

CITY OF BAYONNE CITY COUNCIL COUNCIL CAUCUS DECEMBER 9, 2015

ORDINANCES, COMMUNICATIONS AND ADMINISTRATION REQUESTS FOR COUNCIL MEETING AGENDA

REQUESTS TO ADDRESS THE COUNCIL

ORDINANCES SCHEDULED FOR HEARING

- O-1 ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON APPROVING A FINANCIAL AGREEMENT WITH 230-250 AVENUE E URBAN RENEWAL, LLC. **(Bayonne Plumbing South Redevelopment)**
- O-2 ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON APPROVING A FINANCIAL AGREEMENT WITH INGERMAN DEVELOPMENT COMPANY, LLC AND BAYONNE 19TH STREET URBAN RENEWAL ASSOCIATES, LLC.
- O-3 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 37, HISTORIC PRESERVATION. **Veterans of Foreign Wars Post #226, 16 West 9th Street)**
- O-4 ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY APPROVING AND AUTHORIZING THE EXECUTION OF AN AMENDED AND RESTATED DEED TO BAYONNE AUTO TERMINAL, LLC FOR PROPERTY KNOWN AS BLOCK 1180, LOT 1 LOCATED IN THE MARITIME DISTRICT OF THE PENINSULA, IN THE CITY OF BAYONNE.
- 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
234. Elizabeth Floyd for George Loyal, 72 Evergreen Street
ADD
202. Janet Staruch, 31-35 East 11th Street
234. William Farley, 145 West 28th Street
273. Jane Young, 112 West 3rd Street
290. Paul Yurkon, Sr., 509 Kennedy Boulevard

ORDINANCES PROPOSED FOR INTRODUCTION

- O-6 An Ordinance adopting the HARBOR STATION SOUTH REDEVELOPMENT plan for a portion of Port Terminal Boulevard, Block 790, lot 1, Block 770, lot 1, block 730, lots 1 & 2, Block 780, lot 1, Block 700, lot 1, Block 750, lot 1, Block 731, lot 1, Block 751, lot 1 and inclusive rights of way; and a resolution fixing, Wednesday, January 20, 2016, 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. **Municipal Services**
- O-7 An Ordinance authorizing the refinancing of General Improvement Bonds Series 2009 and School bonds, Series 2005; and a resolution fixing, Wednesday, January 20, 2016, 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. **Finance**
- O-8 An Ordinance adopting the BAYONNE BAY WEST Redevelopment Plan for a portion of Block 830; and a resolution fixing, Wednesday, January 20, 2016, 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. **Municipal Services**

- O-9 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC; and a resolution fixing, Wednesday, January 20, 2016, 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

049. Bernard Malinconico, 366 Broadway
202. Florence Starita, 41 West 16th Street
203. Daniel Finnerty, 17 Hartley Place
292. Margarita Gonzalez, 44 West 32nd Street

ADD

203. Tony K. Chaine, 30 East 50th Street – Apt., 372
292. Eugene Mincieli for his wife, Frances, 90 West 21st Street
310. Carloyn Beatty, 94 West 15th Street
355. Stanley Marko, 77 East 25th Street
363. Gary O'Rourke for his mother, Ethel, 13 Andrew Street

