

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, AUGUST 24, 2016

The Council met at 7:02 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 August 24, 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 August 19, 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. The New Jersey Parent’s Foundation presented awards to two Bayonne High School students – Amin Park and Alicia Betancourt.

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02. Peter Franco addressed the council on the subject of the Bayonne Municipal Utilities Authority.

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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 the meeting of June 22, 2016, at which time it was tabled to this meeting of August 24, 2016 pending approval by the Local Finance Board, is now before the Council for its consideration and a public hearing.

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

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

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

Absent: Council Member Cotter.

The Clerk read the ordinance by title: “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”

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
Mike Morris – 123 Avenue C

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 that the following resolution to amend be adopted, seconded by Council Member Perez, which motion was adopted.

WHEREAS, 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" was introduced on April 20, 2016; and

WHEREAS, Section 5 of said Ordinance as introduced sets the effective date of dissolution as October 1, 2016 or the date of issuance of debt obligations of the City to refund the Authority Debt to be Defeased, the defeasance of the Authority Debt to be Defeased, and the transfer of all funds from the Authority to the City, whichever is later; and

WHEREAS, the permission of the Local Finance Board is required to effectuate dissolution; and

WHEREAS, the Local Finance Board has set December 31, 2016 as the date of dissolution; now, therefore, be it

RESOLVED, that Section 5 of 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 Ordinance was originally introduced on April 20, 2016 is hereby amended to reflect a revised dissolution date of December 31, 2016; and be it further

RESOLVED, that no further public hearing is required in connection with this revised dissolution date insofar as it is ministerial in nature.

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

Absent: Council Member Cotter.

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

WHEREAS, an ordinance entitled, "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 the meeting of June 22, 2016, at which time it was tabled to this meeting of August 24, 2016 pending approval by the Local Finance Board considered for final passage and 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 August 24, 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-16-48.

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 the meeting of June 22, 2016, at which time it passed a second reading and a public hearing was held, and the ordinance was tabled to this meeting of August 24, 2016, is now before the Council for its consideration and a public hearing.

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

WHEREAS, an ordinance entitled, "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 the meeting of June 22, 2016, at which time it passed a second reading and a public hearing was held, and the ordinance was tabled to this meeting of August 24, 2016 ; and

WHEREAS, said ordinance has been given a second reading 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-16-49.

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 OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY APPROVING AND AUTHORIZING THE EXECUTION OF A TEMPORARY CONSTRUCTION AND ACCESS EASEMENT AGREEMENT FOR THE BENEFIT OF BAYONNE 19TH STREET URBAN RENEWAL ASSOCIATES, LLC," which was introduced and passed a first reading at a meeting held July 20, 2016, was published in the Jersey Journal and posted on the bulletin board as required by law, with notice that it would be further considered for final passage following a public hearing at this meeting of August 24, 2016, is now before the Council for its consideration and a public hearing.

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

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

Yeas - Council Members 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 APPROVING AND AUTHORIZING THE EXECUTION OF A TEMPORARY CONSTRUCTION AND ACCESS EASEMENT AGREEMENT FOR THE BENEFIT OF BAYONNE 19TH STREET URBAN RENEWAL ASSOCIATES, LLC,"

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

There was no response – no person appearing to protest against or object to the ordinance or to its passage

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

Council Member 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 OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY APPROVING AND AUTHORIZING THE EXECUTION OF A TEMPORARY CONSTRUCTION AND ACCESS EASEMENT AGREEMENT FOR THE BENEFIT OF BAYONNE 19TH STREET URBAN RENEWAL ASSOCIATES, LLC," was introduced and passed a first reading at a meeting held July 20, 2016, and was published and posted as required by law, with notice that it would be considered for final passage following a public hearing at this meeting of August 24, 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-16-50.

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

Absent: Council Member Cotter.

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06. The clerk announced:

AN ORDINANCE ENTITLED, "ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY APPROVING A FINANCIAL AGREEMENT WITH MHP 222 AVENUE E URBAN RENEWAL LLC," which was introduced and passed a first reading at a meeting held July 20, 2016, was published in the Jersey Journal and posted on the bulletin board as required by law, with notice that it would be further considered for final passage following a public hearing at this meeting of August 24, 2016, is now before the Council for its consideration and a public hearing.

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

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

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

Absent: Council Member Cotter.

The Clerk read the ordinance by title: "ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY APPROVING A FINANCIAL AGREEMENT WITH MHP 222 AVENUE E URBAN RENEWAL LLC,"

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

There was no response – no person appearing to protest against or object to the ordinance or to its passage

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

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

WHEREAS, an ordinance entitled, "ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY APPROVING A FINANCIAL AGREEMENT WITH MHP 222 AVENUE E URBAN RENEWAL LLC," was introduced and passed a first reading at a meeting held July 20, 2016, and was published and posted as required by law, with notice that it would be considered for final passage following a public hearing at this meeting of August 24, 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-16-51.

Yeas - Council Members Gullace, Perez and President Nadrowski.

Nays- Council Member LaPelusa.

Absent: Council Member Cotter.

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07. The clerk announced:

AN ORDINANCE ENTITLED, "ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY APPROVING A FINANCIAL AGREEMENT WITH BAYONNE ENERGY CENTER URBAN RENEWAL, LLC," which was introduced and passed a first reading at a meeting held July 20, 2016, was published in the Jersey Journal and posted on the bulletin board as required by law, with notice that it would be further considered for final passage following a public hearing at this meeting of August 24, 2016, is now before the Council for its consideration and a public hearing.

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

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

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

Absent: Council Member Cotter.

The Clerk read the ordinance by title: "ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY APPROVING A FINANCIAL AGREEMENT WITH BAYONNE ENERGY CENTER 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 ordinance or to its passage

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

Council Member Perez motioned to close the hearing, seconded by Council Member Gullace, 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 President , which was read by the Clerk and adopted.

WHEREAS, an ordinance entitled, "ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY APPROVING A FINANCIAL AGREEMENT WITH BAYONNE ENERGY CENTER URBAN RENEWAL, LLC," was introduced and passed a first reading at a meeting held July 20, 2016, and was published and posted as required by law, with notice that it would be considered for final passage following a public hearing at this meeting of August 24, 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-16-52.

Yeas - Council Members Gullace, Perez and President Nadrowski.

Nays – Council Member LaPelusa.

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 AN EASEMENT TO 662 AVENUE C URBAN RENEWAL, LLC," which was introduced and passed a first reading at a meeting held July 20, 2016, was published in the Jersey Journal and posted on the bulletin board as required by law, with notice that it would be further considered for final passage following a public hearing at this meeting of August 24, 2016, is now before the Council for its consideration and a public hearing.

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

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

Yeas - Council Members 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 ordinance or to its passage

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

Council Member 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 Gullace, 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 July 20, 2016, and was published and posted as required by law, with notice that it would be considered for final passage following a public hearing at this meeting of August 24, 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-16-53.

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

Absent: Council Member Cotter.

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09. Council President Nadrowski introduced:

AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 2, ADMINISTRATION

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 2, ADMINISTRATION, Subsection 2-52 Fees for Marriage Certificates and Civil Union Certificates, is hereby amended and supplemented as follows (Additions ****between asterisks and/or in bold****, deletions ~~{within brackets and/or struck through}~~):

2-52.2 Fees for Marriage ~~{and}~~******, ****** Civil Union Certificates~~{,}~~******, and Ceremonies.******

****a.**** Marriage certificates and civil union certificates may be obtained from the City Clerk's Office. The fee for such certificates is fifteen (\$15.00) dollars for each certificate. (Ord. No. O-08-02 § 1; Ord. No. O-12-02 § 1)

****b.** For marriage, civil union or domestic partnership ceremonies performed by the Mayor or a Municipal Court Judge, the fee shall be Fifty (\$50.00) dollars for a ceremony involving a bona fide, current resident of the City of Bayonne and One Hundred (\$100.00) dollars for a ceremony involving only non-residents.******

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

BE IT RESOLVED, that an ordinance entitled "AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 2, ADMINISTRATION," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, September 21, 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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10. Council Member LaPelusa

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

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

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

RESTRICTIVE PARKING ZONES

DELETE

192. Courtney Booker, 97 West 30th Street

Beginning at a point on the north side of West 30th Street, 136 feet east of the northeast corner of Kennedy Boulevard and West 30th Street, and extending to a point 19 feet east thereof.

201. Dolores Mulkern, 29 East 48th Street

Beginning at a point on the north side of East 48th Street, 344 feet west of the northwest corner of East 48th Street and Avenue E, and extending to a point 20 feet west thereof.

202. Janet Staruch, 31-35 East 11th Street

Beginning at a point on the north side of East 11th Street, 115 feet west of the northwest corner of Avenue E and East 11th Street, and extending to a point 20 feet west thereof.

210. Cathy Alvaradous, 88 West 55th Street

Beginning at a point on the south side of West 55th Street, 366 feet west of the southwest corner of Avenue C and West 55th Street, and extending to a point 22 feet east thereof.

256. Sharon Porter, 179 West 48th Street

Beginning at a point on the south side of West 48th Street, 398 feet west of the southwest corner of Kennedy Boulevard and West 48th Street, and extending to a point 8 feet west thereof.

280. Phyllis Viola, 24 West 41st Street

Beginning at a point on the north side of West 41st Street, 253 feet west of the northwest corner of West 41st Street and Broadway, and extending to a point 22 feet west thereof.

348. Christine Sorrentino for her mother, Barbara Katulka, 53 West 4th Street

Beginning at a point on the north side of West 4th Street, 183 feet west of the northwest corner of West 4th Street and Avenue C, and extending to a point 18 feet west thereof.

357. Judith Martin, 82 West 7th Street

Beginning at a point on the south side of West 7th Street, 47 feet east of the southeast corner of West 7th Street and Newman Avenue, and extending to a point 16 feet east thereof.

ADD

192. Linda Rapsis, 538 Avenue A

Beginning at a point on the south side of West 23rd Street, 55 feet east of the southeast corner of West 23rd Street and Avenue A, and extending to a point 17 feet east thereof.

