REGULAR MEETING

OF THE MUNICIPAL COUNCIL OF THE CITY OF BAYONNE, IN THE COUNTY OF HUDSON, NEW JERSEY, HELD IN THE COUNCIL CHAMBER, MUNICIPAL BUILDING, 630 AVENUE C, ON WEDNESDAY, JANUARY 2, 2025

The Council met at 4:10 P.M.

The Council President Nadrowski announced: "I would like to advise all those present that notice of this regular meeting of the Municipal Council of the City of Bayonne of January 2, 2025 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 27, 2024."

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 Booker, Carroll, Perez, Weimmer and President LaPelusa

The Council President led the Pledge of Allegiance.

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

WHEREAS, by way of Resolution No. 21-06-16-049 adopted June 16, 2021, the City of Bayonne (the "City") entered into Agreement No. CY21-071 with A & L Disposal, LLC, 157 West 21st Street, Bayonne, NJ for Solid Waste Collection Services for a period of two and one-half (2 ½) years or thirty (30) months with two (2) one (1) year options exercisable at the City's discretion, the initial term to commence July 1, 2021 and terminate December 31, 2023 (the "Initial Contract Term"), with each option term commencing January 1st and ending December 31st of each consecutive option year, if exercised, for a total contract amount of $4,094,712.50; and

WHEREAS, Resolution No. 21-08-18-057 adopted August 18, 2021 authorized an increase to said Agreement No. CY21-071 to include the rental of twenty (20) ten (10) yard dumpsters to be located at various Bayonne Housing Authority locations ("Additional Dumpsters")for the period commencing September 1, 2021 through December 31, 2023, the end of the Initial Contract Term, for an additional amount of $117,600.00, thereby making the total contract amount $4,212,312.50 for the Initial Contract Term; and

WHEREAS, Resolution No. 21-09-22-064 adopted September 22, 2021, authorized an additional increase to said Agreement No. CY21-071 to include solid waste collection services to Grammar and High Schools an additional three (3) days per week, for a total of five (5) days per week ("Additional Pick Up") commencing September 18, 2021 for an additional amount of $12,450.00 through December 31, 2021, and a total annual amount of $43,160.00 for each of the calendar years 2022 and 2023 for a total additional amount of $98,770.00, thereby making the total contract amount $4,311,082.50 for the Initial Contract Term; and

WHEREAS, by way of Resolution No. 23-12-13-072 adopted December 13, 2023 as amended via Resolution No. 24-02-14-051 adopted February 14, 2024, the City exercised the first (1st) one (1) year option to renew Agreement No. CY21-071 as amended for the period commencing January 1, 2024 and ending December 31, 2024, for an additional amount of $1,847,885.00 (base amount of $1,737,885.00 plus the additional annual amount of $60,000.00 for Additional Dumpsters payable at the rate of $5,000.00 per month and an additional annual amount $50,000 for the Additional Pick Up for Calendar Year 2024) for the additional one (1) year period, thereby making the total contract amount $6,158,967.50; and

WHEREAS, the Director of Public Works had advised that the cost of the Additional Dumpsters for CY2025 has increased from $5,000 per month (a total annual amount $60,000) to $6,000 per month for a total annual amount of $72,000 for CY2025 additional annual amount of $12,000 and the cost of the Additional Pick Up has increased from the annual amount of $50,000 to $60,000 for CY2025 for a total additional annual amount of $10,000, thereby making the total additional annual amount $22,000.00 for the additional cost of the Additional Dumpsters and the Additional Pick Up combined, thereby making the total contract amount for CY2025 $1,969,885.00; and

WHEREAS, the City desires to exercise the second (2nd) one (1) year option to renew Agreement No. CY21-071 as amended for the period commencing January 1, 2025 and ending December 31, 2025, for an additional amount of $1,969,885.00 (base amount of $1,837,885.00 plus the additional annual amount of $72,000.00 for Additional Dumpsters payable at the rate of $6,000.00 per month and an additional annual amount $60,000.00 for the Additional Pick Up for Calendar Year 2025) for the additional one (1) year period, thereby making the total contract amount $8,128,852.50 inclusive of the expired Initial Contract Term and the first (1st) one year option contract term; and