COMMUNICATIONS

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

- C-1 From Pasquale Agresti, Esq., filing notice of tort claim on behalf of JAMIE BETHANCUR, alleging injuries sustained July 3, 2015 in an assault at the basketball court in Hudson County Park.
- C-2 From Paul K. DeGrado, Esq., filing notice of tort claim on behalf of MALGORZATA DOBROWOLSKA, alleging injuries sustained November 12, 2015 in an accident trying to open a window at the Head Start Building, 7 West 9th Street.
- C-3 From Brian D. Schwartz, Esq., filing notice of tort claim on behalf of MARTA VARGA, alleging injuries sustained September 30, 2015 in a fall on the sidewalk at 525 Broadway.
- C-4 From John J. Smith, Esq., filing notice of tort claim on behalf of MICHELE BARBA, alleging injuries sustained October 8, 2015 in a fall in the crosswalk at 26th Street and Broadway.
- C-5 From Peter N. Davis, Esq., filing notice of tort claim on behalf of ANA MARTINEZ, alleging injuries sustained August 3, 2015 in a sidewalk fall down at 636 Avenue A.
- C-6 From JOHN LAGO, father of JOHNNY LEE LAGO, a minor, filing notice of tort claim alleging personal injury sustained July 7, 2105 from a roller skating injury on a Mary J. Donohue summer camp program at the Arenas At Woodbridge.
- C-7 From MICHELE MENAFRO, filing notice of tort claim alleging property damage to the curb and sidewalk at her home on various dates resulting from being run over by garbage trucks at 122 West 16th Street.
- C-8 From MAURA B. FRANCONERI, filing notice of tort claim alleging property damage to damage to her automobile tire on October 9, 2015 resulting from running over the curb at a catch basin at 57th Street and Avenue C.
- C-9 From PUBLIC SERVICE ELECTRIC & GAS, filing notice of tort claim alleging property damage to a gas main on September 29, 2015 resulting from a DPW front end loader striking it at the 40th Street bridge.
- C-10 From the Superior Court of New Jersey, Law Division, Summons and Complaint in matter entitled, "FRENKEL & CO. vs. THE CITY OF BAYONNE." (Seeking

compensation for commissions as risk management consultant during 2013 and 2014.)

- C-11 From the Superior Court of New Jersey, Law Division, Summons and Complaint in matter entitled, “MARROQUIN vs. SCIANNI and THE CITY OF BAYONNE, et al.” (Civil rights violation on March 23, 2014 at the St. Patrick’s Day Parade)
- C-12 From the Superior Court of New Jersey, Law Division, Summons and Complaint in matter entitled, “BUCHHOLTZ vs. THE CITY OF BAYONNE.” (Sidewalk fall down on February 19, 2015 at the 31st Street side of the Free Public Library)
- C-13 From the United States District Court, Eastern District of New York, Summons and Complaint in matter entitled, “GATSON vs. F.B.I., et al., incl. THE CITY OF BAYONNE, et al.” (Civil rights violations from an arrest on October 10, 2013)
- C-14 From the Superior Court of New Jersey, Chancery Division, Summons and Complaint in matter entitled, “LANET HOME LENDING, LLC vs. THE CITY OF BAYONNE, et al.” (Mortgage foreclosure – city has two docketed judgments against)
- C-15 From the Superior Court of New Jersey, Chancery Division, Summons and Complaint in matter entitled, “M&T BANK vs. GARCIA, et al., incl. THE CITY OF BAYONNE.” (Mortgage foreclosure in which the city may hold 2 judgments)

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/re-appointing the following to the Historic Preservation Commission for the terms indicated: **Mayor**
- | | |
|----------------------------------|-------------------|
| CLASS B: | Term Expires |
| CARMELA ASCOLESE KARNOUTSOS | December 31, 2018 |
| P. GERARD NOWICKI | December 31, 2017 |
| CLASS C: | |
| PRISCILLA EGE | December 31, 2018 |
| LEE FAHLEY | December 31, 2016 |
| ALTERNATES: | |
| MERYL ROBIN (#1) | December 31, 2015 |
| BAER HANUSZ-RAJKOWSKI (#2 – new) | December 31, 2018 |
- OR-2 From Hon. James M. Davis, Mayor, re-appointing JOHN MINELLA to the Alcoholic Beverage Control Board for a term expiring December 31, 2018; and a resolution consenting to the appointment. **Mayor**
- OR-3 From Hon. James M. Davis, Mayor, re-appointing TERRENCE MALLOY, CFO, as the Class II member of the Planning Board for a term expiring December 31, 2016, and re-appointing MIGUEL QUINTELA as a Class IV member of the Planning Board for a term expiring December 31, 2019. **Mayor**
- OR-4 From Hon. James M. Davis, Mayor, designating VINCENT VIRGA as his Class 1 designee on the Planning Board. **Mayor**
- OR-5 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-6 From Terrence Malloy, CFO, Supplemental Debt Statement as of December 16, 2015. **Finance**
- OR-7 From Janet Convery, Treasurer, reporting on the transfer of the following amounts to the Board of Education on November 6, 2015: **Finance**

