall, on the date fixed for redemption, become due and payable at the redemption price specified therein plus accrued interest to the redemption date and, upon presentation and surrender thereof at the place specified in such notice, such Bonds, or portions thereof, shall be paid at the redemption price, plus accrued interest to the redemption date. On and after the redemption date (unless the City shall default in the payment of the redemption price and accrued interest), such Bonds shall no longer be considered as outstanding.

During any period in which The Depository Trust Company (or any successor thereto) shall act as securities depository for the Bonds, the notices referred to above shall be given only to such depository and not to the beneficial owners of the Bonds. Any failure of such depository to advise any of its participants or any failure of any participant to notify any beneficial owner of any notice of redemption shall not affect the validity of the redemption proceedings.]

The full faith and credit of the City are hereby irrevocably pledged for the punctual payment of the principal of and the interest on this bond according to its terms.

It is hereby certified and recited that all conditions, acts and things required by the Constitution or statutes of the State of New Jersey to exist, to have happened or to have been performed precedent to or in the issuance of this bond exist, have happened and have been performed and that the issue of bonds of which this is one, together with all other indebtedness of the City, is within every debt and other limit prescribed by such Constitution or statutes.

IN WITNESS WHEREOF, the CITY OF BAYONNE has caused this bond to be executed in its name by the manual or facsimile signatures of its Mayor and its Chief Financial Officer, its corporate seal to be hereunto imprinted or affixed, this bond and the seal to be attested by the manual signature of the Clerk of the City, and this bond to be dated the Date of Original Issue as specified above.

CITY OF BAYONNE, IN THE COUNTY
OF HUDSON, STATE OF NEW JERSEY

By: ____________(Facsimile)______________
Mayor

ATTEST:

By:________________________________
Clerk

By: ___________(Facsimile)_______________
Chief Financial Officer

Section 5. In each of the Series A Refunding Bonds the following language should be inserted in the places indicated by the corresponding letter in the form of the Bonds:

A. RA-__.

B. A

C. "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"

Section 6. In each of the Series B Refunding Bonds the following language should be inserted in the places indicated by the corresponding letter in the form of the Bonds:

A. RB-__.

B. B

C. "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"

Section 7. The law firm of Archer & Greiner P.C. is authorized to arrange for the printing of the Refunding Bonds. The proper officials of the City are hereby authorized and directed to execute the Refunding Bonds and to deliver them to or upon the order of the Underwriter upon receipt of payment therefor.

Section 8. The City hereby covenants that it will comply with any conditions subsequently imposed by the Internal Revenue Code of 1986, as amended (the "Code") in order to preserve the exemption from taxation of interest on the Refunding Bonds, including the requirement to rebate all net investment earnings on the gross proceeds above the yield on the Refunding Bonds, and that it will refrain from taking any action that would adversely affect the tax exemption of the Refunding Bonds under the Code.

Section 9. The City is hereby authorized to prepare and distribute a Preliminary Official Statement in connection with the sale of the Refunding Bonds, in such form as approved by the Chief Financial Officer, and the use of the information contained therein concerning the City in connection with the sale of the Refunding Bonds is hereby approved and authorized. The Chief Financial Officer of the City is hereby authorized and directed to execute and deliver to the Underwriter a final Official Statement with such changes from the Preliminary Official Statement as counsel may advise and the officer executing the same may approve, such approval to be evidenced by such officer's execution thereof. The Chief Financial Officer is hereby authorized to deem the Preliminary Official Statement final for purposes of Rule 15c2-12 of the Securities and Exchange Commission.

Section 10. The Chief Financial Officer is hereby authorized to make representations and warranties, to enter into agreements and to make all arrangements with The Depository Trust Company, New York, New York, as may be necessary in order to provide that the Refunding Bonds will be eligible for deposit with The Depository Trust Company and to satisfy any obligation undertaken in connection therewith.

Section 11. In the event that The Depository Trust Company may determine to discontinue providing its service with respect to the Refunding Bonds or is removed by the City and if no successor Securities Depository is appointed, the Refunding Bonds which were previously issued in book-entry form shall be converted to Registered Bonds (the "Registered Bonds") in denominations of $5,000 each or any integral multiple of $1,000 in excess thereof. The beneficial owner under the book-entry system, upon registration of the Refunding Bonds held in the beneficial owner's name, will become the registered owner of such Registered Bonds. The City shall be obligated to provide for the execution and delivery of the Registered Bonds in certificate form.

Section 12. A Continuing Disclosure Certificate in substantially the form attached hereto as Exhibit A is hereby approved, and the Chief Financial Officer is hereby authorized and directed to execute and deliver a Continuing Disclosure Certificate on behalf of the City in substantially such form, with such terms, insertions, changes, additions, deletions, omissions or variations therein as the Chief Financial Officer may approve, such approval to be evidenced by her execution thereof.

Section 13. The Chief Financial Officer is hereby authorized to appoint a paying agent to serve as paying agent for the Refunding Bonds (the "Paying Agent"). The City hereby approves the preparation and execution of one or more agency agreements by and between the City and the Paying Agent, if necessary. The Chief Financial Officer is hereby authorized and directed to execute and deliver the Agency Agreement on behalf of the City, with such terms, insertions, changes, additions, deletions, omissions or variations therein as the Chief Financial Officer may approve, such approval to be evidenced by her execution thereof.

Section 14. The Chief Financial Officer is hereby authorized to appoint an escrow agent to serve as escrow agent for the Refunded Bonds.