WHEREAS, pursuant to N.J.A.C. 5:30-5.5(e), the award of the contract shall be subject to the availability and appropriation of funds in the CY2025 temporary and permanent budgets in the following accounts:

#5-01-32-456-0000-028 - $1,837,885.00;
#5-01-42-116-0000-020 - $ 72,000.00; and
#5-01-42-110-0000-199 - $ 60,000.00;

now, therefore, be it

1. The Mayor and City Clerk are hereby authorized to execute an amendment to Agreement No. CY21-071 with A & L Disposal, LLC, 157 West 21st Street, Bayonne, NJ for Solid Waste Collection Services as amended for the period commencing January 1, 2025 and ending December 31, 2025 for an additional amount of $1,969,885.00 (base amount of $1,837,885.00 plus the additional annual amount of $72,000.00 for Additional Dumpsters payable at the rate of $6,000.00 per month and an additional annual amount $60,000.00 for the Additional Pick Up for Calendar Year 2025) for the additional one (1) year period, thereby making the total contract amount $8,128,852.50 inclusive of the expired Initial Contract Term and first (1st) one year option contract term; and

2. Funds shall be charged to the following accounts:

#5-01-32-456-0000-028 - $1,837,885.00;
#5-01-42-116-0000-020 - $ 72,000.00; and
#5-01-42-110-0000-199 - $ 60,000.00;

3. Pursuant to N.J.A.C. 5:30-5.5(e), the award of the contract shall be subject to the availability and appropriation of funds in the CY2025 temporary and permanent budgets in the following accounts:

#5-01-32-456-0000-028 - $1,837,885.00;
#5-01-42-116-0000-020 - $ 72,000.00; and
#5-01-42-110-0000-199 - $ 60,000.00.

4. 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 Booker, Carroll, Perez, Weimmer and President LaPelusa.

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

WHEREAS, by way of Resolution No. 21-06-16-041 adopted June 16, 2021, the City entered into Agreement No. CY21-070 with A & L Disposal, LLC, 157 West 21st Street, Bayonne, NJ for Recycling Collection Services for a period of two and one-half (2 ½) years or thirty (30) months with two (2) one (1) year options exercisable at the City's discretion, the initial term commencing July 1, 2021 and terminating December 31, 2023, with each option term commencing January 1st and terminating December 31st of each consecutive option year for a total contract amount of $2,935,870.00; and

WHEREAS, by way of Resolution No. 23-12-13-073 adopted December 13, 2023, the City exercised its first one (1) year option to renew Agreement No. CY21-070 commencing January 1, 2024 and ending December 31, 2024, for an amount not to exceed $1,274,348.00 for the additional one (1) year period, thereby making the total contract amount $4,210,218.00; and

WHEREAS, the City desires to exercise its second (2nd) one (1) year option to renew Agreement No. CY21-070 commencing January 1, 2025 and ending December 31, 2025, for an amount not to exceed $1,374,348.00 for the additional one (1) year period, thereby making the total contract amount $5,584,566.00, inclusive of the expired initial and first (1st) one (1) year option term ; and

WHEREAS, pursuant to N.J.A.C. 5:30-5.5(e), the award of the contract shall be subject to the availability and appropriation of funds in the CY2025 temporary and permanent budgets in account #5-01-32-465-0000-028; 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. CY21-070 with A & L Disposal, LLC, 157 West 21st Street, Bayonne, NJ for Recycling Collection Services extending same for the additional one (1) year period commencing January 1, 2025 and ending December 31, 2025 for an additional amount of $1,374,348.00, thereby making the total contract amount $5,584,566.00, inclusive of the expired initial and first (1st) one year option contract terms.

