

REGULAR MEETING

OF THE MUNICIPAL COUNCIL OF THE CITY OF BAYONNE, IN THE COUNTY OF HUDSON, NEW JERSEY, HELD IN THE COUNCIL CHAMBER, MUNICIPAL BUILDING, 630 AVENUE C, ON WEDNESDAY, JUNE 18, 2014

The Council met at 7:02 P.M.

The Council President Ruane announced: "I would like to advise all those present that notice of this regular meeting of the Municipal Council of the City of Bayonne of June 18, 2014 has been provided to the public in accordance with the provisions of the Open Public Meetings Act of the State of New Jersey. Notice of time and place of the meeting has been included in the annual notice of meetings, which was posted and filed with the City Clerk, and with the Jersey Journal and the Star Ledger. An additional notice of time and place was posted and filed with the City Clerk and was forwarded to the Jersey Journal and the Star Ledger by on June 13, 2014."

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 Czerwienski, Gillespie, Greaves, Hurley, and President Ruane.

The Council President led the Pledge of Allegiance.

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01. The Clerk announced:

AN ORDINANCE ENTITLED, "AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC" which was introduced and passed a first reading at a meeting held May 21, 2014, was published in the Jersey Journal and posted on the bulleting board as required by law, with notice that it would be further considered for final passage following a public hearing at this meeting of June 18, 2014 is now before the Council for its consideration and a public hearing.

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

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

Yeas - Council Members Czerwienski, Gillespie, Greaves, Hurley, and President Ruane.

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 Clerk announced, "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 announced, "No protest against, objections to, or statements in favor of this ordinance or its passage have been filed with me."

Council Member Greaves moved to close the hearing, seconded by Council Member Gillespie, which motion was adopted.

Yeas - Council Members Czerwienski, Gillespie, Greaves, Hurley, and President Ruane.

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

WHEREAS, an ordinance entitled, "AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC," was introduced and passed a first reading at a meeting held May 21, 2014, and was published and posted as required by law, with

notice that it would be considered for final passage following a public hearing at this meeting of June 18, 2014; 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-14-19.

Yeas - Council Members Czerwienski, Gillespie, Greaves, Hurley, and President Ruane.

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02. The Clerk announced:

AN ORDINANCE ENTITLED, "AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC" which was introduced and passed a first reading at a meeting held May 21, 2014, was published in the Jersey Journal and posted on the bulleting board as required by law, with notice that it would be further considered for final passage following a public hearing at this meeting of June 18, 2014 is now before the Council for its consideration and a public hearing.

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

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

Yeas - Council Members Czerwienski, Gillespie, Greaves, Hurley, and President Ruane.

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 Clerk announced, "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 announced, "No protest against, objections to, or statements in favor of this ordinance or its passage have been filed with me."

Council Member Hurley moved to close the hearing, seconded by Council Member Gillespie, which motion was adopted.

Yeas - Council Members Czerwienski, Gillespie, Greaves, Hurley, and President Ruane.

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

WHEREAS, an ordinance entitled, "AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC," was introduced and passed a first reading at a meeting held May 21, 2014, and was published and posted as required by law, with notice that it would be considered for final passage following a public hearing at this meeting of June 18, 2014; 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-14-20.

Yeas - Council Members Czerwienski, Gillespie, Greaves, Hurley, and President Ruane.

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03. Council Member Czerwienski introduced:

City of Bayonne
Capital Improvement Ordinance

A Capital Improvement Ordinance to provide funding for the Paving of Various Streets in the amount of \$155,000.00

Whereas, a need exists to pave various streets located within the Urban Enterprise Zone, now therefore, be it

ORDAINED that a Capital Improvement Ordinance be established to fund the following:

Paving of Various Streets Located within the Urban Enterprise Zone and the Community Development Block Grant eligible districts	\$155,000.00
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Be it further

ORDAINED that funding is hereby appropriated from the Capital Improvement Fund.

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

BE IT RESOLVED, that an ordinance entitled “CAPITAL IMPROVEMENT ORDINANCE,” just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, July 16, 2014 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 Czerwienski, Gillespie, Greaves, Hurley, and President Ruane.

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04. Council Member Greaves 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

- 248. Joseph S. Fiore, 511 Avenue A
Beginning at a point on the west side of Avenue A, 39 feet south of the southwest corner of Avenue A and West 22nd Street, and extending to a point ss feet south thereof.
- 255. Dorothy Grabowski, 82 East 23rd Street

Beginning at a point on the south side of East 23rd Street, 134 feet west of the southwest corner of East 23rd Street and Avenue F, and extending to a point 22 feet west thereof.

311. Aleksandra Strzyz, 68 Cottage Street

Beginning at a point on the south side of Cottage Street, ### feet west of the southwest corner of Cottage Street and Hobart Avenue, and extending to a point 22 feet west thereof.

353. Stephanie Rios for her daughter, Ameira Rios, 86 West 13th Street

Beginning at a point on the south side of West 13th Street, 409 feet west of the southwest corner of West 13th Street and Avenue C, and extending to a point 18 feet west thereof.

ADD

255. Maureen F. Anderson, 17 West 31st Street, Apr. #1

Beginning at a point on the north side of West 31st Street, 234 feet west of the northwest corner of West 31st Street and Broadway, and extending to a point 18 feet west thereof.

353. Kenneth Beicht, 17 East 18th Street

Beginning at a point on the north side of East 18th Street, 168 feet east of the northeast corner of East 18th Street and Broadway, and extending to a point 19 feet east thereof.

356. Charles Bowling, 38 East 35th Street

Beginning at a point on the south side of East 35th Street, 244 feet west of the southwest corner of East 35th Street and Avenue E, and extending to a point 20 feet west thereof.

357. Judith Martin, 76 West 34th Street

Beginning at a point on the south side of West 34th Street, 333 feet west of the southwest corner of West 34th Street and Avenue C, and extending to a point 20 feet west thereof.

358. Debra Picariello, 33 West 28th Street

Beginning at a point on the north side of West 28th Street, 264 feet east of the northeast corner of West 28th Street and Avenue C, and extending to a point 20 feet east thereof.

359. Lewis Arlington, for his wife, Juliann Hoffman-Arlington, 311 Avenue C

Beginning at a point on the west side of Avenue C, 115 feet north of the northwest corner of West 12th Street and Avenue C, and extending to a point 18 feet north thereof.

360. Consuelo Carpenter, 25 North Street

Beginning at a point on the north side of North Street, 277 feet west of the northwest corner of North Street and Avenue C, and extending to a point 18 feet west thereof.

RELOCATE

062. Donna Mari from 68 West 21st Street to 113 West 8th Street

OLD LOCATION: Beginning at a point on the south side of West 21st Street, 202 feet west of the southwest corner of Avenue C and West 21st Street, and extending to a point 22 feet west thereof.

NEW LOCATION: Beginning at a point on the north side of West 87th Street, 67 feet west of the northwest corner of Kennedy Boulevard and West 8th Street, and extending to a point 16 feet west thereof.

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

BE IT RESOLVED, that an ordinance entitled "AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, July 16, 2014 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 Czerwienski, Gillespie, Greaves, Hurley, and President Ruane.

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05. 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 Czerwienski, Gillespie, Greaves, Hurley, and President Ruane.

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

From Timothy J. Hawkes, Esq., filing notice of tort claim on behalf of ANDREW V. FULCINELLI, alleging injuries sustained April 4, 2014 in a fall in the street at 25th Street and Broadway.

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

From MOHAMMED ABOUATIE, filing notice of tort claim alleging property damage to his automobile on April 28, 2014 resulting from vandalism in the East 33rd Street municipal parking lot.

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

From STUART BORKER for S & E RENTALS, filing notice of tort claim alleging property damage to curbing on February 14-15, 2014 resulting from snow removal at 758 Avenue A.

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

From WENDY DONAWAY, filing notice of tort claim alleging property damage to the curb at her premises on February 13, 2014 resulting from snow removal at 672 Avenue C.

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

From Angela Cervelli Bennett, Esq., filing notice of tort claim on behalf of MAGDA AZIA, alleging injuries sustained January 5, 2014 in a fall on stairs at 626 Kennedy Boulevard.

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

From DANTE ROBINSON, filing notice of tort claim alleging property damage to his automobile rims on five occasions between March 27th and May 15th resulting from pot holes at Goldsborough Drive.

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

From the Superior Court of New Jersey, Law Division, Summons and Complaint in matter entitled, “COLEMAN as guardian ad litem for BISHOP vs. JOEL TANIS & SONS, INC., et al., incl. THE CITY OF BAYONNE.” (Child riding a scooter on May 13, 2012 at 56th Street and Kennedy Boulevard)

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

From the Superior Court of New Jersey, Law Division, Summons and Complaint in matter entitled, “ALONSO vs. THE CITY OF BAYONNE.” (Action in lieu of prerogative writ seeking leave to amend a petition to place an elected Board of Education question on the ballot)

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

From the Superior Court of New Jersey, Chancery Division, Summons and Complaint in matter entitled, “GREEN TREE SERVICING vs. JOHNSON, et al., incl. THE CITY OF BAYONNE.” (Foreclosure on a property in Union County with a judgment attached in favor of the Bayonne Housing Authority)

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15. 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 Czerwienski, Gillespie, Greaves, Hurley, and President Ruane.

