

CITY OF BAYONNE
CITY COUNCIL
REGULAR MEETING
AUGUST 19, 2015

REQUESTS TO ADDRESS THE COUNCIL

- RA-1 From LINDA DOERING and JOSEPH COYNE, President of the New Jersey Parents Foundation, requesting permission to address the council on the subject of congratulating and presenting awards to three Bayonne High School seniors, Sin Young Kim, Karim Shalaan, and Raven-Michelle Ortiz, for their winning essays on “What My Parents Mean to Me.”
- RA-2 From JOHN BLUM, requesting permission to address the council on the subject of general subject matter.
- RA-3 From DEBORAH BLUM, requesting permission to address the council on the subject of general subject matter in regards to city redevelopment.
- RA-4 From EDWARD SZAWIEL, requesting permission to address the council on the subject of Resnick Project.
- RA-5 From JILL PUSTORINO, requesting permission to address the council on the subject of citizen representation in government process.
- RA-6 From PETER FRANCE, requesting permission to address the council on the subject of general redevelopment matter.
- RA-7 From MICHAEL MICELI, ESQ., requesting permission to allot LANCE LUCARELLI and his professionals sufficient time to make a formal presentation regarding the proposed redevelopment plan for Block 77, lots 16-24.
- RA-8 From MATTHEW KOPKO, requesting permission to address the council on the subject of City Hall procedure and transparency.

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 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-4 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 \$4,230,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$4,230,000 BONDS OR NOTES OF THE CITY FOR FINANCING THE COST THEREOF.

O-5 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC. **(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

ORDINANCES PROPOSED FOR INTRODUCTION

O-6 ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY CONSENTING TO THE SALE OF ALEXAN CITYVIEW BY BAYONNE RESIDENTIAL URBAN RENEWAL, LLC TO CL CITYVIEW URBAN RENEWAL LLC, RS BAYONNE URBAN RENEWAL LLC, AND VERBANA URBAN RENEWAL LLC; and a resolution fixing Wednesday, September 16, 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-7 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC; and a resolution fixing Wednesday, September 16, 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

- 110. Alina Szelazek, 19 East 28th Street
- 237. Dorothy Riscart, 80 West 7th Street

ADD

- 010. Grace Lee, 18 East 49th Street
- 019. Patrick Johnson, 38 West 12th Street
- 037. Marie Caci, 66 West 49th Street

COMMUNICATIONS

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

- C-1 From CYNTHIA E. AYISAH, filing notice of tort claim alleging personal injuries sustained sometime in July, 2015 resulting from a fall on the sidewalk on Broadway between 21st and 22nd Streets.
- C-2 From the Superior Court of New Jersey, Law Division, Summons and Complaint in matter entitled, "MENDEZ-ORTIZ vs. GLADSTONE, et al., incl. THE CITY OF BAYONNE." (Automobile accident on the NJ Turnpike on February 13, 2014)
- C-3 From the Superior Court of New Jersey, Chancery Division, Summons and Complaint in matter entitled, "BANK OF NEW YORK MELLON AS TRUSTEE, etc. vs. NORICA, et al., incl. THE CITY OF BAYONNE." (Mortgage foreclosure with the city holding a second mortgage)
- C-4 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." (Mortgage foreclosure – Bayonne Housing Authority holds 2 judgments)
- C-5 From the Tax Court of New Jersey, complaint in matter entitled, "VIRA vs. CITY OF BAYONNE." (423 Avenue A, Block 236, lot 36 – 1-4 family)

- C-6 From the Tax Court of New Jersey, complaint in matter entitled, "BROADWAY REALTY ASSOCIATES vs. CITY OF BAYONNE." (434-436 Broadway, Block 221, lot 24 - commercial)
- C-7 From the Tax Court of New Jersey, complaint in matter entitled, "ADAM CORP. a/k/a/LEVIN MANAGEMENT CORP. vs. CITY OF BAYONNE." (266-280 Broadway, Block 268, lot 1, - commercial)
- C-8 From the Tax Court of New Jersey, complaint in matter entitled, "DC REAL PROPERTY CO, LLC vs. CITY OF BAYONNE." (East 5th Street, Block 359, lot 4.05 - vacant)
- C-9 From the Tax Court of New Jersey, complaint in matter entitled, "SUPERIOR-MPM, LLC vs. CITY OF BAYONNE." (Hobart Avenue – East 4th - 2nd, Block 359, lot 10 - industrial)
- C-10 From the Tax Court of New Jersey, complaint in matter entitled, "DELAWARE DELTA, LLC vs. CITY OF BAYONNE." (973-975 Broadway, Block 70, lot 20 - commercial)
- C-11 From the Tax Court of New Jersey, complaint in matter entitled, "SHANE, TIM/TRUSTEE FLORTEK vs. CITY OF BAYONNE." (39 West 55th Street, Block 28, lot 2 - industrial)
- C-12 From the Tax Court of New Jersey, complaint in matter entitled, "CHOHAN vs. CITY OF BAYONNE." (924 Broadway, Block 90, lot 45 - commercial)
- C-13 From the Tax Court of New Jersey, complaint in matter entitled, "759-761 AVENUE A REALTY, LLC vs. CITY OF BAYONNE." (759 Avenue A, Block 142, 19 lots – 1-4 family residences)