\$5,097,854.00 Claims and payroll for November, 2015

RESOLUTIONS

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

- CR-1 Approving the minutes of the regular meeting held Wednesday, November 10, 2015. **City Clerk**
- CR-2 Approving the minutes of the council caucus held Wednesday, November 4, 2105. **City Clerk**
- CR-3 Appointing BARRY KUSHNIR as Alternate #4 on the Zoning Board of Adjustment for a term to expire December 31, 2016. **Mayor**
- CR-4 Appointing HON JUAN PEREZ as the Class III member of the Planning Board for a term to expire December 31, 2016. **Council**
- CR-5 Ordering warrants drawn to taxpayers representing refunds for overpayment of taxes. (13 properties) **Tax Collector**
- CR-6 Ordering warrants drawn to taxpayers representing refunds for overpayment of taxes resulting from judgments rendered by the New Jersey Tax Court. (** properties) **Tax Collector**
- CR-7 Ordering a warrant in the amount of \$21.00 payable to the order of the BUREAU OF RABIES CONTROL, STATE OF NEW JERSEY, covering the issuance of 5 dog licenses issued in November, 2015. **City Clerk**
- CR-8 Authorizing payment to OPEN TEXT, INC., Chicago, IL, for annual software support for the Police Department's Alchemy brand document-imaging software for a one-year period commencing January 1, 2016, in the amount of \$4,414.00, and ordering a warrant in payment. Chargeable to Account #PS-9. **Police**
- CR-9 Ratifying and confirming the actions of the Treasurer in issuing a warrant in the amount of \$1,295.51 payable to AIR & GAS TECHNOLOGIES, Cliffwood Beach, NJ for a one year service maintenance contract for one Bauer air compressor unit. **Fire**
- CR-10 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 fourth quarter county taxes of 2015. **Finance**
- CR-11 Ratifying and confirming the actions of the Treasurer in issuing warrants totaling \$31,800.00 payable to SUPREME TOURS, LLC and BAYSHORE BUS COMPANY. Chargeable to Parks and Playgrounds-O.E. **Finance**
- CR-12 Granting a charitable clothing bin license to ST. ANDREW CHURCH for 1 bin to be located at 2 West 4th Street. **City Clerk**
- CR-13 Establishing the calendar of council meetings and caucus meetings for 2016. **City Clerk**
- 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 Authorizing the Mayor and City Clerk to enter into an agreement with the BAYONNE HOUSING AUTHORITY, to provide for the cost of architectural plans from DAL Design Group, in the amount of \$14,600.00. Chargeable to Account #CDBG-843. **Community Development**