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

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

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

DATE: MAY 9, 2014

TO: Terrence Malloy, CFO
Robert Sloan, City Clerk

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

FROM: Janet Convery, Treasurer

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

\$4,949,372.83 CLAIMS & PAYROLL FOR MAY 2014

Janet Convery

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

DATE: June 6, 2014

TO: Terrence Malloy, CFO
 Robert Sloan, City Clerk

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

FROM: Janet Convery, Treasurer

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

4,949,372.85 CLAIMS & PAYROLL FOR JUNE 2014

Janet Convery

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

CERTIFICATION OF RUNOFF ELECTION RESULTS

I, ROBERT F. SLOAN, City Clerk of the City of Bayonne, in the County of Hudson and State of New Jersey, HEREBY CERTIFY that, on the 13th day of June, 2014, I canvassed the results of the Municipal Runoff Election held June 10, 2013, which statements of canvass were filed with me by the members of the District Boards of Registry and Election on June 10, 2013, and further canvassed the results of the vote by vote by mail voters and provisional voters as certified to me by the Hudson County Board of Election;

I FURTHER CERTIFY that, on the 13th day of June, 2014, I made and filed in my office the result of said canvass and it is my determination that the following were elected to the respective office listed:

JAMES M. DAVIS was elected mayor;
SHARON ASHE NADROWSKI, and JUAN M. PEREZ were elected council members-at-large;
SALVATORE GULLACE was elected council member for the second ward; GARY LA PELUSA, SR. was elected council member for the third ward;

each being elected for a term of four years commencing July 1, 2014.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the City of Bayonne, this 13th day of June, 2014.

ROBERT F. SLOAN
CITY CLERK

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

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

RESOLVED, That the following items which have been included on the agenda for this regular meeting as 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 Czerwinski, Gillespie, Greaves, Hurley, and President Ruane.

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

RESOLVED, That the official minutes of the regular council meeting held Wednesday, May 21, 2014, be and the same are hereby approved.

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

RESOLVED, That the official minutes of the council caucus meeting held Wednesday, May 14, 2014, be and the same are hereby approved.

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23. 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
131	2.02	Wells Fargo Home Mortgage	997.42
144	35.309	Beatrice Borower	1,814.56
237	27	Maritza Paiz	1,363.43
245	46	Maria Klein	2,027.50
290	3.02	Catherine Monkowski	1,792.72
343	13	James Breslin	24.91
444	10	Elizabeth Occimio	587.92
Total:			8,608.46

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

WHEREAS, there is a continuing need to provide membership in the Bayonne Family Community Center for members of the Police Department; now, therefore be it

RESOLVED, that the Mayor, on behalf of the City of Bayonne, be and is hereby authorized to take any and all steps necessary to effectuate payment to the Bayonne

Family Community Center, 259 Avenue E, Bayonne, NJ, in the amount of \$3,500.00 for the Police Department's Annual Membership Program for one year commencing July 1, 2014 and ending June 30, 2015; and be it further

RESOLVED, that this expenditure be charged against Account PS-9/01-201-25-240-2-020 of the CY 2014 Budget; and be it further

RESOLVED, that the Municipal Treasurer be and is hereby authorized and directed to issue a warrant payable to the Bayonne Family Community Center in the amount of \$3,500.00 representing payment for such membership.

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25. 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 \$ 59.40 be drawn of the Bureau of Rabies Control, State Department of Health, Trenton, New Jersey, covering the issuance of licenses Nos. 1285-1306 inclusive, 22 dog licenses, representing one dollar per license for the state fee, twenty cents per license for the state clinic and three dollars per license for non-spayed and non-neutered dogs.

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

RESOLVED, that a warrant be drawn from the Current Fund and made payable to Pension Adjustment Fund in the amount of \$ 34,487.87. Said payment represents pension adjustment for the calendar year 2014.

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

WHEREAS, Resolution No. 14-03-19-049 adopted by the Municipal Council on March 19, 2014 authorized an Agreement with McManimon, Scotland, Baumann, LLC, 75 Livingston Avenue, Roseland, New Jersey 07068 to act as bond counsel/special counsel for a one year period commencing January 1, 2014 and ending December 31, 2014; and

WHEREAS, the aforesaid Resolution No. 14-03-19-049 reflected that funds were payable from Various Capital Bond Ordinances and BA-2 pending adoption of the CY2014 Budget; and

WHEREAS, funds are also payable from other various accounts; and

WHEREAS, funds are certified as available in other various accounts; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. Resolution No. 14-03-19-049 is hereby amended to reflect that funds are payable from Various Capital Bond Ordinances, BA-2 and other various accounts.

2. All other terms and conditions of Resolution No. 14-03-19-049 shall remain the same.

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

WHEREAS, Resolution No. 14-01-15-041 authorized an agreement with ROYAL PRINTING SERVICE, West New York, NJ 07093 for printing of ballots and related printing needs for the Municipal Election held May 13, 2014 and for the Municipal Runoff Election held June 10, 2014, including nominating petitions, ballots and related printing needs for a total amount not to exceed \$74,750.00, which agreement was prepared and executed as Agreement No. CY'14-044; and

WHEREAS, Resolution No. 14-01-15-041 allocated a maximum anticipated contract amount of \$49,750.00 for the Municipal Election and \$25,000.00 for the Runoff Election; and

WHEREAS, Royal Printing Service has submitted Invoice Number 122169 dated May 14, 2014 in the amount of \$47,139.95 for printing services for the Municipal Election, and Invoice Number123386 dated June 9, 2014 in the amount of \$31,535.00 for printing services for the Runoff Election; and

WHEREAS, the amount of the invoice for the Runoff Election exceeds the amount allocated in Resolution No. 14-01-15-041 for printing needs related to the Runoff Election; now, therefore be it

RESOLVED, that Resolution No. 14-01-15-041 and Agreement No. CY'14-044 be and are hereby amended to reflect a maximum anticipated amount for printing needs related to the Runoff Election on June 10, 2014 in the amount of \$31,535.00, and a total contract amount not to exceed \$81,285.00; and be it further

RESOLVED, that all other terms and conditions of Resolution No. 14-01-15-041 shall remain the same.

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29. 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	LICENCE
Remember Me John Jack Santoprieto, Inc.	6:00 – 10:00 PM 979 Avenue C October 11, 2014	RL: 8955
St. Vincent De Paul Church	9:00 PM 979 Avenue C September 27, 2014	RL: 8956
St. Vincent De Paul Church	12:00 PM 979 Avenue C December 14, 2014	RL: 8757
Chiefs of Police Association of Hudson County, Inc.	1:00 PM 414 Broadway September 18, 2014	RL: 8758
Our Lady of Mt. Carmel Church	2:00-6:00 PM 39 East 23 rd St. September 14, 2014	RL: 8759 RL: 8760 RL: 8761 RL: 8762
All Saints Catholic Academy	10:00 AM 19 West 13 th St. Oct. 1,8,15,22, 29 Nov. 5,12,19,26 Dec. 3,10,17	RL: 8763
Hudson County Animal League	4:00 PM 229 Broadway October 18, 2014	RL: 8764
Our Lady of the Assumption Church	7:00 PM 91 West 23 rd Street September 13, 2014	RL: 8765

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30. Council Member Gillespie moved that the following resolution, seconded by Council Member Greaves, which was read by the clerk and adopted.

WHEREAS, the Fire Department of the City of Bayonne is in need of shipboard firefighter training; and

WHEREAS, funding for such training is available under the FY 2010 Port Security Grant Program Award #2010-PU-T0-K005 in the amount of \$35,900.00 which will enable up to 42 firefighters to be trained; and

WHEREAS, Tri-State Maritime Safety Association, 425 Carl Miller Boulevard, Camden, NJ 08104 is authorized by the U.S. Department of Homeland Security, Federal Emergency Management Agency to offer approved state level courses that are identified in the Office of Grants and Training State Sponsored Course Catalog; and

WHEREAS, the training in question for up to 42 firefighters has been ordered by a purchase order issued by the Purchasing Agent at the request of the Fire Chief because training will have taken place prior to this council meeting; and

WHEREAS, funds for said training are available in the FY 2010 Port Security Grant Program Award #2010-PU-T0-K005 in the amount of \$39,500.00 with no city matching funds; now, therefore, be it

RESOLVED, that the actions of the Fire Chief in requesting a purchase order for the above referenced training for up to 42 firefighters, and the actions of the Purchasing Agent in issuing a purchase order to Tri-State Maritime Safety Association in the amount of \$35,900.00 for same be and are hereby ratified and confirmed; and be it further

RESOLVED, that said training be charged to the FY 2010 Port Security Grant Program Award #2010-PU-T0-K005.

