

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, DECEMBER 13, 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 December 13, 2017, 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 December 15, 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 meeting sign-up request.

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02. Lefty Grimes addressed the council on wheelchair access in the UEZ.

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03. The Clerk announced:

AN ORDINANCED ENTITLED, “CAPITAL IMPROVEMENT ORDINANCE TO PROVIDE FUNDING FOR IMPROVEMENTS TO COLLINS PARK IN THE AMOUNT OF \$500,000.00,”which was introduced and passed a first reading at a meeting held November 8, 2017, 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 December 13, 2017, is now before the Council for its consideration and a public hearing.

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

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

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

The Clerk read the ordinance by title: “CAPITAL IMPROVEMENT ORDINANCE TO PROVIDE FUNDING FOR IMPROVEMENTS TO COLLINS PARK IN THE AMOUNT OF \$500,000.00,”

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

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

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

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

WHEREAS, an ordinance entitled, “CAPITAL IMPROVEMENT ORDINANCE TO PROVIDE FUNDING FOR IMPROVEMENTS TO COLLINS PARK IN THE AMOUNT OF \$500,000.00,” was

introduced and passed a first reading at a meeting held November 8, 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 December 13, 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-17-60.

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

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04. The Clerk announced:

AN ORDINANCE ENTITLED, "ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON APPROVING A FINANCIAL AGREEMENT BY AND BETWEEN THE CITY OF BAYONNE AND PENINSULA VIEW URBAN RENEWAL, LLC FOR THE PROPERTY LOCATED AT 77-87 EAST 31ST STREET, 74 AND 80 EAST 32ND STREET AND 268-270 PROSPECT AVENUE, WHICH PROPERTY IS IDENTIFIED AS BLOCK 411, LOTS 2, 3, 4, 5, 6, 7, 8 AND 10.01 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE," which was introduced and passed a first reading at a meeting held November 8, 2017, 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 December 13, 2017, is now before the Council for its consideration and a public hearing.

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

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

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

The Clerk read the ordinance by title: "ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON APPROVING A FINANCIAL AGREEMENT BY AND BETWEEN THE CITY OF BAYONNE AND PENINSULA VIEW URBAN RENEWAL, LLC FOR THE PROPERTY LOCATED AT 77-87 EAST 31ST STREET, 74 AND 80 EAST 32ND STREET AND 268-270 PROSPECT AVENUE, WHICH PROPERTY IS IDENTIFIED AS BLOCK 411, LOTS 2, 3, 4, 5, 6, 7, 8 AND 10.01 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE,"

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

The following persons spoke: Mike Morris – 123 Avenue C
Peter Franco – 127 West 12th Street
Francesco Alessi – 146 West 37th Street
Dawn Colon – 268-270 Prospect Avenue

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

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

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

Council President Nadrowski moved a resolution for final passage, seconded by Council member 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 BY AND BETWEEN THE CITY OF BAYONNE AND PENINSULA VIEW URBAN RENEWAL, LLC FOR THE PROPERTY LOCATED AT 77-87 EAST 31ST STREET, 74 AND 80 EAST 32ND STREET AND 268-270 PROSPECT AVENUE, WHICH PROPERTY IS IDENTIFIED AS BLOCK 411, LOTS 2, 3, 4, 5, 6, 7, 8 AND 10.01 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE," was introduced and passed a first reading at a meeting held November 8, 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 December 13, 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-17-61.

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

Nays – Council Member LaPelusa.

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05. The Clerk announced:

AN ORDINANCE ENTITLED, “ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON APPROVING A FINANCIAL AGREEMENT BY AND BETWEEN THE CITY OF BAYONNE AND PENINSULA LOFTS URBAN RENEWAL, LLC FOR A PORTION OF THE BROADWAY CORRIDOR REDEVELOPMENT AREA LOCATED NEAR STANDARD PLACE ON EAST 19TH STREET AND ON AVENUE E MORE PARTICULARLY IDENTIFIED AS BLOCK 221, LOTS 8, 9, 10, 11, 12 AND 13 AS SHOWN ON THE TAX MAP OF THE CITY OF BAYONNE,” which was introduced and passed a first reading at a meeting held November 8, 2017, 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 December 13, 2017, is now before the Council for its consideration and a public hearing.

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

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

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

The Clerk read the ordinance by title: “ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON APPROVING A FINANCIAL AGREEMENT BY AND BETWEEN THE CITY OF BAYONNE AND PENINSULA LOFTS URBAN RENEWAL, LLC FOR A PORTION OF THE BROADWAY CORRIDOR REDEVELOPMENT AREA LOCATED NEAR STANDARD PLACE ON EAST 19TH STREET AND ON AVENUE E MORE PARTICULARLY IDENTIFIED AS BLOCK 221, LOTS 8, 9, 10, 11, 12 AND 13 AS SHOWN ON THE TAX MAP OF THE CITY OF BAYONNE,”

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

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

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

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

WHEREAS, an ordinance entitled, “ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON APPROVING A FINANCIAL AGREEMENT BY AND BETWEEN THE CITY OF BAYONNE AND PENINSULA LOFTS URBAN RENEWAL, LLC FOR A PORTION OF THE BROADWAY CORRIDOR REDEVELOPMENT AREA LOCATED NEAR STANDARD PLACE ON EAST 19TH STREET AND ON AVENUE E MORE PARTICULARLY IDENTIFIED AS BLOCK 221, LOTS 8, 9, 10, 11, 12 AND 13 AS SHOWN ON THE TAX MAP OF THE CITY OF BAYONNE,” was introduced and passed a first reading at a meeting held November 8, 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 December 13, 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-17-62.

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

Nays – Council Member LaPelusa.

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06. The Clerk announced:

AN ORDINANCE ENTITLED, “AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC,” which was introduced and passed a first reading at a meeting held November 8, 2017, 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 December 13, 2017, is now before the Council for its consideration and a public hearing.

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

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

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

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

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

There was no response – no person appearing to protest against or object to the 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 President Nadrowski motion to amend the ordinance to delete space #194, seconded by Council Member Perez, 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, “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 November 8, 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 December 13, 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-17-63.

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

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07. Council Member LaPelusa introduced:

ORDINANCE AUTHORIZING THE EXECUTION OF A RIGHTS-OF- WAY USE AGREEMENT BETWEEN THE CITY OF BAYONNE AND CROSS RIVER FIBER LLC TO PERMIT THE INSTALLATION OF FIBER OPTIC FACILITIES AND RELATED EQUIPMENT WITHIN THE MUNICIPAL RIGHT-OF-WAY FOR PURPOSES OF PROVIDING TELECOMMUNICATION SERVICES

WHEREAS, Cross River Fiber LLC, a Delaware limited liability company authorized and doing business in New Jersey ("Cross River Fiber") is a telecommunications utility authorized to provide services by the New Jersey Board of Public Utilities ("BPU") and the Federal Communications Commission ("FCC"); and

WHEREAS, Cross River Fiber has requested that the City of Bayonne ("City") grant it permission to place its telecommunication facilities aerially on existing utility poles or in underground conduit in the public rights-of-way within the City of Bayonne for the purpose of owning, constructing, installing, operating, repairing and maintaining a telecommunications system ("General Scope of Work"); and

WHEREAS, prior to commencement of work, Cross River Fiber, will present a detailed scope of work and will coordinate with the City's Engineer, Construction Official and other applicable City Officials and personnel; and

WHEREAS, Cross River Fiber agrees to execute a Rights-of-Way Use Agreement for a ten (10) year period commencing on a date to be agreed by the City with four (4) additional five (5) year periods unless the City notifies Cross River Fiber of its intent not to renew at least (90) days prior to the end of the then current term; and

WHEREAS, Cross River Fiber agrees to pay the City's reasonable fees and expenses incurred by the City for professional and legal services, police oversight and any other expenses incurred by the City as well as all applicable permit fees as a result of the Scope of Work and as contemplated in N.J.S.A. 54:30A-124(a); and

WHEREAS, N.J.S.A. 48:17-10 and N.J.S.A. 40:67-1 authorize the City to grant municipal consent for the General Scope of Work presented by Cross River Fiber in the City's rights-of-way; and

WHEREAS, it is deemed to be in the best interest of the City and its citizenry, including the commercial and industrial citizens, for the City to grant municipal consent to Cross River Fiber to occupy said public rights-of-way within the City for this purpose; and

WHEREAS, the granting of such consent shall be non-exclusive and shall be conditioned upon Cross River Fiber's continued compliance with all applicable existing City ordinances as may be amended from time to time and with all future ordinances as may be enacted to the extent such ordinances are consistent with state and federal law and its entering into a Rights-of-Way Use Agreement with the City; and

WHEREAS, the granting of such consent shall further be subject to availability of adequate space on existing poles as determined by the City's Engineering professionals and taking into account other same or similar telecommunication projects that have been previously approved on a first-come, first-served basis; and

WHEREAS, Cross River Fiber agrees to indemnify, defend and hold the City harmless as to all claims and liability resulting from any injury or damage which may arise from the construction, installation, operation, repair, maintenance, disconnect, replacement and removal of its telecommunications facilities within certain public rights-of-way.

NOW, THEREFORE, BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE CITY OF BAYONNE THAT:

1. Non-exclusive consent is hereby granted to Cross River Fiber to use certain public rights-of-way within the City for the purpose of installation, operation, repair, and maintenance of a telecommunications system for a period of ten (10) years, commencing on a date to be agreed by the City with four (4) additional five (5) year periods unless the City notifies Cross River Fiber of its intent not to renew at least (90) days prior to the end of the then current term subject to the mutual covenants and obligations as set forth in a Rights-of-

Way Use Agreement executed by the parties in form and substance as is acceptable to the Law Director.

2. The Mayor and City Clerk are hereby authorized to execute said Rights-of-Way Use Agreement.

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 "ORDINANCE AUTHORIZING THE EXECUTION OF A RIGHTS-OF- WAY USE AGREEMENT BETWEEN THE CITY OF BAYONNE AND CROSS RIVER FIBER LLC TO PERMIT THE INSTALLATION OF FIBER OPTIC FACILITIES AND RELATED EQUIPMENT WITHIN THE MUNICIPAL RIGHT-OF-WAY FOR PURPOSES OF PROVIDING TELECOMMUNICATION SERVICES," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, January 17, 2018 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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08. Council Member Perez introduced:

AN ORDINANCE AUTHORIZING THE SALE OF BLOCK 751, LOT 1.04 (2.12 ACRES) AND BLOCK 751, LOT 1.02 (2.01 ACRES) , BOTH LOCATED WITHIN HARBOR STATION SOUTH, TO MAHALAXMI BAYONNE, LLC FOR THE AMOUNT OF \$500,000.00 PER ACRE CONSISTENT WITH THE TERMS OF THE REDEVELOPMENT AND PURCHASE AND SALE AGREEMENT AUTHORIZED BY RESOLUTION NO. 16-12-14-079, WHICH REDEVELOPMENT AGREEMENT WAS ENTERED INTO ON FEBRUARY 21, 2017

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

WHEREAS, in accordance with the criteria set forth in the Redevelopment Law, the City identified and designated the Bayonne Military Ocean Terminal (hereinafter referred to as the "Peninsula") as an area in need of redevelopment referred to as Harbor Station South (the "Redevelopment Property"); and

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

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

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

WHEREAS, the Major Subdivision Plat was recorded with the Office of the Hudson County Register on November 14, 2016; and

WHEREAS, among other lots, the Major Subdivision Plat creates "Proposed Block 751, Lot 1" consisting of approximately 27.328 acres of land (the "Property"); and

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

WHEREAS, MAHALAXMI BAYONNE, LLC, a limited liability company of the State of New Jersey with an office at 2449 Kennedy Blvd., Jersey City, NJ 07304 ("MBL") informed the City of its interest in acquiring and redeveloping the Property, and

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

WHEREAS, on November 9, 2016, the Municipal Council designated MBL as conditional redeveloper ("Conditional Redeveloper") subject to the negotiation and preparation of a mutually agreeable Redevelopment Agreement; and

WHEREAS, on December 14, 2016 this Municipal Council passed Resolution #16-12-14-79 authorizing the City to enter into a Redevelopment and Purchase and Sale Agreement with MBL; and

WHEREAS, on February 21, 2017 the City of Bayonne and MBL entered into a Redevelopment and Purchase and Sale Agreement, which agreement is on file with the City of Bayonne; and

WHEREAS, MBL now desires to effectuate the purchase of Block 751, Lot 1.04 (2.12 acres) and Block 751, Lot 1.02 (2.01) acres for the amount of \$500,000.00 per acre from the City of Bayonne consistent with the terms of said Redevelopment and Purchase and Sale Agreement;

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 Mayor and City Clerk are authorized to sign such documents as are necessary, advisable and proper to sell Block 751, Lot 1.04 (2.12 acres) and Block 751, Lot 1.02 (2.01) acres for the amount of \$500,000.00 per acre consistent with the terms of said Redevelopment and Purchase and Sale Agreement.

Section 2. 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 3. This ordinance shall take effect after final passage, publication and other provisions in accordance with applicable law.

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 AUTHORIZING THE SALE OF BLOCK 751, LOT 1.04 (2.12 ACRES) AND BLOCK 751, LOT 1.02 (2.01 ACRES) , BOTH LOCATED WITHIN HARBOR STATION SOUTH, TO MAHALAXMI BAYONNE, LLC FOR THE AMOUNT OF \$500,000.00 PER ACRE CONSISTENT WITH THE TERMS OF THE REDEVELOPMENT AND PURCHASE AND SALE AGREEMENT AUTHORIZED BY RESOLUTION NO. 16-12-14-079, WHICH REDEVELOPMENT AGREEMENT WAS ENTERED INTO ON FEBRUARY 21, 2017," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, January 17, 2018 at 7:00 P.M., or as soon thereafter as the matter can be reached, and the Dorothy E. Harrington Council Chamber, Municipal Building, 630 Avenue, Bayonne, New Jersey, are hereby fixed as the time and place when and where such ordinance will be further considered for final passage, at which time and place all persons interested shall be given an opportunity to be heard concerning the same; and, be it further

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

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

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09. Council Member 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 Streets

Names of Streets	Sides	Hours	Location
**East 32 nd St.	North	Monday through Friday 10:00 a.m. to 7:00 p.m. (no parking only)	Beginning at a point 39 feet east of the northeast corner of 32 nd Street and Broadway and extending east to a point 62 feet thereof.
Avenue E	West	Monday through Friday 3:00 p.m. to 7:30 p.m. (no parking only)	Beginning at a point 201 feet 6 inches north of the northwest corner of 21 st Street and Avenue E and extending north to a point feet thereof**

Council Member LaPelusa 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, January 17, 2018 at 7:00 P.M., or as soon thereafter as the matter can be reached, and the Dorothy E. Harrington Council Chamber, Municipal Building, 630 Avenue, Bayonne, New Jersey, are hereby fixed as the time and place when and where such ordinance will be further considered for final passage, at which time and place all persons interested shall be given an opportunity to be heard concerning the same; and, be it further

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

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

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10. Council Member LaPelusa introduced:

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

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

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

RESTRICTIVE PARKING ZONES

DELETE

171. Mercedes De La Cruz, 715 Avenue C, Apt. 19
Beginning at a point on the west side of Avenue C, 91 feet south of the southwest corner of West 32nd Street and Avenue C, and extending to a point 18 feet south thereof.

ADD

014. Francesco Ferrante, 93 Trask Avenue
Beginning at a point on the west side of Trask Avenue, 139 feet north of the northwest corner of West 4th Street and Trask Avenue, and extending to a point 17 feet north thereof.

017. Cheryl Dunn for her son, Liam Murphy, 67 West 16th Street
Beginning at a point on the north side of West 16th Street, 208 feet north of the northwest corner of West 16th Street and Avenue C, and extending to a point 18 feet west thereof.

023. Tara Lavelle for her sister, Colleen Lavelle, 687 Avenue E
Beginning at a point on the west side of Avenue E, 38 feet north of the northeast corner of East 43rd Street and Avenue E, and extending to a point 17 feet north thereof.

047. Cinthya Melendez for her son, Emmanuel Melendez, 92 West 17th Street
Beginning at a point on the south side of West 17th Street, 214 feet south (sic.) of the southwest corner of West 17th Street and Kennedy Boulevard, and extending to a point 17 feet east thereof.

RELOCATE

333. Melissa Redondo for her son, Taylor Redondo, from 14 O'Brien Court to 91 West 51st Street

OLD LOCATION: Beginning at a point on the south side of O'Brien Court, 329 feet west of the northwest corner of O'Brien Court and Avenue A, and extending to a point 18 feet west thereof.

NEW LOCATION: Beginning at a point on the north side of West 51st Street, 280 feet east of the northwest corner of West 51st Street and Avenue B, and extending to a point 19 feet east thereof.

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 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, January 17, 2018 at 7:00 P.M., or as soon thereafter as the matter can be reached, and the Dorothy E. Harrington Council Chamber, Municipal Building, 630 Avenue, Bayonne, New Jersey, are hereby fixed as the time and place when and where such ordinance will be further considered for final passage, at which time and place all persons interested shall be given an opportunity to be heard concerning the same; and, be it further

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

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

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

From Jonathan D. Singer, Esq., filing notice of tort claim on behalf of CHARLENE W. HUTTEMAN alleging personal injuries resulting from a fall on the sidewalk on August 21, 2017 at 125 Broadway.

* * * * *

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

From HUGO A. REYNOSO, filing notice of tort claim alleging property damage to his automobile on November 11, 2017 resulting from a road repair imperfection on the Route 440 ramp at Avenue C.

* * * * *

14. 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.

* * * * *

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

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

* * * * *

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

DATE: December 6, 2017

TO: Terrence Malloy, CFO
Robert Sloan, City Clerk

FROM: Janet Convery, Treasurer

Please be advised that a transfer to the Board of Ed was made on December 6, 2017

\$5,534,471.15 CLAIMS & PAYROLL FOR December 2017

Janet Convery

* * * * *

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

Date: 12/12/17 Ad Date: 11/09/17 Resolution #17-07-19-050

Date bids accepted: 12/01/17 Attending: Amy Dellabella, Purchasing Agent
Robert J. Russo, PE Darren Mazzei, PE

Bid titled: 57th St. Firehouse Interior & Exterior Renovations

<u>Bidders:</u>	<u>Base Bid</u>	<u>Alternate A</u>	<u>Total Base Bid + Alternate A</u>
Brunswick Builders LLC. PO Box 7315 East Brunswick, NJ 08816	\$244,080.00	\$13,278.00	\$257,358.00
Three Sons Restoration LLC 235 Morris Avenue Union, NJ 07083	\$550,000.00	\$30,000.00	\$580,000.00
Mark Construction Inc. 81 Lester St., Suite 2 Wallington, NJ 07057	\$598,000.00	\$16,000.00	\$614,000.00
Hilt Construction Inc. 120 Old Camplain Rd Hillsborough, NJ 08844	\$604,891.00	\$13,500.00	\$618,391.00

SMAC Corp. 431 North Midland Avenue Saddle Brook, NJ 07663	\$747,000.00	\$16,500.00	\$763,500.00
Emerald Contracting Corp. 1375 Plainfield Ave, 1 st Floor Watchung, NJ 07069	\$952,160.00	\$7,920.00	\$960,080.00
Louis Gargiulo Co. Inc. 44-46 State St. Jersey City, NJ 07304	\$1,170,000.00	\$19,450.00	\$1,189,450.00
M & M Construction Technology Inc. 661 Pelton Avenue Staten Island, NY 10310	\$1,350,500.00	\$25,000.00	\$1,375,500.00

After review, the Purchasing Agent will prepare a request for contract award and forward it to the City Clerk for inclusion in future Council Agenda. If other than the lowest bidder is recommended, an explanation will be provided with that report. If bids are to be rejected, an appropriate report will be prepared. Please retain this report, as the information above may not be repeated in the request for award documents or in the event of a bid rejection.

