

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, JUNE 22, 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 June 22, 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 June 17, 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 Gullace, LaPelusa, Perez and President Nadrowski.

Absent: Council Member Cotter.

The Council President led the Pledge of Allegiance.

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01. Jason Moncrief addressed the council regarding the Bayonne Bridge Project.

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02. Tracy Fuiza addressed the Council regarding the Bayonne Bridge Project.

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03. 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 PROVISION 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 May 18, 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 June 22, 2016, and was referred to the planning board for its review is now before the Council for its consideration and a public hearing.

Council President Nadrowski moved that the following resolution to table to the meeting of August 24, 2016, seconded by Council Member Gullace, which motion was adopted.

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 OBLIGEEES OF THE AUTHORITY AND THE ASSUMPTION OF THE SERVICES PROVIDED BY THE AUTHORITY," be tabled for further consideration to the meeting of August 24, 2016.

RESOLVED, that further consideration of the foregoing ordinance be tables to the meeting scheduled for July 20, 2016.

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

Absent: Council Member Cotter.

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04. The clerk announced:

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," which was introduced and passed a first reading at a meeting held May 18, 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 June 22, 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 Nadrowski, which motion was adopted.

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

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

Absent: Council Member Cotter.

The Clerk read the ordinance by title: "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"

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

The following person spoke: Peter Cresci – 917 Kennedy Blvd.
Peter Franco – 127 West 12th Street

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

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

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

Absent: Council Member Cotter.

Council President Nadrowski moved a resolution for to table, seconded by Council Member Perez, which was read by the Clerk and adopted.

RESOLVED, that further consideration of the foregoing ordinance be tables to the meeting scheduled for July 20, 2016.

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

Absent: Council Member Cotter.

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05. The clerk announced:

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," which was introduced and passed a first reading at a meeting held May 18, 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 June 22, 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 Gullace, LaPelusa, Perez and President Nadrowski.

Absent: Council Member Cotter.

The Clerk read the ordinance by title: “AN ORDINANCE TO AUTHORIZE THE GRANTING OF AN INITIAL ACCESS AGREEMENT/EASEMENT TO BAYONNE ENERGY CENTER TO CONSTRUCT AND INSTALL A GAS PIPELINE,”

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 Gullace, LaPelusa, Perez and President Nadrowski.

Absent: Council Member Cotter.

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 TO AUTHORIZE THE GRANTING OF AN INITIAL ACCESS AGREEMENT/EASEMENT TO BAYONNE ENERGY CENTER TO CONSTRUCT AND INSTALL A GAS PIPELINE,” was introduced and passed a first reading at a meeting held May 18, 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 June 22, 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-16-32.

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

Absent: Council Member Cotter.

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06. The clerk announced:

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,” which was introduced and passed a first reading at a meeting held May 18, 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 June 22, 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 Gullace, which motion was adopted.

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

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

Absent: Council Member Cotter.

The Clerk read the ordinance by title: “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,”

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 Gullace, LaPelusa, Perez and President Nadrowski.

Absent: Council Member Cotter.

Council Member Perez moved a resolution for final passage, seconded by Council Member LaPelusa, which was read by the Clerk and adopted.

WHEREAS, 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," was introduced and passed a first reading at a meeting held May 18, 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 June 22, 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-16-33.

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

Absent: Council Member Cotter.

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07. The clerk announced:

AN ORDINANCE ENTITLED, "AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ACCEPTING DEDICATION OF A PUBLIC ROADWAY," which was introduced and passed a first reading at a meeting held May 18, 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 June 22, 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 Perez, which motion was adopted.

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

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

Absent: Council Member Cotter.

The Clerk read the ordinance by title: "AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ACCEPTING DEDICATION OF A PUBLIC ROADWAY,"

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

The following person spoke: Pete Cresci – 917 Kennedy Boulevard

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 President Nadrowski, which motion was adopted.

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

Absent: Council Member Cotter.

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 OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ACCEPTING DEDICATION OF A PUBLIC ROADWAY," was introduced and passed a first reading at a meeting held May 18, 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 June 22, 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-16-34.

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

Absent: Council Member Cotter.

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08. The clerk announced:

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," which was introduced and passed a first reading at a meeting held May 18, 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 June 22, 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 Nadrowski, which motion was adopted.

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

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

Absent: Council Member Cotter.

The Clerk read the ordinance by title: "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,"

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 Gullace, LaPelusa, Perez and President Nadrowski.

Absent: Council Member Cotter.

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

WHEREAS, on May 18, 2016 this Municipal Council introduced an ordinance entitled “An Ordinance of the City of Bayonne 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 476.02, Lot 10.01”; and

WHEREAS, said Ordinance referenced an entity known as “Duraport Realty IV, LLC as the beneficiary of said utility easement; and

WHEREAS, subsequent to the introduction of the aforesaid ordinance, the City of Bayonne was advised that the actual name of the beneficiary is “Duraport Realty Four, LLC”; and

WHEREAS, this ordinance is scheduled for a second reading and public hearing on June 22, 2016; and

WHEREAS, it is necessary to amend the aforesaid ordinance prior to its second reading and hearing on June 22, 2016 to reflect the proper name of the beneficiary as “Duraport Realty Four, LLC”; and

WHEREAS, legal counsel has opined that this amendment is not substantive and does not require a reintroduction of the ordinance; now, therefore, be it

RESOLVED, that

1. The ordinance entitled “An Ordinance of the City of Bayonne 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 476.02, Lot 10.01” shall be and is hereby amended to reflect that “Duraport Realty Four, LLC” shall be inserted to replace “Duraport Realty IV, LLC” wherever the latter appears in the body of the ordinance.

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

Absent: Council Member Cotter.

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 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,” was introduced and passed a first reading at a meeting held May 18, 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 June 22, 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, amendments that do not require a further public hearing were made to the ordinance at this meeting; 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-16-35.

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

Absent: Council Member Cotter.

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09. The clerk announced:

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.,” which was introduced and passed a first reading at a meeting held May 18, 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 June 22, 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 Gullace, which motion was adopted.

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

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

Absent: Council Member Cotter.

The Clerk read the ordinance by title: “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.,”

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 Gullace, LaPelusa, Perez and President Nadrowski.

Absent: Council Member Cotter.

Council Member Perez moved a resolution for final passage, seconded by Council Member LaPelusa, which was read by the Clerk and adopted.

WHEREAS, 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.,” was introduced and passed a first reading at a meeting held May 18, 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 June 22, 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-16-36.

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

Absent: Council Member Cotter.

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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 May 18, 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 June 22, 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 Perez, which motion was adopted.

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

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

Absent: Council Member Cotter.

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 Gullace, LaPelusa, Perez and President Nadrowski.

Absent: Council Member Cotter.

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 May 18, 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 June 22, 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-16-37.

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

Absent: Council Member Cotter.

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11. Council Member Perez introduced:

AN ORDINANCE AMENDING AND SUPPLEMENTING THE GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 35, ZONING REGULATIONS

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 35, ZONING REGULATIONS, Subsection 4.25 Home Professional Occupations, is hereby amended

and supplemented as follows (Additions ****between asterisks and/or in bold****, deletions ~~{within brackets and/or struck through}~~):

35-4.25 Home Professional Occupations.

a. A home professional occupation, as defined in Chapter 33, Planning and Development Regulations Section 33-2, may be permitted within a dwelling unit, subject to the following requirements:

1. For any premises not registered with the City of Bayonne as of October 1, 2016 as having a home professional occupation, {T} the proprietor or professional of the home occupation shall reside in the dwelling unit.
2. For any premises registered with the City of Bayonne as a having a home professional occupation as of October 1, 2016, the proprietor or professional of the home occupation shall not have to reside in the dwelling unit and said home professional occupation may be sold or transferred free of the residence requirement set forth above subject to and limited by the information set forth on the registration form as of October 1, 2016.
3. The use shall be clearly incidental and secondary to the residential use and shall not change the character of use as a dwelling.
4. For any premises not registered with the City of Bayonne as of October 1, 2016 as having a home professional occupation, {N} no more than fifty (50%) percent of the dwelling unit floor area shall be used for the home professional occupation.
5. For any premises registered with the City of Bayonne as a having a home professional occupation as of October 1, 2016, no more than the percentage of the dwelling unit floor area set forth on the registration shall ever be used for the home professional occupation.
6. For any premises not registered with the City of Bayonne as of October 1, 2016 as having a home professional occupation, {I} in two (2) family dwellings, home professional occupations may occupy one (1) of the dwelling units provided the proprietor resides in the other unit and the home occupation does not occupy more than fifty (50%) percent of the total floor area of the structure, exclusive of attics and basements.
7. For any premises registered with the City of Bayonne as a having a home professional occupation as of October 1, 2016, in two family dwellings, home professional occupations may occupy one (1) of the dwelling units, the proprietor does not have to reside in the other and no more than the percentage of the dwelling unit floor area set forth on the registration shall ever be used for the home professional occupation.
8. For any premises not registered with the City of Bayonne as of October 1, 2016 as having a home professional occupation, {A} a home professional occupation shall be located on a single floor, and not be located in a cellar or attic space.
9. For any premises registered with the City of Bayonne as a having a home professional occupation as of October 1, 2016, a home professional occupation shall be located on a single floor, but may have storage space in a cellar or attic space. In no event, however, shall the storage space ever exceed that which is set forth on the registration form as of October 1, 2016.
10. For any premises registered with the City of Bayonne as a having a home professional occupation as of October 1, 2016, said home professional occupation may be sold or transferred subject to and limited by the information set forth on the registration form as of October 1, 2016.
11. ~~6.~~ There shall be no change in the outside appearance of the building or premises giving evidence to the conduct of the home professional occupation, other than signage in accordance with Section 35-25.
12. ~~7.~~ There shall be no on-premises distribution, delivery, or storage of goods or equipment in connection with such home professional occupation, except that this shall

not prohibit occasional delivery of goods and equipment incidental to, but not an integral part of, such home occupation.

13. & For any premises not registered with the City of Bayonne as of October 1, 2016 as having a home professional occupation, There shall be no more than one (1) nonresident employed at the premises in connection with the home professional occupation.

14. For any premises registered with the City of Bayonne as a having a home professional occupation as of October 1, 2016, there shall be no more nonresidents employed at the premises in connection with the home professional occupation than are set forth on the registration as of October 1, 2016.

b. The proprietor or professional of the home occupation shall present evidence of ownership or the written consent of the owner of the premises prior to issuance of a permit to conduct a home professional occupation under this section.

c. Nothing in this section shall be construed to limit, prohibit or regulate the occasional part-time use of a residence for the purpose of studying or working on papers in connection with a business or for the purpose of making or receiving telephone calls or using a computer in connection with work.

d. The City Clerk shall have on file a list of all home professional occupation dwelling registrations filed with the City of Bayonne as of October 1, 2016 and this list shall be the exclusive and sole list of all such dwellings for the purpose of determining whether or not a home professional occupation may exist or be sold in accordance with the more liberal standards set forth above and all dwellings set forth on said list shall be limited to the information set forth within the registration on file as of October 1, 2016.

(Ord. No. O-95-12 § 33-4.25)

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

BE IT RESOLVED, that an ordinance entitled “AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 35, ZONING REGULATIONS,” just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, July 20, 2016 at 7:00 P.M., or as soon thereafter as the matter can be reached, and the Dorothy E. Harrington Council Chamber, Municipal Building, 630 Avenue, Bayonne, New Jersey, are hereby fixed as the time and place when and where such ordinance will be further considered for final passage, at which time and place all persons interested shall be given an opportunity to be heard concerning the same; and, be it further

RESOLVED, that the City Clerk be and is hereby authorized and directed to publish said ordinance according to law, with a notice of its introduction and passage on first reading, and the time and place when and where said ordinance will be further considered for final passage and to forward a copy of said ordinance to the planning board for its review of and a report regarding same pursuant to NJSA 40:55D-26.

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

Absent: Council Member Cotter.

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12. The Council as a whole introduced:

AN ORDINANCE AMENDING AND SUPPLEMENTING THE GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 3, POLICE REGULATIONS

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

Section 1. That the Revised General Ordinances of the City of Bayonne, Chapter 7, TRAFFIC, Subsection 3-12.14 Litter Inspector, is hereby amended and supplemented as follows (Additions ****between asterisks and/or in bold****, deletions ~~{within brackets and/or struck through}~~):

Summonses for violation of this section may be issued by the Police, **Litter** Inspector, ****Parking Enforcement Officers**** or individuals designated by either the Director of Public Safety or the Health Officer via interlocal service agreements.

The Council as a whole moved the following resolution, 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 3, POLICE REGULATIONS,” just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, July 20, 2016 at 7:00 P.M., or as soon thereafter as the matter can be reached, and the Dorothy E. Harrington Council Chamber, Municipal Building, 630 Avenue, Bayonne, New Jersey, are hereby fixed as the time and place when and where such ordinance will be further considered for final passage, at which time and place all persons interested shall be given an opportunity to be heard concerning the same; and, be it further

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

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

Absent: Council Member Cotter.

* * * * *

13. Council Member Perez introduced:

ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING A REDEVELOPMENT PLAN FOR THE PROPERTY LOCATED AT 101 EAST 23RD STREET; 103 EAST 23RD STREET; 105 EAST 23RD STREET; EAST 23RD STREET; 102-106 EAST 24TH STREET; AND 162-170 AVENUE F, WHICH PROPERTY IS IDENTIFIED AS BLOCK 445, LOTS 1, 2, 3, 4, 5 AND 7 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE

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

WHEREAS, by resolution on June 15, 2016, the Municipal Council of the City (the “Municipal Council”) designated the property located at 101 East 23rd Street; 103 East 23rd Street; 105 East 23rd Street; East 23rd Street; 102-106 East 24th Street; and 162-170 Avenue F, which property is identified as Block 445, Lots 1, 2, 3, 4, 5 and 7 on the Tax Map of the City of Bayonne as an area in need of redevelopment under the Redevelopment Law in accordance with the provisions of *N.J.S.A. 40A:12A-6* of the Redevelopment Law (the “Redevelopment Area”); and

WHEREAS, the City of Bayonne, Division of Planning & Zoning, Department of Municipal Services has prepared a redevelopment plan for the Redevelopment Area titled “Redevelopment Plan Block 445, Lots 1, 2, 3, 4, 5 and 7” dated June 3, 2016 (the “Redevelopment Plan”); and

WHEREAS, by resolution on May 18, 2016, the Planning Board of the City (the “Planning Board”) has been directed by the Municipal Council to prepare and review the Redevelopment Plan, and to transmit its recommendations relating to the Redevelopment Plan to the Municipal Council in accordance with the provisions of *N.J.S.A. 40A:12A-7* of the Redevelopment Law; and

WHEREAS, at the City’s direction the Planning Board’s staff prepared a redevelopment plan and the Planning Board reviewed same at a public hearing on June 14, 2016 and recommended its adoption; and

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

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

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

Section 2. The Redevelopment Plan is hereby adopted pursuant to the terms of *N.J.S.A. 40A:12A-7* of the Redevelopment Law. Further, the Redevelopment Plan shall amend, replace and supersede any prior redevelopment plans with respect to Redevelopment Area.