Yeas - Council Members Czerwienski, Gillespie, Greaves, Hurley, and President Ruane.

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31. Council Member Czerwienski moved that the following resolution, seconded by Council Member Gillespie, which was read by the clerk and adopted.

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

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

WHEREAS, the Bayonne Family Community Center is requesting funds in an amount not to exceed \$19,052.00 for the purpose of removal of a 10,000 gallon oil tank at their premises, for a one year period commencing September 1, 2013 and ending August 31, 2014; and

WHEREAS, the City may use funds to assist the Bayonne Family Community Center in accordance with the regulations governing the Community Block Grant Program under Section 24 CFR 570.201 (e) Public Services; now, therefore, be it

RESOLVED, that the Mayor, on behalf of the City of Bayonne, is hereby authorized to execute an agreement with the Bayonne Family Community Center, 259 Avenue A, Bayonne, NJ 07002, in an amount not to exceed \$19,052.00 for the purpose of removal of a 10,000 gallon oil tank at their premises, for a one year period commencing September 1, 2013 and ending August 31, 2014. Funds are certified available in Account #CDBG-841.

Yeas - Council Members Czerwienski, Gillespie, Greaves, Hurley, and President Ruane.

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32. Council Member Hurley moved that the following resolution, seconded by Council Member Gillespie, which was read by the clerk and adopted.

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

WHEREAS, the Bayonne Youth Center, 524 Kennedy Boulevard, Bayonne, N.J. 07002, is an organization which has among its objectives assisting persons of lower income households; and

WHEREAS, the Bayonne Youth Center is requesting funds in an amount not to exceed \$6,246.00 for the purpose of installing security cameras at their premises, for a one year period commencing September 1, 2013 and ending August 31, 2014; and

WHEREAS, the City may use funds to assist the Bayonne Youth Center in accordance with the regulations governing the Community Block Grant Program under Section 24 CFR 570.201 (e) Public Services; now, therefore, be it

RESOLVED, that the Mayor, on behalf of the City of Bayonne, is hereby authorized to execute an agreement with the Bayonne Youth Center, 524 Kennedy Boulevard, Bayonne, N.J. 07002,, in an amount not to exceed \$6,246.00 for the purpose of installing security cameras at their premises, for a one year period commencing September 1, 2013 and ending August 31, 2014. Funds are certified available in Account #CDBG-841.

Yeas - Council Members Czerwienski, Gillespie, Greaves, Hurley, and President Ruane.

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33. Council Member Gillespie moved that the following resolution, seconded by Council Member Czerwienski, which was read by the clerk and adopted.

WHEREAS, the City of Bayonne is in need of continued maintenance services for five backup generators used in the city's communications system; and

WHEREAS, SBP Industries, 1301 New Market Avenue, South Plainfield, NJ 07080 has supplied emergency generator maintenance/service for five (5) different locations in Bayonne and a 75 kw mobile generator, together with an emergency standby generator agreement to provide backup power for the citywide communications system; and

WHEREAS, renewal of the existing contract is for the sum of \$3,210.00.00 for a one year period commencing July 1, 2013 and ending June 30, 2014 for the six generators, and \$2,640.00 for the emergency standby generator agreement, and funds are certified available from Account #PS-9 01-201-25-240-2-020 in the CY 2014 budget; and

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

RESOLVED, that the Mayor and City Clerk are hereby authorized to enter into an agreement with SBP Industries, 1301 New Market Avenue, South Plainfield, NJ 07080, for emergency generator maintenance/service for generators in five (5) different locations in Bayonne and a 75 kw mobile generator for a one year period commencing July 1, 2014 and ending June 30, 2015, for the sum of \$3,210.00 for the maintenance/service agreement for the six generators, and \$2,640.00 for the emergency standby generator agreement, for a total contract amount of \$5,800.00, and funds are certified available from Account PS-9 01-201-25-240-2-020, in the CY 2014 budget; and be it further

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

Yeas - Council Members Czerwienski, Gillespie, Greaves, Hurley, and President Ruane.

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34. Council Member Greaves moved that the following resolution, seconded by Council Member Gillespie, 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 a one year period commencing July 1, 2014 and ending June 30, 2015 at a cost of \$1,800.00; and

WHEREAS, funds are certified as available in Account #PS-9/01-201-25-240-2-020 in the CY 2014 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., 11814 South Election Road, Suite 100 Draper, UT 84020, for maintenance and support for the Police Department's Tipsoft v5 Online software for a one year period commencing July 1, 2014 and ending June 30, 2015 at a cost of \$1,800.00, and funds are certified available in account #PS-9/01-201-25-240-2-020 in the CY 2014 Budget; and be it further

RESOLVED, that the Municipal Treasurer be and is hereby authorized and directed to issue a warrant payable to Crime Reports, in the amount of \$1,800.00 in payment for said services.

Yeas - Council Members Czerwienski, Gillespie, Greaves, Hurley, and President Ruane.

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35. Council Member Czerwienski moved that the following resolution, seconded by Council Member Gillespie, which was read by the clerk and adopted.

WHEREAS, the Police Department of the City of Bayonne has established that there is a need for maintenance and support for the AccuGlobe 9-1-1 crime mapping and wireless caller locater software; and

WHEREAS, Digital Data Technologies, 2323 West 5th Avenue, Suite 210, Columbus, OH 43204, is willing and able to supply said service for a one year period commencing July 1, 2014 and ending June 30, 2015 at a cost of \$5,942.50; and

WHEREAS, funds are certified as available in Account #PS-9/01-201-25-240-2-020 in the CY 2014 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 Digital Data Technologies, 2323 West 5th Avenue, Suite 210, Columbus, OH 43204, for maintenance and support for the AccuGlobe 9-1-1 crime mapping and wireless caller locater software, for a one year period commencing July 1, 2014 and ending June 30, 2015 at a cost of \$5,942.50, and funds are certified available in account #PS-9/01-201-25-240-2-020 in the CY 2014 Budget; and be it further

RESOLVED, that the Municipal Treasurer be and is hereby authorized and directed to issue a warrant payable to Digital Data Technologies, in the amount of \$5,942.50 in payment for said service.

Yeas - Council Members Czerwienski, Gillespie, Greaves, Hurley, and President Ruane.

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36. Council Member Hurley moved that the following resolution of second reading be adopted, seconded by Council Member Ruane, 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 of Info-Cop Licensed Mobile Computer Software; and

WHEREAS, GTBM, Inc., 351 Paterson Avenue, East Rutherford, N.J. 07073, has previously been awarded a contract to provide said service, and is willing and able to continue to supply said service for a one year period commencing July 1, 2014 and ending June 30, 2015 at a cost of \$17,587.50; and

WHEREAS, funds are certified as available in Account #PS-9/01-201-25-240-2-020 of the CY 2014 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 GTBM, Inc., 351 Paterson Avenue, East Rutherford, N.J. 07073, for maintenance of Info-Cop Licensed Software, for a one year period commencing July 1, 2014 and ending June 30, 2015 at a cost of \$17,587.50 and funds are certified available in account #PS-9/01-201-25-240-2-020 of the CY 2014 budget; and be it further

RESOLVED, that the Municipal Treasurer be and is hereby authorized and directed to issue a warrant payable to G.T.B.M., Inc., in the amount of \$17,587.50 in payment for said service.

Yeas - Council Members Czerwienski, Gillespie, Greaves, Hurley, and President Ruane.

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37. Council Member Ruane moved that the following resolution of second reading be adopted, seconded by Council Member Czerwienski, which was read by the clerk and adopted.

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

WHEREAS, CI Technologies (IPro), P.O. Box 551700, Jacksonville, FL 32255-1700, is willing and able to supply said service for a one year period commencing July 1, 2014 and ending June 30, 2015 at a cost of \$2,000.00; and

WHEREAS, funds are certified as available in Account #PS-9-201-25-240-2-020, of the CY 2014 Budget; and

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

RESOLVED, that the Mayor and City Clerk are hereby authorized to enter into an agreement with CI Technologies (IPro), P.O. Box 551700, Jacksonville, FL 32255-1700, for a software license renewal and support for the Police Department's IPro Internal Affairs computer software for a one year period commencing July 1, 2014 and ending June 30, 2015 at a cost of \$2,000.00, and funds are certified available in account # PS-9-201-25-240-2-020 of the CY 2014 Budget; and be it further

RESOLVED, that the Municipal Treasurer be and is hereby authorized and directed to issue a warrant payable CI Technologies (IPro), in the amount of \$2,000.00 in payment for said services.