201. Linda Woodards-French for her husband, William French, 577 Broadway

Beginning at a point on the south side of West 27th Street, 156 feet west of the southwest corner of West 27th Street and Broadway, and extending to a point 17 feet west thereof.

202. Lona Wall, 44 West 55th Street

Beginning at a point on the south side of West 55th Street, 185 feet east of the southeast corner of West 55th Street and Avenue C, and extending to a point 16 feet east thereof.

208. Joan Robinson, 84 Lord Avenue

Beginning at a point on the east side of Lord Avenue, 66 feet north of the northeast corner of Lord Avenue and East 3rd Street, and extending to a point 22 feet north thereof.

210. Robert Kudlacik, 166 West 9th Street

Beginning at a point on the south side of West 9th Street, 381 feet west of the southwest corner of West 9th Street and Avenue A, and extending to a point \15 feet west thereof.

232. John Nadrowski, 28 Elm Court

Beginning at a point on the south side of Elm Court, 341 feet west of the southwest corner of Elm Court and Oak Street, and extending to a point 17 feet west thereof.

256. Bebawy Aziz, 177 West 48th Street

Beginning at a point on the south side of West 48th Street, 343 feet west of the southwest corner of West 48th Street and Kennedy Boulevard, and extending to a point 8 feet west thereof.

280. Robyn Bolles, for her father, Daniel Zimmerman, 41 West 16th Street

Beginning at a point on the north side of West 16th Street, 181 feet east of the northeast corner of West 16th Street and Avenue C, and extending to a point 18 feet east thereof.

348. Irene Davis, for her son, Benjamin Malterre, 482 Avenue A

Beginning at a point on the south side of West 20th Street, 57 feet east of the southeast corner of West 20th Street and Avenue A, and extending to a point 17 feet east thereof.

357. Mary Megale, 931 Broadway

Beginning at a point on the west side of Broadway, 110 feet south of the southwest corner of West 45th Street and Broadway, and extending to a point 17 feet south thereof.

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

BE IT RESOLVED, that an ordinance entitled “AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC,” just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, September 21, 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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11. 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.

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

From Vincent L. Galasso, Esq., filing notice of tort claim on behalf of PATRICIA BARBITO, alleging injuries sustained May 5, 2016 in a fall on the sidewalk at 562 Broadway.

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

From John J. Rachinsky, Esq., filing notice of tort claim on behalf of YONG AE CHUNG, alleging injuries sustained June 6, 2016 in a fall on the sidewalk at 442 Broadway.

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

From SANDRA I. GENAODEABREU, filing notice of tort claim alleging property damage to her automobile on April 24, 2016 resulting from being struck by a fire engine at East 16th Street and Avenue E.

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

From JAMES CARRENO, filing notice of tort claim alleging property damage to his automobile on April 18, 2016 resulting from being damaged by firefighters at 122 West 26th Street.

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

From PRISCILLA ROSARIO, filing notice of tort claim alleging property damage to her automobile on July 10, 2016 resulting from striking a curb at 30th Street and Avenue E.

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

From JOAQUIN ESPINAL, filing notice of tort claim alleging property damage to his automobile on July 18, 2016 resulting from a tree branch falling at 31 Pointview Terrace.

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

From GABRIELLA GERACE, filing notice of tort claim alleging property damage to her automobile on July 12, 2016 resulting from the contractor working on Clark Park at 8th Street and Avenue C.

* * * * *

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

From MICHAEL C. MORRIS, filing notice of tort claim alleging property damage to his automobile on April 24, 2016 resulting from striking a pot hole at 1000 Broadway.

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

From the Superior Court of New Jersey, Law Division, Summons and Complaint in matter entitled, "JASOLOVSKY vs. LEHIGH REALTY CO, INC. and the BAYONNE FIRE

DEPARTMENT.” (Premises injury on July 22, 2014 at 158 West 26th Street – city joined for discovery purposes)

* * * * *

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

From the Superior Court of New Jersey, Law Division, Summons and Complaint in matter entitled, “LEONARD vs. THE CITY OF BAYONNE, et al.” (Civil rights violations/employment)

* * * * *

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

From the Tax Court of New Jersey, complaint in matter entitled, “BROADWAY BAYONNE REALTY LIMITED LIABILITY COMPANY vs. CITY OF BAYONNE.” (434-436 Broadway, East 19th Street & East 21st Street, Block 221, lots 1, 4, 15-19 & 24 – commercial & vacant)

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

From the Tax Court of New Jersey, complaint in matter entitled, “LPM SERVICES, INC. vs. CITY OF BAYONNE.” (446-456 Broadway, 11-13 East 21st Street, Block 211, lots 1-2 & 16-19 – commercial & vacant)

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

From the Tax Court of New Jersey, complaint in matter entitled, “MAJMUNDAR vs. CITY OF BAYONNE.” (15-17 East 21st Street, Block 211, lot 3 - commercial)

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

From the Tax Court of New Jersey, complaint in matter entitled, “DC REAL PROPERTY CO., LLC vs. CITY OF BAYONNE.” (East 5th Street, Block 359, lot 4.05 - vacant)

* * * * *

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

From the Tax Court of New Jersey, complaint in matter entitled, “SUPERIOR-MPM, LLC vs. CITY OF BAYONNE.” (Hobart Ave. – East 4th Street, Block 359, lot 10 - industrial)

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

From the Tax Court of New Jersey, complaint in matter entitled, “RITE AID #149 vs. CITY OF BAYONNE.” (1085-1089 Broadway, Block 31, lot 20-22 - commercial)

* * * * *

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

From the Tax Court of New Jersey, complaint in matter entitled, “J & J BUILDERS, LLC vs. CITY OF BAYONNE.” (1122-1126 Kennedy Boulevard, Block 60, lot 1 - vacant)

* * * * *

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

From the Tax Court of New Jersey, complaint in matter entitled, “J & J BUILDERS, LLC vs. CITY OF BAYONNE.” (41-47 West 34th Street, Block 131, lot 1 - vacant)

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

From the Tax Court of New Jersey, complaint in matter entitled, “J & J BUILDERS, LLC vs. CITY OF BAYONNE.” (22 East 11th Street, Block 273, lot 23 - vacant)

* * * * *

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

From the Tax Court of New Jersey, complaint in matter entitled, “J & J BUILDERS, LLC vs. CITY OF BAYONNE.” (101 East 21st Street, Block 457.01, lots 4 & 5 - vacant)

* * * * *

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

From the Tax Court of New Jersey, complaint in matter entitled, “J & J BUILDERS, LLC vs. CITY OF BAYONNE.” (196-198 Avenue E, Block 458, lots 7 & 8 – commercial & vacant)

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

From the Tax Court of New Jersey, complaint in matter entitled, “ESSES ENTERPRISES, INC. vs. CITY OF BAYONNE.” (477 Broadway, Block 204, lot 2 - commercial)

* * * * *

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

From the Tax Court of New Jersey, complaint in matter entitled, “RODRIGUEZ vs. CITY OF BAYONNE.” (Foot of Oak Street, Block 473.01, lot 1 - vacant)

* * * * *

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

From the Tax Court of New Jersey, complaint in matter entitled, “SUMO COMPANIES, INC. vs. CITY OF BAYONNE.” (103 Oak Street, Block 473.02, lot 1 - vacant)

* * * * *

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

From the Tax Court of New Jersey, complaint in matter entitled, “403 PROP INC. vs. CITY OF BAYONNE.” (403 Broadway, Block 231, lot 27 - commercial)

* * * * *

37. 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.

* * * * *

38. 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 the same.

* * * * *

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

Date: July 27, 2016

TO: Mayor James M. Davis and the Municipal Council

FROM: Janet Convery

RE: Report on Notes Sale for Council Meeting of August 24, 2016

Attached is a copy pf the Certificate of Determination and Award for Note dated July 6, 2016.

CERTIFICATION OF DETERMINATION AN AWARD
CITY OF BAYONNE
IN THE COUNTY OF HUDSON
STATE OF NEW JERSEY
\$10,000,000 TAX ANTICIPATIO NOTES OF 2016

Pursuant to the authority conferred upon me by N.J.S.A. 40A:4-1 et seq. and a resolution heretofore adopted by the City of Bayonne, in the County of Hudson, State of New Jersey (the "City") on April 20, 2016 (the "Resolution:"), I hereby award the \$10,000,000 aggregate principal amount of Tax Anticipation Notes of 2016, dated July 6, 2016 and maturing September 6, 2016 (the "Notes") offered for sale by the City on July 5, 2016 to Provident Bank, Iselin, New Jersey, (the "Purchaser"), following the City's acceptance on July 5, 2016 of an offer dated July 22, 2016 to purchase the Notes at a purchase price of \$10,000,000.00, representing the full purchase prices of the Notes (\$10,000,000.00 par amount plus a premium in the amount of \$0.00). The Notes shall bear interest at the rate of one and ninety-eight hundredths percentum (1.98%) per annum.

No notes or other obligations have heretofore have heretofore been issued pursuant to the Resolution and no paydowns have been made and no cancellation have been enacted that would reduce the amount of notes issued pursuant to the Resoluton.

IN WITNESS WHEREOF, I have hereunto set my hand as of this 5th day of July, 2016.

Terrence Malloy
Chief Financial Officer
(signed)

* * * * *

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

DATE : August 4, 2016

TO: Terrence Malloy, CFO
Robert Sloan, City Clerk

FROM: Janet Convery, Treasurer

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

\$5,239,669.59 CLAIMS & PAYROLL FOR AUGUST 2016

JANET CONVERY
(signed)

* * * * *

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

BID REPORT
FOR THE MUNICIPAL COUNCIL

Date: 07/27/16 Ad Date: 07/15/16 Date bids accepted: 07/27/16

Attending: Amy Dellabella, Purchasing Agent

Bid titled: Traffic Controllers

Bidder:	Total Price
Signal Control Products, Inc. 199 Evans Way Branchburg, NJ 08876	\$89,160.00
Traffic Products LLC 28N Bacton Hill road Malvern, PA 19355	\$109,350.00

After review by the Department Director, the Purchasing Department will prepare a request for contract award and forward it to the City Clerk for inclusion in future Council Agenda.