- R-2 Authorizing the Mayor and City Clerk to execute an amendment to Agreement No. CY 15-088 with BAYONNE COMMUNITY DAY NURSERY for sidewalk reconstruction to include the installation of an exterior door necessary to complete the project, which was not anticipated at the time of the original proposal, for the amount of \$7,800.00 pursuant to the contractor's proposal dated December 1, 2015, making the total contract amount \$26,800.00. Chargeable to Account CDBG-867. **Community Development**
- R-3 Authorizing the Mayor and City Clerk to enter into an agreement for legal services as municipal tax attorneys for the one year period commencing January 1, 2016 pursuant to the Fair and Open Solicitation Process. (Professional Services contract obtained through the Fair and Open solicitation process - notice of award to be published.) **Business Administration**
- R-4 Authorizing the Mayor and City Clerk to enter into an agreement for professional legal services as attorney for the planning board for the one year period commencing January 1, 2016 pursuant to the Fair and Open Solicitation Process. (Professional Services contract obtained through the Fair and Open solicitation process - notice of award to be published.) **Business Administration**
- R-5 Authorizing the Mayor and City Clerk to enter into an agreement for professional legal services as attorney for the Zoning Board of Adjustment for the one year period commencing January 1, 2016 pursuant to the Fair and Open Solicitation Process. **Business Administration**
- R-6 Authorizing the Mayor and City Clerk to enter into an agreement for professional legal services as public defender in the Municipal Court for the one year period commencing January 1, 2016 pursuant to the Fair and Open Solicitation Process. (Professional Services contract obtained through the Fair and Open solicitation process - notice of award to be published.) **Business Administration**
- R-7 Authorizing the Mayor and City Clerk to enter into an agreement for professional legal services as Rent Control Board attorney for the one year period commencing January 1, 2016 pursuant to the Fair and Open Solicitation Process. (Professional Services contract obtained through the Fair and Open solicitation process - notice of award to be published.) **Business Administration**
- R-8 Authorizing the Mayor and City Clerk to enter into an agreement for professional legal services to as redevelopment/land use attorney for the one year period commencing January 1, 2016 pursuant to the Fair and Open Solicitation Process. (Professional Services contract obtained through the Fair and Open solicitation process - notice of award to be published.) **Business Administration**
- R-9 Authorizing the Mayor and City Clerk to enter into an agreement for professional legal services as bond counsel for the one year period commencing January 1, 2016 pursuant to the Fair and Open Solicitation Process. (Professional Services contract obtained through the Fair and Open solicitation process - notice of award to be published.) **Business Administration**
- R-10 Authorizing the Mayor and City Clerk to enter into an agreement for professional legal services for federal and state grants and funding for the one year period commencing January 1, 2016 pursuant to the Fair and Open Solicitation Process. (Professional Services contract obtained through the Fair and Open solicitation process - notice of award to be published.) **Business Administration**
- R-11 Authorizing the Mayor and City Clerk to enter into an agreement for professional legal services as labor/employment attorney for the one year period commencing January 1, 2016 pursuant to the Fair and Open Solicitation Process. (Professional Services contract obtained through the Fair and Open solicitation process - notice of award to be published.) **Business Administration**

- R-12 Authorizing the Mayor and City Clerk to enter into an agreement for professional real estate appraisal service in connection with State Tax Court appeals for the one year period commencing January 1, 2016 pursuant to the Fair and Open Solicitation Process. (Professional Services contract obtained through the Fair and Open solicitation process - notice of award to be published.) **Business Administration**
- R-13 Authorizing the Mayor and City Clerk to enter into an agreement for professional accounting services to act as municipal auditors for the one year period commencing January 1, 2016 pursuant to the Fair and Open Solicitation Process. (Professional Services contract obtained through the Fair and Open solicitation process - notice of award to be published.) **Business Administration**
- R-14 Authorizing the Mayor and City Clerk to enter into an agreement for professional planning services to act as municipal planner for the one year period commencing January 1, 2016 pursuant to the Fair and Open Solicitation Process. (Professional Services contract obtained through the Fair and Open solicitation process - notice of award to be published.) **Municipal Services**
- R-15 Authorizing the Mayor and City Clerk to enter into an agreement for website design, management, and maintenance for the one year period commencing January 1, 2016 pursuant to the Fair and Open Solicitation Process. **Business Administration**
- R-16 Authorizing the Mayor and City Clerk to enter into an agreement for professional engineering services as qualified general/special project engineers for the one year period commencing January 1, 2016 pursuant to the Fair and Open Solicitation Process. (Professional Services contract obtained through the Fair and Open solicitation process - notice of award to be published.) **Business Administration**
- R-17 Authorizing the Mayor and City Clerk to enter into an agreement for professional engineering services for licensed site remediation specialist services for the one year period commencing January 1, 2016 pursuant to the Fair and Open Solicitation Process. (Professional Services contract obtained through the Fair and Open solicitation process - notice of award to be published.) **Business Administration**
- R-18 Authorizing the Mayor and City Clerk to enter into an agreement for services as Community Development Block Grant (CDBG) consultant for the one year period commencing January 1, 2016 pursuant to the Fair and Open Solicitation Process. **Business Administration**
- R-19 Authorizing the Mayor and City Clerk to enter into an agreement for professional planning services as Council on Affordable Housing (COAH) consultant for the one year period commencing January 1, 2016 pursuant to the Fair and Open Solicitation Process. (Professional Services contract obtained through the Fair and Open solicitation process - notice of award to be published.) **Business Administration**
- R-20 Authorizing the Mayor and City Clerk to enter into an agreement for professional services as grant writer and management consultant for the one year period commencing January 1, 2016 pursuant to the Fair and Open Solicitation Process. **Business Administration**
- R-21 Authorizing the Mayor and City Clerk to enter into an agreement for professional medical services for uniformed employees for the one year period commencing January 1, 2016 pursuant to the Fair and Open Solicitation Process. (Professional Services contract obtained through the Fair and Open solicitation process - notice of award to be published.) **Municipal Services**
- R-22 Amending an agreement with JACOBS ENGINEERING to increase the amount of the contract from \$99,000.00 to \$125,042.00 to provide for traffic engineering