Yeas - Council Members Czerwienski, Gillespie, Greaves, Hurley, and President Ruane.

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38. Council Member Greaves moved that the following resolution of second reading be adopted, seconded by Council Member Czerwienski, which was read by the clerk and adopted.

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

WHEREAS, IACP Net, 7250 Hudson Boulevard North, Suite 130, Saint Paul, MN 55128, has previously been awarded a contract to provide such access to an on-line information network, and is willing to renew said contract at a cost of \$1,600.00 for a one year period commencing July 1, 2014 and ending June 30, 2015; and

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

RESOLVED, that the Mayor and City Clerk are hereby authorized to enter into an agreement with IACP Net, 7250 Hudson Boulevard North, Suite 130, Saint Paul, MN, 55128, for renewal of the city's subscription access to the IACP (International Association Chief of Police) on-line information network for use by the Police Department's administrative division, at a cost of \$1,600.00 for a one year period commencing July 1, 2014 and ending June 30, 2015; and be it further

RESOLVED, that funds have been certified as available from Account #PS-9 01-201-25-240-2-020 in the CY 2014 Budget; and be it further

RESOLVED, the Municipal Treasurer be and is hereby authorized and directed to issue a warrant payable to IACP Net in the amount of \$1,600.00 in payment for said subscription.

Yeas - Council Members Czerwienski, Gillespie, Greaves, Hurley, and President Ruane.

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39. Council Member Gillespie moved that the following resolution of second reading be adopted, seconded by Council Member Ruane, which was read by the clerk and adopted.

WHEREAS, the Police Department of the City of Bayonne has established that there is a need a software license maintenance agreement for the Police Department's VeriPic digital photo management software; and

WHEREAS, VeriPic, Inc., is willing and able to supply said service for a one year period commencing July 1, 2014 and ending June 30, 2015 at a cost of \$2,140.00; and

WHEREAS, funds are certified as available in Account #PS-9/01-201-25-240-2-020 in the CY 2014 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 VeriPic, Inc., 2360 Walsh Avenue, Santa Clara, CA 95051-1301 for a software license maintenance agreement for the Police Department's VeriPic digital photo management software for a one year period commencing July 1, 2014 and ending June 30, 2015 at a cost of \$2,140.00, and funds are certified available in account #PS-9/01-201-25-240-2-020 in the CY 2014 Budget; and be it further

RESOLVED, that the Municipal Treasurer be and is hereby authorized and directed to issue a warrant payable to VeriPic, Inc., in the amount of \$2,140.00 in payment for said services.

Yeas - Council Members Czerwienski, Gillespie, Greaves, Hurley, and President Ruane.

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40. Council Member Greaves moved that the following resolution of second reading be adopted, seconded by Council Member Czerwienski, which was read by the clerk and adopted.

WHEREAS, the City of Bayonne is in need of application software support for computers housed in the Police Department; and

WHEREAS, Global Software, 62133 Collections Center Drive, Chicago, IL 60693-0621 has previously been awarded an annual contract for such services and has provided the City with an invoice for said services for the one-year period commencing July 1, 2014 and ending June 30, 2015, for a total contract amount of \$13,603.00; and

WHEREAS, funds for said agreement have been certified as available in Account #PS-9/01-201-25-240-2-020 of the CY 2014 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 Harris Computer Systems (formerly CISCO), 62133 Collections Center Drive, Chicago, IL 60693-0621, for annual software support services for the Police Department's CISCO brand Records Management Software (RMS), ECAD Dispatch Software, and other custom software interfaces, for the period commencing July 1, 2014 and ending June 30, 2015, for a total contract amount of \$13,603.00, and said funds have been certified available in Account #PS-9/01-201-25-240-2-020; and be it further

RESOLVED, that the Municipal Treasurer be and is hereby authorized and directed to issue a warrant payable to Harris Computer Systems in the amount of \$13,603.00 in payment for such services.

Yeas - Council Members Czerwienski, Gillespie, Greaves, Hurley, and President Ruane.

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41. Council Member Gillespie moved that the following resolution of second reading be adopted, seconded by Council Member Hurley, which was read by the clerk and adopted.

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

WHEREAS, the Eaton Corporation, P.O. Box 93531, Chicago, IL 60673-3531, has previously been awarded a contract for such services under the company name, Powerware, and is willing and able to continue to supply the aforesaid services for a one year period commencing July 1, 2014 and ending June 30, 2015 at a cost of \$6,870.00 and

WHEREAS, funds are certified as available in Account #PS-9/01-201-25-240-2-020 in the CY 2014 Budget; and

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

RESOLVED, that the Mayor and Clerk of the City of Bayonne are hereby authorized to enter into an agreement with the Eaton Corporation, P.O. Box 93531, Chicago, IL 60673-3531, for annual support and battery replacement for the uninterrupted power supply powering the communications center electronics for a one year period commencing July 1, 2014 and ending June 30, 2015 for the amount of \$6,870.00; and be it further

RESOLVED, that funds are certified available in Account #PS-9/01-201-25-240-2-020 in the CY 2014 Budget; and be it further

RESOLVED, that the Municipal Treasurer be and is hereby authorized and directed to issue a warrant payable to Eaton Corporation, in the amount of \$6,870.00 in payment for said services.

Yeas - Council Members Czerwienski, Gillespie, Greaves, Hurley, and President Ruane.

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42. Council Member Czerwienski moved that the following resolution of second reading be adopted, seconded by Council Member Gillespie, which was read by the clerk and adopted.

WHEREAS, the Attorney General has been designated by the Governor to implement the 2014 Byrne Justice Assistance Grant (JAG) Program for state and local assistance; and

WHEREAS, the County of Hudson will receive grant funds on behalf of the City of Bayonne for the JAG Program under GMS Application Number 2014-H3464-NJ-DJ; and

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

WHEREAS, the City of Bayonne is eligible for \$15,715.00 in grant funding; and

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

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

1) As a matter of public policy the City of Bayonne wishes to participate to the fullest extend possible with the Department of Justice and the County of Hudson;

2) The County of Hudson will receive funds on behalf of the applicant;

3) The Hudson County Prosecutor shall be responsible for the receipt, review and approval of the applications for said funds;

4) The County of Hudson shall initiate allocations to each applicant as authorized; and

5) The Mayor and Clerk are hereby authorized to enter into an Interlocal Services Agreement with the County of Hudson and to execute any and all documents in connection with the procurement of said grant funds;

6) The City of Bayonne agrees to use \$15,715.00 for the JAG Program until September 30, 2016.

Yeas - Council Members Czerwienski, Gillespie, Greaves, Hurley, and President Ruane.

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43. Council Member Hurley moved that the following resolution of second reading be adopted, seconded by Council Member Gillespie, which was read by the clerk and adopted.

WHEREAS, the Bayonne Fire Department was in need of One (1) Jeep Wrangler Unlimited Sport vehicle for the purpose of hauling a boat lift and small vessels; and

WHEREAS, funds for the purchase of the aforesaid One (1) Jeep Wrangler Unlimited Sport vehicle for the purpose of hauling a boat lift and small vessels were certified as available from the Port Security Grant FY2011 (#2011-PU-K00254) with no matching funds from the City; and

WHEREAS, the Corporation Counsel obtained the approval of the Municipal Council to purchase the Jeep Wrangler Unlimited Sport vehicle for the amount of \$29,678.00 chargeable to the Port Security Grant FY2011 (2011-PU-K00254) with no matching funds from the City; and

WHEREAS, after obtaining the approval of the Municipal Council, the Corporation Counsel authorized the purchase of the Jeep Wrangler Unlimited Sport vehicle for the amount of \$29,678.00 chargeable to Port Security Grant FY2011 (2011-PU-K00254) with no matching funds from the City; and

WHEREAS, pursuant to said authorization, the Purchasing Agent submitted a purchase order to Hudson Chrysler Jeep Dodge Ram, 625 Route 440, Jersey City, New Jersey 07304-1089 for the purchase of the aforesaid Jeep Wrangler Unlimited Sport vehicle for the purpose of hauling a boat lift and small vessels for the amount of \$29,678.00 chargeable to the Port Security Grant FY2011 (2011-PU-K00254) with no matching funds from the City; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The actions of the Corporation Counsel in authorizing the purchase of One (1) Jeep Wrangler Unlimited Sport vehicle for the purpose of hauling a boat lift and small vessels for the amount of \$29,678.00 chargeable to Port Security Grant FY2011

(2011-PU-K00254) with no matching funds from the City are hereby ratified and confirmed.

2. The actions of the Purchasing Agent submitting a purchase order for the aforesaid One (1) Jeep Wrangler Unlimited Sport vehicle to Hudson Chrysler Jeep Dodge Ram, 625 Route 440, Jersey City, New Jersey 07304-1089 for the purpose of hauling a boat lift and small vessels for the amount of \$29,678.00 with no matching funds from the City are hereby ratified and confirmed.

