

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, JANUARY 18, 2017

The Council met at 7:00 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 January 18, 2017, 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 January 13, 2017."

The Regular Meeting of the Municipal Council of the City of Bayonne is now in session.

The Clerk called the roll.

Present were: Council Members Cotter, Gullace, LaPelusa, Perez and President Nadrowski.

The Council President led the Pledge of Allegiance.

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01. Megan McNally addressed the council on the subject of the animal control contract and parks and open spaces.

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02. The clerk introduced:

AN ORDINANCE ENTITLED, "ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON APPROVING A FINANCIAL AGREEMENT WITH BAYONNE PARTNERS URBAN RENEWAL LLC," which was introduced and passed a first reading at a meeting held December 14, 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 January 17, 2017, and was referred to the planning board for its review is now before the Council for its consideration and a public hearing.

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

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

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

The Clerk read the ordinance by title: "ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON APPROVING A FINANCIAL AGREEMENT WITH BAYONNE PARTNERS 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 Cotter, Gullace, LaPelusa, Perez and President Nadrowski.

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

WHEREAS, an ordinance entitled, "ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON APPROVING A FINANCIAL AGREEMENT WITH BAYONNE PARTNERS URBAN

RENEWAL LLC,” was introduced and passed a first reading at a meeting held December 14, 2017, 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 January 18, 2017; 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-17-01.

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

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03. The clerk introduced:

AN ORDINANCE ENTITLED, “AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC,” which was introduced and passed a first reading at a meeting held December 14, 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 January 18, 2017, and was referred to the planning board for its review is now before the Council for its consideration and a public hearing.

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

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

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

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

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

There was no response – no person appearing to protest against or object to the 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 Gullace, which motion was adopted.

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

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

WHEREAS, an ordinance entitled, “AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC,” was introduced and passed a first reading at a meeting held December 14, 2017, 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 January 18, 2017; 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-17-02.

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

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04. Council Member Perez introduced:

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

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

Section 1. That the Revised General Ordinances of the City of Bayonne, Chapter 35, ZONING REGULATIONS, Subsection 4.25 Home Professional Occupations, is hereby amended and supplemented as follows (Additions ****between asterisks and/or in bold****, deletions ~~{within brackets and/or struck through}~~):

35-4.25 Home Professional Occupations.

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

1. For any premises not registered with the City of Bayonne as of ~~{January 1, 2017}~~ ****June 1, 2017**** as having a home professional occupation the proprietor or professional of the home occupation shall reside in the dwelling unit.
2. For any premises registered with the City of Bayonne as a having a home professional occupation as of ~~{January 1, 2017}~~ ****June 1, 2017****, the proprietor or professional of the home occupation shall not have to reside in the dwelling unit and said home professional occupation may be sold or transferred free of the residence requirement set forth above subject to and limited by the information set forth on the registration form as of ~~{January 1, 2017}~~ ****June 1, 2017****.
3. The use shall be clearly incidental and secondary to the residential use shall not change the character of use as a dwelling.
4. For any premises not registered with the City of Bayonne as of ~~{January 1, 2017}~~ ****June 1, 2017**** as having a home professional occupation, no more than fifty (50%) percent of the dwelling unit floor area shall be used for the home professional occupation.
5. For any premises registered with the City of Bayonne as a having a home professional occupation as of ~~{January 1, 2017}~~ ****June 1, 2017****, no more than the percentage of the dwelling unit floor area set forth on the registration shall ever be used for the home professional occupation.
6. For any premises not registered with the City of Bayonne as of ~~{January 1, 2017}~~ ****June 1, 2017**** as having a home professional occupation, in two (2) family dwellings, home professional occupations may occupy one (1) of the dwelling units provided the proprietor resides in the other unit and the home occupation does not occupy more than fifty (50%) percent of the total floor area of the structure, exclusive of attics and basements.
7. For any premises registered with the City of Bayonne as a having a home professional occupation as of ~~{January 1, 2017}~~ ****June 1, 2017****, in two family dwellings, home professional occupations may occupy one (1) of the dwelling units, the proprietor does not have to reside in the other and no more than the percentage of the dwelling unit floor area set forth on the registration shall ever be used for the home professional occupation.

8. For any premises not registered with the City of Bayonne as of ~~{October 1, 2016}~~ ****June 1, 2017**** as having a home professional occupation, a home professional occupation shall be located on a single floor, and not be located in a cellar or attic space.
 9. For any premises registered with the City of Bayonne as a having a home professional occupation as of ~~{January 1, 2017}~~ ****June 1, 2017****, a home professional occupation shall be located on a single floor, but may have storage space in a cellar or attic space. In no event, however, shall the storage space ever exceed that which is set forth on the registration form as of ~~{January 1, 2017}~~ ****June 1, 2017****.
 10. For any premises registered with the City of Bayonne as a having a home professional occupation as of ~~{January 1, 2017}~~ ****June 1, 2017****, said home professional occupation may be sold or transferred subject to and limited by the information set forth on the registration form as of ~~{January 1, 2017}~~ ****June 1, 2017****.
 11. There shall be no change in the outside appearance of the building or premises giving evidence to the conduct of the home professional occupation, other than signage in accordance with Section 35-25.
 12. There shall be no on-premises distribution, delivery, or storage of goods or equipment in connection with such home professional occupation, except that this shall not prohibit occasional delivery of goods and equipment incidental to, but not an integral part of, such home occupation.
 13. For any premises not registered with the City of Bayonne as of ~~{January 1, 2016}~~ ****June 1, 2017**** as having a home professional occupation, there shall be no more than one (1) nonresident employed at the premises in connection with the home professional occupation.
 14. For any premises registered with the City of Bayonne as a having a home professional occupation as of ~~{January 1, 2016}~~ ****June 1, 2017****, there shall be no more nonresidents employed at the premises in connection with the home professional occupation than are set forth on the registration as of ~~{January 1, 2017}~~ ****June 1, 2017****.
- ~~{b}~~****a****. The proprietor or professional of the home occupation shall present evidence of ownership or the written consent of the owner of the premises prior to issuance of a permit to conduct a home professional occupation under this section.
- ~~{e}~~****b****. Nothing in this section shall be construed to limit, prohibit or regulate the occasional part-time use of a residence for the purpose of studying or working on papers in connection with a business or for the purpose of making or receiving telephone calls or using a computer in connection with work.
- ~~{d}~~****c****. The City Clerk shall have on file a list of all home professional occupation dwelling registrations filed with the City of Bayonne as of ~~{January 1, 2017}~~ ****June 1, 2017**** and this list shall be the exclusive and sole list of all such dwellings for the purpose of determining whether or not a home professional occupation may exist or be sold in accordance with the more liberal standards set forth above and all dwellings set forth on said list shall be limited to the information set forth within the registration on file as of ~~{January 1, 2017}~~ ****June 1, 2017****.

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

BE IT RESOLVED, that an ordinance entitled "AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 35, ZONING REGULATIONS," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, February 15, 2017, at 7:00 P.M., or as soon thereafter as the matter can be reached, and the Dorothy E. Harrington Council Chamber,

Municipal Building, 630 Avenue, Bayonne, New Jersey, are hereby fixed as the time and place when and where such ordinance will be further considered for final passage, at which time and place all persons interested shall be given an opportunity to be heard concerning the same; and, be it further

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

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

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05. Council Member LaPelusa introduced:

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

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

Section 1. That the Revised General Ordinances of the City of Bayonne, Chapter 7, TRAFFIC, Subsection 7-16.1, Parking Prohibited During Certain Hours on Certain Streets, is hereby amended and supplemented as follows (Additions ****between asterisks and/or in bold****, deletions ~~{within brackets and/or struck through}~~):

Names of Street	Sides	Hours	Location
{46th Street	West	Monday through Saturday 8:00 a.m. 5:00 p.m.	Beginning at a point 71 feet west of the northerly curbline of West 46th Street and Broadway and extending to a point 68 feet westerly thereof}

Council Member LaPelusa moved a 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, February 15, 2017, at 7:00 P.M., or as soon thereafter as the matter can be reached, and the Dorothy E. Harrington Council Chamber, Municipal Building, 630 Avenue, Bayonne, New Jersey, are hereby fixed as the time and place when and where such ordinance will be further considered for final passage, at which time and place all persons interested shall be given an opportunity to be heard concerning the same; and, be it further

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

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

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06. Council Member Perez introduced:

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

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

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

RESTRICTIVE PARKING ZONES

DELETE

067. Lavina Enoch, 360 Avenue A

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

118. Albert Resnick, 957 Broadway

Beginning at a point on the north side of West 46th Street, 52 feet west of the northwest corner of Broadway and West 46th Street, and extending to a point 22 feet west thereof.

ADD

079. Salvatore Cardella, 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 18 feet east thereof.

083. Dawn Rinker, 15 Meadow Street

Beginning at a point on the west side of Meadow Street, 126 feet south of the southwest corner of East 21 Street and Meadow Street, and extending to a point 18 feet east thereof.

107. Jose Caamano, 40 West 22nd Street

Beginning at a point on the south side of West 22nd Street, 201 feet east of the southeast corner of West 22nd Street and Avenue C, and extending to a point 18 feet east thereof.