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

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

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

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

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

BE IT RESOLVED, that an ordinance entitled "ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING A REDEVELOPMENT PLAN FOR THE PROPERTY LOCATED AT 101 EAST 23RD STREET; 103 EAST 23RD STREET; 105 EAST 23RD STREET; EAST 23RD STREET; 102-106 EAST 24TH STREET; AND 162-170 AVENUE F, WHICH PROPERTY IS IDENTIFIED AS BLOCK 445, LOTS 1, 2, 3, 4, 5 AND 7 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, July 20, 2016 at 7:00 P.M., or as soon thereafter as the matter can be reached, and the Dorothy E. Harrington Council Chamber, Municipal Building, 630 Avenue, Bayonne, New Jersey, are hereby fixed as the time and place when and where such ordinance will be further considered for final passage, at which time and place all persons interested shall be given an opportunity to be heard concerning the same; and, be it further

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

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

Absent: Council Member Cotter.

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14. Council Member Perez introduced:

ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING AN AMENDED AND EXPANDED REDEVELOPMENT PLAN FOR THE PROPERTY LOCATED AT 73 EAST 31st STREET, 74-78 EAST 32ND STREET AND 258-270 PROSPECT AVENUE, WHICH PROPERTY IS 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 OF BAYONNE

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

WHEREAS, by resolution on June 15, 2016, the Municipal Council of the City (the "Municipal Council") designated the property located at 73 East 31st Street, 74-78 East 32nd Street and 258-270 Prospect Avenue, which property is identified as Block 411, Lots 1, 6, 7, 8, 10.01, 11, 12, 13, 14, and 15 on the Tax Map of the City of Bayonne as an area in need of redevelopment under the Redevelopment Law in accordance with the provisions of *N.J.S.A. 40A:12A-6* of the Redevelopment Law (the "Redevelopment Area"); and

WHEREAS, on February 19, 2014, the Municipal Council adopted a redevelopment plan for Block 411, Lots 2, 3, 4, and 5, titled "Redevelopment Plan Block 411, Lots 2, 3, 4, and 5, City of Bayonne, Hudson County, New Jersey" dated January 7, 2014 (the "Redevelopment Plan"); and

WHEREAS, on August 19, 2015, the Municipal Council, pursuant to Resolution No. 15-08-19-072, directed the Planning Board to review the Redevelopment Plan, and make recommendations to the Municipal Council regarding an update to the Redevelopment Plan in accordance with the Redevelopment Law; and

WHEREAS, on November 10, 2015, the Municipal Council adopted the "Amended and Restated Redevelopment Plan, 77 & 79-87 East 31st Street, 80 East 32nd Street, Block 411, Lots 2, 3, 4, & 5" dated October 13, 2015 ("Amended Redevelopment Plan"); and

WHEREAS, the City of Bayonne, Division of Planning & Zoning, Department of Municipal Services has prepared an amended and expanded redevelopment plan to the Amended Redevelopment Plan for the Redevelopment Area titled "Redevelopment Plan Block 411, Lots 1, 6, 7, 8, 10.01, 11, 12, 13, 14, and 15" dated June 3, 2016 (the "Amended and Expanded Redevelopment Plan"); and

WHEREAS, by resolution on May 18, 2016, the Planning Board of the City (the "Planning Board") has been directed by the Municipal Council to prepare and review the Amended and Expanded Redevelopment Plan, and to transmit its recommendations relating to the Amended and Expanded Redevelopment Plan to the Municipal Council in accordance with the provisions of *N.J.S.A. 40A:12A-7* of the Redevelopment Law; and

WHEREAS, at the City's direction the Planning Board's staff prepared an Amended and Expanded Redevelopment Plan and the Planning Board reviewed same at a public hearing on June 14, 2016 and recommended its adoption; and

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

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

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

Section 2. The Amended and Expanded Redevelopment Plan is hereby adopted pursuant to the terms of *N.J.S.A. 40A:12A-7* of the Redevelopment Law. Further, the Amended and Expanded Redevelopment Plan shall amend, replace and supersede any prior redevelopment plans with respect to Redevelopment Area.

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

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

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

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

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

BE IT RESOLVED, that an ordinance entitled "ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING AN AMENDED AND EXPANDED REDEVELOPMENT PLAN FOR THE PROPERTY LOCATED AT 73 EAST 31st STREET, 74-78 EAST 32ND STREET AND 258-270 PROSPECT AVENUE, WHICH PROPERTY IS 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 OF BAYONNE," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, July 20, 2016 at 7:00 P.M., or as soon thereafter as the matter can be reached, and the Dorothy E. Harrington Council Chamber, Municipal Building, 630 Avenue, Bayonne, New Jersey, are hereby fixed as the time and place when and where such ordinance will be further considered for final passage, at which time and place all persons interested shall be given an opportunity to be heard concerning the same; and, be it further

RESOLVED, that the City Clerk be and is hereby authorized and directed to publish said ordinance according to law, with a notice of its introduction and passage on first reading,

and the time and place when and where said ordinance will be further considered for final passage.

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

Absent: Council Member Cotter.

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15. Council Member LaPelusa introduced:

ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY
ADOPTING AN AMENDED AND EXPANDED REDEVELOPMENT PLAN FOR THE
PROPERTY LOCATED AT 676-688 AVENUE E, WHICH PROPERTY IS IDENTIFIED AS
BLOCK 402, LOTS 4, 5, 6 AND 7 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY
OF BAYONNE

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

WHEREAS, by resolution on June 15, 2016, the Municipal Council of the City (the "Municipal Council") designated the property located at 676-688 Avenue E, which property is identified as Block 402, Lots 4, 5, 6, and 7 on the Tax Map of the City of Bayonne as an area in need of redevelopment under the Redevelopment Law in accordance with the provisions of *N.J.S.A. 40A:12A-6* of the Redevelopment Law (the "Redevelopment Area"); and

WHEREAS, Block 402, Lots 4 and 5 are a part of the former Scattered Site Plan adopted by Municipal Council on December 7, 2005 (the "Redevelopment Plan"); and

WHEREAS, the City of Bayonne, Division of Planning & Zoning, Department of Municipal Services has prepared an amended and expanded redevelopment plan for the Redevelopment Area titled "Redevelopment Plan Block 402, Lots 4, 5, 6, and 7" dated June 3, 2016 (the "Amended and Expanded Redevelopment Plan"); and

WHEREAS, by resolution on May 18, 2016, the Planning Board of the City (the "Planning Board") has been directed by the Municipal Council to prepare and review the Amended and Expanded Redevelopment Plan, and to transmit its recommendations relating to the Amended and Expanded Redevelopment Plan to the Municipal Council in accordance with the provisions of *N.J.S.A. 40A:12A-7* of the Redevelopment Law; and

WHEREAS, at the City's direction the Planning Board's staff prepared an Amended and Expanded Redevelopment Plan and the Planning Board reviewed same at a public hearing on June 14, 2016 and recommended its adoption; and

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

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

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

Section 2. The Amended and Expanded Redevelopment Plan is hereby adopted pursuant to the terms of *N.J.S.A. 40A:12A-7* of the Redevelopment Law. Further, the Amended and Expanded Redevelopment Plan shall amend, replace and supersede any prior redevelopment plans with respect to Redevelopment Area.

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

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

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

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

Council Member 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 "ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING AN AMENDED AND EXPANDED REDEVELOPMENT PLAN FOR THE PROPERTY LOCATED AT 678-688 AVENUE E, WHICH PROPERTY IS IDENTIFIED AS BLOCK 402 LOTS 4, 5, 6, AND 7 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, July 20, 2016 at 7:00 P.M., or as soon thereafter as the matter can be reached, and the Dorothy E. Harrington Council Chamber, Municipal Building, 630 Avenue, Bayonne, New Jersey, are hereby fixed as the time and place when and where such ordinance will be further considered for final passage, at which time and place all persons interested shall be given an opportunity to be heard concerning the same; and, be it further

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

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

Absent: Council Member Cotter.

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16. Council Member LaPelusa introduced:

ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON APPROVING A FINANCIAL AGREEMENT WITH 230-250 AVENUE E URBAN RENEWAL, LLC

WHEREAS, on the basis of a preliminary investigation and recommendation of the Planning Board of the City of Bayonne (the "Planning Board") pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et. seq., the City Council of the City of Bayonne (the "City Council") determined that certain property known as 230-250 AVENUE E, and designated as Block 454, on the Tax Map of the City of Bayonne (the "City"), and all air rights and riparian rights attached or associated with those parcels, should be classified as a redevelopment area in accordance with N.J.S.A. 40A: 12A-5 (the "Redevelopment Area"); and

WHEREAS, at the discretion of the City Council, the Planning Board prepared and recommended adoption of a proposed redevelopment plan; and

WHEREAS, on October 17, 2013, the Municipal Council of the City of Bayonne (the "Municipal Council") passed a Resolution designating the property at 230-250 Avenue E and commonly known as Block 454, Lot 2 as an "are in need of redevelopment" under the Redevelopment Law (the "Bayonne Plumbing South Redevelopment Area") in accordance with the provisions of N.J.S.A. 40A: 12A-6 of the Redevelopment Law; and

WHEREAS, on November 13, 2013 the Municipal Council adopted an Ordinance adopting a Redevelopment Plan from the Bayonne Plumbing South Development Area (the "Bayonne Plumbing South Redevelopment Plan"); and

WHEREAS, the Redevelopment Plan calls for the Redevelopment Area to be developed as a residential community consisting of up to 90 residential units and associated uses, including parking; and

WHEREAS, 230-250 AVENUE E URBAN RENEWAL, LLC proposes to construct up to 90 residential apartment units, along with associated parking and improvements (the "Project") in the project area;

WHEREAS, 230-250 AVENUE E URBAN RENEWAL, LLC has applied to the City Council for tax exemption pursuant to the New Jersey Long Term Tax Exemption Law, N.J.S.A. 40A:20-1 et. seq. (the "Exemption Law") with respect to the Project; and

WHEREAS, the City Council finds that the requested tax exemptions will benefit the City and its inhabitants by furthering the redevelopment of the property which had remained vacant for many years, and that the benefits would substantially outweigh the costs, if any,

associated with the tax exemptions; and

WHEREAS, the City Council further finds that the requested tax exemptions are important to the City and that without the incentive of the tax exemptions, it is unlikely that the Project will be undertaken; and

WHEREAS, as part of its application for a tax exemption, 230-250 AVENUE E URBAN RENEWAL, LLC has submitted a form of Financial Agreement (the “Financial Agreement”) providing for payments in lieu of taxes, a copy of which is attached to this Ordinance; and

WHEREAS, 230-250 AVENUE E URBAN RENEWAL, LLC has presented to this body certain financial information, copies of which are attached as exhibits to this Ordinance; and

WHEREAS, the City Council deems it to be in the best interest of the City to pass an Ordinance authorizing the City to enter into the proposed Financial Agreement with 230-250 AVENUE E URBAN RENEWAL, LLC on the terms and conditions stated in the applicable form of Financial Agreement attached to this Ordinance;

NOW THEREFORE, be it Ordained that the City Council of the City of Bayonne does hereby adopt the tax exemptions for 230-250 AVENUE E URBAN RENEWAL, LLC as follows:

Section 1. The development of the Project is hereby approved for the grant of a tax exemption under the Exemption Law by virtue of, pursuant to, and in conformity with the provisions of the Exemption Law.

Section 2. The Mayor is hereby authorized to execute the Financial Agreement with 230-250 AVENUE E URBAN RENEWAL, LLC in substantially the form attached hereto and subject to any further review, analysis or modifications that counsel may deem appropriate.

Section 3. During the term of the tax exemption with respect to 230-250 AVENUE E URBAN RENEWAL, LLC there shall be paid to the City in lieu of any taxes to be paid on the improvements of the Project, an annual service charge determined as provided in the Financial Agreement.

Section 4. Counsel is authorized to prepare, and the Mayor is hereby authorized to execute, any additional documents that may be necessary to implement and carry out the intent of the Financial Agreement.

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 “ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON APPROVING A FINANCIAL AGREEMENT WITH 230-250 AVENUE E URBAN RENEWAL, LLC,” just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, July 20, 2016 at 7:00 P.M., or as soon thereafter as the matter can be reached, and the Dorothy E. Harrington Council Chamber, Municipal Building, 630 Avenue, Bayonne, New Jersey, are hereby fixed as the time and place when and where such ordinance will be further considered for final passage, at which time and place all persons interested shall be given an opportunity to be heard concerning the same; and, be it further

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

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

Absent: Council Member Cotter.