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 July 7, 2015: **Finance**
\$5,097,854.00 Claims and payroll for July, 2015
- OR-3 From the Purchasing Department reporting on bids received ** for street paving. (# bidders) **Purchasing**

RESOLUTIONS

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

- CR-1 Approving the minutes of the regular meeting held Wednesday, July 22, 2015. **City Clerk**
- CR-2 Approving the minutes of the council caucus held Wednesday, July 15, 2015. **City Clerk**
- CR-3 Appointing LOUIS LOMBARDI to the Board of Adjustment to fill the unexpired term of John Calcaterra, which term expires December 31, 2016. **(Mr. Lombardi is presently Alternate #1, which position will become vacant.) Mayor**

- CR-4 Ordering warrants drawn to taxpayers representing refunds for overpayment of taxes. (5 properties) **Tax Collector**
- CR-5 Authorizing a warrant in the amount of \$13,296.00 payable to the STATE OF NEW JERSEY representing State Surcharge Fees on New Construction and Alterations for the quarter ending June 30, 2015. Chargeable to Account State Training Fees with the Tax Collector. **Building**
- CR-6 Ordering a warrant in the amount of \$61.20 payable to the order of the BUREAU OF RABIES CONTROL, STATE OF NEW JERSEY, covering the issuance of 26 dog licenses issued in June, 2015. **City Clerk**
- CR-7 Ratifying and confirming the actions of the Municipal Treasurer in issuing payment from Current Fund in the amount of \$7,454,242.19 payable to the COUNTY OF HUDSON for Third Quarter County Taxes 2015. **Finance**
- CR-8 Ratifying and confirming the actions of the Municipal Treasurer in issuing a warrant from the Unemployment Trust Fund in the amount of \$22,770.13 payable to the STATE OF NEW JERSEY DIVISION OF EMPLOYER ACCOUNTS in payment of unemployment bills for quarter ending June 30, 2015. **Finance**
- CR-9 Designating AMY DELLABELLA as custodian of the Business Administration petty cash fund, ELAINE REICHERT as custodian of the Free Public Library petty cash fund, and DREW NIEKRASZ as custodian of the Public Safety petty cash fund. **Finance**
- CR-10 Increasing the amount of the PETTY CASH FUND for the Business Administration from \$1,000.00 to \$2,000.00 and the PETTY CASH FUND for the Public Safety Department from \$500.00 to \$2,000.00. **Finance**
- CR-11 Rescinding the petty cash funds for the City Hall Annex, the Department of Water and Sewer, the Division of Public Assistance, and the Division of Community Development. **Finance**
- CR-12 Cancelling taxes on 50% of Block 343, lot 19 as being occupied by a qualifying 100% disabled veteran effective February 7, 2012, and ordering a refund of overpaid taxes resulting from the exemption. **Assessor**
- CR-13 Cancelling taxes on 50% of Block 157, lot 10 as being occupied by a qualifying 100% disabled veteran effective October 13, 2011, and ordering a refund of overpaid taxes resulting from the exemption. **Assessor**
- CR-14 Granting ** Bingo licenses to qualified organizations. **City Clerk**
- CR-15 Granting ** Raffle licenses to qualified organizations. **City Clerk**

END OF CONSENT AGENDA

- R-1 Awarding a contract for paving of various streets to **, the low bidder, in an amount of / not to exceed \$**. Chargeable to Account – **.
- R-2 Authorizing an agreement with HITACHI DATA SYSTEMS, Santa Clara, CA, for software support renewals and extended one year warranties on all equipment deployed as part of the Digital Video Surveillance Network (DVSN) deployed throughout the city, for a one-year period commencing July 1, 2015 in the amount of \$38,000.00, and ordering a warrant in payment. Chargeable to Account #PS-9. **Public Safety**
- R-3 Authorizing the Purchasing Agent to purchase 4000 linear feet of chain link fence to be installed at Block 1190, lots 1, 2 & 3 at the Peninsula at Bayonne Harbor from CONSOLIDATED STEEL AND ALUMINUM FENCE CO., INC., Kenilworth, NJ, for the amount of \$84,00.00 under State Contract No. T-6040. **Business Administration**