Section 15. To effectuate the Refunding Plan, the City hereby approves the preparation and the execution of one or more escrow agreements by and between the City and the escrow agent to be appointed, said escrow agreement to be in substantially the form attached hereto as Exhibit B (the "Escrow Agreement"), which is hereby approved, and the Chief Financial Officer is hereby authorized and directed to execute and deliver the Escrow Agreement on behalf of the City in substantially such form, with such terms, insertions, changes, additions, deletions, omissions or variations therein as the Chief Financial Officer may approve, such approval to be evidenced by her execution thereof. The Escrow Agreement shall also provide for the payment of costs of issuance of the Refunding Bonds. The Chief Financial Officer is hereby authorized to direct the Escrow Agent to pay the costs incurred in connection with the sale and the issuance of the Refunding Bonds from the proceeds derived from the sale of the Refunding Bonds in accordance with the terms of a certificate of the City to be executed upon delivery of the Refunding Bonds. NW Financial Group, LLC, Hoboken, New Jersey, is hereby authorized on behalf of the City to apply for United States Treasury Securities - State and Local Government Series and is appointed as bidding agent of the City to the extent open market securities are purchased for the escrow funds for the Refunded Bonds, all in accordance with the Escrow Deposit Agreement. The Underwriter, the City's Financial Advisor and the Escrow Agent are each authorized to submit applications for such investments.

Section 16. The Chief Financial Officer is hereby authorized to appoint a verification agent who shall verify the mathematical computations performed initially by the Underwriter and related to the Refunding Bonds, the Refunded Bonds and the investment of certain funds in accordance with the terms of the Escrow Agreement.

Section 17. The Chief Financial Officer is hereby authorized and directed to take all actions necessary and appropriate to procure bond insurance in respect of the Refunding Bonds, provided that such bond insurance would be cost effective for the Refunding Plan. Such officer is further authorized and directed to execute all documents and certificates as may be necessary in connection with the purchase of such bond insurance.

Section 18. The Mayor, the Chief Financial Officer and other appropriate representatives of the City are hereby authorized to take all steps necessary to provide for the issuance of the Refunding Bonds and the refunding of the Refunded Bonds, including preparing and executing such agreements and documents on behalf of the City and taking all steps necessary or desirable to implement the terms of this resolution, such agreements and documents as may be necessary and appropriate and the transactions contemplated thereby. The manual or facsimile signature of the aforesaid appropriate representatives of City upon any documents utilized in connection the issuance of the Refunding Bonds and the refunding of the Refunded Bonds shall be conclusive as to all such determinations or approvals set forth therein. The aforesaid appropriate representatives of the City shall also take such actions or refrain from such actions as are necessary for the issuance of the Refunding Bonds and the refunding of the Refunded Bonds and all such actions or inactions by the aforesaid City officers, officials and professionals heretofore are hereby ratified and confirmed, *nunc pro tunc.*

Section 19. This resolution shall take effect upon the effective date of the Refunding Ordinance.

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

* * * * * * * *

77. Council Member Perez introduced:

A Capital Improvement Ordinance to provide funding for the Improvement of 16th Street Park in the amount of $600,000.00

Whereas, a need exists to improve 16th Street Park which is located within the City of Bayonne, now therefore, be it

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

Improvements to 16th Street Park $600,000.00

Be it further

ORDAINED that funding is provided through FEMA Grant #4572 in the amount of $540,000.00 and Capital Fund Balance in the amount of $60,000.00.

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

BE IT RESOLVED, that an ordinance entitled “CAPITAL IMPROVEMENT ORDINANCE TO PROVIDE FUNDING FOR THE IMPROVEMENT OF 16TH STREET PARK IN THE AMOUNT OF $600,000.00,” just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, April 20, 2016, 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.

* * * * * * * *

78. 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 AND DIRECTING THE PLANNING BOARD TO AMEND ANDPREPARE A REDEVELOPMENT PLAN FOR PROPERTY LOCATED AT 99 AVENUE A BLOCK 301.01 LOT 7; BLOCK 310, LOTS 1-13 BLOCK 311.01 BLOCK 330.01 LOTS 3-6 AND BLOCK 333.02 LOT W1THIN THE CITY 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 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, *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, on July 10. 2012 the Planning Board determined the area met the need for an area in need of redevelopment and
Whereas the council designated the area and Plan for the area as such on August 15, 2012 12-7-18-045 and

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

NOW THEREFORE, BE IT RESOLVED that:

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

Section 2. The Planning Board is hereby directed to reopen and reconsider the Plan known as 99 AVENUE A BLOCK 301.01 LOT 7; BLOCK 310, LOTS 1-13 BLOCK 311.01 BLOCK 330.01 LOTS 3-6 AND BLOCK 333.02 LOT on the City’s Tax Maps (the “Plan Area”);

Section 4. Pursuant to the provisions of *N.J.S.A.* 40A:12A-7(e) of the Redevelopment Law, if the Municipal Council directs the Planning Board, through the City's staff and/or Planning Board professionals, is authorized and directed to review and prepare an Amended Redevelopment Plan in connection with the proposed redevelopment of the Study Area pursuant to N.J.S.A. 40A:12A-7(5) e-f for consideration by the Municipal Council.

Section 6. 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 7. This Resolution shall take effect immediately.

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

* * * * * * * *

At 7:55 P.M., Council President Nadrowski motioned to adjourn, seconded by Council Member Cotter, which motion was adopted.

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

* * * * * * * *

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President – Sharon A. Nadrowski

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Clerk – Robert F. Sloan