

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, MAY 18, 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 May 18, 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 May 13, 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. Louis Cinco addressed the council regarding trucks on Hobart Avenue.

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02. Paul DeAngelo addressed the council regarding his approaching Joe DeMarco and others for over one year regarding a developer interested in developing at the MOT property

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03. Peter Cresci addressed the council regarding the same subject as Mr. DeAngelo and the budget.

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04. The clerk announced:

AN ORDINANCE ENTITLED, “AN ORDINANCE OF THE CITY OF BAYONNE DISSOLVING THE BAYONNE MUNICIPAL UTILITIES AUTHORITY PURSUANT TO N.J.S.A. 40A:5A-20 AND MAKING ADEQUATE PROVISIONS FOR THE PAYMENT OF CREDITORS OR OBLIGEEES OF THE AUTHORITY AND THE ASSUMPTION OF THE SERVICES PROVIDED BY THE AUTHORITY,” which was introduced and passed a first reading at a meeting held April 29, 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 May 18, 2016, and was referred to the planning board for its review is now before the Council for its consideration and a public hearing.

No motion on second reading.

Council President Nadrowski introduced:

AN ORDINANCE OF THE CITY OF BAYONNE DISSOLVING THE BAYONNE MUNICIPAL UTILITIES AUTHORITY PURSUANT TO N.J.S.A. 40A:5A-20 AND MAKING ADEQUATE PROVISION FOR THE PAYMENT OF CREDITORS OR OBLIGEEES OF THE AUTHORITY AND THE ASSUMPTION OF THE SERVICES PROVIDED BY THE AUTHORITY

WHEREAS, the governing body of the City of Bayonne, in the County of Hudson, New Jersey (the "City"), created The Bayonne Municipal Utilities Authority (the “Authority”) in accordance with the provisions of Chapter 183 of the Laws of 1957 of the State of New Jersey, Chapter 14B of Title 40 of the Revised Statutes of the State of New Jersey and acts amendatory thereof or supplemental thereto; and

WHEREAS, after a careful examination and analysis, the City has determined that it is in the best interests of the residents of the City and the users of the system of the Authority to dissolve the Authority, and for the City to assume the utility services provided by

the Authority and to provide for the financial obligations of the Authority as set forth herein; and

WHEREAS, the City desires to dissolve the Authority in accordance with and in fulfillment of the provisions of N.J.S.A. 40A:5A-20.

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

Section 1. Dissolution.

The Bayonne Municipal Utilities Authority, created by the City by ordinance adopted in 1997 (Ordinance #O-97-42), as amended, be and the same is hereby dissolved, subject to the terms and conditions hereof.

Section 2. Transfer of Title to All Facilities and Property.

Upon the effective date of the dissolution as set forth in Section 5 of this ordinance, all real and personal property, facilities and contracts of the Authority, and all monies and funds held by or for the Authority shall be deemed transferred to and become the property of the City. The existing officers of the Authority are hereby authorized and directed to execute any and all documents or instruments necessary to transfer legal title to any and all real property, personal property, facilities, contracts and monies and funds of the Authority to the City upon the effective date of the dissolution herein, notwithstanding the dissolution of the Authority. All documents and records of the Authority shall be delivered to the City Clerk prior to the effective date of the dissolution.

Section 3. Assumption of Contracts, Obligations and Services.

As noted above, upon the effective date of the dissolution as set forth in Section 6 of this Ordinance the City shall own all property, facilities and contracts previously owned by, leased to or otherwise controlled by the Authority. The City expressly assumes all contracts and obligations of the Authority in existence as of the date of dissolution set forth herein, including, but not limited to, the rights and obligations of the Authority under the Bayonne Water and Wastewater Concession Agreement ("Concession Agreement"), dated December 20, 2012 between the Bayonne Municipal Utilities Authority and Bayonne Water Joint Venture, LLC, which agreement has a term of 40 years and provides for the day to day operation, maintenance of and capital improvements to the water and sewer systems and assets.

The City shall assume the oversight, coordination and management of said Concession Agreement and other obligations of the Authority so as to honor the commitments of the Authority and assure through the City's department and organizational structure that the services previously provided, coordinated and overseen by the Authority, which services are necessary for the health, safety and welfare of the users of the system are protected and carried out.

Section 4. Payment of All Creditors and Obligees.

The City shall, in accordance with N.J.S.A. 40A:2-1 et seq. and N.J.S.A. 40A:5A-20, upon the effective date of the dissolution as set forth in Section 5 of this ordinance assume all legal obligations to pay all existing and outstanding creditors and obligees of the Authority. The City shall assume the Outstanding Bonds of the Authority that remain unpaid as of the date dissolution and shall as long as the Outstanding Bonds remain outstanding, perform all obligations of the Authority under those outstanding Bonds or debts including the option to issue City debt in an amount necessary to defease (refund) any or all outstanding Authority Debt.

Simultaneous with the adoption of this ordinance the City shall adopt a bond ordinance providing for the City to so adopt (assume payment of) all of the outstanding bond obligations of the Authority.

Section 5. Effective Date of Dissolution.

The dissolution of the Authority shall take effect as of October 1, 2016 or the date of issuance of debt obligations of the City to refund the Authority Debt to be Defeased, the defeasance of the Authority Debt to be Defeased, and the transfer of all funds from the Authority to the City, whichever is later.

Section 6. Limitation on Actions by Authority.

So as to provide for an orderly transition of the services provided by the Authority, the ordinance creating the Authority is hereby amended to provide that the Authority shall not be authorized to issue or authorize any obligations, to approve or enter into any contracts or to take any other actions which may impair or affect the City's operation of the

water and sewer facilities without the prior consent of the City as evidenced by a resolution of the Municipal Council; provided however, that the Authority may perform under existing contracts, extend any contracts which are set to expire subject to a clause in each such contract allowing the City to terminate said contract on 10 days written notice from the City Business Administrator at any time following the date of dissolution, pay its (the Authority's) legally due debt and bills incurred in the ordinary course without the prior consent of the City, and, provided further, that this provision will not affect the Authority's obligations under its existing contracts or its obligations to the holders of its bonds.

Section 7. Authorization of City and Authority to Take all Necessary Action.

The City shall prepare a closing audit of the Authority after the dissolution of the Authority is effectuated.

Additionally, the Mayor, Business Administrator, Chief Financial Officer, City Clerk and other employees, as directed by the Business Administrator and/or the Mayor, are hereby authorized and directed to take any and all steps necessary to effectuate the purposes of this ordinance. The members of the Authority, its officers, employees, engineer and counsel are hereby authorized and directed to take all steps necessary to effectuate the purposes of this ordinance.

Section 8. Approval of Local Finance Board; Filing.

This ordinance shall be submitted to and approved by the Local Finance Board of the State of New Jersey prior to final adoption in accordance with the requirements of N.J.S.A. 40A:5A-20 and the final adoption of this ordinance by the City shall represent conclusive proof of the fact that this ordinance has received the approval of the Local Finance Board. Immediately upon adoption of this ordinance, this ordinance shall be filed with the Local Finance Board and with the Secretary of State of New Jersey, in accordance with N.J.S.A. 40A:5A-20.

Section 9. Severability.

If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid by any court of competent jurisdiction, such decision shall not affect the remaining portions of this ordinance.

Section 10. Repeal of All Inconsistent Ordinances;

All ordinances of the City which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

Section 11. Effective Date.

This ordinance shall take effect immediately upon the adoption hereof and shall not be subject to referendum.

Council President Nadrowski moved a resolution to re-introduced a replacement ordinances, seconded by Council Member Cotter, with was read by the clerk and adopted.

BE IT RESOLVED, that an ordinance entitled "AN ORDINANCE OF THE CITY OF BAYONNE DISSOLVING THE BAYONNE MUNICIPAL UTILITIES AUTHORITY PURSUANT TO N.J.S.A. 40A:5A-20 AND MAKING ADEQUATE PROVISION FOR THE PAYMENT OF CREDITORS OR OBLIGES OF THE AUTHORITY AND THE ASSUMPTION OF THE SERVICES PROVIDED BY THE AUTHORITY," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, June 22, 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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05. The clerk announced:

AN ORDINANCE ENTITLED, “ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING A REDEVELOPMENT PLAN FOR BAYONNE ENERGY CENTER URBAN RENEWAL, LLC, FOR 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 TAX MAP OF THE CITY OF BAYONNE AS A NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT” which was introduced and passed a first reading at a meeting held April 29, 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 May 18, 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 La Pelusa moved that the following resolution of second reading be adopted, seconded by Council Member Gullace, which motion was adopted.

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

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

The Clerk read the ordinance by title: “ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING A REDEVELOPMENT PLAN FOR BAYONNE ENERGY CENTER URBAN RENEWAL, LLC, FOR 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 TAX MAP OF THE CITY OF BAYONNE AS A NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT”

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 Nadrowski, 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 was read by the Clerk and adopted.

WHEREAS, an ordinance entitled, “ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING A REDEVELOPMENT PLAN FOR BAYONNE ENERGY CENTER URBAN RENEWAL, LLC, FOR 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 TAX MAP OF THE CITY OF BAYONNE AS A NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT” was introduced and passed a first reading at a meeting held April 20, 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 May 18, 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-16-25.

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

06. The clerk announced:

AN ORDINANCE ENTITLED, “ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING A REDEVELOPMENT/REHABILITATION PLAN FOR BLOCK 458, LOTS 12 AND 13 LOCATED AT 206-220 AVENUE E AND 222 AVENUE E,” which was introduced and passed a first reading at a meeting held April 29, 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 May 18, 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 Perez moved that the following resolution of second reading be adopted, seconded by Council Member LaPelusa, which motion was adopted.

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

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

The Clerk read the ordinance by title: “ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING A REDEVELOPMENT/REHABILITATION PLAN FOR BLOCK 458, LOTS 12 AND 13 LOCATED AT 206-220 AVENUE E AND 222 AVENUE E,”

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 Cotter, 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 was read by the Clerk and adopted.

