

CITY OF BAYONNE
CITY COUNCIL
REGULAR MEETING
MAY 18, 2016

REQUESTS TO ADDRESS THE COUNCIL

- RA-1 From LOUIS CINCO, requesting permission to address the council on the subject of need to put up route sign for truck to go on back road. Stay off Hobart. Trucks are destroying the asphalt. Also need to let car know what speed to go.
- RA-2 From PAUL DeANGELO, requesting permission to address the council on the subject of general city matters.
- RA-3 From RICHARD BARBA, requesting permission to address the council on the subject of city contracts.
- RA-4 From PETE CRESCI, requesting permission to address the council on the subject of general city business.

ORDINANCES SCHEDULED FOR HEARING

- O-1 AN ORDINANCE OF THE CITY OF BAYONNE DISSOLVING THE BAYONNE MUNICIPAL UTILITIES AUTHORITY PURSUANT TO N.J.S.A. 40A:5A-20 AND MAKING ADEQUATE PROVISION FOR THE PAYMENT OF CREDITORS OR OBLIGEEES OF THE AUTHORITY AND THE ASSUMPTION OF THE SERVICES PROVIDED BY THE AUTHORITY. **Business Administration**
- O-2 ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING A REDEVELOPMENT PLAN FOR BAYONNE ENERGY CENTER URBAN RENEWAL, LLC, FOR 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 TAX MAP OF THE CITY OF BAYONNE AS A NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT. **Business Administration**
- O-3 ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING A REDEVELOPMENT/REHABILITATION PLAN FOR BLOCK 458, LOTS 12 AND 13 LOCATED AT 206-220 AVENUE E AND 222 AVENUE E. **(CJ Murphy Redevelopment) Business Administration**
- O-4 ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING A REDEVELOPMENT PLAN FOR THE FORMER BEST FOODS LOCATED AT BLOCK 301.01, LOT 7; BLOCK 310, LOTS 1-13 (LOT 1- "BAY"); BLOCK 311.01, LOT 1 ("39-55 BAYVIEW CT"); BLOCK 333.01, LOTS 3-6 (LOT 4- "22-46 BAYVIEW CT," LOT 5- "97-103 AVENUE A," LOT 6- "AVENUE A") AND BLOCK 333.02, LOT 1 ("97-103 AVENUE A") ON THE TAX MAP OF THE CITY OF BAYONNE. **(Best Foods Property) Business Administration**
- O-5 ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON APPROVING A FINANCIAL AGREEMENT WITH BARNABAS BAYONNE DEVELOPMENT URBAN RENEWAL CORP. **Business Administration**
- O-6 ORDINANCE AUTHORIZING THE VACATION OF HOOK ROAD (A PAPER STREET).
- O-7 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC. **(No parking – 16th Street & Court Place) Public Safety**

- O-8 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC. **(Restrictive Parking Zones) Public Safety**