If other than the lowest bidder is recommended, an explanation will be provided with that report. If bids are to be rejected, an appropriate report will be prepared. Please retain this report, as the information above may not be repeated in the request for award documents or in the event of a bid rejection.

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

* * * * *

42. 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.

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43. 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, July 20, 2016 be and the same are hereby approved.

* * * * *

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

RESOLVED, That the official minutes of the special council meetings held Wednesday, July 6, 2016 and Wednesday, July 13, 2016, be and the same are hereby approved.

* * * * *

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

RESOLVED, That the official minutes of the council caucus meeting held Wednesday, July 13, 2016, be and the same are hereby approved.

* * * * *

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

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
24	1.306	Rosa Matos	1,369.85
53	13	CoreLogic	3,947.80
55	8	Dorothy Kilroy	3,343.91
55	11	Dorothy Kilroy	2,385.89
66	31	Jeffrey Matthews	1,550.63
146	10	Abdullah Payton	1,807.49
207	1.01	Ryne Cantwell	3,316.75
249	12	Albert & Sandra Rodriguez	3,035.81
280	19	Stacey Mawson	2,641.58
369	53	Clarence Glover, III	118.76
435	2	Dolores Plutnicki	361.10
Total:			23,879.57

* * * * *

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

WHEREAS, the City of Bayonne has an invoice from the Department of Labor relating to assessments levied on New Jersey Employers.

NOW THEREFORE BE IT RESOLVED, that a warrant be drawn from Current Fund and made payable to the State of New Jersey in the amount of \$1,882.50 and warrant to be charged to Group Insurance .

* * * * *

48. 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 \$ 45.40 be drawn of the Bureau of Rabies Control, State Department of Health, Trenton, New Jersey, covering the issuance of licenses Nos. 1172-1188 inclusive, 17 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.

* * * * *

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

WHEREAS, Resolution No. 13-08-14-041 adopted by the Municipal Council on August 14, 2013 authorized an agreement with Borker Transmission Services, Inc. for transmission repair services for an amount not to exceed \$50,000.00 for a term of three (3) years commencing September 1, 2013 and ending August 31, 2016, with a possible two (2) year extension until August 31, 2018; and

WHEREAS, pursuant the aforesaid Resolution 13-08-14-041, the City entered into Agreement No. CY13-054 with Borker Transmission; and

WHEREAS, the Purchasing Agent and the Director of Public Works have recommended the City extend the aforesaid Agreement No. CY13-054 with Borker Transmission for an additional two years commencing September 1, 2016 and ending August 31, 2018 under the same terms and conditions for an amount not to exceed \$30,000.00 based on current usage; and

WHEREAS, funds are certified as available in Account Vehicle Maintenance 01-201-26-315-2-020 pending adoption of the CY2016 and future budgets; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk be and are hereby authorized and directed to execute an extension of Agreement No. CY13-054 between the City of Bayonne and Borker Transmission, 758 Avenue A, Bayonne, New Jersey for transmission repair services for a two year period commencing September 1, 2016 and ending August 31, 2018 for an amount not to exceed \$30,000.00.
2. Funds shall be chargeable to Account Account Vehicle Maintenance 01-201-26-315-2-020.
3. All other terms and conditions of Agreement No. CY13-054 shall remain the same.

* * * * *

50. 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 maintenance and support for the AccuGlobe 9-1-1 crime mapping and wireless caller locator software; and

WHEREAS, Digital Data Technologies, 2323 West 5th Avenue, Suite 210, Columbus, OH 43204, is willing and able to supply said service for a six month period commencing July 1, 2016 and ending December 31, 2016 at a cost of \$3,146.00; and

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

WHEREAS, Digital Data Technologies 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 Digital Data Technologies 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 Digital Data Technologies from making any reportable contributions through the term of the contract; 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 Digital Data Technologies, 2323 West 5th Avenue, Suite 210, Columbus, OH 43204, for maintenance and support for the AccuGlobe 9-1-1 crime mapping and wireless caller locator software, for a six month period commencing July 1, 2016 and ending December 31, 2016 at a cost of \$3,146.00, and funds are certified available in account #PS-9/01-201-25-240-2-020 pending adoption of the CY 2016 Budget; and be it further

RESOLVED, that the Municipal Treasurer be and is hereby authorized and directed to issue a warrant payable to Digital Data Technologies, in the amount of \$3,146.00 in payment for said service.

* * * * *

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

WHEREAS, the New Jersey Office of Emergency Management (NJOEM) is the lead agency in New Jersey responsible for coordinating the State's preparedness, response and recovery operations for all hazards impacting the State; and

WHEREAS, New Jersey Task Force One (NJ-TF1) is a multi-disciplined Urban Search and Rescue (US&R) Task Force authorized and sponsored by NJOEM, responsible for search, rescue, and recovery operations; and

WHEREAS, the U.S. Department of Homeland Security, acting through the Federal Emergency Management Agency (FEMA), is responsible for developing and administering the National Urban Search and Rescue Response System (the System); and

WHEREAS, the System is authorized by federal law, principally the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. §§ 121 through 5206 (the Stafford Act), and the applicable provisions of Code of Federal Regulations, including 44 CFR 208.1 et seq.; and

WHEREAS, the purpose of the System is to develop and provide a national system of standardized urban search and rescue resources to respond to emergencies and major disasters that are beyond the capabilities of affected states and local governments; and

WHEREAS, the National Urban Search and Rescue Response System includes 28 Task Forces across the country; and

WHEREAS, NJ-TF1 through its Sponsoring Agency, NJOEM, is a Participating Task Force in the System; and

WHEREAS, in the performance of its responsibilities, NJOEM as the Sponsoring Agency of NJ-TF1 is charged with, among other things, recruiting and organizing members of the Task Force; and

WHEREAS, NJOEM as Sponsoring Agency, may enter into written cooperative agreements with entities designated as Participating Agencies in the Task Force; and

WHEREAS, the City of Bayonne is a Participating Agency of the NJ-TF1 and several City of Bayonne employees are Team Members of the NJ-TF1; and

WHEREAS, in order for the Team Members employed by the City to be federally deployed, the National US&R Response System required all Participating Agencies to execute a Memorandum of Agreement (MOA) with the Sponsoring Agency and return the executed MOA no later than August 12, 2016; and

WHEREAS, pursuant to the terms of the MOA, a Participating Agency is entitled to full reimbursement of the costs associated with releasing an employee for a deployment requested by the National Urban Search & Rescue Response system; and

WHEREAS, it is in the best interest of the citizens of the City of Bayonne for the City to participate in NJ-TF1; and

WHEREAS, due to exigent circumstances, the Mayor executed the MOA prior to obtaining the approval of the Municipal Council; now, therefore, be it

RESOLVED, that the actions of the Mayor in executing the aforesaid Memorandum of Agreement with the New Jersey Office of Emergency Management are hereby ratified and affirmed.

* * * * *

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

WHEREAS, the Attorney General has been designated by the Governor to implement the 2016 Byrne Justice Assistance Grant (JAG) Program for state and local assistance; and

WHEREAS, the County of Hudson will receive grant funds on behalf of the City of Bayonne for the JAG Program under GMS Application Number 2016-H4306-NJ-DJ; and

WHEREAS, the project is a joint effort between the County of Hudson and the City of Bayonne, and other municipalities for the purposes described in the application; and

WHEREAS, the City of Bayonne is eligible for \$14,855.00 in grant funding; and

WHEREAS, the Mayor and Clerk of the City of Bayonne may be required to execute documents in furtherance of this grant; now, therefore, be it

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

- 1) As a matter of public policy the City of Bayonne wishes to participate to the fullest extend possible with the Department of Justice and the County of Hudson;
- 2) The County of Hudson will receive funds on behalf of the applicant;
- 3) The Hudson County Prosecutor shall be responsible for the receipt, review and approval of the applications for said funds;
- 4) The County of Hudson shall initiate allocations to each applicant as authorized; and
- 5) The Mayor and Clerk are hereby authorized to enter into an Interlocal Services Agreement with the County of Hudson and to execute any and all documents in connection with the procurement of said grant funds;
- 6) The City of Bayonne agrees to use \$14,855.00 for the JAG Program until September 30, 2019.

* * * * *

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

WHEREAS, Firehouse Subs Public Safety Foundation is dedicated to improving the lifesaving capabilities of emergency service entities by providing funding, resources and support to public safety entities; and

WHEREAS, the Firehouse Subs Public Safety Foundation has awarded the Bayonne Fire Department Seven (7) sets of turnout gear valued at up to \$16,440.20; now, therefore, be it

RESOLVED by the Municipal Counsel as follows:

The Mayor and/or his designee is hereby authorized to execute any and all documents and take any and all actions necessary to effectuate the receipt of the aforesaid award of Seven(7) sets of turnout gear valued at up to \$16,440.20 for the Bayonne Fire Department.