165. Francesco Vita, 163 West 20th Street

Beginning at a point on the north side of West 20th Street, 273 feet west of the northwest corner of West 20th Street and Avenue A, and extending to a point 18 feet west thereof.

215. William Jurcisin, 45 East 4th Street

Beginning at a point on the north side of East 4th Street, 35 feet west of the northwest corner of West 4th Street and Lexington Avenue, and extending to a point 18 feet west thereof.

221. Jose Collazo, 171 West 10th Street

Beginning at a point on the north side of West 10th Street, 442 feet west of the northwest corner of West 10th Street and Avenue A, and extending to a point 19 feet west thereof.

261. Carmen Morales, 3 Bergen Court, Apt. 1C

Beginning at a point on the north side of West 49th Street, 498 feet west of the northwest corner of West 49th Street and Kennedy Boulevard, and extending to a point 19 feet west thereof.

315. Eva Mercer, 160 Avenue C for her husband, Kerry Mercer

Beginning at a point on the East side of Avenue C, 72 feet north of the northeast corner of West 5th Street and Avenue C, and extending to a point 18 feet north thereof.

376. Michael Alonso, 214A Avenue B

Beginning at a point on the east side of Avenue B, 33 feet south of the southeast corner of West 49th Street and Avenue B, and extending to a point 18 feet south thereof.

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

BE IT RESOLVED, that an ordinance entitled "AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, February 15, 2017, at 7:00 P.M., or as soon thereafter as the matter can be reached, and the Dorothy E. Harrington Council Chamber, Municipal Building, 630 Avenue, Bayonne, New Jersey, are hereby fixed as the time and place when and where such ordinance will be further considered for final passage, at which time and place all persons interested shall be given an opportunity to be heard concerning the same; and, be it further

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

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

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

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

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

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

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

From PATRICIA A. WITKOWSKI, filing notice of tort claim alleging property damage to her parked automobile on September 28, 2016 resulting from being struck by a police vehicle at East 22nd Street west of Avenue E.

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

From KIM LARINO, filing notice of tort claim alleging personal injury sustained December 4, 2015 and thereafter from an alleged civil rights violations by Mayor Davis.

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

From RICHARD POCHYLSKI, filing notice of tort claim alleging property damage to his automobile on October 30, 2016 resulting from being struck by a tree limb at 80 West 52nd Street.

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

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

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

December 14, 2016

Dear Council President Nadrowski
And Honorable Members of City Council

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

Debra Cuseglio
26 West 5th Street, Bayonne, NJ 07002

Term Expires December 31, 2019

In conjunction with this appointment the City Clerk has been directed to add an accompanying item on the January 11, 2017 Council Caucus Meeting Agenda for consideration by the City Council

Sincerely,
James M. Davis
Mayor
(signed)

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

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

December 27, 2016

Dear Council President Nadrowski
And Honorable Members of City Council

I hereby reappoint the following individual as the Class II Member of the Planning Board of the City of Bayonne and request formal receipt and filing of this communication:

Terrence Malloy
201 West 30th Street, Apt. 305, Bayonne, NJ 07002

Term Expires December 31, 2017

Mr. Malloy serves as the City's Chief Financial Officer, Director of the Finance Department and Coordinator of the Bayonne Urban Enterprise Zone. Therefore, he qualifies to serve as the Class II member of the Planning Board.

In conjunction with this appointment the City Clerk has been directed to add an accompanying item on the January 11, 2017 Council Caucus Meeting Agenda for consideration by the City Council

Sincerely,
James M. Davis
Mayor
(signed)

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

December 28, 2016

Dear Council President Nadrowski
And Honorable Members of City Council

I hereby reappoint the following individual to the Planning Board of the City of Bayonne and request formal receipt and filing of this communication:

Laura Marsella
28 Parkside Lane, Bayonne, NJ 07002

Term Expires December 31, 2020

In conjunction with this appointment the City Clerk has been directed to add an accompanying item on the January 11, 2017 Council Caucus Meeting Agenda for consideration by the City Council

Sincerely,
James M. Davis
Mayor
(signed)

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

December 28, 2016

Dear Council President Nadrowski
And Honorable Members of City Council

I hereby reappoint the following individual to the Historic Preservation Commission of the City of Bayonne and request formal receipt and filing of this communication:

Lee Fahley
35 East 33rd Street, Bayonne, NJ 07002

Term Expires December 31, 2020

In conjunction with this appointment the City Clerk has been directed to add an accompanying item on the January 11, 2017 Council Caucus Meeting Agenda for consideration by the City Council

Sincerely,
James M. Davis
Mayor
(signed)

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

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

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

DATE: January 3, 2017

TO: Terrence Malloy, CFO
Robert Sloan, City Clerk

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

FROM: Janet Convery, Treasurer

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

\$5,239,669.50 CLAIMS & PAYROLL FOR JANUARY 2017

Janet Convery
(signed)

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

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

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

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

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19. 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, December 13, 2016 be and the same are hereby approved.

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20. 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, December 6, 2016 be and the same are hereby approved.

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

WHEREAS, Mayor James M. Davis has recommended that Clifford Adams and Louis Lombardi be reappointed to the Zoning Board of Adjustment; now, therefore be it

RESOLVED, that Clifford Adams and Louis Lombardi be and are hereby reappointed to the Zoning Board of Adjustment for four year terms expiring December 31, 2020.

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

WHEREAS, Mayor James M. Davis has recommended the reappointment of several Alternate Members of the Zoning Board of Adjustment; now, therefore be it

RESOLVED, that Joseph Pineiro be reappointed as Alternate #2 for a term expiring December 31, 2017, James O'Brien, Jr. be reappointed as Alternate #3, and Nick DiLullo be reappointed as Alternate #4, the latter terms expiring December 31, 2018.

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

WHEREAS, the Director of the Department of Public Works has requested that the Municipal Council adopt a resolution in support of the proposed N.J. Department of Transportation's improvements of New Jersey Route 440, from 40th Street in the City of Bayonne to Mina Drive in the City of Jersey City; and,

WHEREAS, the project consists primarily of milling and resurfacing New Jersey Route 440 within the aforementioned boundaries; and,

WHEREAS, project plans have been presented for review to the City of Bayonne's Department of Public Safety, Department of Public Works, and Mayor's Office; and,

WHEREAS, none of the aforementioned City Departments and entities have found serious objection to the project.

NOW, THEREFORE, BE IT RESOLVED:

1. That the Municipal Council supports the proposed N.J. Department of Transportation's Route 440 Improvements subject to the following provisions:

- a. All work requiring local police support must be coordinated with the City of Bayonne Department of Public Safety, Police Department command, and Traffic Bureau.
- b. All work must be coordinated and communicated with the Bayonne Police Department and the City Administration, in the form of their choosing, to ensure effective coordination with other ongoing regional projects including, but not limited to, the Port Authority of New York and New Jersey's Bayonne

Bridge Navigational Clearance Project and the New Jersey Turnpike Authority's Interchange 14A Improvement Project.

2. That the Municipal Council authorizes the Mayor, and City Clerk when and where applicable, to execute all documents and correspondence in support and furtherance of this project.

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24. 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
4	2	Tracey Kobryn	4,784.16
32	9.01	Luis Rivas	349.83
46	42	June Bottino	3,379.08
61	7	Magdy Gendy	2,134.05
86	21	Norma Orea	1,930.68
94	1.01	Frank Russell, Jr.	2,206.28
94	1.02	Frank Russell, Jr.	2,206.27
117	26	Investors Bank	5,569.36
143	29.02	Ramon Rivera	2,762.70
197	2	FQSR, LLC	3,661.00
223	26	Donald Kenny	1,289.62
223	33	Robert & Carol Rooney	555.03
266	18	Mary Thomas	661.60
347	3.03	Lori Galella	3,479.09
351	24	Martin Dougherty	1,959.94
Total:			36,928.69

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

WHEREAS, the Bayonne Economic Opportunity Foundation provides administrative services on behalf of the City of Bayonne on an annual; and

WHEREAS, The Bayonne Economic Opportunity Authority has submitted its request for administrative services for Program Year 51 for the period February 1, 2017 through January 1, 2018 in the amount of \$22,500.00; and

WHEREAS, Fund have been certified as available in account BEOF Appropriation by the CFO; now therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Chief Financial Officer is hereby authorized to make the City of Bayonne's annual payment to the BEOF in the amount of \$22,500.00 for administrative services in connection with Program Year 51.

2. Funds shall be charged to Account BEOF Appropriations.

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

RESOLVED, that pursuant to and consistent with a State Training Fee Report dated January 3, 2017 by Richard Bielinski, Construction Official, the Municipal Treasurer is hereby authorized and directed to issue a warrant drawn to the order of the State of New Jersey, in the amount of \$12,380.00 representing payment of state surcharge fees on new construction and alterations collected during the fourth quarter of 2016; and be it further

RESOLVED, that said warrant be forwarded to the Construction Official for transmittal to the New Jersey Department of Community Affairs; and be it further

RESOLVED, that this expense to be charged to Account - Trust Funds, State Training Fees with the Tax Collector, Account #12-286-56-312-2-199.