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

* * * * *

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.

* * * * *

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, November 8, 2017 be and the same are hereby approved.

* * * * *

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, November 1, 2017, be and the same are hereby approved.

* * * * *

21. 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
7	5	MJ Property Group, LLC	59,824.32
59	7	Sabrina Lebron	1,445.45
97	2	Maria Bilotta	560.12
106	9	Monika Figueroa	3,306.45
143	30	Una Hughes	1,675.17
151	25	Avenue 365 Lender Services	3,374.81
243	20	Carlos Perez	167.38
272	47	BCB Community Bank	2,925.71
282	29	Richard Roles	1,404.84
Total:			74,684.25

* * * * *

22. 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 \$ 4.20 be drawn of the Bureau of Rabies Control, State Department of Health, Trenton, New Jersey, covering the issuance of licenses Nos. 1091 inclusive, 1 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.

* * * * *

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

RESOLVED, that the actions of the Municipal Treasurer in issuing payment from Current Fund in the amount of \$ 6,535,967.84 payable to the County of Hudson for Fourth Quarter County Taxes of 2017 is hereby ratified and confirmed.

* * * * *

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

RESOLVED, that the actions of Municipal Treasurer in ordering a warrant from the Current Fund in the amount of \$20,167.78 payable to State of New Jersey Department of Labor for Unemployment claims through 9/30/2017 is hereby ratified and confirmed. Said warrant is charged to Unemployment Trust Fund.

* * * * *

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

BE IT RESOLVED, that the actions of the Chief Financial Officer in ordering a warrant from the Current Fund in the amount of \$ 12,798 payable to William Archiello, LLC is hereby ratified and confirmed. Said warrant is charged to NJ Turnpike Shuttle Service.

* * * * *

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

BE IT RESOLVED, that the actions of the Chief Financial Officer in ordering a warrant from the Current Fund in the amount of \$ 12,798 payable to Yellow Cab, LLC is hereby ratified and confirmed. Said warrant is charged to NJ Turnpike Shuttle Service.

* * * * *

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

BE IT RESOLVED, that the actions of the Chief Financial Officer in ordering a warrant from the Current Fund in the amount \$7,000.00 payable to Treasurer, State of NJ for NJDEP Application Fees is hereby ratified and confirmed. Said warrant is charged to Department of Finance OE.

* * * * *

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

WHEREAS, the City has been awarded Title III Grant funds from the Department of Health and Human Services, Area Agency on Aging in the amount of \$450,651 for CY2018 to be allocated as follows: Projects #001 Care Management - \$38,665, #011 Emergency - \$9,796, #561 Congregate Nutrition - \$83,502, #001 Care Management - \$14,159, #58 Home Delivered Meals - \$269,100, #306 Physical Health-Eye Glasses - \$21,100; #59 State Weekend Home Delivered Meals -\$14,329; and

WHEREAS, it is the City's intention to utilize \$366,931 of said grant funds for the purpose of continuing to provide a Nutritional Feeding Program for Senior Citizens consistent with #561 Congregate Nutrition - \$83,502; #58 Home Delivered Meals - \$269,100; and #59 State Weekend Home Delivered Meals - \$14,329; and

WHEREAS, the Bayonne Economic Opportunity Foundation, 555 Kennedy Boulevard, Bayonne, New Jersey administers a Nutrition Program for Senior Citizens; and

WHEREAS, funds are certified as available in account #G-02-41-777-0000-199 pending acceptance of the aforesaid Title III Grant funds; now, therefore, be it

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

1. The City of Bayonne hereby accepts \$450,651 grant funds from the County of Hudson, Department of Health and Human Services, Area Agency on Aging, Projects #001 Care Management - \$38,665, #011 Emergency - \$9,796, #561 Congregate Nutrition - \$83,502, #001 Care Management - \$14,159, #58 Home Delivered Meals - \$269,100, #306 Physical Health-Eye Glasses - \$21,100; #59 State Weekend Home Delivered Meals -\$14,329.

2. The Mayor and City Clerk are hereby authorized to enter into an agreement with the Bayonne Economic Opportunity Foundation, 555 Kennedy Boulevard, Bayonne, New Jersey 07002 for the amount of \$366,931 of said grant funds for the purpose of continuing to provide a Nutritional Feeding Program for Senior Citizens consistent with #561 Congregate Nutrition - \$83,502; #58 Home Delivered Meals - \$269,100; and #59 State Weekend Home Delivered Meals - \$14,329 for the period commencing January 1, 2018 and ending December 31, 2018.

3. Funds shall be charged to account #G-02-41-777-0000-199.

* * * * *

29. 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 a LICENSED RECYCLING FACILITY to receive and market certain recyclable materials from the City and from the City's private recycling collection contractor(s), specifically for the following recyclable materials: (a) Mixed Paper; and (b) Comingled Collection consisting of glass, cans and bottles; and; (c) any other material in the recycling material stream (collectively referred to as "Recycling Commodity"); and

WHEREAS, Reliable Paper Recycling, Inc. (the "Contractor"), 1 Caven Point Avenue, Jersey City, New Jersey 07305 was awarded the contract for the receipt of the City's Recycling Commodity for a ten (10) month period commencing March 1, 2017 and ending December 31, 2017 (Agreement No. CY17-041); and

WHEREAS, during the ten (10) month contract term, the Contractor has complied with its obligations under the contract, which has resulted in significant revenue to the City of Bayonne; and

WHEREAS, in light of the Contractor's successful performance and its continued agreement that the City will not be charged processing costs for recyclables regardless of the market(s), the Director of the Department of Public Works, upon consultation with the City's Recycling Coordinator, has recommended the City award the CY2018 contract to the Contractor under the same terms as Agreement No. CY17-041 but for a one (1) year period with two (2) successive one (1) year option terms; and

WHEREAS, recycling markets are statutorily exempt under the Local Public Contract's Law, N.J.S.A. 40A:11-5(1) (s); and

WHEREAS, the Director of Public Works has determined and certified in writing that the value of the receivables from recycling products will exceed \$17,500; and

WHEREAS, Reliable Paper Recycling, Inc., has completed and submitted a Business Entity Disclosure Certification, wherein it certified that it has not made any reportable contributions to a political or candidate committee in the City of Bayonne in the previous one (1) year, and that the contract will prohibit the Contractor from making any reportable contributions through the term of the contract, and

WHEREAS, based on the Contractor's past performance, it is in the City's best interest to award the contract to Reliable Paper Recycling, Inc., and to include two (2) successive one (1) year option terms, exercisable in the City's sole discretion, without going through the "fair and open process" pursuant to N.J.S.A. 19:44A-20.4 and N.J.S.A. 19:44A-20.5 *et seq.*; 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 Reliable Paper Recycling, Inc., 1 Caven Point Avenue, Jersey City, New Jersey 07305 for the receipt of the City's Recycling Commodity for a one (1) year period commencing January 1, 2018 and ending December 31, 2018 with an option to renew for two (2) consecutive one (1) year terms exercisable in the City's sole discretion, based on the same terms under the current contract, in form and substance as is acceptable to the Law Director, without going through the "fair and open process" pursuant to N.J.S.A. 19:44A-20.4 and N.J.S.A. 19:44A-20.5 *et seq.*;

2. There shall be no processing costs for the City recyclables charged to the City of Bayonne; and

3. A notice of this action shall be printed once in a newspaper of general circulation within the boundaries of the City of Bayonne and the contract shall be made available for public inspection in the City Clerk's office.

* * * * *

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 Tipsoft v5 Online software; and

WHEREAS, Public Engines, Inc., is willing and able to supply said service for the period commencing January 1, 2018 and ending December 31, 2018 at a cost of \$2,299.00; and

WHEREAS, funds are certified as available in Account #PS-9/01-201-25-240-2-020 pending adoption of the CY 2018 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, 2018 and ending December 31, 2018 at a cost of \$2,299.00, and funds are certified available in account #PS-9/01-201-25-240-2-020 pending adoption of the CY 2018 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 \$2,299.00 in payment for said services.

* * * * *

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

WHEREAS, the Police Department of the City of Bayonne has established that there is a need for annual support with upgrades for the POSS Enterprise Edition scheduling software, and VCS Evolution Exchange 2018 User Conference; and

WHEREAS, Visual Computer Solutions, Inc., 4400 US Highway 9 South, Suite 3500, Freehold, NJ 07728 is able to supply the aforesaid services for the period commencing January 1, 2018 and ending December 31, 2018 at a cost of \$4,749.60; and

WHEREAS, funds are certified as available in Account #PS-9/01-201-25-240-2-020 pending adoption of the CY 2018 budget; and

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

RESOLVED, that the Mayor and Clerk of the City of Bayonne are hereby authorized to enter into an agreement with Visual Computer Solutions, Inc., 4400 US Highway 9 South, Suite 3500, Freehold, NJ 07728 for annual support with upgrades for the POSS Enterprise Edition scheduling software in use in the Police Department and VCS Evolution Exchange 2018 User Conference for the period commencing January 1, 2018 and ending December 31, 2018 at a cost of \$4,749.60; and be it further

RESOLVED, that funds are certified available in Account #PS-9/01-201-25-240-2-020 pending adoption of the CY 2018 Budget; and be it further

RESOLVED, that the Municipal Treasurer be and is hereby authorized and directed to issue a warrant payable to Visual Computer Solutions, Inc., in the amount of \$4,749.60 in payment for said services.

* * * * *

32. 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 continuing need for maintenance of eight Zetron brand 3200 9-1-1 Telephone Consoles in the communication center; and

WHEREAS, Mobile Techtronics, Inc., 1127 Lake Avenue, Clark, N. J. 07066, has previously been awarded a contract for such services, and is willing to provide this service under state contract number 83924(T-0109), at a cost of \$9,360.00, for a one year period commencing January 1, 2018 and ending December 31, 2018; and

WHEREAS, funds are certified available in various accounts pending adoption of the CY 2018 budget; now, therefore, be it

RESOLVED, that the Mayor and City Clerk are hereby authorized to enter into an agreement with Mobile Techtronics, Inc., 1127 Lake Avenue, Clark, NJ 07066, for maintenance of eight Zetron brand 3200 9-1-1 Telephone Consoles in the communication center, at a cost of \$9,360.00, for a one year period commencing January 1, 2018 and ending December 31, 2018; and be it further

RESOLVED, that funds are certified available in account PS-9 pending adoption of the CY 2018 budget; and be it further

RESOLVED, that the Municipal Treasurer be and is hereby authorized and directed to issue a warrant payable to Mobile Techtronics, Inc., in the amount of \$9,360.00 in payment of said services.

* * * * *

33. 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, pursuant to a grant received under the State Homeland Security Program (SHSP-FY 10), administered through the County of Hudson, purchased a policy management software package (DMS Software) from Innovative Data Solutions, Inc., P.O. Box 2468, Orlando, FL 32802, on March 9, 2011, which included two years of software maintenance; and

WHEREAS, Power DMS has provided the city with an invoice for software maintenance services for the one-year period commencing January 1, 2018 and ending December 31, 2018, for a total contract amount of \$2,467.90; and

WHEREAS, funds for said agreement have been certified as available in Account #PS-9/01-201-25-240-2-020 pending adoption of the CY 2018 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 the City Clerk of the City of Bayonne are hereby authorized to enter into a service agreement with PowerDMS, 101 S. Garland Avenue Suite 300, Orlando, FL 32802, for annual software support services for the Police Department's policy management software package (DMS Software) for the one-year period commencing January 1, 2018 and ending December 31, 2018, for a total contract amount of \$2,467.90 and said funds have been certified available in Account #PS-9/01-201-25-240-2-020 pending adoption of the CY 2018 budget; and be it further

RESOLVED, that the Municipal Treasurer be and is hereby authorized and directed to issue a warrant payable to PowerDMS in the amount of \$2,467.90 in payment for such services.

* * * * *

34. 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 continuing maintenance services for Alchemy brand document-imaging software housed in the Police Department; and

WHEREAS, Open Text, Inc., c/o J.P. Morgan Lockbox, 24685 Network Place Chicago, IL 60673 has provided the City with an invoice for said services for the period commencing January 1, 2018 and ending December 31, 2018, for a total contract amount of \$4,414.00; and

WHEREAS, funds for said agreement have been certified as available in Account #PS-9/01-201-25-240-2-020 pending adoption of the 2018 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 the City Clerk of the City of Bayonne are hereby authorized to enter into a service agreement with Open Text, Inc., c/o J.P. Morgan Lockbox, 24685 Network Place Chicago, IL 60673, for application software support services for Alchemy brand document-imaging software housed in the Police Department for a one year period commencing January 1, 2018 and ending December 31, 2018, for a total contract amount of \$4,414.00, and said funds have been certified available in Account #PS-9 01-201-25-240-2-020 pending adoption of the 2018 budget; and be it further

RESOLVED, that the Municipal Treasurer be and is hereby authorized and directed to issue a warrant payable to Open Text, Inc.in the amount of \$4,414.00 in payment for such services.

* * * * *

35. 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; now, therefore be it

RESOLVED, by the Municipal Council that Assistant City Attorney Donna M. Russo is hereby designated as Public Agency Compliance Officer ("P.A.C.O.") for the City of Bayonne for the period commencing January 1, 2018 and ending December 31, 2018.

* * * * *

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

BE IT RESOLVED, that the actions of the Public Works Director in ordering a warrant from Current Fund in the amount of \$ 3,185.00 payable to Roeheny Photography and Framing Studio for payment of Frames for Veterans Project –‘Hall of Heroes ’ is hereby ratified and confirmed. Said warrant is charged to Buildings and Grounds- O.E.

* * * * *

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

BE IT RESOLVED, that the actions of the Chief Financial Officer in ordering a warrant from the Current Fund in the amount of \$ 4,500.00 payable to Rileigh’s Outdoor Décor for Holiday Decorations is hereby ratified and confirmed. Said warrant is charged to Special Improvement District Account.

* * * * *

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

Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the Peninsula at Bayonne Harbor Port Access Road project.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the City of Bayonne formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED, that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as LFIF-2018-Peninsula at Bayonne Harbor Port A-00018 to the New Jersey Department of Transportation on behalf of the City of Bayonne

BE IT FURTHER RESOLVED, that the Mayor and 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.

* * * * *

39. 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 nonprofit organizations, the faith community, parents, youth and other allies on the 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 recognizes 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, 2018 to June 30, 2019 in the amount of:

DEDR	\$54,448.00
Cash Match	\$14,000.00
In-Kind	\$45,000.00

2. The City Council acknowledges that terms and conditions for administering the Municipal Alliance grant, include the administrative compliance and audit requirements.

* * * * *

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

WHEREAS, Resolution No. 16-12-14-052 adopted by the Municipal Council on December 14, 2016 awarded a contract to Roth D'Aquanni, LLC, 150 Morris Avenue, Suite 206, Springfield, NJ 07081 for professional legal services to conduct arbitration hearings, litigation before the courts, and negotiations and PERC hearings involving various unions and the City of Bayonne for the period commencing January 1, 2017 and ending December 31, 2017 for an amount not to exceed \$60,000.00; and

WHEREAS, subsequent thereto, the City entered into Agreement No. CY17-003 with Roth D'Aquanni, LLC for the aforesaid professional legal services, and

WHEREAS, the Business Administrator has advised that it is necessary to increase the contract in the amount of \$15,000.00 to cover outstanding invoices submitted by Roth D'Aquanni as well as anticipated invoices for additional work performed through December 31, 2017, the end of the contract term; and

WHEREAS, funds are certified as available in Account 7-01-20-156-0000-028; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized to execute an amendment to Agreement No. CY17-003 with Roth D'Aquanni, LLC for the aforesaid professional legal services increasing same in the amount of \$15,000.00 making the total contract amount not to exceed \$75,000.00.
2. Funds shall be charged to Account 7-01-20-156-0000-028.
3. All other terms of the contract shall remain the same.

* * * * *

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

WHEREAS, pursuant to N.J.S.A. 10:4-6, et seq., known as the Open Public Meetings Act, all meetings of all public bodies wherein formal action, decisions or discussion relating to the public business of said bodies may take place, are required to be publicly announced and schedules posted of regular meetings for the calendar year; now, therefore be it

RESOLVED, as follows:

1. The City Council of the City of Bayonne shall meet for the calendar year 2018 according to the following schedule; the meetings are hereby designated as Caucus Meetings and Regular Meetings as indicated and shall be held in the Dorothy Harrington Council Chambers, 630 Avenue C, Bayonne, New Jersey, on the dates and at the times listed:

CAUCUS MEETINGS:

January 10	- 7:00 P.M.-Wed.
February 7	- 7:00 P.M.-Wed.
March 7	- 7:00 P.M.-Wed.
April 11	- 7:00 P.M.-Wed.
May 9	- 7:00 P.M.-Wed.
June 13	- 7:00 P.M.-Wed.
July 11	- 7:00 P.M.-Wed.
August 8	- 7:00 P.M.-Wed.
September 5	- 7:00 P.M.-Wed.
October 10	- 7:00 P.M.-Wed.
October 31	- 7:00 P.M.-Wed.
December 12	- 7:00 P.M.-Wed.

REGULAR MEETINGS:

January 17	-7:00 P.M.-Wed.
February 14	-7:00 P.M.-Wed.
March 14	-7:00 P.M.-Wed.
April 18	-7:00 P.M.-Wed.
May 16	-7:00 P.M.-Wed.
June 20	-7:00 P.M.-Wed.
July 18	-7:00 P.M.-Wed.
August 15	-7:00 P.M.-Wed.
September 12	-7:00 P.M.-Wed.
October 17	-7:00 P.M.-Wed.
November 7	-7:00 P.M.-Wed.
December 19	-7:00 P.M.-Wed.

2. Caucus meetings are for the purpose of discussing matters of council business for inclusion on the agenda for the regular meeting, along with any other Council business. The public may attend but may not participate; formal action will not be taken at Caucus meetings.

Formal action will be taken at Regular Meetings, which may include action on new business items not presented or discussed at the caucus meeting.