2. Funds shall be charged to Account #5-01-32-465-0000-028.

3. Pursuant to N.J.A.C. 5:30-5.5(e), the award of the contract shall be subject to the availability and appropriation of funds in the CY2025 temporary and permanent budgets in account #5-01-32-465-0000-028.

4. 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 Booker, Carroll, Perez, Weimmer and President LaPelusa.

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

WHEREAS, CarePoint Health, which operates several hospitals, including Bayonne Medical Center, Christ Hospital in Jersey City and Hoboken University Medical Center, has filed for bankruptcy to resolve $108 million in debt to its top 30 creditors and millions more in debt to thousands of other vendors and individuals; and

WHEREAS, the application for the transfer of ownership and/or the Certificate of Need of CarePoint Health-Bayonne Medical Center to Hudson Regional Hospitals, LLC has been approved by the N.J. Department of Health; and

WHEREAS, HPAE is a bargaining representative of employees currently employed at Bayonne Medical Center; and

WHEREAS, Bayonne Medical Center's current collective bargaining agreement between CarePoint Health-Bayonne Medical Center was an extension agreement covering the period from July 1, 2024 to May 31, 2025; and

WHEREAS, it is the City's understanding that Hudson Regional Hospitals, LLC intends to acquire the assets of Bayonne Medical Center; now, therefore, be it

RESOLVED, that in the event Hudson Regional Hospitals, LLC acquires Bayonne Medical Center and/or its assets, the City of Bayonne implores Hudson Regional Hospitals, LLC to agree to the following, subject to the review and approval of the Bankruptcy Court:

1. Hudson Regional Hospitals, LLC shall recognize HPAE, AFSCME 1199J, JNESO, CIR as the exclusive bargaining representatives of various bargaining units at Bayonne Medical Center; and

2. Hudson Regional Hospitals, LLC shall agree to be bound by the existing collective bargaining agreements covering Bayonne Medical Center and its employees.
3. Hudson Regional Hospitals, LLC shall assume and take assignment of each union's collective bargaining agreement.

4. Hudson Regional Hospitals, LLC shall assume and be liable for any and all accrued benefits and liabilities of the members of the unions at Bayonne Medical Center.

5. Hudson Regional Hospitals, LLC shall offer employment to all unionized bargaining unit employees at Bayonne Medical Center and, furthermore, employees shall (a) continue in employment with Hudson Regional Hospitals, LLC as if they had no separation in employment from Bayonne Medical, (b) suffer no loss of seniority or years of service as a result of the change in ownership, and (c) not have to serve any probationary periods.

Yeas - Council Members Booker, Carroll, Perez, Weimmer and President LaPelusa.

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04. Council Member Weimmer moved the following resolution, seconded by Council Member Booker, which was read by the Clerk and adopted.

RESOLUTION AUTHORIZING THE APPROVAL OF THE
CALENDAR FISCAL YEAR 2025 TEMPORARY BUDGET

WHEREAS, it will be necessary to award contracts, incur commitments and make payments during calendar fiscal year 2025 prior to the adoption of the municipal budget; and

WHEREAS, N.J.S.A. 40A:4-19 provides the authorization to make temporary appropriations prior to the adoption of the municipal budget, the total of which may not exceed 26.25% of the previous year's total budget, excluding debt service, capital improvements and public assistance; and

WHEREAS, the total amount of the temporary budget appropriations contained herein, amounting to $50,894,560.35 which include appropriations of $20,764,774.60 for debt service and $30,129,785.75 for operating expenses, does not exceed 26.25% ($42,238,227) of the previous year's total budgetary appropriations exclusive of the aforementioned expenses.