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17. Council Member Perez introduced:

ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON APPROVING A FINANCIAL AGREEMENT WITH 252-268 AVENUE E URBAN RENEWAL, LLC

WHEREAS, on the basis of a preliminary investigation and recommendation of the

Planning Board of the City of Bayonne (the "Planning Board") pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et. seq., the City Council of the City of Bayonne (the "City Council") determined that certain property known as 252-268 AVENUE E, and designated as Block 446, on the Tax Map of the City of Bayonne (the "City"), and all air rights and riparian rights attached or associated with those parcels, should be classified as a redevelopment area in accordance with N.J.S.A. 40A: 12A-5 (the "Redevelopment Area"); and

WHEREAS, at the discretion of the City Council, the Planning Board prepared and recommended adoption of a proposed redevelopment plan; and

WHEREAS, on October 17, 2013, the Municipal Council of the City of Bayonne (the "Municipal Council") passed a Resolution designating the property at 252-268 Avenue E and commonly known as Block 446, Lots 1 and 3 as an "are in need of redevelopment" under the Redevelopment Law (the "Bayonne Plumbing North Redevelopment Area") in accordance with the provisions of N.J.S.A. 40A: 12A-6 of the Redevelopment Law; and

WHEREAS, on November 13, 2013 the Municipal Council adopted an Ordinance adopting a Redevelopment Plan for the Bayonne Plumbing North Development Area (the "Bayonne Plumbing North Redevelopment Plan"); and

WHEREAS, the Redevelopment Plan calls for the Redevelopment Area to be developed as a residential community consisting of up to 90 residential units and associated uses, including parking; and

WHEREAS, 252-268 AVENUE E URBAN RENEWAL, LLC proposes to construct up to 90 residential apartment units, along with associated parking and improvements (the "Project") in the project area;

WHEREAS, 252-268 AVENUE E URBAN RENEWAL, LLC has applied to the City Council for tax exemption pursuant to the New Jersey Long Term Tax Exemption Law, N.J.S.A. 40A:20-1 et. seq. (the "Exemption Law") with respect to the Project; and

WHEREAS, the City Council finds that the requested tax exemptions will benefit the City and its inhabitants by furthering the redevelopment of the property which had remained vacant for many years, and that the benefits would substantially outweigh the costs, if any, associated with the tax exemptions; and

WHEREAS, the City Council further finds that the requested tax exemptions are important to the City and that without the incentive of the tax exemptions, it is unlikely that the Project will be undertaken; and

WHEREAS, as part of its application for a tax exemption, 252-268 AVENUE E URBAN RENEWAL, LLC has submitted a form of Financial Agreement (the "Financial Agreement") providing for payments in lieu of taxes, a copy of which is attached to this Ordinance; and

WHEREAS, 252-268 AVENUE E URBAN RENEWAL, LLC has presented to this body certain financial information, copies of which are attached as exhibits to this Ordinance; and

WHEREAS, the City Council deems it to be in the best interest of the City to pass an Ordinance authorizing the City to enter into the proposed Financial Agreement with 252-268 AVENUE E URBAN RENEWAL, LLC on the terms and conditions stated in the applicable form of Financial Agreement attached to this Ordinance;

NOW THEREFORE, be it ordained that the City Council of the City of Bayonne does hereby adopt the tax exemptions for 252-268 AVENUE E URBAN RENEWAL, LLC as follows:

Section 1. The development of the Project is hereby approved for the grant of a tax exemption under the Exemption Law by virtue of, pursuant to, and in conformity with the provisions of the Exemption Law.

Section 2. The Mayor is hereby authorized to execute the Financial Agreement with 252-268 AVENUE E URBAN RENEWAL, LLC in substantially the form attached hereto and subject to any further review, analysis or modifications that counsel may deem appropriate.

Section 3. During the term of the tax exemption with respect to 252-268 AVENUE E URBAN RENEWAL, LLC there shall be paid to the City in lieu of any taxes to be paid

on the improvements of the Project, an annual service charge determined as provided in the Financial Agreement.

Section 4. Counsel is authorized to prepare, and the Mayor is hereby authorized to execute, any additional documents that may be necessary to implement and carry out the intent of the Financial Agreement.

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

BE IT RESOLVED, that an ordinance entitled “ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON APPROVING A FINANCIAL AGREEMENT WITH 252-268 AVENUE E URBAN RENEWAL, LLC,” just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, July 20, 2016 at 7:00 P.M., or as soon thereafter as the matter can be reached, and the Dorothy E. Harrington Council Chamber, Municipal Building, 630 Avenue, Bayonne, New Jersey, are hereby fixed as the time and place when and where such ordinance will be further considered for final passage, at which time and place all persons interested shall be given an opportunity to be heard concerning the same; and, be it further

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

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

Absent: Council Member Cotter.

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18. Council Member Perez introduced:

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

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

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

Names of Street	Sides	Location
**East 16th Street	Both	Beginning at the corner of Avenue E and extending 37 feet west of thereof.

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

BE IT RESOLVED, that an ordinance entitled “AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC,” just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, July 20, 2016 at 7:00 P.M., or as soon thereafter as the matter can be reached, and the Dorothy E. Harrington Council Chamber, Municipal Building, 630 Avenue, Bayonne, New Jersey, are hereby fixed as the time and place when and where such ordinance will be further considered for final passage, at which time and place all persons interested shall be given an opportunity to be heard concerning the same; and, be it further

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

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

Absent: Council Member Cotter.

* * * * *

19. 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 here by amended and supplemented as follows:

RESTRICTIVE PARKING ZONES

ADD

067. Lavina Enoch, 360 Avenue A
Beginning at a point on the east side of Avenue A, 69 feet north of the northeast corner of West 14th Street and Avenue A, and extending to a point 19 feet north thereof.

376. Jill Patella, 249 Prospect Avenue
Beginning at a point on the west side of Prospect Avenue, 270 feet south of the southwest corner of East 32nd Street and Prospect Avenue, and extending to a point 16 feet south thereof.

NAME CHANGE

151. from Joan Delaney to John Delaney, 23 East 35th Street
Beginning at a point on the north side of East 35th Street, 291 feet east of the northeast corner of East 35th Street and Broadway, and extending to a point 22 feet east thereof.

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

BE IT RESOLVED, that an ordinance entitled “AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC,” just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, July 20, 2016 at 7:00 P.M., or as soon thereafter as the matter can be reached, and the Dorothy E. Harrington Council Chamber, Municipal Building, 630 Avenue, Bayonne, New Jersey, are hereby fixed as the time and place when and where such ordinance will be further considered for final passage, at which time and place all persons interested shall be given an opportunity to be heard concerning the same; and, be it further

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

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

Absent: Council Member Cotter.

* * * * *

20. 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 Gullace, LaPelusa, Perez and President Nadrowski.

Absent: Council Member Cotter.

* * * * *

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

From Joseph G. Boccia, Esq., filing notice of tort claim on behalf of PHYLLIS MORGAN, alleging injuries sustained February 17, 2016 in a sidewalk fall at West 22nd Street near Broadway.

* * * * *

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

From Jan K. Seigel, Esq., filing notice of tort claim on behalf of NICOLE GIL, alleging injuries sustained March 12, 2016 in a sidewalk fall at 29 West 16th Street.

* * * * *

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

From YAN GU, filing four notices of tort claim alleging property damage to his automobile on different dates resulting from being struck by baseballs at 200 Park Road.

* * * * *

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

From the Superior Court of New Jersey, Chancery Division, Summons and Complaint in matter entitled, “EVERHOME MORTGAGE COMPANY vs. ULICHNY, et al., incl. THE CITY OF BAYONNE.” (Mortgage foreclosure – city holds a subordinate mortgage)

* * * * *

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

From the Superior Court of New Jersey, Chancery Division, Summons and Complaint in matter entitled, “CITIBANK, NA vs. CADET, et al, incl. THE CITY OF BAYONNE.” (Mortgage foreclosure – city holds a judgment)

* * * * *

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

From the BOARD OF EDUCATION OF THE CITY OF BAYONNE, resolution adopting the final budget for the 2016-2017 school year.

* * * * *

27. 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 Gullace, LaPelusa, Perez and President Nadrowski.

Absent: Council Member Cotter.

* * * * *

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

June 2, 2016

Dear Council President Nadrowski
And Honorable Members of City Council:

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

Antonio Nardini
109 Avenue A, Bayonne, NJ 07002

Term expiring on December 31, 2020
(unexpired term of Susan Coney)

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 appointment.

* * * * *

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

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

* * * * *

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

From Joanne Sisk, CTC, submitting Annual Report for 2015.

* * * * *

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

DATE: JUNE 1, 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 JUNE 2016

Janet Convery

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

* * * * *

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

BID REPORT

Date: 06/21/2016 Bids Advertised: 05/28/2016 Date bids accepted: 06/10/2016
 Attending: Amy Dellabella, Susan Ferraro, Esq.

Bid Titled:
Heavy Duty Equipment Rental Program for Demolition and other projects

Bidder:	Bid Amount
1	100
2	200
3	300
4	400
5	500
6	600
7	700
8	800
9	900
10	1000
11	1100
12	1200
13	1300
14	1400
15	1500
16	1600
17	1700
18	1800
19	1900
20	2000
21	2100
22	2200
23	2300
24	2400
25	2500
26	2600
27	2700
28	2800
29	2900
30	3000
31	3100
32	3200
33	3300
34	3400
35	3500
36	3600
37	3700
38	3800
39	3900
40	4000
41	4100
42	4200
43	4300
44	4400
45	4500
46	4600
47	4700
48	4800
49	4900
50	5000
51	5100
52	5200
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60	6000
61	6100
62	6200
63	6300
64	6400
65	6500
66	6600
67	6700
68	6800
69	6900
70	7000
71	7100
72	7200
73	7300
74	7400
75	7500
76	7600
77	7700
78	7800
79	7900
80	8000
81	8100
82	8200
83	8300
84	8400
85	8500
86	8600
87	8700
88	8800
89	8900
90	9000
91	9100
92	9200
93	9300
94	9400
95	9500
96	9600
97	9700
98	9800
99	9900
100	10000

Control Services, LLC	Various (\$)	See Attached
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84 Harbor Drive
Jersey City, NJ 07305

Control Industries, Inc.
101 East 25th Street
Bayonne, NJ 07002

The failure to bid on 19 out of the 55 items constitutes a non-waivable material defect and as such, the bid is non-responsive and Must be disqualified.

Copies of bids price pages are forwarded with hard copies under separate cover. After review by Department Director, Legal Counsel, the Purchasing Agent will prepare a request for contract award and forward 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
Purchasing Agent
(signed)

* * * * *

33. 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 Gullace, LaPelusa, Perez and President Nadrowski.

Absent: Council Member Cotter.

* * * * *

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

RESOLVED, That the official minutes of the regular council meeting held Wednesday, May 18, 2016 be and the same are hereby approved.

* * * * *

35. 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, May 11, 2016, be and the same are hereby approved.

* * * * *

36. 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
40	25	Syed Tario	2,244.65
56	1	BCB Community Bank	134.29
101	26	BCB Community Bank	1,552.06
144	23	Chananya Hess	4,657.32
151	15	Mark Sanzo	218.56
156	11	Joseph Fischetti	2,459.89
189	14	Emad Soliman	473.65
211	6	BCB Community Bank	2,641.05
221	29	BCB Community Bank	817.60
246	22	Hudson Milestones	2,853.29
252	14.01	BCB Community Bank	934.31
281	19	Robin LaRocco	2,863.72
290	4	Bernadette Finnerty	612.04
318	45	Iriny Boutros	2,087.32
320	5	BCB Community Bank	3,115.65
363	1.01	Camelot of Bayonne	28,777.50
378	12 C103	Bayonne Community Bank	1,740.40
424	10	Josephine DeMonaco	595.05
Total:			58,778.35

* * * * *

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

WHEREAS, Blueland, LLC, 294 Broadway, Suite #1501, New York, NY 10007 submitted various electrical permit applications in connection with the installation of a solar system at Bayonne Crossing Shopping Center; and

WHEREAS, subsequent thereto it was determined that Blueland, LLC, 294 Broadway, Suite #1501, New York, NY 10007 was overcharged the amount of \$2,630.00 for said electrical permit applications; and

WHEREAS, Blueland, LLC has requested that it be reimbursed the above noted excess application fees in the amount of \$2,630.00; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Comptroller and/or other appropriate officials of the City of Bayonne are hereby authorized to issue reimbursement in the amount of \$2,630.00 payable to Blueland, LLC, 294 Broadway, Suite #1501, New York, NY 10007 for electrical permit application fees erroneously overcharged for the installation of said solar system at Bayonne Crossing Shopping Center.

* * * * *

38. 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 \$ 61.40 be drawn of the Bureau of Rabies Control, State Department of Health, Trenton, New Jersey, covering the issuance of licenses Nos. 1134-1155 inclusive, 22 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.

* * * * *

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

RESOLVED, that the actions of the Business Director in ordering a warrant for \$ 3,000.00 to the Treasurer-State of New Jersey for a NJDEP Application Fee for Ferry Permit Renewal is hereby ratified and confirmed. Warrant is charged to GL-104.

* * * * *

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

WHEREAS, the Chief of Police has an ongoing need for access to an on-line information network; and

WHEREAS, IACP Net, 2101 Wooddale Drive, Suite D, Saint Paul, MN 55125 has previously been awarded a contract to provide such access to an on-line information network, and is willing to renew said contract at a cost of \$1,750.00 for a one year period commencing July 1, 2016 and ending June 30, 2017; and

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

RESOLVED, that the Mayor and City Clerk are hereby authorized to enter into an agreement with IACP Net, Wooddale Drive, Suite D, Saint Paul, MN 55125, for renewal of the city's subscription access to the IACP (International Association Chief of Police) on-line information network for use by the Police Department's administrative division, at a cost of \$1,750.00 for a one year period commencing July 1, 2016 and ending June 30, 2017; and be it further

RESOLVED, that funds have been certified as available from Account #PS-9 01-201-25-240-2-020 in the CY 2016 Budget; and be it further

RESOLVED, the Municipal Treasurer be and is hereby authorized and directed to issue a warrant payable to IACP Net in the amount of \$1,750.00 in payment for said subscription.

* * * * *

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

WHEREAS, the Police Department of the City of Bayonne has established that there is a need for annual support and battery replacement for the uninterrupted power supply powering the communications center electronics; and

WHEREAS, the Eaton Corporation, P.O. Box 93531, Chicago, IL 60673-3531, has previously been awarded a contract for such services, and is willing and able to continue to supply the aforesaid services for a one year period commencing July 1, 2016 and ending June 30, 2017 at a cost of \$4,624.00 and

WHEREAS, funds are certified as available in Account #PS-9/01-201-25-240-2-020 in the CY 2016 Budget; and

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

RESOLVED, that the Mayor and Clerk of the City of Bayonne are hereby authorized to enter into an agreement with the Eaton Corporation, P.O. Box 93531, Chicago, IL 60673-3531, for annual support and battery replacement for the uninterrupted power supply powering the

communications center electronics for a one year period commencing July 1, 2016 and ending June 30, 2017 for the amount of \$4,624.00; and be it further

RESOLVED, that funds are certified available in Account #PS-9/01-201-25-240-2-020 in the CY 2016 Budget; and be it further

RESOLVED, that the Municipal Treasurer be and is hereby authorized and directed to issue a warrant payable to Eaton Corporation, in the amount of \$4,624.00 in payment for said services.