WHEREAS, an ordinance entitled, “ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING A REDEVELOPMENT/REHABILITATION PLAN FOR BLOCK 458, LOTS 12 AND 13 LOCATED AT 206-220 AVENUE E AND 222 AVENUE E,” was introduced and passed a first reading at a meeting held April 20, 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 May 18, 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-16-26.

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

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07. The clerk announced:

AN ORDINANCE ENTITLED, “ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING A REDEVELOPMENT PLAN FOR THE FORMER BEST FOODS

LOCATED AT BLOCK 301.01, LOT 7; BLOCK 310, LOTS 1-13 (LOT 1- "BAY"); BLOCK 311.01, LOT 1 ("39-55 BAYVIEW CT"); BLOCK 333.01, LOTS 3-6 (LOT 4- "22-46 BAYVIEW CT," LOT 5- "97-103 AVENUE A," LOT 6- "AVENUE A") AND BLOCK 333.02, LOT 1 ("97-103 AVENUE A") ON THE TAX MAP OF THE CITY OF BAYONNE," which was introduced and passed a first reading at a meeting held April 29, 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 May 18, 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 THE FORMER BEST FOODS LOCATED AT BLOCK 301.01, LOT 7; BLOCK 310, LOTS 1-13 (LOT 1- "BAY"); BLOCK 311.01, LOT 1 ("39-55 BAYVIEW CT"); BLOCK 333.01, LOTS 3-6 (LOT 4- "22-46 BAYVIEW CT," LOT 5- "97-103 AVENUE A," LOT 6- "AVENUE A") AND BLOCK 333.02, LOT 1 ("97-103 AVENUE A") 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 President Nadrowski 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 Perez, which was read by the Clerk and adopted.

WHEREAS, an ordinance entitled, "ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING A REDEVELOPMENT PLAN FOR THE FORMER BEST FOODS LOCATED AT BLOCK 301.01, LOT 7; BLOCK 310, LOTS 1-13 (LOT 1- "BAY"); BLOCK 311.01, LOT 1 ("39-55 BAYVIEW CT"); BLOCK 333.01, LOTS 3-6 (LOT 4- "22-46 BAYVIEW CT," LOT 5- "97-103 AVENUE A," LOT 6- "AVENUE A") AND BLOCK 333.02, LOT 1 ("97-103 AVENUE A") ON THE TAX MAP OF THE CITY OF BAYONNE," was introduced and passed a first reading at a meeting held April 20, 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 May 18, 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-16-27.

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

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08. The clerk announced:

AN ORDINANCE ENTITLED, “ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON APPROVING A FINANCIAL AGREEMENT WITH BARNABAS BAYONNE DEVELOPMENT URBAN RENEWAL CORP.,” which was introduced and passed a first reading at a meeting held April 29, 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 May 18, 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 Perez moved that the following resolution of second reading be adopted, seconded by Council President, which motion was adopted.

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

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

The Clerk read the ordinance by title: “ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON APPROVING A FINANCIAL AGREEMENT WITH BARNABAS BAYONNE DEVELOPMENT URBAN RENEWAL CORP.,”

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

The following persons spoke: Russell Bershad, Esq. CEO-Robert Wood Johnson=
 Barnabas Health
 Peter Cresci – 917 Kennedy Blvd.
 Joseph Nicholas – Tax Assessor

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 Gullace, 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 Nadrowski, which was read by the Clerk and adopted.

WHEREAS, an ordinance entitled, “ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON APPROVING A FINANCIAL AGREEMENT WITH BARNABAS BAYONNE DEVELOPMENT URBAN RENEWAL CORP.,” was introduced and passed a first reading at a meeting held April 20, 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 May 18, 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-16-28.

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

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08. The clerk announced:

AN ORDINANCE ENTITLED, “ORDINANCE AUTHORIZING THE VACATION OF HOOK ROAD (A PAPER STREET),” which was introduced and passed a first reading at a meeting held April 29, 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 May 18, 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 Perez moved that the following resolution of second reading be adopted, seconded by Council Member Cotter, 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 AUTHORIZING THE VACATION OF HOOK ROAD (A PAPER STREET),"

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 President Nadrowski 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 Cotter moved a resolution for final passage, seconded by Council Member Gullace, which was read by the Clerk and adopted.

WHEREAS, an ordinance entitled, "ORDINANCE AUTHORIZING THE VACATION OF HOOK ROAD (A PAPER STREET)," was introduced and passed a first reading at a meeting held April 20, 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 May 18, 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-16-29.

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

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10. 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 April 29, 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 May 18, 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: "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 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 was read by the Clerk and adopted.

WHEREAS, an ordinance entitled, "AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC," was introduced and passed a first reading at a meeting held April 20, 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 May 18, 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-16-30.

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

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11. The clerk announced:

AN ORDINANCE "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 April 29, 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 May 18, 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 Perez moved that the following resolution of second reading be adopted, seconded by Council Member LaPelusa, which motion was adopted.

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

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

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

The 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 was read by the Clerk and adopted.

WHEREAS, an ordinance entitled, "AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC," was introduced and passed a first reading at a meeting held April 20, 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 May 18, 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-16-31.

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

* * * * *

12. Council Member Perez introduced:

AN ORDINANCE TO AUTHORIZE THE GRANTING OF AN INITIAL ACCESS AGREEMENT/EASEMENT TO BAYONNE ENERGY CENTER TO CONSTRUCT AND INSTALL A GAS PIPELINE

THE MUNICIPAL COUNCIL OF THE CITY OF BAYONNE DOES ORDAIN:

Section 1. That an easement for the construction and installation of a 16” gas pipeline for the purpose of connecting the Bayonne Energy Center to the Spectra Energy Manhattan Extension to be located near the intersection of Route 440 and East 21st Street across the IMTT property to the Bayonne Energy Center located at 401 New Hook Road be and the same is hereby granted to Bayonne Energy Center.

Section 2. That the said easement be in accordance with Drawing No. 16048-16-013 dated April 29, 2016 made by Chester DeLorenzo, PE, LS, PP of Cornerstone Energy Services, 600 Southborough Drive, Suite 101, South Portland, ME 04106 which is attached hereto and made a part hereof.

Section 3. That the said easement agreement be in a form approved by the Law Department.

Section 4. The Mayor and City Clerk are hereby authorized to execute an initial access agreement/right of entry granting permission to Bayonne Energy Center to install the aforementioned 16” gas pipeline pursuant to its formal written request attached hereto and made a part hereof in a form approved by the Law Department.

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 “AN ORDINANCE TO AUTHORIZE THE GRANTING OF AN INITIAL ACCESS AGREEMENT/EASEMENT TO BAYONNE ENERGY CENTER TO CONSTRUCT AND INSTALL A GAS PIPELINE,” just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, June 22, 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.

* * * * *

13. Council Member Cotter introduced:

AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AUTHORIZING THE EXECUTION OF AN EASEMENT TO 662 AVENUE C URBAN RENEWAL, LLC

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 the owner of a public right of way known as Avenue C in the City of Bayonne, County of Hudson, and State of New Jersey, (the “City’s Property”); and

WHEREAS, Avenue C Urban Renewal, LLC (the “Redeveloper”) is the owner in fee simple of real property located to the west of Avenue C and designated as Block 163, Lot 45 in the City of Bayonne, County of Hudson, State of New Jersey (the “Redeveloper’s Property”) shown on the official tax map of the City of Bayonne; and

WHEREAS, the Redeveloper intends to construct a residential multiple dwelling building on the Redeveloper’s Property that currently encroaches into the air space of the City’s Property by no more than two (2) feet; and

WHEREAS, the City wishes to convey an easement to Redeveloper to permit a two (2) foot encroachment over the City’s Property; and

WHEREAS, the City believes that the conveyance of an easement over and on the City’s Property will allow for a building design that offers improved planning and zoning perspective that will benefit the City and its residents; and

WHEREAS, the Municipal Council of the City of Bayonne agrees that conveyance of the easement to the Redeveloper is necessary, and as such execution and recording of said easement is appropriate.

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. An easement by the City of Bayonne for the benefit of Avenue C Urban Renewal, LLC for the purposes set forth herein is hereby approved.

Section 3. The Mayor or his designee is hereby authorized to execute an easement by the City of Bayonne for the benefit of Avenue C Urban Renewal, LLC on behalf of the City of Bayonne.

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 easement by the City of Bayonne for the benefit of Avenue C Urban Renewal, LLC, shall be available for public inspection at the office of the City Clerk during regular business hours.

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

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

BE IT RESOLVED, that an ordinance entitled “AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AUTHORIZING THE EXECUTION OF AN EASEMENT TO 662 AVENUE C URBAN RENEWAL, LLC,” just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, June 22, 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.

* * * * *

14. Council President Nadrowski introduced:

AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY
ACCEPTING DEDICATION OF A PUBLIC ROADWAY

WHEREAS, pursuant N.J.S.A. 40:67-1(b), the City of Bayonne, County of Hudson, State of New Jersey (“City”) is authorized to accept the dedication of streets; and

WHEREAS, the City previously constructed a public roadway known as the 5th Street Extension as shown on a map entitled, "Preliminary/Final Major Subdivision Plan; Tax Map; Block 324, Lots 11, 12, 13 & 14; Bock 474.01, Lot 1; Block 474.02, Lots 1, 2 & 3; Block 475, Lots 9, 10 & 13; Final Map, Situated in City of Bayonne, Hudson County, New Jersey," consisting of five sheets, dated October 23, 2009, and prepared by Frank J. Barlowski, PLS; and

WHEREAS, the 5th Street Extension lies within a public right of way previously established by the City; and

WHEREAS, the 5th Street Extension has not previously been dedicated and accepted by the City as a public roadway; and

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 City accepts the dedication of the 5th Street Extension, including all utilities and improvements installed therein, as part of the public road system of the City of Bayonne.

Section 3. The City Engineer has inspected the subject roadway and confirmed that it has been constructed in conformance with all applicable City regulations.

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

Section 5. A copy of this Ordinance 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 President Nadrowski moved the following resolution, seconded by Council Member Cotter, which was read by the Clerk and adopted.

BE IT RESOLVED, that an ordinance entitled "AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ACCEPTING DEDICATION OF A PUBLIC ROADWAY," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, June 22, 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.