NOW THEREFORE BE IT RESOLVED, by the Municipal Council of the City of Bayonne that the temporary budget totaling $50,894,560.35 including $20,764,774.60 for debt service, which may be fully appropriated without regard to any limitation, are hereby appropriated to provide for said purposes in the temporary budget for the 2025 calendar fiscal year; and

BE IT FURTHER RESOLVED, that also included in the temporary budget is $797,200 which shall be appropriated for the Parking Utility for the 2025 calendar fiscal year; and

BE IT FURTHER RESOLVED, that the amounts required by statute for the payment of the 2025 County and School taxes, which are not included as part of this temporary budget, shall be paid as and when due; and

BE IT FURTHER RESOLVED, that the dedicated revenues, in accordance with N.J.S.A. 40A:4-39, for the period from the beginning of 2025 calendar fiscal year until the date of budget adoption are hereby appropriated for the purposes to which said revenues are dedicated by the aforementioned statute, or other legal requirement
. At ** P.M., Council Member ** moved to adjourn, seconded by Council Member **, which motion was adopted.

Yeas - Council Members Booker, Carroll, Perez, Weimmer and President LaPelusa.

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O5. Council President LaPelusa moved the following resolution, seconded by Council Member Perez, which was read by the Clerk and adopted.

RESOLUTION ADOPTING THE CALENDAR YEAR 2025
CASH MANAGEMENT PLAN FOR THE CITY OF BAYONNE

WHEREAS, N.J.S.A 40A:5-14 requires municipalities to adopt a cash management plan and to deposit or invest, or both deposit and invest their funds pursuant to this plan; and

WHEREAS, the purpose of the cash management plan is to assure the investment of local funds in interest bearing accounts and other permitted investments; and

WHEREAS, the cash management plan shall sets policies for selecting and evaluating investment instruments accordingly; and

WHEREAS, the cash management plan shall include:

The designation of public depositories as defined in Section 1 of P.L. 1970, c.236 (C.17:9-41) and may permit deposits in such public depositories as permitted in section 4 of P.L. 1970, c.236 (C.17:9-44); and

The designation of any fund that meets the requirements established pursuant to Section 8 of P.L. 1977, c.396 (c.40A:5- 15.1) and the authorization for investments permitted pursuant to section 8 of P.L. 1977, c.396 (c.40A; 5-15.1); or

Any combination of the designations or authorizations permitted pursuant to this subsection; and

WHEREAS, the cash management plan shall be approved annually by majority vote of the governing body and may be modified from time to time in order to reflect changes in Federal or State law or regulations, or in the designation of depositories, funds or investment instruments or the authorization for investments; and

WHEREAS, the cash management plan shall require a monthly report to the governing body summarizing all investments made or redeemed since the last meeting. The report shall set forth each organization holding local unit funds, the amount of securities purchased or sold, class or type of securities purchased, book value, earned income, fees incurred, and market value of all investments of the report date and other information that may be required by the governing body; and

WHEREAS, the cash management plan shall be subject to the annual audit conducted pursuant to N.J.S.A. 40A:5-4; and

WHEREAS, any official involved in the designation of depositories or in the authorization for investments as permitted pursuant to Section 8 of P.L. 1977, c.396 (C.40A:5-15.1), or the selection of an entity seeking to sell an investment to the City who has a material business or personal relationship with that organization shall disclose that relationship to the governing body and to the Local Finance Board and the Municipal Ethics Board in writing; and

WHEREAS, the registered principal of any security brokerage firm selling securities to the local unit shall be provided with, and sign an acknowledgement that the principal has seen and reviewed the City's cash management plan, except that with respect to the sale of a government money market mutual fund, the registered principal need only be provided with and sign an acknowledgment that the government money market mutual fund whose securities are being sold to the City meet the criteria of a government money market mutual fund as set forth in paragraph (1) of Subsection c. of Section 8 of
P.L. 1977, c.396 (C.40A:5-15.11); and

WHEREAS, the Chief Financial Officer shall be charged with administering the cash management plan; and

WHEREAS, the Chief Financial Officer charged with the custody of monies shall deposit or invest them as designated or authorized by the cash management plan and shall thereafter be relieved of any liability for loss of such moneys due to the insolvency or closing of any depository designated by, or the decrease in value of any investment authorized by the cash management plan; and

WHEREAS, the Chief Financial Officer has submitted for the Council's approval a proposed cash management plan with the approval of the Mayor and Business Administrator.