* * * * *

42. 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 continued maintenance services for five backup generators used in the city's communications system; and

WHEREAS, SBP Industries, 1301 New Market Avenue, South Plainfield, NJ 07080 has supplied emergency generator maintenance/service for different locations in Bayonne and a 75 kw mobile generator, together with an emergency standby generator agreement to provide backup power for the citywide communications system; and

WHEREAS, renewal of the existing contract is for the sum of \$3,210.00.00 for a one year period commencing July 1, 2016 and ending June 30, 2017 for six generators, and \$2,640.00 for the emergency standby generator agreement, and funds are certified available from Account #PS-9 01-201-25-240-2-020 in the CY 2016 budget; and

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

RESOLVED, that the Mayor and City Clerk are hereby authorized to enter into an agreement with SBP Industries, 1301 New Market Avenue, South Plainfield, NJ 07080, for emergency generator maintenance/service for generators in six (6) different locations in Bayonne and a 75 kw mobile generator for a one year period commencing July 1, 2016 and ending June 30, 2017, for the sum of \$3,210.00 for the maintenance/service agreement for the six generators, and \$2,640.00 for the emergency standby generator agreement, for a total contract amount of \$5,800.00, and funds are certified available from Account PS-9 01-201-25-240-2-020, in the CY 2016 budget; and be it further

RESOLVED, that the Municipal Treasurer be and is hereby authorized and directed to issue a warrant in the amount of \$5,850.00 payable to SBP Industries in payment for said services.

* * * * *

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

WHEREAS, the Police Department of the City of Bayonne has established that there is a need a software license renewal and support for the Police Department's IAPro Internal Affairs computer software; and

WHEREAS, CI Technologies (IAPro), P.O. Box 534, Townsend MA 01469-0534, is willing and able to supply said service for a one year period commencing July 1, 2016 and ending June 30, 2017 at a cost of \$2,040.00; and

WHEREAS, funds are certified as available in Account #PS-9-201-25-240-2-020, of the CY 2016 Budget; and

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

RESOLVED, that the Mayor and City Clerk are hereby authorized to enter into an agreement with CI Technologies (IAPro), P.O. Box 534, Townsend MA 01469-0534, for a software license renewal and support for the Police Department's IAPro Internal Affairs computer software for a one year period commencing July 1, 2016 and ending June 30, 2017 at a cost of \$2,040.00, and funds are certified available in account #PS-9-201-25-240-2-020 of the CY 2016 Budget; and be it further

RESOLVED, that the Municipal Treasurer be and is hereby authorized and directed to issue a warrant payable CI Technologies (IAPro), in the amount of \$2,040.00 in payment for said services.

* * * * *

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 application software support for computers housed in the Police Department; and

WHEREAS, Global Software, 62133 Collections Center Drive, Chicago, IL 60693-0621 has previously been awarded an annual contract for such services and has provided the City with an invoice for said services for the one-year period commencing July 1, 2016 and ending June 30, 2017, for a total contract amount of \$14,518.00; and

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

WHEREAS, N.J.S.A. 40A:11-3(a), allows for the award of a contract without the necessity of public advertising for bids where the municipality has a Qualified Purchasing Agent, and when the cost or price does not exceed \$36,000.00; now, therefore, be it

RESOLVED, that the Mayor and the City Clerk of the City of Bayonne are hereby authorized to enter into a service agreement with Global Software (formerly CISCO), 62133 Collections Center Drive, Chicago, IL 60693-0621, for annual software support services for the Police Department's CISCO brand Records Management Software (RMS), ECAD Dispatch Software, and other custom software interfaces, for the period commencing July 1, 2016 and ending June 30, 2017, for a total contract amount of \$14,518.00, and said funds have been certified available in Account #PS-9/01-201-25-240-2-020; and be it further

RESOLVED, that the Municipal Treasurer be and is hereby authorized and directed to issue a warrant payable to Global Software in the amount of \$14,518.00 in payment for such services.

* * * * *

45. 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 application software and support for the reverse 9-1-1 system in the Police Department; and

WHEREAS, SHI, 290 Davidson Avenue, Somerset, NJ 08873 is capable of supplying said services for the one-year period commencing June 1, 2016 and ending May 31, 2017, for emergency notification system access for one year in the amount of \$16,025.00, under State Contract No. 77560; and

WHEREAS, funds for said agreement have been certified as available in Account #01-201-25-240-2-020 (PS-9) of the CY 2016 budget; now, therefore, be it

RESOLVED, that the Mayor and the City Clerk of the City of Bayonne are hereby authorized to enter into a service agreement with SHI, 290 Davidson Avenue, Somerset, NJ 08873, for the annual software support services for the Police Department's reverse 9-1-1 system, for the period commencing June 1, 2016 and ending May 31, 2017, for a total contract amount of \$16,025.00, and said funds have been certified available in Account # 01-201-25-240-2-020; and be it further

RESOLVED, that the Municipal Treasurer be and is hereby authorized and directed to issue a warrant payable to SHI in the amount of \$16,025.00 in payment for such services.

* * * * *

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

WHEREAS, the Police Department of the City of Bayonne has established that there is a need for an annual software support and extended one-year warranties for all equipment deployed as part of the Digital Video Surveillance Network (DVSN) deployed throughout the city; and

WHEREAS, Hitachi Data Systems, 2845 Lafayette Street, Santa Clara, CA 95050, is willing and able to supply the aforesaid services for a one year period commencing July 1, 2016 and ending June 30, 2017 at a cost of \$38,000.00 and

WHEREAS, funds are certified as available in Account #PS-9/01-201-25-240-2-020; and

WHEREAS; NJSA 40A:11-5(dd) provides for the award of a contract without the necessity of public advertising for bids for the provision or performance of goods or services for the support or maintenance of proprietary computer hardware and software as an exception to the bidding statutes; now, therefore, be it

RESOLVED, that the Mayor and Clerk of the City of Bayonne are hereby authorized to enter into an agreement with Hitachi Data Systems, 2845 Lafayette Street, Santa Clara, CA 95050, for annual software support and extended one-year warranties for all equipment deployed as part of the Digital Video Surveillance Network (DVSN) deployed throughout the city for a one year period commencing July 1, 2016 and ending June 30, 2017 at a cost of \$38,000.00; and be it further

RESOLVED, that funds are certified available in Account #PS-9/01-201-25-240-2-020; and be it further

RESOLVED, that the Municipal Treasurer be and is hereby authorized and directed to issue a warrant payable to Hitachi Data Systems, in the amount of \$38,000.00 in payment for said services.

* * * * *

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

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

Use: Parking of privately-owned Blue Apron vehicles for the benefit of the employees of Blue Apron only

Premises Access: As necessary for the reasonable employee use of Blue Apron

Monthly rent: \$3,500.00

Utilities: To be paid by Blue Apron

Temporary Lighting: To be installed by Blue Apron prior to possession at its sole cost and expense and upon the issuance of appropriate municipal permits

Additional rent: Property Taxes Included

Insurance: Provided and paid for by Blue Apron having limits of liability that are acceptable to the City in the sole and absolute discretion of the Corporation Counsel by Blue Apron naming the "City of Bayonne" as additional insured.

Security Deposit: \$3,500.00

Term: For a six (6) month period and subsequent month-to-month extension at the sole and absolute discretion of the City; and at all times termination upon thirty (30) days notice; and

WHEREAS, the Municipal Council authorized an extension of the aforesaid Lease Agreement through August 30, 2015 for an additional rental fee of \$10,500.00 by way of Resolution 15-04-22-062 adopted on April 22, 2015; and

WHEREAS, the Municipal Council authorized a second extension of the aforesaid Lease Agreement through February 29, 2016 for an additional rental fee of \$21,000.00 by way of Resolution 15-07-22-072 adopted on July 22, 2016; and

WHEREAS, the Municipal Council authorized a third extension of the aforesaid Lease Agreement through June 30, 2016 for an additional rental fee of \$14,000.00 by way of Resolution 16-02-17-046 adopted on February 17, 2016; and

WHEREAS, the Business Administrator has now requested an extension of the aforesaid Lease Agreement through September 30, 2016 at an additional rental fee of \$10,500.00; now, therefore, be it

RESOLVED by the Municipal Council that the Mayor and City Clerk are hereby authorized to enter into an extension of the aforesaid Lease Agreement with Blue Apron of Jersey City, New Jersey through September 30, 2016 for an additional amount of \$10,500.00.

* * * * *

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

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

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

WHEREAS, Resolution No. 15-12-16-087 authorized an Amendment to the aforesaid Agreement No. CY15-024 increasing same in the amount of \$65,000.00 due to additional services rendered outside the scope of services of the original contract making the total contract amount not to exceed \$90,000.00; and

WHEREAS, by way of Resolution No. 16-04-20-076 adopted by the Municipal Council April 20, 2016, the Municipal Council authorized an extension of the aforesaid Agreement No. CY15-024 with the Contractor for an additional six (6) month period commencing March 1, 2016 and ending August 31, 2016 and an increase same in an amount not to exceed \$25,000.00 making the total contract amount not to exceed \$115,000.00; and

WHEREAS, the Business Administrator has advised that it is necessary to increase the aforesaid Agreement No. CY15-024 in an amount not to exceed \$60,000.00, making the total contract amount not to exceed \$175,000.00; and

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

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized to execute an amendment to Agreement No. CY15-024 with All Covered IT Services from Konica Minolta, 100 Dobbs Lane, Suite 208, Cherry Hill, New Jersey 08037 for information technology, computer system and network administration and support services increasing same in an amount not to exceed \$60,000.00, making the total contract amount not to exceed \$175,000.00.
2. Funds shall be charged to Various Accounts.

* * * * *

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

WHEREAS, Resolution No. 14-01-15-046 adopted by the Municipal Council on January 15, 2014 authorized a lease agreement with Forum Fitness having an office at 21 West 25th Street, Bayonne, New Jersey 07002 for the period commencing January 1, 2014 and ending December 31, 2014 with two (2) renewable annual periods with the City having an option to terminate with a thirty (30) day notice under the following terms and conditions:

Premises:	30 Parking spaces located at Municipal Lot #5 located in the vicinity of West 24th Street & McDonalds Parking Lot
Use:	Parking of privately owned vehicles for the benefit of the Forum Fitness Club
Premises Access:	3 PM - 11 PM Monday-Friday; and 8 AM - 12 PM Saturday
Monthly rent:	\$1,250.00
Utilities:	included
Additional rent:	Property Taxes Included Common Area Charges Included Insurance paid by Tenant
Security Deposit	\$1,250.00;

and

WHEREAS, said Lease Agreement was extended for a one year period commencing January 1, 2015 and ending December 31, 2015 under the same terms and conditions; and

WHEREAS, it is in the City's best interest to renew the aforesaid Lease Agreement under the same terms and conditions for a one year period commencing as of January 1, 2016 and ending December 31, 2016 under the same terms and conditions; and

WHEREAS, Forum Fitness is agreeable to renewing the aforesaid Lease Agreement with the City under the same terms and conditions; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Lease Agreement between the City of Bayonne and Forum Fitness effective January 1, 2014 is hereby extended for a one (1) year period commencing January 1, 2016 and ending December 31, 2016 under the same terms and conditions as stated above.
2. All other terms and conditions of Lease Agreement remain the same.
3. The actions of the Mayor and City Clerk in executing an addendum to the above Lease Agreement for a one year period commencing January 1, 2015 and ending December 31, 2015 under the same terms and conditions are hereby ratified and affirmed.

* * * * *

50. 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 abandoned building board-up services.

* * * * *

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

WHEREAS, the City of Bayonne is subject to a Revaluation Order ("Order") from the Hudson County Tax Board ("Tax Board"), approved by the State of New Jersey and forwarded to the City for further action by the Tax Board on May 2, 2016, and

WHEREAS, on May 24, 2016, in compliance with the above Order, the City Tax Assessor filed a "Compliance Plan" with the Tax Board and distributed copies of same to the Governing Body, and

WHEREAS, said compliance plan requires solicitation of proposals for a Tax Map, and

WHEREAS, said compliance plan requires solicitation of proposals for creation of a new New Jersey State certified Tax Map, and

WHEREAS, the City Tax Assessor has recommended that this solicitation include production of updated aerial photogrammetric Geographical Information System (GIS) digital mapping compatible with the City's current GIS programs in which the parcels depicted in the new State certified Tax Map are both referenced to the aerial base and linked to the existing MOD IV tax assessment database with particular attention to areas deficient in the prior map, including but not limited to, riparian grants, railroad properties, pipelines and correction of postal address conflicts;

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

1. The above recitals are incorporated herein.
2. The City Law Department acting in conjunction with the City Engineer and in consultation with the City Tax Assessor shall develop specifications for and solicit proposals to develop and deliver to the City of Bayonne a new New Jersey State Certified Tax Map to include production of updated aerial photogrammetric Geographical Information System (GIS) digital mapping compatible with the City's current GIS programs in which the parcels depicted in the new State certified Tax Map are both referenced to the aerial base and linked to the existing MOD IV tax assessment database with particular attention to areas deficient in the prior map, including but not limited to, riparian grants, railroad properties, pipelines and correction of postal address conflicts and such other areas as may be identified in the process of developing said specifications.

3. The City Law Director and Business Administrator Engineer are further authorized to take any actions necessary to effectuate the development of specifications for solicitation of proposals to effectuate this resolution and to publish and receive same for review and presentation to this body for final approval as appropriate.
4. This resolution shall take effect immediately.

