

CITY OF BAYONNE
CITY COUNCIL
REGULAR MEETING
JULY 22, 2015

REQUESTS TO ADDRESS THE COUNCIL

RA-1 From LEONARD R. KANTOR, requesting permission to address the council on the subject of quality of life.

ORDINANCES SCHEDULED FOR HEARING

- O-1 ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING A REDEVELOPMENT PLAN FOR PROPERTY IDENTIFIED AS BLOCK 77, LOTS 16-24 ON THE TAX MAP OF THE CITY OF BAYONNE. **(Resnick Redevelopment project)**
- O-2 ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AUTHORIZING FIVE (5) YEAR TAX EXEMPTION ON THE ASSESSED VALUE OF NEW IMPROVEMENTS ONLY FOR NEWLY CONSTRUCTED RESIDENTIAL UNITS WITH RESPECT TO THE PARCEL OF LAND LOCATED AT BLOCK 258, LOT 8 (A/K/A 298-304 BROADWAY) ON THE TAX MAP OF THE CITY OF BAYONNE. **Business Administration**
- O-3 ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY APPROVING THE APPLICATION AND FINANCIAL AGREEMENT FOR TAX EXEMPTION FOR AN URBAN RENEWAL PROJECT WITH RESPECT TO A PORTION OF THE BAYONNE MILITARY OCEAN TERMINAL LOCATED ON BLOCK 830, PORTION OF LOT 1. **(Bayonne Bay) Business Administration**
- O-4 AN ORDINANCE AUTHORIZING AN EASEMENT OVER THE CITY’S RIGHT OF WAY ON WEST 5TH STREET FOR THE PURPOSE OF ALLOWING PARKING AND ACCESS. **Business Administration**
- O-5 AN ORDINANCE AMENDING AND SUPPLEMENTING THE GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 15 BUILDING AND HOUSING. **(Various fees) Business Administration**
- O-6 A CAPITAL ORDINANCE TO PROVIDE FUNDING FOR THE IMPROVEMENT OF VARIOUS PUBLIC RECREATIONAL FACILITIES IN THE AMOUNT OF \$1,125,000.00. **(Allocating Hudson County Open Space and Green Acres funding to various projects)**
- O-7 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC. **(Restrictive Parking Zones) Public Safety**
- DELETE
098. Geraldine Zdancewicz, 119 West 19th Street
- ADD
020. Anna Marie Sopko, 176 West 8th Street (adds name)
103. Mrs. Giraldo Consuelo for Jose Valencia, 79 Andrew Street (adds new name)
365. Rosemarie Devera, 93A West 45th Street
- RELOCATE
044. John Sharkey, 39 West 33rd Street

ORDINANCES PROPOSED FOR INTRODUCTION

O-8 REFUNDING BOND ORDINANCE PROVIDING FOR PAYMENT OF AMOUNTS OWING TO OTHERS FOR TAXES LEVIED IN AND BY THE CITY OF BAYONNE, IN THE COUNTY OF HUDSON, NEW JERSEY, APPROPRIATING \$(Total Bond Amount t/b/d) THEREFOR AND AUTHORIZING THE ISSUANCE OF \$(Total Amount t/b/d) BONDS OR NOTES OF THE CITY FOR FINANCING THE COST THEREOF; and a resolution fixing Wednesday, August 19, 2015, at 7:00 P.M.,

and the Dorothy E. Harrington Council Chambers, Municipal Building, as the time and place for a public hearing and final passage.

- O-9 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC; and a resolution fixing Wednesday, August 19, 2015, at 7:00 P.M., and the Dorothy E. Harrington Council Chambers, Municipal Building, as the time and place for a public hearing and final passage. **(Restrictive Parking Zones) Public Safety**

DELETE

- 019. Jan Fitzsimons, 650 Avenue C
- 037. Elmer Riley, 65 Garretson Avenue
- 055. William Bloodgood, 72 Avenue C
- 144. Lorraine Hoppey, 138 Prospect Avenue
- 225. Barbara Davis, 81 East 28th Street
- 253. Michael Salvatore, 908 Broadway
- 257. Michael Clark, 67 Lord Avenue
- 266. Joseph Rubino, 15 East 34th Street

