

CITY OF BAYONNE
CITY COUNCIL
REGULAR MEETING
MARCH 16, 2016

REQUESTS TO ADDRESS THE COUNCIL

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 330, LOTS 6-12 (17 W. 5TH STREET; 15 W. 5TH STREET; 11 W. 5TH STREET; 9 W. 5TH STREET; 155-157 BROADWAY; 159 BROADWAY; AND 161 BROADWAY) ON THE TAX MAP OF THE CITY OF BAYONNE. **Planning**
- O-2 AN ORDINANCE APPROVING A FINANCIAL AGREEMENT (PILOT) WITH 662 AVENUE C URBAN RENEWAL LLC. **(former St. Henry's Rectory site) Planning.**
- O-3 AN ORDINANCE APPROVING A FINANCIAL AGREEMENT (PILOT) WITH 195 EAST 22ND STREET URBAN RENEWAL LLC. **(Route 440 East) Business Administration**
- O-4 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, insurance and language corrections regarding the Municipal Pool) Business Administration**
- O-5 CAPITAL IMPROVEMENT ORDINANCE TO PROVIDE FOR FUNDING FOR THE IMPROVEMENT OF CLARK PARK IN THE AMOUNT OF \$390,000.00.
- O-6 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC. **(Loading Zone) Public Safety**
- O-7 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC. **(Restrictive Parking Zones) Public Safety**

ADD

049. Diane Husband, 943 Broadway
079. Lucy Sanchez, 35 East 32nd Street
366. John Lewandowski, 328 Avenue E
367. Kamal Morgan, 21 East 16th Street
368. Sotero Garcia, 35 Sunset Avenue

ORDINANCES PROPOSED FOR INTRODUCTION

- O-8 AN ORDINANCE ADOPTING A REDEVELOPMENT PLAN FOR BLOCK 221, LOTS 8-13, KNOWN AS 33-43 EAST 19TH STREET, 197-205 AVENUE E REAR AND 4 STANDARD PLACE; and a resolution fixing, Wednesday, April 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. **(Villa Nova Redevelopment) Planning**
- O-9 AN ORDINANCE ADOPTING A REDEVELOPMENT PLAN FOR BLOCK 295, LOTS 16 AND 17; and a resolution fixing, Wednesday, April 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. **(105.5 North Street Rehabilitation Plan) Planning**
- O-10 AN ORDINANCE VACATING A PORTION OF WEST 6TH STREET; and a resolution fixing, Wednesday, April 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. **(Paper street) Business Administration**

- O-11 AN ORDINANCE VACATING HOOK ROAD; and a resolution fixing, Wednesday, April 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. **(Paper Street) Business Administration**
- O-12 CALENDAR YEAR 2016 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14); and a resolution fixing Wednesday, April 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-13 An Ordinance authorizing the transfer of city owned property located at West 7th Street from the Veterans of Foreign Wars to the Disabled American Veterans Post #5 and the Viet Nam Veterans Chapter 151; and a resolution fixing, Wednesday, April 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.
- O-14 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC; and a resolution fixing, Wednesday, April 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. **(No Stopping or Standing on a portion of Pulaski Street) Public Safety**
- O-15 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC; and a resolution fixing, Wednesday, April 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**
- REMOVE
013. Eugene Miller, 132 West 16th Street
034. Maryann McCrea, 437 Kennedy Boulevard
127. Marilyn Kline, 130 Prospect Avenue
232. Donna Christenson, 24 Cottage Street
- ADD
368. Henry M. Ashe, 19 George Street
369. Lori Vida, 32 West 45th Street
370. Jane Wojslawowics, 44 East 19th Street
- RELOCATE
207. Paul Kuzminski for his daughter Stephanie from 10 West 37th Street to 136 West 16th Street
357. Judith Martin from 76 West 34th Street to 82 West 7th Street
364. Karim Abdelmalak for his daughter Hanna Noor from 81 Andrew Street to 45 East 18th Street

COMMUNICATIONS

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

- C-1 From Robert M. Anderson, Esq., filing notice of tort claim on behalf of GAIL BURNS, alleging injuries sustained November 24, 2015 in a fall on the sidewalk at 25th and Broadway.
- C-2 From MARY ANN FLORA, filing notice of tort claim alleging property damage to her automobile on January 24, 2016 resulting from being struck by a snow plow at 85 West 47th Street.
- C-3 From JOE KOVAL, filing notice of tort claim alleging property damage to his sidewalk and driveway on February 7, 2016 resulting from damage during snow removal at 336 Avenue E.