* * * * *

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

WHEREAS, the City Clerk's Office has issued Ninety-Nine (99) Marriage Licenses during the months of October, November and December and has collected \$25.00 per license, which is to be forwarded to the Division of Youth and Family Services, now, therefore be it

RESOLVED, that a warrant in the amount of Two thousand four hundred and seventy-five dollars (\$2,475.00) be drawn to the order of the Treasurer, State of New Jersey and forwarded to the City Clerk's Office for disbursement.

* * * * *

28. 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 \$ 662.40 be drawn of the Bureau of Rabies Control, State Department of Health, Trenton, New Jersey, covering the issuance of licenses Nos. 1-408 inclusive, 407 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.

* * * * *

29. 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 Tipsoft v5 Online software; and

WHEREAS, Public Engines, Inc., is willing and able to supply said service for the period commencing January 1, 2017 and ending December 31, 2017 at a cost of \$2,299.99; and

WHEREAS, funds are certified as available in Account #PS-9/01-201-25-240-2-020 pending adoption of the CY 2017 Budget; and

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

RESOLVED, that the Mayor and City Clerk are hereby authorized to enter into an agreement with Public Engines, Inc., 756 East Winchester Road, Murray, UT 84107, for maintenance and support for the Police Department's Tipsoft v5 Online software for the period commencing January 1, 2017 and ending December 31, 2017 at a cost of \$2,299.99, and funds are certified available in account #PS-9/01-201-25-240-2-020 pending adoption of the CY 2017 Budget; and be it further

RESOLVED, that the Municipal Treasurer be and is hereby authorized and directed to issue a warrant payable to Public Engines, Inc., in the amount of \$2,299.99 in payment for said services.

* * * * *

30. 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 2017 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 January 1, 2017 and ending June 30, 2017 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.

* * * * *

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

WHEREAS, the Department of Public Works and Parks of the City of Bayonne has established that there is a need for maintenance and support for the City's automated fueling system operation located at 330 Hook Road; and

WHEREAS, E. J. Ward, Inc., 6600 Queens Midtown Expressway, Flushing, New York 11378 has supplied such maintenance and support and is willing and able to continue to supply said services for a one year period commencing January 1, 2017 and ending December 31, 2017 at a cost of \$4,206.00; and

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

WHEREAS, funds are certified as available in Account 01-201-26-315-2-020 pending adoption of the CY2017 budget; 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 to execute an Agreement with E. J. Ward, Inc., 6600 Queens Midtown Expressway, Flushing, New York 11378 for maintenance and support for the City's automated fueling system operation located at 330 Hook Road for a one year period commencing January 1, 2017 and ending December 31, 2017 at a cost of \$4,206.00.

2. Funds shall be charged to Account 01-201-26-315-2-020.

* * * * *

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

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

WHEREAS, Shokry Abdelsayed, Esq., 363 Broadway, Bayonne, New Jersey 07002, has submitted to the City of Bayonne a formal written proposal for said professional legal services; and

WHEREAS, Shokry Abdelsayed, Esq.. is qualified, ready and able to provide said services; and

WHEREAS, the anticipated contract amount for the contract term does not exceed \$17,500 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, the Local Public Contract Law (N.J.S.A. 40A:11-1, et seq.) requires that the resolution authorizing the award of contracts for "Professional Services" without competitive bids and the contract itself must be available for public inspection; and

WHEREAS, the City desires to retain the services of Shokry Abdelsayed, Esq. for professional legal services to act as Alternate Municipal Public Defender in connection with the representation of indigent individuals coming before the Municipal Court of the City of Bayonne for the period commencing January 1, 2017 and ending December 31, 2017 for an amount not to exceed \$7,500.00; and

WHEREAS, funds are certified as available in Account #01-201-43-495-2-028 pending adoption of the CY 2017 Budget, now, therefore, be it

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

1. The Mayor and the City Clerk are hereby authorized and directed to execute an agreement with Shokry Abdelsayed, Esq., 363 Broadway, Bayonne, New Jersey 07002 to perform professional legal services as the Alternate Municipal Public Defender in connection with the representation of indigent individuals coming before the Municipal Court of the City of Bayonne, for a total amount not to exceed \$7,500.00 for the period commencing January 1, 2017 and ending December 31, 2017.

2. Funds shall be charged to Account #01-201-43-495-2-028 pending adoption of the CY2017 Budget

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

* * * * *

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

WHEREAS, SESAC, INC., P.O. Box 900013, Raleigh, NC 27675-9013 has been aggressively asserting the rights of its members against small municipalities for copyright infringement when such municipalities play their music at various functions including, but not limited to, festivals, firework shows, concerts in the park, community centers and even while on "hold" during telephone calls, without a license to do so; and

WHEREAS, the licensing fee for the current license period is \$1,292.00; and

WHEREAS, funds are certified as available in account #BA-2; now therefore be it

RESOLVED, that the Treasurer is hereby authorized to issue a warrant payable to SESAC, Inc. in the amount of \$1,292.00; and be it further

RESOLVED, that funds are certified available in Account #BA-2 (01-201-25-240-2-020.

* * * * *

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

WHEREAS, the Governor’s Council on Alcoholism and Drug Abuse established the Municipal Alliance for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

WHEREAS, the City Council of the City of Bayonne, County of Hudson, State of New Jersey recognized that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,

WHEREAS, the City Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

WHEREAS, the City Council has applied for funding to the Governor’s Council on Alcoholism and Drug Abuse through the County of Hudson;

NOW, THEREFORE, BE IT RESOLVED, by the City of Bayonne, County of Hudson, State of New Jersey hereby recognizes the following:

- 1. The City Council does hereby authorize submission of a strategic plan for the Bayonne Municipal Alliance grant year July 1, 2017 to June 30, 2018 in the amount of:

DEDR	\$54,448.00
Cash Match	\$14,000.00
In- Kind	\$45,000.00
- 2. The City Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

* * * * *

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

WHEREAS, Resolution No. 16-12-14-087 adopted by the Municipal Council on December 14, 2016 authorized a License be granted to Khinder and Blanche Jiji, the owners in fee simple of real property located at 418 Broadway, designated as Block 226, Lot 36 in the City of Bayonne, County of Hudson, State of New Jersey (the “Applicants”) allowing them to maintain the existing fire escape and extend it approximately fifteen (15’) feet easterly on 19th Street over the City’s Right-of-Way so as to serve as an emergency means of egress from a proposed third floor dwelling unit, to be constructed in accordance with Planning Board Resolution No. 16-035 adopted on December 13, 2016 and applicable state and local laws and ordinances, pursuant to the following conditions; and

WHEREAS, in the past, it has been the City’s policy to charge a fee for similar Licenses in the amount of \$250.00 per year; and

WHEREAS, consistent with the City’s previous policy, the terms and conditions of the aforesaid License required the Applicants to pay an annual fee \$250.00 to be billed through the City Tax Collector as an added assessment to the quarterly tax bills; now, therefore, be it

RESOLVED, by the Municipal Council that the actions of the Law Director in drafting a License Agreement consistent with Resolution 16-12-14-087 and requiring an annual fee of \$250.00 as a condition of the City granting the aforesaid License are hereby ratified and affirmed.

* * * * *

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

WHEREAS, pursuant to Resolution No. 15-10-21-047 adopted October 21, 2015 the Municipal Council authorized an agreement with Suburban Disposal, Inc., ("Suburban") 54 Montesano Road, Fairfield, New Jersey for the Collection of Solid Waste (CY15-087) for a three (3) year period commencing November 1, 2015 and ending October 31, 2018 for a total contract amount of \$4,440,000; and

WHEREAS, pursuant to Resolution No. 16-01-20-043 adopted on January 20, 2016 , the City executed a contract amendment with Suburban providing for the collection of solid waste from Grammar and High Schools on Tuesdays instead of Mondays at an additional cost of \$43,333.33 for a ten (10) month period commencing January 1, 2016 through October 31, 2016 and \$52,000.00 per year for the two (2) year period commencing November 1, 2016 and ending October 31, 2017 for a total additional amount of \$147,333.33 payable monthly for the remainder of three (3) year Contract term making the total contract amount \$4,595,833.33; and

WHEREAS, the Bayonne Board of Education subsequently requested the collection of solid waste from Grammar and High Schools on Saturdays in addition to the regularly scheduled days in order to address the waste collection needs of the public schools and better serve the community; and

WHEREAS, Suburban Disposal, Inc., agreed to collect solid waste from Grammar and High Schools on Saturdays in addition to the regularly scheduled days for an additional amount of \$1,000.00 per week commencing November 1, 2016; and

WHEREAS, the Collection of Solid Waste and Recyclables is essential for the health, safety and general welfare of the citizens of Bayonne; and

WHEREAS, the Director of Public Works authorized Suburban to collect solid waste from Grammar and High Schools on Saturdays in addition to the regularly scheduled days in order to address the waste collection needs of the public schools and better serve the community, commencing November 1, 2016; and

WHEREAS, funds are certified as available in Account 01-203-32-465-2-020 for CY2016 and 01-201-32-465-2-020 pending adoption of the CY2017 and CY2018 budgets; now, therefore, be it

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

1. The actions of the Director of Public Works in authorizing Suburban to collect solid waste from Grammar and High Schools on Saturdays in addition to the regularly scheduled days for an additional amount of \$1,000.00 per week commencing November 1, 2016 are hereby ratified and affirmed.