* * * * *

54. The Council as a whole moved the following resolution, 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 Community Day Nursery, 591 Broadway, Bayonne, New Jersey 07002 is an organization which has among its objectives assisting persons of lower and moderate income households; and

WHEREAS, the Bayonne Community Day Nursery has submitted a formal written application dated February 1, 2013 for said CDBG Grant Funds for the amount of \$160,000 for the purpose of providing the cost of reconstruction in various parts of their building located at 591 Broadway, Bayonne, New Jersey; and

WHEREAS, the Bayonne Community Day Nursery's Child Care Center License was due to expire on September 24, 2016; and

WHEREAS, in order for the Bayonne Community Day Nursery to renew said Child Care Center License it was required to install a fire suppression system at its building located at 591 Broadway; and

WHEREAS, the Director of Community Development was in receipt of a proposal from Approved Fire Protection, 4219 South Clinton Avenue, South Plainfield, New Jersey dated July 26, 2016 for the amount of \$5,145.00 for the installation of the aforesaid fire suppression system; and

WHEREAS, the installation of the aforesaid fire suppression system was essential for the health, welfare and safety of the Citizens of Bayonne; and

WHEREAS, due to exigent circumstances, the Mayor and City Clerk entered into an agreement with the Bayonne Community Mental Health Center to provide the aforesaid CDGB Grant Funds in the amount of \$5,145.00 for the purpose of providing the cost of the installation of the aforesaid fire suppression system at its building located at 591 Broadway pursuant to the aforesaid proposal from Approved Fire Protection dated July 26, 2016 prior to the adoption of this resolution; and

WHEREAS, due to exigent circumstances, the Director of Community Development retained the services of Approved Fire Protection to install the aforesaid fire suppression system at the Bayonne Community Day Nursery's building located at 591 Broadway; and

WHEREAS, funds have been certified available in Account CDBG-867, now, therefore, be it

RESOLVED, by the Municipal Counsel as follows:

1. The actions of the Mayor and City Clerk in executing an Agreement with the Bayonne Community Day Nursery, 591 Broadway, Bayonne, New Jersey to provide the cost of the installation of a fire suppression system at its building located at 591 Broadway pursuant to the proposal from Approved Fire Protection dated July 26, 2016 in the amount of \$5,145.00 are hereby ratified and affirmed.

2. The actions of the Director of Community Development in retaining Approved Fire Protection to install the aforesaid fire suppression system at the Bayonne Community Day Nursery's building located at 591 Broadway for the amount of \$5,145.00 are hereby ratified and affirmed.

3. Funds are chargeable to Account CDBG-867.

* * * * *

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

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

1993 GMC PICKUP (DPW #302) VIN#1GBHC39F3PE211293

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

RESOLVED by the Municipal Counsel as follows:

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

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56. 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 rock salt and snow removal.

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57. 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
Friends of Marist, Inc.	6:00-10:00 PM 1241 Kennedy Blvd. November 16, 2016	RL: 9127
Bags of Love Foundation	5:00-10:00 PM 141 Broadway October 22, 2016	RL: 9128 RL: 9129
All Saints Catholic Academy	19 West 13 th Street	RL: 9130
Hudson County Animal League	2:30-6:30 PM 290 Avenue E October 8, 2016	RL: 9131 RL: 9132
Hudson County All-Star Cheeleaders	6:00-10:00 PM 1081 Broadway October 14, 2016	RL: 9133

* * * * *

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

WHEREAS, the city clerk, advertised in the Jersey Journal on July 15, 2016 that sealed bids for TRAFFIC CONTROLLERS would be received on July 27, 2016; and

WHEREAS, pursuant to such advertisement, one (1) proposal was received from:

Bidders	Bid Amount
Signal Control Products Inc. 199 Evans Way Branchburg, NJ 08876-4600	\$ 89,160.00
Traffic Products LLC 28N Bacton Hill Road Malvern, PA 19355	\$109,350.00

and

WHEREAS, Amy Dellabella, R.P.P.O., Q.P.A. and Gary S. Chmielewski, Director of Public Works have examined the bids or proposals and have determined that the bid of Signal Control Products, Inc. is a regular bid and is most advantageous to the City of Bayonne for TRAFFIC CONTROLLERS; and

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

RESOLVED, that the contract for TRAFFIC CONTROLLERS be awarded to:

Signal Control Products Inc.
199 Evans Way
Branchburg, NJ 08876-4600

for the following bid price: \$89,160.00, and that the contract be executed in the name of the City of Bayonne by the proper city officials and that the said sum be charged to account: Recycling 12-286-56-308-2-199.

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

Absent: Council Member Cotter.

* * * * *

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

WHEREAS, the City of Bayonne is in need of onsite drug and alcohol testing for CDL drivers to remain in compliance with the Department of Transportation/Safety Sensitive Requirements; and

WHEREAS, Dynamic Testing Services, Inc., 230 Main Street, Suite C, Toms River, N. J. 08753, is authorized to do onsite drug and alcohol testing as per Department of Transportation/Safety Sensitive requirements and currently provides the City with such services; and

WHEREAS, Dynamic Testing Services, Inc. has submitted a proposed agreement for the aforesaid onsite drug and alcohol testing indicating their willingness to continue to provide such services setting forth said services and fee schedule; and

WHEREAS, the Business Administrator has proposed that the City would benefit by entering into an agreement with Dynamic Testing Services, Inc., 230 Main Street, Suite C, Toms River, N. J. 08753, for such services commencing July 1, 2016 and ending December 31, 2017 for a total contract of \$4,050.00 payable at a monthly rate of \$225.00 to be paid quarterly; and

WHEREAS, the contract amount for the contract term does not exceed \$17,500 in the aggregate and, therefore, is not subject to the Public Contracts Law, N.J.S.A. 40A:11-1 et seq. or the New Jersey Local Unit Pay to Play Law, N.J.S.A.19:44A:20.4. et seq.; and

WHEREAS, funds are certified as available in Account HW-33 01-201-27-330-2-020; and

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

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

1. The Mayor and City Clerk are hereby authorized and directed to execute an agreement with Dynamic Testing Services, Inc., 230 Main Street, Suite C, Toms River, N. J. 08753, to provide onsite drug and alcohol testing to CDL drivers per Department of Transportation/Safety Sensitive requirements for a monthly fee of \$225.00 payable quarterly for a total amount of \$4,050.00 for the period commencing July 1, 2016 and ending December 31, 2017.
2. This contract is awarded without competitive bidding as a "Professional Service" under the provisions of the Local Public Contract Law because the service is a recognized profession, licensed and regulated by the State of New Jersey and bids are not required per N.J.S. 40A:5-11.
3. Notice of the resolution shall be published once in a newspaper of general circulation within the boundaries of the City of Bayonne.
4. Funds are chargeable to Account#HW-33 01-201-27-330-2-020 pending adoption of CY 2016 Budget.

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

Absent: Council Member Cotter.

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60. Council Member LaPelusa 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 Jewish Community Center of Bayonne, 1050 Kennedy Blvd, Bayonne, New Jersey 07002 is an organization which has among its objectives assisting persons of lower income households; and

WHEREAS, the Jewish Community Center of Bayonne has requested and submitted a formal written application dated February 15, 2016 for said CDBG Grant Funds in the amount of \$6,000.00 for the purpose of providing Children's Academy after school program for low income children; 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 Children's Academy after school program for low income children limited to the amount of \$6,000.00; and

WHEREAS, said CDBG Funds are certified as available in Account CDBG-924; 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 Jewish Community Center of Bayonne , 1050 Kennedy Blvd., Bayonne, New Jersey 07002 for the provision of Children's Academy after school program for low income families in the amount of \$6,000.00 for the period commencing September 1, 2016 and ending August 31, 2017.

2. Funds shall be charged to Account #CDBG-924

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

Absent: Council Member Cotter.

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

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

WHEREAS, the Community Day Nursery, 591 Broadway, Bayonne, New Jersey 07002 is an organization which has among its objectives assisting persons of lower income households; and

WHEREAS, the Community Day Nursery has requested and submitted a formal written application dated February 9, 2016 for said CDBG Grant Funds in the amount of \$60,000.00 for the purpose of providing pre-school child care for low and moderate income families; 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 pre-school child care for low and moderate income families is limited to the amount of \$42,000.00; and

WHEREAS, said CDBG Funds are certified as available in Account CDBG-920; 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 Community Day Nursery., 591 Broadway, Bayonne, New Jersey 07002 for the provision of providing pre-school child care for low and moderate income families in the amount of \$42,000.00 for the period commencing September 1, 2016 and ending August 31, 2017.

2. Funds shall be charged to Account #CDBG-920

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

Absent: Council Member Cotter.

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62. 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 January 20, 2016 for said CDBG Grant Funds in the amount of \$40,000.00 for the purpose of providing child care services for low and moderate income families 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 child care services for low and moderate income families is limited to the amount of \$22,000.00; and

WHEREAS, said CDBG Funds are certified as available in Account CDBG-927; 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 child care service for low and moderate income families in the amount of \$22,000.00 for the period commencing September 1, 2016 and ending August 31, 2017.

2. Funds shall be charged to Account #CDBG-927

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

Absent: Council Member Cotter.

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

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

WHEREAS, the UCP of Hudson County, Inc., 721 Broadway, Bayonne, New Jersey 07002 is an organization which has among its objectives assisting persons of lower income households; and

WHEREAS, the Windmill Alliance has requested and submitted a formal written application dated February 1, 2016 for said CDBG Grant Funds in the amount of \$30,000.00 for the purpose of providing a pediatric medical day care center; 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 a pediatric medical day care center is limited to the amount of \$18,000.00; and

WHEREAS, said CDBG Funds are certified as available in Account CDBG-923; 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 UCP of Hudson County Inc., 721 Broadway, Bayonne, New Jersey 07002 for the provision of providing pediatric medical day care in the amount of \$18,000.00 for the period commencing September 1, 2016 and ending August 31, 2017.

2. Funds shall be charged to Account #CDBG-923

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

Absent: Council Member Cotter.

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64. 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 Victory Hall, 74 W 46th Street, Bayonne, New Jersey 07002 is an organization which has among its objectives assisting persons of lower income households; and

WHEREAS, the Victory Hall has requested and submitted a formal written application dated February 23, 2016 for said CDBG Grant Funds in the amount of \$6,500.00 for the purpose of providing art instruction to adults/young adults developmentally disabled; 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 art instruction to adults/young adults developmentally disabled is limited to the amount of \$6,000.00; and

WHEREAS, said CDBG Funds are certified as available in Account CDBG-928; 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 Victory Hall, West 46th Street, Bayonne, New Jersey 07002 for the provision of providing art instruction to adults/young adults developmentally disabled in the amount of \$6,000.00 for the period commencing September 1, 2016 and ending August 31, 2017.

2. Funds shall be charged to Account #CDBG-928

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

Absent: Council Member Cotter.