3. The City Council may adjourn any regular or adjourned meeting to a future date and may schedule such other meetings during the calendar year as its business may require. Proper notice to the public shall be given by the City Clerk regarding adjourn meetings, if any.

4. The City Clerk is hereby directed to insure that proper notice of City Council meetings of all types is provided to the public as follows:

a) Posting a copy of the Annual Schedule (this resolution) and appropriate notices of meetings on the bulletin board in the lobby of the Municipal Building.

b) Filing a copy of said notices in the City Clerk's Office.

c) Mailing, faxing, or otherwise delivering copies of said notices to the Jersey Journal and the Star Ledger within the time prescribed by the Open Public Meetings Act.

d) Complying with any additional statutory requirements not specified herein.

* * * * *

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

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

LICENSEE	TIME & PLACE	LICENSE
Rotary Club of Bayonne	8:00 AM 1018 Broadway February 13, 2018	RL: 9230
Hudson Hospice Auxiliary	6:00 - 10:00 PM 1081 Broadway February 8, 2018	RL: 9231 RL: 9232
Hudson Hospice Auxiliary	9:00 PM 1081 Broadway June 4, 2018	RL: 9233
St. John Paul II Parish	7:00 PM 39 East 22 nd Street March 22, 2018	RL: 9234

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

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

LICENSEE	TIME & PLACE	LICENSE
Blessed Miriam Teresa Demjanovich	7:30 – 10:00 PM 19 West 13 th Street <u>2018</u> Jan. 5, 12, 19, 26 Feb. 2, 9, 16, 23 Mar. 2, 9, 16, 23 Apr. 6, 13, 20, 27 May 11, 18, 25 June 1, 8, 15, 22, 29	BL: 2415

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

WHEREAS, the city clerk, advertised in the Jersey Journal on November 9, 2017 that sealed bids for 57th St. Firehouse Interior & Exterior Renovations would be received on December 1, 2017; and

WHEREAS, pursuant to such advertisement, eight (8) proposals were received from: <u>Bidders:</u>	<u>Base Bid</u>	<u>Alternate A</u>	<u>Total Base Bid + Alt.</u>
Brunswick Builders LLC. PO Box 7315 East Brunswick, NJ 08816	\$244,080.00	\$13,278.00	\$257,358.00
Three Sons Restoration LLC 1235 Morris Avenue Union, NJ 07083	\$550,000.00	\$30,000.00	\$580,000.00
Mark Construction Inc. 81 Lester St., Suite 2 Wallington, NJ 07057	\$598,000.00	\$16,000.00	\$614,000.00
Hilt Construction Inc. 120 Old Camplain Rd Hillsborough, NJ 08844	\$604,891.00	\$13,500.00	\$618,391.00
SMAC Corp. 431 North Midland Avenue Saddle Brook, NJ 07663	\$747,000.00	\$16,500.00	\$763,500.00
Emerald Contracting Corp. 1375 Plainfield Ave, 1st Floor Watchung, NJ 07069	\$952,160.00	\$7,920.00	\$960,080.00
Louis Gargiulo Co. Inc. 44-46 State St. Jersey City, NJ 07304	\$1,170,000.00	\$19,450.00	\$1,189,450.00
M & M Construction Technology Inc. 661 Pelton Avenue Staten Island, NY 10310	\$1,350,500.00	\$25,000.00	\$1,375,500.00

and

WHEREAS, Brunswick Builders, LLC, has requested that its bid be withdrawn due to an error in the bid; and

WHEREAS, Amy Dellabella, R.P.P.O., Q.P.A. and Robert Kubert, Director of Public Safety have examined the bids or proposals and have determined that the bid of Three Sons Restoration LLC is a regular bid and is most advantageous to the City of Bayonne for 57th St. Firehouse Interior & Exterior Renovations; and

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

RESOLVED, that the contract for 57th St. Firehouse Interior & Exterior Renovations be awarded to:

Three Sons Restoration LLC
1235 Morris Avenue
Union, NJ 07083

for the following bid price: \$580,000.00, and that the contract be executed in the name of the City of Bayonne by the proper city officials and that the said sum be charged to account: Capital Bond Ordinance O-17-21.

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

* * * * *

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

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

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

WHEREAS, the Bayonne Community Day Nursery has requested and submitted a formal written application dated February 9, 2017 for said CDBG Grant Funds for the amount of \$186,525.00 for the purpose of providing the cost of interior renovations from AA-ABCO Construction, 47 Newman Avenue, Bayonne, NJ 07002

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 interior renovations from AA-ABCO Construction, 47 Newman Avenue, Bayonne, NJ 07002; and

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

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized to enter into an agreement with the Bayonne Community Day Nursey, 591 Broadway, Bayonne, NJ 07002 for the provision of providing the cost interior renovations from AA-ABCO Construction, 47 Newman Avenue, Bayonne, NJ 07002 in the amount of \$186,525.00 for the period commencing September 1, 2016 and ending August 31, 2017.
2. Funds shall be charged to Account #CDBG-917.

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

* * * * *

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

WHEREAS, there exists a need for professional legal services to represent the Zoning Board of the City of Bayonne at all meetings, defend any and all actions and other matters impacting on the Zoning Board; and

WHEREAS, the City of Bayonne advertised a Request for Qualifications/Proposals for the aforesaid professional legal services under the Fair & Open Contracting Requirements pursuant to N.J.S.A. 19:44A:20.4 and.5; and

WHEREAS, Richard N. Campisano, Esq., 34-36 Jones Street Jersey City, New Jersey 07306 has submitted to the City a formal written response to the City's Request for Qualifications/Proposals for said professional legal services; and

WHEREAS, this professional services contract was advertised under the Fair & Open Contracting Requirements pursuant to N.J.S.A.19:44A:20.4.5; and

WHEREAS, Richard N. Campisano, Esq., is qualified, ready and able to provide said services; and

WHEREAS, this contract constitutes a "Professional Service" contract under the provisions of the Local Public Contracts Law because the service is a recognized profession, licensed and regulated by the State of New Jersey, and therefore, may be awarded without competitive bidding pursuant to N.J.S.A. 40A:11-1, et seq.; and

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

WHEREAS, the City of Bayonne desires to retain the services of Richard N. Campisano, Esq. as attorney for the Zoning Board for the period commencing January 1, 2018 and ending December 31, 2018 for an amount of \$13,200.00 payable at the rate of \$1,100.00 per month for all legal and administrative duties associated with his function as Board attorney. There shall be additional compensation of \$150.00 per hour for escrow billings and in the event the Zoning Board is involved in litigation, said amount not to exceed \$9,000.00 for the period commencing January 1, 2018 and ending December 31, 2018, and

WHEREAS, funds are certified as available in Account #8-01-21-185-0000-028; pending adoption of CY2018 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 Richard N. Campisano, Esq., 34-36 Jones Street Jersey City, New Jersey 07306 to act as attorney for the Zoning Board, for an amount of \$13,200.00 payable at the rate of \$1,100.00 per month for all legal and administrative duties associated with his function as Board attorney. There shall be additional compensation of \$150.00 per hour for escrow billings and in the event the Zoning Board is involved in litigation, said amount not to exceed \$9,000.00 for the period commencing January 1, 2018 and ending December 31, 2018.

2. Funds shall be charged to Account #8-01-21-185-0000-028.

3. Notice of the action shall be printed 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.

* * * * *

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

WHEREAS, there exists a need for professional legal services to represent the Planning Board of the City of Bayonne at all meetings, defend any and all actions and other matters impacting on the Planning Board; and

WHEREAS, the City of Bayonne advertised a Request for Qualifications/Proposals for the aforesaid professional legal services under the Fair & Open Contracting Requirements pursuant to N.J.S.A. 19:44A:20.4 and.5; and

WHEREAS, Richard N. Campisano, Esq., 34-36 Jones Street Jersey City, New Jersey 07306 has submitted to the City a formal written response to the City's Request for Qualifications/Proposals for said professional legal services; and

WHEREAS, Richard N. Campisano, Esq., is qualified, ready and able to provide said services; and

WHEREAS, this professional services contract was advertised under the Fair & Open Contracting Requirements pursuant to N.J.S.A.19:44A:20.4.5; and

WHEREAS, this contract constitutes a "Professional Service" contract under the provisions of the Local Public Contracts Law because the service is a recognized profession, licensed and regulated by the State of New Jersey, and therefore, may be awarded without competitive bidding pursuant to N.J.S.A. 40A:11-1, et seq.; and

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

WHEREAS, the City of Bayonne desires to retain the services of Richard N. Campisano, Esq., as attorney for the Planning Board for the period commencing January 1, 2018 and ending December 31, 2018 for an amount of \$10,800.00 payable at the rate of \$900.00 per month for all legal and administrative duties associated with his function as Board attorney. There shall be additional compensation of \$150.00 per hour for escrow billings and in the event the Planning Board is involved in litigation, said amount not to exceed \$5,000.00 for the period commencing January 1, 2018 and ending December 31, 2018, and

WHEREAS, funds are certified as available in Account #8-01-21-180-0000-028; pending adoption of the CY2018 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 Richard N. Campisano, Esq., 34-36 Jones Street Jersey City, New Jersey 07306 to act as attorney for the Planning Board, for an amount of \$10,800.00 payable at the rate of \$900.00 per month for all legal and administrative duties associated with his function as Board attorney. There shall be additional compensation of \$150.00 per hour for escrow billings and in the event the Planning Board is involved in litigation, said amount not to exceed \$5,000.00 for the period commencing January 1, 2018 and ending December 31, 2018.

2. Funds shall be charged to Account ##8-01-21-180-0000-028.

3. Notice of the action shall be printed 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.

* * * * *

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

WHEREAS, the City of Bayonne is in need of professional legal services as Redevelopment/Land Use Attorney; and

WHEREAS, the City of Bayonne advertised a Request for Qualifications/Proposals for the aforesaid professional legal services under the Fair & Open Contracting Requirements pursuant to N.J.S.A. 19:44A:20.4 and .5; and

WHEREAS, the law firm of Inglesino, Webster, Wyciskala & Taylor, LLC, 600 Parsippany Road, Suite 204, Parsippany, New Jersey 07054 has submitted formal written response to the City of Bayonne's Request for Qualifications/Proposals for said professional legal services; and

WHEREAS, this professional services contract was determined under the Fair & Open Contracting Requirements pursuant to N.J.S.A. 19:44A:20.4 and .5; and

WHEREAS, the law firm of Inglesino, Webster, Wyciskala & Taylor, LLC is qualified, ready and able to provide said services; and

WHEREAS, these contracts constitute "Professional Service" contracts under the provisions of the Local Public Contracts Law because the service is a recognized profession, licensed and regulated by the State of New Jersey, and therefore, may be awarded without competitive bidding pursuant to N.J.S.A. 40A:11-1, et seq.; and

WHEREAS, 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, funds are certified as available in various accounts pending adoption of the CY2018 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 the law firm of Inglesino, Webster, Wyciskala & Taylor, LLC, 600 Parsippany Road, Suite 204, Parsippany, New Jersey 07054 for professional legal services as Redevelopment/Land Use Counsel for the period commencing January 1, 2018, and ending December 31, 2018, in accordance with its response to the City's Request for Qualifications.

2. Funds shall be charged to various accounts.

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

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

* * * * *

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

WHEREAS, the City of Bayonne is in need of professional legal services to act as bond counsel; and

WHEREAS, the City of Bayonne advertised a Request for Qualifications/Proposals for professional legal to act as bond counsel under the Fair & Open Contracting Requirements pursuant to N.J.S.A. 19:44A:20.4 and .5; and

WHEREAS, the law firm of Archer & Greiner, P.C., 21 Main Street, Suite 353, Hackensack, New Jersey 07601-7095, has submitted a formal written response to the City's Request for Qualifications/Proposals for the aforesaid professional legal services to act as bond counsel; and

WHEREAS, the law firm of Archer & Greiner, P.C., is ready, willing and able to provide said services; and

WHEREAS, funds are certified as available from Bond Ordinances and Various Other Accounts pending adoption of CY2018 Budget; 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, this professional services contract was determined under the Fair & Open Contracting Requirements pursuant to N.J.S.A. 19:44A:20.4 and .5; now, therefore, be it

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

1. The Mayor and the City Clerk are hereby authorized and directed to execute an agreement with the law firm of Archer & Greiner, P.C., 21 Main Street, Suite 353, Hackensack, New Jersey 07601-7095 to act as bond counsel for the period commencing January 1, 2018 and ending December 31, 2018, in accordance with their Response to the City's Request for Qualifications.

2. Funds are chargeable to Bond Ordinances and Various Other Accounts.

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

Yeas - Council Members 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 of Bayonne’s Rent Control Board is in need of legal representation; and

WHEREAS, the City of Bayonne advertised a Request for Qualifications/Proposals for the aforesaid professional legal services under the Fair & Open Contracting Requirements pursuant to N.J.S.A. 19:44A:20.4 and .5; and

WHEREAS, Anthony R. Suarez, Esq., c/o Werner, Suarez & Moran, LLC, One University Plaza, Suite 117, Hackensack, New Jersey 07602 has submitted to the City of Bayonne a formal, written response to the City's Request for Qualifications/Proposals for said professional legal services; and

WHEREAS, Anthony R. Suarez, Esq. is qualified, ready, willing and able to provide said professional legal services; and

WHEREAS, funds have been certified as available in Account #8-01-20-100-0000-021 pending adoption of the CY2018 budget; and

WHEREAS, this contract constitutes a “Professional Service” contract under the provisions of the Local Public Contracts Law because the service is a recognized profession, licensed and regulated by the State of New Jersey, and therefore, may be awarded without competitive bidding pursuant to N.J.S.A. 40A:11-1, et seq.; and

WHEREAS, this professional services contract was advertised under the Fair & Open Contracting Requirements pursuant to N.J.S.A.19:44A:20.4.5; now, therefore, be it

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

1. The Mayor and the City Clerk are hereby authorized and directed to execute an agreement with Anthony R. Suarez, Esq., c/o Werner, Suarez & Moran, LLC, One University Plaza, Suite 117, Hackensack, New Jersey 07602 for professional legal services on behalf of the City’s Rent Control Board for the period commencing January 1, 2018 through December 31, 2018, for an amount not to exceed \$15,000.00.

2. Funds shall be charged to Account #8-01-20-100-0000-021.

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

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

* * * * *

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

WHEREAS, the City of Bayonne is in need of professional legal services in defense of the City of Bayonne in connection with State Tax Court Appeals;

WHEREAS, the City of Bayonne advertised a Request for Qualifications/Proposals for the aforesaid professional legal services under the Fair & Open Contracting Requirements pursuant to N.J.S.A. 19:44A:20.4 and.5; and

WHEREAS, the law firm of Chasan, Lamparello, Mallon & Cappuzzo, P.C., 300 Harmon Meadow Boulevard, Secaucus, New Jersey 07094 has submitted to the City of Bayonne a formal written response to the City's Request for Qualifications/Proposals for said professional legal services; and

WHEREAS, the law firm of Chasan, Lamparello, Mallon & Cappuzzo, P.C., is qualified, ready, willing and able to provide said services; and

WHEREAS, funds are certified as available in Bond Ordinance and Other Accounts pending adoption of the CY2018 budget; and

WHEREAS, this contract constitutes a "Professional Service" contract under the provisions of the Local Public Contracts Law because the service is a recognized profession, licensed and regulated by the State of New Jersey, and therefore, may be awarded without competitive bidding pursuant to N.J.S.A. 40A:11-1, et seq.; and

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 the law firm of Chasan, Lamparello, Mallon & Cappuzzo, P.C., 300 Harmon Meadow Boulevard, Secaucus, New Jersey 07094 to provide professional legal services in defense of the City of Bayonne in matters before the State Tax Court of the State of New Jersey, for a maximum contract amount not to exceed \$55,000.00, at an hourly rate of \$165.00 per hour for the period commencing January 1, 2018 and ending December 31, 2018.

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

3. Funds are chargeable to Bond Ordinance and Other Accounts.

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

* * * * *

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

WHEREAS, there exists a need for professional legal services as Municipal Court Prosecutor in the Bayonne Municipal Court; and

WHEREAS, the City of Bayonne advertised a Request for Qualifications/Proposals for the aforesaid professional legal services under the Fair & Open Contracting Requirements pursuant to N.J.S.A. 19:44A:20.4 and.5; and

WHEREAS, SUSAN B. GYSS, ESQ., P.O. Box 1028, Secaucus, NJ 07096-1028 and STEVEN R. HUMMELL, ESQ., 697 Kearny Avenue, Kearny, NJ 07032 have submitted to the City of Bayonne formal, written responses to the City's Request for Qualifications/Proposals for said professional legal services; and

WHEREAS, SUSAN B. GYSS, ESQ., is qualified, ready, willing and able to provide said services as Municipal Court Prosecutor for a one year period commencing January 1, 2018 and ending December 31, 2018 for an amount not to exceed \$46,200.00 to be paid at \$300.00 per session and municipal appeals requiring Superior Court appearance at an additional rate of \$75.00 per hour for a maximum of \$1,000.00 per appeal; and

WHEREAS, STEVEN R. HUMMELL, ESQ., 697 Kearny Avenue, Kearny, NJ 07032 is qualified, ready, willing and able to provide said services as Alternate Municipal Court Prosecutor for a one year period commencing January 1, 2018 and ending December 31, 2018 for an amount not to exceed \$23,700.00 to be paid at \$300.00 per session and municipal appeals requiring Superior Court appearance at an additional rate of \$75.00 per hour for a maximum of \$1,000.00 per appeal; and

WHEREAS, these contracts constitute "Professional Service" contracts under the provisions of the Local Public Contracts Law because the service is a recognized profession, licensed and regulated by the State of New Jersey, and therefore, may be awarded without competitive bidding pursuant to N.J.S.A. 40A:11-1, et seq.; and

WHEREAS, these professional services contracts were determined under the Fair & Open Contracting Requirements pursuant to N.J.S.A.19:44A:20.4.5; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1, et seq.) requires 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, funds are certified as available in Account #8-01-25-275-0000-099 pending adoption of the CY2018 budget; now, therefore, be it

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

1. That the Mayor and the City Clerk are hereby authorized and directed to execute agreements with SUSAN B. GYSS for professional legal services as Municipal Court Prosecutor and STEVEN R. HUMMELL for professional legal services as Alternate Municipal Court Prosecutor for the period commencing January 1, 2018 and ending December 31, 2018, for total contract amounts not to exceed \$46,200.00 and \$23,700.00 respectively both to be paid at \$300.00 per session and municipal appeals requiring Superior Court appearance at an additional rate of \$75.00 per hour for a maximum of \$1,000.00 per appeal.
2. Funds shall be charged to Account #8-01-25-275-0000-099 pending adoption of the CY2018 Budget.
3. A notice of this action shall be printed once in a newspaper of general circulation within the boundaries of the City of Bayonne.