2. The Mayor and City Clerk are hereby authorized to enter into a Second Amendment to Agreement No. CY15-087 with Suburban Disposal, Inc., 54 Montesano Road, Fairfield, New Jersey for the Collection of Solid Waste for a three (3) year period commencing November 1, 2015 and ending October 31, 2018 so as to provide for the pick-up of solid waste from Grammar and High Schools on Saturdays in addition to the regularly scheduled days for an additional amount of \$1,000.00 per week commencing November 1, 2016 for a total additional contract amount of \$104,000.00 making the total contract amount \$4,699,833.33; and

2. Funds shall be charged to Account 01-203-32-465-2-020 for CY2016 and 01-201-32-465-2-020 pending adoption of the CY2017 and CY2018 budgets.

3. All other terms and conditions of Agreement No. CY15-087 shall remain the same.

* * * * *

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

WHEREAS, Municipal Council Resolution No. 16-12-14-076 adopted on December 14, 2016 authorized the Mayor and City Clerk to enter into an agreement with the law firm of Ruderman, Horn & Esmerado, P.C., 675 Morris Avenue, Suite 100, Springfield, New Jersey 07081 for professional legal services to act as hearing officer for an ongoing employee

disciplinary matter for an amount not to exceed \$10,000.00 payable at the rate of \$185.00 per hour; and

WHEREAS, subsequent thereto, the law firm of Ruderman, Horn & Esmerado, P.C. provided the Law Department with a final invoice for the aforesaid professional legal services in the amount of \$17,247.32; and

WHEREAS, the Law Department has reviewed the aforesaid invoice and has concluded that all billing and time charges are appropriate and earned; and

WHEREAS, the total amount for the contract does not exceed \$17,500 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 01-201-20-156-2-020 pending adoption of Budgetary Transfer #3 (2016), now, therefore, be it

RESOLVED, as follows:

1. The Municipal Council hereby authorizes an increase in the aforementioned agreement with the law firm of Ruderman, Horn & Esmerado, P.C., 675 Morris Avenue, Suite 100, Springfield, New Jersey 07081 for professional legal services to act as hearing officer for an ongoing employee disciplinary matter to an amount not to exceed \$17,500.00 payable at the rate of \$185.00.

2. Funds shall be charged to Account 01-201-20-156-2-020 pending adoption of Budgetary Transfer #3 (2016).

* * * * *

38. The Council as a whole moved the following resolution, 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 to provide CDBG funds in the amount of \$149,845.00 for the purpose of providing the cost of design improvements to the asphalt paved area to the rear of the Bayonne Youth Center facility (the "Project") 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; and

WHEREAS, Resolution No. 16-08-24-080 adopted by the Municipal Council on August 24, 2016 authorized an increase in the aforesaid Agreement No. CY16-052 in the amount of \$8,140.00, making the total contract amount \$157,985.00; and

WHEREAS, the Project called for Police presence to block the street from traffic in order to allow for the performance of a plumbing inspection required by the Building Department; and

WHEREAS, due to unforeseen circumstances, the plumbing inspection could not be performed as scheduled requiring Police presence for traffic control purposes for an additional day; and

WHEREAS, the Director of Community Development authorized the additional Police presence in order to expedite the Project; and

WHEREAS, the Office of Community Development is in receipt of Bayonne Police Department Invoice #8175 dated December 12, 2016 for the amount of \$1,524.00 representing the cost of said additional Police presence; and

WHEREAS, funds are certified as available in Account CDBG-917, now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The actions of the Director of Community Development in authorizing Police presence for traffic control purposes for an additional day in order to expedite the design improvements to the asphalt paved area to the rear of the Bayonne Youth Center facility are hereby ratified and affirmed.

2. The Mayor and City Clerk are hereby authorized to execute a second amendment to Agreement No. CY16-052 with the Bayonne Youth Center, 524 Kennedy Boulevard, Bayonne, New Jersey increasing same in the amount of \$1,524.00 pursuant to Bayonne Police Department Invoice #8175 dated December 12, 2016, making the total contract amount \$159,509.00.

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

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

* * * * *

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

WHEREAS, pursuant to N.J.A.C. 17:27-3.3, the City of Bayonne is required to designate a Public Agency Compliance Officer ("P.A.C.O.") no later than January 10th of each year; and

WHEREAS, in accordance with N.J.A.C. 17:27-3.3, the Law Director designated Assistant City Attorney Donna M. Russo to serve as P.A.C.O; now, therefore, be it

RESOLVED, by the Municipal Council that the actions of the Law Director in designating Assistant City Attorney Donna M. Russo as Public Agency Compliance Officer are hereby ratified and affirmed.

* * * * *

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

WHEREAS, the City of Bayonne (City") permanently appointed Keith Weaver ("Weaver") as the Chief of the Bayonne Fire Department on March 4, 2016, and Weaver has served in that capacity since that date; and

WHEREAS, in order to assure the performance of the various covenants, advantages and considerations inuring to the parties, which each party acknowledges is to its/his mutual and reciprocal benefit and advantage, the parties desire to enter into an Employment Agreement setting forth the rights, duties and responsibilities of each party; now, therefore, be it

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

1. The Mayor and the City Clerk are hereby authorized and directed to execute an Employment Agreement with Keith Weaver setting forth the terms upon which Weaver will be employed as the Chief of the Bayonne Fire Department in a form acceptable to the Law Division.

* * * * *

WHEREAS, the City of Bayonne (City") permanently appointed William Bartos ("Bartos") as a Deputy Chief of the Bayonne Fire Department on March 4, 2016, and Weaver has served in that capacity since that date; and

WHEREAS, in order to assure the performance of the various covenants, advantages and considerations inuring to the parties, which each party acknowledges is to its/his mutual and reciprocal benefit and advantage, the parties desire to enter into an Employment Agreement setting forth the rights, duties and responsibilities of each party; now, therefore, be it

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

1. The Mayor and the City Clerk are hereby authorized and directed to execute an Employment Agreement with William Bartos setting forth the terms upon which Bartos will be employed as a Deputy Chief of the Bayonne Fire Department in a form acceptable to the Law Division.

* * * * *

WHEREAS, the City of Bayonne (City") permanently appointed Stephen Peterson ("Peterson") as a Deputy Chief of the Bayonne Fire Department on March 4, 2016, and Peterson has served in that capacity since that date; and

WHEREAS, in order to assure the performance of the various covenants, advantages and considerations inuring to the parties, which each party acknowledges is to its/his mutual and reciprocal benefit and advantage, the parties desire to enter into an Employment Agreement setting forth the rights, duties and responsibilities of each party; now, therefore, be it

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

1. The Mayor and the City Clerk are hereby authorized and directed to execute an Employment Agreement with Stephen Peterson setting forth the terms upon which Peterson will be employed as a Deputy Chief of the Bayonne Fire Department in a form acceptable to the Law Division.

* * * * *

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

WHEREAS, IMTT-Bayonne has offered to donate 11 sets of Firefighter turnout gear valued at \$29,662.60 to the City of Bayonne for use by the Bayonne Fire Department; and

WHEREAS, the City of Bayonne is desirous of accepting this donation from IMTT-Bayonne; now, therefore, be it

RESOLVED by the Municipal Counsel as follows:

The Mayor and Clerk are hereby authorized to execute any and all documents necessary to effectuate the acceptance and receipt of 11 sets of Firefighter turnout gear, valued at \$29,662.60, from IMTT-Bayonne.

* * * * *

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

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

Police Unit #10 2010 Chevy Impala VIN#2G1WD5EM7A1113868
Police Unit #12 2010 Chevy Impala VIN#2G1WD5EM3A1114046
Police Unit #16 2005 Chevy Impala VIN#2G1WD5EM2A1114832

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

RESOLVED by the Municipal Counsel as follows:

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

* * * * *

43. 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
Bayonne Feral Cat Foundation	6:00-10:00 PM 290 Avenue E December 8, 2016	RL: 9152
Hudson Hospice Auxiliary	9:00 P.M.	RL: 9153

	1081 Broadway June 5, 2017	RL: 9154
Preschool Playhouse PTO	6:00-10:00 PM 417 Broadway March 25, 2017	RL: 9155
Knights of Columbus	2:00 PM 669 Avenue C April 9, 2017	RL: 9156
Lincoln Community School	7:00-11:00 PM 125 Broadway March 4, 2017	RL: 9157
Midtown Community School	10:00 PM 1081 Broadway March 31, 2017	RL: 9158
Epic School	6:00-10:00 PM 888 Avenue C April 29, 2017	RL: 9159 RL: 9160

* * * * *

44. 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 continued supplementation services for the Revised General Ordinances of the City of Bayonne; and

WHEREAS, Coded Systems, LLC, 608 Highway 71, Spring Lake Heights, New Jersey 07762, has previously been awarded a contract for such services on an annual basis, and is willing to continue to supply said services for the period commencing January 1, 2017 and ending December 31, 2017 in accordance with the terms of a proposal dated November 27, 2016; and

WHEREAS, funds are certified as available in Account C-6 (01-201-26-300-2-020); and

WHEREAS, bids need not be solicited for these services insofar as the Agreement complies with the statutory guidelines of N.J.S.A. 40A:11-5(1)(a)(x) and the vendor has complied with the requirements of the non-fair and open solicitation process; now, therefore be it

RESOLVED, that the Mayor and City Clerk be and are hereby authorized to enter into a contract with Coded Systems, LLC, 608 Highway 71, Spring Lake Heights, New Jersey 07762, for continuation of supplementation service for the Revised General Ordinances of the City of Bayonne for the period commencing January 1, 2017 and ending December 31, 2017, for a contract amount not to exceed Fifteen Thousand (\$15,000.00) Dollars; and be it further

RESOLVED, that funds are certified as available in Account C-6 (01-201-20-121-2-028) pending adoption of the CY 2017 budget.