* * * * *

15. Council Member Perez introduced:

AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AUTHORIZING THE EXECUTION OF A GRANT OF A UTILITY EASEMENT THROUGH PROPERTY KNOWN AS BLOCK 474.02, LOT 2.01 AND THROUGH THE 5TH STREET EXTENSION FOR THE BENEFIT OF BLOCK 476.01, LOT 10.01

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 the owner in fee simple of a certain tract of real property situate in the City of Bayonne currently known as Block 474.02, Lot 2.01, (the "City Property"); and

WHEREAS, Duraport Realty IV, LLC, (the "Duraport") is or will become the owner in fee simple of real property identified as Block 476.01, Lot 10.01 ("Duraport Property") in the City of Bayonne, County of Hudson, State of New Jersey, as shown on an approved Major Subdivision

Plan prepared by Matrix Newworld dated April 14, 2016, which Major Subdivision Plan has been or will be recorded with the Office of the Hudson County Register; and

WHEREAS, there exists a sixty (60) foot wide right-of-way between the City's Property and Duraport Property known as the 5th Street Extension that has been dedicated and accepted by the City of Bayonne as a public roadway; and

WHEREAS, the City wishes to convey a non-exclusive twenty (20) foot wide utility easement through the 5th Street Extension and through a portion of the City's Property as more particularly described on a metes and bounds description prepared by Albert N. Faraldi, dated May 13, 2016, which description is annexed hereto as Exhibit A ("Easement Premises"); and

WHEREAS, the purpose of the utility easement is to permit Duraport to install, extend, operate, and maintain certain utilities and related improvements associated with future development on the Duraport Property through the Easement Premises, including but not limited to the installation of a sanitary sewer line; and

WHEREAS, the Municipal Council of the City of Bayonne agrees that conveyance of a utility easement to the Redeveloper is necessary and appropriate, and as such execution and recording of said easement is appropriate.

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 proposed utility easement by the City of Bayonne for the benefit of Duraport Realty IV, LLC is hereby approved.

Section 3. The Mayor or his designee is hereby authorized to execute the utility easement by the City of Bayonne for the benefit of Duraport Realty IV, LLC on behalf of the City of Bayonne.

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 easement by the City of Bayonne to Duraport Realty IV, LLC 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 President Nadrowski 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 OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AUTHORIZING THE EXECUTION OF A GRANT OF A UTILITY EASEMENT THROUGH PROPERTY KNOWN AS BLOCK 474.02, LOT 2.01 AND THROUGH THE 5TH STREET EXTENSION FOR THE BENEFIT OF BLOCK 476.01, LOT 10.01," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, June 22, 2016 at 7:00 P.M., or as soon thereafter as the matter can be reached, and the Dorothy E. Harrington Council Chamber, Municipal Building, 630 Avenue, Bayonne, New Jersey, are hereby fixed as the time and place when and where such ordinance will be further considered for final passage, at which time and place all persons interested shall be given an opportunity to be heard concerning the same; and, be it further

RESOLVED, that the City Clerk be and is hereby authorized and directed to publish said ordinance according to law, with a notice of its introduction and passage on first reading, and the time and place when and where said ordinance will be further considered for final passage.

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

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16. Council Member LaPelusa introduced:

AN ORDINANCE TO LEASE THE SECOND FLOOR OF THE PREMISES AT 597 BROADWAY, BAYONNE, NEW JERSEY, ALSO KNOWN AS LOT 11 IN CITY BLOCK 171 ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE, TO THE BAYONNE COMMUNITY MENTAL HEALTH CENTER, A NONPROFIT CORPORATION ESTABLISHED FOR A PUBLIC PURPOSE, PURSUANT TO N.J.S.A. 40A:12-14, ET. SEQ.

WHEREAS, since December 1, 1974, the City of Bayonne has leased the second floor of the property at 597 Broadway to the Bayonne Community Health Center for the purpose of allowing the latter to render mental health services to the citizens of Bayonne, regardless of their ability to pay. Since 1974, no one has ever been turned away from the Bayonne Community Mental Health Center for financial reasons.

WHEREAS, it appears that the last written lease between the City of Bayonne and the Bayonne Community Health Center for the premises located on the second floor of 597 Broadway expired on December 31, 2005; now, therefore,

THE MUNICIPAL COUNCIL OF THE CITY OF BAYONNE DOES ORDAIN:

Section 1. That the second floor of premises at 597 Broadway, also known as Lot 11 in City Block 171 (formerly Lot 39A2 in City Block 224), on the official tax map of the City of Bayonne, no longer needed for public use, be leased to the Bayonne Community Mental Health Center for a term of twenty (20) years, retroactive to January 1, 2006 and expiring on December 31, 2025, for the consideration of \$1.00 per year, providing that the Bayonne Community Mental Health Center will provide mental health services to the community in accordance with N.J.S.A. 30:9A-1, et seq., said lease to contain the following provisions:

a. Bayonne Community Mental Health Center will provide all utilities, such as gas, electric, heat, repairing and alterations;

b. The City of Bayonne may terminate said lease upon the issuance by the City of a six month notice of termination;

c. Any structural alterations to the subject premises shall be made at the expense of the Bayonne Community Mental Health Center, providing the said alterations meet with the requirements and regulations of the Building Department, Health Department, and Police and Fire Departments of the City of Bayonne;

d. Bayonne Community Mental Health Center will submit annually a report to the City Clerk of the City of Bayonne, setting forth the use to which the leased premises was put during the year, the activities of the lessee undertaken in furtherance of the public purpose for which the leasehold was granted, the approximate value or cost, if any, of such activities in furtherance of such purpose, and an affirmation of the continued tax exempt status of the nonprofit corporation pursuant to both State and Federal law;

e. Bayonne Community Mental Health Center will insure said premises with liability insurance coverage of at least \$1,000,000.00, adding the City of Bayonne as an additional insured. Evidence of said insurance coverage shall be delivered to the Law Department;

f. The use of said premises by the lessee is to provide mental health services to the community in accordance with N.J.S.A. 30:9A-1, et. seq.

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

BE IT RESOLVED, that an ordinance entitled "AN ORDINANCE TO LEASE THE SECOND FLOOR OF THE PREMISES AT 597 BROADWAY, BAYONNE, NEW JERSEY, ALSO KNOWN AS LOT 11 IN CITY BLOCK 171 ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE, TO THE BAYONNE COMMUNITY MENTAL HEALTH CENTER, A NONPROFIT CORPORATION ESTABLISHED FOR A PUBLIC PURPOSE, PURSUANT TO N.J.S.A. 40A:12-14, ET. SEQ," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, June 22, 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.

* * * * *

17. Council Member LaPelusa introduced:

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

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

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

RESTRICTIVE PARKING ZONES

DELETE

215. Helen Barba, 35 West 33rd Street
Beginning at a point on the north side of West 33rd Street (angle parking space), 271 feet east of the northeast corner of Avenue C and West 33rd Street and extending to a point 12 feet east thereof.

ADD

034. Annette Sisk, 43 Newman Avenue
Beginning at a point on the west side of Newman Avenue, 188 feet south of the southwest corner of Newman Avenue and West 3rd Street, and extending to a point 17 feet south thereof.

232. Kenneth Adelung, 84 West 9th Street
Beginning at a point on the south side of Kennedy Boulevard, 238 feet east of the southeast corner of West 9th Street and Kennedy Boulevard, and extending to a point 18 feet east thereof.

376. Albert Billeci for his mother, Frances Billeci, 31 West 16th Street
Beginning at a point on the north side of west 16th Street, 302 feet east of the northeast corner of West 16th Street and Avenue C, and extending to a point 17 feet east thereof.

372. Samiha Gerges, 121 West 12th Street
Beginning at a point on the north side of West 21st Street, 183 feet west of the northwest corner of West 21st Street and Kennedy Boulevard, and extending to a point 18 feet west thereof.

373. Zulima Trubbo, 153 West 21st Street
Beginning at a point on the north side of West 21st Street, 136 feet west of the northwest corner of West 21st Street and Avenue A, and extending to a point 18 feet west thereof.

374. Loli Marte, 92 West 29th Street
Beginning at a point on the south side of West 29th Street, 139 feet east of the southeast corner of West 29th Street and Kennedy Boulevard, and extending to a point 19 feet east thereof.

375. Lucille Pinckney, 149 West 3rd Street
Beginning at a point on the north side of West 3rd Street, 197 feet west of the northwest corner of Trask Avenue and West 3rd Street, and extending to a point 18 feet west thereof.

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

BE IT RESOLVED, that an ordinance entitled “AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC,” just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, June 22, 2016 at 7:00 P.M., or as soon thereafter as the matter can be reached, and the Dorothy E. Harrington Council Chamber, Municipal Building, 630 Avenue, Bayonne, New Jersey, are hereby fixed as the time and place when and where such ordinance will be further considered for final passage, at which time and place all persons interested shall be given an opportunity to be heard concerning the same; and, be it further

RESOLVED, that the City Clerk be and is hereby authorized and directed to publish said ordinance according to law, with a notice of its introduction and passage on first reading, and the time and place when and where said ordinance will be further considered for final passage.

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

* * * * *

18. 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.

* * * * *

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

From Andrew Venturelli, Esq., filing notice of tort claim on behalf of ANDREW CASTRO, by his g/a/1 ANDREA MOSQUEA, alleging injuries sustained February 8, 2016 in a sidewalk fall down at 706-708 Broadway.

* * * * *

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

From Anthony Mazza, Esq., filing notice of tort claim on behalf of GERARD G. ROOTH, alleging injuries sustained January 25, 2016 in a slip and fall in a parking lot at West 21st Street.

* * * * *

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

From MARISSA J. WILSON, filing notice of tort claim alleging property damage to her apartment door on November 17, 2015 resulting from a police action at 301 Broadway.

* * * * *

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

From DANIEL RAFAEL, filing notice of tort claim alleging property damage to his car windshield on April 12, 2016 resulting from being struck by a foul ball on West 25th Street next to Veterans Stadium.