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

* * * * *

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

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

WHEREAS, the City of Bayonne advertised a Request for Qualifications/Proposals for the aforesaid professional legal services under the Fair & Open Contracting Requirements pursuant to N.J.S.A. 19:44A:20.4 and.5; and

WHEREAS, the law firm of Hughes & Finnerty, P.C., 25 West 8th Street, P. O. Box 65, Bayonne, N. J. 07002, has submitted to the City of Bayonne a formal written response to the City's Request for Qualifications/Proposals for said professional legal services; and

WHEREAS, the law firm of Hughes & Finnerty, P.C. is qualified, ready and able to provide said services; and

WHEREAS, this professional services contract was advertised under the Fair & Open Contracting Requirements pursuant to N.J.S.A.19:44A:20.4.5; 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 the law firm of Hughes & Finnerty, P.C. for professional legal services as 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, 2018 and ending December 31, 2018 for an amount not to exceed \$70,000.00; and

WHEREAS, funds are certified as available in Account #8-01-43-495-0000-028 pending adoption of the CY 2018 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 Hughes & Finnerty, P.C., 25 West 8th Street, P.O. Box 65, Bayonne, NJ 07002 to perform professional legal services as the 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 \$70,000.00 for the period commencing January 1, 2018 and ending December 31, 2018.

2. Funds shall be charged to Account #8-01-43-495-0000-028.

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.

* * * * *

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

WHEREAS, the City of Bayonne is in need of professional legal services in connection with Federal and State Grants and Funding; and

WHEREAS, the law firm of Krivit & Krivit, P.C., 1000 Potomac Street, N.W., Suite250, Washington, D.C. 20007-3501 has submitted to the City of Bayonne a formal written response to the City's Request for Qualifications/Proposals for said professional legal services; and

WHEREAS, Krivit & Krivit, P.C., is qualified, ready and willing to provide said services; and

WHEREAS, this professional services contract was determined under the Fair & Open Contracting Requirements pursuant to N.J.S.A.19:44A-20.4.5; and

WHEREAS, the maximum amount of the contract is \$120,000.00 for the period commencing January 1, 2018 and ending December 31, 2018; and

WHEREAS, funds have been certified in Account No. 08-01-25-240-0000-029 and other accounts pending adoption of the CY2018; and

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

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

1. The Mayor and the City Clerk are hereby authorized and directed to execute an agreement with Krivit & Krivit, P.C., 1000 Potomac Street, N.W., Suite250, Washington, D.C. 20007-3501 for professional legal services in connection with Federal and State Grants and Funding for the City for the period commencing January 1, 2018 and ending December 31, 2018 for a total contract amount not to exceed \$120,000.00.

2. Funds shall be charged to account 08-01-25-240-0000-029 and other accounts.

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

Yeas - Council Members 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.

WHEREAS, the City of Bayonne is in need of professional engineering services to act as in-house engineers including work on various projects and for various roads for the period commencing January 1, 2018 and ending December 31, 2018; and

WHEREAS, the City of Bayonne advertised a Request for Qualifications/Proposals for professional engineering services as General/Special Project Engineer under the Fair & Open Contracting Requirements pursuant to N.J.S.A. 19:44A:20.4 and.5; and

WHEREAS, CME Associates, 3141 Bordentown Avenue, Parlin, NJ 08859-1162 has submitted to the City a formal written response to the City's Request for Qualifications/Proposals for said professional engineering services; and

WHEREAS, CME Associates is qualified, ready, willing and able to provide said professional engineering services; and

WHEREAS, funds have been certified as available in Various Accounts pending adoption of the CY2018 budget; and

WHEREAS, this contract constitutes a "Professional Service" contract under the provisions of the Local Public Contracts Law because the service is a recognized profession, licensed and regulated by the State of New Jersey, and therefore, may be awarded without competitive bidding pursuant to N.J.S.A. 40A:11-1, et seq.; and

WHEREAS, CME Associates has qualified under the Fair & Open Contracting Requirements pursuant to N.J.S.A.19:44A:20.4.5; now, therefore, be it

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

1. The Mayor and the City Clerk are hereby authorized and directed to execute an agreement with CME Associates, 3141 Bordentown Avenue, Parlin, NJ 08859-1162 to act as in-house engineers including work on various projects and for various roads for the period commencing January 1, 2018 and ending December 31, 2018 for an amount not to exceed \$750,000.00.

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

3. Funds shall be chargeable to Various Accounts.

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

* * * * *

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

WHEREAS, there exists a need for real property appraisals and expert testimony services in tax appeals before the State Tax Court and Hudson County Tax Board and condemnation proceedings for residential, commercial, apartment buildings and warehouses; and

WHEREAS, the City of Bayonne advertised a Request for Qualifications/Proposals for the aforesaid real property appraisals and expert testimony services under the Fair & Open Contracting Requirements pursuant to N.J.S.A. 19:44A:20.4 and.5; and

WHEREAS, Stack, Coolahan & Stack, LLC, 90 Hudson Street, Suite 200, Hoboken, New Jersey 07030, has submitted to the City of Bayonne a formal, written response to the City's Request for Qualifications/Proposals for said real property appraisals and expert testimony services; and

WHEREAS, Stack, Coolahan & Stack, LLC, 90 Hudson Street, Suite 200, Hoboken, New Jersey 07030, is qualified, ready, willing and able to provide said services; and

WHEREAS, Stack, Coolahan & Stack, LLC is willing to perform these services for the period commencing January 1, 2018 and ending December 31, 2018 for an amount not to exceed \$84,000.00, and

WHEREAS, funds are certified as available in Account #8-01-20-101-0000-29 pending adoption of the CY 2018 Budget; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1, et seq.) requires 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, this professional services contract was determined under the Fair & Open Contracting Requirements pursuant to N.J.S.A.19:44A:20.4.5; now, therefore, be it

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

1. That the Mayor and the City Clerk are hereby authorized and directed to execute an agreement with Stack, Coolahan & Stack, LLC, 90 Hudson Street, Suite 200,

Hoboken, New Jersey 07030, for the above mentioned real property appraisals and expert testimony services for the period commencing January 1, 2018 and ending December 31, 2018, for an amount not to exceed \$84,000.00.

2. Funds are certified as available in Account #8-01-20-101-0000-029.
3. A notice of this action shall be printed once in a newspaper of general circulation within the boundaries of the City of Bayonne.

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

* * * * *

57. 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 professional mental health services to Low Income and Public Assistance Clients residing in the City of Bayonne; and

WHEREAS, the City of Bayonne advertised a Request for Qualifications/Proposals for the aforesaid professional mental health services under the Fair & Open Contracting Requirements pursuant to N.J.S.A. 19:44A:20.4 and.5; and

WHEREAS, the Bayonne Community Mental Health Center, 601 Broadway, Bayonne, NJ 07002 has submitted to the City of Bayonne a formal written response to the City's Request for Qualifications/Proposals for said professional mental health services; and

WHEREAS, the Bayonne Community Mental Health Center is qualified, ready and able to provide said services; and

WHEREAS, this contract constitutes a "Professional Service" contract under the provisions of the Local Public Contracts Law because the service is a recognized profession, licensed and regulated by the State of New Jersey, and therefore, may be awarded without competitive bidding pursuant to N.J.S.A. 40A:11-1, et seq.; and

WHEREAS, the maximum amount of the contract is \$50,000.00; the term of the contract is from January 1, 2018 through December 31, 2018; and

WHEREAS, funds have been certified as available in Account #8-01-27-330-0000-029 pending adoption of the CY2018 Budget; and

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

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

1. The Mayor and the City Clerk are hereby authorized and directed to execute an agreement with the Bayonne Community Mental Health Center, 601 Broadway, Bayonne, NJ 07002 to provide professional mental health services to Low Income and Public Assistance clients residing in the City of Bayonne, for a total amount not to exceed \$50,000.00 for a period of one year commencing January 1, 2018 and ending December 31, 2018.
2. Funds shall be charged to Account #8-01-27-330-0000-029 pending adoption of the CY2018 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.

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 City of Bayonne is in need of professional mental health services in connection with the City's Employee Assistance Program for City of Bayonne Municipal Employees; and

WHEREAS, the City of Bayonne advertised a Request for Qualifications/Proposals for the aforesaid professional mental health services under the Fair & Open Contracting Requirements pursuant to N.J.S.A. 19:44A:20.4 and.5; and

WHEREAS, the Bayonne Community Mental Health Center, 601 Broadway, Bayonne, NJ 07002 has submitted to the City of Bayonne a formal written response to the City's Request for Qualifications/Proposals for said professional mental health services; and

WHEREAS, the Bayonne Community Mental Health Center is qualified, ready and able to provide said services; and

WHEREAS, this contract constitutes a "Professional Service" contract under the provisions of the Local Public Contracts Law because the service is a recognized profession, licensed and regulated by the State of New Jersey, and therefore, may be awarded without competitive bidding pursuant to N.J.S.A. 40A:11-1, et seq.; and

WHEREAS, the maximum amount of the contract is \$30,000.00; the term of the contract is from January 1, 2018 through December 31, 2018; and,

WHEREAS, funds are available in Account #8-01-27-330-0000-029 pending adoption of the CY2018 Budget, and have been certified by the Municipal Comptroller; and

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

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

1. The Mayor and the City Clerk are hereby authorized and directed to execute an agreement with the Bayonne Community Mental Health Center, 601 Broadway, Bayonne, NJ 07002 for professional mental health services in connection with the City's Employee Assistance Program, for a total amount not to exceed \$30,000.00 for a period commencing January 1, 2018 and ending December 31, 2018.

2. Funds shall be charged to Account #8-01-27-330-0000-029.

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.

* * * * *

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

WHEREAS, there exists a need for professional services to audit of books, accounts and financial transactions of the City of Bayonne for the Calendar Year 2017 as prescribed by N.J.S. 40A:5-4 et seq.; to audit the City's Public Assistance Trust Fund in compliance with State regulations of the Bureau of Welfare; to assist in the preparation of the Calendar Year 2018 budget preparation process, excluding department detail worksheets; to review the unaudited Calendar Year ended December 31, 2017, financial statements prior to submission to the State; to attend Municipal Council meetings, as required; to provide technical advice during the Calendar Year ending December 31, 2018, as needed, and to review the Employee's Deferred Compensation Plan; and

WHEREAS, the City of Bayonne advertised a Request for Qualifications/Proposals for the aforesaid professional services under the Fair & Open Contracting Requirements pursuant to N.J.S.A. 19:44A:20.4 and.5; and

WHEREAS, Donohue, Gironda, Doria & Tomkins, LLC, 310 Broadway, Bayonne, New Jersey 07002, has submitted to the City of Bayonne a formal, written response to the City's Request for Qualifications/Proposals for said services; and

WHEREAS, Donohue, Gironda, Doria & Tomkins, LLC, is ready, willing and able to provide said services; and

WHEREAS, Donohue, Gironda, Doria & Tomkins, LLC, is willing to perform said services for the period commencing January 1, 2018 and ending December 31, 2018 for an amount not to exceed \$89,000.00, and

WHEREAS, funds are certified as available in Account 8-01-20-135-0000-028; CDBG-950 and 8-05-20-104-0000-199 pending adoption of the CY2018 Budget; now, and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1, et seq.) requires 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, this professional services contract was determined under the Fair & Open Contracting Requirements pursuant to N.J.S.A.19:44A:20.4.5; now, therefore, be it

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

1. That the Mayor and the City Clerk are hereby authorized and directed to execute an agreement with Donohue, Gironda, Doria & Tomkins, LLC, 310 Broadway, Bayonne, New Jersey 07002 for the above mentioned services for the period commencing January 1, 2018 and ending December 31, 2018, for an amount not to exceed \$89,000.00.
2. Funds shall be charged to Account No.'s Account 8-01-20-135-0000-028; CDBG - 950 and 8-05-20-104-0000-199.
3. A notice of this action shall be printed once in a newspaper of general circulation within the boundaries of the City of Bayonne.

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

* * * * *

60. Council Member LaPelusa 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 information technology, computer systems and network administration and support services; and

WHEREAS, the City of Bayonne advertised a Request for Qualifications/Proposals for the aforesaid information technology, computer systems and network administration and support services under the Fair & Open Contracting Requirements pursuant to N.J.S.A. 19:44A:20.4 and.5; and

WHEREAS, All Covered IT Services from Konica Minolta, 7000 Commerce Parkway, Suite A, Mount Laurel, New Jersey 08054 has submitted to the City of Bayonne a formal, written Response to the City's Request for Qualifications/Proposals for said information technology, computer systems and network administration and support services; and

WHEREAS, N.J.S.A. 40A:11-2(7) provides that a contract for extraordinary and unspecifiable services may be awarded by a public entity upon certification that the services are unique, specialized, and qualitative in nature, and

WHEREAS, the Business Administrator for the City of Bayonne has provided a certification of extraordinary and unspecifiable services to the Municipal Council indicating the services to be provided by All Covered IT Services from Konica Minolta, 100 Dobbs Lane, Suite 208, Cherry Hill, New Jersey 08037 All Covered IT Services from Konica Minolta, 100 Dobbs Lane, Suite 208, Cherry Hill, New Jersey 08037 are "unique, specialized and qualitative in nature requiring expertise, extensive training and a proven reputation in the field of information technology, computer systems and network administration and support services;" and

WHEREAS, this extraordinary and unspecifiable services contract was advertised under the Fair & Open Contracting Requirements pursuant to N.J.S.A.19:44A:20.4.5; now, therefore, be it

WHEREAS, All Covered IT Services from Konica Minolta, 100 Dobbs Lane, Suite 208, Cherry Hill, New Jersey 08037 is qualified, ready, willing and able to provide said services; and

WHEREAS, the maximum amount the contract is not to exceed \$50,000.00, the term of the contract is from January 1, 2018 through December 31, 2018, and

WHEREAS, funds are certified as available in Various Accounts pending adoption of the CY 2018 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 All Covered IT Services from Konica Minolta, 7000 Commerce Parkway, Suite A, Mount Laurel, New Jersey 08054 to provide information technology, computer systems and network administration and support services for a maximum contract amount not to exceed \$50,000.00 for a period of one year commencing January 1, 2018 and ending December 31, 2018.

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

3. Funds shall be charged to Various Accounts.

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

* * * * *

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

WHEREAS, the City of Bayonne is in need of professional planning services to act as in-house planner for the period commencing January 1, 2018 and ending December 31, 2018; and

WHEREAS, the City of Bayonne advertised a Request for Qualifications/Proposals for professional planning services as Town Planner under the Fair & Open Contracting Requirements pursuant to N.J.S.A. 19:44A:20.4 and.5; and

WHEREAS, CME Associates, 3141 Bordentown Avenue, Parlin, NJ 08859-1162 has submitted to the City a formal written response to the City's Request for Qualifications/Proposals for said professional planning services; and

WHEREAS, CME Associates is qualified, ready, willing and able to provide said professional planning services; and

WHEREAS, funds have been certified as available in various escrow accounts pending adoption of the CY2018 budget; and

WHEREAS, this contract constitutes a "Professional Service" contract under the provisions of the Local Public Contracts Law because the service is a recognized profession, licensed and regulated by the State of New Jersey, and therefore, may be awarded without competitive bidding pursuant to N.J.S.A. 40A:11-1, et seq.; and

WHEREAS, this professional services contract was advertised under the Fair & Open Contracting Requirements pursuant to N.J.S.A.19:44A:20.4.5; now, therefore, be it

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

1. The Mayor and the City Clerk are hereby authorized and directed to execute an agreement with CME Associates, 3141 Bordentown Avenue, Parlin, NJ 08859-1162 to act as in-house planner for the period commencing January 1, 2018 and ending December 31, 2018.

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

3. Funds shall be chargeable to various escrow accounts.

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

* * * * *

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

WHEREAS, the City of Bayonne has a need for the administration, execution and oversight of the City of Bayonne's Community Development Block Grant Programs and/or other HUD programs: and

WHEREAS, the City of Bayonne advertised a Request for Qualifications/Proposals for the aforesaid administration, execution and oversight services under the Fair & Open Contracting Requirements pursuant to N.J.S.A. 19:44A:20.4 and.5; and

WHEREAS, the Bayonne Economic Opportunity Foundation, 555 Kennedy Boulevard, Bayonne, New Jersey 07002 has submitted to the City of Bayonne a formal, written response to the City's Request for Qualifications/Proposals for said administration, execution and

oversight of the City of Bayonne's Community Development Block Grant Programs and/or other HUD programs services; and

WHEREAS, N.J.S.A. 40A:11-2(7) provides that a contract for extraordinary and unspecifiable services may be awarded by a public entity upon certification that the services are unique, specialized, and qualitative in nature, and

WHEREAS, the Chief Financial Officer of the City of Bayonne has provided a certification of extraordinary and unspecifiable services to the Municipal Council indicating the services to be provided by the Bayonne Economic Opportunity Foundation are "unique, specialized and qualitative in nature requiring expertise, extensive training and a proven reputation in the field of administration, execution and oversight of the Community Development Block Grant Programs and/or other HUD programs; and

WHEREAS, this extraordinary and unspecifiable services contract was advertised under the Fair & Open Contracting Requirements pursuant to N.J.S.A.19:44A:20.4.5; now, therefore, be it

WHEREAS, the Bayonne Economic Opportunity Foundation is qualified, ready, willing and able to provide said services; and

WHEREAS, the maximum amount the contract is not to exceed \$240,000.00, the term of the contract is from January 1, 2018 through December 31, 2018, and

WHEREAS, funds are certified as available in Account CDBG 950; 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 the Bayonne Economic Opportunity Foundation, 555 Kennedy Boulevard, Bayonne, New Jersey 07002 to provide administration, execution and oversight of the City of Bayonne's Community Development Block Grant Programs and/or other HUD programs services for a maximum contract amount not to exceed \$240,000.00 for a period of one year commencing January 1, 2018 and ending December 31, 2018.

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

3. Funds shall be charged to Account CDBG - 950.

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

* * * * *

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

WHEREAS, the City of Bayonne is in need of professional consulting services relating to planning and implementation of the City's Community Development Block Grant Program; and

WHEREAS, the City of Bayonne advertised a Request for Qualifications/Proposals for the aforesaid planning and implementation services under the Fair & Open Contracting Requirements pursuant to N.J.S.A. 19:44A:20.4 and.5; and

WHEREAS, Triad Advisory Services, Inc., 1301 West Forest Grove Road, Vineland, New Jersey 08360 has submitted to the City of Bayonne a formal written response to the City's Request for Qualifications/Proposals for said professional consulting services; and

WHEREAS, Triad Advisory Services, Inc., is qualified, ready, willing and able to provide said services for the period commencing January 1, 2018 and ending December 31, 2018 for an amount not to exceed \$49,500.00; and

WHEREAS, funds are certified as available in Account CDBG-950;

WHEREAS, this contract constitutes a "Professional Service" contract under the provisions of the Local Public Contracts Law because the service is a recognized profession, licensed and regulated by the State of New Jersey, and therefore, may be awarded without competitive bidding pursuant to N.J.S.A. 40A:11-1, et seq.; and

WHEREAS, this professional services contract was advertised under the Fair & Open Contracting Requirements pursuant to N.J.S.A.19:44A:20.4.5; now, therefore, be it

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

1. The Mayor and the City Clerk are hereby authorized and directed to execute an agreement with Triad Advisory Services, Inc., 1301 West Forest Grove Road, Vineland, New Jersey 08360 for professional consulting services relating to the planning and implementation of the City's Community Development Block Grant Program for a maximum contract amount not to exceed \$49,500.00 for the period commencing January 1, 2018 and ending December 31, 2018.

