

CITY OF BAYONNE
CITY COUNCIL
REGULAR MEETING
OCTOBER 21, 2015

REQUESTS TO ADDRESS THE COUNCIL

- RA-1 From PATRICK J. LEONARD, requesting permission to address the council on the subject of general city matters.
- RA-2 From MATTHEW KOPKO, requesting permission to address the council on the subject of general city matters.

ORDINANCES SCHEDULED FOR HEARING

- O-1 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 13, SWIMMING POOL, DOCKS, DON AHERN VETERANS MEMORIAL STADIUM, PUBLIC BOAT RAMP, MUNICIPAL PARKS AND PLAYGROUNDS AND BAYONNE PUBLIC LIBRARY AND BAYONNE MUSEUM. **(Fees for use) Mayor's Office**
- O-2 ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING A REDEVELOPMENT PLAN FOR A PORTION OF THE BROADWAY CORRIDOR REDEVELOPMENT AREA IDENTIFIED AS BLOCK 221, LOTS 1-5, 15-19, 24 AND 26 ON THE TAX MAP OF THE CITY OF BAYONNE. **Planning**
- O-3 ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING A REDEVELOPMENT PLAN FOR A TRACT OF LAND KNOWN AS THE TEXACO REDEVELOPMENT AREA. **Planning**
- O-4 ORDINANCE OF THE CITY OF BAYONNE COUNTY OF HUDSON APPROVING A FINANCIAL AGREEMENT WITH 190 W. 54TH STREET URBAN RENEWAL ASSOCIATES, L.L.C. **Planning**
- 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
273. Barbara Martinetti, 25 Hartley Place
240. Nancy Barnes, 528 Avenue A
- ADD
019. Maureen Sullivan for her father, Carmen Manna, 40 West 12th Street
037. Francine Petrowksi, 29 Trask Avenue
055. Sophia Nolan, 10 Centre Lane
110. Edward Ajamian for his son Tyler Ajamian, 881 Avenue C
144. Lisa Ann Sanchez, 358 Avenue A, 1st floor
168. Joseph Castlegrande, 35 Dodge Street
225. Mary Soliman, 140 West 23rd Street, Apt. 4
233. John Weaver, 190 Orient Street, Apt. 5
- RELOCATE
192. Courtney Booker for her son, Gionni Booker from 25 Lexington Avenue to 97 West 30th Street
- REASSIGN
- from 037. to 016. Kathleen Lissenden, West Eighth Street (78A)

ORDINANCES PROPOSED FOR INTRODUCTION

- O-6 AN ORDINANCE AUTHORIZING THE PURCHASE OF PROPERTY LOCATED AT 426-428 BROADWAY, BAYONNE, NEW JERSEY (BLOCK 221, LOT 26) IN THE AMOUNT OF \$900,000.00 FROM TWO PALISADES ASSOCIATES; and a resolution fixing, Tuesday, November 10, 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 4, LICENSING, REGISTRATION AND BUSINESS REGULATIONS; and a resolution fixing, Tuesday, November 10, 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. **Public Safety**
- O-8 AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF A PARCEL OF LAND KNOWN AS BLOCK 71, LOT 16 BEING DONATED TO THE CITY OF BAYONNE; and a resolution fixing, Tuesday, November 10, 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. **(At the tip of Grand Street and Avenue E) Business Administration**
- O-9 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 34, PLANNING AND DEVELOPMENT REGULATIONS; and a resolution fixing, Tuesday, November 10, 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. **(Amending the fee schedule to include GDP applications.) Planning and Zoning**
- O-10 AN ORDINANCE ADOPTING AN AMENDED REDEVELOPMENT PLAN FOR BLOCK 411, LOTS 2, 3, 4 AND 5, (COMMONLY REFERRED TO AS 75 EAST 31ST STREET, 77 EAST 31ST STREET, 79-87 EAST 31ST STREET AND 80 EAST 32ND STREET; and a resolution fixing, Tuesday, November 10, 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-11 An Ordinance granting an aerial easement over Hook Road; and a resolution fixing, Tuesday, November 10, 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-12 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC; and a resolution fixing, Tuesday, November 10, 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
247. Neil DeSena, 94 West 56th Street
290. George Wisniewski, 42 West 47th Street
- ADD
037. George Bessady for his daughter, Miriam, 780 Broadway
055. Dorothy Devney, 23 Hartley Place
135. Marie Amormino, 126 Lexington Avenue
241. Thomas Cappadona, 26 West 27th Street
247. Darlene Sanchez, 172 West 22nd Street
253. John Nesnay, 488 Avenue E
257. Linda Vetter for her son, Kyle, 116 Broadway
266. Germaine White, 861 Avenue C