3. Funds are chargeable to Port Security Grant FY2011 (2011-PU-K00254) with no matching funds from the City.

Yeas - Council Members Czerwienski, Gillespie, Greaves, Hurley, and President Ruane.

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44. Council Member Czerwienski moved that the following resolution of second reading be adopted, seconded by Council Member Gillespie, which was read by the clerk and adopted.

WHEREAS, Resolution No. 09-05-20-031 adopted by the Municipal Council on May 20, 2009 authorized an agreement with JDP Enterprises T/A Bayonne Vehicle, 507 Avenue A, Bayonne, NJ 07002 for auto and truck body repair services for a five (5) year period commencing July 1, 2009 and ending June 30, 2014 for an amount not to exceed \$160,000.00; and

WHEREAS, pursuant to said Resolution No. 09-05-20-031, the City of Bayonne entered into Agreement No. FY10-013 with JDP Enterprises T/A Bayonne Vehicle; and

WHEREAS, it has become necessary for the City to extend the aforesaid Agreement No. FY10-013 for an additional sixty (60) day period in order to allow the Purchasing Agent to go out for bids; and

WHEREAS, it is in the best interest of the City to extend the aforesaid Agreement No. FY10-013 for an additional 60 day period at no additional cost to the City; 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 Amendment to Agreement No. FY10-013 with JDP Enterprises T/A Bayonne Vehicle, 507 Avenue A, Bayonne, NJ 07002 for auto and truck body repair services to extend same for an additional sixty (60) day period commencing July 1, 2014 and ending August 30, 2014 at no additional cost to the City.

2. All other terms and conditions of Agreement No. FY10-013 shall remain the same.

Yeas - Council Members Czerwienski, Gillespie, Greaves, Hurley, and President Ruane.

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45. Council Member Hurley moved that the following resolution of second reading be adopted, seconded by Council Member Greaves, which was read by the clerk and adopted.

WHEREAS, Resolution No. 09-04-29-083 adopted by the Municipal Council on April 29, 2009 authorized an agreement with Standard Elevator Corp., 68 Union Avenue, Clifton, NJ 07011 for elevator maintenance for three city buildings for a three year term with a possible two year extension effective July 1, 2009 through June 30, 2012; and

WHEREAS, pursuant to said Resolution No. 09-04-29-083, the City of Bayonne entered into Agreement No. FY09-058 with Standard Elevator Corp.; and

WHEREAS, by way of Resolution No. 12-06-20-078 adopted by the Municipal Council on June 20, 2012, the City entered into an extension of Agreement FY09-058 for an additional two year period commencing July 1, 2012 and ending June 30, 2014; and

WHEREAS, it has become necessary for the City to extend the aforesaid Agreement No. FY09-058 for an additional two month period in order to allow the Purchasing Agent to go out for bids; and

WHEREAS, the aforesaid elevator maintenance services for three city buildings are essential for the health, welfare and safety of the citizens of Bayonne; and

WHEREAS, funds are certified as available in Account #01-201-27-229-2-199; 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 Amendment to Agreement No. FY09-058 with Standard Elevator Corp., 68 Union Avenue, Clifton, NJ 07011 for elevator maintenance for three City Buildings to extend same for an additional two month period commencing July 1, 2014 and ending August 31, 2014 for an additional amount of \$1,516.00 payable at the rate of \$758.00 per month making the total contract amount \$46,996.00.

2. Funds shall be chargeable to account #01-201-27-229-2-199.

3. All other terms and conditions of Agreement No. FY09-058 shall remain the same.

Yeas - Council Members Czerwienski, Gillespie, Greaves, Hurley, and President Ruane.

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46. Council Member Greaves moved that the following resolution of second reading be adopted, seconded by Council Member Hurley, which was read by the clerk and adopted.

WHEREAS, Resolution No. 14-05-21-042 adopted by the Municipal Council on May 21, 2014 awarded a contract to Signal Control Products, Inc., 199 Evans Way, Branchburg, New Jersey 08876-46—for Traffic Signal preemption (3 Intersections) for the amount of \$101,001.92 chargeable to Account MOT Service Funds; and

WHEREAS, the bid submitted by signal control Products, Inc. was for the amount of \$107,227.00; and

WHEREAS, the Corporation Counsel obtained the approval of the Municipal Council to amend the aforesaid Resolution No. 14-05-21-042 to reflect the correct amount of \$107,227.00; and

WHEREAS, the corporation Counsel also obtained the approval of the Municipal Council to award the contract for the correct amount of \$107,227.00; and

WHEREAS, after obtaining the approval of the Municipal council, the Corporation Counsel authorized the contract for the amount of \$107,227.00; and

WHEREAS, the additional amount of funds are certified as available in account fire Department Operating Expenses, #01-201-25-265-2-020; now, therefore, be it

RESOLVED, by the Municipal council as follows:

1. Resolution No. 14-05-21-042 is hereby amended to reflect that the contract is awarded in the amount of \$107,227.00.

2. The additional funds shall be charged to account Fire Department Operating Expenses, #01-201-25-265-2-020.

3. The actions of the Corporation Counsel in authorizing the contract with Signal Control products, Inc. for the amount of \$107,227.00 are hereby ratified and confirmed.

4. All other terms and conditions of Resolution No. 14-05-21-042 shall remain the same.

Yeas - Council Members Czerwienski, Gillespie, Greaves, Hurley, and President Ruane.

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47. Council Member Gillespie moved that the following resolution of second reading be adopted, seconded by Council Member Czerwienski, which was read by the clerk and adopted.

WHEREAS, the Municipal Council of the City of Bayonne adopted Resolution 10-02-17-038 on February 17, 2014 awarding a contract to The Barberi Group, LLC, 260 Broadway, Bayonne New Jersey 07002 for construction management services for pre-construction and construction of a new fire station for an amount not to exceed \$250,000.00; and

WHEREAS, pursuant to the aforesaid Resolution No. 10-02-17-038 the City entered into Agreement No. FY10-077 with The Barberi Group, LLC; and

WHEREAS, the costs associated with the construction of the new fire station are being funded the through FEMA Grant No. EMW-2009-FC-04845R ("FEMA Firehouse Grant"); and

WHEREAS, a condition of the FEMA Firehouse Grant required that a Soil & Foundation Investigation be performed; and

WHEREAS, in order to satisfy the requirement of the Soil & Foundation Investigation, it became necessary for The Barberi Group, LLC to retain the services of Birdsall Services Group to perform said Soil & Foundation Investigation for the amount of \$18,000.00; and

WHEREAS, the Soil & Foundation Investigation was outside the original scope services of Agreement No. FY10-077 with The Barberi Group, LLC; and

WHEREAS, it is necessary that Agreement No. FY10-077 be amended to include the amount of \$18,000.00 paid by The Barberi Group, LLC to Birdsall Services Group to perform the Soil & Foundation Investigation pursuant to the conditions of the FEMA Firehouse Grant; and

WHEREAS, funds are certified as available in the Firefighters Station Construction Grant Account No. 02-213-41-815C-2-199; 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 amendment to Agreement No. FY10-077 to increase same in the amount of \$18,000.00 to include the amount payable by The Barberi Group, LLC to Birdsall Services Group to perform the Soil & Foundation Investigation required as a condition of the FEMA Firehouse Grant making the total contract amount \$268,000.00.
2. Funds shall be charged to the Firefighters Station Construction Grant Account No. 02-213-41-815C-2-199.
3. All other terms and conditions of Agreement No. FY10-077 shall remain the same.

Yeas - Council Members Czerwienski, Gillespie, Greaves, Hurley, and President Ruane.

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48. Council Member Czerwienski moved that the following resolution of second reading be adopted, seconded by Council Member Greaves, which was read by the clerk and adopted.

WHEREAS, the Municipal Council of the City of Bayonne previously adopted Resolution No. 14-02-19-041, approving an agreement with GK FOTINOS, LLC, in the amount of \$39,500.00 for renovations to the Bayonne Community Museum, which agreement was executed and designated Agreement No. CY 14-049; and

WHEREAS, the contractor has submitted Change Order #1 dated June 16, 2014 seeking \$4,916.70 in extra work as requested by the city in a preconstruction meeting; and

WHEREAS, Antonios Panagapoulos , P.E., the city's project engineer has examined and approved the Change Order, a copy of which is attached hereto and made a part hereof; now, therefore be it

RESOLVED, that the Change Order to Agreement No. 1 dated June 16, 2014, for an increase of \$4,916.70 making the total contract amount \$44,916.70, be and is hereby approved; and be it further

RESOLVED, that said amount be charged to Account – 02-213-41-790A-2-199.

Yeas - Council Members Czerwienski, Gillespie, Greaves, Hurley, and President Ruane.

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49. Council Member Czerwienski moved that the following resolution of second reading be adopted, seconded by Council Member Gillespie, which was read by the clerk and adopted.