2. Funds are certified as available in Account #CDBG-950.

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

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

* * * * *

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

WHEREAS, there exists a need for professional planning services as Council on Affordable Housing (COAH) Consultant; and

WHEREAS, the City of Bayonne advertised a Request for Qualifications/Proposals for the aforesaid professional planning services under the Fair & Open Contracting Requirements pursuant to N.J.S.A. 19:44A:20.4 and 5; and

WHEREAS, Clarke, Caton, Hintz, 100 Barrack Street, 3rd Floor, Trenton, New Jersey 08608 has submitted to the City a formal written response to the City's Request for Qualifications/Proposals for the aforesaid professional planning services; and

WHEREAS, Clarke, Caton, Hintz is qualified, ready and able to provide said services; and

WHEREAS, this contract constitutes a "Professional Service" contract under the provisions of the Local Public Contracts Law because the service is a recognized profession, licensed and regulated by the State of New Jersey, and therefore, may be awarded without competitive bidding pursuant to N.J.S.A. 40A:11-1, et seq.; and

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

WHEREAS, the City of Bayonne desires to retain the services of Clarke, Caton, Hintz for professional planning services as Counsel on Affordable (COAH) Consultant for the period commencing January 1, 2018 and ending December 31, 2018 for an amount not to exceed \$36,000.00, and

WHEREAS, funds are certified as available in Account #T-12-56-814-368B-199; 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 Clarke, Caton, Hintz, 100 Barrack Street, 3rd Floor, Trenton, New Jersey 08608 for professional planning services as Counsel on Affordable Housing (COAH) Consultant for the period commencing January 1, 2018 and ending December 31, 2018 for a total contract amount not to exceed \$36,000.00.

2. Funds shall be charged to Account #T-12-56-814-368B-199.

3. Notice of the action shall be printed 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.

* * * * *

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

WHEREAS, the City of Bayonne is in need of financial advisory services for the preparation and selling of Municipal debt instruments such as Municipal Bonds, Refunding Bonds, Bond Anticipation Notes, and other Notes; assistance in the preparation of and review of the City's Official Statement; conducting and providing the necessary calculations for Bonds and Notes sales; providing assistance to and interacting with Bond Counsel with regard to all relevant past, present and future City of Bayonne Bonds and Notes issues, and all required financial matters; assist City personnel during Bonds and Notes rating processes; representation at any required Local Finance Board Meetings; assistance in the production of applications to the Local Finance Board; assistance in obtaining Bond Insurance; providing financial analyses when required by the City and with regard to the timing of Bond Refundings, Notes sales, and the permanent financing of temporary debt; and advising the City with regard to legislation affecting Municipal Finance Matters; and

WHEREAS, the City of Bayonne advertised a Request for Qualifications/Proposals for the aforesaid financial advisory services under the Fair & Open Contracting Requirements pursuant to N.J.S.A. 19:44A:20.4 and.5; and

WHEREAS, NW Financial Group, LLC, 2 Hudson Place, 3rd Floor, Hoboken, New Jersey 07030 has submitted to the City of Bayonne a formal, written response to the City's Request for Qualifications/Proposals for said financial advisory services; and

WHEREAS, N.J.S.A. 40A:11-2(7) provides that a contract for extraordinary and unspecifiable services may be awarded by a public entity upon certification that the services are unique, specialized, and qualitative in nature, and

WHEREAS, the Business Administrator for the City of Bayonne has provided a certification of extraordinary and unspecifiable services to the Municipal Council indicating the services to be provided by NW Financial Group, LLC are "unique, specialized and qualitative in nature requiring expertise, extensive training and a proven reputation in the field of financial advisory services;" and

WHEREAS, this extraordinary and unspecifiable services contract was advertised under the Fair & Open Contracting Requirements pursuant to N.J.S.A.19:44A:20.4.5; now, therefore, be it

WHEREAS, NW Financial Group, LLC is qualified, ready, willing and able to provide said services; and

WHEREAS, the term of the contract is for the period commencing January 1, 2018 and ending December 31, 2018, and

WHEREAS, funds are certified as available in Accounts Various Accounts pending adoption of the CY 2018 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 NW Financial Group, LLC, 2 Hudson Place, 3rd Floor, Hoboken, New Jersey 07030 to provide financial advisory services for the period commencing January 1, 2018 and ending December 31, 2018.
2. A notice of this action shall be printed once in a newspaper of general circulation within the boundaries of the City of Bayonne.
3. Funds shall be charged to Various Accounts.

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

* * * * *

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

WHEREAS, the City of Bayonne is in need of professional grant writing and management services; and

WHEREAS, the City of Bayonne advertised a Request for Qualifications/Proposals for the aforesaid professional grant writing and management services under the Fair & Open Contracting Requirements pursuant to N.J.S.A. 19:44A:20.4 and.5; and

WHEREAS, Millennium Strategies, LLC, 60 Roseland Avenue, Caldwell, New Jersey 07006 has submitted to the City of Bayonne a formal written response to the City's Request for Qualifications/Proposals for said professional grant writing and management services; and

WHEREAS, this contract constitutes a “Professional Service” contract under the provisions of the Local Public Contracts Law because the service is a recognized profession, licensed and regulated by the State of New Jersey, and therefore, may be awarded without competitive bidding pursuant to N.J.S.A. 40A:11-1, et seq.; and

WHEREAS, Millennium Strategies, LLC, is qualified, ready, willing and able to provide said services; and

WHEREAS, the maximum amount of the contract is not to exceed \$54,000.00 for the period commencing January 1, 2018 and ending December 31, 2018; and

WHEREAS, funds have been certified as available in Account No. 8-01-20-101-0000-029 pending adoption of the CY2018 budget; and

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

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

1. The Mayor and the City Clerk are hereby authorized and directed to execute an agreement with Millennium Strategies, LLC, 60 Roseland Avenue, Caldwell, New Jersey 07006 for the period commencing January 1, 2018 and ending December 31, 2018 for professional grant writing and management services for a total contract amount not to exceed \$54,000.00.

2. Funds shall be charged to account # 8-01-20-101-0000-029.

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

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

* * * * *

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

WHEREAS, there exists a need for services to perform lead based paint inspections and risk assessments as required under CDBG regulations for residential properties being rehabilitated under the Block Grant Program; and

WHEREAS, the City of Bayonne advertised a Request for Qualifications/Proposals for the aforesaid lead based paint inspection and risk assessment services under the Fair & Open Contracting Requirements pursuant to N.J.S.A. 19:44A:20.4 and.5; and

WHEREAS, Matrix New World Engineering, 26 Columbia Turnpike, Florham Park, New Jersey 07932, has submitted to the City a formal written response to the City’s Request for Qualifications/Proposals for said services; and

WHEREAS, Matrix New World Engineering is qualified, ready, willing and able to provide said services for the period commencing January 1, 2018 and ending December 31, 2018 for an amount not to exceed \$20,000.00; 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, this professional services contract was determined under the Fair & Open Contracting Requirements pursuant to N.J.S.A.19:44A:20.4.5; now, therefore, be it

WHEREAS, funds are certified as available in Account T-03-56-108-0000-199 and Other Accounts; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk of the City of Bayonne are hereby authorized to enter into an agreement with Matrix New World Engineering, 26 Columbia Turnpike, Florham Park, New Jersey 07932 to perform lead based paint inspections and risk assessments as required under CDBG regulations at a cost not to exceed \$20,000.00 for a period of one year commencing January 1, 2018 and ending December 31, 2018.

2. Funds shall be charged to Account T-03-56-108-0000-199 and Other Accounts.

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

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

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

RESOLVED, that the budgetary transfers as set forth below pertaining to the CY 2017 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 accordance herewith:

CURRENT FUND				
NO.	FROM ACCOUNT	AMOUNT	TO ACCOUNT	AMOUNT
1	Law Enforcement Uniform-S&W	\$426,000.00	Finance S & W Fire Dept. Uniform-S&W Street & Road Maint.-S&W Vehicle Maintenance S&W	\$ 7,000.00 \$365.000.00 \$ 14,000.00 \$ 20,000.00
2	Other Public Works-S&W Police Department Non- Uniform-S&W Law Enforcement Uniform S &W Municipal Court S&W	\$ 70,000.00 \$ 20,000.00 \$195,000.00 \$ 6,000.00	Building & Grounds S&W Park Maintenance S&W Fire Department-O.E. Vehicle Maintenance O.E. Snow Removal O.E. Snow Removal S&W Municipal Court O.E. Buildings & Grounds O.E.	\$ 65,000.00 \$ 95,000.00 \$ 60,000.00 \$ 40,000.00 \$ 50,000.00 \$ 20,000.00 \$ 6,000.00 \$ 25,000.00
3	Other Insurance	\$125,000.00	Group Insurance	\$125,000.00

PARKING UTILITY				
NO.	ACCOUNT	AMOUNT	ACCOUNT	AMOUNT
1	Parking Utility-Other Insurance	\$8,000.00	Parking Utility- S&W	\$8,000.00

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

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

RESOLUTION TO AUTHORIZE A PROVIDER OF A DEFERRED COMPENSATION PLAN FOR THE EMPLOYEES OF THE CITY OF BAYONNE

WHEREAS, the City of Bayonne (hereinafter referred to as "Employer") desires to continue to attract and retain qualified employees; and

WHEREAS, the City of Bayonne wishes to sponsor a Deferred Compensation Plan (hereinafter referred to as "Plan") for its employees, which provides employees the opportunity to enhance their financial security at retirement by deferring a portion of compensation on a tax- deferred basis as provided by Section 457 of the Internal Revenue Code of 1986, as amended (hereinafter referred to as "Code"); and

WHEREAS, participation in the Plan accrues tax benefits to participating employees pursuant to Section 457 of the Code; and

WHEREAS, there are no direct financial costs to the Employer to adopt and implement the Plan; and

WHEREAS, having a contractor for the Plan which will serve the interests of the

Employer by enabling the Employer to provide enhanced retirement security to its eligible employees and provide the employees with a variety of options; and

WHEREAS, the Employer solicited written proposals from two or more approved contractors for the administration of the Plan, including the provision of a Prototypical Plan and Service Agreement that meet the requirements of Municipal, County and Authority Employees Deferred Compensation Plans Regulations found at N.J.A.C. 5:37-1 et seq.; and

WHEREAS, the Employer has considered the proposals of prospective contractors including Lincoln Retirement Services, LLC (hereinafter referred to as "Lincoln") and AXA & VALIC, and

WHEREAS, the Employer reviewed the proposals submitted, met with representatives of the responding companies and has selected Lincoln as the successful vendor for its Plan because of Lincoln's experience in guiding employees to prepare for retirement with confidence; and

WHEREAS, there has been no collusion, or evidence or appearance of collusion between the City of Bayonne any representative of Lincoln in the selection of a contractor for the administration of a service agreement pursuant to N.J.A.C 5:37-5.7.

NOW, THEREFORE; BE IT RESOLVED by the Municipal Council of the City of Bayonne that it hereby adopts the Plan provided by Lincoln (92-PD-LINCOLN-121316) and Terrence Malloy, CFO, is hereby authorized to execute the Service Agreement with Lincoln (92-SA-LINCOLN-121316) and will submit all necessary documents to the Director of the Division of Local Government Services within the State Department of Community Affairs for approval; and

BE IT FURTHER RESOLVED, the City of Bayonne is adopting a Plan substantially similar to a plan for which an application has been filed with the Internal Revenue Service for a Private Letter Ruling that the plan document meets the requirements of Section 457 of the Code, as amended, and that such ruling will be forwarded to the Director when received. The provisions of the plan document are substantially similar to the text of the provisions in the Code Section 457. The use of the Ruling will be for guidance only, and for Internal Revenue Service purposes the ruling of another employer is not to be considered precedent; and

BE IT FURTHER RESOLVED, that Terrence Malloy, CFO, or his successor is hereby designated as the Local Plan Administrator for the administration of the Plan.

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

* * * * *

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

Whereas, a 2017 State Tax Court Appeal was filed on certain underwater (Riparian) land, Block 476.01 Lot 10.02, alleging impediment to value based on its lack of utility due to shallow depth, underwater pilings and sunken barges; and

Whereas, a settlement was proposed wherein the 2017 State Tax Court Appeal would be withdrawn in exchange for the 2018 Tax Assessment being reduced from an Assessed Value of \$140,200 to an Assessed Value of \$50,000 with the Owner/Taxpayer agreeing that it will pay the February and May 2018 Tax Bills which were already issued based on the 2017 assessment of \$140,200 and receive a credit for the excess payment in the third and fourth quarter of 2018 and the first quarter of 2019 or until the amount of such overpayment has been exhausted; and

Whereas, upon review of the materials presented by the owner's appraiser the Tax Assessor for the City of Bayonne in consultation with the City's expert appraiser recommends this settlement;

Now therefore be it resolved as follows:

1. The above recitals are incorporated herein.
2. Tax Counsel for the City of Bayonne and the Tax Assessor for the City of Bayonne are authorized to effectuate the above settlement in accordance with the above terms.
3. Further, the City's Tax Counsel, City Attorney, CFO, Treasurer and Tax Collector are authorized to take any action necessary to effectuate this resolution provided that proof of withdrawal of the State Tax Court matter satisfactory to Tax Counsel is provided prior to December 20, 2017.
4. This resolution shall take effect immediately.

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

* * * * *

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

Whereas, the City has entered into a Financial Agreement with Barnabas Bayonne Development Urban Renewal Corp., dated June 26, 2016, pursuant to N.J.S.A.40A:20-1 et. seq. which agreement provides for a Payment In Lieu of Taxes and exemption of new improvements as of the date of completion of the first commercial unit as evidenced by either a temporary or final Certificate of Occupancy; and

Whereas, a Temporary Certificate of Occupancy was issued on the first commercial unit on 5/17/2017;

Now therefore be it resolved as follows:

1. Taxes on the partial improvement on Block 196 Lot 3.01 are cancelled effective June 1, 2017 (the first day of the month following completion) with the Tax Collector authorized to credit any overpayment to remaining 2017 land taxes and to refund and surplus overpayment.

2. Calculation of payment of the Annual Service charge on the project is to begin on June 1, 2017 pursuant to the terms of the Agreement.
3. The Tax Collector, Tax Assessor and City Treasurer or their designees are authorized to take any and all appropriate action to effectuate this resolution.
4. This resolution shall take effect immediately.

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

* * * * *

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

RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AUTHORIZING AND DIRECTING THE PLANNING BOARD TO CONDUCT A PRELIMINARY INVESTIGATION TO DETERMINE WHETHER CERTAIN PROPERTY LOCATED AT 117-121 PROSPECT AVE, WHICH PROPERTY IS IDENTIFIED AS BLOCK 441, LOT 10, WITHIN THE CITY CONSTITUTES A NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, *N.J.S.A. 40A:12A-1 ET SEQ.*

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

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

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

WHEREAS, the Mayor and Municipal Council consider it to be in the best interest of the City to have the Planning Board of the City (the "Planning Board") conduct such an investigation to determine if certain property located at 117-121 Prospect Ave, which property is identified as Block 441, Lot 10 as shown on the official Tax Map of the City (the "Study Area"), constitute a non-condemnation "area in need of redevelopment," in accordance with the Redevelopment Law; and

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

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

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

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

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

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

Section 3. The Planning Board is hereby directed to study the property located at 117-121 Prospect Ave, which property is identified as Block 441, Lot 10 on the City's Tax Maps; to develop a map reflecting the boundaries of the proposed non-condemnation

redevelopment area; to provide public notice and conduct public hearings pursuant to *N.J.S.A. 40A:12A-6*; and to draft a report/Resolution to the Mayor and Municipal Council containing its findings.

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

Section 5. This Resolution shall take effect immediately.

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

* * * * *

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

RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AUTHORIZING THE PREPARATION OF A REDEVELOPMENT PLAN FOR THE PROPERTY LOCATED AT 554-556 BROADWAY & 11 EAST 25TH ST, WHICH PROPERTIES ARE IDENTIFIED AS BLOCK 184, LOTS 5 & 10 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 redevelopment plan; and

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

WHEREAS, the City believes that the properties located at 554-556 Broadway & 11 East 25th Street, which properties are identified as Block 184, Lots 5 & 10 (the “Property”) on the City’s Tax Maps is potentially valuable for contributing to, serving, and protecting the public health, safety and welfare and for the promotion of smart growth within the City; and

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

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

Section 1. The Planning Board of the City of Bayonne is hereby authorized and directed to prepare a redevelopment plan for the properties located at 554-556 Broadway & 11 East 25th Street, which properties are identified as Block 184, Lots 5 & 10 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.* (the “Redevelopment Plan”).

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

Section 3. This Resolution shall take effect immediately.

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

* * * * *

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

RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY REQUESTING THAT THE PLANNING BOARD RE-OPEN THE SOUTH COVE REDEVELOPMENT PLAN, TO CONSIDER AMENDMENTS TO SAME AND, IF WARRANTED, PREPARE A REVISED REDEVELOPMENT PLAN

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

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

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

WHEREAS, the City of Bayonne, Division of Planning & Zoning, Department of Municipal Services, prepared a redevelopment plan for the property located at 171-181 Lefante Way, 77-97 Lefante Way, 101-129 Lefante Way, 131-139 Lefante Way, and 191 Lefante Way, which properties are identified as Block 412, Lots 1.01, 2.01, 2.021, 2.022 and 2.03 (the “Property”) titled “South Cove Redevelopment Plan” dated February 14, 2017 (the “Redevelopment Plan”); and

WHEREAS, on May 17, 2017, the Municipal Council agreeing and concurring with the Planning Board’s recommendation, adopted Ordinance #O-17-20 adopting the Redevelopment Plan for the Property, and set forth their reasons on the record; and

WHEREAS, South Cove Commons Redevelopment Urban Renewal, LLC is the owner of the Property (the “Owner”); and

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

WHEREAS, the Owner has requested that the Municipal Council consider amendments to the plan approved on May 17, 2017;

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

Section 1. The Municipal Council of the City of Bayonne hereby authorizes the Planning Board of the City of Bayonne to consider amendments to the existing Redevelopment plan and, if warranted, prepare a revised Redevelopment Plan for the Property identified as Block 412, Lots 1.01, 2.01, 2.021, 2.022 and 2.03 as shown on the official Tax Map of the City of Bayonne in accordance with the Redevelopment Law, *N.J.S.A. 40A: 12A-1 et seq.*

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

Section 3. This Resolution shall take effect immediately.