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

* * * * *

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

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

WHEREAS, Motorola Corporation is capable of supplying such services under State Contract #83909 for a one year period commencing January 1, 2017 and ending December 31, 2017 at a cost of \$233,876.00, pursuant to a Services Agreement dated August 29, 2016; and

WHEREAS, funds are certified as available in various municipal accounts pending adoption of the CY2017 budget; now, therefore, be it

RESOLVED, that the Mayor and/or his designee are hereby authorized to enter into an agreement with Motorola Solutions, ATTN: National Service Support/4th Floor, 1301 East

Algonquin Road, Schaumburg, IL 60196, for maintenance of the citywide communications system infrastructure, pursuant to State Contract #83909, at a cost of \$233,876.00; and be it further

RESOLVED, that funds are certified available in various accounts pending adoption of the CY2017 budget; and be it further

RESOLVED, that the Treasurer be and is hereby authorized to pay quarterly the amount of \$58,469.00 for a total yearly amount of \$233,876.00 to Motorola Solutions representing payment for the aforesaid yearly maintenance of the citywide communications system infrastructure for the period commencing January 1, 2017 and ending December 31, 2017 chargeable to various accounts.

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

* * * * *

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

WHEREAS, the City of Bayonne posted a Request for Qualifications in accordance with a “fair and open” contracting process as defined in the New Jersey Local Unit Pay to Play Law (N.J.S.A. 19:44-20.4 et seq.) for a licensed insurance broker to provide licensed insurance broker services; and

WHEREAS, Resolution No. 16-12-14-068 adopted by the Municipal Council authorized an Agreement with Fairview Insurance Agency Associates, Inc., (“Fairview”) 25 Fairview Avenue, Verona, New Jersey 07044 pursuant to the aforesaid Request for Qualifications; and

WHEREAS, the Bayonne Board of Education (the “Board”) also has a need for a licensed insurance broker to provide licensed insurance broker services including, but not limited to: (a) to conduct a study of the Board’s insurance needs including, but not limited to, health insurance coverage for its employees; (b) to act as broker of record and insurance consultant on all insurance needs, including employee benefits, prescription and dental plans; and (c) proposals to provide services for all liability coverage, excess liability coverage, surety bond coverage, and workers’ compensation coverage; and

WHEREAS, the Board wishes to retain the service Fairview to provide the aforesaid licensed insurance broker services; and

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

WHEREAS, the Board of Education of the City of Bayonne adopted a Resolution authorizing the Board to enter into an Inter-Local Services Agreement with the City for insurance broker services at its meeting on December 19, 2016; 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 a Shared Services Agreement with the Bayonne Board of Education for the purpose of allowing the Board to utilize the services of Fairview Insurance Agency Associates, Inc. to provide the aforesaid insurance broker services for a one (1) year period effective beginning on the 1st day of January 2017.

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

* * * * *

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

WHEREAS, Optical Communications Group (“OCG”), a New York telecommunications company, with offices located at 79-24, 71st Avenue, Glendale, New York 11385 has been approved by the New Jersey Board of Public Utilities (“Board”) to provide local exchange and interexchange telecommunications services throughout the State of New Jersey by Order of Approval in Docket No. TE0908663 dated November 10, 2009; and

WHEREAS, pursuant to such authority granted by the Board, OCG may locate, place, attach, install, operate and maintain facilities within municipal rights-of-way for purposes of providing telecommunications services; and

WHEREAS, OCG proposes to place its telecommunication facilities in underground conduit in the public rights-of-way within the City of Bayonne, and within the area of Collins Park, proximate to the intersection of 1st Street and Broadway and continuing westerly on 1st Street to its terminus, ("City's Rights-of-Way") for purposes of owning, constructing, installing, operating, repairing and maintaining a telecommunications system; and

WHEREAS, it is in the best interests of the City and its citizenry for the City to grant consent to OCG to occupy said public rights-of-way within the City of Bayonne for this purpose; and

WHEREAS, OCG and the City (the "Parties") desire to enter into a Rights-Of-Way Agreement for the purposes of facilitating and identifying the rights, responsibilities and obligations between the Parties regarding the owning, constructing, installing, operating, repairing and maintaining a telecommunications system by OCG within the City's Rights-of-Way; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized to execute a Rights-of-Way Agreement with Optical Communications Group, 79-24, 71st Avenue, Glendale, New York 11385 for the purpose of facilitating and identifying the rights, responsibilities and obligations between OCG and the City regarding the owning, constructing, installing, operating, repairing and maintaining a telecommunications system by OCG within the City of Bayonne, and within the area of Collins Park, proximate to the intersection of 1st Street and Broadway and continuing westerly on 1st Street to its terminus in such form and substance as is acceptable to the Law Department.
2. This Resolution is subject to OCG obtaining any and all approvals required by NJDEP or other State agency including but not limited to approvals that may be required under Green Acres and/or CAFRA regulations.

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

* * * * *

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

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

WHEREAS, the Hudson Milestone, 365-381 Clendenny Avenue, Jersey City, New Jersey 07304 is an organization which has among its objectives assisting persons of lower income households; and

WHEREAS, the Hudson Milestone has requested and submitted a formal written application dated February 23, 2016 for said CDBG Grant Funds in the amount of \$76,441.80 for the purpose of providing the cost of bathroom renovations at the 13 Lord Avenue Bayonne, NJ location to be completed by A1A Restoration Group LLC., 174 Mountain Avenue, Hawthorne, NJ 07506; 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 bathroom renovations at the 13 Lord Avenue Bayonne, NJ location to be completed by A1A Restoration Group LLC., 174 Mountain Avenue, Hawthorne, NJ 0750; and

WHEREAS, said CDBG Funds are certified as available in Account CDBG-919; 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 Hudson Milestone 365-381 Clendenny Avenue, Jersey City NJ 07305 for the provision of providing the cost of bathroom renovations at the 13 Lord Avenue Bayonne NJ location to be completed by A1A Restoration Group LLC., 174 Mountain Avenue, Hawthorne, NJ 0750 in the

amount of \$76,441.80 for the period commencing September 1, 2016 and ending August 31, 2017.

2. Funds shall be charged to Account #CDBG-919

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

* * * * *

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

WHEREAS, the City of Bayonne is in need of the professional architectural and engineering services in connection with a new ADA accessible ramp and other code compliance improvement at the Bayonne Police Department sally port; and

WHEREAS, DAL Design Group, 11 West 8th Street, Bayonne New Jersey 07002 has submitted to the City of Bayonne a formal written proposal for said professional architectural and engineering services for an amount of \$2,750.00; and

WHEREAS, DAL Design Group. is qualified, ready and able to provide said services; and

WHEREAS, the anticipated contract amount for the contract does not exceed \$17,500 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, the Local Public Contract Law (N.J.S.A. 40A:11-1, et seq.) requires that the resolution authorizing the award of contracts for “Professional Services” without competitive bids and the contract itself must be available for public inspection; and

WHEREAS, the City desires to retain the services of DAL Design Group for the aforesaid professional architectural and engineering services; and

WHEREAS, funds are certified as available in Account #CDBG 917, now, therefore, be it

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

1. The Mayor and the City Clerk are hereby authorized and directed to execute an agreement with DAL Design Group, 11 West 8th Street, Bayonne, New Jersey 07002 for professional architectural and engineering services in connection with a new ADA accessible ramp and other code compliance improvement at the Bayonne Police Department sally port for an amount of \$2,750.00.
2. Funds shall be charged to Account CDBG-917.
3. A notice of this award shall be published once in a newspaper of general circulation within the boundaries of the City of Bayonne.

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

* * * * *

50. Council Member Perez moved the following resolution, seconded by Council Member Cotter, 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 \$58,630.00 for the purpose of providing the cost of entrance improvements at Back Bay Garden to be completed by Joseph Cannarozzo Inc., 24 East 31st Street, Bayonne, NJ 07002; and

WHEREAS, the Assistant Director of Community Development has advised that the availability of said Community Development Block Grant Funds for the purpose of providing

the cost of entrance improvements at Back Bay Garden to be completed by Joseph Cannarozzo Inc., 24 East 31st Street, Bayonne, NJ 07002; and

WHEREAS, said CDBG Funds are certified as available in Account CDBG-33; 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 entrance improvements at Back Bay Garden to be completed by Joseph Cannarozzo Inc., 24 East 31st Street, Bayonne, NJ 07002 the amount of \$58,630.00 for the period commencing September 1, 2015 and ending August 31, 2016.