* * * * *

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

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

LICENSEE	TIME & PLACE	LICENSE
Blessed Miriam Teresa Demjanovich Parish	6:00 – 10:00 PM 19 West 13 th Street 2016 July 1, 8, 15, 22, 29 Aug. 5,12,19,26 Sept. 2, 9, 16, 23, 30 Oct. 7,14,21, 28 Nov. 4,11,18,25 Dec. 2,9,16	BL: 2413

* * * * *

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

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

LICENSEE	TIME & PLACE	LICENSE
Preschool Playhouse PTO	11:00-1:00 PM 625 Avenue C August 26, 2016	RL: 9112
Trinity Parish In Bergen Point	6:00-10:00 PM 669 Avenue C October 8, 2016	RL: 9113
Hudson County All Star Cheerleader t/a Cheer Force	6:00 PM 625 Avenue C July 25; Aug. 1,8,15,22,29 Sept. 5,12,19,26	RL: 9114
Friends of Special Children	7:00 PM 53 Prospect Avenue October 28, 2016	RL: 9115
Bayonne Central Little League	9:30 PM 1241 Kennedy Blvd. September 25, 2016	RL: 9116
Hudson County Animal League	8:00 PM 117 West 2 nd Street October 19, 2016	RL: 9117
Hudson County Animal League	2:30-6:30 PM 290 Avenue E August 6, 2016	RL: 9118 RL: 9119
American Legion Post 19	Pull Tabs 683 Broadway 06/09/2016-06/08/2017	RL: 9120

* * * * *

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

WHEREAS, Resolution No. 15-12-16-070 adopted by the Municipal Council on December 16, 2015 awarded a contract Roth D'Aquanni, LLC, 150 Morris Avenue, Suite 206, Springfield, NJ 07081 and for professional legal services to conduct arbitration hearings, litigation before the courts, and negotiations and PERC hearings involving various unions and the City of Bayonne for the period commencing February 1, 2016 and ending December 31, 2016; and

WHEREAS, subsequent thereto, the City entered into CY16-019 with Roth D'Aquanni, LLC for the aforesaid professional legal services, and

WHEREAS, the Municipal Council adopted Resolution 16-04-20-066 on April 20, 2016 authorizing the term of the aforesaid contract CY16-019 from February 1, 2016 ending December 31, 2016 to January 1, 2016 and ending December 31, 2016 for quantum meruit work performed by Roth D'Aquanni, LLC in the month of January, 2016 on behalf of the City of Bayonne; and

WHEREAS, the Business Administrator advised that it is necessary to increase the contract in the amount of \$70,000.00 due to additional work that was not anticipated at the time of the original contract award; and

WHEREAS, funds have been certified in Account #01-201-20-156-2-020 pending adoption of the CY2016 budget; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized to execute a second amendment to Agreement No. CY16-019 with Roth D'Aquanni, LLC for the aforesaid professional legal services increasing same in the amount of \$70,000.00 making the total contract amount not to exceed \$100,000.00.

2. Funds shall be charged to Account #01-201-20-156-2-020.

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

Absent: Council Member Cotter.

* * * * *

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

WHEREAS, pursuant to Resolution 08-01-16-032, the City entered into a Right-of-Entry Agreement with GZA GeoEnvironmental, Inc. ("GZA"), 65 Willowbrook Blvd., Wayne, NJ 07470 in connection with site delineation activities being conducted by Bayer Corporate and Business Services ("Bayer") at its property located at 169 West 52nd Street (the "Right of Entry Agreement"); and

WHEREAS, sometime thereafter, Bayer retained a new consultant named Environmental Liability Management, Inc. ("ELM"), 218 Wall Street, Research Park, Princeton, New Jersey 08540; and

WHEREAS, pursuant to Resolution 10-04-21-011 adopted by the Municipal Council on April 21, 2010, the City amended the Right of Entry Agreement to authorize ELM to access the property for purposes of site delineation activities and afforded ELM the same rights as GZA; and

WHEREAS, Bayer requested the City further amend the existing Right of Entry Agreement to allow ELM access to conduct additional investigative activities necessary to further delineate contamination affecting the site; and

WHEREAS, Resolution 12-06-20-093 adopted by the Municipal Council on June 20, 2012 authorized a Second Amendment to the existing "Right-of-Entry Agreement between the City of Bayonne and GZA GeoEnvironmental, Inc., as amended to include Environmental Liability Management, Inc." permitting site delineation activities to be conducted by Bayer at its property located at 169 West 52nd Street so as to provide additional access in accordance with the Scope of Work and Sampling Location Map annexed thereto and made a part thereof; and

WHEREAS, ELM has submitted a formal written request to the City of Bayonne to execute a New Jersey Department of Environmental Protection ("NJDEP") permit application and modify the prior grant of access to allow for the completion of remedial actions at the site dated June 13, 2016 attached hereto and made a part hereof; and

WHEREAS, because it is in the best interests of the citizens of the City of Bayonne that environmental conditions be monitored and remediated, if necessary, the City is agreeable to executing the aforesaid NJDEP permit application and further modifying the existing Right-of-Entry Agreement to allow for the completion of remedial actions at the site dated June 13, 2016 attached hereto and made a part hereof; now, therefore, be it

RESOLVED, by the Municipal Council that the Mayor and City Clerk are hereby authorized to execute an amendment to the existing Right-of Entry Agreement and New Jersey Department of Environmental Protection permit application to allow for the completion of remedial actions at the Site dated June 13, 2016 attached hereto and made a part hereof.

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

Absent: Council Member Cotter.

* * * * *

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

WHEREAS, P.L.1981, c. 385 (C.52:14-15a) was amended by the Senate and General Assembly of the State of New Jersey to provide that municipalities (along with other State entities) may provide for mandatory direct deposit of net pay for all employees on or after July 1, 2014; and

WHEREAS, the Chief Financial Officer of the City of Bayonne recommends the municipality adopt this requirement for mandatory direct deposit of net pay as it provides an increase in the productivity of the Finance department and a decrease in the cost of producing and replacing lost checks; and

WHEREAS, the employees of the municipality shall indicate, in writing to the Chief Financial Officer, the specific banking institution(s) and designated checking account(s), savings account(s) or share account(s) to which the deposit shall be made on behalf of the employee; and

WHEREAS, the Chief Financial Officer of the City of Bayonne may determine special exceptions to this policy for paychecks for terminated employees, special awards and other unique circumstances; and

WHEREAS, the Chief Financial Officer and Business Administrator recommend the adoption of this policy.

NOW, THEREFORE BE IT RESOLVED, by the Municipal Council of the City of Bayonne that, effective September 1, 2016, mandatory direct deposit of net pay for all employees of the City of Bayonne shall be made to the specific banking institution(s) provided by each employee.

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

Absent: Council Member Cotter.

* * * * *

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

WHEREAS, pursuant to Resolution No. 16-04-20-062 adopted by the Municipal Council on April 20, 2016, the city clerk advertised in the Jersey Journal on May 28, 2016, that sealed bids for Heavy Duty Equipment Rental Program for Demolition and Other Projects would be received on June 10, 2016; and

WHEREAS, pursuant to such advertisement, two (2) proposals were received from:

Bidder:

Bid Amount

Control Services, LLC
84 Harbor Drive
Jersey City, NJ 07305

Various line items per bid on
file with the City Clerk

Control Industries, Inc.
101 East 25th Street
Bayonne, NJ 07002

Various \$ line items per bid on
file with the City Clerk
*Failed to bid on 19 out of the 55
line items

; and

WHEREAS, Control Industries, Inc. failed to bid on 19 out of the 55 items which constitutes a non-waivable material defect and, as such, the bid is deemed non-responsive and must be disqualified; and

WHEREAS, the Purchasing Agent and the Director of the Department of Public Works have examined the bid or proposals and have determined that the bid of Control Services, LLC is a regular bid and is most advantageous to the City; and

WHEREAS, funds have been certified as available in the following Accounts: 50% Park Maintenance/50%Streets & Road Repairs; now, therefore, be it

RESOLVED, that the contract for Heavy Duty Equipment Rental Program for Demolition and Other Projects be awarded to:

Control Services, LLC
84 Harbor Drive
Jersey City, NJ 07305

for the bid prices listed on the vendors bid for a total amount not to exceed \$50,000.00 annually for a total of three (3) years commencing July 1 2016 and ending June 30, 2019 and that the contract be executed in the name of the City of Bayonne by the proper city officials.

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

Absent: Council Member Cotter.

* * * * *

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

WHEREAS, the City of Bayonne is in need of technical support and maintenance of its departmental data management software and continued enterprise licensing for the municipal management software currently in use for a one year period commencing June 1, 2016 and ending June 30, 2017; and

WHEREAS, Spatial Data Logic has provided the City with such software and support services for their GeoLogic software, pursuant to an agreement authorized by Resolution No. 09-12-16-044 and has provided the City with an invoice for continued licensing, technical support and maintenance for the period commencing July 1, 2016 through June 30, 2017 for an amount of \$48,500.00; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-5 (1) (m)) authorizes the award of contracts for "Extraordinary Unspecifiable Services" without competitive bids; now, therefore, be it

WHEREAS, the Business Administrator has determined and certified in writing that the value of the acquisition will exceed \$17,500; and,

WHEREAS, it is essential for the safety and welfare of the public that the City's technical support and maintenance of its departmental data management software be maintained in order to respond to the public in the most effective manner; and

WHEREAS, funds are certified as available in Account UCC 12-286-56-366-2-199; and

WHEREAS, Spatial Data Logic has completed and submitted a "Business Entity Disclosure Certification for Non-Fair and Open Contracts" required Pursuant to N.J.S.A. 19:44A-20.8 which certifies that Spatial Data Logic has not made any reportable contributions to a political or candidate committee in the City of Bayonne in the previous one year, and that the contract will prohibit Spatial Data Logic from making any reportable contributions through the term of the contract; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and the City Clerk are hereby authorized to enter into a contract with Spatial Data Logic, 285 Davidson Avenue, Suite 302, Somerset, NJ 08873 for technical support and maintenance of its departmental data management software and continued enterprise licensing for the municipal management software currently in use for a one year period commencing July 1, 2016 and ending June 30, 2017 for an amount of \$48,500.00.

2. Funds shall be charged to Account UCC 12-286-56-366-2-199.

3. The Business Disclosure Entity Certification and the Determination of Value shall be placed on file with this resolution.

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

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

Absent: Council Member Cotter.

* * * * *

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

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

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

WHEREAS, the Bayonne Masonic Lodge has requested and submitted a formal written application dated February 18, 2015 for said CDBG Grant Funds in the amount of \$995.00 for the purpose of providing the cost of a location survey from Manno Surveying Inc., 543 Post Avenue, Lyndhurst, NJ 07071; 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 a location survey from Manno Surveying Inc., 543 Post Avenue, Lyndhurst, NJ 07071; 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 Bayonne Masonic Lodge, 888 Avenue C, Bayonne, New Jersey 07002 for the provision of providing cost of a location survey from Manno Surveying Inc., 543 Post Avenue, Lyndhurst, NJ 07071 in the amount of \$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 Gullace, LaPelusa, Perez and President Nadrowski.

Absent: Council Member Cotter.

* * * * *

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

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

WHEREAS, the Bayonne Youth Center, 524 Kennedy Blvd, Bayonne, New Jersey 07002 is an organization which has among its objectives assisting persons of lower income households; and

WHEREAS, the Bayonne Youth Center has requested and submitted a formal written application dated September, 2015 for said CDBG Grant Funds in the amount of \$149,845.00

for the purpose of providing the cost of design improvements to the asphalt paved area to the rear of the Youth Center from Jag Paving Corp., 218-220 Kearny, NJ 07032; 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 the cost of design improvements to the asphalt paved area to the rear of the Youth Center from Jag Paving Corp., 218-220 Kearny, NJ 07032 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 Bayonne Youth Center , 524 Kennedy Blvd, Bayonne, New Jersey 07002 for the purpose of providing cost of the cost of design improvements to the asphalt paved area to the rear of the Youth Center from Jag Paving Corp., 218-220 Kearny, NJ 07032 in the amount of \$149,845.00 for the period commencing September 1, 2015 and ending August 31, 2016.

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

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

Absent: Council Member Cotter.

* * * * *

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

WHEREAS, Municipal Council Resolution No. 15-03-18-043 was adopted on March 18,2015 authorizing the Mayor and City Clerk to enter into an agreement with the Bayonne Community Day Nursery, 591 Broadway, Bayonne, New Jersey in the amount of \$141,000.00 for the purpose of providing the cost of reconstruction of various parts of the building located at 591 Broadway, Bayonne, New Jersey for the period commencing September 1, 2013 and ending August 31, 2014; and

WHEREAS, pursuant to the aforesaid Resolution No. 15-03-18-43, the City of Bayonne entered into Agreement No. CY15-040 with the Bayonne Community Day Nursery; and

WHEREAS, pursuant to a site inspection performed by the City Code Official, Bayonne Community Day Nursery, was advised that it was necessary to relocate a gas line, relocate a security alarm panel and remove/install new bookcases in the library; and

WHEREAS, due to exigent circumstances, the Director of Community Development authorized the relocation of the gas line, relocation of the security alarm panel and removal/installation of the new bookcases in the library by BARD Construction for the amount of \$13,750.00 prior to the adoption of this resolution; and

WHEREAS, funds are certified 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 execute an amendment to Agreement No. CY15-040 with Community Day Nursery, increasing same in the amount of \$13,750.00 to cover the cost of the relocation of the gas line, relocation of the security alarm panel and removal/installation of the new bookcases in the library

2. The actions of the Director of Community Development in authorizing the contractor to do the relocation of the gas line, relocation of the security alarm panel and removal/installation of the new bookcases in the library for the amount of \$13,750.00 are hereby ratified and confirmed.

3. Funds shall be charged to Account CDBG-917

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

Absent: Council Member Cotter.