* * * * *

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

From the Superior Court of New Jersey, Law Division, Summons and Complaint in matter entitled, "CURNYN vs. KLOEBLEN and THE CITY OF BAYONNE." (Sidewalk fall down on August 29, 2013 at 1 Parkside Lane)

* * * * *

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

From the Hudson County Board of Taxation, ORDER TO IMPLEMENT A MUNICIPAL-WIDE REVALUATION.

* * * * *

25. 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.

* * * * *

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

April 26, 2016

Dear Council President Nadrowski
And Honorable Members of City Council:

I hereby reassign* the following individuals on the Board of Adjustment of the City of Bayonne and request the City Council's consenting action:

Commissioner	
Frank Pellitteri	Term expiring on December 32, 2018
57 West 5 th Street, Bayonne, NJ 07002	(Unexpired term of Keith Weicker)

Alternate #1	
Matt Dorans	Term expiring on December 31, 2017
36 West 43 rd Street, Bayonne, NJ 07002	

Alternate #2	Term expiring on December 31, 3017
Joe Pineiro	
78 East 28 th Street, Bayonne, NJ 07002	
*Reassignments are due to resignation of Keith Weicker (former Commissioner)	

In conjunction with the appointment the City Clerk has been directed to add an accompanying item on the May 11, 2016 Council Caucus 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 re-assignments.

* * * * *

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

April 26, 2016

Dear Council President Nadrowski
And Honorable Members of City Council:

I hereby appoint the following individuals on the Zoning Board of Adjustment of the City of Bayonne and request the City Council's consenting action:

Alternate #3	
James O'Brien, Jr.	Term expiring on December 31, 2016
69 West 9 th Street, Bayonne, NJ 07002	(unexpired alternate term)

Alternate #4	
Nick DiLullo	Term expiring on December 31, 2016
337 Kennedy Blvd. Bayonne, NJ 07002	(unexpired alternate term)

In conjunction with the appointment the City Clerk has been directed to add an accompanying item on the May 11, 2016 Council Caucus 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 re-assignments.

* * * * *

28. 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.

* * * * *

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

DATE: MAY 5, 2016

TO: Terrence Malloy, CFO
Robert Sloan, City Clerk

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

FROM: Janet Convery, Treasurer

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

\$5,097,854.00 CLAIMS & PAYROLL FOR MAY 2016

Janet Convery
(signed)

* * * * *

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

BID REPORT
FOR THE MUNICIPAL COUNCIL

Date: 05/17/16 Ad Date: 04/25/16 Resolution #16-04-20-063

Date bids accepted: 05/13/16 Attending: Amy Dellabella, Purchasing Agent
Susan Ferraro, Esq.

Bid titled: **2016 Roadway Improvements**

<u>Bidders:</u>	<u>Alt. A</u>	<u>Alt.B</u>	<u>Total Alt A & Alt</u>
<u>B</u> AJM Contractors Inc 300 Kuller Road Clifton, NJ 07011	\$628,277.50	\$48,445.00	\$676,722.50
S. Brothers Inc. 16 Sobeckko Road Manalapan, NJ 07726	\$747,945.37	\$59,220.10	\$807,165.47
Kyle Conti Construction LLC 749 Clawson Avenue Hillsborough, NJ 08844	\$820,909.50	\$54,594.85	\$875,504.35
Top Line Construction Corp. 22 Fifth Street Somerville, NJ 08876	\$867,832.78	\$56,705.09	\$924,537.87
Black Rock Enterprises 1316 Englishtown Road	\$879,336.08	\$69,210.05	\$948,546.13

Old Bridge, NJ 08857

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

If bids are to be rejected, an appropriate report will be prepared. Please retain this report, as the information above may not be repeated in the request for award documents or in the event of a bid rejection.

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

* * * * *

31. 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.

* * * * *

32. 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, April 20, 2016 be and the same are hereby approved.

* * * * *

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 council caucus meeting held Wednesday, April 13, 2016, be and the same are hereby approved.

* * * * *

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

WHEREAS, in April of 2016 this Municipal Council, by way of resolution, underscored the need for the Administration to take measures designed to control personnel hiring and to implement a hiring freeze; and

WHEREAS, on May 17, 2016 the Mayor of the City of Bayonne issued Executive Order #2016-001 implementing a one year hiring freeze restricting and barring the hiring of additional personnel subject to these specific exceptions:

1. The hiring of approximately 225 summer and seasonal workers on an as needed basis to facilitate recreational, educational and other annual programs.
2. The hiring of police, fire and other public safety personnel, including crossing guards, on an as needed basis to ensure the health, safety and welfare of the public.
3. The hiring of no more than two (2) workers in connection with the state ordered revaluation.
4. The hiring of no more than five (5) workers as the result of the dissolution of the Bayonne Municipal Utilities Authority.

;and

WHEREAS, this Municipal Council is encouraged by Executive Order #2016-001 and the objectives to be achieved thereby; now, therefore, be it

RESOLVED, that Municipal Council wholeheartedly endorses Executive Order #2016-001 and the objectives to be achieved thereby and further commends the Mayor for issuing same.

* * * * *

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
16	6	Margaret Ruhle	831.74
112	32	Olivia Eckert	1,693.13
140	1	BCB Community Bank	14,129.76
181	38 CF	Andrea Morris	1,444.24
183	14	AIM Development, LLC	6,193.33
320	13	Carlos Tejeda	287.44
339	10	Jean Snipes	6,000.01
352	27	John Besante	590.29
371	30	John Sakowski	1,803.39
402	2	Leonarda DeCarlo	3,588.10
433	10	Patricia Augusta	2,650.22
442	5	John Jaryno	1,593.28
Total:			40,804.93

* * * * *

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 Seventy-Six (76) Marriage Licenses during the months of January, February and March, and has collected \$25.00 per license, which is to be forwarded to the Division of Youth and Family Services, now, therefore be it

RESOLVED, that a warrant in the amount of One thousand nine hundred dollars (\$1900.00) be drawn to the order of the Treasurer, State of New Jersey and forwarded to the City Clerk’s Office for disbursement.

* * * * *

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 \$ 46.80 be drawn of the Bureau of Rabies Control, State Department of Health, Trenton, New Jersey, covering the issuance of licenses Nos. 1115-1133 inclusive, 19 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.

RESOLVED, that the actions of the Municipal Treasurer in issuing payment from Current Fund in the amount of \$ 7,177,290.48 payable to the County of Hudson for Second Quarter County Taxes of 2016 is hereby ratified and confirmed.

* * * * *

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

RESOLVED, that the actions of the Municipal Treasurer in issuing a warrant from the Unemployment Trust Fund in the amount of \$ 5,732.54 payable to the State of New Jersey Division of Employer Accounts is hereby ratified and confirmed. Said warrant is for the City of Bayonne unemployment bills for quarter ending 3/31/2016.

* * * * *

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

RESOLVED, that pursuant to N.J.S.A. 40A:11-36 and LFN-2008-9, the Municipal Council of the City of Bayonne hereby authorizes the purchasing agent to put up for auction Online at US GOV BID or by any other means, as scrap or otherwise, the vehicles and other equipment listed on the attached memorandum, which are no longer needed for public use under the terms posted on the City of Bayonne's website at www.Bayonnenj.org and in the office of the City Clerk; and be it further

RESOLVED, that the property is being sold "As is/Where is".

* * * * *

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

WHEREAS, the Bayonne Local Redevelopment Authority entered into a lease with J.A. Fitz, Inc., having an address at 192 West 26th Street, Bayonne, New Jersey, for the rental of the premises located at 921 Broadway, Bayonne, New Jersey; and

WHEREAS, the Bayonne Local Redevelopment Authority was dissolved by the City of Bayonne in 2013 and the City of Bayonne, in turn, assumed the lease obligation of the Bayonne Local Redevelopment Authority at 921 Broadway, Bayonne, New Jersey as of the date of the latter's final dissolution; and

WHEREAS, the Business Administrator of the City of Bayonne has determined that the City no longer needs to utilize the premises at 921 Broadway, Bayonne, New Jersey and, as such, has terminated the City's leasehold; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. That the actions of the Business Administrator in terminating the City of Bayonne's leasehold interest in 921 Broadway, Bayonne, New Jersey is hereby ratified and affirmed.
2. That the Mayor and Clerk are hereby authorized to execute any and all documentation necessary to effectuate the final termination of the aforesaid leasehold.

* * * * *

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

WHEREAS, by way of Resolution No. 12-02-15-034 adopted by the Municipal Council on February 15, 2012, the City of Bayonne (the "City") entered into an Access Agreement with PPG Industries, Inc. ("PPG") for access to real property owned by the City comprised of Block 383, Lot 1, Lot 2, Lots 4-8; and Block 384, Lot 1 and Lot 2 and more commonly known as West 1st Street, Dennis Collins Park, Bayonne, New Jersey in the City of Bayonne, Hudson County, New Jersey ("Bayonne Property or "Site") for the limited purpose of performing a soil and groundwater environmental investigation and performing environmental remediation work as specifically described in detail in the Scope of Work and Sampling Map and for the limited time period further described in the Scope of Work attached thereto; and

WHEREAS, it was necessary for PPG to extend the term of the aforesaid Access Agreement for another twelve (12) months and to extend thereafter for a reasonable amount of time should there be unforeseen delays for the purpose of chromium removal pursuant to a directive by the New Jersey Department of Environmental Protection ("NJDEP"); and

WHEREAS, pursuant to Resolution Nos. 14-06-18-061 adopted June 18, 2014; 14-12-10-059 adopted December 10, 2014; and 15-05-20-063 adopted May 20, 2015 the City of Bayonne entered into a First, Second and Third Amendment to the aforesaid Access Agreement extending the term of same for the periods commencing June 19, 2014 through December 18, 2014; December 19, 2014 through June 17, 2015; and June 18, 2015 through June 17, 2016 respectively; and

WHEREAS, in order to complete the aforesaid investigation and environmental remediation work it is again necessary for PPG to extend the term of the aforesaid Access Agreement for an additional one year (1) year commencing June 18, 2016 and ending June 17, 2017; and

WHEREAS, the removal of said chromium contaminant is in the best interest of the health, safety and welfare of the citizens of the City of Bayonne; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The aforesaid Access Agreement between the City of Bayonne and PPG Industries, Inc. for access to real property owned by the City comprised of Block 383, Lot 1, Lot 2, Lots 4-8; and Block 384, Lot 1 and Lot 2 and more commonly known as West 1st Street, Dennis Collins Park, Bayonne, New Jersey in the City of Bayonne, Hudson County, New Jersey ("Bayonne Property or "Site") is hereby extended for an additional one year (1) year commencing June 18, 2016 and ending June 17, 2017 for the limited purpose of performing environmental remediation work on the conditions that: 1) PPG executes a Fourth Amendment to the current Right of Entry/Access Agreement in a form acceptable to the City and approved by the City's Law Department; 2) No cost or expense shall be borne by the City relating in any way to PPG's for access and proposed Supplemental Scope of Work; 3) Proposed Supplemental Scope of Work is approved by the City's engineer and Licensed Site Remediation Professional at PPG's and/or the contractor's expense; 4) No permits will issue without a fully executed Fourth Amendment to the Right of Entry/Access Agreement; 5) Valid permits to be issued by the City's Building Department and/or Police Department prior to the start of any work, if required; 6) PPG shall abide by any and all requirements of the City deemed necessary to protect the City's property and citizens; and 7) all fees due and payable to any of the City's engineering and environmental professionals shall be paid by PPG prior to entry onto City property.