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

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 Windmill Alliance, 141 Broadway, Bayonne , New Jersey 07002 is an organization which has among its objectives assisting persons of lower income households; and

WHEREAS, the Windmill Alliance has requested and submitted a formal written application dated February 22, 2016 for said CDBG Grant Funds in the amount of \$25,000.00 for the purpose of providing community outreach services through HIGHWAYS program; 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 community outreach services through HIGHWAYS program is limited to the amount of \$22,000.00; and

WHEREAS, said CDBG Funds are certified as available in Account CDBG-922; 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 Windmill Alliance, 141 Broadway, Bayonne, New Jersey 07002 for the provision of providing outreach services through HIGHWAYS program in the amount of \$22,000.00 for the period commencing September 1, 2016 and ending August 31, 2017.

2. Funds shall be charged to Account #CDBG-922

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

Absent: Council Member Cotter.

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66. 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 Economic Opportunity Foundation, 555 Kennedy Blvd., Bayonne, New Jersey 07002 is an organization which has among its objectives assisting persons of lower income households; and

WHEREAS, the Bayonne Economic Opportunity Foundation has requested and submitted a formal written application dated February 26, 2015 for said CDBG Grant Funds in the amount of \$215,270.00 for the purpose of providing the cost of reconstruction at the Head Start locations at 7 West 9th Street and 21 West 8th Street to be completed by AA-ABCO Construction, 47 Newman Avenue, Bayonne, NJ 07002; and

WHEREAS, the Assistant Director of Community Development has advised that the availability of said Community Development Block Grant Funds for the purpose of providing the cost of reconstruction at the Head Start locations at 7 West 9th Street and 21 West 8th Street to be completed by AA-ABCO Construction, 47 Newman Avenue, Bayonne, NJ 07002; 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 Economic Opportunity Foundation, 555 Kennedy Blvd., Bayonne, New Jersey 07002 for the purpose of providing cost of reconstruction at the Head Start locations at 7 West 9th Street and 21 West 8th Street to be completed by AA-ABCO Construction , 47 Newman Avenue, Bayonne, NJ 07002 the amount of \$215,270.00 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.

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

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

WHEREAS, the Bayonne Housing Authority, 535 Avenue A, Bayonne, New Jersey 07002 is an organization which has among its objectives assisting persons of lower income households; and

WHEREAS, the Bayonne Housing Authority has requested and submitted a formal written application dated September 4, 2015 for said CDBG Grant Funds in the amount of \$112,000.00 for the purpose of providing the cost of plumbing work for sanitary sewer repairs at Pamrapo Garden to be completed by George C. Knobloch Inc., 345 Ocean Avenue, Jersey City, NJ 07305; 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 plumbing work for sanitary sewer repairs at Pamrapo Garden to be completed by George C. Knobloch Inc., 345 Ocean Avenue, Jersey City, NJ 07305; 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 Housing Authority, 535 Avenue A, Bayonne, New Jersey 07002 for the purpose of providing cost of plumbing work for sanitary sewer repairs at Pamrapo Garden to be completed by George C. Knobloch Inc., 345 Ocean Avenue, Jersey City, NJ 07305 the amount of \$112,000.00 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.

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

WHEREAS, Resolution No. 14-12-10-046 adopted by the Municipal Council on September 16, 2015 authorized the Mayor to enter into an agreement with Applied Landscape Technologies, 145 River Road, Montville, NJ 07045 Renovations to Don Ahern Veteran's Memorial Stadium, for the Total Base Bid (\$2,103,152.97) and Alternate D (\$102,600.00) for a total contract amount of \$2,205,752.97; and; and

WHEREAS, subsequent thereto the City of Bayonne entered into Agreement No. CY14-112 with Applied Landscape Technologies; and

WHEREAS, the City of Bayonne is in receipt of an Application and Certificate for Payment from Maser Consulting, P.A. evidencing an increase in the amount of \$85,318.52, making the total contract amount \$2,292,071.49; and

WHEREAS, funds are certified as available in Account O-15-23 and O-15-16; and

RESOLVED, that the agreement with Applied Landscape Technologies for the Renovations to the Don Ahern Veteran's Memorial Stadium is hereby increased in the amount of \$85,318.52, making the total contract amount \$2,292,071.49; and be it further

RESOLVED, that funds for said increase shall be charged to Account O-15-23 and O-15-26 and that any and all funds due and owing under said contract are hereby authorized to be paid upon certification by Maser Consulting that the Contractor is entitled to same.

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

Absent: Council Member Cotter.

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

WHEREAS, the local municipal budget for the calendar year 2016 was approved on the 16th day of March, 2016, and

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

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

THEREFORE BE IT RESOLVED, by the Municipal Council of the City of Bayonne, County of Hudson, that the following amendments to the approved budget of calendar year 2016 be made:

Section D:		
Municipal Health Officer Interlocal	0.00	20,000.00
Total Section D:	52,000.00	72,000.00
Section F:		
NJ Turnpike Shuttle Service	0.00	10,233.00
Municipal Alliance Grant	0.00	54,448.00
Clean Communities Grant	106,247.00	227,682.27
Emergency Management Grant	0.00	10,000.00
Reimbursement Citywide Communications System	0.00	60,093.63

Bureau of Housing Inspection	35,436.00	77,709.00
Sportsnet Grant	0.00	5,000.00
Police Overtime DMV	108,750.00	174,000.00
Custom Border Patrol	10,471.00	26,739.79
Total Section F:	985,397.00	1,370,398.69
Section G:		
Sale of Municipal Owned Land	15,000,000.00	2,044,657.00
BMUA Expense Reimbursement	0.00	30,000.00
Monetization Port Authority Revenue	0.00	12,454,344.00
Total Section G:	27,318,808.01	26,847,809.01
Total Miscellaneous Revenues	47,754,825.01	47,688,827.70
Subtotal General Revenues (Items 1,2,3 , and 4)	52,769,825.01	52,703,827.70
a) Local Tax for Municipal Purposes Including Reserve for Uncollected Taxes	73,619,854.67	73,661,853.67
b) Addition to Local Deistrict School Tax	7,379,116.39	7,337,117.39
c) Minimum Library Tax	1,760,010.93	1,760,010.93
Total Amount to be Raised by Taxes for Support of Municipal Budget	82,758,981.99	82,758,981.99
Total General Revenues	135,528,807.00	135,462,809.69
General Appropriations		
(A) Operations - within "CAPS"		
Bayonne Historical Commission - Other Expenses	25,000.00	8,000.00
Business Administrator's Office - Salaries & Wages	417,000.00	401,000.00
Business Administrator's Office - Other Expenses	800,000.00	820,000.00
Primary & General Election - Salaries & Wages	26,000.00	24,000.00
Law Department - Contracts	190,000.00	170,000.00
Board of Health - Salaries & Wages	701,000.00	671,000.00
Board of Health - Other Expenses	340,000.00	325,000.00
Solid Waste Collection	2,500,000.00	2,475,000.00
Prosecutor's Office - Other Expenses	60,000.00	35,000.00
Other Public Works	225,000.00	250,000.00
Gasoline, Oil, Grease, etc.	400,000.00	370,000.00
Older American Program	50,000.00	45,000.00
Total Operations within "CAPS"	91,682,000.00	91,542,000.00
Total Operations Including Contingent within "CAPS"	91,683,000.00	91,543,000.00
(2) Statutory Expenditures		
Unemployment Insurance	40,000.00	35,000.00
Total Deferred Charges & Statutory Expenditures - Municipal within "CAPS"	14,666,000.00	14,661,000.00
Total General Appropriations for Municipal Purposes within "CAPS"	106,349,000.00	106,204,000.00
(A) Operations - Excluded from "CAPS"		
Maintenance Free Public Library	1,810,000.00	1,805,000.00
Total Other Operations - Excluded from "CAPS"	1,810,000.00	1,805,000.00
Shared Service Agreements		
Municipal Health Officer Interlocal	0.00	20,000.00
Total Shared Service Agreements	52,000.00	72,000.00
Public & Private Programs Offset by Revenues		
NJ Turnpike Shuttle Service	0.00	10,233.00
Municipal Alliance Grant	0.00	54,448.00
Clean Communities Grant	106,247.00	227,682.27
Emergency Management Grant	0.00	10,000.00

Sportsnet Grant	0.00	5,000.00
Reimbursement Citywide Communications System	0.00	60,093.63
Bureau of Housing Inspection	35,436.00	77,709.00
Police Overtime DMV	108,750.00	174,000.00
Custom Border Patrol	10,471.00	26,739.79
 Total Public & Private Programs Offset by Revenues	 1,180,537.00	 1,565,538.69
Total Operations Excluded from "CAPS"	3,042,537.00	3,442,538.69
 Capital Improvements - Excluded from "CAPS"	 	
Capital Improvement Fund	100,000.00	65,000.00
Total Capital Improvements Excluded from "CAPS"	100,000.00	65,000.00
 Municipal Debt Service - Excluded from "CAPS"	 	
Payment of Bond Principal	2,660,000.00	3,530,000.00
Interest on Bonds	5,873,000.00	4,726,000.00
Interest on Notes	735,000.00	768,000.00
Total Municipal Debt Service Excluded from "CAPS"	14,022,030.00	13,778,030.00
 Total General Appropriations for Municipal Purposes Excluded from "CAPS"	 17,164,567.00	 17,285,568.69
 Type 1 District School Debt Service	 	
Payment of Bond Principal	6,341,240.00	6,355,241.00
Interest on Bonds	3,974,000.00	3,918,000.00
Total of Type 1 District School Debt Service Excluded from "CAPS"	10,315,240.00	10,273,241.00
 Subtotal General Appropriations	 133,828,807.00	 133,762,809.69
 Total General Appropriations	 135,528,807.00	 135,462,809.69

AND BE IT FURTHER RESOLVED, that Wednesday, September 21, 2016, at 7:00 P.M., and the Dorothy E. Harrington Council Chambers, Municipal Building, 630 Avenue C, Bayonne, NJ, be fixed as the time and place for a public hearing and final adoption of said amendments.

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

Absent: Council Member Cotter.

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

#7 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	\$	65,532,085.00
Parking Utility	\$	676,000.00

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	\$	8,264,247.00
Parking Utility	\$	122,000.00

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

Current Fund	\$	8,264,247.00
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Parking Utility \$ 122,000.00

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.