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

1) The cash management plan proposed by the Chief Financial Officer with the approval of the Mayor and Business Administrator is adopted as the cash management plan of the City of Bayonne; and

2) All officers of the City of Bayonne with custody of public funds are directed pursuant to N.J.S.A 40A:5-14 to deposit and/or invest those funds in accordance with the adopted cash management plan.

3) Design of the cash management plan will be reviewed for risk management and optimization within FDIC, GUDPA, SIPC coverage limits, as well as arbitrage limits pursuant to the Tax Reform Act, § 103 (c).

Yeas - Council Members Booker, Carroll, Perez, Weimmer and President LaPelusa.

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O6. Council President LaPelusa moved the following resolution, seconded by Council Member Perez, which was read by the Clerk and adopted.

WHEREAS, the Mayor and Council of the City of Bayonne (hereinafter the "Local Unit" or the "City") has determined that Membership in the New Jersey Intergovernmental Insurance Fund (hereinafter the "Fund" or "NJIIF") established pursuant to Chapter 372, Laws of 1983 (N.J.S.A. 40A:10-36 et seq), is in the best interest of the City; and

WHEREAS, the NJIIF has agreed to apply the following deductibles: (a) $15,000 deductible per claim for General Liability matters; (b) $25,000 per claim for Public Official Liability matters (excluding EPLI) matters; (c) a $30,000 deductible per claim for Employment Practices Liability Insurance matters; (d) $25,000 deductible for Worker's Compensation matters; a $25,000 deductible for Auto Liability matters; (e) a $50,000 deductible for Cyber matters; (f) a $5,000 deductible for Property damage matters; (g) a $25,000 deductible for Environmental matters; (h) a $1,000 deductible on Crime matters; and upon satisfying certain performance criteria, varied deductibles to $25,000 for Auto Physical Damage claims

WHEREAS, the NJIIF has agreed to renew the City's membership contract (the Trust and Indemnity Agreement) for a period of 3 years commencing January 1, 2025 until and including December 31, 2027 at a yearly assessment not to exceed $3,141,731.00 including risk management consultant fees of $60,000.00 per annum; and

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

<u>SECTION 1.</u> The City hereby agrees to continue participation as a member in the NJIIF for a period commencing on January 1, 2025 up to and including December 31, 2027 for the following types of insurance coverage:

☒ a) Workers Compensation
☒ b) General Liability (including Police Professional & Public Officials Liability);
☒ c) Motor Vehicle and Equipment Liability Coverage;
☒ d) Property Damage (including Building & Contents, Automobile Physical Damage, Contractors Equipment and Boiler & Machinery)
☒ e) Environmental Impairment Liability
☒ f) Cyber Liability
☒ g) Employer's Professional Liability Coverage
☒ h) Law
☒ i) Crime
☒ j) Auto Physical Damage

at a yearly assessment not to exceed $3,141,731.00 including risk management consultant fees of $60,000.00 per annum, it being understood at all times that the risk management consultant fee of $60,000.00 can be revised and reduced on an annual basis pursuant to subsequent resolution and in which case the NJIIF will credit the City's account accordingly.

SECTION 2. Local Unit agrees to abide by the terms of the NJIIF Indemnity and Trust Agreement, attached hereto as Exhibit 1 and all NJIIF policies and procedures. The City hereby authorizes and directs the Mayor and Clerk of the City of Bayonne to execute the Indemnity and Trust Agreement and such other documents as are necessary to comply with the requirements of the Fund.

SECTION 3. The Mayor and City Clerk are hereby authorized to execute the Indemnity and Trust Agreement for the period commencing on January 1, 2025 and terminating on December 31, 2027, substantially in the form attached hereto as Exhibit 1 and such other documents as are or become necessary for the City to continue participation as a member in the NJIIF for the above stated types of insurance coverage in form and substance as approved by the Law Director.