* * * * *

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

WHEREAS, THE BAYONNE MUNICIPAL UTILITIES AUTHORITY (the "Authority" or "BMUA") was created and established by virtue of an ordinance numbered O-97-42 duly adopted by the City Council of the City on October 9, 1997, (the "Creation Ordinance"), pursuant to the Municipal and County Utilities Authorities Law (N.J.S.A. 40:14B-1 et seq.) of the State of New Jersey, as amended and supplemented (the "Act"), and the Authority is a public body corporate and politic of the State of New Jersey and an agency of the City with all the powers, privileges and authority conferred by the Act; and

WHEREAS, it is the purpose of the Authority to, among other things, (i) provide water supply, transmission and distribution services ("Water Services") and (ii) relieve the waters in the City from pollution or threatened pollution by provision of sewage collection, treatment and disposal services ("Sewer Services" and together with the Water Services, the "Services"); and

WHEREAS, the Authority has approved and entered into an Agreement (the "Public-Private Agreement") between the Authority and Bayonne Water Joint Venture, LLC, to manage, operate, maintain, improve and repair the BMUA's Systems and collect fees and charges established under the Agreement from users of the Systems for a term of 40 years pursuant to the New Jersey Water Supply Public – Private Contracting Act (N.J.S.A. 58:26-19 et seq.) (the "Private Water Act") and the New Jersey Wastewater Treatment Public – Private Contracting Act (N.J.S.A. 58:27 - 19 et seq.), which further reduces Authority personnel and restructures Authority obligations, said agreement effective December 20, 2012; and

WHEREAS, for reasons of economy and efficiency the City of Bayonne is in the process of dissolving the Municipal Utility Authority and absorbing its functions and responsibilities; and

WHEREAS, in furtherance of and in cooperation with the goals of that dissolution the Authority plans not to renew professional service contracts for engineering and specialized legal services so as to avoid duplication of effort and transition such services as may be required in those areas to the City of Bayonne; and

WHEREAS, the City of Bayonne wishes to approve the attached agreement to accomplish the above purpose of economy and to facilitate an orderly and safe transition of services;

NOW, THEREFORE, BE IT RESOLVED by the Bayonne Municipal Council as follows:

1. The above recitals are incorporated herein.
2. The City of Bayonne hereby approves and adopts the shared services agreement between the City of Bayonne and the Bayonne Municipal Utilities Authority a copy of which is attached to this resolution and incorporated herein by reference.
3. The Mayor of the City of Bayonne is authorized to sign the aforesaid agreement on behalf of the City and to take any actions needed to exercise its provisions directly or through his designees.
4. A copy of this resolution and attachments shall be available for public inspection at the offices of the City Clerk, 630 Avenue C, Bayonne, NJ and a copy of the final executed agreement shall be provided to the NJ Division of Local Government Services' Shared Services Unit.
5. This resolution shall take effect immediately.

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

Absent: Council Member Cotter.

* * * * *

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

WHEREAS, the City of Bayonne is applying for funding to conduct sidewalk, cross walk, curb, and traffic calming improvements along the school routes for Mary Donohoe School, Midtown Community School, and Walter F. Robinson School within the City of Bayonne; and

WHEREAS, the project will help to continue and improve the promotion and encouragement of pedestrian and bicycle access and safety for school children; and

WHEREAS, maintenance of the facility, once constructed, will be assumed by the City of Bayonne with the exception of (1) local ordinances that places maintenance responsibility with each individual property owner, and (2) those crosswalks on State or County Highways;

WHEREAS, Business Administrator Joseph DeMarco will be designated the Responsible Charge for the duration of this project

NOW, THEREFORE BE IT RESOLVED, by the Council of the City of Bayonne that it hereby supports the submission of a grant application for the Safe Routes to School Program within the State of New Jersey Department of Transportation and authorizes the Mayor, Business Administrator and the City Clerk to execute any and all documents necessary and related to the submission of said grant application or grant agreement.

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

Absent: Council Member Cotter.

* * * * *

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

WHEREAS, the City of Bayonne is applying for funding to conduct sidewalk, cross walk, curb, and traffic calming improvements along the school routes for Mary Donohoe School, Midtown Community School, and Walter F. Robinson School within the City of Bayonne; and

WHEREAS, the project will help to continue and improve the promotion and encouragement of pedestrian and bicycle access and safety for school children; and

WHEREAS, maintenance of the facility, once constructed, will be assumed by the City of Bayonne with the exception of (1) local ordinances that places maintenance responsibility with each individual property owner, and (2) those crosswalks on State or County Highways;

WHEREAS, Business Administrator Joseph DeMarco will be designated the Responsible Charge for the duration of this project

NOW, THEREFORE BE IT RESOLVED, by the Council of the City of Bayonne that it hereby supports the submission of a grant application for the Safe Routes to School Program within the State of New Jersey Department of Transportation and authorizes the Mayor, Business Administrator and the City Clerk to execute any and all documents necessary and related to the submission of said grant application or grant agreement.

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

Absent: Council Member Cotter.

* * * * *

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

5 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	\$	50,941,942.00
Parking Utility	\$	482,000.00

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	\$	6,153,000.00
Parking Utility	\$	35,000.00

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

Current Fund	\$	6,153,000.00
Parking Utility	\$	35,000.00

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

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

* * * * *

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

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

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, 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; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The following bid is hereby accepted;

Block 215, Lot 8, commonly known as 81 West 20 th Street	Robert Bubnis	\$1,900.00
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Yeas - Council Members Gullace, LaPelusa, Perez and President Nadrowski.
Absent: Council Member Cotter.

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

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

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, 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; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The following bid is hereby accepted;

Block 295, Lot 16, commonly known as North Street Rear	Richard Cirminello	\$500.00
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Yeas - Council Members Gullace, LaPelusa, Perez and President Nadrowski.

Absent: Council Member Cotter.

* * * * *

67. Council Member LaPelusa moved the following resolution, seconded by Council Member Perez, which was read by the Clerk and 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 20 th 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:

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

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, 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, Robert Bubnis subsequently withdrew his bid for Block 333.01, Lot 1, commonly known as 16 Bayview Court in the amount of \$500.00; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Treasurer is hereby authorized to issue a warrant in the amount of \$50.00 to Robert Bubnis representing the return of funds on deposit in connection with his bid for Block 333.01, Lot 1, commonly known as 16 Bayview Court.

2. Funds shall be charged to GL 108.

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

Absent: Council Member Cotter.

* * * * *

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

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

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, 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 the aforesaid 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 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.

2. 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.

3. Funds shall be charged to GL 108.

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

Absent: Council Member Cotter.

* * * * *

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

RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY DESIGNATING JMF ACQUISITIONS GROUP L.L.C. AS CONDITIONAL REDEVELOPER FOR A PORTION OF THE PENINSULA AT BAYONNE HARBOR, REFERRED TO AS HARBOR STATION SOUTH, WHICH PROPERTIES ARE SHOWN AS BLOCK 720, LOT 1 AND BLOCK 791, LOT 1 ON AN APPROVED FINAL MAJOR SUBDIVISION PLAT

WHEREAS, the Municipal Council of the City of Bayonne in its capacity as the redevelopment entity (the "Municipal Council") for the City of Bayonne (the "City") is responsible for implementing redevelopment plans and carrying out redevelopment projects pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the "Redevelopment Law"); and

WHEREAS, in accordance with the criteria set forth in the Redevelopment Law, the City identified and designated the Bayonne Military Ocean Terminal (hereinafter referred to as the "Peninsula") as an area in need of redevelopment, including certain property known as Block 700 Lot 1; Block 720, Lot 1; Block 730 Lot 1; Block 731, Lot 1; Block 751, Lot 1; Block 770, Lot 1; Block 780, Lot 1; Block 790, Lot 1; and Block 730, Lot 2, on the official tax map of the City of Bayonne, which is referred to as Harbor Station South (the "Redevelopment Property"); and

WHEREAS, the City is the owner of the Redevelopment Property; and

WHEREAS, the Redevelopment Law authorizes the City to arrange or contract for the planning, construction or undertaking of any development project or redevelopment work in an area designated "as an area in need of redevelopment" pursuant to N.J.S.A. 40A:12A-8; and

WHEREAS, in February of 2016, the City approved the subdivision of the Redevelopment Property pursuant to a Final Major Subdivision Plat, prepared by Partner Engineering and Science, Inc., dated November 11, 2015, signed on February 1, 2016 ("Major Subdivision Plat"), which modified the existing lots within the Redevelopment Property for future sale and redevelopment purposes; and

WHEREAS, the Major Subdivision Plat has not yet been recorded with the Office of the Hudson County Register; and

WHEREAS, among other lots, the Major Subdivision Plat creates "Proposed Block 720, Lot 1" consisting of approximately 14.45 acres of land and "Proposed Block 791, Lot 1" consisting of approximately 2.9 acres of land; and

WHEREAS, by Resolution adopted on April 20, 2016, the City authorized a Request for Qualification for redevelopers to submit proposals for the redevelopment of the Redevelopment Property; and

WHEREAS, JMF Acquisitions Group, L.L.C. a limited liability company of the State of New Jersey with an office at 80 S. Jefferson Road, Suite 202, Whippany, NJ 07981 ("JMF") informed the City of their interest in acquiring and redeveloping the portion of the Redevelopment Premises identified as Proposed Block 720, Lot 1 and Proposed Block 791, Lot 1 on the Final Major Subdivision Plat; (the "Property") and

WHEREAS, the City and JMF negotiated and prepared a purchase proposal (the Purchase Proposal) for the Property setting forth the general terms of understanding with respect to moving forward with the redevelopment of the Property; and

WHEREAS, at this time, the Municipal Council wishes to designate JMF as conditional redeveloper ("Conditional Redeveloper") subject to the negotiation and preparation of a mutually agreeable Redevelopment Agreement; and

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

Section 1. The aforementioned recitals are incorporated herein as if fully set forth herein.

Section 2. JMF is hereby conditionally designated as the Redeveloper of Proposed Block 720, Lot 1 and Proposed Block 791, Lot 1 as shown on the Final Major Subdivision Plat, prepared by Partner Engineering and Science, Inc., dated November 11, 2015, signed on February 1, 2016, subject, , to the negotiation of a mutually agreeable Redevelopment Agreement between JMF and the City of Bayonne, which Redevelopment Agreement must be approved by this Municipal Council.

Section 3. This Resolution shall take effect immediately.

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

Absent: Council Member Cotter.

* * * * *

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

RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY DESIGNATING PROPERTY LOCATED AT 101 EAST 23RD STREET; 103 EAST 23RD STREET; 105 EAST 23RD STREET; EAST 23RD STREET; 102-106 EAST 24TH STREET; AND 162-170 AVENUE F, WHICH PROPERTY IS IDENTIFIED AS BLOCK 445, LOTS 1, 2, 3, 4, 5 AND 7 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE AS A NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, *N.J.S.A. 40A:12A-1 ET SEQ.*

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

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

WHEREAS, the Municipal Council of the City (the "Municipal Council") has identified certain property located at 101 East 23rd Street; 103 East 23rd Street; 105 East 23rd Street; East 23rd Street; 102-106 East 24th Street; and 162-170 Avenue F, which property is identified as Block 445, Lots 1, 2, 3, 4, 5 and 7 on the City's Tax Maps (the "Property"), to be considered for designation as a non-condemnation "area in need of redevelopment" under the Redevelopment Law; and

WHEREAS, by resolution on March 16, 2016, the Municipal Council authorized and directed the Planning Board to conduct a preliminary investigation to determine whether the Property constitutes a non-condemnation "area in need of redevelopment" according to the criteria set forth in *N.J.S.A. 40A:12A-5*; and

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

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

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

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

WHEREAS, on June 14, 2016, the Planning Board held a public hearing, duly noticed under the Redevelopment Law, and reviewed an investigation/report titled "Area in Need of Redevelopment Study Block 445, Lots 1, 2, 3, 4, 5 & 7, City of Bayonne, New Jersey" prepared by Suzanne Mack, PPAICP, City of Bayonne, Division of Planning & Zoning, Department of Municipal Services dated June 3, 2016 (the "Study") and any persons interested in or affected by a determination that the Property is a non-condemnation redevelopment area were given an opportunity to be heard, and any objections to such a determination and evidence in support of those objections, were received and considered and made part of the public record, and;

WHEREAS, on June 14, 2016, the Planning Board further adopted the Resolution recommending that the Property be determined by the Municipal Council to be a non-condemnation "area in need of redevelopment" under the Redevelopment Law, *N.J.S.A. 40A:12A-1 et seq.*; and

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

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

Section 1. Block 445, Lots 1, 2, 3, 4, 5 & 7, as shown on the official Tax Map of the City are hereby designated a non-condemnation "area in need of redevelopment" under the Redevelopment Law, *N.J.S.A. 40A:12A-1 et seq.*

Section 2. The Municipal Council hereby directs the City Clerk to transmit a copy of the within resolution to the Commissioner of the Department of Community Affairs and to serve notice that Block 445, Lots 1, 2, 3, 4, 5 & 7 is designated a non-condemnation redevelopment area on the owners of such Property and other parties within ten (10) days of the date hereof, in accordance with *N.J.S.A. 40A:12A-6.b(5)*.

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

Absent: Council Member Cotter.

* * * * *

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

RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY DESIGNATING PROPERTY LOCATED AT 73 EAST 31ST STREET, 74-78 EAST 32ND STREET AND 258-270 PROSPECT AVENUE, WHICH PROPERTY IS 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 OF BAYONNE AS A NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, *N.J.S.A. 40A:12A-1 ET SEQ.*

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

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

WHEREAS, the Municipal Council of the City (the "Municipal Council") has identified certain property located at 73 East 31st Street, 74-78 East 32nd Street, and 258-270 Prospect Avenue, which property is identified as Block 411, Lots 1, 6, 7, 8, 10.01, 11, 12, 13, 14, and 15 on the City's Tax Maps (the "Property"), to be considered for designation as a non-condemnation "area in need of redevelopment" under the Redevelopment Law; and

WHEREAS, by resolution on December 16, 2015, the Municipal Council authorized and directed the Planning Board to conduct a preliminary investigation to determine whether the Property constitutes a non-condemnation "area in need of redevelopment" according to the criteria set forth in *N.J.S.A. 40A:12A-5*; and

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

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

"(4) At the hearing, which may be adjourned from time to time, the planning board shall hear all persons who are interested in or would be affected by a determination that the

delineated area is a redevelopment area. All objections to such a determination and evidence in support of those objections, given orally or in writing, shall be received and considered and made part of the public record.