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

WHEREAS, pursuant to N.J.S.A. 19:45-1, all general elections, special elections, municipal elections, primary elections for general elections and primary elections for delegates and alternates to national conventions held in the state or in any of its political subdivisions shall be conducted at the expense of the state or its political subdivisions; and

WHEREAS, pursuant to N.J.S.A. 19:45-5, all costs, charges and expenses incurred by the municipal clerk or any other officer or official of a municipality in carrying out the provisions of this title shall be paid by such municipality except as therein otherwise provided; and

WHEREAS, under N.J.S.A 19:45-9, the governing body of a municipality may pay municipal clerks for additional duties and services imposed upon and performed by them in connection with the administration of elections in an amount fixed by the governing body; and

WHEREAS, Resolution No. 08-09-24-088 adopted by the Municipal Council on September 24, 2008 established the following rate of compensation for any and all individuals retained by the City Clerk Bayonne in addition to the City Clerk's staff to assist in the administration of elections for the City of as follows:

1. \$25.00 per hour for laborers
2. \$35.00 per hour for clerical workers; and

WHEREAS, the above rates have not been increased since 2008 although the regular salaries of such individuals have increased by more than 22 percent; and

WHEREAS, a general election is being held on November 8, 2016 ("Election Day"); and

WHEREAS, the City Clerk has requested that the rates for laborers and clerical workers be increased as follows in order to allow him to retain such additional personnel as needed to accomplish the Election Day tasks:

1. \$31.00 per hour for laborers
2. \$43.00 per hour for clerical workers; and

WHEREAS, it is in the best interest of the citizens of the City of Bayonne that the above rates be increased in order to allow the Municipal Clerk to retain such personnel as needed to accomplish the Election Day tasks; now, therefore, be it

RESOLVED, that the rate of compensation for laborers and clerical workers retained by the City Clerk of the City of Bayonne to assist in the administration of the\ General Election on November 8, 2016 are hereby set as follows:

1. \$31.00 per hour for laborers
2. \$43.00 per hour for clerical workers; and be it further

RESOLVED, that the City Clerk be and is hereby authorized and directed to adjust the rate of compensation for such additional workers in future elections consistent with salary increases created by the collective bargaining agreement covering such personnel.

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

Absent: Council Member Cotter.

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

WHEREAS, Chapter 99 of the Laws of New Jersey of 1997 (the “Act”) permits municipalities to sell their tax levies; and

WHEREAS, the City of Bayonne (the “City”) has successfully sold prior tax levies in accordance with the Act; and

WHEREAS, as part of the City’s Fiscal Year 2016 budget, the City has determined that it would greatly benefit from another such sale of its tax levy;

WHEREAS, the City of Bayonne is in need of special counsel in connection with its upcoming tax levy sale, and

WHEREAS, pursuant to a resolution duly adopted at a regular meeting of the Municipal Council of the City on December 16, 2016 under the Fair and Open Contracting Requirements contained in N.J.S.A. 19:44A-20.4, the City engaged the law firm of Archer & Greiner, 10 Highway 35, Red Bank, New Jersey 07701 (together, “Counsel”) to serve as counsel in accordance with the terms and provisions of a fee agreements by and between the City and Counsel (the “Agreement”); and

WHEREAS, Counsel has performed professional legal services in connection with the City’s tax levy sale in the past and is capable of performing such services; and

WHEREAS, Counsel has agreed to a fee of not to exceed \$15,000.00 at the rates set forth in the Agreement and funds are certified as available from the Bulk Levy Sale pending adoption of the CY 2016 budget;

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

1. The sale of the City of Bayonne’s property tax levy is hereby authorized.
2. The Chief Financial Officer is hereby directed to prepare and distribute a Bid Package, including a Notice of Sale, a form of Purchase and Sale Agreement, certain financial information related to the City, a form of Bid Document and any and all other documents and other information as may be required to properly and effectively conduct such sale of tax levy in accordance with the Act.
3. The Chief Financial Officer is hereby directed to cause the publication of the aforesaid Notice of Sale as required by the Act.
4. The Chief Financial Officer is hereby authorized to receive bids and take all actions in connection therewith in accordance with the Act and as to be described in the Notice of Sale.
5. Archer & Greiner, 10 Highway 35, Red Bank, New Jersey 07701 are hereby authorized to perform the above-mentioned professional legal services for a fee not to exceed \$15,000.00 at the rates set forth in Agreement, plus reasonable and customary expenses, and funds are certified as available from the Bulk Levy Sale pending adoption of CY 2016 budget.
6. The City shall conclude its sale of the total property tax levy in the final month of CY 2016, provided that all statutory notice requirements are followed.
7. The Mayor, the Chief Financial Officer, the City Clerk and other appropriate representatives of the City are hereby authorized, in consultation with Counsel, to take all steps necessary to provide for the tax levy sale, including preparing and executing such agreements and documents on behalf of the City and taking all steps necessary or desirable to implement the terms of this resolution, such agreements and documents as may be necessary and appropriate and the transactions contemplated thereby. The manual or facsimile signature of the aforesaid appropriate representatives of City upon any documents utilized in connection with the tax levy sale shall be conclusive as to all such determinations or approvals set forth therein. The aforesaid appropriate representatives of the City shall also take such actions or refrain from such actions as are necessary for the tax levy sale and all such actions or inactions by the aforesaid City officers, officials or professionals heretofore are hereby ratified and confirmed, *nunc pro tunc*.
8. This resolution shall take effect immediately.

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

Absent: Council Member Cotter.

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

Whereas, Tax Counsel for the City of Bayonne has reached proposed settlement agreements with respect to certain State Court Tax Appeals as follows:

1. Block 479 Lot 1 (PDQ Plastics) 7 Lower Hook Road, Reducing Assessment from \$1,090,000 to \$1,000,000 for Tax Years 2012, 2013, 2014 and 2015 to be carried forward to the 2016 Tax Year; AND
2. Block 83 Lot 16 (HO Property LLC) 122 W 45th Street, withdrawing 2013 appeal and lowering the 2014 Assessment from \$139,500 to \$125,400, and;

Whereas, the tax assessor of the City of Bayonne in consultation with the City's expert appraiser recommends these settlements;

Now therefore be it resolved as follows:

1. The above recitals are incorporated herein.
2. Tax Counsel for the City of Bayonne is authorized to enter into and execute stipulations of settlement on behalf of the City of Bayonne consistent with the above noted reductions, provided that pre-judgment interest is waived and the City shall have 6 months from the date judgment is entered to pay the judgment with no post judgment interest accruing for that period.
3. The City's Tax Counsel, City Attorney, CFO, Treasurer and Tax Collector are authorized to take any action necessary to effectuate this resolution and the resulting judgment, including, but not limited to, issuing refunds for any prior tax years in an amount calculated by the Tax Collector as sufficient to satisfy the judgment as to the prior years (estimated at a total of \$26,614.80 for Block 479 Lot 1 and \$1,049.75 with respect to Block 83 Lot 16) and in an amount calculated by the Tax Collector as sufficient to providing a credit for the 2016 Tax Year with respect to the revised assessment on Block 479 Lot 19 for the 2016 Tax Year (which is estimated as in excess of \$6,906.60 using the 2015 tax rate, but which will be higher based on any increase(s) from the 2015 rate that appear in the final 2016 certified rate).
4. This resolution shall take effect immediately.

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

Absent: Council Member Cotter.

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

Whereas, on June 29, 2016, the City of Bayonne obtained ownership, for the City's public purpose, of property located at Block 221 Lot 26 by deed dated 6/29/2016 and recorded in the office of the Hudson County Register of Deeds in deed book 9131 beginning at page 761, and

Whereas, the City Council desires to cancel taxes on the property and refund any overpayment after the date of transfer to the City;

Now therefore be it resolved as follows:

1. The property taxes on the lot owned by the City of Bayonne at Block 221 Lot 26 are cancelled effective June 29, 2016 with the tax collector to calculate any resulting overpayment of tax bills by the prior owner from June 29, 2016 EXPRESSLY SUBJECT TO the Tax Collector's records and calculations confirming any actual overpayment based on the final tax rate and the amount of tax actually billed and paid for the period after the date of acquisition.
2. The Tax Collector, Tax Assessor and City Treasurer are authorized to take any and all appropriate action to effectuate this resolution, including but not limited to, cancellation of taxes as set forth above and the refund or credit of any excess taxes which may have been paid.

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

Absent: Council Member Cotter.

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75. Council Member LaPelusa 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 CONDITIONALLY DESIGNATING BB BAYONNE, LLC AS REDEVELOPER OF THE PROPERTY LOCATED AT 140 AVENUE B, 138 AVENUE B, 103 WEST 44TH STREET AND 101 WEST 44TH STREET, WHICH PROPERTY IS IDENTIFIED AS BLOCK 84, LOTS 6, 7, 8 AND 9 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE AND AUTHORIZING THE NEGOTIATION AND PREPARATION OF A REDEVELOPMENT AGREEMENT WITH BB BAYONNE, LLC FOR THE REDEVELOPMENT OF SUCH PROPERTY IN ACCORDANCE WITH THE REDEVELOPMENT PLAN

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

WHEREAS, the Municipal Council of the City (the “Municipal Council”) 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, the Municipal Council, pursuant to Resolution No. 15-10-21-064, directed the Planning Board, to prepare and review a Redevelopment Plan for Block 84, Lots 6, 7, 8 and 9, which is also known as 140 Avenue B, 138 Avenue B, 103 West 44th Street and 101 West 44th Street on the Tax Maps of the City of Bayonne (the “Property”) and make recommendations to the Municipal Council in accordance with the Redevelopment Law; and

WHEREAS, the Property is deemed an area in need of rehabilitation under the Redevelopment Law, and is also located in an Urban Enterprise Zone (“UEZ”); and

WHEREAS, BB Bayonne, LLC (the “Entity”) is the contract purchaser of the Property; and

WHEREAS, the City of Bayonne, Division of Planning & Zoning, Department of Municipal Services has prepared a redevelopment plan for the Property titled “Redevelopment Plan, Block 84, Lots 6, 7, 8 and 9, 138-140 Avenue B and 101-103 West 44th Street” (the “Redevelopment Plan”); and

WHEREAS, the Planning Board adopted a Resolution recommending the Redevelopment Plan to the Municipal Council and concluding that the Redevelopment Plan is consistent with the Master Plan of the City of Bayonne (the “Resolution”); and

WHEREAS, on February 17, 2016, the Municipal Council agreeing and concurring with the Planning Board’s recommendation, adopted Ordinance #O-16-06 adopting the Redevelopment Plan for the Property, and set forth their reasons on the record; and

WHEREAS, the Entity desires to develop multi-family residential units (the “Project”) on the Property consistent with the Redevelopment Plan; and

WHEREAS, the Entity wishes to develop the Property and use it for the purpose of implementing the Redevelopment Plan; and

WHEREAS, the Entity has requested that the Municipal Council, as a redevelopment entity, prepare a redevelopment agreement with the Entity providing for the development of the Property in accordance with the Redevelopment Plan (the “Redevelopment Agreement”); and

WHEREAS, the Municipal Council desires to designate the Entity as redeveloper of the Property subject to the negotiation and preparation of a Redevelopment Agreement with the Entity for redevelopment of the aforesaid Property which will set forth the rights and obligations of the respective parties as well as the anticipated time frame for the completion of certain tasks.