2. The Mayor and City Clerk are hereby authorized to execute a Fourth Amendment to the aforesaid Access Agreement in a form acceptable to the Law Department.

3. All other terms and conditions of the aforesaid Access Agreement dated March 13, 2012 shall remain the same except as may be required to comply with the provisions of the First, Second, and Third Amendments and this resolution.

* * * * *

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

WHEREAS, the Bayonne Hometown Fair is being held on June 11th and June 12th, 2016, and

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

WHEREAS, The Bayonne Urban Enterprise Zone will be sponsoring activities during the event now, therefore be it

RESOLVED, that the Bayonne Urban Enterprise Zone Coordinator is hereby authorized to undertake all actions required to effectuate the goal of successfully hosting the Bayonne

Hometown Fair, including but not limited to coordinating activities with the Hometown Fair Committee, waiving permit fees for participating vendors, creating a UEZ project entitled Bayonne Hometown Fair, and coordinating activities with the various municipal departments that are involved with the event.

* * * * *

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

WHEREAS, the City of Bayonne is in need of specialized services for the exhibition of fireworks on July 6, 2016; and

WHEREAS, Garden State Fireworks, Inc., P. O. Box 403, Carlton Road, Millington, New Jersey, 07946 is willing to perform said service; and

WHEREAS, Garden State Fireworks, Inc. has submitted a proposed agreement for the maximum amount of \$12,500.00, and

WHEREAS, funds are certified as available in Account 01-201-30-420-2-028; now, therefore, be it

RESOLVED, that said contract shall be entered into only after review and approval by the Chief of Police and the Chief of the Fire Department of the City of Bayonne; and be it further

RESOLVED, that any display of fireworks pursuant to said agreement shall be of such a character, and so located, discharged, or fired, as in the opinion of the Chiefs of the Police and Fire Departments, after proper inspection, shall not be hazardous to property or endanger any person or persons; and be it further

RESOLVED, that said agreement shall contain an identification number and the specific types or kinds of fireworks to be used and shall name one person who shall be authorized to purchase, or otherwise order, and receive delivery of any fireworks; and be it further

RESOLVED, that any and all necessary permits/licenses as required by the State of New Jersey and/or the United States of America shall be provided to the City of Bayonne prior to and/or concomitant with the execution of said agreement; and be it further

RESOLVED, that a specific condition of said agreement shall be that the contracting party maintain insurance coverage in the amount of \$5,000,000.00 with the City of Bayonne listed as an added insured thereby conforming with the mandates of N.J.S.A. 21:3-5; and be it further

RESOLVED, that in the event that the above conditions are met, the Mayor and City Clerk are hereby authorized to enter into an agreement with Garden State Fireworks, Inc., P. O. Box 403, Carlton Road, Millington, New Jersey, 07946, for the exhibition of fireworks on July 6, 2016 for a maximum amount of \$12,500.00 at no additional cost and any and all other documents necessary to effectuate said fireworks display; and be it further

RESOLVED, that no bid need be solicited for these services insofar as the agreement complies with the statutory guidelines of N.J.S.A. 40A:11-3; and be it further

RESOLVED, that funds are certified as available by the Municipal Comptroller in Account 01-201-30-420-2-028.

* * * * *

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

BE IT RESOLVED, That the City Clerk be and is hereby authorized to advertise for bids for traffic controllers.

* * * * *

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

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

LICENSEE	TIME & PLACE	LICENSE
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RL: 9107
RL: 9108

* * * * *

* * * * *

Bidders	Bid Amount		
	<u>Alt. A</u>	<u>Alt.B</u>	<u>Total Alt A & Alt B</u>
AJM Contractors Inc. 300 Kuller Road Clifton, NJ 07011	\$628,277.50	\$48,445.00	\$676,722.50
S. Brothers Inc. 16 Sobeckko Road Manalapan, NJ 07726	\$747,945.37	\$59,220.10	\$807,165.47
Kyle Conti Construction LLC 749 Clawson Avenue Hillsborough, NJ 08844	\$820,909.50	\$54,594.85	\$875,504.35

Top Line Construction Corp. 22 Fifth Street Somerville, NJ 08876	\$867,832.78	\$56,705.09	\$924,537.87
Black Rock Enterprises 1316 Englishtown Road Old Bridge, NJ 08857;	\$879,336.08	\$69,210.05	\$948,546.13

and

WHEREAS, Amy Dellabella, R.P.P.O., Q.P.A. and Gary Chmielewski, Director of Public Works and Parks have examined the bids or proposals and have determined that the bid of AJM Contractors Inc. is a regular bid and is most advantageous to the City of Bayonne for 2016 roadway improvements; 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 2016 roadway improvements be awarded to:

AJM Contractors Inc.
300 Kuller Road
Clifton, NJ 07011

for the following bid price: Total Alt. A + Alt. B = \$628,277.50 + \$48,445.00= \$676,722.50, 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 accounts: CDBG and Road Restoration.

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

* * * * *

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

WHEREAS, Resolution No. 14-10-15-055 adopted by the Municipal Council on October 15, 2014 authorized an agreement with Time Record Storage, 225 Long Avenue, Hillside, New Jersey 07205 for off premises document and file storage for an initial period of two (2) years at a cost not to exceed \$5,000.00 and for an additional three (3) annual renewals at the City's option, subject to availability of funds; and

WHEREAS, pursuant to the aforesaid Resolution No. 14-10-15-055, the City entered into Agreement No. CY14-090 with Time Record Storage for said document and file storage services; and

WHEREAS, by way of correspondence dated February 19, 2016 from Iron Mountain Information Management, LLC ("Iron Mountain") the City was informed that Time Record Storage had become a part of Iron Mountain and that the City's inventory would be converted from Time Record Storage to Iron Mountain as of April 4, 2016; and

WHEREAS, Iron Mountain has advised that it will honor the rates of Time Record Storage for at least the first year; and

WHEREAS, funds are certified as available in Various Accounts pending adoption of the CY2016 and CY2017 budgets; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized to enter into an agreement with Iron Mountain Information Management, LLC for document and file storage for a one year period commencing April 4, 2016 and ending April 3, 2017 at a total cost not to exceed \$5,000.00 under the same terms and conditions as set forth in Agreement No. CY14-090 between the City and Time Record Storage.
2. Funds shall be charged to Various Accounts.

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

* * * * *

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

WHEREAS, in 2015, the Hudson County Division of Planning completed the Hudson River Waterfront Walkway Signage & Bicycle Rack Grant Implementation Plan which calls for the installation of forty (40) wayfinding signs near the Hudson Riverfront Walkway (HRWW) and fifteen (15) bicycle racks along the HRWW; and

WHEREAS, the City of Bayonne is slated to have three (3) wayfinding signs and one (1) bicycle rack installed at the following locations:

Wayfinding Signs:

Existing Bike Route sign at the intersection of Kennedy Boulevard and 1st Street; southernmost access point to HRWW below the Bayonne Bridge
Intersection of Broadway and 1st Street; and
Intersection of 32nd Street and Route 440 – Northeast Corner; and

Bicycle Rack:

Intersection of Kennedy Boulevard and 1st Street;
and

WHEREAS, siting for both the signs and bicycle rack was previously completed with input from the City and installation will be performed by the County; and

WHEREAS, the County of Hudson, Department of Parks & Community Services has provided the City with a Signage Location Map and Bike Rack Location Map designating the proposed locations of the aforesaid wayfinding signs and bicycle rack; and

WHEREAS, to facilitate and identify the rights, responsibilities and obligations between the Parties regarding the installation of the wayfinding signage and the bicycle rack including the ongoing maintenance and repair of the said signage and bicycle rack once installation is completed, the parties desire to enter into a Memorandum of Agreement setting forth the rights, duties and responsibilities of each party; now, therefore, be it

RESOLVED, the Mayor and City Clerk are hereby authorized to execute a Memorandum of Agreement with the County of Hudson for the installation of the aforesaid three (3) wayfinding signs and one (1) bicycle rack under the Hudson River Waterfront Walkway Signage and Bicycle Rack Grant Implementation Plan consistent with the Signage Location Map and Bike Rack Location Map attached hereto and made a part hereof in a form acceptable to the Law Department.