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

* * * * *

75. 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 REDEVELOPMENT PLAN FOR THE PROPERTY LOCATED AT 425-427 AVENUE C, 427A-429 AVENUE C, & 427-429 AVENUE C REAR, WHICH PROPERTIES ARE IDENTIFIED AS BLOCK 230, LOTS 22, 23, & 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 redevelopment plan; and

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

WHEREAS, the City believes that the properties located at 425-427 Avenue C, 427A-429 Avenue C, & 427-429 Avenue C Rear, which properties are identified as Block 230, Lots 22, 23, & 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 redevelopment plan is in the best interests of the City for the redevelopment of the Property.

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

Section 1. The Planning Board of the City of Bayonne is hereby authorized and directed to prepare a redevelopment plan for the properties located at 425-427 Avenue C, 427A-429 Avenue C, & 427-429 Avenue C Rear, which properties are identified as Block 230, Lots 22, 23, & 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.* (the “Redevelopment Plan”).

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

Section 3. This Resolution shall take effect immediately.

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

* * * * *

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

RESOLUTION AWARDING THE SALE BY THE CITY OF
BAYONNE, IN THE COUNTY OF HUDSON, NEW JERSEY OF ITS
PROPERTY TAX LEVY FOR THE FISCAL YEAR ENDING
DECEMBER 31, 2017 AND RATIFYING, CONFIRMING AND
AUTHORIZING CERTAIN ACTIONS IN CONNECTION THEREWITH

WHEREAS, Chapter 99 of the Laws of New Jersey of 1997, effective May 12, 1997 (the “Act”), authorizes any municipality to sell its “total property tax levy” to the highest responsible bidder therefor in accordance with the procedures and limitations set forth therein; and

WHEREAS, the Tax Collector and Chief Financial Officer of the City of Bayonne, in the County of Hudson, New Jersey (the “City”), have heretofore caused to be prepared and distributed to potential bidders and others a “Notice of Sale Relating to the Purchase of the Property Tax Levy for the Fiscal Year Ending December 31, 2017 from the City of Bayonne, in the County of Hudson, New Jersey”, dated November 17, 2017 (the “Notice of Sale”), requesting bids for the purchase of the City’s property tax levy for the fiscal year ending December 31, 2017 (the “Fiscal Year”); and

WHEREAS, the Tax Collector and Chief Financial Officer of the City have heretofore also caused to be prepared and distributed to potential bidders and others, certain documents and other information, and the City’s special counsel has heretofore caused to be published certain notices, each in connection with the Notice of Sale; and

WHEREAS, by Resolution No. 17-08-16-080, duly adopted on August 16, 2017 (the “Resolution”), the City Council of the City has heretofore authorized the sale of the property tax levy, the preparation and distribution of documents and other information as aforesaid and the publication of certain notices as aforesaid, and authorized the Chief Financial Officer of the City to receive bids and take all actions in connection therewith in accordance with the Notice of Sale; and

WHEREAS, the Tax Collector and Chief Financial Officer of the City have heretofore also caused to be prepared and distributed to potential bidders and others: (i) a form of Purchase and Sale Agreement, between the City and the purchaser of the property tax levy (the "Agreement"), (ii) the Financial Information (as such term is defined in the Agreement) and (iii) other items constituting part of the Bid Package (as such term is defined in the Agreement); and

WHEREAS, the City's special counsel has heretofore caused to be published a copy of the Notice of Sale (stating, among other things, the manner of submitting and method of receiving bids and the time and place of sale) in a newspaper circulating in the City at least 14 days in advance of the date fixed for receiving bids; and

WHEREAS, one (1) bid complying with the requirements set forth in the Notice of Sale was received in response to the Notice of Sale, and the Chief Financial Officer has recommended that the City Council make an award to the Highest Responsible Bidder (as such term is defined in the Act) in accordance with the provisions of the Notice of Sale; and

WHEREAS, the City Council desires to award the Agreement to the Highest Responsible Bidder, in accordance with Section 16(a) of the Act; and

WHEREAS, the Chief Financial Officer of the City has heretofore provided the City Council with a fiscal analysis (the "Fiscal Analysis") of the impact of the proposed sale of the property tax levy (the "Sale") on the current City budget and the projected City budgets for the next two subsequent years, in accordance with Section 14 of the Act; and

WHEREAS, the Chief Financial Officer of the City has heretofore caused or will cause to be forwarded to the Director of the Division of Local Government Services in the Department of Community Affairs (the "Division") copies of the Fiscal Analysis and the form of the Agreement (including pricing terms derived from the high bidder); and

WHEREAS, the Highest Responsible Bidder has heretofore delivered to the City a Credit Facility (as such term is defined in the Agreement), meeting the requirements set forth in the Notice of Sale and in the Agreement and otherwise in form and substance satisfactory to the City and its counsel.

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

SECTION 1. In accordance with the Notice of Sale and the Act, Fig Capital Investments NJ13, LLC, a Limited Liability Company organized and existing under the laws of the State of New Jersey, (the "Purchaser") is hereby determined to be the Highest Responsible Bidder for the purchase of the Property Tax Levy (as such term is defined in the Agreement) on the basis of the offer set forth in its proposal (the "Winning Bid"), a copy of which proposal is attached hereto as Exhibit A. The Winning Bid states a Levy Bid (as such term is defined in the Agreement) constituting a premium of \$400,000.00. The Agreement is hereby awarded to the Purchaser in accordance with the terms of the Act, the Notice of Sale and the Winning Bid.

SECTION 2. The Agreement and Fiscal Analysis, in substantially the forms on file with the City Clerk are hereby approved, and the Mayor of the City is hereby authorized and directed to execute and deliver the Agreement, with such changes as may be approved by such officers, their execution and delivery thereof being conclusive evidence as to such approval.

SECTION 3. The Credit Facility, in the form of cash provided by Capital One Bank, is hereby determined to be acceptable to the City in substance, and is hereby approved and found to be sufficient in accordance with Section 17(b) of the Act, subject to any changes which may be required by the Mayor, the Chief Financial Officer or the City's special counsel.

SECTION 4. All actions heretofore taken by the Mayor, the Tax Collector and Chief Financial Officer, the City Counsel, Special Counsel, and all other employees and officials of the City (collectively, the "Authorized Persons") on behalf of the City in furtherance of the Sale are hereby ratified and confirmed, including specifically: (i) the request for sealed bids for the sale of the Property Tax Levy for the Fiscal Year, (ii) the preparation and distribution of certain information regarding the City including, without limitation, the Notice of Sale, the form of the Agreement, the Financial Information and other items constituting part of the Bid Package (the content of all of which is hereby ratified and confirmed), (iii) the publication of the Notice of Sale, in accordance with Section 16 of the Act, (iv) the receipt of sealed bids, the determination of the Highest Bidder in accordance with the provisions of the Notice of Sale, (v) the inclusion of the pricing terms derived from the Highest Bid in the form of the Agreement and the preparation, in accordance with Section 14 of the Act, of the Fiscal Analysis, taking into account the pricing terms derived from the high bidder and (vi) the submission of the form of the Agreement (including such pricing terms) and the Fiscal Analysis to the Director of the Division, and the representation of the City before the Division in all matters relating thereto.

SECTION 5. All Authorized Persons are hereby authorized and directed to do all things necessary or convenient in furtherance of the Sale including, without limitation, the execution and delivery of all documents in connection therewith and in connection with the special tax sale referred to in Section 6 hereof.

SECTION 6. Pursuant to N.J.S.A. 54:5-19, the Act and other applicable statutes, the City hereby determines to enforce the liens for unpaid taxes for the Fiscal Year, in part, by holding a special tax sale no later than April 30, 2018, whereat "New Tax Sale Certificates" (as such term is defined in the Agreement), shall be issued or assigned and sold to the Purchaser, each upon compliance with the payment and other requirements set forth in the Agreement (which requirements include, among other things, the payment of certain taxes, assessments and other municipal charges). Such special tax sale shall be held without prejudice to the right of the City to hold one or more separate tax sales in accordance with applicable law to enforce taxes, assessments and other municipal charges for which tax sale certificates are not issued or assigned to the Purchaser in accordance with the Agreement (which separate tax sale(s) may be held before, simultaneously with or after the aforementioned special tax sale).

SECTION 7. The City Clerk, or any other Authorized Person, is hereby authorized and directed to cause such notices to be published or otherwise given, in accordance with applicable law, as may be necessary in connection with the issuance of tax sale certificates as provided in Section 6 hereof.

SECTION 8. Notwithstanding any resolution to the contrary, the Tax Collector is hereby authorized to remit such funds to the Purchaser as may be provided in the Agreement, and there shall be no municipal fiscal restrictions (within the meaning of N.J.S.A. 54:5-58, or otherwise) imposed upon the Tax Collector in connection therewith.

SECTION 9. The Tax Collector shall accept payment from the Purchaser of such portions of the Levy Price and the TSC Amount (as such terms are defined in the Agreement) as relate to properties which are the subject of prior municipally-held tax sale certificates not therefore redeemed.

SECTION 10. This resolution shall take effect upon adoption hereof and receipt by the City of the written approval of the Director of the Division of the execution of the Agreement, in accordance with Section 12(b) of the Act.

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

* * * * *

77. Council Member LaPelusa introduced:

ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY
ADOPTING A REDEVELOPMENT PLAN FOR THE PROPERTY LOCATED AT 39-
43 WEST 25TH STREET & 45 WEST 25TH STREET, WHICH PROPERTIES ARE
IDENTIFIED AS BLOCK 183, LOTS 1 & 2.01 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 redevelopment plan; and

WHEREAS, on August 16, 2017, the Municipal Council directed the Planning Board, to prepare and review a redevelopment plan for the properties located at 39-43 West 25th Street & 45 West 25th Street, which properties are identified as Block 183, Lots 1 & 2.01 (the "Property") on the official tax map of the City of Bayonne and make recommendations to the Municipal Council in accordance with the Redevelopment Law; and

WHEREAS, the City of Bayonne, Division of Planning & Zoning, Department of Municipal Services has prepared a redevelopment plan for the Property titled "Redevelopment Plan (Forum) Block 183 Lots 1 & 2.01", dated _____, 2017 (the "Redevelopment Plan"); and

WHEREAS, on November 14, 2017, the Planning Board reviewed the Redevelopment Plan and recommended the adoption of the Redevelopment Plan to the Municipal Council and concluded that said Redevelopment Plan is consistent with the Master Plan of the City of Bayonne; and

WHEREAS, upon receipt and review of the Planning Board's recommendations relating to the Redevelopment Plan, the Municipal Council desires to adopt the Redevelopment Plan in order to effectuate a plan that is consistent with the goals and objectives of the City for the redevelopment of the Property; and

WHEREAS, the Municipal Council believes that the adoption of the Redevelopment Plan is in the best interest of the City for the redevelopment of the Property.

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

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

Section 2. The Redevelopment Plan is hereby adopted pursuant to the terms of N.J.S.A. 40A:12A-7 of the Redevelopment Law.

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

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

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

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

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

BE IT RESOLVED, that an ordinance entitled "ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING A REDEVELOPMENT PLAN FOR THE PROPERTY LOCATED AT 39-43 WEST 25TH STREET & 45 WEST 25TH STREET, WHICH PROPERTIES ARE IDENTIFIED AS BLOCK 183, LOTS 1 & 2.01 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.," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, January 17, 2018 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 be it further

RESOLVED, that the City Clerk be and is hereby authorized and directed to forward said ordinance to the planning board for its review and a report.

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

* * * * *

78. Council Member Gullace introduced:

ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING A REDEVELOPMENT PLAN FOR THE PROPERTY LOCATED AT 63-67 NEW HOOK ROAD, WHICH PROPERTY IS IDENTIFIED AS BLOCK 416, LOT 3 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 redevelopment plan; and

WHEREAS, on August 16, 2017, the Municipal Council directed the Planning Board, to prepare and review a redevelopment plan for the properties located at 63-67 New Hook Road, which property is identified as Block 416, Lot 3 (the “Property”) on the official tax map of the City of Bayonne and make recommendations to the Municipal Council in accordance with the Redevelopment Law; and

WHEREAS, the City of Bayonne, Division of Planning & Zoning, Department of Municipal Services has prepared a redevelopment plan for the Property titled “63-67 New Hook Road Redevelopment Plan, City of Bayonne Rehabilitation Area: Block 416, Lot 3, Hudson County, New Jersey”, dated _____, 2017 (the “Redevelopment Plan”); and

WHEREAS, on December 12, 2017, the Planning Board reviewed the Redevelopment Plan and recommended the adoption of the Redevelopment Plan to the Municipal Council and concluded that said Redevelopment Plan is consistent with the Master Plan of the City of Bayonne; and

WHEREAS, upon receipt and review of the Planning Board’s recommendations relating to the Redevelopment Plan, the Municipal Council desires to adopt the Redevelopment Plan in order to effectuate a plan that is consistent with the goals and objectives of the City for the redevelopment of the Property; and

WHEREAS, the Municipal Council believes that the adoption of the Redevelopment Plan is in the best interest of the City for the redevelopment of the Property.

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

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

Section 2. The Redevelopment Plan is hereby adopted pursuant to the terms of *N.J.S.A. 40A:12A-7* of the Redevelopment Law.

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

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

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

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

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

BE IT RESOLVED, that an ordinance entitled “ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING A REDEVELOPMENT PLAN FOR THE PROPERTY LOCATED AT 63-67 NEW HOOK ROAD, WHICH PROPERTY IS IDENTIFIED AS BLOCK 416, LOT 3 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.*,” just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, January 17, 2018 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 be it further

RESOLVED, that the City Clerk be and is hereby authorized and directed to forward said ordinance to the planning board for its review and a report.

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

* * * * *

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

RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY DESIGNATING AMS EQUITIES LLC AS REDEVELOPER OF THE PROPERTY LOCATED AT 138 AVENUE E, 140 AVENUE E, 157-163 AVENUE E, AND 170-180 AVENUE E WHICH PROPERTIES ARE IDENTIFIED AS BLOCK 467, LOTS 25 & 26, BLOCK 234, LOT 8.01, AND BLOCK 458, LOTS 1 & 1.01, AS SHOWN ON THE OFFICIAL TAX MAP IN THE CITY OF BAYONNE AND THE PREPARATION AND EXECUTION OF A REDEVELOPMENT AGREEMENT WITH AMS EQUITIES LLC FOR THE REDEVELOPMENT OF SUCH PROPERTY IN ACCORDANCE WITH THE AMENDED REDEVELOPMENT PLAN.

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

WHEREAS, 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, the State designated several blocks in the City as an “Urban Renewal Zone” pursuant to the *New Jersey Urban Enterprise Zone Act, N.J.S.A. 52:27H-60 et seq.* (the “UEZ Act” and those parcels located within the designated Urban Enterprise Zone shall hereinafter be the “UEZ”); and

WHEREAS, on May 20, 2009, the State approved expansions to the City’s UEZ map, to encompass additional properties including the properties commonly known as Block 458, Lot 1, Block 467, Lots 27, 28, & 29 on the Official Tax Map of the City (the “Zone Area”); and

WHEREAS, Block 467, Lots 27, 28, & 29, were consolidated into Block 458, Lot 1; and

WHEREAS, Block 234, Lots 8, 9, & 10, were consolidated into Block 234, Lot 8.01; and

WHEREAS, on October 11, 2011, the Planning Board reviewed a report prepared by John D. Fussa, P.P., planner for the Planning Board (the “Planner”) and a redevelopment plan prepared by the Planner, dated October 11, 2011 and entitled, “Redevelopment Plan Maidenform Redevelopment Area” (the “Redevelopment Plan”), at which hearing the Planning Board discussed the report and the Redevelopment Plan as presented and then resolved to recommend to the City Council that the Zone Area be designated a redevelopment area and the Redevelopment Plan be adopted; and

WHEREAS on November 9, 2011, the Municipal Council adopted the Redevelopment Plan with amendments for the property and designated the Zone Area as an area in need of redevelopment; and

WHEREAS, on May 17, 2017, by Resolution 17-05-17-055, the Municipal Council authorized and directed the Planning Board of the City (the “Planning Board”) to conduct such an investigation to determine if certain properties located at 122 Avenue E, 124 Avenue E, 126 Avenue E, 126 ½ Avenue E, 128 Avenue E, 130 Avenue E, 132 Avenue E, 134-136 Avenue E, 138 Avenue E, 140 Avenue E, 165 Avenue E, 167 Avenue E, 169 Avenue E, 170-180 Avenue E, and 157-163 Avenue E, which properties are identified as Block 467, Lots 17, 18, 19, 20, 21, 22, 23, 24, 25, & 26, Block 234, Lots 8.01, 11, 12, & 13, and Block 458, Lots 1 & 1.01 as shown on the Official Tax Map of the City (the “Study Area”), constitute a non-condemnation “area in need of redevelopment,” in accordance with the Redevelopment Law; and

WHEREAS, on July 11, 2017, the Planning Board held a public hearing, duly noticed under the Redevelopment Law, and reviewed an investigation/report titled "City of Bayonne: Preliminary Investigation Non-Condensation Area in Need of Redevelopment Silklofts Expansion Study" prepared by the City of Bayonne, 630 Avenue C Bayonne, NJ 07002, dated June 19, 2017 (the "Study") and any persons interested in or affected by a determination that the Study Area is a non-condemnation redevelopment area were given an opportunity to be heard, and any objections to such a determination and evidence in support of those objections, were received and considered and made part of the public record; and

WHEREAS, on July 11, 2017, the Planning Board further adopted the resolution recommending that the Study Area be determined by the Municipal Council to be a non-condemnation "area in need of redevelopment" under the Redevelopment Law, *N.J.S.A. 40A:12A-1* et seq.; and

WHEREAS, on July 19, 2017, the Municipal Council by resolution designated the Study Area as a non-condemnation "area in need of redevelopment" (the "Redevelopment Area") and authorized the Planning Board to prepare and review an amendment and expansion to the Redevelopment Plan, which includes the Redevelopment Area pursuant to *N.J.S.A. 40A:12A-7*; and

WHEREAS, an amended Redevelopment Plan titled the "Silk Lofts Redevelopment Plan and an Overlay of a Portion of the Maidenform Plan" (the "Amended Redevelopment Plan") dated October 3, 2017, has been prepared by the City Planning Department which incorporates the Redevelopment Area to the Redevelopment Plan; and

WHEREAS, on October 18, 2017, the Municipal Council by Ordinance adopted the Amended Redevelopment Plan which incorporates the Redevelopment Area to the Amended Redevelopment Plan; and

WHEREAS, AMS Equities LLC, a limited liability company of the State of New Jersey with an office address of AMS Acquisitions, 2 West 45th Street, 15th Floor, New York, NY 10036 (the "Redeveloper") is the contract purchaser of those certain parcels of land located at 138 Avenue E, 140 Avenue E, 157-163 Avenue E, and 170-180 Avenue E, designated as Block 467, Lots 25 & 26, Block 234, Lot 8.01, and Block 458, Lots 1 & 1.01 as shown on the Official Tax Map of the City; and

WHEREAS, AMS Equities LLC, wishes to develop the property located at 138 Avenue E, 140 Avenue E, 157-163 Avenue E, and 170-180 Avenue E, designated as Block 467, Lots 25 & 26, Block 234, Lot 8.01, and Block 458, Lots 1 & 1.01 as shown on the Official Tax Map of the City of Bayonne (the "Property") and use it for the purpose of implementing the Amended Redevelopment Plan; and

WHEREAS, the Municipal Council is permitted to contract with redevelopers for the undertaking of any project or redevelopment work pursuant to *N.J.S.A. 40A:12A-8(f)*; and

WHEREAS, the Amended Redevelopment Plan permits the Municipal Council, as a redevelopment entity, to authorize the negotiation and execution of a redevelopment agreement with the Redeveloper providing for the development of the Property in accordance with the Amended Redevelopment Plan (the "Redevelopment Agreement"); and

WHEREAS, the Municipal Council desires to designate AMS Equities LLC as redeveloper of the Property and enter into a Redevelopment Agreement with the Redeveloper, as provided for and in accordance with the provisions of the Redevelopment Law.