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

Section 1. BB Bayonne, LLC is hereby conditionally designated as the Redeveloper of the Property, which is designated as Block 84, Lots 6, 7, 8 and 9 on the Tax Maps of the City of Bayonne subject to the execution of a mutually agreeable Redevelopment Agreement.

Section 2. The Municipal Council, through its attorneys and staff, is hereby authorized to negotiate and prepare a mutually agreeable Redevelopment Agreement between BB Bayonne, LLC, and the City of Bayonne, which Redevelopment Agreement shall be subject to the review and approval of this Municipal Council.

Section 3. The Mayor and/or his designees is/are authorized take all necessary steps to negotiate any additional terms, conditions and/or or agreements as are necessary in connection with and in furtherance of this resolution.

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

RESOLUTION CONDITIONALLY DESIGNATING BAYONNE ENERGY CENTER URBAN RENEWAL II, LLC AS REDEVELOPER OF THE PROPERTY LOCATED AT CONSTABLE HOOK (A/K/A NEW HOOK ROAD), WHICH PROPERTY IS IDENTIFIED AS BLOCK 482, LOTS 10 AND 11 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE AND AUTHORIZING THE EXECUTION OF A REDEVELOPMENT AGREEMENT WITH BAYONNE ENERGY CENTER URBAN RENEWAL II, LLC FOR THE REDEVELOPMENT OF SUCH PROPERTY IN ACCORDANCE WITH THE REDEVELOPMENT PLAN

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

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

WHEREAS, by Resolution No. 16-02-17 adopted on February 17, 2016, the Municipal Council authorized and directed the Planning Board of the City (the "Planning Board") to conduct a preliminary investigation to determine whether the Study Area 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, Suzanne T. Mack, P.P., AICP, then City Planner of the City of Bayonne, Division of Planning & Zoning, and Peter Van den Kooy, P.P., AICP, of Matrix New World Engineering, P.C. prepared a written report, which included the Property, entitled "Area in Need of Redevelopment Study Block 482, Lots 10 and 11, City of Bayonne, New Jersey" dated February 22, 2016; and

WHEREAS, on March 15, 2016, the Planning Board held a public hearing, duly noticed under the Redevelopment Law, and any persons interested in or affected by a determination that the Study Area is a non-condemnation area in need of redevelopment were given an opportunity to be heard, and any objections to such a determination and evidence in support of those objections, were received and considered and made part of the public record; and

WHEREAS, by Resolution 16-06-16-064 adopted on March 16, 2016, the Municipal Council agreed and concurred with the Planning Board and designated the Study Area as a non-condemnation "area in need of redevelopment" (the "Redevelopment Area"), and, further directed the Planning Board to prepare and review a redevelopment plan, and transmit its recommendations relating to the redevelopment plan to the Municipal Council in accordance with the provisions of N.J.S.A. 40A:12A-7 of the Redevelopment Law; and

WHEREAS, the Redevelopment Area includes certain properties located at Constable Hook (A/K/A New Hook Road), which properties are identified as Block 482, Lots 10, and 11, on the official Tax Map of the City (the "Property"); and

WHEREAS, the City of Bayonne, Division of Planning and Zoning, Department of Municipal Services, prepared a redevelopment plan entitled the "Redevelopment Plan For Block 482, Lots 10 and 11, City of Bayonne, Hudson County, New Jersey" dated March 29, 2016, (the "Redevelopment Plan") for the Municipal Council's consideration; and

WHEREAS, on April 12, 2016, the Planning Board reviewed the Redevelopment Plan and, concluding that the Redevelopment Plan is consistent with the City's Master Plan, adopted a Resolution, which recommended the adoption of the Redevelopment Plan to the Municipal Council (the "Resolution"); and

WHEREAS, on May 18, 2016, the Municipal Council agreeing and concurring with the Planning Board's recommendation, adopted Ordinance #0-16-25 adopting the Redevelopment Plan for the Property, and set forth their reasons on the record; and

WHEREAS, Bayonne Energy Center Urban Renewal II, LLC (the "Entity") is a lessee of the Property and has contracted with Bayonne Energy Center, LLC, its affiliate, to install and operate an approximately 130-megawatt electric power generating plant (the "Project") on the Property consistent with the Redevelopment Plan; and

WHEREAS, the Entity wishes to develop the Redevelopment Area and use it for the purpose of implementing the Redevelopment Plan; and

WHEREAS, the Entity has requested that the Municipal Council designate it as the redeveloper of the Property under the Redevelopment Law and that the City enter into a redevelopment agreement with the Entity providing for the redevelopment of the Property in accordance with the Redevelopment Plan (the "Redevelopment Agreement"); and

WHEREAS, a Redevelopment Agreement has been prepared and presented to the Municipal Council for review and approval; and

WHEREAS, the Municipal Council desires to designate the Entity as redeveloper of the Property subject to the execution of a Redevelopment Agreement for redevelopment of the aforesaid Property which will set forth the rights and obligations of the respective parties as well as the anticipated time frame for the completion of certain tasks.

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

Section 1. Bayonne Energy Center Urban Renewal, LLC, is hereby designated as the Redeveloper of the Redevelopment Area, which is designated as Block 482, Lots 10 and 11 on the Tax Maps of the City of Bayonne subject to the execution of a mutually agreeable Redevelopment Agreement.

Section 2. The Municipal Council hereby approves the Redevelopment Agreement by and between Bayonne Energy Center Urban Renewal II, LLC, and the City of Bayonne, and authorizes its execution by the Mayor.

Section 3. This Resolution shall take effect immediately.

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

Absent: Council Member Cotter.

* * * * *

77. 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 PLANNING BOARD TO CONDUCT A PRELIMINARY INVESTIGATION TO DETERMINE WHETHER CERTAIN PROPERTY LOCATED AT 16 BAYVIEW COURT AND 18-20 BAYVIEW COURT AND MORE SPECIFICALLY KNOWN AS BLOCK 333.01, LOTS 1 AND 2 WITHIN THE CITY CONSTITUTES A NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 *ET SEQ.*

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

WHEREAS, pursuant to the Redevelopment Law, the Municipal Council of the City (the “Municipal Council”) adopted Resolution No. 98-02-04-040, designating the entire City as an area in need of rehabilitation in accordance with *N.J.S.A. 40A:12A-14*; and

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

WHEREAS, the Mayor and Municipal Council consider it to be in the best interest of the City to have the Planning Board of the City (the “Planning Board”) conduct such an investigation to determine if certain properties located at 16 Bayview Court and 18-20 Bayview Court in the City, which properties are identified as Block 333.01, Lots 1 and 2 as shown on the official Tax Map of the City (the “Study Area”), constitute a non-condemnation “area in need of redevelopment,” in accordance with the Redevelopment Law; and

WHEREAS, the City believes the Study Area is potentially valuable for contributing to, serving, and protecting the public health, safety and welfare and for the promotion of smart growth within the City; and

WHEREAS, the preliminary investigation will be designed to evaluate the area to determine whether designation of the Study Area as a non-condemnation “area in need of redevelopment” is appropriate and in conformance with the statutory criteria contained in *N.J.S.A. 40A:12A-5*; and

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

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 though fully set forth at length.

Section 2. The Planning Board is hereby directed to conduct a preliminary investigation to determine whether the Study Area, or any portions thereof, constitute a non-condemnation “area in need of redevelopment” according to the criteria set forth in *N.J.S.A. 40A:12A-5*.

Section 3. The Planning Board is hereby directed to study the area known as Block 333.01, Lots 1 and 2 on the City’s Tax Maps; to develop a map reflecting the boundaries of the proposed non-condemnation redevelopment area; to provide public notice and conduct public hearings pursuant to *N.J.S.A. 40A:12A-6*; and to draft a report/Resolution to the Mayor and Municipal Council containing its findings.

Section 4. The results of such preliminary investigation shall be submitted to the Mayor and Municipal Council for review and approval in accordance with the provisions of the Redevelopment Law.

Section 5. This Resolution shall take effect immediately.

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

Absent: Council Member Cotter.

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

MEMORANDUM

To: Municipal Council
Robert Kubert, Director of Public Safety
Robert F. Sloan, RMC; City Clerk

From: James M. Davis, Mayor

Date: August 18, 2016

Subject: Residential Parking Areas
2016-16

Please be advised that it has been determined that there is a need to extend the existing Residential Permit Parking Areas/Zones to the westerly side of John F. Kennedy Boulevard and/or all dead-end streets west of Avenue A (depending upon the area/zone). To that end, I am providing you with notice of my intention to extend the same pursuant to City Ordinance 7-17.1 and I request that you consider this as my request pursuant to said ordinance.

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

Absent: Council Member Cotter.