RESOLUTION: APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE SAFE ROUTES TO SCHOOL PROGRAM FOR THE CITY OF BAYONNE FOR PEDESTRIAN SAFETY AND IMPROVEMENTS TO EAST 21ST AND EAST 22ND STREETS PROJECT

WHEREAS; The Federal Transportation Alternatives Program strives to ensure the transportation improvements are a crucial part of the transportation policy; and

WHEREAS; Safe Routes to School Program funding is to be used to support non-traditional projects; and

WHEREAS; The City of Bayonne seeks the funding in order to guarantee the safety of students and pedestrians at the heavily trafficked intersections at East 21st Street and East 22nd Street at the light rail station; and

WHEREAS; these improvements will greatly improve the safety and accessibility for students who attend the Nicholas Oresko, Philip G. Vroom and Lincoln Community Schools at two intersections that attract heavy traffic due to the nearby light rail station; and

WHEREAS; The City of Bayonne will assume responsibility with the regard to maintenance and the upkeep of this project; and

NOW, THERFORE, BE IT RESOLVED that the Mayor and the Council of the City of Bayonne, in the County of Hudson, State of New Jersey, formally approve the grant application for the safety improvements at East 21st Street and East 22nd Street at the light rail station; and

BE IT FURTHER RESOLVED that the Mayor and the Clerk are hereby authorized to submit an electronic grant application identified as SRS-I-2014--Bayonne City-00146 to the New Jersey Department of Transportation on behalf of the City of Bayonne.

BE IT FURTHER RESOLVED that the Mayor and the Clerk are hereby authorized to sign the grant agreement on the behalf of the City of Bayonne and that their signatures will constitute acceptance of terms and conditions of the grant agreement and will approve the execution of the grant agreement.

Yeas - Council Members Czerwienski, Gillespie, Greaves, Hurley, and President Ruane.

* * * * *

50. Council Member Greaves moved that the following resolution of second reading be adopted, seconded by Council Member Hurley, which was read by the clerk and adopted.

WHEREAS, Resolution No. 13-09-18-076 approved a grant application to the New Jersey Department of Transportation, identified as MA-2014-Bayonne City-00414 for improvements to various streets; and

WHEREAS, the New Jersey Department of Transportation has awarded the city a total of \$343,880.00 in grant funds from FY-2014 Municipal Aid in the amount of \$285,000.00 (Account 14-480-078-6320-ALW-6010) and from FY-2014 Urban Aid in the amount of \$58,880.00 (Account 14-480-078-6320-ALS-6010; now, therefore, be it

RESOLVED that the Mayor and Council of the City of Bayonne formally accept the grant project; and be it further

RESOLVED that the Mayor and Municipal Clerk agree to abide by the terms of the grant.

Yeas - Council Members Czerwienski, Gillespie, Greaves, Hurley, and President Ruane.

* * * * *

51. Council Member Czerwienski moved that the following resolution of second reading be adopted, seconded by Council Member Gillespie, which was read by the clerk and adopted.

WHEREAS, The City of Bayonne (hereinafter referred to as the “City”) has determined that it is in its best interests to retain the professional services of an Animal Cruelty Investigator for the benefit of the health and safety of the residents of the City; and

WHEREAS, Liberty Humane Society, 235 Jersey City Boulevard, Jersey City, NJ 07305, is a certified Animal Control Officer of the State of New Jersey, maintaining a New Jersey State Animal Cruelty Investigator’s Certification pursuant to NJSA 4:19-15.16a; now, therefore, be it

RESOLVED, by the Municipal Council of the City of Bayonne that Liberty Humane Society, Certified Animal Control Officer and Holder of New Jersey State Animal Cruelty Investigator’s Certification, is hereby appointed Animal Cruelty Investigator for the City of Bayonne; and be it further

RESOLVED, that the duties of the Animal Cruelty Investigator shall include but not be limited to the following:

1. Enforcement all laws and ordinances enacted for the protection of animals, including but not limited to animal control, animal welfare, and animal cruelty laws of the state and local ordinances.
2. Conduct of investigations and initiation and prosecution of complaints and/or violations of animal control, animal welfare, or animal cruelty laws of the State of New Jersey and local ordinances.
3. Engagement in the detection, apprehension, and arrest of offenders who have violated animal control, animal welfare, and animal cruelty laws of the state as well as local ordinances.
4. Working in consultation and cooperation with the Police Department, the Chief Animal Control Officer, and other animal cruelty investigators as well as the Business Administrator or his designee when applicable, and when necessary cooperatively determining whether probable cause exists for the application and issuance of a search or arrest warrant and implementation of same.

Yeas - Council Members Czerwienski, Gillespie, Greaves, Hurley, and President Ruane.

* * * * *

52. Council Member Hurley moved that the following resolution of second reading be adopted, seconded by Council Member Czerwienski, which was read by the clerk and adopted.

WHEREAS it has been identified that a need exists to renew the Marketing Campaign Program within the Bayonne Urban Enterprise Zone, and

WHEREAS the Marketing Campaign Program’s goal is to provide a broad based marketing effort to attract consumers to all districts within the zone and to increase the number of jobs within the Zone, now therefore, be it

RESOLVED that the Zone Coordinator is hereby authorized to create a project entitled Marketing Campaign Program 2014 - 2015, and further be it

RESOLVED that the Zone Coordinator is hereby authorized to implement said project through the use of Zone funds in an amount not to exceed \$150,000.00.

Yeas - Council Members Czerwienski, Gillespie, Greaves, Hurley, and President Ruane.

* * * * *

53. Council Member Czerwienski moved that the following resolution of second reading be adopted, seconded by Council Member Gillespie, which was read by the clerk and adopted.

WHEREAS, the Bayonne Urban Enterprise Zone Program has sufficient funds in its Zone Assistance Account to fund its FY 2015 Administrative Budget, and

WHEREAS, it is desirable to continue the efforts of administrating the program as well as assisting our local businesses,

NOW, THEREFORE, BE IT RESOLVED that the Municipal Council of the City of Bayonne hereby authorizes and approves the use of Zone Assistance Funds in the amount of \$195,000.00 to be used in support of the Bayonne Urban Enterprise Zone's FY 2014 Administrative Budget.

Yeas - Council Members Czerwienski, Gillespie, Greaves, Hurley, and President Ruane.

* * * * *

54. Council Member Czerwienski moved that the following resolution of second reading be adopted, seconded by Council Member Gillespie, which was read by the clerk and adopted.

WHEREAS, N.J.S., 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount

SECTION 1

NOW THEREFORE BE IT RESOLVED that the City of Bayonne hereby requests the Director of Local Government Services to approve the insertion of an item of revenue in the Calendar Year Budget of 2014 in the sum of \$343,880 which has been granted by the New Jersey Department of Transportation (NJDOT)

SECTION II

BE IT FURTHER RESOLVED that a like sum of \$343,880.00 and the same is hereby appropriated under the caption of

NJDOT – FY2014

SECTION III

BE IT FURTHER RESOLVED that the above is the result of moneys granted by the New Jersey Department of Transportation

Yeas - Council Members Czerwienski, Gillespie, Greaves, Hurley, and President Ruane.

* * * * *

55. Council Member Greaves moved that the following resolution of second reading be adopted, seconded by Council Member Czerwienski, which was read by the clerk and adopted.

CHAPTER 159 NO. 2

WHEREAS, N.J.S., 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount

SECTION 1

NOW THEREFORE BE IT RESOLVED that the City of Bayonne hereby requests the Director of Local Government Services to approve the insertion of an item of revenue in the Calendar Year Budget of 2014 in the sum of \$87,407.29 which has been received from the State of New Jersey

SECTION II

BE IT FURTHER RESOLVED that a like sum of \$87,407.29 and the same is hereby appropriated under the caption of

CLEAN COMMUNITIES

SECTION III

BE IT FURTHER RESOLVED that the above is the result of moneys received by the State of New Jersey

Yeas - Council Members Czerwienski, Gillespie, Greaves, Hurley, and President Ruane.

* * * * *

56. Council Member Ruane moved that the following communication be received and filed, seconded by Council Member Czerwienski, which motion was adopted.

June 17, 2014

City of Bayonne
Municipal Council
630 Avenue C
Bayonne, NJ 07002

Re: Re-appointment to the Bayonne Planning Board

Dear Honorable Council Members,

By virtue of the powers vested in me by the laws of the State of New Jersey under the authority of the people, I do hereby make the following reappointments to the Bayonne Planning Board:

Karen Fiermonte – Class IV Member and Commissioner ex. 12/31/2017
Eneas Mulcahy – Class IV Member and Commissioner ex. 12/31/2017

Should you have any questions or comments in this regard, please feel free to contact me at any time.