SECTION 4. The Bylaws of the New Jersey Intergovernmental Insurance Fund are hereby adopted and accepted by the Local Unit and the Local Unit hereby agrees to conduct its membership in the "Fund" according to the rights and obligations set forth therein.

SECTION 5. The Local Unit certifies that it has never defaulted on claims under a self-insurance plan and that it has not had its insurance canceled for non-payment of premium for a period of at least two (2) years prior to this application.

SECTION 6. Inconsistent Resolutions. All resolutions, or parts thereto that are or may be, inconsistent with provisions of this Resolution are hereby repealed to the extent of such inconsistency.

SECTION 7. Severability. If any section, paragraph, subdivision, clause or provision of this Resolution shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of the Resolution shall be deemed valid and effective.

SECTION 8. Effective Date. This Resolution shall take effect upon its passage.

Yeas - Council Members Booker, Carroll, Perez, Weimmer and President LaPelusa.

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O7. The Council as a whole moved the following resolution, which was read by the Clerk and adopted.

BE IT RESOLVED, That the Purchasing Agent to advertise for bids for Solid Waste and Recycling Collections

Yeas - Council Members Booker, Carroll, Perez, Weimmer and President LaPelusa.

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O8. Council President LaPelusa moved the following resolution, seconded by Council Member Perez, which was read by the Clerk and adopted.

RESOLUTION AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED $15,900,000 BOND ANTICIPATION NOTES OF THE CITY OF BAYONNE, IN THE COUNTY OF HUDSON, NEW JERSEY TO THE HUDSON COUNTY IMPROVEMENT AUTHORITY, AND DETERMINING VARIOUS MATTERS IN CONNECTION THEREWITH

WHEREAS, the City of Bayonne, in the County of Hudson, New Jersey (the "City") has heretofore adopted, from time to time, various bond ordinances (the "Bond Ordinances") authorizing various capital improvements, and the issuance and sale, from time to time, of its bonds and bond anticipation notes in order to finance such capital improvements; and

WHEREAS, the Bond Ordinances authorize the Chief Financial Officer to sell any bond anticipation notes thereunder at public or private sale, as determined by the Chief Financial Officer; and

WHEREAS, the City has applied to The Hudson County Improvement Authority (the “HCIA”) to participate in its pooled governmental note financing program (the “Program”); and

WHEREAS, under the Program, the HCIA will issue and sell its pooled notes (the “HCIA Notes”), which HCIA Notes will be secured by (i) payments by various governmental entities located in Hudson County (including the City) under various notes issued by such entities to the HCIA, and (ii) the unconditional guaranty of the County of Hudson (the “County”); and

WHEREAS, on February 12, 2025, the New Jersey Local Finance Board is expected to hold a hearing and to issue findings in respect of the issuance of the HCIA Notes by the HCIA; and

WHEREAS, the City wishes to participate in the Program, and to issue and sell all or a portion of its bond anticipation notes to the HCIA; and

WHEREAS, the City will receive a proposal for the purchase of such bond anticipation notes from the HCIA, which purchase will be effected through a note purchase agreement to be entered into between the City and the HCIA; and

WHEREAS, the City acknowledges that the HCIA intends to execute a contract of purchase with an underwriter pertaining to the sale of the HCIA Notes, the proceeds of which shall be used by the HCIA, inter alia, to purchase such bond anticipation notes of the City; and

WHEREAS, the City now wishes to authorize the issuance and sale of its bond anticipation notes, and the issuance and sale of all or a portion thereof to the HCIA.

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. The Chief Financial Officer is hereby authorized to cause all or a portion of its bond anticipation notes (the “Program Notes”) to be issued and sold to the HCIA in accordance with the Program.

SECTION 2. The terms and conditions of the sale of the Program Notes to the HCIA shall be set forth in a Note Purchase Agreement to be dated on or about the date of pricing of the HCIA Notes, between the HCIA and the City. The execution and delivery by the Mayor, the Business Administrator or the Chief Financial Officer of the City (each, an “Authorized Officer”) of the Note Purchase Agreement, in such form as shall be approved by such officer, is hereby authorized, such approval to be conclusively evidenced by such officer’s execution thereof.