services to prepare an updated traffic impact study for the redevelopment project at the Peninsula at Bayonne Harbor. **Business Administration**

- R-23 Amending an agreement with CME ASSOCIATES to increase the amount of the contract from \$300,000.00 to \$570,000.00. **Business Administration**
- R-24 Amending an agreement with ALL COVERED to increase the amount of the contract from \$25,000.00 to \$90,000.00. **Business Administration**
- R-25 Amending an agreement with REMINGTON, VERNICK & ARANGO ENGINEERS to increase the amount of the contract from \$17,500.00 to \$17,800.00. **Business Administration**
- R-26 Amending an agreement with APPRUZZESE, McDERMOTT, MASTRO & MURPHY to increase the amount of the contract from \$17,500.00 to \$20,000.00. **Business Administration**
- R-27 Directing the Planning Board to prepare a redevelopment plan for Block 2212, lots 8-13, located at __ Avenue E and to report to the council for further consideration. **(Villa Nova site at East 19th Street and Avenue E) Planning**
- R-28 Directing the Planning Board to prepare a redevelopment plan for the BAYONNE ENERGY CENTER expansion at 401 Hook Road, block 482, lots 10 & 11. **Planning**
- R-29 Directing the Planning Board to conduct a blight study and prepare a redevelopment plan for Block 411, lots 1, 6, 7, 10.01, and 11-15, located at East 31st and 32nd Streets and Prospect Avenue. **(Expansion of the Peninsula View Redevelopment Plan) Planning**
- R-30 Amending the city's Master Plan Element Fair Share Plan and Spending Plan; and fixing, Wednesday, January 20, 2016, at 7:00 P.M., and the Dorothy E. Harrington Council Chambers, Municipal Building, as the time and place for a public hearing.
- R-31 Referring a proposed change in the zoning designation for Block 28, lot 4 from R-2 residential to a commercial zone. **(Hudson Lanes property) Business Administration**
- R-32 Authorizing the sale of real property located at Block 215, lot 8 (81 West 20th Street), Block 295, lot 16 (North Street Rear), Block 333.01, lot 1 (16 Bayview Court), and Block 467, lot 2 (78 Avenue E), each of which is no longer needed for public use, at a public auction to be held Wednesday, January 6, 2016 at 11:00 A.M. in the Dorothy E. Harrington Council Chambers, and authorizing the City Clerk to advertise same. **Business Administration**
- R-33 Approving Budgetary Transfer #2 in the CY 2015 budget. **Finance**
- R-34 Authorizing the 2016 Bulk Sale Tax Sale.