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

Section 1. The Municipal Council of the City of Bayonne hereby authorizes the preparation and execution of the "Redevelopment Agreement By and Between the City of Bayonne and AMS Equities LLC," concerning the Property identified as Block 467, Lots 25 & 26, Block 234, Lot 8.01, and Block 458, Lots 1 & 1.01 in the City of Bayonne, in such a form deemed advisable by the City Attorney, subject to any and all conditions contained herein and such revisions as deemed advisable by the City Attorney or Special Redevelopment Counsel to the City.

Section 2. The Municipal Council, upon the full execution of the Redevelopment Agreement designates AMS Equities LLC as Redeveloper of the Property as provided for and in accordance with the provisions of the New Jersey Local Redevelopment and Housing Law.

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

Section 4. This Resolution shall take effect immediately.

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

* * * * *

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

RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY DESIGNATING CERTAIN PROPERTY LOCATED AT 43-45 W 32ND ST, WHICH PROPERTY IS IDENTIFIED AS BLOCK 145, LOT 1, AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE AS A NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT AND AUTHORIZING AND DIRECTING THE PLANNING BOARD TO PREPARE A REDEVELOPMENT PLAN FOR THE PROPERTY PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, *N.J.S.A. 40A:12A-1 ET SEQ.*

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

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

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

WHEREAS, the Mayor and Municipal Council consider it to be in the best interest of the City to have the Planning Board of the City (the “Planning Board”) conduct such an investigation to determine if certain property located at 43-45 W 32nd Street, which property is identified as Block 145, Lot 1, as shown on the Official Tax Map of the City (the “Study Area”), constitute a non-condemnation “area in need of redevelopment,” in accordance with the Redevelopment Law; and

WHEREAS, on November 14, 2017, the Planning Board held a public hearing, duly noticed under the Redevelopment Law, and reviewed an investigation/report titled “Preliminary Investigation Non-Condensation Area in Need of Redevelopment 43-45 West 32nd Street Block 145, Lot 1” prepared by Suzanne Mack, PPAICP, City of Bayonne, Division of Planning & Zoning, Department of Municipal Services, dated _____ (the “Study”) and any persons interested in or affected by a determination that the Study Area is a non-condemnation redevelopment area were given an opportunity to be heard, and any objections to such a determination and evidence in support of those objections, were received and considered and made part of the public record: and

WHEREAS, on November 14, 2017, the Planning Board further adopted the Resolution recommending that the Study Area be determined by the Municipal Council to be a non-condemnation “area in need of redevelopment” under the Redevelopment Law, *N.J.S.A. 40A:12A-1 et seq.*; and

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

WHEREAS, the City is desirous of directing the Planning Board to prepare a redevelopment plan for the Study Area (the “Redevelopment Plan”); and

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

WHEREAS, on December 12, 2017, the Planning Board held a public hearing, duly noticed under the Redevelopment Law, and reviewed an investigation/report titled “_____” prepared by Suzanne Mack, PPAICP, City of Bayonne, Division of Planning & Zoning, Department of Municipal Services, dated _____ (the “Study”) and any persons interested in or affected by a determination that the Study Area is a

non-condemnation redevelopment area were given an opportunity to be heard, and any objections to such a determination and evidence in support of those objections, were received and considered and made part of the public record; and

WHEREAS, on December 12, 2017, the Planning Board further adopted the Resolution recommending that the Study Area be determined by the Municipal Council to be a non-condemnation “area in need of redevelopment” under the Redevelopment Law, *N.J.S.A. 40A:12A-1 et seq.*; and

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

WHEREAS, the City is desirous of directing the Planning Board to prepare a redevelopment plan for the Study Area (the “Redevelopment Plan”); and

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

WHEREAS, the Municipal Council believes that the preparation of a Redevelopment Plan is in the best interests of the City for the redevelopment of the Study Area.

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

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

Section 2. The property located at 115-117 West 2nd Street, which property is identified as Block 365, Lot 9, as shown on the Official Tax Map of the City is hereby designated a non-condemnation “area in need of redevelopment” under the Redevelopment Law, *N.J.S.A. 40A:12A-1 et seq.*

Section 3. The Municipal Council hereby directs the City Clerk to transmit a copy of the within resolution to the Commissioner of the Department of Community Affairs and to serve notice that Block 365, Lot 9, is designated a non-condemnation redevelopment area on the owners of such Study Area and other parties within ten (10) days of the date hereof, in accordance with *N.J.S.A. 40A:12A-6.b(5)*.

Section 4. The Planning Board of the City of Bayonne is hereby authorized and directed to prepare the Redevelopment Plan for the Study Area identified as Block 365, Lot 9, as shown on the Official Tax Map of the City in accordance with the Redevelopment Law, *N.J.S.A. 40A:12A-1 et seq.*

Section 5. The Planning Board shall transmit the Redevelopment Plan to the Municipal Council for further consideration and action upon completion of same.

Section 6. This Resolution shall take effect immediately.

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

* * * * *

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

RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY DESIGNATING CERTAIN PROPERTIES LOCATED AT 343 AVENUE A AND 345-347 AVENUE A, WHICH PROPERTIES ARE IDENTIFIED AS BLOCK 254, LOTS 22 & 23, AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE AS A NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT AND AUTHORIZING AND DIRECTING THE PLANNING BOARD TO PREPARE A REDEVELOPMENT PLAN FOR THE PROPERTY PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, *N.J.S.A. 40A:12A-1 ET SEQ.*

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

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

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

WHEREAS, the Mayor and Municipal Council consider it to be in the best interest of the City to have the Planning Board of the City (the “Planning Board”) conduct such an investigation to determine if certain properties located at 343 Avenue A and 345-347 Avenue A, which properties are identified as Block 254, Lots 22 and 23, as shown on the official Tax Map of the City (the “Study Area”), constitute a non-condemnation “area in need of redevelopment,” in accordance with the Redevelopment Law; and

WHEREAS, on December 12, 2017, the Planning Board held a public hearing, duly noticed under the Redevelopment Law, and reviewed an investigation/report titled “Area in Need of Redevelopment Preliminary Investigation Block 254 Lot 23 (345-347 Avenue A) Block 254 Lot 22 (343 Avenue A)” prepared by Suzanne Mack, PPAICP, City of Bayonne, Division of Planning & Zoning, Department of Municipal Services, dated _____ (the “Study”) and any persons interested in or affected by a determination that the Study Area is a non-condemnation redevelopment area were given an opportunity to be heard, and any objections to such a determination and evidence in support of those objections, were received and considered and made part of the public record; and

WHEREAS, on December 12, 2017, the Planning Board further adopted the Resolution recommending that the Study Area be determined by the Municipal Council to be a non-condemnation “area in need of redevelopment” under the Redevelopment Law, *N.J.S.A. 40A:12A-1 et seq.*; and

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

WHEREAS, the City is desirous of directing the Planning Board to prepare a redevelopment plan for the Study Area (the “Redevelopment Plan”); and

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

WHEREAS, the Municipal Council believes that the preparation of a Redevelopment Plan is in the best interests of the City for the redevelopment of the Study Area.

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

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

Section 2. The property located at 343 Avenue A and 345-347 Avenue A, which properties are identified as Block 254, Lots 22 and 23, as shown on the Official Tax Map of the City is hereby designated a non-condemnation “area in need of redevelopment” under the Redevelopment Law, *N.J.S.A. 40A:12A-1 et seq.*

Section 3. The Municipal Council hereby directs the City Clerk to transmit a copy of the within resolution to the Commissioner of the Department of Community Affairs and to serve notice that Block 254, Lots 22 and 23, is designated a non-condemnation redevelopment area on the owners of such Study Area and other parties within ten (10) days of the date hereof, in accordance with *N.J.S.A. 40A:12A-6.b(5)*.

WHEREAS, the City is desirous of directing the Planning Board to prepare a redevelopment plan for the Study Area (the “Redevelopment Plan”); and

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

WHEREAS, the Municipal Council believes that the preparation of a Redevelopment Plan is in the best interests of the City for the redevelopment of the Study Area.

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

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

Section 2. The property identified as Block 394.02, Lot 1, as shown on the Official Tax Map of the City is hereby designated a non-condemnation “area in need of redevelopment” under the Redevelopment Law, *N.J.S.A. 40A:12A-1 et seq.*

Section 3. The Municipal Council hereby directs the City Clerk to transmit a copy of the within resolution to the Commissioner of the Department of Community Affairs and to serve notice that Block 394.02, Lot 1, is designated a non-condemnation redevelopment area on the owners of such Study Area and other parties within ten (10) days of the date hereof, in accordance with *N.J.S.A. 40A:12A-6.b(5)*.

Section 4. The Planning Board of the City of Bayonne is hereby authorized and directed to prepare the Redevelopment Plan for the Study Area identified as Block 394.02, Lot 1 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 5. The Planning Board shall transmit the Redevelopment Plan to the Municipal Council for further consideration and action upon completion of same.

Section 6. This Resolution shall take effect immediately.

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

* * * * *

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

RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY DESIGNATING CERTAIN PROPERTY LOCATED AT 41 PROSPECT AVENUE, WHICH PROPERTY IS IDENTIFIED AS BLOCK 455, LOT 3 WITHIN THE CITY AS A NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, *N.J.S.A. 40A:12A-1 ET SEQ.*

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

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

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

WHEREAS, the Mayor and Municipal Council consider it to be in the best interest of the City to have the Planning Board of the City (the “Planning Board”) conduct such an investigation to determine if certain property located at 41 Prospect Avenue, which property is identified as Block 455, Lot 3 as shown on the official Tax Map of the City (the “Study Area”), constitute a non-condemnation “area in need of redevelopment,” in accordance with the Redevelopment Law; and

WHEREAS, on November 14, 2017, the Planning Board held a public hearing, duly noticed under the Redevelopment Law, and reviewed an investigation/report titled “Preliminary Investigation Non-Condensation Area in Need of Redevelopment Madison Hill 41 Prospect Avenue Block 455 Lot 3” prepared by Suzanne Mack, PPAICP, City of Bayonne, Division of

Planning & Zoning, Department of Municipal Services, dated _____ (the “Study”) and any persons interested in or affected by a determination that the Study Area is a non-condemnation redevelopment area were given an opportunity to be heard, and any objections to such a determination and evidence in support of those objections, were received and considered and made part of the public record; and

WHEREAS, on November 14, 2017, the Planning Board further adopted the Resolution recommending that the Study Area be determined by the Municipal Council to be a non-condemnation “area in need of redevelopment” under the Redevelopment Law, *N.J.S.A.* 40A:12A-1 et seq.; and

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

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

- Section 1. The aforementioned recitals are incorporated herein as though fully set forth at length.
- Section 2. The property located at 41 Prospect Avenue, which property is identified as Block 455, Lot 3, as shown on the official Tax Map of the City is hereby designated a non-condemnation “area in need of redevelopment” under the Redevelopment Law, *N.J.S.A.* 40A:12A-1 et seq.
- Section 3. The Municipal Council hereby directs the City Clerk to transmit a copy of the within resolution to the Commissioner of the Department of Community Affairs and to serve notice that Block 455, Lot 3, is designated a non-condemnation redevelopment area on the owners of such Study Area and other parties within ten (10) days of the date hereof, in accordance with *N.J.S.A.* 40A:12A-6.b(5).
- Section 4. This Resolution shall take effect immediately.

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

* * * * *

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

December 11, 2017

Dear Council President Nadrowski
And Honorable Members of City Council

I hereby appoint the following individuals to the Planning Board of the City of Bayonne:

Terrence Malloy 201 West 30 th Street, #305, Bayonne, NJ 07002	Term expiring on December 31, 2018 (Reappointment as Class II Member)
Karen J. Fiermonte 92 West 27 th Street, Bayonne, NJ 07002	Term expiring on December 31, 2022 (Reappointment as Class IV Member)
George Becker 20 East 31 st Street, Bayonne, NJ 07002	Term expiring on December 31, 2022 (Reappointment as Class IV Member)
Issa Musharbash 82 West 3 rd Street	Term expiring on December 31, 2022 (Appointment as Class IV Member)

I hereby recommend the following individual to the Planning Board of the City of Bayonne.

Juan Perez 862 Avenue C, Bayonne, NJ 07002	Term expiring on December 31, 2018 (Reappointment as Class III Member)
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In conjunction with this appointment the City Clerk has been directed to add an accompanying item on the December 13, 2017 Council meeting agenda to be received and filed by the City Council.

Sincerely,
James M. Davis
Mayor
(signed)

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

* * * * *

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

BE IT RESOLVED, that the HON. JUAN PEREZ be and is hereby reappointed as the Class III member of the Planning Board for a term expiring June 30, 2018.

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

* * * * *

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

December 11, 2017

Dear Council President Nadrowski
And Honorable Members of City Council

I hereby recommend the following individuals to the Zoning Board of Adjustments of the City of Bayonne:

Mark Urban 67 West 43 rd Street, Bayonne, NJ 07002	Term expiring on December 31, 2022 (Appointment as Regular Member)
Vincent LeFante 85 West 55 th Street, Bayonne, NJ 07002	Term expiring on December 31, 2022 (Appointment as Regular Member)
Matt Dorans 36 West 43 rd Street, Bayonne, NJ 07002	Term expiring on December 31, 2022 (Appointment as Regular Member)
Joe Pineiro 78 East 28 th Street, Bayonne, NJ 07002	Term expiring on December 31, 2020 (Appointment as Alternate #1)

In conjunction with this appointment the City Clerk has been directed to add an accompanying item on the December 13, 2017 Council meeting agenda to be received and filed by the City Council.

Sincerely,
James M. Davis
Mayor
(signed)

RESOLVED, that the following individuals be and are hereby reappointed to the Zoning Board of Adjustments for the terms indicated:

Name	Term Expires
Mark Urban	December 31, 2021
Vincent LeFante	December 31, 2021
Mark Dorans	December 31, 2021
Joe Pineiro, Alt. #1	December 31, 2019

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

* * * * *

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

December 11, 2017

Dear Council President Nadrowski
And Honorable Members of City Council

I hereby recommend the following individuals to the Rent Control Board of the City of Bayonne:

Corrado DiVincenzo 1109 Avenue C, Bayonne, NJ 07002	Term expiring on December 31, 2021 (Appointment as Regular Member)
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Edward Gilligan 758 Kennedy Blvd., Bayonne, NJ 07002	Term expiring on December 31, 2021 (Reappointment as Regular Member)
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In conjunction with this appointment the City Clerk has been directed to add an accompanying item on the December 13, 2017 Council meeting agenda to be received and filed by the City Council.

Sincerely,
James M. Davis
Mayor
(signed)

RESOLVED, that Corrado DiVincenzo be and is hereby appointed to the Rent Control Board for a term to expire December 31, 2021, and that Edward Gilligan be and is hereby reappointed to the Rent Control Board for a term to expire December 31, 2021.

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

* * * * *

89. 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 the owner of the property located at 16 West 4th Street, Bayonne, New Jersey currently being used as a Senior Center; and

WHEREAS, said premises was in need of repairs to its front entrance stairs; and

WHEREAS, the Director of Public Works deemed the condition of said stairs to be an imminent danger to the health, safety and welfare of the citizens of the City of Bayonne; and

WHEREAS, due to exigent circumstances, the Director of Public Works instructed the City of Bayonne's administrator of its Community Development Block Grant ("CDBG") Program, the Bayonne Economic Opportunity Foundation (the "B.E.O.F."), to effectuate the repair of said front entrance stairs prior to obtaining approval from this body; and

WHEREAS, Lucciola Mason Contracting, Inc., 145 Lord Avenue, Bayonne, New Jersey (the "Contractor") submitted a proposal to the B.E.O.F. for the repair of the aforesaid front entrance stairs for the amount of \$8,000.00; and

WHEREAS, the proposal amount did not exceed the bid threshold pursuant to the provisions of the Local Public Contract Law (N.J.S.A. 40A:11-1, et seq.); and

WHEREAS, funds were 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 City Clerk are hereby authorized to execute an agreement with Lucciola Mason Contracting, Inc., 145 Lord Avenue, Bayonne, New Jersey for the repair of the aforesaid front entrance stairs located at 16 West 4th Street currently being used as a Senior Center for a total contract amount of \$8,000.00 pursuant to the proposal submitted to the B.E.O.F. by the Contractor.

2. The actions of the Director of Public Works in instructing the City's CDBG Program administrator, the B.E.O.F., to effectuate said stair repairs at the front entrance of the City's Senior Center located at 16 West 4th Street are hereby ratified and affirmed.

3. The actions of the City's administrator of its CDBG Program, the B.E.O.F., in authorizing Lucciola Mason Contracting, Inc., 145 Lord Avenue, Bayonne, New Jersey to effectuate said stair repairs at the front entrance of the City's Senior Center located at 16 West 4th Street are hereby ratified and affirmed.