Sincerely yours,
Mark A. Smith,
Mayor

Yeas - Council Members Czerwienski, Gillespie, Greaves, Hurley, and President Ruane.

* * * * *

57. Council Member Greaves moved that the following resolution, seconded by Council Member Gillespie, which was read by the clerk and adopted.

WHEREAS, the Broadcast Music, Inc. (BMI) has been aggressively asserting the rights of its members against small municipalities for copyright infringement when such municipalities play their music at various functions including, but not limited to, festivals, firework shows, concerts in the park, community centers and even while on "hold" during telephone calls, without a license to do so; and

WHEREAS, by way of Resolution No. 09-11-10-048 adopted by the Municipal Council on November 10, 2009 the City entered into a License Agreement to play the aforesaid music at their various functions as stated above; and

WHEREAS, the licensing fee for the year commencing June 1, 2014 through May 31, 2015 is \$657.00; and

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

RESOLVED, that the Treasurer is hereby authorized to issue a warrant payable to Broadcast Music, Inc. for the amount of \$657.00; and be it further

RESOLVED, that funds are certified available in Account #BA-2.

Yeas - Council Members Czerwienski, Gillespie, Greaves, Hurley, and President Ruane.

* * * * *

58. Council Member Gillespie moved that the following resolution of second reading be adopted, seconded by Council Member Ruane, which was read by the clerk and adopted.

WHEREAS, Resolution No. 14-01-15-034 adopted by the Municipal Council on January 15, 2014 authorized an amendment to Resolution 13-11-13-038 to reflect the total contract amount awarded to the Bayonne Economic Opportunity Foundation, 555 Kennedy Boulevard, Bayonne, N.J. 07002, for Fair Housing Counseling Services was to be \$53,027.00; and

WHEREAS, the total contract amount that was to be awarded is \$53,207.00; and

WHEREAS, funds are certified as available in Account #CDBG-828; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. Resolution No. 14-01-15-034 is hereby amended to reflect that the total contract amount is \$53,207.00.
2. The additional funds shall be charged to account CDBG-828.
3. All other terms and conditions of Resolution No. 14-01-15-034 shall remain the same.

Yeas - Council Members Czerwienski, Gillespie, Greaves, Hurley, and President Ruane.

* * * * *

59. Council Member Czerwienski moved that the following resolution be adopted, seconded by Council Member Gillespie, which was read by the clerk and adopted.

RESOLVED, the Mayor, on behalf of the City of Bayonne, be and is hereby authorized to enter into an agreement with the Bayonne Economic Opportunity Foundation, 555 Kennedy Boulevard, Bayonne, N.J. 07002, in the amount of \$31,405.00, for the purpose of providing funds for Building Reconstruction for Code Violations for the period commencing September 1, 2013 and ending August 31, 2014; and be it further

RESOLVED, that this expenditure be charged against Account CDBG-842.

Yeas - Council Members Czerwienski, Gillespie, Greaves, Hurley, and President Ruane.

* * * * *

60. Council Member Gillespie moved that the following resolution, seconded by Council Member Greaves, which was read by the clerk and adopted.

WHEREAS, Resolution No. 13-05-22-044 adopted by the Municipal Council on May 22, 2013 authorized an agreement with Atlantic Environmental Solutions, Inc., 5 Marineview Plaza, Suite 303, Hoboken, New Jersey 07030 for professional engineering services as a licensed site remediation professional; and

WHEREAS, pursuant to said Resolution No. 13-05-22-044, the City of Bayonne entered into Agreement No. CY13-048 with Atlantic Environmental Solutions, Inc. for the period commencing January 1, 2013 and ending December 31, 2013 for an amount not to exceed \$25,000.00; and

WHEREAS, it has become necessary to extend the aforesaid Agreement No. CY13-048 with Atlantic Environmental Solutions, Inc. for a six (6) month period commencing January 1, 2014 and ending June 30, 2014 at no additional cost to the City of Bayonne; 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 Amendment to Agreement No. CY13-048 with Atlantic Environmental Solutions, Inc., 5 Marineview Plaza – Suite 303, Hoboken, New Jersey 07030 to extend same for an additional six (6) month period commencing January 1, 2014 and ending June 30, 2014 at no additional cost to the City of Bayonne.

2. All other terms and conditions of Agreement No. CY13-048 shall remain the same.

Yeas - Council Members Czerwienski, Gillespie, Greaves, Hurley, and President Ruane.

* * * * *

61. Council Member Gillespie moved that the following resolution, seconded by Council Member Hurley, which was read by the clerk and adopted.

WHEREAS, Henkels & McCoy, Inc., Infrastructure Engineering Group has been retained by PSEG for the preparation of permit drawings and construction drawings to eventually replace an existing 12” gas pipeline that is located in a 16” casing crossing under Conrail and Route 440 Right of Way that is located under the intersection of Avenue E and East 11th Street; and

WHEREAS, Henkels & McCoy, Inc., is seeking permission for PSEG’s or its contractor to access the aforesaid property pursuant to its formal written request dated March 13, 2012 and Scope of Work attached hereto and made a part hereof; and

WHEREAS, the project will consist of excavating a 3’ by 3’ trench across the intersection to line up the new pipe with the existing casing and pulling out the existing pipeline and pushing a replacement 12” gas pipeline into the full length of the casing; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. Permission is hereby granted to PSEG or its contractor to excavate a 3’ by 3’ trench across the intersection Avenue E and East 11th Street to line up the new pipe with the existing casing and pulling out the existing pipeline and pushing a replacement 12” gas pipeline into the full length of the casing on the condition that: 1) PSEG and/or its contractor enter into a Right of Entry/Access Agreement in a form acceptable to the City and approved by the City's Law Division; 2) No cost or expense shall be borne by the City relating in any way to PSEG’s and/or its contractor's request for access and proposed Scope of Work; 3) Proposed Scope of Work is approved by the City's engineer at PSE&G’s and/or the contractor’s expense; 4) No permits will issue without a fully executed Right of Entry/Access Agreement; 5) Valid permits to be issued by the City's Building Department and/or Police Department prior to the start of any work; and 6) PSEG and/or its contractor shall abide by any and all requirements of the City deemed necessary to protect the City's property and citizens.

2. The Business Administrator is hereby authorized to sign any and all documents necessary to effectuate same.

Yeas - Council Members Czerwienski, Gillespie, Greaves, Hurley, and President Ruane.

* * * * *

62. Council Member Czerwienski moved that the following resolution of second reading be adopted, seconded by Council Member Gillespie, which was read by the clerk and adopted.

WHEREAS, by way of Resolution No. 12-02-15-034 adopted by the Municipal Council on February 15, 2012, the City of Bayonne (the “City”) entered into an Access Agreement with PPG Industries, Inc. (“PPG”) for access to real property owned by the City comprised of Block 383, Lot 1, Lot 2, Lots 4-8; and Block 384, Lot 1 and Lot 2 and more commonly known as West 1st Street, Dennis Collins Park, Bayonne, New Jersey in the City of Bayonne, Hudson County, New Jersey (“Bayonne Property or “Site”) for the limited purpose of performing a soil and groundwater environmental investigation and performing environmental remediation work as specifically described in detail in the

Scope of Work and Sampling Map and for the limited time period further described in the Scope of Work attached thereto; and

WHEREAS, it is necessary for PPG to extend the term of the aforesaid Access Agreement for another six (6) months and to extend thereafter for a reasonable amount of time should there be unforeseen delays for the purpose of chromium removal pursuant to a directive by the New Jersey Department of Environmental Protection ("NJDEP"); and

WHEREAS, PPG through its attorney, Dorothy M. Laguzza, Esq., of the law firm of LeClair Ryan has submitted a formal written request for said extension dated June 16, 2014 and Supplemental Scope of Work attached hereto and made a part hereof; and

WHEREAS, the removal of said chromium contaminant is in the best interest of the health, safety and welfare of the citizens of the City of Bayonne; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The aforesaid Access Agreement between the City of Bayonne and PPG Industries, Inc. for access to real property owned by the City comprised of Block 383, Lot 1, Lot 2, Lots 4-8; and Block 384, Lot 1 and Lot 2 and more commonly known as West 1st Street, Dennis Collins Park, Bayonne, New Jersey in the City of Bayonne, Hudson County, New Jersey ("Bayonne Property or "Site") is hereby extended for an additional six (6) month commencing June 19, 2014 and ending December 18, 2014 for the limited purpose of performing environmental remediation work as specifically described in detail in the Supplemental Scope of Work attached to its formal written request dated June 16, 2014 attached hereto and made a part hereof on the condition that: 1) PPG executes an addendum to the current Right of Entry/Access Agreement in a form acceptable to the City and approved by the City's Law Division; 2) No cost or expense shall be borne by the City relating in any way to PPG's for access and proposed Scope of Work; 3) Proposed Scope of Work is approved by the City's engineer at PPG's and/or the contractor's expense; 4) No permits will issue without a fully executed Right of Entry/Access Agreement; 5) Valid permits to be issued by the City's Building Department and/or Police Department prior to the start of any work, if required; 6) PPG shall abide by any and all requirements of the City deemed necessary to protect the City's property and citizens; and 7) all fees due and payable to any of the City's engineering and environmental professionals shall be paid by PPG prior to entry onto City property.