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

* * * * *

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

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

WHEREAS, the Flournoy Gethers VFW Post #7470, 33-35 West 19th Street, Bayonne, New Jersey 07002 is an organization which has among its objectives assisting persons of lower income households; and

WHEREAS, the Flournoy Gethers VFW Post #7470 has requested and submitted a formal written application dated February 26, 2015 for said CDBG Grant Funds in the amount of \$2,995.00 for the purpose of providing the cost of architectural plans from Jose Carballo Architectural Group, 171 Main Street Suite 301, Hackensack NJ 07601; and

WHEREAS, the Assistant Director of Community Development has advised that the availability of said Community Development Block Grant Funds for the purpose of providing the cost of architectural plans from Jose Carballo Architectural Group, 171 Main Street Suite 301, Hackensack NJ 07601; and

WHEREAS, said CDBG Funds are certified as available in Account CDBG-917; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized to enter into an agreement with the Flournoy Gethers VFW Post #7470, 33-35 West 19th Street for the provision of providing the cost of architectural plans from Jose Carballo Architectural Group, 171 Main Street, Suite 301, Hackensack NJ 07601 in the amount of \$2,995.00 for the period commencing September 1, 2015 and ending August 31, 2016.

2. Funds shall be charged to Account #CDBG-917

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

* * * * *

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

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L.1987, c.102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection has promulgated recycling regulations to
Implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for the 2015 Recycling Tonnage Grant will memorialize the commitment of this municipality to recycling and to indicate the assent of the City of Bayonne to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW THEREFORE BE IT RESOLVED by the Municipal Council of the City of Bayonne that City of Bayonne hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Director of Public Works, Gary Chmielewski, to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

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

* * * * *

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

WHEREAS, the Recycling Enhancement Act, P.L.2007, chapter 311, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, there is levied upon the owner or operator of every solid waste facility (with certain exceptions) a recycling tax of \$3.00 per ton on all solid waste accepted for disposal or transfer at the solid waste facility; and

WHEREAS, whenever a municipality operates a municipal service system for solid waste collection, or provides for regular solid waste collection service under a contract awarded pursuant to the "Local Public Contracts Law", the amount of grant monies received by the municipality shall not be less than the annual amount of recycling tax paid by the municipality except that all grant moneys received by the municipality shall be expended only for its recycling program;

NOW THEREFORE BE IT RESOLVED by the City of Bayonne that City of Bayonne hereby certifies a submission of expenditure for taxes paid pursuant to

P.L.2007, chapter 311, in 2014 in the amount of Ninety-six Thousand Eight Hundred Four Dollars and Fifty-one Cents (\$96,804.51). Documentation supporting this submission is available at Bayonne City Hall, 630 Avenue C, Bayonne, New Jersey 07002 and shall be maintained for no less than five years from this date.

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

* * * * *

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

RE: Authorize the submission of a New Jersey Department of Environmental Protection - 2016 Recreational Trails Grant Program Application on behalf of the City of Bayonne.

WHEREAS, the New Jersey Department of Environmental Protection is making funding available to municipalities, counties and non-profit agencies for recreational trail projects through the 2016 Recreational Trails Grant Program; and,

WHEREAS, this program will provide funding specifically for the rehabilitation and expansion of existing as well as the construction of new motorized, non-motorized or diversified recreational trails;

WHEREAS, the governing body authorizes and accepts the 20% cash or in-kind matching requirement associated with this grant; and

WHEREAS, the City of Bayonne wishes to apply for funding through the 2016 Recreational Trails Grant Program in order to construct recreational trails within the City.

NOW THEREFORE BE IT RESOLVED, that the Council of the City of Bayonne, County of Hudson, State of New Jersey do hereby authorize the preparation and submission of 2016 Recreational Trails Grant Application on behalf of the City of Bayonne.

BE IT FURTHER RESOLVED, that the City Council authorizes Joseph DeMarco, Business Administrator, to prepare and submit this application on behalf of the City of Bayonne.

BE IT FURTHER RESOLVED, that if and/or when a grant award is made, Mayor Jimmy Davis is hereby authorized to sign the grant agreement on behalf of the City of Bayonne and that his signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

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

* * * * *

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

#4 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	\$	44,788,942.00
Parking Utility	\$	447,000.00

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	\$	10,326,000.00
Parking Utility	\$	130,000.00

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

Current Fund	\$	10,326,000.00
Parking Utility	\$	130,000.00

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.

* * * * *

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

BE IT RESOLVED, that further consideration of the CY 2016 Local Municipal Budget be tabled to the regular meeting scheduled for June 22, 2016, or such other time as the council determines.

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

* * * * *

57. 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 PREPARE A REDEVELOPMENT PLAN FOR THE PROPERTY COMMONLY KNOWN AS AVENUE F 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, & 7

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, pursuant to the provisions of *N.J.S.A. 40A:12A-7(e)* of the Redevelopment Law, the Planning Board, through the City’s staff and/or Planning Board professionals, is permitted to prepare a Redevelopment Plan; and

WHEREAS, the City is desirous of directing the Planning Board to prepare a Redevelopment Plan; and

WHEREAS, the City believes that the property identified as Block 445, Lots 1, 2, 3, 4, 5 and 7 (the “Property”) on the City’s Tax Maps 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 Municipal Council believes that the preparation of a Redevelopment Plan is in the best interests of the City for the redevelopment of the Property.

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

Section 1. The Planning Board of the City of Bayonne is hereby authorized and directed to prepare a Redevelopment Plan for the Property identified as Block 445, Lots 1, 2, 3, 4, 5 and 7 as shown on the official Tax Map of the City in accordance with the Redevelopment Law, *N.J.S.A. 40A:12A-1 et seq.*; and

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

Section 3. This Resolution shall take effect immediately.

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

* * * * *

58. 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 PREPARE A REDEVELOPMENT PLAN FOR THE PROPERTY COMMONLY KNOWN AS DOOLANS/BAYONNE ROOFING REDEVELOPMENT AT 676-688 AVENUE E, WHICH PROPERTIES ARE IDENTIFIED AS BLOCK 402, LOTS 4, 5, 6 AND 7

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, pursuant to the provisions of *N.J.S.A. 40A:12A-7(e)* of the Redevelopment Law, the Planning Board, through the City’s staff and/or Planning Board professionals, is permitted to prepare a Redevelopment Plan; and

WHEREAS, the City is desirous of directing the Planning Board to prepare a Redevelopment Plan; and

WHEREAS, the City believes that the property identified as Block 402, Lots 4, 5, 6 and 7 (the “Property”) on the City’s Tax Maps 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 Municipal Council believes that the preparation of a Redevelopment Plan is in the best interests of the City for the redevelopment of the Property.

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

Section 1. The Planning Board of the City of Bayonne is hereby authorized and directed to prepare a Redevelopment Plan for the Property identified as Block 402, Lots 4, 5, 6 and 7 as shown on the official Tax Map of the City in accordance with the Redevelopment Law, *N.J.S.A. 40A:12A-1 et seq.*; and

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

Section 3. This Resolution shall take effect immediately.

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

* * * * *

59. 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 PREPARE A REDEVELOPMENT PLAN FOR THE PROPERTY COMMONLY KNOWN AS PROSPECT AT 73-78 EAST 32ND STREET AND 258-270 PROSPECT AVENUE IN THE CITY, WHICH PROPERTIES ARE IDENTIFIED AS BLOCK 411 LOTS 1, 6, 7, 8, 10.01, 11, 12, 13, 14, AND 15

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, pursuant to the provisions of *N.J.S.A. 40A:12A-7(e)* of the Redevelopment Law, the Planning Board, through the City's staff and/or Planning Board professionals, is permitted to prepare a Redevelopment Plan; and

WHEREAS, the City is desirous of directing the Planning Board to prepare a Redevelopment Plan; and

WHEREAS, the City believes that the property identified as Block 411, Lots 1, 6, 7, 8, 10.01, 11, 12, 13, 14 and 15 (the "Property") on the City's Tax Maps 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 Municipal Council believes that the preparation of a Redevelopment Plan is in the best interests of the City for the redevelopment of the Property.

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

Section 1. The Planning Board of the City of Bayonne is hereby authorized and directed to prepare a Redevelopment Plan for the Property identified as Block 411, Lots 1, 6, 7, 8, 10.01, 11, 12, 13, 14 and 15 as shown on the official Tax Map of the City in accordance with the Redevelopment Law, *N.J.S.A. 40A:12A-1 et seq.*; and

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

Section 3. This Resolution shall take effect immediately.

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

* * * * *

60. Council President Nadrowski moved the following communication be received and filed, seconded by Council Member Perez, which motion was adopted

MEMORANDUM

To: Robert F. Sloan, RMC; City Clerk
Joseph DeMarco, Esq.; Business Administrator

From: Andrew J. Casais; Chief of Staff

Date: May 17, 2016

Subject: Transmittal-Mayoral Executive Order 201-001

File: 2016-10

Mayor James M. Davis has issued subject Executive Order 2016-001, Implementing A One Year Hiring Freeze, with an effective date of today, Tuesday, May 17, 2016. Furthermore, the Office of the Mayor will effectuate posting of the same on the City of Bayonne website within the day.

You are provided with a copy of E.O. 2016-001 per the directive of the Order.

Executive Order 2016-001

May 17, 2016

EXECUTIVE ORDER OF THE MAYOR OF THE CITY OF BAYONNE

IMPLEMENTINF A ONE YEAR HIRING FREEZE

Pursuant to the authority vested in the Mayor of Bayonne by law, I herby issue the following Executive Order:

WHEREAS, prudent fiscal oversight and management of personnel is essential for the

City's financial stability and economic growth; and

WHEREAS, it has become readily apparent that concerns have arisen regarding the effective oversight and accountability over the number of workers employed by the City of Bayonne; now

THEREFORE, under the authority vested in me as the Mayor of Bayonne, I hereby issue this Executive Order implementing a one year hiring freeze on the part of the City of Bayonne. All Directors and/or any other personnel authorized to hire on behalf of the City of Bayonne are hereby restricted and barred from hiring additional personnel, subject to the following exceptions:

1. The hiring of approximately 225 summer and seasonal workers on an as needed basis to facilitate recreational, educational and other annual programs.
2. The hiring of police, fire and other public safety personnel, including crossing guards on an as needed basis to ensure the health, safety and welfare of the public
3. The hiring of no more than two (2) workers in connection with the State ordered revaluation.
4. The transfer of no more than five (5) workers as the result of the dissolution of the Bayonne Municipal Utilities Authority.