2. Funds shall be charged to Account #CDBG-933

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

* * * * *

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

WHEREAS, the New Jersey Department of Environmental Protection, Green Acres Program ("State"), provides loans and/or grants to municipal and county governments and grants to nonprofit organizations for assistance in the acquisition, development, and stewardship of lands for outdoor recreation and conservation purposes; and

WHEREAS, the City of Bayonne desires to further the public interest by obtaining funding in the amount of \$1,134,016, in the form of a \$1,134,016 matching grant and a \$0 loan from the State to fund the following project(s):

The Bayonne Newark Bay Waterfront Access Infill Project at a cost of \$2,034,029;

NOW, THEREFORE, the governing body/board resolves that James M. Davis or the successor to the office of Mayor is hereby authorized to:

- (a) make application for such a loan and/or such a grant,
- (b) provide additional application information and furnish such documents as may be required, and
- (c) act as the authorized correspondent of the above named applicant; and

WHEREAS, the State shall determine if the application is complete and in conformance with the scope and intent of the Green Acres Program, and notify the applicant of the amount of the funding award; and

WHEREAS, the applicant is willing to use the State's funds in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the State for the above named project;

NOW, THEREFORE, BE IT FURTHER RESOLVED BY THE CITY COUNCIL

1. That the Mayor of the above named body or board is hereby authorized to execute an agreement and any amendment thereto with the State known as the Bayonne Newark Bay Waterfront Access Infill Project;
2. That the applicant has its matching share of the project, if a match is required, in the amount of \$900,013;
3. That, in the event the State's funds are less than the total project cost specified above, the applicant has the balance of funding necessary to complete the project;
4. That the applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project; and
5. That this resolution shall take effect immediately.

Prior to taking the vote, the clerk asked if anyone from the public wished to speak on the resolution. There was no response.

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

* * * * *

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

WHEREAS, Resolution 15-07-22-057 adopted by the Municipal Council on July 22, 2015 awarded a contract for professional planning services to perform a Master Plan Reexamination to DMR Architects, P.C., 777 Terrace Avenue, Suite 607, Hasbrouck Heights, New Jersey 07604 for an amount not to exceed \$50,000.00; and

WHEREAS, pursuant to the aforesaid Resolution No. 15-07-22-057 the City entered into Agreement No. CY15-056 with DMR Architects, P.C.; and

WHEREAS, the Business Administrator has demonstrated there is a need to increase the aforesaid Agreement No. CY15-056 in the amount of \$56,800.00; and

WHEREAS, funds are certified as available in Accounts CDBG, UEZ, BA-2; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized and directed to execute an amendment to Agreement No. CY15-016 DMR Architects, P.C., 777 Terrace Avenue, Suite 607, Hasbrouck Heights, New Jersey 07604 for professional planning services to perform a Master Plan Reexamination increasing same in the amount of \$56,800.00, making the total contract amount not to exceed \$106,800.00.
2. Funds shall be charged to Accounts CDBG, UEZ, and BA-2.
3. All other terms and conditions of Agreement No. CY15-056 shall remain the same.

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

* * * * *

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

RESOLVED, that the budgetary transfers as set forth below pertaining to the CY 2016 appropriations be and the same are hereby authorized, and be it further

RESOLVED, that the Comptroller be and is hereby authorized and directed to make the said transfers in

CURRENT FUND				
FROM			TO	
No.	Account	Amount	Account	Amount
1	Law Enforcement-Uniform-S&W	\$102,000.	Law Dept.- Contracts	\$ 4,500.00
			Vehicle Maintenance-OE	\$50,000.00
			Bldgs&Ground, OE-	\$20,000.00
			Streets&Parks Mtcs -OE	\$ 3,500.00
			Maint. Of Parks- OE	\$ 1,000.00
			Finance-S& W	\$ 1,000.00
			Bus. Admin-O.E	\$10,000.00
			Fire Dept.-O.E.	\$12,000.00

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

* * * * *

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

RESOLVED, by the Municipal Council that pursuant to N.J.S. 40A:4 -19, the following appropriations be and the same are hereby made and approved for the year CY 2017, and be it further.

RESOLVED, by the Municipal Council of the City of Bayonne, that the dedicated revenues pursuant to N.J.S. 40A:4 -39 for the period between the beginning of CY 2017 and the date of the adoption of the CY 2017 budget are hereby appropriated for the purpose to which said revenues are dedicated for in the said statues or other legal requirements:

OTHER COMBINED

<u>CURRENT FUND</u>	<u>SALARIES</u>	<u>EXPENSES</u>	<u>APPROPRIATION</u>
	\$		
OFFICE OF THE MAYOR	100,000.00	\$ 3,500.00	
PLANNING BOARD		\$ 12,000.00	
BOARD OF ADJUSTMENT		\$ 7,000.00	
ALCOHOL BEVERAGE CONTROL		\$ 1,000.00	
ENVIRONMENTAL COMMISSION		\$ 1,000.00	
RENT CONTROL	\$ 4,000.00	\$ 4,000.00	
BAYONNE ECON. OPPORTUNITY FUND		\$ 22,500.00	
BUSINESS ADMINISTRATION	\$ 150,000.00	\$ 200,000.00	
PERSONNEL	\$ 20,000.00		
BAYONNE HISTORICAL COMMISSION - O.E.		\$ 2,000.00	
GROUP INSURANCE		\$ 5,000,000.00	
GENERAL LIABILITY/WORKERS COMP		\$ 1,500,000.00	
GROUP INSURANCE WAIVER COST		\$ 5,000.00	
TELEPHONE EXPENSES		\$ 32,000.00	
MUNICIPAL COUNCIL	\$ 44,000.00	\$ 1,500.00	
BUDGET & ACCOUNTING FEES		\$ 50,000.00	
CITY CLERK'S OFFICE	\$ 90,000.00	\$ 8,000.00	
PRIMARY & GENERAL ELECTION	\$ 8,000.00	\$ 10,000.00	
FINANCE	\$ 240,000.00	\$ 20,000.00	
TAX ASSESSOR	\$ 60,000.00		
COLLECTION OF TAXES	\$ 65,000.00		
POSTAGE		\$ 25,000.00	
PLANNING & ZONING	\$ 115,000.00	\$ 3,000.00	
LAW DEPT.	\$ 165,000.00	\$ 8,000.00	
LAW DEPT - CONTRACTS		\$ 60,000.00	
RESERVE FOR TAX APPEALS		\$ 30,000.00	
BOARD OF HEALTH	\$ 180,000.00	\$ 100,000.00	
BAYONNE HEALTH CENTER		\$ 1,000.00	
SOLID WASTE DISPOSAL		\$ 1,000,000.00	
SOLID WASTE COLLECTION		\$ 700,000.00	
FIRE DEPT. - UNIFORM	\$ 6,300,000.00	\$ 80,000.00	
FIRE DEPT. - NON-UNIFORM	\$ 50,000.00		
UNIFORM FIRE SAFETY ACT		\$ 30,000.00	
LAW ENFORCEMENT - UNIFORM	\$ 6,000,000.00	\$ 140,000.00	
LAW ENFORCEMENT - NON-UNIFORM	\$ 800,000.00	\$ 3,500.00	
HOMELAND SECURITY- POLICE S&W	\$ 20,000.00		
HOMELAND SECURITY- FIRE S&W	\$ 5,000.00		
PROSECUTOR'S OFFICE		\$ 10,000.00	
CELEBRATION OF PUBLIC HOLIDAYS		\$ 10,000.00	
PARKS & PLAYGROUNDS	\$ 380,000.00	\$ 30,000.00	
STREETS & ROAD MAINTENANCE	\$ 350,000.00	\$ 60,000.00	
BUILDINGS & GROUNDS	\$ 350,000.00	\$ 70,000.00	
VEHICLE MAINTENANCE	\$ 200,000.00	\$ 100,000.00	
MAINTENANCE OF PARKS	\$ 650,000.00	\$ 20,000.00	
OTHER PUBLIC WORKS	\$ 100,000.00	\$ 40,000.00	
SNOW REMOVAL	\$ 100,000.00	\$ 100,000.00	
SWIMMING POOL	\$ 30,000.00	\$ 30,000.00	
WATER SEWER DIVISION	\$ 75,000.00	\$ 90,000.00	
PUBLIC DEFENDER		\$ 30,000.00	
BULK LEVY EXPENSES		\$ 5,000.00	
RETIREMENT OF LIQUOR LICENSES		\$ 20,000.00	
GASOLINE, OIL, GREASE, ETC.		\$ 120,000.00	
OLDER AMERICAN PROGRAM			\$ 45,000.00
UTILITIES		\$ 500,000.00	
SOCIAL SECURITY		\$ 700,000.00	
CONSOLIDATED P&F RET.SYSTEM		\$ 10,000.00	
PUBLIC EMPLOYEES' RETIREMENT SYSTEM		\$ 10,000.00	
POLICE AND FIREMEN'S RETIREMENT SYSTEM		\$ 10,000.00	
UNEMPLOYMENT INSURANCE		\$ 5,000.00	
MUNI PEN. TO EMPLOYEE & WIDOWS		\$ 10,000.00	
DEFINED CONTRIBUTION RETIREMENT PROGRAM			\$ 8,000.00