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

WHEREAS, on June 14, 2016, the Planning Board held a public hearing, duly noticed under the Redevelopment Law, and reviewed an investigation/report titled “Area in Need of Redevelopment Study Block 411, Lots 1, 6, 7, 8, 10.01, 11, 12, 13, 14, and 15, City of Bayonne, New Jersey” prepared by Suzanne Mack, PPAICP, City of Bayonne, Division of Planning & Zoning, Department of Municipal Services, dated June 3, 2016 (the “Study”) and any persons interested in or affected by a determination that the Property is a non-condemnation redevelopment area were given an opportunity to be heard, and any objections to such a determination and evidence in support of those objections, were received and considered and made part of the public record, and;

WHEREAS, on June 14, 2016, the Planning Board further adopted the Resolution recommending that the Property be determined by the Municipal Council to be a non-condemnation “area in need of redevelopment” under the Redevelopment Law, *N.J.S.A. 40A:12A-1 et seq.*; and

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

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

Section 1. Block 411, Lots 1, 6, 7, 8, 10.01, 11, 12, 13, 14, and 15, as shown on the official Tax Map of the City are hereby designated a non-condemnation “area in need of redevelopment” under the Redevelopment Law, *N.J.S.A. 40A:12A-1 et seq.*

Section 2. The Municipal Council hereby directs the City Clerk to transmit a copy of the within resolution to the Commissioner of the Department of Community Affairs and to serve notice that Block 411, Lots 1, 6, 7, 8, 10.01, 11, 12, 13, 14, and 15, is designated a non-condemnation redevelopment area on the owners of such Property and other parties within ten (10) days of the date hereof, in accordance with *N.J.S.A. 40A:12A-6.b(5)*.

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

Absent: Council Member Cotter.

* * * * *

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

RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY DESIGNATING PROPERTY LOCATED AT 676-688 AVENUE E, WHICH PROPERTY IS IDENTIFIED AS BLOCK 402, LOTS 4, 5, 6 AND 7 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE AS A NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, *N.J.S.A. 40A:12A-1 ET SEQ.*

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

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

WHEREAS, the Municipal Council of the City (the “Municipal Council”) has identified certain property located at 676-688 Avenue E, which property is identified as Block 402, Lots

4, 5, 6, and 7 on the City's Tax Maps (the "Property"), to be considered for designation as a non-condemnation "area in need of redevelopment" under the Redevelopment Law; and

WHEREAS, by resolution on March 16, 2016, the Municipal Council authorized and directed the Planning Board to conduct a preliminary investigation to determine whether the Property constitutes a non-condemnation "area in need of redevelopment" according to the criteria set forth in *N.J.S.A. 40A:12A-5*; and

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

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

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

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

WHEREAS, on June 14, 2016, the Planning Board held a public hearing, duly noticed under the Redevelopment Law, and reviewed an investigation/report titled "Area in Need of Redevelopment Study as Block 402, Lots 4, 5, 6, and 7, City of Bayonne, New Jersey" prepared by Suzanne Mack, PPAICP, City of Bayonne, Division of Planning & Zoning, Department of Municipal Services, dated June 3, 2016 (the "Study") and any persons interested in or affected by a determination that the Property is a non-condemnation redevelopment area were given an opportunity to be heard, and any objections to such a determination and evidence in support of those objections, were received and considered and made part of the public record, and;

WHEREAS, on June 14, 2016, the Planning Board further adopted the Resolution recommending that the Property be determined by the Municipal Council to be a non-condemnation "area in need of redevelopment" under the Redevelopment Law, *N.J.S.A. 40A:12A-1 et seq.*; and

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

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

Section 1. Block 402, Lots 4, 5, 6, and 7, as shown on the official Tax Map of the City are hereby designated a non-condemnation "area in need of redevelopment" under the Redevelopment Law, *N.J.S.A. 40A:12A-1 et seq.*

Section 2. The Municipal Council hereby directs the City Clerk to transmit a copy of the within resolution to the Commissioner of the Department of Community Affairs and to serve notice that as Block 402, Lots 4, 5, 6, and 7, is designated a non-condemnation redevelopment area on the owners of such Property and other parties within ten (10) days of the date hereof, in accordance with *N.J.S.A. 40A:12A-6.b(5)*.

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

Absent: Council Member Cotter.

* * * * *

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

RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AUTHORIZING AND DIRECTING THE EXECUTION OF A SETTLEMENT AGREEMENT AND RELEASES BY AND BETWEEN THE CITY OF BAYONNE, CAMERON BAYONNE URBAN RENEWAL, LLC, AND 195 EAST 22ND STREET URBAN RENEWAL, LLC FOR THE PROPERTY IDENTIFIED AS BLOCK 452.01, LOTS 1, 2, AND 9 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE

WHEREAS, the City of Bayonne, in the County of Hudson, New Jersey (the “City”), a public body corporate and politic of the State of New Jersey (the “State”), is authorized pursuant to the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* (the “Redevelopment Law”), to proceed with the undertaking of any redevelopment project consistent with a redevelopment plan; and

WHEREAS, *N.J.S.A. 40A:12A-8* authorizes the governing body of any municipality, to negotiate and enter into contract with redevelopers for the undertaking of any project or redevelopment work; and

WHEREAS, on October 6, 2004 and January 19, 2005, the municipal council of the City (the “City Council”) adopted Resolution Number 04-10-06-003 designating the property commonly known as Block 452.01, Lots 1, 2, 3, 4 and 9; Block 453, Lots 1, 5, 6, 7, 8, 9, 10 and 11; and Block 503, Lots 8 and 9 on the tax map of the City as an area in need of redevelopment (the “Redevelopment Area”) pursuant to the provisions of the Redevelopment Law; and

WHEREAS, in furtherance of redeveloping the Redevelopment Area, on June 15, 2005, the City passed Ordinance Number O-05-20 adopting a redevelopment plan entitled, “Redevelopment Plan Route 440 Corridor East Redevelopment Area”, as amended on December 6, 2006, February 18, 2009, and August 12, 2009 (the “Redevelopment Plan”) establishing the development and construction standards within the Redevelopment Area; and

WHEREAS, pursuant to the Redevelopment Law, the City adopted Ordinance No. O-06-44 on December 6, 2006 designating the Bayonne Local Redevelopment Agency (“BLRA”) as the “redevelopment entity” (as defined in the Redevelopment Law) for the Redevelopment Area; and

WHEREAS, on January 25, 2007, the BLRA adopted Resolution Number 012507-03 authorizing a redevelopment agreement (the “CBUR Redevelopment Agreement”) with Cameron Bayonne Urban Renewal, LLC f/k/a/ Cameron Bayonne, LLC, a limited liability company of the State of New Jersey, (“CBUR”) which designated CBUR as the exclusive redeveloper for the Redevelopment Area; and

WHEREAS, in accordance with the Redevelopment Plan, the CBUR Redevelopment Agreement, and government approvals, CBUR redeveloped the majority of the Redevelopment Area, consisting of approximately 57 acres, with the retail development commonly known as the Bayonne Crossings Shopping Center Project; and

WHEREAS, a Final Certificate of Completions was issued by the BLRA to CBUR with respect to the Bayonne Crossings Shopping Certificate Project and recorded with the County of Hudson on or about January 24, 2012; and

WHEREAS, one remaining parcel within the Redevelopment Area, consisting of approximately 2.7 acres at the southeast corner of Route 440 and 22nd Street, which is separate from the bulk of the aforementioned portion of the Redevelopment Area, remains underutilized and in need of redevelopment. That parcel which, to reiterate, is within the Redevelopment Area, is identified as Block 452.01 (formerly Tax Block 452), Lots 1, 2 & 9 (the “Project Premises”); and

WHEREAS, 195 East 22nd Street Urban Renewal, LLC a limited liability company of the State of New Jersey (“195 East 22nd Street Urban Renewal”) is the owner of Lots 1 & 2 in the Project Premises; and

WHEREAS, the City is the owner of Lot 9 in the Project Premises; and

WHEREAS, 195 East 22nd Street Urban Renewal has expressed an interest in and has submitted a proposal for the redevelopment of the Project Premises with a mixed-use commercial project; and

WHEREAS, CBUR has disputed the rights of the City to terminate CBUR as the designated redeveloper for the Project Premises, and the rights of the City to terminate the CBUR Redevelopment Agreement as it relates to the Project Premises; and

WHEREAS, CBUR has further disputed the rights of the City to designate 195 East 22nd Street Urban Renewal as the designated redeveloper of the Project Premises; and

WHEREAS, in the interest of resolution of the foregoing disputes and avoidance of litigation, the City, CBUR and 195 East 22nd Street Urban Renewal (the “Parties”) engaged in settlement discussions with respect to the foregoing matters and reached an agreement in principal, whereby CBUR’s redeveloper designation and the CBUR Redevelopment Agreement would be terminated as it relates to the Project Premises, and 195 East 22nd Street Urban Renewal would be designated as the exclusive redeveloper of the Project Premises; and

WHEREAS, as partial consideration of the foregoing, the Parties have agreed that a designation fee in the amount of six hundred seventy-five thousand dollars (\$675,000.00) (“Designation Fee”) would be paid by 195 East 22nd Street Urban Renewal to CBUR; and

WHEREAS, in further consideration of the foregoing and other consideration, the Parties have agreed to mutual releases relative to all matters associated with the redevelopment of the Project Premises; and

WHEREAS, on December 11, 2013, the City adopted a resolution terminating CBUR as the redeveloper for the Project Premises and designating 195 East 22nd Street Urban Renewal as the conditional redeveloper pending the payment of the Designation Fee and the execution of a redevelopment agreement between the City and 195 East 22nd Street Urban Renewal; and

WHEREAS, the City desires to enter into a settlement agreement with CBUR and 195 East 22nd Street Urban Renewal (the “Settlement Agreement”), and to execute mutual releases as contemplated by the Settlement Agreement; and

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

Section 1. The aforementioned recitals are incorporated herein as if fully set forth herein.

Section 2. The Mayor and/or his designees is/are hereby authorized to execute a Settlement Agreement by and between the City, CBUR and 195 East 22nd Street Urban Renewal associated with the redevelopment of Project Premises identified as Block 452.01, Lots 1, 2 and 9 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.*, which Settlement Agreement shall incorporate, among other things, the terms set forth in the recitals hereinabove.

Section 3. The Mayor and/or his designees is/are hereby authorized to execute a release to the benefit of CBUR relative to the redevelopment of the Project Premises, as well as any all other documents necessary to complete the settlement.

Section 4. This Resolution shall take effect immediately.

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

Absent: Council Member Cotter.

* * * * *

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

RESOLUTION DESIGNATING MADISON HILL PROPERTIES, LLC AS REDEVELOPER OF THE PROPERTY KNOWN AS BLOCK 458, LOTS 12 AND 13 LOCATED AT 206-220 AVENUE E AND 222 AVENUE E, IN THE CITY OF BAYONNE AND AUTHORIZING THE EXECUTION OF A REDEVELOPMENT AGREEMENT WITH MADISON HILL PROPERTIES, LLC FOR THE REDEVELOPMENT OF SUCH PROPERTY IN ACCORDANCE WITH THE REHABILITATION PLAN

WHEREAS, the Municipal Council of the City of Bayonne in its capacity as the redevelopment entity (the “Municipal Council”) for the City of Bayonne is responsible for implementing redevelopment plans and carrying out redevelopment projects pursuant to the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* (the “Redevelopment Law”); and

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

WHEREAS, on February 17, 2016, the Municipal Council, pursuant to Resolution No. 16-02-17-053, directed the Planning Board, to prepare and review a Rehabilitation Plan for

Block 458, Lots 12 and 13 (the “Rehabilitation Area”) and make recommendations to the Municipal Council in accordance with the Redevelopment Law; and

WHEREAS, the Rehabilitation Area consists of property located at 206-220 Avenue E and 222 Avenue E; and

WHEREAS, the City of Bayonne, Division of Planning & Zoning, Department of Municipal Services has prepared a rehabilitation plan for the Rehabilitation Area titled “Rehabilitation Plan Block 458, Lots 12 -13” dated April 12, 2016 (the “Rehabilitation Plan”); and

WHEREAS, on April 12, 2016, the Planning Board adopted a Resolution recommending that the Municipal Council adopt the Rehabilitation Plan and concluding that the Rehabilitation Plan is consistent with the Master Plan of the City of Bayonne (the “Resolution”); and

WHEREAS, on May 18, 2016, the Municipal Council pursuant to Ordinance O-16-26 adopted the Rehabilitation Plan, upon receipt of the Planning Board’s recommendation to the Municipal Council; and

WHEREAS, Madison Hill Properties, LLC (the “Redeveloper”) has agreed to develop the Property and use it for the purpose of implementing the Rehabilitation Plan; and

WHEREAS, the Redeveloper has requested that the Municipal Council, as a redevelopment entity, enter into a redevelopment agreement with Redeveloper providing for the development of the Property in accordance with the Rehabilitation Plan; and

WHEREAS, the Municipal Council desires to designate Madison Hill Properties, LLC as redeveloper of the Property and enter into a Redevelopment Agreement with the Redeveloper, as provided for and in accordance with the provisions of the New Jersey Local Redevelopment and Housing Law.

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

Section 1. The Municipal Council of the City of Bayonne hereby authorizes the execution of the “Redevelopment Agreement By and Between the City of Bayonne and Madison Hill Properties, LLC” (the “Redevelopment Agreement”), concerning the Property identified as Block 458, Lots 12 and 13 in the City of Bayonne, in such a form deemed advisable by the City Attorney, subject to any and all conditions contained herein and such revisions as deemed advisable by the City Attorney or Special Redevelopment Counsel to the City; and

Section 2. The Municipal Council, upon the full execution of the Redevelopment Agreement recognizes Madison Hill Properties, LLC as Redeveloper of Block 458, Lots 12 and 13 in the City of Bayonne as provided for and in accordance with the provisions of the New Jersey Local Redevelopment and Housing Law; and

Section 3. The Mayor and Clerk are hereby authorized to execute the Redevelopment Agreement, with such revisions as deemed advisable by the City Attorney or Special Redevelopment Counsel, on behalf of the City of Bayonne, acting as the redevelopment entity for the redevelopment of the Property by Madison Hill Properties, LLC.

Section 4. This Resolution shall take effect immediately.

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

Absent: Council Member Cotter.