COMMUNICATIONS

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

- C-1 From Mark W. Morris, Esq., filing notice of tort claim on behalf of EUGENIA ZUBKOVA, alleging injuries sustained June 8, 2015 in a fall on the sidewalk at 801-803 Broadway.
- C-2 From Joseph G. Boccia, Esq., filing notice of tort claim on behalf of AMINA ABDULKARIM, alleging injuries sustained August 14, 2015 in a fall on the sidewalk at 820 Broadway.

- C-3 From Jeffrey S. Ziegelheim, Esq., filing notice of tort claim on behalf of TIMOTHY SULLIVAN, alleging injuries sustained June 5, 2015 in a pedestrian/vehicle accident at 51st Street and Avenue E.
- C-4 From Scott P. Kessler, Esq., filing notice of tort claim on behalf of APRIL L. POLSUNAS, alleging injuries sustained June 3, 2015 in a fall in the street at 51st Street and Avenue C.
- C-5 From KATHLEEN PERKINS-CZANDER, filing notice of tort claim alleging property damage to her automobile on August 23, 2015 resulting from a tree branch falling on it at 162 West 26th Street.
- C-6 From the Superior Court of New Jersey, Law Division, Summons and Complaint in matter entitled, "MARCH ASSOCIATES CONSTRUCTION, INC. vs. CAMERON ROYAL DEVELOPMENT, et al., incl. THE CITY OF BAYONNE." (Construction lien collection matter)
- C-7 From the Tax Court of New Jersey, complaint in matter entitled, "PORTLAND PETROLEUM, INC. vs. CITY OF BAYONNE." (205 Port Jersey Boulevard, Block 397, lot 2 - industrial)
- C-8 From the Tax Court of New Jersey, complaint in matter entitled, "C&C 45 BROADWAY, LLC vs. CITY OF BAYONNE." (45 Broadway, Block 380, lot 45 – multi-family residential)
- C-9 From the Tax Court of New Jersey, complaint in matter entitled, "C&C 45 BROADWAY, LLC vs. CITY OF BAYONNE." (57-63 West 39th Street, Block 104, lot 18 – multi-family residential)

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 Hon. James M. Davis, Mayor, appointing EDITH SINCLAIR-MORRIS to the Bayonne Housing Authority for a term expiring December 31, 2018; and a resolution confirming the appointment. **(Unexpired term of Irene Pyke) Mayor**
- OR-2 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-3 From Janet Convery, Treasurer, reporting on the transfer of the following amounts to the Board of Education on September 4, 2015: **Finance**
\$5,097,854.00 Claims & Payroll for September 2015
- OR-4 From the Purchasing Department reporting on bids received October 2, 2105 for solid waste removal. (1 bidder) **Purchasing**
- OR-5 From the Purchasing Department reporting on bids received October 2, 2015 for recycling collection. (1 bidder) **Purchasing**

RESOLUTIONS

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

- CR-1 Approving the minutes of the regular meeting held Wednesday, September 16, 2015. **City Clerk**
- CR-2 Approving the minutes of the council caucus held Wednesday, September 9, 2015. **City Clerk**