MUNICIPAL COURT	\$ 300,000.00	\$ 25,000.00	
MAINTENANCE OF FREE PUBLIC LIBRARY			\$ 800,000.00
OLDER AMERICAN ACT			\$ 200,000.00
FIRE PREVENTION MATERIALS GRANT		\$ 4,000.00	
POLICE FEDERAL FORFEITURE FUNDS		\$ 98,157.27	
NJ TURNPIKE SHUTTLE SERVICE		\$ 21,870.00	
PRIOR YEAR BILL- ROTH D'AQUANNI, LLC		\$ 10,946.08	
	<u>\$16,951,000.00</u>	<u>\$ 11,207,973.35</u>	<u>\$ 1,045,000.00</u>
TOTAL	<u>\$29,203,973.35</u>		

		OTHER	COMBINED
	<u>SALARIES</u>	<u>EXPENSES</u>	<u>APPROPRIATION</u>
<u>PARKING UTILITY</u>			
OPERATING	\$ 200,000.00	\$ 40,000.00	
GROUP INSURANCE		\$ 25,000.00	
OTHER INSURANCE		\$ 8,000.00	
SOCIAL SECURITY		\$ 10,000.00	
PUBLIC EMPLOYEES' RETIREMENT SYSTEM		\$ 2,000.00	
UNEMPLOYMENT INSURANCE		\$ 2,000.00	
	<u>\$ 200,000.00</u>	<u>\$ 87,000.00</u>	<u>\$ -</u>
TOTAL	<u>\$ 287,000.00</u>		

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

* * * * *

55. 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 THE PREPARATION OF A REHABILITATION PLAN FOR THE PROPERTY LOCATED AT 537-543 BROADWAY, WHICH PROPERTY IS IDENTIFIED AS BLOCK 189, LOT 24 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE 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, pursuant to the provisions of *N.J.S.A. 40A:12A-7(e)* and *N.J.S.A. 40A:12A-15* of the Redevelopment Law, the Planning Board, through the City’s staff and/or Planning Board professionals, is permitted to prepare a Rehabilitation Plan; and

WHEREAS, the City is desirous of directing the Planning Board to prepare a Rehabilitation Plan in order to ensure the success of rehabilitation in conformity with the City’s objectives; and

WHEREAS, the City believes that the property located at 537-543 Broadway, which property is identified as Block 189, Lot 24 (the “Property”) on the City’s Tax Maps is potentially valuable for contributing to, serving, and protecting the public health, safety and welfare and for the promotion of smart growth within the City; and

WHEREAS, the Municipal Council believes that the preparation of a Rehabilitation Plan is in the best interests of the City for the redevelopment of the Property.

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

Section 1. The Planning Board of the City of Bayonne is hereby authorized and directed to prepare a Rehabilitation Plan for the Property located at 537-543 Broadway, which property is identified as Block 189, Lot 24 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 Rehabilitation Plan to the Municipal Council for further consideration and action upon completion of same.

Section 3. This Resolution shall take effect immediately.

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

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

Resolution: Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the 2017 Roadway Improvements project.

BE IT RESOLVED that Council of the City of Bayonne formally approves a grant application and execute a grant contract with the New Jersey Department of Transportation for the 2017 Roadway Improvements project; and

BE IT FURTHER RESOLVED that the Mayor and City Clerk are hereby authorized to submit an electronic grant application identified as MA-2017-Bayonne City-00012 to the New Jersey Department of Transportation on behalf of the City of Bayonne; and

BE IT FURTHER RESOLVED that Mayor and City Clerk are hereby authorized to sign the grant agreement on behalf of the City of Bayonne and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

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

* * * * *

57. The Council as a whole introduced:

AN ORDINANCE AUTHORIZING THE PURCHASE OF CERTAIN REAL PROPERTY (15-19 HOWARD PLACE – BLOCK 289, LOT 15 AND 237-249 AVENUE A – BLOCK 284, LOT 2) BY THE CITY OF BAYONNE, COUNTY OF HUDSON, STATE OF NEW JERSEY FROM THE CONVENT OF SISTERS OF SAINT JOSEPH

WHEREAS, certain real property has been offered for sale by THE CONVENT OF SISTERS OF SAINT JOSEPH which property is known and designated as 15-19 Howard Place (Block 289, Lot 15) and 237-249 Avenue A (Block 284, Lot 2) on the Official Tax Maps of the City of Bayonne; and

WHEREAS, the Mayor and Municipal Council of the City of Bayonne have determined that the real property is necessary and suitable for use and re-development by the City of Bayonne; and

WHEREAS, this Municipal Council, by virtue of the passage of Resolution No. 16-11-09-007, previously authorized the Mayor to negotiate and enter into a contract for the purchase of the above noted property subject to the approval of this Municipal Council; and

WHEREAS, this Municipal Council, by virtue of the passage of Ordinance O-16-66 has previously provided for the financing of the purchase by way of a Bond; and

WHEREAS, on January 11, 2017 the Mayor, on behalf of the City of Bayonne, and The Convent of Sisters of Saint Joseph entered into a contract of sale for the above noted property, which contract is now being presented to this Municipal Council for approval;

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the City of

Bayonne, County of Hudson and State of New Jersey as follows:

Section 1. The Contract of Sale between the City of Bayonne and the Convent of Sisters of Saint Joseph, dated January 11, 2017, for the purchase and sale of the property known and designated as 15-19 Howard Place (Block 289, Lot 15) and 237-249 Avenue A (Block 284, Lot 2) on the Official Tax Maps of the City of Bayonne for the sum of \$2,500,000.00 is hereby approved.

Section 2. The Mayor and City Clerk are authorized to sign such documents as are necessary, advisable and proper to acquire said property.

Section 3. Ordinances or parts of ordinances which are inconsistent with the provisions of this ordinance are hereby repealed but only to the extent of such inconsistency.

Section 4. This ordinance shall take effect after final passage, publication and other provisions in accordance with applicable law.

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

BE IT RESOLVED, that an ordinance entitled “AN ORDINANCE AUTHORIZING THE PURCHASE OF CERTAIN REAL PROPERTY (15-19 HOWARD PLACE – BLOCK 289, LOT 15 AND 237-249 AVENUE A – BLOCK 284, LOT 2) BY THE CITY OF BAYONNE, COUNTY OF HUDSON, STATE OF NEW JERSEY FROM THE CONVENT OF SISTERS OF SAINT JOSEPH,” just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, February 15, 2017, at 7:00 P.M., or as soon thereafter as the matter can be reached, and the Dorothy E. Harrington Council Chamber, Municipal Building, 630 Avenue, Bayonne, New Jersey, are hereby fixed as the time and place when and where such ordinance will be further considered for final passage, at which time and place all persons interested shall be given an opportunity to be heard concerning the same; and, be it further

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

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

* * * * *

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

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

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

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

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

WHEREAS, a resolution authorizing this municipality to apply for the 2016 Recycling Tonnage Grant will memorialize the commitment of this municipality to recycling and to indicate the assent of the City of Bayonne to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

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

NOW THEREFORE BE IT RESOLVED by the Municipal Council of the City of Bayonne that City of Bayonne hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Recycling Coordinator Michael Tassone to ensure that the application is properly filed; and

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

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

* * * * *

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

WHEREAS, there is a need for a Clean Communities Coordinator for the City of Bayonne; and

WHEREAS, there is also a need for a Clean Communities Coordinator to apply for and submit Clean Communities Grants to various agencies; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. Michael Tassone is hereby appointed as Clean Communities Coordinator for the City of Bayonne for the period commencing January 1, 2017 and ending December 31, 2017.
2. The Clean Communities Coordinator is authorized to prepare, apply for and submit Clean Communities Grants to any and all applicable state, federal and local agencies.
3. The Mayor and City Clerk are hereby authorized to execute any and all documents in furtherance of the aforesaid Clean Communities Grants.

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

* * * * *

60. Council Member LaPelusa introduced:

AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, STATE OF NEW JERSEY, AUTHORIZING A SPECIAL EMERGENCY APPROPRIATION PURSUANT TO N.J.S.A. 40A:4-53 FOR PREPARATION OF AN APPROVED TAX MAP

WHEREAS, in Order to comply with the Revaluation Order issued to the City of Bayonne by Hudson County Tax Board as approved by the State Division of Taxation, it has been found necessary to make an Emergency Appropriation to meet the extraordinary expenses incurred, or to be incurred, by reason of the preparation of an approved tax map; and

WHEREAS, N.J.S.A. 40A:4-53 provides that it shall be lawful to make such appropriations, which appropriations shall be provided for in succeeding annual budgets by the inclusion of an appropriation of at least one-fifth of the amount authorized pursuant to this act; and

WHEREAS, a separate resolution of this date confirms a contract award for preparation of a new tax map and GIS data, allocating \$200,000 of the cost to the building department and the remaining \$217,500 to tax map preparation:

NOW, THEREFORE BE IT ORDAINED by the Municipal Council of the City of Bayonne, County of Hudson, State of New Jersey, that pursuant to N.J.S.A.40A:4- 55 as follows:

1. An emergency appropriation be and the same is hereby made for preparation of an approved tax map in the total amount of \$217,150, and
2. Said emergency appropriation shall be provided for in full in the budgets of the next succeeding years by the inclusion of not less than one-fifth of the total amount (\$43,430) in each of the next succeeding annual budgets.
3. The City's Chief Financial Officer acting in concert with the City Administration is hereby authorized to finance such emergency appropriation from surplus funds available.