ADD

- 019. George Hyland, 182 Orient Street
- 037. Kathleen Lissenden, 78A West 8th Street (adds name to existing space)

RELOCATE

- 262. Joseph Kahle from 1109 Avenue C to 35 Country Village Court
- 313. Donna T. Lockard, 72 East 32nd Street to 80 West 9th Street

COMMUNICATIONS

CONSENT AGENDA - Resolution ordering the following Communications to be received and filed:

- C-1 From Timothy J. Hawkes, Esq., filing notice of tort claim on behalf of DIANE WIERZBICKI, alleging injuries sustained April 21, 2015 in a fall on the sidewalk at 29th Street and Broadway.
- C-2 From John J. Racinsky, Esq., filing notice of tort claim on behalf of KRYSTYNA JACHOWICZ, alleging injuries sustained June 5, 2015 in a fall on the sidewalk at East 19th Street.
- C-3 From Michael De Blis Jr., Esq., filing notice of tort claim on behalf of HIEP DAO, alleging injuries sustained May 6, 2015 when struck by a J & R Transportation school bus at Orchard Street and Monticello Avenue, Jersey City, NJ.
- C-4 From Robert Farber, Esq., filing notice of tort claim on behalf of JOUMARY TORRES, alleging injuries sustained May 21, 2015 in a fall on the Light Rail train at the maintenance yard after she fell asleep and was left on the train.
- C-5 From JENNY A. MANZANO, filing notice of tort claim seeking reimbursement for having a tree on an adjoining, vacant property trimmed after it damaged her roof.
- C-6 From DONNELL SALTERS, SR., filing notice of tort claim alleging property damage to his automobile on June 7, 2015 resulting from being struck by a softball at 1 Island View Court.
- C-7 From the Superior Court of New Jersey, Law Division, Summons and Complaint in matter entitled, "ADVANCED ROOFING vs. THE CITY OF BAYONNE, et al." (Municipal Mechanic's lien claim from the New South Harbor Fire Station construction)
- C-8 From the Tax Court of New Jersey, complaint in matter entitled, "J&J BUILDERS, LLC vs. CITY OF BAYONNE." (1122-1126 Kennedy Boulevard, Block 60, lot 1 - vacant)
- C-9 From the Tax Court of New Jersey, complaint in matter entitled, "J&J BUILDERS, LLC vs. CITY OF BAYONNE." (41-47 West 34th Street, Block 131, lot 1 - vacant)