- CR-3 Ordering warrants drawn to taxpayers representing refunds for overpayment of taxes. (12 properties) **Tax Collector**
- CR-4 Ordering a warrant in the amount of \$7,000.00 payable to the BAYONNE FAMILY COMMUNITY CENTER for the annual renewal of the membership fee for the Fire Department for a two year period commencing July 1, 2014. Chargeable to Account 01-201-25-165-1-028. **Fire**
- CR-5 Ordering a warrant be drawn from Current Fund and made payable to the STATE OF NEW JERSEY in the amount of \$1,839.00 in payment of an invoice from the DEPARTMENT OF LABOR relating to assessments levied on New Jersey Employers. Chargeable to Group Insurance. **Finance**
- CR-6 Ordering a warrant in the amount of \$2,650.00 drawn to the order of the TREASURER, STATE OF NEW JERSEY representing the state's share of 106 marriage licenses issued during the months of April, May and June, 2015. **City Clerk**
- CR-7 Ordering a warrant in the amount of \$3,425.00 drawn to the order of the TREASURER, STATE OF NEW JERSEY representing the state's share of 137 marriage licenses issued during the months of July, August and September, 2015. **City Clerk**
- CR-8 Ordering a warrant in the amount of \$32.40 payable to the order of the BUREAU OF RABIES CONTROL, STATE OF NEW JERSEY, covering the issuance of 12 dog licenses issued in September, 2015. **City Clerk**
- CR-9 Authorizing a warrant in the amount of \$32,477.00 payable to the STATE OF NEW JERSEY representing State Surcharge Fees on New Construction and Alterations for the quarter ending September 30, 2015. Chargeable to Account State Training Fees with the Tax Collector. **Building**
- CR-10 Ratifying and confirming the actions of the Treasurer in issuing a warrant in the amount of \$4,397.40 payable to SANOFI PASTEUR for Flu Shots. Chargeable to Public Health Services- O.E. **Finance**
- CR-11 Authorizing the elimination of various inactive reserves and receivables. **Finance**
- CR-12 Ratifying and confirming the actions of the UEZ coordinator in undertaking the October 17, 2015 BERGEN POINT FESTIVAL. **UEZ**
- CR-13 Authorizing an application to the COUNTY OF HUDSON for an OPEN SPACE GRANT for improvements to Fitzpatrick Park. **Business Administration**
- CR-14 Authorizing the Mayor and City Clerk to extend the completion date of the Tax Agreement between the city and 1040 KENNEDY BOULEVARD, LLC from November 7, 2015 to January 31, 2016. **Business Administration**
- CR-15 Granting a charitable clothing bin license to CANCER SUPPORT COMMUNITY – CENTRAL NEW JERSEY, Bedminster, NJ for 2 bins to be located at Bayonne Crossing. **City Clerk**
- CR-16 Granting ** Bingo licenses to qualified organizations. **City Clerk**
- CR-17 Granting 4 Raffle licenses to qualified organizations. **City Clerk**

END OF CONSENT AGENDA

- R-1 Awarding a contract for solid waste removal to SUBURBAN DISPOSAL, Fairfield, NJ 07004, the low bidder, for a term of three years, commencing November 1,