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

BE IT RESOLVED, that an ordinance entitled "AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, STATE OF NEW JERSEY, AUTHORIZING A SPECIAL EMERGENCY APPROPRIATION PURSUANT TO N.J.S.A. 40A:4-53 FOR PREPARATION OF AN

APPROVED TAX MAP,” just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, February 15, 2017, at 7:00 P.M., or as soon thereafter as the matter can be reached, and the Dorothy E. Harrington Council Chamber, Municipal Building, 630 Avenue, Bayonne, New Jersey, are hereby fixed as the time and place when and where such ordinance will be further considered for final passage, at which time and place all persons interested shall be given an opportunity to be heard concerning the same; and, be it further

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

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

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

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

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

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

WHEREAS, the City Tax Assessor of the City of Bayonne also recommended that this solicitation include production of updated aerial photogrammetric Geographical Information System (GIS) digital mapping compatible with the City’s current GIS programs in which the parcels depicted in the new State certified Tax Map are both referenced to the aerial base and linked to the existing MOD IV tax assessment database as such GIS data is both helpful to assessment uses and essential to the proper functioning of the building department database program, which relies on parcel data for its lookup procedure; and

WHEREAS, this Municipal Council accepted the above recommendations and authorized solicitation for a new New Jersey State Certified Tax Map to include production of updated aerial photogrammetric Geographical Information System (GIS) digital mapping compatible with the City’s current GIS programs in which the parcels depicted in the new State certified Tax Map are both referenced to the aerial base and linked to the existing MOD IV tax assessment database with particular attention to areas deficient in the prior map; and

WHEREAS, after a review of the proposals and options presented, the municipal tax assessor has recommended that the contract for the above services be awarded to Civil Solutions of Hammonton, NJ as the most qualified and experienced provider for these services:

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

1. The above recitals are incorporated herein.
2. The City of Bayonne authorizes approval of a contract to Civil Solutions of 215 Bellevue Avenue, Hammonton, NJ for production and delivery to the City of Bayonne a new New Jersey State Certified Tax Map to include production of updated aerial photogrammetric Geographical Information System (GIS) digital mapping compatible with the City’s current GIS programs in which the parcels depicted in the new State certified Tax Map are both referenced to the aerial base and linked to the existing MOD IV tax assessment database with particular attention to areas deficient in the prior map(s) for a lump sum not to exceed price of (\$417,150), \$200,000 of which (The GIS component) is to be paid from the building departments dedicated account as this GIS component is fundamental to the operation of the building departments data system and \$217,150 of which is to be paid from municipal funds, which may be spread over a five year period pending approval of an ordinance allowing same pursuant to N.J.S.A. 40A:4-53. In the event this ordinance is not approved the cost may be paid from current revenue as each phase of the project is completed.
3. This approval is expressly subject to Civil Solutions signing a contract acceptable to the City Law Director and City Tax Assessor as embodying the scope and terms specified

above, to include but not be limited to, all supplemental research required for the scope of the project and such other terms as the City Law Director may deem appropriate.

4. The Mayor, City Law Director, Business Administrator, Finance Personnel and Tax Assessor are further authorized to take any actions necessary to effectuate this resolution.
5. This resolution shall take effect immediately.

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

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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 of Bayonne has a need to acquire office and parking space at the Port Authority Marine Terminal for use by the Bayonne Police Department; and

WHEREAS, the Port Authority of New York and New Jersey (the "Port Authority") was willing to grant the use and occupancy of approximately 390 square feet of space and tow (2) parking spaces located in/adjacent to Building 51 at Port Jersey South for use by the Bayonne Police Department (the "Premises") on a pro bono basis at no cost to the City; and

WHEREAS, as a condition of granting the use and occupancy of the Premises, the Port Authority required the City to execute a Space Permit Agreement setting forth the rights and obligations of both the Port Authority and the City in connection with said use and occupancy of the Premises; and

WHEREAS, in order to effectuate said use and occupancy of the Premises by the Police Department, the Director of Public Safety executed Space Permit Agreement – Permit NO. PPJ-034 with Port Authority for the period commencing on or about August 1, 2016 through July 31, 2017; now, therefore, be it

RESOLVED, the Municipal Council hereby ratifies and affirms the actions of the Director of Public Safety in executing Space Permit Agreement – Permit No. PPJ-034 with the Port Authority and further authorizes the Director of Public Safety to execute any documents required for the renewal of same.

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

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At 8:06 P.M., Council President Nadrowski motioned to recess, seconded by Council Member Perez, which motion was adopted

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

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At 8:44 P.M., Council Member Perez motioned to reconvene, seconded by Council Member Cotter, which motion was adopted

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

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63. Council Member Perez introduced:

ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON APPROVING A FINANCIAL AGREEMENT WITH 957 BROADWAY URBAN RENEWAL, LLC

WHEREAS, on the basis of a preliminary investigation and recommendation of the Planning Board of the City of Bayonne (the "Planning Board") pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et. seq., the City Council of the City of Bayonne (the "City Council") determined that certain property known as 957-965 Broadway and 9-15 W 46th St. Bayonne NJ , and designated as Block 77 Lots 16 thru 24, on the Tax Map of the City of Bayonne (the "City"), and all air rights and riparian rights attached or associated with those parcels, should be classified as a redevelopment area in accordance with N.J.S.A. 40A: 12A-5 (the "Redevelopment Area"); and

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

WHEREAS, on April 22, 2015, the Municipal Council of the City of Bayonne (the "Municipal Council") passed a Resolution designating the property at 957-965 Broadway and 9-15 W 46th St. Bayonne NJ and also designated as Block 77 Lots 16 thru 24, Lot 2 as an "are in need of redevelopment" under the Redevelopment Law (the "Redevelopment Area") in accordance with the provisions of N.J.S.A. 40A: 12A-6 of the Redevelopment Law; and

WHEREAS, in August 2016 the Municipal Council adopted an Ordinance (O-15-25) adopting a Redevelopment Plan for the aforesaid Redevelopment Area; and

WHEREAS, the Redevelopment Plan calls for the Redevelopment Area to be developed as a mixed use residential and ground floor commercial space and associated uses, including parking; and

WHEREAS, 957 Broadway Urban Renewal, LLC proposes to construct up to 91 residential apartment units, along with approximately 8,576 sf of ground floor commercial space and associated parking and improvements (the "Project") in the project area;

WHEREAS, 957 Broadway Urban Renewal, LLC has applied to the City Council for tax exemption pursuant to the New Jersey Long Term Tax Exemption Law, N.J.S.A. 40A:20-1 et. seq. (the "Exemption Law") with respect to the Project; and

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

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

WHEREAS, as part of its application for a tax exemption, 957 Broadway Urban Renewal, LLC has submitted a form of Financial Agreement (the "Financial Agreement") providing for payments in lieu of taxes, a copy of which is attached to this Ordinance; and

WHEREAS, 957 Broadway Urban Renewal, LLC has presented to this body certain financial information, copies of which are attached as exhibits to this Ordinance; and

WHEREAS, the City Council deems it to be in the best interest of the City to pass an Ordinance authorizing the City to enter into the proposed Financial Agreement with 957 Broadway Urban Renewal, LLC on the terms and conditions stated in the applicable form of Financial Agreement attached to this Ordinance;

NOW THEREFORE, be it Ordained that the City Council of the City of Bayonne does hereby adopt the tax exemptions for 957 Broadway Urban Renewal, LLC as follows:

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

Section 2. The Mayor is hereby authorized to execute the Financial Agreement with 957 Broadway Urban Renewal, LLC in substantially the form attached hereto and subject to any further review, analysis or modifications that counsel may deem appropriate.

Section 3. During the term of the tax exemption with respect to 957 Broadway Urban Renewal, LLC there shall be paid to the City in lieu of any taxes to be paid on the improvements of the Project, an annual service charge determined as provided in the Financial Agreement.

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

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

BE IT RESOLVED, that an ordinance entitled “ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON APPROVING A FINANCIAL AGREEMENT WITH 957 BROADWAY URBAN RENEWAL, LLC,” just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, February 15, 2017 at 7:00 P.M., or as soon thereafter as the matter can be reached, and the Dorothy E. Harrington Council Chamber, Municipal Building, 630 Avenue, Bayonne, New Jersey, are hereby fixed as the time and place when and where such ordinance will be further considered for final passage, at which time and place all persons interested shall be given an opportunity to be heard concerning the same; and, be it further

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

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

Nays- Council Member LaPelusa.

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At 8:16 P.M., Council Member Perez motioned to adjourn, seconded by Council President Nadrowski, which motion was adopted.

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

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President – Sharon A. Nadrowski

City Clerk - Robert F. Sloan