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

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

WHEREAS, the Bayonne Family Community Center, 259 Avenue E, Bayonne, New Jersey 07002 is an organization which has among its objectives assisting persons of lower income households; and

WHEREAS, the Bayonne Family Community Center has requested and submitted a formal written application dated August 7, 2014 for said CDBG Grant Funds in the amount of \$26,240.00 for the purpose of providing the cost of removal of a 10,000 gallon oil tank from Pancoast Pump & Tank, Inc., 147 Roseland Avenue, Caldwell, NJ 07006; and

WHEREAS, the Assistant Director of Community Development has advised that the availability of said Community Development Block Grant Funds for the purpose of providing the cost of the cost of removal of a 10,000 gallon oil tank from Pancoast Pump & Tank, Inc., 147 Roseland Avenue, Caldwell, NJ 07006 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 Bayonne Family Community Center, 259 Avenue E, Bayonne, New Jersey 07002 for the provision of providing cost of the cost of removal of a 10,000 gallon oil tank from Pancoast Pump & Tank, Inc., 147 Roseland Avenue, Caldwell, NJ 07006 in the amount of \$26,240.00 for the period commencing September 1, 2015 and ending August 31, 2016.

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

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

Absent: Council Member Cotter.

* * * * *

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

WHEREAS, the Municipal Council by resolution adopted September 11, 1974, did authorize the Mayor, on behalf of the City of Bayonne, to enter into a Joint Agreement for the establishment of the Regional Health Commission of Hudson County (the "Commission") in accordance with N.J.S.A. 26:3-83 to 94; and

WHEREAS, the Commission has provided the City with services in connection with the prevention of the use of the atmosphere as a receptor of waste thereby adversely affecting persons and property; and

WHEREAS, the City of Bayonne has continued membership in the aforesaid Commission on an annual basis in order to avail the City of the services offered; and

WHEREAS, pursuant to the terms of the aforesaid Joint Agreement, each participating municipality shall contribute to the Commission's budget on the bases of the percent of its population to the combined population of all participating municipalities; and

WHEREAS, for the Calendar Years, 2009, 2010, 2011, 2012 and 2013 it was the opinion of the former Corporation Counsel that it was not necessary for the Municipal Council to authorize the continued membership by the City in Commission on the basis that the terms of the aforesaid Joint Agreement stated that the term was indefinite unless terminated by a withdrawal of a participating municipality; and

WHEREAS, it is the opinion of the current Law Director that it is prudent to authorize the City's continued membership in the Commission by way of the adoption of an annual resolution by the Municipal Council; and

WHEREAS, the City continued its membership in the Commission for the years CY2014 and CY2015 and is in receipt of invoices from the Commission for its annual municipal assessments for the Calendar Years 2014 2015 and 2016 in the amounts of \$25,944.00 each; and

WHEREAS, it is in the best interests of the citizens of Bayonne to continue membership in the in the aforesaid Commission in order to continue to avail the City of the services offered; and

WHEREAS, funds are certified as available in Accounts GL 204 for CY2014, #01-203-27-330-2-020 for CY2015, and 01-201-27-330-2-020 for CY2016 pending adoption of the CY2016 budget; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The continued membership of the City of Bayonne in the Commission for the Calendar Years 2009 through 2015 is hereby ratified and affirmed.

2. The Municipal Treasurer is hereby authorized to issue a warrant in the amount of \$51,888.00 payable to the Commission representing the City's municipal assessments for Calendar Years 2014 and 2015 in the amounts of \$25,944.00 each.

3. The continued membership of the City of Bayonne in the Commission for the Calendar Year 2016 for its annual municipal assessment amount of \$25,944.00 is hereby authorized

4. Funds shall be charged to Accounts GL 204 for CY2014, #01-203-27-330-2-020 for CY2015, and 01-201-27-330-2-020 for CY2016 pending adoption of the CY2016 budget.

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

Absent: Council Member Cotter.

* * * * *

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

WHEREAS, the City is in need of Professional Planning Services to provide redevelopment planning services related to the former Texaco Site;; and

WHEREAS, Phillips, Preiss, Grygiel, LLC, 33-41 Newark Street, Third Floor, Suite D, Hoboken, NJ 07030 has submitted a proposal for said services dated June 21, 2016 for an amount not to exceed \$25,000.00 for said services; and

WHEREAS, the Business Administrator has determined and certified in writing that the value of the acquisition will exceed \$17,500; and,

WHEREAS, Phillips, Preiss, Grygiel, LLC has completed and submitted a "Business Entity Disclosure Certification for Non-Fair and Open Contracts" required Pursuant to N.J.S.A. 19:44A-20.8 which certifies that Phillips, Preiss, Grygiel, LLC has not made any reportable contributions to a political or candidate committee in the City of Bayonne in the previous one year, and that the contract will prohibit Phillips, Preiss, Grygiel, LLC from making any reportable contributions through the term of the contract; and

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

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized and directed to execute an agreement with Phillips, Preiss, Grygiel, LLC, 33-41 Newark Street, Third Floor, Suite D, Hoboken, NJ 07030 for Professional Planning Services consistent with the aforementioned proposal of Phillips, Preiss, Grygiel, LLC dated June 21, 2016 for an amount not to exceed \$25,000.00.

2. This resolution is subject to the receipt of funds from the developer, Kaplan-Promenade at Bayonne, LLC.

3. Funds shall be charged to an Escrow Account to be determined pending receipt of funds from the developer, Kaplan-Promenade at Bayonne, LLC.

4. The Business Disclosure Entity Certification and the Determination of Value shall be placed on file with this resolution.

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

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

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

Absent: Council Member Cotter.

* * * * *

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

WHEREAS, the City of Bayonne held its Second Annual Hometown Fair on Saturday, June 11th and Sunday, June 12th, 2016; and

WHEREAS, the Bayonne Hometown Fair Association (the "BHFA"), an association duly formed and existing under the laws of the State of New Jersey, requested permission to hold a Second Annual Hometown Fair on Saturday, June 11th and Sunday, June 12, 2016 to be located along Broadway, from 21st Street to 25th Street, and on Del Monte Drive from 22nd Street to 24th Street; and

WHEREAS, the First Annual Bayonne Hometown Fair held in June of 2015 proved to be a successful and desirous event in the City of Bayonne, . now, therefore, be it

RESOLVED that the actions of the Mayor and the City Clerk in executing a License with the Bayonne Hometown Fair Association to effectuate the Second Annual Bayonne Hometown Fair held on Saturday, June 11th and Sunday June 12th, 2016 are hereby ratified and affirmed.

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

Absent: Council Member Cotter.

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79. Council President Nadrowski introduced:

AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON TO AUTHORIZE THE GRANTING OF AN EASEMENT OVER A PORTION OF INGHAM AVENUE TO DURAPORT RAIL TERMINAL, LLC

THE MUNICIPAL COUNCIL OF THE CITY OF BAYONNE DOES ORDAIN:

Section 1. That an easement for the right of access and entry in, to, over, under, through, upon and across that portion of Ingham Avenue comprising a 796.85 ft. by 2.5 ft. strip along the easterly side thereof totaling 1.992 sq.ft, as more particularly described in the attached "Grant of Easement", which is attached hereto and made part hereof, be granted in favor of Duraport Rail Terminal, LLC.

Section 2. That the said easement agreement be in a form approved by the Law Department.

Section 3. The Mayor and City Clerk are hereby authorized to execute a Grant of Easement granting permission access and entry in, to, over, under, through, upon and across that portion of Ingham Avenue comprising a 796.85 ft. by 2.5 ft. strip along the easterly side thereof totaling 1.992 sq. ft as more particularly described in the attached "Grant of Easement" to Duraport Rail Terminal, LLC in a form approved by the Law Department.

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

BE IT RESOLVED, "AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON TO AUTHORIZE THE GRANTING OF AN EASEMENT OVER A PORTION OF INGHAM AVENUE TO DURAPORT RAIL TERMINAL, LLC, " that an ordinance entitled just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, July 20, 2016 at 7:00 P.M., or as soon thereafter as the matter can be reached, and the Dorothy E. Harrington Council Chamber, Municipal Building, 630 Avenue, Bayonne, New Jersey, are hereby fixed as the time and place when and where such ordinance will be further considered for final passage, at which time and place all persons interested shall be given an opportunity to be heard concerning the same; and, be it further

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

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

Absent: Council Member Cotter.

* * * * *

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

WHEREAS, the City of Bayonne is subject to a Revaluation Order (“Order”) from the Hudson County Tax Board (“Tax Board”), approved by the State of New Jersey and forwarded to the City for further action by the Tax Board on May 2, 2016, and

WHEREAS, on May 24, 2016, in compliance with the above Order, the City Tax Assessor filed a “Compliance Plan” with the Tax Board and distributed copies of same to the Governing Body, and

WHEREAS, said compliance plan requires solicitation of proposals for a Tax Map, and

WHEREAS, said compliance plan requires solicitation of proposals for creation of a new New Jersey State certified Tax Map, and

WHEREAS, the City Tax Assessor has recommended that this solicitation include production of updated aerial photogrammetric Geographical Information System (GIS) digital mapping compatible with the City’s current GIS programs in which the parcels depicted in the new State certified Tax Map are both referenced to the aerial base and linked to the existing MOD IV tax assessment database with particular attention to areas deficient in the prior map, including but not limited to, riparian grants, railroad properties, pipelines and correction of postal address conflicts;

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

1. The above recitals are incorporated herein.
2. The City Law Department acting in conjunction with the City Engineer and in consultation with the City Tax Assessor shall develop specifications for and solicit proposals to develop and deliver to the City of Bayonne a new New Jersey State Certified Tax Map to include production of updated aerial photogrammetric Geographical Information System (GIS) digital mapping compatible with the City’s current GIS programs in which the parcels depicted in the new State certified Tax Map are both referenced to the aerial base and linked to the existing MOD IV tax assessment database with particular attention to areas deficient in the prior map, including but not limited to, riparian grants, railroad properties, pipelines and correction of postal address conflicts and such other areas as may be identified in the process of developing said specifications.
3. The City Law Director and Business Administrator Engineer are further authorized to take any actions necessary to effectuate the development of specifications for solicitation of proposals to effectuate this resolution and to publish and receive same for review and presentation to this body for final approval as appropriate.
4. This resolution shall take effect immediately.

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

Absent: Council Member Cotter.

* * * * *

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

WHEREAS, Municipal Council Resolution No. 16-01-20-052 adopted on January 20, 2016 authorized the Mayor and City Clerk to enter into an agreement with the Jewish Community Center, 1050 Kennedy Blvd., Bayonne, New Jersey 07002 for the amount of \$174,350 for the purpose of funding funding renovation to meet the current codes of the City and expansion of its current State of New Jersey Child Care Center License to include infants and young toddlers; and

WHEREAS, pursuant to the aforesaid Resolution No. 16-01-20-052, the City of Bayonne entered into Agreement No. CY16-020 with Jewish Community Center, and

WHEREAS, pursuant to a final inspection by the Fire Department it was necessary to install a conduit and wiring for a red light fixture at the sprinkler stand pipe location as per code; and

WHEREAS, the electrician on site, Peninsula Electric, Inc. installed the aforesaid conduit and wiring for a red light fixture at the sprinkler stand pipe location as per code in order to pass the Final Inspection by the Fire Department (the "Work"); and

WHEREAS, the Office of Community Development is in receipt of an invoice from Peninsula Electric, Inc. for the aforesaid Work in the amount of \$375.00; and

WHEREAS, funds are certified 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 execute an amendment to Agreement No. CY16-020 with the Jewish Community Center increasing same in the amount of \$375.00 to include the cost of the installation of the conduit and wiring for a red light fixture at the sprinkler stand pipe location as per code pursuant to Invoice #2491 from Peninsula Electric, Inc. 23 East 47th Street, Bayonne, NJ 07002 dated June 3, 2016, making the total contract amount \$174,725.00.

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

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

Absent: Council Member Cotter.

* * * * *

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

WHEREAS, there is a need for the services of a Licensed Site Remediation Professional for property owned by the City of Bayonne located at East 5th Street, more particularly known as Block 416.01, Lots 10, 10.01 and 10.02, for the purpose of finalizing and submitting a Preliminary Assessment and Site Investigation Report, as well as to apply for grants and/or loans to address impacts to soil, water and sediment from historical use of the property from coal loading operations; and

WHEREAS, any and all costs associated with the services of the Licensed Site Remediation Professional will be borne by purchaser/developer of the property and the City shall be held harmless with respect to any actions taken with respect to this property; and

WHEREAS, Gary R. Brown, P.E, of RT Environmental Services, Inc., 510 Heron Drive #306, Swedesboro, NJ 08085 has submitted a proposal for said services for an amount not to exceed \$17,500.00 for said services; and

WHEREAS, the Business Administrator has determined and certified in writing that the value of the acquisition will not exceed \$17,500; and,

WHEREAS, Gary R. Brown, P.E, of RT Environmental Services, Inc. has completed and submitted a "Business Entity Disclosure Certification for Non-Fair and Open Contracts" required Pursuant to N.J.S.A. 19:44A-20.8 which certifies that RT Environmental Services, Inc. has not made any reportable contributions to a political or candidate committee in the City of Bayonne in the previous one year, and that the contract will prohibit Gary R. Brown, P.E, of RT Environmental Services, Inc. from making any reportable contributions through the term of the contract; and

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

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized and directed to execute an agreement with Gary R. Brown, P.E, of RT Environmental Services, Inc., 510 Heron Drive #306, Swedesboro, NJ 08085 for services as a Licensed Site Remediation Professional for property owned by the City of Bayonne located at East 5th Street, more particularly known as Block 416.01, Lots 10, 10.01 and 10.02, for the purpose of finalizing and submitting a Preliminary Assessment and Site Investigation Report, as well as to apply for grants and/or loans to address impacts to soil, water and sediment from historical use of the property from coal loading operations for an amount not to exceed \$17,500.00, at no cost to the City of Bayonne, with all costs being borne by the purchaser/developer of the property.

2. This resolution is subject to the receipt of funds from the purchaser/developer of the property.

3. Funds shall be charged to an Escrow Account to be determined pending receipt of funds from the purchaser/developer.

4. The Business Disclosure Entity Certification and the Determination of Value shall be placed on file with this resolution.

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

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

Absent: Council Member Cotter.

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At 8:40 P.M., Council President Nadrowski moved the following resolution, seconded by Council Member Perez, which was read by the Clerk and adopted.

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

Absent: Council Member Cotter.

* * * * *

President-Sharon A. Nadrowski

Clerk – Robert F. Sloan