- R-4 Authorizing the Mayor and City Clerk to enter into an agreement with the BAYONNE COMMUNITY MENTAL HEALTH CENTER, in the amount of \$10,512.00 for the one year period commencing September 1, 2015, for the purpose of providing substance abuse and addiction services for low and moderate income families. Chargeable to Account #CDBG-880. **Community Development**
- R-5 Authorizing the Mayor and City Clerk to enter into an agreement with the BAYONNE COMMUNITY MENTAL HEALTH CENTER in the amount of \$16,309.00 for the one year period commencing September 1, 2015 for the purpose of providing psychiatric and psychotherapeutic services for children and adolescents. Chargeable to Account #CDBG-891. **Community Development**
- R-6 Authorizing the Mayor and City Clerk enter into an agreement with the BAYONNE FAMILY COMMUNITY CENTER in the amount of \$18,512.00 for the one year period commencing September 1, 2015, for the purpose of providing child care service for low and moderate income families. Chargeable to Account #CDBG-883. **Community Development**
- R-7 Authorizing the Mayor and City Clerk to enter into an agreement with the BAYONNE YOUTH CENTER in the amount of \$3,000.00 for the one year period commencing September 1, 2015, for the purpose of providing an after school learning center for low and moderate income families. Chargeable to Account #CDBG-882. **Community Development**
- R-8 Authorizing the Mayor and City Clerk to enter into an agreement with BCAP/BUILD AMERICA ASSOCIATION INC. in the amount of \$6,000.00 for the one year period commencing September 1, 2015, for the purpose of providing the 2015 Marketing Upgrade Project. Chargeable to Account #CDBG-885. **Community Development**
- R-9 Authorizing the Mayor and City Clerk to enter into an agreement with the BAYONNE ECONOMIC OPPORTUNITY FOUNDATION in the amount of \$33,000.00 for the one year period commencing September 1, 2015, for the purpose of providing fair housing counseling services. Chargeable to Account #CDBG-870. **Community Development**
- R-10 Authorizing the Mayor and City Clerk to enter into an agreement with the BAYONNE ECONOMIC OPPORTUNITY FOUNDATION in the amount of \$37,574.00 for the one year period commencing September 1, 2015, for the purpose of providing senior transportation salary and fringe benefits. Chargeable to Account #CDBG-873. **Community Development**
- R-11 Authorizing the Mayor and City Clerk to enter into an agreement with the BAYONNE ECONOMIC OPPORTUNITY FOUNDATION in the amount of \$8,161.00 for the one year period commencing September 1, 2015, for the provision of providing senior transportation insurance. Chargeable to Account #CDBG-876. **Community Development**
- R-12 Authorizing the Mayor and City Clerk to enter into an agreement with the COMMUNITY DAY NURSERY in the amount of \$33,000.00 for the one year period commencing September 1, 2015, for the purpose of providing pre-school child care for low and moderate income families. Chargeable to Account #CDBG-872. **Community Development**
- R-13 Authorizing the Mayor and City Clerk to enter into an agreement with the JEWISH COMMUNITY CENTER, for the purpose of providing funding for reconstruction of the boy's and girl's locker rooms in the building by BARD CONSTRUCTION, LLC, Lyndhurst, NJ in the amount of \$147,800.00. Chargeable to Account #CDBG-867. **Community Development**
- R-14 Authorizing the Mayor and City Clerk to enter into a Municipal Shared Services Defense Agreement (MSSDA), with RUTGERS UNIVERSITY for the services of Dr. Robert W. Burchell, Principal Investigator, in the preparation of a fair share

report on behalf on municipalities involved in a declaratory judgment action in the Superior Court for use by the 15 vicinage Mt. Laurel Judges to calculate a municipality's affordable housing obligation pursuant to the Supreme Court Decision on fair share obligations, for the amount of \$2,000.00 as the city's share in the anticipated cost of the preparation of the report. **Business Administration**