- C-4 From the Tax Court of New Jersey, complaint in matter entitled, “NORTH HOOK ASSOCIATES, LLC vs. CITY OF BAYONNE.” (69-73 LeFante Way, Block 412, lot 3 - industrial)
- C-5 From the Superior Court of New Jersey, Law Division, Summons and Complaint in matter entitled, “RYAN vs. SULLIVAN and THE CITY OF BAYONNE, et al.” (Auto accident on March 17, 2014 at 14th Street and Avenue A)
- C-6 From the Tax Court of New Jersey, complaint in matter entitled, “MPT OF BAYONNE, LLC vs. CITY OF BAYONNE.” (29th Street & Avenue E, Block 159, lot 14 & 15; Block 164, lots 5 & 6; Block 420.02, lot 2; Block 504, lot 7.01 – commercial & vacant)
- C-7 From Donahue, Gironda, Doria, & Tompkins, CPA’s, ANNUAL AUDIT REPORT for the year ended December 31, 2014.

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, re-appointing RUTH CUMMINGS-HYPOLITE (term expiring December 31, 2018), DEBRA A. NOBLE (term expiring December 31, 2017), and JAMES J. O’BRIEN, JR. (term expiring December 31, 2018) to the Rent Control Board; and a resolution confirming the appointments. **Mayor**
- OR-2 From Hon. James M. Davis, Mayor, appointing JACK KENNEDY to the Library Board of Trustees for a term expiring December 31, 2018. **Mayor**
- OR-3 From Hon. James M. Davis, Mayor, reappointing SAMANTHA HOWARD to the Urban Enterprise Zone Development Corporation as the B.E.O.F. representative for a term to expire December 31, 2020. **Mayor**
- OR-4 From Hon. James M. Davis, Mayor, reappointing TED GARELICK to the Planning Board for a term to expire December 31, 2017. **Mayor**
- OR-5 From Hon James M. Davis, Mayor, appointing EDOARDO FERRANTE, JR. as Emergency Management Coordinator for a three year term commencing March 4, 2016. **Mayor**
- OR-6 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-7 From Terrence Malloy, Chief Financial Officer, ANNUAL FINANCIAL STATEMENT (UNAUDITED) for calendar year 2015. **Finance**
- OR-8 From Janet Convery, Treasurer, reporting on the transfer of the following amounts to the Board of Education on February 6, 2016: **Finance**
\$5,097,854.00 Claims and payroll for February, 2016

RESOLUTIONS

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

- CR-1 Approving the minutes of the regular meeting held Wednesday, February 17, 2016. **City Clerk**
- CR-2 Approving the minutes of the council caucus held Wednesday, February 10, 2016. **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 \$2,550.00 drawn to the order of the TREASURER, STATE OF NEW JERSEY representing the state's share of 102 marriage licenses issued during the months of October, November, and December, 2015. **City Clerk**
- CR-5 Ordering a warrant in the amount of \$153.00 payable to the order of the BUREAU OF RABIES CONTROL, STATE OF NEW JERSEY, covering the issuance of 80 dog licenses issued in February, 2016. **City Clerk**
- CR-6 Authorizing the sale at public auction of 4 city vehicles no longer in service and beyond repair. **Public Safety**
- CR-7 Authorizing the sale at public auction of the firehouse apparatus tent located on the former site of Fire Station 1. **Mayor's Office**
- CR-8 Amending Resolution No. 15-01-21-050 authorizing an agreement with NOWELL AMOROSO, KLEIN, BIERMAN, P.A., for professional legal services in connection with tax appeals for the period January 1, 2015 through December 31, 2015 to amend the maximum amount of the contract as \$41,339.94. **Business Administration**
- CR-9 Amending Resolution No. 15-06-10-047 authorizing an agreement with CHIESA, SHAHINIAN & GANTOMASI, PC for professional legal services in connection with tax appeals for the period June 1, 2015 through December 31, 2015 to amend the maximum amount of the contract as \$49,277.96. **Business Administration**
- CR-10 Granting ** Bingo licenses to qualified organizations. **City Clerk**
- CR-11 Granting ** Raffle licenses to qualified organizations. **City Clerk**

END OF CONSENT AGENDA

- R-1 Awarding a contract for improvements to Clark Park to PICERNO-GIORDANO CONSTRUCTION, LLC, Kenilworth, NJ, the low bidder, in the amount of \$796,103.75. Chargeable to Accounts – Ordinance O-15-16, O-15-23, and Pending Capital Improvement Ordinance. **Public Works**
- R-2 Awarding a contract for DiDomenico Park dock improvements to MARBRO, INC., Montclair, NJ, the low bidder, in the amount of \$591,117.00. Chargeable to Account – Pending Capital Improvement Ordinance. **Public Works**
- R-3 Authorizing the Purchasing Agent to purchase the E350 cutaway bucket truck with Versalift Model#VT29IH Q-6703A option, for a total amount of \$80,589.00 under state contract#40321, from ROUTE 23 AUTO MALL, Butler, NJ. Chargeable to Bond Ordinances #O-12-39, #O-15-16. **Purchasing**
- R-4 Authorizing the Purchasing Agent to purchase ten (10) 2017 Ford Police Interceptor patrol vehicles under State Contract #A88728 for the total amount of ##. Chargeable to Account **. **Public Safety**
- R-5 Authorizing the Mayor and City Clerk to enter into an agreement with JACOBS ENGINEERING, Morristown, NJ for professional special engineering services for calendar year 2016 for an amount not to exceed \$90,000.00. **Business Administration**
- R-6 Authorizing the Mayor and City Clerk to enter into an agreement with MATRIX NEW WORLD ENGINEERING, Morristown, NJ for professional special engineering services for calendar year 2016 for an amount not to exceed \$300,000.00. **Business Administration**