This Executive Order shall be kept on file in the Office of the City Clerk and Business Administrator and will be made available upon request. It shall also be posted on the City's website.

This Executive Order shall take effect as of May 17, 2016 and shall expire on May 16, 2017 unless rescinded by another Executive Order.

James M. Davis
Mayor, City of Bayonne
(signed)

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

* * * * *

61. Council President Nadrowski introduced:

BOND ORDINANCE OF THE CITY OF BAYONNE, IN THE COUNTY OF HUDSON, STATE OF NEW JERSEY, PROVIDING AS PART OF THE DISSOLUTION OF THE BAYONNE MUNICIPAL UTILITIES AUTHORITY FOR THE ASSUMPTION OF CERTAIN OUTSTANDING OBLIGATIONS OF SUCH AUTHORITY ISSUED TO FINANCE SUCH AUTHORITY'S WATER AND SEWER SYSTEMS, APPROPRIATING NOT TO EXCEED \$234,920 THEREFOR AND AUTHORIZING THE ASSUMPTION BY THE CITY OF NOT TO EXCEED \$234,920 BONDS OF THE AUTHORITY FOR SUCH PURPOSE

WHEREAS, the City Council of the City of Bayonne (the "City"), in the County of Hudson, State of New Jersey, has determined, pursuant to the provisions of the Local Authorities Fiscal Control Law (the "Authorities Control Law"), specifically N.J.S.A. 40A:5A-20, to dissolve the Bayonne Municipal Utilities Authority (the "Authority"); and

WHEREAS, the Authority has certain series of bonds outstanding consisting of (a) \$100,000 Water System Revenue Bonds, Series 2012A (Federally Taxable) (Capital Appreciation Bonds), with an accreted value on December 21, 2016 of \$117,460 (the "2012 Water System Outstanding Bonds"), and (b) \$100,000 Sewer System Revenue Bonds, Series 2012A (Federally Taxable) (Capital Appreciation Bonds), with an accreted value on December 21, 2016 of \$117,460 (the "2012 Sewer System Outstanding Bonds" and the 2012 Water System Outstanding Bonds, the "Outstanding Bonds"), which Outstanding Bonds were issued to respectively finance certain components of the Authority's sewer and water systems, as applicable, and which Outstanding Bonds were issued under the Authority's respective water system bond resolution and sewer system bond resolution, as applicable (collectively, the "Bond Resolution"); and

WHEREAS, the City, as part of the dissolution of the Authority and in connection with the provision for the payment of all creditors or obligees of the Authority, desires to assume all such Outstanding Bonds and the obligations of the Authority under the Bond Resolution; and

WHEREAS, the City, simultaneously with the dissolution of the Authority, has provided for the transfer of the Authority sewer and water operations to the City; and

WHEREAS, pursuant to the Authorities Control Law and the applicable provisions of the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the "Local Bond Law"), the City is authorized to

assume the Outstanding Bonds and the obligations of the Authority under the Bond Resolution in furtherance of the dissolution of the Authority.

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

SECTION 1. The City is hereby authorized to assume the Outstanding Bonds of the Authority referred to herein or otherwise remaining unpaid, and, in order to provide for such assumption, the sum of not to exceed \$234,920 is hereby appropriated. In addition, upon the assumption of the Outstanding Bonds, the City, as long as the Outstanding Bonds remain outstanding, shall perform all obligations of the Authority under the Bond Resolution. As provided in N.J.S.A. 40A:5A-20, 40A:2-11(c) and 40A:2-7(d), no down payment is required and the obligations authorized herein are deductible from the gross debt of the City as more fully described herein.

SECTION 2. (a) In order to finance all or a portion of the appropriation for the purpose described in Section 1 hereof, the City is hereby authorized to assume the Outstanding Bonds in an amount not to exceed \$234,920 (the "Bonds") pursuant to the Local Bond Law and the provisions of the Authorities Control Law. In connection with such assumption, the City shall assume and shall perform all obligations of the Authority under the Outstanding Bonds and under the Bond Resolution.

(b) The aggregate estimated maximum amount of bonds or notes to be issued for said improvements or purposes is \$234,920.

(c) The aggregate estimated cost of the assumption of the Outstanding Bonds is \$234,920.

SECTION 3. The capital budget of the City is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs (the "Director") is on file with the City Clerk and is available there for public inspection.

SECTION 4. The following additional matters are hereby determined, declared, recited and stated:

(a) The purpose described in Section 1 hereof to be undertaken by the City as a result of the dissolution of the Authority is an authorized purpose for which the Outstanding Bonds may be assumed. No part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) In accordance with the provisions of the Authorities Control Law, the period of usefulness of the purpose described herein is 40 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the City Clerk, and a complete executed duplicate thereof has been filed in the office of the Director. Such statement shows that the gross debt of the City as defined in the Local Bond Law is increased by the assumption of the Outstanding Bonds provided in this bond ordinance by \$234,920, but that the net debt of the City determined as provided in the Local Bond Law and the Authorities Control Law is not increased by this ordinance.

(d) The Local Finance Board has determined that ordinance authorizes obligations of the City solely for a purpose described in N.J.S.A. 40A:2-7(d). This purpose is in the public interest and is for the health, the welfare, the convenience or the betterment of the inhabitants of the City. The amounts to be expended for this purpose pursuant to this bond ordinance are not unreasonable or exorbitant, and the issuance of the obligations authorized by this bond ordinance will not materially impair the credit of the City or substantially reduce its ability to pay punctually the principal of and the interest on its debts and to supply other essential public improvements and services. The Local Finance Board has heretofore made a determination to this effect and has caused its consent to be endorsed upon a certified copy of the bond ordinance as passed upon first reading. The Outstanding Bonds will be within all debt limitations prescribed by applicable laws.

(e) An aggregate amount not exceeding \$0 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements herein before described.

SECTION 5. The purpose of this bond ordinance is to enable the City to dissolve the Authority, consistent with the provisions of the Authorities Control Law.

SECTION 6. A certified copy of this ordinance as adopted on first reading has been filed with the Director prior to final adoption, together with the complete statement in the form prescribed by the Director and signed by the Chief Financial Officer of the City as to the indebtedness to be assumed by the City as authorized herein.

SECTION 7. The full faith and credit of the City are hereby pledged to the punctual payment of the principal of and the interest on the Outstanding Bonds. Such Outstanding Bonds shall be direct, unlimited obligations of the City, and to the extent not paid from other sources, the City shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the City for the payment of such Outstanding Bonds.

SECTION 8. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid by any court of competent jurisdiction, such decision shall not affect the remaining portions of this ordinance.

SECTION 9. This foregoing bond ordinance shall take effect immediately upon adoption and shall not be subject to referendum, provided, however, that the Local Finance Board has approved this bond ordinance in accordance with N.J.S.A. 40A:5A-20. The assumption of the Outstanding Bonds as provided herein shall be effective upon the effective date of the dissolution of the Authority as set forth in Section 1 of the City's Ordinance entitled "AN ORDINANCE OF THE CITY OF BAYONNE DISSOLVING THE BAYONNE MUNICIPAL UTILITIES AUTHORITY PURSUANT TO N.J.S.A. 40A:5A-20 AND MAKING ADEQUATE PROVISION FOR THE PAYMENT OF THE CREDITORS OR OBLIGEEES OF THE AUTHORITY AND THE ASSUMPTION OF THE SERVICES PROVIDED BY THE AUTHORITY", adopted June 22, 2016.

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

BE IT RESOLVED, that an ordinance entitled "BOND ORDINANCE OF THE CITY OF BAYONNE, IN THE COUNTY OF HUDSON, STATE OF NEW JERSEY, PROVIDING AS PART OF THE DISSOLUTION OF THE BAYONNE MUNICIPAL UTILITIES AUTHORITY FOR THE ASSUMPTION OF CERTAIN OUTSTANDING OBLIGATIONS OF SUCH AUTHORITY ISSUED TO FINANCE SUCH AUTHORITY'S WATER AND SEWER SYSTEMS, APPROPRIATING NOT TO EXCEED \$234,920 THEREFOR AND AUTHORIZING THE ASSUMPTION BY THE CITY OF NOT TO EXCEED \$234,920 BONDS OF THE AUTHORITY FOR SUCH PURPOSE," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, June 22, 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.

* * * * *

62. Council President Nadrow moved the following communication be received and filed, seconded by Council Member Cotter, which motion was adopted.

From Terrence Malloy, CFO, submitting Supplemental Debt Statement as of May 18, 2016.

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

* * * * *

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

WHEREAS, Resolution No. 15-09-17-042 adopted by the Municipal Council on September 17, 2015 authorized a contract with Black Rock Enterprises, 1316 Englishtown Road, Old Bridge, NJ 08857 for CY 2015 Roadway Improvements Alternate A, Alternate B, Alternate D, and Alternate E only for a total contract amount of \$797,352.00; and

WHEREAS, pursuant to the aforesaid Resolution No. 15-09-17-042 the City of Bayonne entered into Agreement No. CY15-071 with Black Rock Enterprises, LLC for the aforesaid CY 2015 Roadway Improvements; and

WHEREAS, the City of Bayonne is in receipt of a Final Payment Estimate No.: 3 & Close-out Change Order from the City’s engineer, CME Associates, evidencing a decrease in the contract amount of \$514.62, making the total contract amount \$796,837.38; now, therefore, be it

RESOLVED, the attached Final Payment Estimate No.: 3 & Close-out Change Order from the City’s engineer, CME Associates, evidencing a decrease in the contract amount of \$514.62, making the total contract amount \$796,837.38 is hereby approved.

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

* * * * *

64. Council President Nadrowski moved to table the following resolution, seconded by Council Member LaPelusa, which motion was adopted.