- R-15 Authorizing the Mayor and City Clerk to enter into an agreement with the TOWN OF WEST NEW YORK for the services of a health office for a one year term commencing April 1, 2015 for the amount of \$35,000.00. **Business Administration**
- R-16 Authorizing the Mayor to submit an amendment to the CDBG 2013 Consolidated Action Plan to allocate \$267,000.00 to PHA Housing Rehabilitation, and to reduce Program Income in the amount of \$100,310.00, and Single Family Unit Housing Rehabilitation in the amount of \$166,690.00. **Community Development**
- R-17 Authorizing a three month extension to September 30, 2015 of the city's existing contract with SPATIAL DATA LOGIC, Somerset, NJ for technical support and maintenance of its departmental data management software and continued enterprise licensing for the amount of \$10,999.99. Chargeable to Account 12-286-56-366-2-199. **Business Administration**
- R-18 Extending current agreement with MUNICIPAL SERVICES INC. for Elevator Inspection Services (Agency Acting as Elevator Sub-Code Official) for a period of two years beginning September 1, 2015 at the following price: 85% of NCDCA fee to be charged for inspections with a 20% commission to the City of Bayonne to be credited to Account 0252-69. **Municipal Services**
- R-19 Extending current agreement with TNT SHIRT LAUNDRY AND DRY CLEANING, LLC, (SKYE CLEANERS) For a period of two years beginning September 1, 2015 for an annual amount not to exceed \$13,710.00 for a total contract price of \$27,420.00. **Fire Department**
- R-20 Ratifying and confirming the actions of the Mayor and City Clerk in entering into an emergency agreement with SUBURBAN DISPOSAL, INC, Fairfield, NJ for the collection of recyclable materials for a term commencing August 12, 2015 through October 31, 2015 for an amount of \$18,000.00 per week, for a total contract amount of \$216,000.00. Chargeable to Account 01-201-32-465-2-020. **Business Administration**
- R-21 Approving Chapter 159 #1 in the CY 2015 budget, seeking permission of the Division of Local Government Services to approve the insertion of an item of revenue in the amount of \$55,569.81, under the caption, "CUSTOM BORDER PATROL." **Finance**
- R-22 Approving Chapter 159 #2 in the CY 2015 budget, seeking permission of the Division of Local Government Services to approve the insertion of an item of revenue in the amount of \$10,000.00, under the caption, "HOME DELIVERED MEALS." **Finance**
- R-22 Approving Chapter 159 #3 in the CY 2015 budget, seeking permission of the Division of Local Government Services to approve the insertion of an item of revenue in the amount of \$10,000.00, under the caption, "EMERGENCY MANAGEMENT GRANT." **Finance**
- R-23 Approving Chapter 159 #4 in the CY 2015 budget, seeking permission of the Division of Local Government Services to approve the insertion of an item of revenue in the amount of \$327,592.00, under the caption, "2015 MUNICIPAL AID PROGRAM." **Finance**
- R-24 Authorizing the Planning Board to prepare a Redevelopment Plan for the property identified as Block 221, lots 1, 2, 3, 4, 5, 15, 16, 17, 18, 19 and 24. **(Municipal parking lot between East 19th and East 21st Street) Business Administration**

TO BE ADDED AT THE MEETING

- ADD-1 Authorizing the city to submit a letter of interest to the NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST (NJEIT) to finance environmental improvements on Block 464.01, lot 6. **(Kenrich Chemical property, 140 E 22nd St.) Planning**
- ADD-2 Authorizing the Mayor and City Clerk to enter into an agreement with JOHN T. DeDOUSIS, M.D. for temporary medical services for non-uniformed employees for the two month period commencing August 4, 2015 in the amount of \$2,077.00. **Municipal Services**
- ADD-3 Granting permission to TYREE ENVIRONMENTAL CORPORATION on behalf of GETTY PROPERTIES CORP. to install four permanent groundwater monitoring wells at the intersection of West 15th Street and Avenue C provided they enter into a Right of Entry/Access Agreement in a form acceptable to the city's Law Division. **Business Administration**
- ADD-4 Reassigning DAVID RIVERA (currently Alternate #3) as Alternate #1 on the Zoning Board of Adjustment to fill the unexpired term of Louis Lombardi (expires December 31, 2015) and reassigning FRANK PELLITTERI (currently Alternate #4) as Alternate #2 on the Zoning Board of Adjustment to fill the unexpired term of Thomas P. Coletta (expires December 31, 2015). **Mayor**
- ADD-5 Authorizing the Mayor and City Clerk to enter into an agreement with BAYONNE EXTERMINATING COMPANY for rodent and pest control services for a three year period commencing September 1, 2015 for a total amount of \$28,350.00. (Year 1 @ \$9,350.00, year 2 @ 9,450.00, year 3 @ \$9,550.00) **Municipal Services**
- ADD-6 Authorizing the Planning Board to review the Redevelopment Plan relating to the Redevelopment Area identified as Block 411, Lots 2, 3, 4 and 5 on the Tax Map of the City, and make recommendations to the Municipal Council regarding an update to the Redevelopment Plan and recommended amendments to same. **(Alessi-Peninsula View Development - East 31st & East 32nd Streets)**