SECTION 3. The City hereby authorizes the use of certain information concerning the Program Notes and the City in the Preliminary Official Statement and final Official Statement of the HCIA, to be used in connection with the marketing and sale of the HCIA Notes.

SECTION 4. The execution and delivery by an Authorized Officer of a Continuing Disclosure Agreement, if any, to be dated as of the date of closing of the HCIA Notes, between the City and the trustee for the HCIA Notes, in such form as shall be approved by such officer, is hereby authorized, such approval to be conclusively evidenced by such officer’s execution thereof.

SECTION 5. A portion of the proceeds of sale of the Program Notes to the HCIA may be retained by the HCIA as payment for the City’s allocable share of issuance expenses and expenses related to the County Guaranty. Any Authorized Officer is hereby authorized and directed to pay all of the costs associated with the sale and issuance of the Program Notes.

SECTION 6. The Authorized Officers and any other officer of the City, and the staff and consultants of the City, are hereby authorized and directed to take all actions and execute any other agreement which may be necessary or convenient to effectuate the terms of this resolution in connection with the issuance, sale and delivery of the Program Notes, which includes the review and delivery of a preliminary official statement and official statement on behalf of the City, and the execution of the Note Purchase Agreement, the Continuing Disclosure Agreement, if any, and any other agreement to be executed in connection with the issuance of the Program Notes or the HCIA Notes.

SECTION 7. This resolution shall take effect immediately.

Yeas - Council Members Booker, Carroll, Perez, Weimmer and President LaPelusa.

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O9. Council Member Weimmer moved the following resolution, seconded by Council Member Booker, which was read by the Clerk and adopted.

Approving the final change order for the NJDOT-Funded Local Freight Impact Fund project for construction of the Maritime Access Road at MOTBY reducing the amount by $157,721.10

Yeas - Council Members Booker, Carroll, Perez, Weimmer and President LaPelusa.

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

WHEREAS, the City of Bayonne advertised a Request for Qualifications/Proposals for Professional Risk Management Consultant/Insurance Broker Services for the period commencing January 1, 2024 through December 31, 2024 with one (1) one possible (1) year option to renew at the City's sole discretion under the Fair & Open Contracting Requirements pursuant to N.J.S.A. 19:44A:20.4 and .5 (the "Advertisement"); and

WHEREAS, pursuant to Resolution No. 23-12-13-080 adopted on December 13, 2023, the City entered into Agreement No. CY24-020 with KAI Strategic Partners d/b/a Strategic Insurance Partners, LLC ("Strategic"), 492 Franklin Avenue, Nutley, NJ 07110 for the aforesaid Professional Risk Management Consultant/Insurance Broker Services for a total contract amount of $60,000 under the Fair & Open Contracting Requirements pursuant to N.J.S.A. 19:44A:20.4 and.5; and

WHEREAS, pursuant to said Resolution, the contract term was for a one (1) year period commencing January 1, 2024 through December 31, 2024; and

WHEREAS, Paragraph #2 said Resolution No. 23-12-13-080 contained a scrivener's error insofar as said Resolution should have included a possible one (1) year option to renew at the City's sole discretion consistent with said Advertisement; and

WHEREAS, the City desires to exercise its one (1) year option to renew Agreement No. CY24-020 with Strategic under the same terms and conditions for the one (1) year period commencing January 1, 2025 and ending December 31, 2025; and

WHEREAS, pursuant to N.J.A.C. 5:30-5.5(3), the award of the contract shall be subject to the availability and appropriation of funds in the CY2025 temporary and permanent budgets in account #5-01-31-460-0000-020; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. Paragraph #2 of said Resolution No. 23-12-13-080 is hereby amended to read as follows:

> The Mayor and the City Clerk are hereby authorized and directed to execute an agreement with KAI Strategic Partners d/b/a Strategic Insurance Partners, LLC to provide Professional Risk Management Consultant/Insurance Broker Services for a period of one (1) year commencing January 1, 2024 and ending December 31, 2024 for an amount of $60,000 with a possible one (1) year option to renew at the City's sole discretion.