WHEREAS, on December 16, 2015, the Municipal Council adopted a resolution authorizing the sale of the following real property not needed for public use at public auction on January 6, 2016:

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

and

WHEREAS, pursuant to said Resolution the following bids were received:

<u>Real Property</u>	<u>Bidder</u>	<u>Bid Amount</u>
Block 215, Lot 8, commonly known as 81 West 20 th Street 500.00	Richard Cirminello	\$
Block 295, Lot 16, commonly known as North Street Rear 1,900.00	Robert Bubnis	\$
Block 333.01, Lot 1, commonly known as 16 Bayview Court 500.00	Robert Bubnis	\$
Block 467, Lot 2, commonly known as 78 Avenue E;	Robert Bubnis	\$10,000.00

and

WHEREAS, each of the bidders has met the financial prerequisites set forth in the resolution authorizing sale and have deposited with the City of Bayonne the required sums of money; and

WHEREAS, pursuant to N.J.S.A. 40A:12-13.2, the Law Department notified all owners of any real property contiguous to any parcel that was less than the minimum size required for development under the City of Bayonne’s municipal zoning ordinance of their right to prior refusal to purchase said land; and

WHEREAS, pursuant to said notification, Jesus Rosado and Carole Goris did exercise said right of first refusal in connection with Block 467, Lot 2, commonly known as 78 Avenue E for the amount of \$10,000.00; and

WHEREAS, the City conveyed title of Block 467, Lot 2, commonly known as 78 Avenue E to Jesus Rosado and Carole Goris by way of Quitclaim Deed dated May 2, 2016 for said amount of \$10,000.00; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The following bids are hereby accepted;

Block 215, Lot 8, commonly known as 81 West 20 th Street 500.00	Richard Cirminello	\$
Block 295, Lot 16, commonly known as North Street Rear 1,900.00	Robert Bubnis	\$
Block 333.01, Lot 1, commonly known as 16 Bayview Court 500.00	Robert Bubnis	\$

2. The actions of the Mayor and City Clerk in executing any and all closing documents to effectuate the conveyance of Block 467, Lot 2, commonly known as 78 Avenue E to Jesus Rosado and Carole Goris by way of Quitclaim Deed dated May 2, 2016 for said

amount of \$10,000.00 are hereby ratified and affirmed.

3. The Treasurer is hereby authorized to issue a warrant in the amount of \$1,000.00 payable to Robert Bubnis representing the return of funds on deposit in connection with the bid for Block 467, Lot 2, commonly known as 78 Avenue E.

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

* * * * *

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

WHEREAS, Resolution No. 11-05-18-047 adopted by the Municipal Council on May 18, 2011 authorized an Agreement with the Control Industries, 103-105 East 25th Street, Bayonne, N.J. 07002 for Heavy Equipment Rental Program for Demolition and other Projects III for an amount not to exceed \$50,000.00 per year for a term of three (3) years commencing July 1, 2011 and ending June 30, 2014 with a possible (2) year renewal until June 30, 2016 chargeable to Accounts - Park Maintenance (50%) and Streets/Road Repairs (50%); and

WHEREAS, pursuant to the aforesaid Resolution No. 11-05-189-047, the City entered into Agreement No. FY12-002 with Control Industries; and

WHEREAS, Resolution 13-03-20-048 adopted by the Municipal Council on March 20, 2013 ratified and confirmed the actions of the Director of Public Works and Parks in authorizing Control Industries to provide debris removal on an emergency basis due to major flooding in various parts of the City caused by Superstorm Sandy and amended the aforesaid Agreement No. FY12-002 with Control Industries to include the Account - Sandy Emergency Appropriation and increase the amount of the annual maximum to \$350,000.00 for invoices pertaining to the aforesaid debris removal; and

WHEREAS, Resolution No. 14-10-15-063 adopted by the Municipal Council October 15, 2014 authorized a second amendment to the aforesaid Agreement No: FY12-002 with Control Industries extending same for a one year period commencing July 1, 2014 and ending June 30, 2015 for an additional amount not to exceed \$50,000.00 for the extension period; and

WHEREAS, Resolution No. 15-06-17-053 was adopted by the Municipal Council on June 17, 2015 authorized a third amendment to the aforesaid Agreement No: FY12-002 with Control Industries extending same for an additional one year period commencing July 1, 2015 and ending June 30, 2016 for an additional amount not to exceed \$50,000.00 for the extension period; and

WHEREAS, the City of Bayonne is in receipt of invoices from Control Industries in excess of the aforesaid additional \$50,000.00 in an amount not to exceed \$5,369.80 for services provided under said Agreement No. FY12-002 during the period commencing July 1, 2015 to the present date and does not anticipate the need for any additional services through June 30, 2016; and

WHEREAS, funds are certified as available in Accounts Park Maintenance (50%) and Street/Road Repairs (50%); now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized to execute a Fourth Amendment to Agreement No. FY12-002 with Control Industries, 103-105 East 25th Street, Bayonne, N.J. 07002 for Heavy Equipment Rental Program for Demolition and other Projects III increasing same in an amount not to exceed \$5,369.80, making the total contract amount not to exceed \$455,369.80.

2. Funds shall be charged to Accounts Park Maintenance (50%) and Street/Road Repairs (50%).

3. All other terms and conditions of Agreement No. FY12-002 shall remain the same.

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

* * * * *

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

WHEREAS, the Business Administrator has demonstrated that there is a need for the City to advertise for bids for the construction of the Hudson River Walkway in what is known as Harbor Station South; now, therefore be it

RESOLVED, that the Clerk is hereby authorized to advertise for bids for the construction of the Hudson River Walkway in what is known as Harbor Station South.

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

* * * * *

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

WHEREAS, on August 19, 2015, this Municipal Council passed Resolution No. 15-08-19-042, authorizing an Agreement with Top Line Construction Corp., 22 Fifth Street, Somerville, NJ 08876 for CY 2015 Resurfacing of Various Streets Alternate 1 and Alternate 2 only for a total contract amount of \$780,809.70; and

WHEREAS, pursuant to the aforesaid Resolution No. 15-08-19-042, the City of Bayonne entered into Agreement No. CY15-057 with Top Line Construction Corp. for the aforesaid CY 2015 Resurfacing of Various Streets Alternate 1 and Alternate 2 only for a total contract amount of \$780,809.70; and

WHEREAS, the City is in receipt of a proposal dated March 18, 2016 for Change Order No. 1 from Carroll Engineering to the aforesaid contract for CY 2015 Resurfacing of Various Streets Alternate 1 and Alternate 2 only for an increase in the amount of \$59,194.25, for additional Police Traffic Directors above the estimate in the amount of \$29,074.90; Hot Mix Asphalt in the amount of \$15,820.25; and Striping in the amount of \$14,299.00; and

WHEREAS, the City's Engineer and City's Attorney have reviewed, approved and recommended Change Order No. 1 to the aforesaid Agreement No. CY 2015 with Top Line Construction Corp; and

WHEREAS, funds are certified as available in Account RPI 12-286-56-308-2-199; now, therefore, be it

RESOLVED, as follows:

1. The Mayor shall be and is hereby authorized to execute Change Order No. 1 to the aforesaid Agreement No. CY15-057 with Top Line Construction to process the net increase of \$59,194.25 as stated in the March 18, 2016 Change Order proposal from Carroll Engineering attached hereto and made a part hereof, in accordance with the contract for CY 2015 Resurfacing of Various Streets Alternate 1 and Alternate 2 only, for an adjusted total contract amount of \$840,003.95.
2. Funds shall be charged to Account RPI 12-286-56-308-2-199
3. A Copy of this resolution and the contract when executed shall be kept on file for public inspection in the Office of the City Clerk.

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

* * * * *

68. 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, IN THE COUNTY OF HUDSON, NEW JERSEY AUTHORIZING NEGOTIATIONS FOR THE ASSIGNMENT, SALE AND/OR PREPAYMENT OF CERTAIN PAYMENTS DUE TO THE CITY FROM THE PORT AUTHORITY OF NEW YORK AND NEW JERSEY

WHEREAS, pursuant to the provisions of the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the "Redevelopment Law"), the Bayonne Local Redevelopment Agency (the "BLRA") sold certain property located on the Peninsula at Bayonne Harbor (the "Property") to the Port Authority of New York and New Jersey (the "Port Authority"); and

WHEREAS, the purchase price for the Property is paid by the Port Authority to the City of Bayonne, in the County of Hudson, New Jersey (the "City") (as successor in interest to the BLRA), in installments; such remaining installments being due to the City on June 1 in each of the years 2016 through 2033, inclusive (the "Port Authority Payments");

WHEREAS, the Port Authority Payments are a general obligation of the Port Authority;
and

WHEREAS, pursuant to Section 2.1(d) of the deed for the Property (the "Deed"), the City,
at its sole discretion, has the right to assign all or any portion of the Port Authority Payments
to any third party; and

WHEREAS, pursuant to Section 2.1(c) of the Deed, the Port Authority has the right,
subject to the conditions set forth in such section, to pay to the City the entirety of the then
remaining Port Authority Payments at one time, subject to a discount factor (the "Prepayment");
and

WHEREAS, the City desires to commence negotiations with one or more third parties for
the assignment and/or sale of the City's rights to all or a portion of the Port Authority
Payments and/or with the Port Authority for the Prepayment of all or a portion of the Port
Authority Payments.

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

Section 1. The recitals to this resolution are incorporated as if set forth in full
herein.

Section 2. The Mayor and Business Administrator of the City, and each of their
written designees (collectively, the "Authorized Officers"), are each hereby authorized and
directed to commence negotiations with one or more third parties, including but not limited to
the Port Authority, for the assignment and/or sale and/or Prepayment of all or any portion of
the Port Authority Payments, on any terms and conditions deemed appropriate by such
Authorized Officer.

Section 3. The Authorized Officers are each hereby authorized and directed to take
any and all action necessary, including negotiating, entering into and executing any term
sheet, agreement, document or certificate deemed required by such Authorized Officer to
effectuate the transactions contemplated by this resolution.

Section 4. This resolution shall take effect in accordance with applicable law.

Yeas - Council Members Cotter, Perez and President Nadrowski.

Nays – Council Member LaPelusa

Absent – Council Member Gullace.

* * * * *

At 9:02 P.M., Council President Nadrowski motioned to adjourn, seconded by Council Member
LaPelusa, which motion was adopted.

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

* * * * *

President – Sharon A. Nadrowski

Clerk – Robert F. Sloan