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79. 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 PLANNING BOARD TO AMEND AND PREPARE 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 dated June 22, 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 (the "Redevelopment Area") in accordance with the provisions of *N.J.S.A. 40A:12A-6* of the Redevelopment Law; and

WHEREAS, in furtherance of the City's redevelopment efforts, the City's Division of Planning & Zoning, Department of Municipal Services 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"), which the Municipal Council adopted by Ordinance O-3, dated July 20, 2016; and

WHEREAS, the Municipal Council now believes that it is in the best interests of the City to amend the Redevelopment Plan to expand the scope of the revitalization and redevelopment efforts in the City (the "Amended Redevelopment Plan"); and

WHEREAS, in accordance with the Redevelopment Law, *N.J.S.A. 40A:12A-1 et seq.*, the Municipal Council is desirous of directing the Planning Board to prepare the Amended Redevelopment Plan.

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

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

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

Section 3. This Resolution shall take effect immediately.

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

Absent: Council Member Cotter.

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

WHEREAS, Municipal Council Resolution No. 16-06-22-060 adopted on June 22, 2016 authorized the Mayor and City Clerk to enter into an agreement with the Bayonne Youth Center (the “BYC”), 524 Kennedy Boulevard, Bayonne, New Jersey 07002 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 Bayonne Youth Center facility for the period commencing September 1, 2015 and ending August 31, 2016; and

WHEREAS, pursuant to the aforesaid Resolution No. 16-06-22-060, the City of Bayonne entered into Agreement No. CY16-052 with the BYC to provide the cost for the aforesaid design improvements pursuant to a proposal from JAG Paving Corp. (the “Contractor”), 218-220 Kearny Avenue, Kearny, New Jersey dated July 11, 2016/Invoice #2407 as amended; and

WHEREAS, the Contractor has provided the Office of Community Development with a revised proposal dated August 10, 2016/Invoice #2407 in the amount of \$157,985.00 to include the cost of additional work that was not included in the Contractor’s original proposal; and

WHEREAS, 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 execute an amendment to Agreement No. CY16-052 with the Bayonne Youth Center, 524 Kennedy Boulevard, Bayonne, New Jersey increasing same in the amount of \$8,140.00 for the purpose of providing the cost of additional work that was not included in the original proposal submitted by the Contractor pursuant to the revised proposal submitted by the Contractor dated August 10, 2016/Invoice #2407, making the total contract amount \$157,985.00.

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

3. All other terms and conditions of Agreement No. CY16-054 shall remain the same.

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

Absent: Council Member Cotter.

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

WHEREAS, Municipal Council Resolution No. 15-09-16-054 adopted on September 16, 2015 authorized the Mayor and City Clerk to enter into an agreement with the Bayonne Community Mental Health Center (“BCMHC”), 601 Broadway, Bayonne, New Jersey 07002 in the amount of \$4,500.00 for the purpose of providing the cost of architectural services in connection with the rehabilitation of their building located at 601 Broadway, Bayonne, New Jersey for the period commencing September 1, 2014 and ending August 31, 2015; and

WHEREAS, pursuant to the aforesaid Resolution No. 15-09-16-054, the City of Bayonne entered into Agreement No. CY15-081 with the BCMHC to provide the cost for the aforesaid architectural services; and

WHEREAS, the architect, DAL Design Group, has advised the Office of Community that it was necessary to redesign the façade improvements due to field conditions uncovered during construction; and

WHEREAS, the architect, DAL Design Group, has provided the Office of Community Development with a supplemental proposal for the redesign of the façade improvements resulting from field conditions uncovered during construction in the amount of \$1,400.00;

WHEREAS, 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 execute an amendment to Agreement No. CY15-081 with the Bayonne Community Mental Health Center, 601 Broadway, Bayonne, New Jersey increasing same in the amount of \$1,400.00 for the purpose of providing the cost of redesign of the façade improvements resulting from field conditions uncovered during construction pursuant to the supplemental proposal from DAL Design Group, 11 West 8th Street, Bayonne, New Jersey dated August1, 2016 making the total contract amount \$5,900.00.

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

3. All other terms and conditions of Agreement No. CY15-081 shall remain the same.

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

Absent: Council Member Cotter.

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

WHEREAS, Municipal Council Resolution No. 16-04-20-071 adopted on April 20, 2016 authorized the Mayor and City Clerk to enter into an agreement with the Bayonne Community Mental Health Center (“BCMHC”), 601 Broadway, Bayonne, New Jersey in the amount of \$162,000.00 for the purpose of funding reconstruction of its building located at 601 Broadway which includes a security system, HVAC system, roofing, electrical work, work to the sanitary pipe and façade; and

WHEREAS, pursuant to the aforesaid Resolution No. 16-04-20-071, the City of Bayonne entered into Agreement No. CY16-041 with the BCMHC to provide the cost for the aforesaid reconstruction services; and

WHEREAS, the architect, DAL Design Group, has advised the Office of Community that it was necessary to redesign the façade improvements due to field conditions uncovered during construction; and

WHEREAS, the contractor, AA-ABCO Construction, 47 Newman Avenue, Bayonne, New Jersey 07002 has provided the Office of Community Development with an Invoice dated August 13, 2016 for additional labor and material required to perform the necessary work in connection with the aforesaid redesign of the façade improvements in the amount of \$31,500.00; and

WHEREAS, 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 execute an amendment to Agreement No. CY16-041 with the Bayonne Community Mental Health Center, 601 Broadway, Bayonne, New Jersey increasing same in the amount of \$31,500.00 for the purpose of providing the cost of additional labor and material required to perform the necessary work in connection with the aforesaid redesign of the façade improvements pursuant to the Invoice from AA-ABCO Construction, 47 Newman Avenue, Bayonne, New Jersey 07002 dated August 13, 2016 making the total contract amount \$193,500.00

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

3. All other terms and conditions of Agreement No. CY16-041 shall remain the same.

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

Absent: Council Member Cotter.

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

WHEREAS, Active Environmental Technologies, Inc. (“Active”), on behalf of the homeowner of 27 West 37th Street (“homeowner”) has requested authorization from the City of Bayonne to drill four (4) soil borings in the public sidewalk in front of the residences located at 25 W. 37th Street, 29 West 37th Street (a.k.a. 27 West 37th Street), and 31 West 37th Street due

to evidence of a release noted in connection with the removal of an unregulated heating oil tank (“UHOT”) from the flower bed located at 29 West 37th Street (a.k.a. 27 West 37th Street) in February 2016; and

WHEREAS, the New Jersey Department of Environmental Protection (NJDEP) Spill Hotline was contacted , and the NJDEP Communications Center issued Incident Report #16-02-12-1137-15 regarding said release; and

WHEREAS, in accordance with the NJDEP Technical Requirements for Site Remediation, N.J.A.C. 7:26E (Tech. Regs.), the homeowner is now obligated to delineate and remediate any soil and/or groundwater impacted by this release to the Soil Remediation Standards and/or Ground Water Quality Standards in order to have unrestricted title to his or her property; and

WHEREAS, Active has been contracted by the homeowner’s insurance carrier, High Point Preferred Insurance, to conduct the delineation activities in the vicinity of the UHOT formerly located on the property; and

WHEREAS, Active has provided the City with a Scope of Work and Site Plan of the proposed drilling locations dated July 28, 2016 attached hereto and made a part hereof; and

WHEREAS, the delineation and remediation of any soil and/or groundwater impacted by the aforesaid release is in the best interest of the health, safety and general welfare of the citizens of Bayonne; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. Permission is hereby granted to Active Environmental Technologies, Inc., 203 Pine Street, Mount Holly, New Jersey 08060 on behalf of the homeowner of 29 West 37th Street (a.k.a. 27 West 37th Street), to drill four (4) soil borings in the public sidewalk in front of the residences located at 25 W. 37th Street, 29 West 37th Street (a.k.a. 27 West 37th Street), and 31 West 37th Street pursuant to the Scope of Work and Site Map, attached hereto and made a part hereof on the condition that: 1) Active Environmental Technologies, Inc. enters into a Right of Entry/Access Agreement in a form acceptable to the City and approved by the City's Law Department; 2) No cost or expense shall be borne by the City relating in any way to Active Environmental Technologies, Inc.’s request for access; 3) the proposed Scope of Work is approved by the City's engineer and LSRP at the property owner’s expense; 4) no permits will issue without a fully executed Right of Entry/Access Agreement; 5) valid permits to be issued by the City's Building Department prior to the start of any work; and 6) Active Environmental Technologies, Inc. shall abide by any and all requirements of the City deemed necessary to protect the City's property and citizens.

2. The Mayor and City Clerk hereby authorized to sign any and all documents necessary to effectuate same.

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

Absent: Council Member Cotter.

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

Whereas the City of Bayonne is desirous of completing additional portions of the Hudson Waterfront Walkway located at the Peninsula at Bayonne Harbor, and

Whereas City has received bids relating to the aforementioned walkway, and

Whereas completion of this project will enhance the development of the Peninsula at Bayonne Harbor, and

Whereas funding is in place to move forward with said project, now therefore, be it Resolved the UEZ Coordinator is hereby authorized to create a project entitled “Hudson Waterfront Walkway – Peninsula at Bayonne Harbor in the amount of \$600,000 and be it further

Resolved that any funding such as grants, escrows, or private contributions related to the work being completed shall be deposited into the UEZ Second Generation Fund, and be it further

Resolved that a contract, as recommended by the Engineering firm of Matrix New World Engineering, Inc. in the amount of \$580,376.56 be hereby awarded to “Simpson & Browne, Inc.”, which was the lowest qualified bidder, and be it further

Resolved that \$484,000 of the funding received from the Port Authority monetization transaction be deposited into the UEZ second generation fund as reimbursement for funding previously provided by the Bayonne UEZ relating to the development of the Peninsula at Bayonne Harbor

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

Absent: Council Member Cotter.

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At 8:37 P.M., Council President Nadrowski moved to adjourn, seconded by Council Member Perez, which was read by the Clerk and adopted.

President – Sharon A. Nadrowski

Clerk – Robert F. Sloan