- 2015, in an amount of \$4,440,000.00 with two one year options. Chargeable to Account – Solid Waste Collection 01-201-32-465-2-020. **Public Works**
- R-2 Awarding a contract for recycling collection to SUBURBAN DISPOSAL, Fairfield, NJ 07004, the low bidder, for a term of three years, commencing November 1, 2015, in an amount of \$2,400,000.00 with two one year options. Chargeable to Account – Solid Waste Collection 01-201-32-465-2-020. **Public Works**
- R-3 Authorizing the Mayor and City Clerk to enter into an agreement with the JEWISH COMMUNITY CENTER to provide for the cost of architectural plans from Alan Feld Architect, Jersey City, NJ, for the renovation of the basement at the center for a new children's day care center for the amount of \$2,500.00. Chargeable to Account – CDBG 889. **Community Development**
- R-4 Authorizing the Mayor and City Clerk to enter into an agreement with the BAYONNE ECONOMIC OPPORTUNITY FOUNDATION to provide for the cost of architectural plans from DAL Design Group for design improvements to the steel pan stair case at the rear of the Head Start Building located at 21 West 8th Street for an amount not to exceed \$3,500.00. Chargeable to Account CDBG 842. **Community Development**
- R-5 Authorizing the Mayor and City Clerk to enter into an agreement with the BAYONNE ECONOMIC OPPORTUNITY FOUNDATION to provide for the cost of replacing a water heater at the Head Start Building located at 21 West 8th Street for the amount of \$1,200.00; and ratifying and confirming the actions of Executive Director Samantha Howard in retaining TRI-STATE PLUMBING & HEATING to replace a leaking water hear at the Head Start Building. Chargeable to Account – CDBG 867. **Community Development**
- R-6 Authorizing the Mayor and City Clerk to execute an amendment to Agreement No. CY13-029 with MASER CONSULTING, P.A., Mount Arlington, NJ for professional design and construction administration services for the Don Ahern Veterans Stadium athletic complex renovation project increasing the contract amount by \$29,350.00, making the total contract amount not to exceed \$274,400.00. Chargeable to Account O-15-23.
- R-7 Authorizing the Mayor and City Clerk are hereby to submit an electronic grant application identified as MA-2016-2016 ROADWAY IMPROVEMENTS-00349 to the New Jersey Department of Transportation on behalf of the City of Bayonne. **Business Administration**
- R-8 Authorizing the Mayor to accept and allow full execution of an AFG 2014 (Assistance to Firefighters Grant) in the amount of \$45,455.00 with a city match of \$4,545.00, totaling \$50,000.00 for the purpose of purchasing an air compressor/fill station/cascade system for filling self-contained breathing apparatus. **Fire**
- R-9 Ratifying and confirming the actions of the Business Administrator in authorizing the emergency demolition of a fire damaged structure at 41 East 16th Street, and retaining CONTROL INDUSTRIES, INC. to demolish the structure for the amount of \$36,000.00; and ratifying and confirming the actions of the Treasurer in issuing a warrant in the amount of \$36,000.00 in payment. **Business Administration**
- R-10 Amending Agreement No. CY-15-049 with FLOURNOY GETHERS VFW POST 7470 to include the cost of additional electrical and plumbing work not originally anticipated at their building at 33-35 West 19th Street, to be completed by BARD CONSTRUCTION CO., Lyndhurst, NJ in the amount of \$3,900.00, making the total contract amount \$51,500.00. **Community Development**
- R-11 Amending Agreement No. CY-15-067 with the JEWISH COMMUNITY CENTER to include covering the cost of masonry steps with vinyl tread covers not anticipated to be performed by BARD CONSTRUCTION CO., Lyndhurst, NJ in the amount of

\$3,500.00, making the total contract amount \$151,300.00. Chargeable to Account – CDBG-867. **Community Development**

- R-12 Amending Agreement CY 15-041 with JACOB'S ENGINEERING to include traffic data collection counts for the Peninsula at Bayonne Harbor, not included in their original contract, and increasing the amount of the contract by \$20,000.00, making the total contract amount \$90,000.00. **Municipal Services**
- R-13 Amending Agreement CY 15-023 with CLARK, CATON HINTZ professional planning services as Council on Affordable Housing (COAH) consultant to increase the amount of the contract by \$12,000.00, making the total contract amount \$48,000.00. **Planning & Zoning**
- R-14 Temporarily rerouting the direction of traffic on West 53rd Street between Avenue C and Broadway from eastbound to westbound beginning on or about November 2, 2015 for an estimated six month period to help alleviate traffic congestion due to the TURNPIKE INTERCHANGE PROJECT. **Public Safety**
- R-15 Authorizing a waiver from section 3-1, Noise, of the Revised General Ordinances (hours of construction) to the contractor on the INVESTOR'S BANK Project to allow them work in the evening and night hours (8:00 PM to 4:00 AM) at Broadway and 53rd Street to lessen traffic burdens and to shorten construction time. **Business Administrator**
- R-16 Authorizing REQUESTS FOR QUALIFICATIONS for city professional contracts for calendar year 2016. **Business Administration**
- R-17 Approving collective bargaining agreement with AFSCME LOCAL 2261 and with the Library. **Business Administration**
- R-18 Designating 26 NORTH AVENUE, LLC as redeveloper of the property designated as Block 297, lot 3. **(26 North Street) Planning**
- R-19 Authorizing and directing the planning Board to prepare a Redevelopment Plan for Block 84, Lots 6, 7, 8 and 9. **(140 Avenue B, 138 Avenue B, 104 West 44th Street, and 101 West 44th Street) Planning**
- R-20 Discussion of the 2015 BEST PRACTICES INVENTORY. **Business Administration**