- C-10 From the Tax Court of New Jersey, complaint in matter entitled, "J&J BUILDERS, LLC vs. CITY OF BAYONNE." (22 East 11th Street, Block 273, lot 23 - vacant)
- C-11 From the Tax Court of New Jersey, complaint in matter entitled, "J&J BUILDERS, LLC vs. CITY OF BAYONNE." (196A-196 Avenue E, Block 458, lot 7 - vacant)
- C-12 From the Tax Court of New Jersey, complaint in matter entitled, "J&J BUILDERS, LLC vs. CITY OF BAYONNE." (156-160 Avenue F, Block 445, lot 8.01 – multi-family residential)
- C-13 From the Tax Court of New Jersey, complaint in matter entitled, "J&J BUILDERS, LLC vs. CITY OF BAYONNE." (101 East 21st Street, Block 457.01, lot 5 - vacant)
- C-14 From the Tax Court of New Jersey, complaint in matter entitled, "AJMUNDAR vs. CITY OF BAYONNE." (35 West 21st Street, Block 210, lot 7 – 1-4 family residential)
- C-15 From the Tax Court of New Jersey, complaint in matter entitled, "MAJMUNDAR vs. CITY OF BAYONNE." (15-17 East 21st Street, Block 211, lot 3 - commercial)
- C-16 From the Tax Court of New Jersey, complaint in matter entitled, "LPM SERVICE, INC. vs. CITY OF BAYONNE." (454-456 Broadway, Block 211, lot 16 - commercial)
- C-17 From the Tax Court of New Jersey, complaint in matter entitled, "403 PROP, INC. vs. CITY OF BAYONNE." (403 Broadway, Block 231, lot 27 - commercial)
- C-18 From the Tax Court of New Jersey, complaint in matter entitled, "SUMO COMPANIES, INC. vs. CITY OF BAYONNE." (103 Oak Street, Block 473.02, lot 1 - vacant)
- C-19 From the Tax Court of New Jersey, complaint in matter entitled, "ESSES ENTERPRISES, INC. vs. CITY OF BAYONNE." (477 Broadway, Block 204, lot 2 - commercial)
- C-20 From the Tax Court of New Jersey, complaint in matter entitled, "COMMERCE BANK vs. CITY OF BAYONNE." (1062-1068 Broadway, Block 41, lot 17.01 - commercial)
- C-21 From the Tax Court of New Jersey, complaint in matter entitled, "IDEAL WINDOW MFG CO., INC. vs. CITY OF BAYONNE." (94 West 7th Street, Block 314, lots 37-41 - commercial)
- C-22 From the Tax Court of New Jersey, complaint in matter entitled, "RITE AID OF NEW JERSEY, INC. vs. CITY OF BAYONNE." (1091-1099 Broadway, Block 31, lots 17-22 - commercial)
- C-23 From the Tax Court of New Jersey, complaint in matter entitled, "FBV, INC., c/o RITE AID CORPORATION vs. CITY OF BAYONNE." (471 Broadway, Block 210, lots 22-25 - commercial)
- C-24 From the Tax Court of New Jersey, complaint in matter entitled, "LINNET STREET REALTY, LLC vs. CITY OF BAYONNE." (77-99 Linnet Street, Block 308, lots 6-8 - industrial)
- C-25 From the Tax Court of New Jersey, complaint in matter entitled, "FLEET NATIONAL BANK, c/o BANK OF AMERICA vs. CITY OF BAYONNE." (935-939 Broadway, Block 85, lot 23 - commercial)

OFFICERS' REPORTS

CONSENT AGENDA - Resolution ordering the following Officers' Reports to be received and filed and any resolution incorporated within them to be adopted:

- OR-1 From Terrence Malloy, Chief Financial Officer, reporting on vendor payments and recommending payment of same, and a resolution adopting the recommendation and ordering payment of claims. **Finance**
- OR-2 From Janet Convery, Treasurer, reporting on the transfer of the following amounts to the Board of Education on June 5, 2015: **Finance**
\$4,949,372.85 Claims and payroll for June, 2015

RESOLUTIONS

CONSENT AGENDA - Resolution ordering the following resolutions to be adopted:

- CR-1 Approving the minutes of the regular meeting held June 17, 2015. **City Clerk**
- CR-2 Approving the minutes of the adjourned regular meeting held Tuesday, June 30, 2015. **City Clerk**
- CR-3 Approving the minutes of the council caucus held Wednesday, June 10, 2015. **City Clerk**
- CR-4 Ordering warrants drawn to taxpayers representing refunds for overpayment of taxes. (12 properties) **Tax Collector**
- CR-5 Ordering a warrant in the amount of \$35.40 payable to the order of the BUREAU OF RABIES CONTROL, STATE OF NEW JERSEY, covering the issuance of 12 dog licenses issued in June, 2015. **City Clerk**
- CR-6 Ordering a warrant in the amount of \$668.00 payable to BROADCAST MUSIC, INC. (BMI), Cincinnati, OH, representing an annual license fee to play music at festivals, firework shows, concerts in the park, community centers and even while on "hold" during telephone calls for a one year period commencing June 1, 2015. **Finance**
- CR-7 Authorizing Corporation Counsel and the City Clerk to administratively correct typographical errors, transposition errors, and similar minor mistakes in resolutions and ordinances prior to their being made part of the official, approved minutes of council meetings. **Business Administration**
- CR-8 Cancelling taxes on the property located at 150 Pulaski Street, Block 400, lot 1. **(Property taken by PANYNJ in condemnation)**
- CR-9 Authorizing the City Clerk to advertise for bids for snow removal. **Public Works**
- CR-10 Authorizing the City Clerk to advertise for bids for rock salt. **Public Works**
- CR-11 Authorizing the City Clerk to advertise for bids for animal control services. **Business Administration**
- CR-12 Granting ** Bingo licenses to qualified organizations. **City Clerk**
- CR-13 Granting ** Raffle licenses to qualified organizations. **City Clerk**