4. Funds shall be charged to Account CDBG – 917.

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

* * * * *

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

WHEREAS, the City of Bayonne is in need of website design, management and maintenance services; and

WHEREAS, the City of Bayonne advertised a Request for Qualifications/Proposals for the aforesaid website design, management and maintenance services under the Fair & Open Contracting Requirements pursuant to N.J.S.A. 19:44A:20.4 and.5; and

WHEREAS, Alpha Dog Solutions, Inc., 335 Union Avenue, Belleville, New Jersey 07109 has submitted to the City of Bayonne a formal, written response to the City's Request for Qualifications/Proposals for said website design, management and maintenance services; and

WHEREAS, N.J.S.A. 40A:11-2(7) provides that a contract for extraordinary and unspecifiable services may be awarded by a public entity upon certification that the services are unique, specialized, and qualitative in nature, and

WHEREAS, the Business Administrator for the City of Bayonne has provided a certification of extraordinary and unspecifiable services to the Municipal Council indicating the services to be provided by Alpha Dog Solutions, Inc. are "unique, specialized and qualitative in nature requiring expertise, extensive training and a proven reputation in the field of information technology, computer systems and network administration and support services;" and

WHEREAS, Alpha Dog Solutions, Inc. is qualified, ready, willing and able to provide said services; and

WHEREAS, the maximum amount the contract is not to exceed \$59,400.00, the term of the contract is from January 1, 2018 through December 31, 2018, and

WHEREAS, funds are certified as available in Account #8-01-20-101-0000-028 and various other accounts pending adoption of the CY 2018 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 Alpha Dog Solutions, Inc., 335 Union Avenue, Belleville, New Jersey 07109 to provide website design, management and maintenance services for a maximum contract amount not to exceed \$59,400.00 for the period commencing January 1, 2018 and ending December 31, 2018.

2. Funds shall be charged to Account #8-01-20-101-0000-028 and various other accounts.

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

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

* * * * *

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

WHEREAS, the City of Bayonne is in need of professional engineering services for various special projects for the period commencing January 1, 2018 and ending December 31, 2018; and

WHEREAS, the City of Bayonne advertised a Request for Qualifications/Proposals for professional engineering services as General/Special Project Engineer under the Fair & Open Contracting Requirements pursuant to N.J.S.A. 19:44A:20.4 and.5; and

WHEREAS, Matrix New World Engineering, 26 Columbia Turnpike, Florham Park, NJ 07932, has submitted to the City a formal written response to the City's Request for Qualifications/Proposals for said professional engineering services; and

WHEREAS, Matrix New World Engineering is qualified, ready, willing and able to provide said professional engineering services; and

WHEREAS, funds have been certified as available in Various Accounts pending adoption of the CY2018 budget; and

WHEREAS, this contract constitutes a “Professional Service” contract under the provisions of the Local Public Contracts Law because the service is a recognized profession, licensed and regulated by the State of New Jersey, and therefore, may be awarded without competitive bidding pursuant to N.J.S.A. 40A:11-1, et seq.; and

WHEREAS, Matrix New World Engineering has qualified under the Fair & Open Contracting Requirements pursuant to N.J.S.A.19:44A:20.4.5; now, therefore, be it

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

1. The Mayor and the City Clerk are hereby authorized and directed to execute an agreement with Matrix New World Engineering, 26 Columbia Turnpike, Florham Park, NJ 07932 for professional engineering services for various special projects for the period commencing January 1, 2018 and ending December 31, 2018 for an amount not to exceed \$465,000.00.

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

3. Funds shall be chargeable to Various Accounts.

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

* * * * *

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

WHEREAS, the City has a need to retain the services of a professional Environmental Consultant including Licensed Site Remediation Professional services in connection with various upcoming potential projects during CY2018; and

WHEREAS, the City of Bayonne advertised a Request for Qualifications/Proposals for a professional Environmental Consulting and Licensed Site Remediation Specialist under the Fair & Open Contracting Requirements pursuant to N.J.S.A. 19:44A:20.4 and.5; and

WHEREAS, the firm of Matrix New World Engineering, 26 Columbia Turnpike, Florham Park, NJ 07932, has submitted formal written response to the City's aforesaid Request for Qualifications/Proposals; and

WHEREAS, Matrix New World Engineering is qualified, ready, willing and able to provide said professional Environmental Consulting and Licensed Site Remediation Services for the period commencing January 1, 2018 and ending December 31, 2018 for an amount not to exceed \$17,500.00; and

WHEREAS, funds have been certified as available in Various Accounts pending adoption of the CY2018 budget; and

WHEREAS, this professional services contract was determined under the Fair & Open Contracting Requirements pursuant to N.J.S.A.19:44A-20.4.5; and

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

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

1. The Mayor and the City Clerk are hereby authorized and directed to execute an agreement with Matrix New World Engineering, 26 Columbia Turnpike, Florham Park, NJ 07932 for professional Environmental Consulting and Licensed Site Remediation Professional services in connection with various upcoming potential projects during CY2018 for the period commencing January 1, 2018 and ending December 31, 2018 for a total contract amount not to exceed \$17,500.00.

2. Funds shall be charged to Various Accounts.

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

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

* * * * *

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

WHEREAS, the City has a need to retain the services of a professional Licensed Site Remediation Specialist in connection with various upcoming potential projects during CY2018; and

WHEREAS, the City of Bayonne advertised a Request for Qualifications/Proposals for a professional Licensed Site Remediation Specialist under the Fair & Open Contracting Requirements pursuant to N.J.S.A. 19:44A:20.4 and.5; and

WHEREAS, the firm of Remington & Vernick Engineers II, Inc., 232 Kings Highway East, Haddonfield, NJ 07033 has submitted formal written response to the City's aforesaid Request for Qualifications/Proposals; and

WHEREAS, the firm of Remington & Vernick Engineers II, Inc., qualified, ready, willing and able to provide said professional Licensed Site Remediation Services for the period commencing January 1, 2018 and ending December 31, 2018 for an amount not to exceed \$17,500.00 each; and

WHEREAS, funds have been certified as available in Various Accounts pending adoption of the CY2018 budget; and

WHEREAS, this professional services contract was determined under the Fair & Open Contracting Requirements pursuant to N.J.S.A.19:44A-20.4.5; and

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

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

1. The Mayor and the City Clerk are hereby authorized and directed to execute an agreement with Remington & Vernick Engineers II, Inc., 232 King Highway East, Haddonfield, NJ 08033 for professional Licensed Site Remediation services in connection with various upcoming potential projects during CY2018 for the period commencing January 1, 2018 and ending December 31, 2018 for a total contract amount not to exceed \$17,500.00.
2. Funds shall be charged to Various Accounts.
3. A notice of this action shall be printed once in a newspaper of general circulation within the boundaries of the City of Bayonne.

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

* * * * *

94. 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 in need of professional medical services for the City's Uniformed Employees; and

WHEREAS, the City of Bayonne advertised a Request for Qualifications/Proposals for the aforesaid professional medical services under the Fair & Open Contracting Requirements pursuant to N.J.S.A. 19:44A:20.4 and.5; and

WHEREAS, John T. Dedousis, M.D., 1166 Kennedy Boulevard, Bayonne, New Jersey 07002 has submitted to the City of Bayonne a formal written response to the City's Request for Qualifications/Proposals for said professional medical services; and

WHEREAS, this professional services contract was advertised under the Fair & Open Contracting Requirements pursuant to N.J.S.A.19:44A:20.4.5; and

WHEREAS, John T. Dedousis, M.D. is qualified, ready and able to provide said services; and

WHEREAS, this contract constitutes a "Professional Service" contract under the provisions of the Local Public Contracts Law because the service is a recognized profession, licensed and regulated by the State of New Jersey, and therefore, may be awarded without competitive bidding pursuant to N.J.S.A. 40A:11-1, et seq.; and

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

WHEREAS, the City of Bayonne desires to retain the services of John T. Dedousis, M.D., for the period commencing January 1, 2018 and ending December 31, 2018 for maximum contract amount not to exceed \$36,000.00; and

WHEREAS, funds are available in Account #8-01-27-330-0000-029 pending adoption of the CY2018 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 John Dedousis, M.D., 1166 Kennedy Boulevard, Bayonne, New Jersey 07002 to provide professional medical services to the City's uniformed employees, for the period commencing January 1, 2018 and ending December 31, 2018 for a total amount not to exceed \$36,000.00.
2. Funds shall be charged to Account #8-01-27-330-0000-029.
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.

* * * * *

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

WHEREAS, there exists a need for professional legal services as Municipal Court Prosecutor in the Bayonne Municipal Court; and

WHEREAS, the Law Director determined that the City of Bayonne Law Department can operate in a more cost effective and efficient manner by appointing Municipal Prosecutors by contract through the fair and open process in addition to the current Assistant City Attorneys and Law Director who are also responsible for addressing the day to day legal issues that arise on behalf of the City of Bayonne; and

WHEREAS, Susan B. Gyss, Esq., and Steven R. Hummell, Esq., have submitted responses to the City's Request for Qualifications through the Fair and Open Contracting Requirements to N.J.S.A. 19:44A-1 *et seq* and have been deemed qualified to serve as Municipal Prosecutors for the City of Bayonne; and

WHEREAS, the Law Director has requested that the Municipal Council adopt a Resolution at this Municipal Council meeting awarding contracts to Susan B. Gyss, Esq. and Steven R. Hummell, Esq. for professional legal services as Municipal Prosecutor and Alternate Municipal Prosecutor respectively for the period commencing January 1, 2018 and ending December 31, 2018; now, therefore be it

RESOLVED, by the Municipal Council as follows:

1. Susan B. Gyss, Esq., and Steven R. Hummell, Esq. are hereby appointed as the Chief Municipal Prosecutor and Alternate Municipal Prosecutor, respectively, for the City of Bayonne Municipal Court for the period commencing January 1, 2018 and ending December 31, 2018.
2. Assistant City Attorneys, Donna Russo, Esq., Susan Ferraro, Esq., Karla Garcia, Esq. and Law Director John F. Coffey II, Esq. are hereby appointed as Alternate Municipal Prosecutors for the City of Bayonne Municipal Court.
3. The appointed Municipal Prosecutor's shall be responsible for all of the matters heard in the Bayonne Municipal Court and any Municipal Appeals not handled by the County Prosecutor's office.
4. This resolution is subject to the adoption of the aforesaid requested Resolution awarding contracts to Susan B. Gyss, Esq. and Steven R. Hummell, Esq. for professional legal services as Municipal Prosecutor and Alternate Municipal Prosecutor respectively for the period commencing January 1, 2018 and ending December 31, 2018.

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

* * * * *

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

WHEREAS, the City of Bayonne and the New Jersey Utility Authorities JIF (“Bayonne and NJUA”) and the Continental Casualty Company (“Continental”) have settled all disputes and controversies arising out of a claim for a reported wind turbine loss that occurred on or about June 2, 2015 at 100 Oak Street, Bayonne, New Jersey; and

WHEREAS, the parties have agreed to settle the claim pursuant to a Release and Settlement Agreement, a copy of which is attached hereto and made part hereof, whereby Continental agrees to pay City and NJUA the total sum of \$406,822.49 in settlement of all claims; and

WHEREAS, the Business Administrator has adequately demonstrated to this Municipal Council that this sum of money is a fair and just amount for the settlement of this claim; now, therefore, be it

RESOLVED, that the Mayor is hereby authorized to execute the aforementioned Release and Settlement Agreement on behalf of the City of Bayonne.

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

* * * * *

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

December 13, 2017

Dear Council President Nadrowski
And Honorable Members of City Council

I hereby appoint the following individuals to the Alcoholic Beverage Control Board of the City of Bayonne:

H. Mickey McCabe	Term expiring on December 31, 2021
14 East 41 st Street, Bayonne, NJ	(Reappointment as Member)

In conjunction with this appointment the City Clerk has been directed to add an accompanying item on the December 13, 2017 Council meeting agenda to be received and filed 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

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

* * * * *

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

December 13, 2017

Dear Council President Nadrowski
And Honorable Members of City Council

I hereby appoint the following individuals to the Insurance Fund Commission of the City of Bayonne:

Gary Chmielewski	Term expiring on July 15, 2018
	(Appointment as Member)

Janet Convery	Term expiring on April 19, 2019
	(Reappointment as Member)

Robert Kubert

Term expiring on July 15, 2018
(Reappointment as Member)

In conjunction with this appointment the City Clerk has been directed to add an accompanying item on the December 13, 2017 Council meeting agenda to be received and filed by the City Council.

Sincerely,
James M. Davis
Mayor
(signed)

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

* * * * *

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

December 13, 2017

Dear Council President Nadrowski
And Honorable Members of City Council

I hereby appoint the following individuals to the Library Board of the City of Bayonne:

P. Gerard Nowicki 124 West 25 th Street, Bayonne, NJ	Term expiring on December 31, 2022 (Reappointment as Member)
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Mary Ann Doyle Rowland 40 East 37 th Street, Bayonne, NJ	Term expiring on December 31, 2021 (Reappointment as Member)
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Marie Komar 33 Garretson Avenue, Bayonne, NJ	Term expiring on December 31, 2019
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In conjunction with this appointment the City Clerk has been directed to add an accompanying item on the December 13, 2017 Council meeting agenda to be received and filed by the City Council.

Sincerely,
James M. Davis
Mayor
(signed)

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

* * * * *

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

WHEREAS, on March 16, 2016, the Municipal Council passed Resolution No. 16-03-16-043, authorizing an Agreement with Picerno-Giordano Construction, LLC, 200 Market Street, Kenilworth, NJ 07033 for IMPROVEMENTS TO CLARK PARK for a total contract amount of \$96,103.75; and

WHEREAS, pursuant to the aforesaid Resolution No. 16-03-16-043, the City of Bayonne entered into Agreement No. CY 16-031 with Picerno-Giordano Construction for the aforesaid IMPROVEMENTS TO CLARK PARK for a total contract amount of \$796,103.75; and

WHEREAS, the City is in receipt of a Final Close-out Change Order reflecting the final contract quantities and supplemental items including reductions and increases in same due to actual field conditions encountered; and

WHEREAS, the aforesaid Final Close-out Change Order calls for an overall increase in the original contract in the amount of \$2,210.85; and

WHEREAS, the City's Engineer and City's Attorney have reviewed, approved and recommend the Final Close-out Change Order to the aforesaid Agreement No. CY'16-031 with Picerno-Giordano; and

WHEREAS, funds are certified as available in Ordinance No. O-15-16; now, therefore,
be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor shall be and is hereby authorized to execute the Final Close-out Change Order to the aforesaid Agreement No. CY16-031 with Picerno-Giordano Construction increasing same in the amount of \$2,210.85, making the total contract amount \$798,314.60.
2. Funds shall be charged to Ordinance No. O-15-16.

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

* * * * *

101. At 8:37 P.M., Council Member LaPelusa moved the following resolution, seconded by Council Member Perez, which was read by the Clerk and adopted.

WHEREAS, pursuant to N.J.S.A. 10:4-12(a) the Municipal Council must conduct its meetings in open view of the public at all times, subject to the provisions of N.J.S.A. 10:4-12(b); and

WHEREAS, pursuant to N.J.S.A. 10:4-12(b)(4), the Municipal Council may exclude the public from that portion of a meeting wherein the Municipal Council discusses any collective bargaining agreement, or the terms and conditions which are proposed for inclusion in any collective bargaining agreement, including the negotiation of the terms and conditions thereof with employees or representatives of employees of the city; and

WHEREAS, the Municipal Council desires to review certain aspects of the city's collective bargaining agreements, including proposed terms for inclusion in collective bargaining agreements in a closed session; and

WHEREAS, it is the intention of the Municipal Council to keep reasonably comprehensible minutes of this closed session meeting pursuant to N.J.S.A. 10:4-14 and to make said minutes available to the general public after the finalization of the issues involved; now, therefore, be it

RESOLVED, that the Municipal Council shall now recess to a closed session in order to discuss the matters set forth above; and be it further

RESOLVED, that the Municipal Council shall reconvene to a public session at the conclusion of the closed session.

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

* * * * *

At 8:55 P.M. Council Member LaPelusa motion to reconvene, seconded by Council President Nadrowski, which motion was adopted.

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

* * * * *

102. 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 and the PBA Local No. 7 are parties to a Collective Negotiations Agreement effective July 1, 2013 through December 31, 2018; and

WHEREAS, negotiating teams met on several occasions in an effort to resolve outstanding and existing labor and contract issues; and

WHEREAS, the City of Bayonne's negotiating team recommends that the attached Memorandum of Understanding (Exhibit A), which, among other things, extends the terms of the agreement between the parties through December 31, 2020 and constitutes the essential terms of a successor agreement between the parties;

NOW, THEREFORE, BE IT RESOLVE, that the City of Bayonne approve and adopted the attached Memorandum of Understanding as resolution to all outstanding issues relating to the successor Collective Negotiations Agreement between the City of Bayonne and PBA Local No. 7.

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

Abstain – Council President Nadrowski.

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103. 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 and the Bayonne Police Superiors Officers Association are parties to a Collective Negotiations Agreement effective July 1, 2013 through December 31, 2018; and

WHEREAS, negotiating teams met on several occasions in an effort to resolve outstanding and existing labor and contract issues; and

WHEREAS, the City of Bayonne’s negotiating team recommends that the attached Memorandum of Understanding (Exhibit A), which, among other things, extends the terms of the agreement between the parties through December 31, 2020 and constitutes the essential terms of a successor agreement between the parties;

NOW, THEREFORE, BE IT RESOLVE, that the City of Bayonne approve and adopted the attached Memorandum of Understanding as resolution to all outstanding issues relating to the successor Collective Negotiations Agreement between the City of Bayonne and Bayonne Police Superiors Officers Association.

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

Abstain – Council President Nadrowski.

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

WHEREAS, the City of Bayonne and the FMBA Local 11 are parties to a Collective Negotiations Agreement through a Memorandum of Understanding dated October 1, 2013, covering the period July 1, 2013 through December 31, 2018; and

WHEREAS, negotiating teams met on several occasions in an effort to resolve outstanding and existing labor and contract issues; and

WHEREAS, the City of Bayonne’s negotiating team recommends that the attached Memorandum of Understanding (Exhibit A), which, among other things, extends the terms of the agreement between the parties through December 31, 2020 and constitutes the essential terms of a successor agreement between the parties;

NOW, THEREFORE, BE IT RESOLVE, that the City of Bayonne approve and adopted the attached Memorandum of Understanding as resolution to all outstanding issues relating to the successor Collective Negotiations Agreement between the City of Bayonne and FMBA Local 11.

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

Abstain – Council Member Cotter.

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

WHEREAS, the City of Bayonne and the FMBA Local 211 are parties to a Collective Negotiations Agreement FMBA Local 211

WHEREAS, negotiating teams met on several occasions in an effort to resolve outstanding and existing labor and contract issues; and

WHEREAS, the City of Bayonne’s negotiating team recommends that the attached Memorandum of Understanding (Exhibit A), which, among other things, extends the terms of the agreement between the parties through December 31, 2020 and constitutes the essential terms of a successor agreement between the parties;

NOW, THEREFORE, BE IT RESOLVE, that the City of Bayonne approve and adopted the attached Memorandum of Understanding as resolution to all outstanding issues relating to the successor Collective Negotiations Agreement between the City of Bayonne and FMBA Local 211.

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

Abstain- Council Member Cotter.

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At 9:07 P.M. Council Member Perez motioned to adjourn, seconded by Council Member LaPelusa, which motion was adopted.

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

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President – Sharon A. Nadrowski

Clerk – Robert F. Sloan