2. The aforesaid Access Agreement may be extended for a reasonable period of time after the sixty (60) days as agreed upon the mutual consent of both parties in the event of unforeseen delays.

3. The Business Administrator is hereby authorized to execute an Extension or Extensions to the aforesaid Access Agreement in a form or forms acceptable to the Law Division.

4. All other terms and conditions of the aforesaid Access Agreement dated March 13, 2012 shall remain the same except as may be required to comply with the provisions of this resolution.

Yeas - Council Members Czerwienski, Gillespie, Greaves, Hurley, and President Ruane.

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63. Council Member Gillespie moved that the following resolution of second reading be adopted, seconded by Council Member Ruane, which was read by the clerk and adopted.

RESOLUTION OF THE CITY OF BAYONNE, IN THE COUNTY OF HUDSON, NEW JERSEY AFFIRMING THE DESIGNATION OF KAPLAN-PROMENADE AT BAYONNE, LLC AS REDEVELOPER OF THE TEXACO REDEVELOPMENT AREA AND AUTHORIZING THE EXECUTION OF AN AMENDED AND RESTATED REDEVELOPMENT AGREEMENT IN CONNECTION THEREWITH.

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, in accordance with the criteria set forth in the Redevelopment Law, the City (a) by resolution number 03-03-20-070 identified and designated the Texaco site consisting of the property commonly known as Block 332, Lot 3; Block 360, Lot 2; Block 373, Lots 1, 2 and 13-15; Block 390, Lots 1 and 67; Block 391, Lots 1 and 2 and Block 511, Lots 5 and 6 on the tax maps of the City (the "Redevelopment Area") as an area in need of redevelopment and (b) by ordinance number 0-04-12, dated March 24, 2004 adopted a Redevelopment Plan for the Redevelopment Area entitled the "Redevelopment Plan Texaco Redevelopment Area," as the same may be further amended and supplemented from time to time ("Redevelopment Plan"); and

WHEREAS, K-Land Corp., a New Jersey corporation ("K-Land"), an affiliate of Kaplan-Promenade at Bayonne, LLC ("Redeveloper," formerly known as Kaplan at Bergen Pointe, LLC), is the contract purchaser of substantially all of the Redevelopment Area, and Redeveloper is a real estate developer with sufficient resources and a team of experts in planning, redevelopment, law, engineering, environmental issues, architecture, design, finance, and real estate development required for the proposed redevelopment of the Redevelopment Area; and

WHEREAS, the Bayonne Local Redevelopment Agency ("BLRA") was established by ordinance number 0-98-26, adopted on June 10, 1998 by the City as an instrumentality and agency of the City pursuant to the provisions of the Redevelopment Law, with responsibility for implementing redevelopment plans and carrying out redevelopment projects within the City; and

WHEREAS, at its January 25, 2007 meeting, the BLRA adopted a resolution entitled "Resolution of the Bayonne Local Redevelopment Authority Designating K-Land Corp. as Redeveloper of the Texaco Redevelopment Area and Authorizing the Execution of a Redevelopment Agreement with Kaplan at Bergen Pointe, LLC, an Affiliate of K-Land Corp.," which designated K-Land as the redeveloper of the Redevelopment Area and authorized the execution of a redevelopment agreement with Redeveloper, as an affiliate of K-Land as permitted by the Redevelopment Law; and

WHEREAS, the BLRA entered a redevelopment agreement with Redeveloper dated January 25, 2007 ("Original Redevelopment Agreement") with respect to the development of a residential project on the Redevelopment Area; and

WHEREAS, the BLRA was dissolved by ordinance number 0-13-22 adopted by the Municipal Council on August 14, 2013 and the City was designated as the successor to the BLRA and the "redevelopment entity" for the Redevelopment Area; and

WHEREAS, pursuant to *N.J.S.A. 40A:12-4*, the City has determined to act as the "Redevelopment Entity" (as such term is defined at *N.J.S.A. 40A:12A-3*) for the Redevelopment Area to exercise the powers contained in the Redevelopment Law; and

WHEREAS, the Municipal Council of the City ("Municipal Council") desires to affirm the designation of Redeveloper (as assignee/designee of K-Land) as the redeveloper of the Redevelopment Area pursuant to Section 8 of the Redevelopment Law and enter an Amended and Restated Redevelopment Agreement with Redeveloper ("Agreement," in the form attached hereto as *Exhibit A*) to amend certain provisions of the Original Redevelopment Agreement in light of current market conditions and in furtherance of ensuring the completion of a successful project; and

WHEREAS, the Municipal Council desires to authorize the execution of the Agreement with Redeveloper for the Redevelopment Area, which will amend and restate certain rights and obligations of the respective parties, as well as the anticipated time frame for the completion of certain tasks.

NOW THEREFORE BE IT RESOLVED, by the Municipal Council of the City of Bayonne, in the County of Hudson, New Jersey, as follows:

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

Section 2. The designation of Redeveloper as 'redeveloper' under the Redevelopment Law with respect to the Redevelopment Area is hereby affirmed, subject to the execution of the Agreement .

Section 3. The Agreement, in substantially the form attached hereto as *Exhibit A*, is hereby approved with such deletions, additions, and other modifications as deemed appropriate by the Mayor, upon consultation with City professionals, consultants and staff

Section 4. The Mayor is hereby authorized to execute the Agreement on behalf of the City.

Section 5. The Mayor is further hereby authorized to take all steps necessary to negotiate and execute any additional documents or agreements necessary in connection with the Agreement and in furtherance of this resolution.

Section 6. This resolution shall take effect immediately.

Yeas - Council Members Czerwienski, Gillespie, Greaves, Hurley, and President Ruane.

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64. Council Member Greaves moved that the following resolution of second reading be adopted, seconded by Council Member Gillespie, which was read by the clerk and adopted.

WHEREAS, the winter season of 2013, 2014 saw the highest accumulation of snow in the New York/New Jersey metropolitan area in more than a half of century; and

WHEREAS, during the period of time stated above, the City of Bayonne did incur more than its share of the average snow falls of the recorded amounts at both Newark Airport and Central Park, New York City, the two closest designated measuring stations; and

WHEREAS, the record amount of snow that accumulated in the City of Bayonne during the 2013, 2014 winter season, caused streets to become unpassable by motor car and hindered the citizens use of public transportation; and

WHEREAS, the accumulation of snow during the time mentioned above did therefore interrupt the daily lives of the citizens of Bayonne that needed to travel to work, school and shop for bare necessities; and

WHEREAS, the accumulation of snow during the period stated above would have caused emergency situations within the City by preventing mobility of the citizens of the city; and

WHEREAS, in order to prevent further interruption in the lives of the citizens of the City of Bayonne it became necessary to remove the accumulated snow in the most expeditious manner possible; and

WHEREAS, the City of Bayonne’s first line of defense for snow removal is its Department of Public Works; and

WHEREAS, the Department of Public Works became overwhelmed during the winter of 2013, 2014 regarding snow removal duties and does not possess sufficient manpower or equipments to adequately remove the massive quantities of snow that accumulated during this time; and

WHEREAS, because of all the facts stated above, the Mayor with the advice of the City Council acted in the best interest of the City in contracting with outside entities to assist with the removal of the snow, therefore, be it

RESOLVED, the City Council of the City of Bayonne hereby ratifies and confirms the actions of the Mayor in authorizing “Control Industries, “Advances Towing and Recovery” and “Ken’s Marine Service” to perform necessary services to assist the City and Department of Public Works in snow remove efforts during the 2013-2014 winter season; and be it further

RESOLVED, actions of the Mayor regarding all of the above are hereby ratified and confirmed and that warrants be issued in the amounts as follows:

Control Industries	\$355,707.50
Ken’s Marine Service	\$237,457.50
Advanced Towing & Recovery	\$ 4,520.00

And, be it further

RESOLVED, that the above payments be charged to account “Snow Other Expenses”.

Yeas - Council Members Czerwienski, Gillespie, Greaves, Hurley, and President Ruane.

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65. Leonard R. Kantor addressed the council requesting information on the sale of the former MOT property.

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66. David Solari addressed the council thanking various municipal officials for their help during the aftermath of Superstorm Sandy.

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At 8:05 P.M., Council President Ruane moved to adjourn, seconded by Council Member Greaves, which motion was adopted.

Yeas - Council Members Czerwienski, Gillespie, Greaves, Hurley, and President Ruane.

* * * * *

President – Terrence P. Ruane

City Clerk – Robert F. Sloan