END OF CONSENT AGENDA

- R-1 Authorizing the purchase of a wireless 7 camera system for Broadway from HITACHI DATA SYSTEMS in the amount of \$102,685.73. Chargeable to the Special Improvement District. **Business Administration**

- R-2 Authorizing the Mayor and City Clerk to enter into an agreement with DMR ARCHITECTS to provide professional planning services for the Master Plan re-examination for an amount not to exceed \$50,000.00. **Business Administration**
- R-3 Authorizing the Mayor and City Clerk to enter into an Interlocal Services Agreement with the COUNTY OF HUDSON to accept Law Enforcement Grant Funding under the 2015 BYRNE JUSTICE ASSISTANCE (JAG) PROGRAM in the amount of \$13,395.00. **Public Safety**
- R-4 Extending the terms of Agreement No. CY-14-070 with SUBURBAN DISPOSAL, INC., Fairfield, NJ, for the collection of solid waste, extending the contract for an additional two month period commencing August 1, 2015 for an additional amount of \$199,333.32 payable at the rate of \$99,666.66 per month, making the total contract amount \$1,395,333.32. **Public Works**
- R-5 Authorizing the Mayor and City Clerk to enter into an emergency agreement with ** for the collection of recyclable materials and the receipt of recyclable materials for a two month period commencing August 1, 2015 for the amount of \$ **. **Public Works**
- R-6 Authorizing the Mayor and City Clerk to enter into a license agreement with NEW BAY, LLC, to permit the installation of a sidewalk mounted bracket design clock in the right of way more than twelve inches from their building at 860 Broadway, for a mutually agreed upon yearly license fee. **Business Administration**
- R-7 Ratifying and confirming the actions of Corporation Counsel in continuing to utilize the services of APPRUZZESE, McDERMOTT, MASTRO & MURPHY, Liberty Corner, NJ, for professional legal services to represent the city's interest under Agreement No. CY 12-017 for the construction of the New South Harbor Fire Station; authorizing an agreement with the firm for the one year period commencing January 1, 2015 for an amount not to exceed \$17,500.00; and authorizing a warrant in the amount of \$7,991.75 in payment for services rendered during 2015 to date. Chargeable to Various Accounts. **Business Administration**
- R-8 Amending the city's contract with CME ASSOCIATES t/a CONSULTING AND MUNICIPAL ENGINEERS, Howell, NJ to amend the amount of the contract to an amount not to exceed \$300,000.00 and to extend the term of the contract to December 31, 2015. **Business Administration**
- R-9 Authorizing the city to apply for the 2014 RECYCLING TONNAGE GRANT and designating Gary Chmielewski to insure that the application is properly filed. **Public Works**
- R-10 Certifying the submission of expenditures for recycling taxes paid in 2014 for solid waste disposal pursuant to the RECYCLING ENHANCEMENT ACT in the amount of \$95,033.16. **Public Works**
- R-11 Authorizing a closed session for the purpose of discussing pending litigation, specifically tax appeals.
- R-12 RESOLUTION OF THE CITY OF BAYONNE, IN THE COUNTY OF HUDSON, NEW JERSEY MAKING APPLICATION TO THE LOCAL FINANCE BOARD PURSUANT TO N.J.S.A. 40A:2-51 AND N.J.S.A. 40A:3-1 ET SEQ. **(Related to Refunding Bond Ordinance introduced at this meeting) Finance**
- R-13 Authorizing settlement of tax appeals in the State Tax Court on various properties. **Finance**

TO BE ADDED AT THE MEETING

ADD-1 Ordering a warrant in the amount of \$3,500.00 payable to the BAYONNE FAMILY COMMUNITY CENTER for the annual renewal of the membership fee for the Police Department for a one year period commencing July 1, 2015. Chargeable to Account PS-9. **Public Safety**