- R-7 Authorizing the Mayor and City Clerk to enter into an agreement with a vendor to establish the use of credit cards for the payment of parking at meters in city parking lots.
- R-8 Authorizing the Mayor and City Clerk to enter into an interlocal services agreement with the BAYONNE BOARD OF EDUCATION for use of emergency communications systems, effective April 1, 2016. **Business Administration**
- R-9 Authorizing the Mayor and City Clerk to enter into an interlocal services agreement with the BAYONNE BOARD OF EDUCATION for use of the city fueling station, effective April 1, 2016. **Business Administration**
- R-10 Authorizing the Mayor and City Clerk to enter into an interlocal services agreement with the BAYONNE BOARD OF EDUCATION for snow emergencies – salt and parking issues, effective April 1, 2016. **Business Administration**
- R-11 Authorizing the Mayor and City Clerk to enter into an interlocal services agreement with the BAYONNE BOARD OF EDUCATION for certain recreational facilities, effective April 1, 2016. **Business Administration**
- R-12 Authorizing the Mayor and City Clerk to enter into an interlocal services agreement with the BAYONNE BOARD OF EDUCATION for the use of board facilities for training purposes, effective April 1, 2016. **Business Administration**
- R-13 Authorizing the Mayor and City Clerk to enter into an interlocal services agreement with the BAYONNE BOARD OF EDUCATION for emergent use of facilities, effective April 1, 2016. **Business Administration**
- R-14 Authorizing the Mayor and City Clerk to enter into an interlocal services agreement with the BAYONNE BOARD OF EDUCATION for garbage and recycling removal and disposal, effective April 1, 2016. **Business Administration**
- R-15 Authorizing the Mayor and City Clerk to enter into an interlocal services agreement with the BAYONNE BOARD OF EDUCATION for a shared facilities scheduling system. **Business Administration**
- R-16 Authorizing the city to accept the 2015 NJ EMERGENCY AGENCY ASSISTANCE (EMMA) GRANT in the amount of \$7,000.00 federal award with a \$7,000.00 local match for the performance period from July 1, 2015 to June 30, 2016 for the purpose of enhancing Bayonne’s ability to prevent, protect against, respond to, and recover from acts of terrorism, natural disasters, and other catastrophic events and emergencies. **Public Safety**
- R-17 Approving Change Order and final retainage payment regarding Don Ahern Veterans Stadium improvements.
- R-18 Establishing a schedule of debt service reimbursement for the permanent debt relating to the public walkway adjacent to the BAYONNE GOLF CLUB to be paid by the Golf Club or its successors in interest. **Finance**
- R-19 Approving Temporary Emergency #2 in the CY 2016 temporary budget. **Finance**
- R-20 Approving Budgetary Transfer #5 in the CY 2015 budget. **Finance**
- R-21 Affirming that the council members have read, at a minimum, the comments and recommendations section of the CY 2014 audit, and an affidavit certifying that they have done so. **City Clerk**
- R-22 Adopting a CORRECTIVE ACTION PLAN following the CY 2014 audit. **Finance**
- R-23 Introducing the CY 2016 LOCAL MUNICIPAL BUDGET, and fixing Wednesday, April 20, 2016 at 7:00 P.M. and the Dorothy E. Harrington Council Chambers as the time and place for a hearing and further consideration. **Finance**

- R-24 Designating certain property that is generally located on CONSTABLE HOOK (a/k/a New Hook Road), and more specifically known as including BLOCK 482, LOTS 10 AND 11 as shown on the official Tax Map of The City of Bayonne as a non-condemnation area in need of redevelopment pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. **(Bayonne Energy Center) Business Administration**
- R-25 Authorizing the Planning Board to perform a preliminary investigation as to whether property located at 676-688 Avenue E and known as Block 402, Lots 4, 5, 6 and 7 is an area in need of redevelopment. **(Doolan's Auto Repair site) Business Administration**
- R-26 Authorizing the subdivision of property located at East 5th Street, adjacent to the Atlas Yacht Club. (Block and lot to be provided)
- R-27 Endorsing HUDSON COUNTY OPEN SPACE funding for the rehabilitation of Fitzpatrick Park.
- R-28 Granting a right of entry for groundwater investigation and monitoring for the site of the former Getty gasoline station at Avenue C and West 15th Street.