2. The Mayor and City Clerk are hereby authorized to execute an amendment to Agreement No. CY24-020 with Strategic under the same terms and conditions for the period commencing January 1, 2025 through December 31, 2025 for a total amount of $60,000 for said period.

3. Funds shall be chargeable to Account #5-01-31-460-0000-020.

4. Pursuant to N.J.A.C. 5:30-5.5(3), the award of the contract shall be subject to the availability and appropriation of funds in the CY2025 temporary and permanent budgets in account #5-01-31-460-0000-020.

5. 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 Booker, Carroll, Perez, Weimmer and President LaPelusa.

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

WHEREAS, Resolution No. 24-12-18-071 adopted by the Municipal Council on December 18, 2024 authorized the Mayor and City Clerk to take any and all actions and execute any and all documents necessary to exercise the City's second (2^{nd}) one (1) year option to renew the Shared Services Agreement between the City of Bayonne and the Bayonne Board of Education ("BBOE") whereby the City agreed to provide solid waste collection services to the BBOE's Grammar and High Schools for the period commencing January 1, 2025 and ending December 31, 2025 for an amount of $345,453.30 payable by the BBOE to the City ("Shared Services Agreement"); and

WHEREAS, said Resolution No. 24-12-18-071 contained a scrivener's error insofar as the amount should be $355,453.30; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

Resolution No. 24-12-18-071 is hereby amended to reflect as follows:

1. The Mayor and City Clerk are hereby authorized to take any and all actions execute any and all documents necessary to exercise the City's second (2^{nd}) one (1) year option to renew the aforesaid Shared Services Agreement with the BBOE for the amount of $355,453.30 payable by the BBOE to the City.

2. All other terms and conditions of said Shared Services Agreement shall remain the same.

Yeas - Council Members Booker, Carroll, Perez, Weimmer and President LaPelusa.

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

WHEREAS, Resolution No. 24-12-18-072 adopted by the Municipal Council on December 18, 2024 authorized the Mayor and City Clerk to take any and all actions and execute any and all documents necessary to exercise the City's second (2^{nd}) one (1) year option to renew the Shared Services Agreement between the City of Bayonne and the Bayonne Housing Authority ("BHA") whereby the City agreed to provide twenty (20) ten (10) yard dumpsters to be located at various BHA locations throughout the City ("Additional Dumpsters") for the period commencing January 1, 2025 and ending December 31, 2025 payable by the BHA to the City at a rate of $5,000 per month ("Shared Services Agreement"); and

WHEREAS, the Director of Public Works advised that the monthly cost of said Additional Dumpsters for CY2025 has increased from $5,000 per month (a total annual amount $60,000) to $6,000 per month for a total annual amount of $72,000 for CY2025 payable by the BHA to the City; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

Resolution No. 24-12-18-072 is hereby amended to reflect as follows:

1. The Mayor and City Clerk are hereby authorized to take any and all actions execute any and all documents necessary to exercise the City's second (2^{nd}) one (1) year option to renew the aforesaid Shared Services Agreement with the Bayonne Housing Authority for an amount of $72,000 payable by the BHA to the City at the rate of $6,000 per month.

2. All other terms and conditions of said Shared Services Agreement shall remain the same.

Yeas - Council Members Booker, Carroll, Perez, Weimmer and President LaPelusa.

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13. Sharon Nadrowski addressed the Council on the strategic timing the Regular Meeting of January 2, 2025 at 4:00 P.M.

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At 5:05 P.M. Council President LaPelusa motioned to adjourn, seconded by Council Member Booker.

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President – Gary LaPelusa

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City Clerk – Madelene C. Medina