REMOVE

066. Gertrude Falcicchio, 7 Elna Court
355. Stanley Marko, 77 East 25th Street

ADD

066. Melia Mamone, 22 East 51st Street
127. Ann Zientek, 37 Newman Avenue
355. Joan Rogers, 34 East 15th Street

ORDINANCES PROPOSED FOR INTRODUCTION

- O-9 An Ordinance authorizing the partial monetization of receivables; and a resolution fixing, Wednesday, June 22, 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. **Business Administration**
- O-10 AN ORDINANCE TO AUTHORIZE THE GRANTING OF AN INITIAL ACCESS AGREEMENT/EASEMENT TO BAYONNE ENERGY CENTER TO CONSTRUCT AND INSTALL A GAS PIPELINE; and a resolution fixing, Wednesday, June 22, 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. **Business Administration**
- O-11 AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AUTHORIZING THE EXECUTION OF AN EASEMENT TO 662 AVENUE C URBAN RENEWAL, LLC; and a resolution fixing, Wednesday, June 22, 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-12 AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ACCEPTING DEDICATION OF A PUBLIC ROADWAY; and a resolution fixing, Wednesday, June 22, 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-13 AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, AUTHORIZING AN EASEMENT AND RIGHT-OF-WAY FOR ALL THE REQUIRED AND NECESSARY UTILITY LINES BETWEEN THE CITY AND DURABLE RECYCLING HOLDING, LLC SERVING THE PROPERTY LOCATED AT BLOCK 476.01, LOTS 9 AND 10; and a resolution fixing, Wednesday, June 22, 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 TO LEASE THE SECOND FLOOR OF THE PREMISES AT 597 BROADWAY, BAYONNE, NEW JERSEY, ALSO KNOWN AS LOT 11 IN CITY BLOCK 171 ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE, TO THE BAYONNE COMMUNITY MENTAL HEALTH CENTER, A NONPROFIT CORPORATION ESTABLISHED FOR A PUBLIC PURPOSE, PURSUANT TO N.J.S.A. 40A:12-14, ET. SEQ.; and a resolution fixing, Wednesday, June 22, 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. **Business Administration**
- O-15 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC; and a resolution fixing, Wednesday, June 22, 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

215. Helen Barba, 35 West 33rd Street

ADD

034. Annette Sisk, 43 Newman Avenue

232. Kenneth Adelung, 84 West 9th Street
372. Samiha Gerges, 121 West 12th Street
373. Zulima Trubbo, 153 West 21st Street
374. Loli Marte, 92 West 29th Street
375. Lucille Pinckney, 149 West 3rd Street
376. Albert Billeci for his mother, Frances Billeci, 31 West 16th Street

ADDITIONAL ORDINANCE INTRODUCED AT END OF THE MEETING

COMMUNICATIONS

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

- C-1 From Andrew Venturelli, Esq., filing notice of tort claim on behalf of ANDREW CASTRO, by his g/a/l ANDREA MOSQUEA, alleging injuries sustained February 8, 2016 in a sidewalk fall down at 706-708 Broadway.
- C-2 From Anthony Mazza, Esq., filing notice of tort claim on behalf of GERARD G. ROTH, alleging injuries sustained January 25, 2016 in a slip and fall in a parking lot at West 21st Street.
- C-3 From MARISSA J. WILSON, filing notice of tort claim alleging property damage to her apartment door on November 17, 2015 resulting from a police action at 301 Broadway.
- C-4 From DANIEL RAFAEL, filing notice of tort claim alleging property damage to his car windshield on April 12, 2016 resulting from being struck by a foul ball on West 25th Street next to Veterans Stadium.
- C-5 From the Superior Court of New Jersey, Law Division, Summons and Complaint in matter entitled, "CURNYN vs. KLOEBLEN and THE CITY OF BAYONNE." (Sidewalk fall down on August 29, 2013 at 1 Parkside Lane)
- C-6 From the Hudson County Board of Taxation, ORDER TO IMPLEMENT A MUNICIPAL-WIDE REVALUATION.

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, reassigning the following commissioners on the ZONING BOARD OF ADJUSTMENT; and a resolution consenting to the reassignments:
 - Frank Pelliterri for the unexpired term of Keith Weicker (expires 12/31/18)
 - Matt Dorans as Alternate #1 for a term expiring 12/31/17
 - Joe Pineiro as Alternate #2 for a term expiring 12/31/17
- OR-2 From Hon. James M. Davis, Mayor, appointing the following to the ZONING BOARD OF ADJUSTMENT; and a resolution consenting to the appointments:
 - James O'Brien, Jr. as Alternate #3 for a term expiring 12/31/16
 - Nick DiLullo as Alternate #4 for a term expiring 12/31/16
- OR-3 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-4 From Janet Convery, Treasurer, reporting on the transfer of the following amounts to the Board of Education on May 5, 2016: **Finance**
 - \$5,097,854.00 Claims and payroll for May, 2016

- OR-5 From the Purchasing Department reporting on bids received May 13, 2016 for 2016 Roadway Improvements. (5 bidders) **Purchasing**

RESOLUTIONS

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

- CR-1 Approving the minutes of the regular meeting held Wednesday, April 20, 2016. **City Clerk**
- CR-2 Approving the minutes of the council caucus held Wednesday, April 13, 2016. **City Clerk**
- CR-3 Recommending a hiring freeze. **Council President**
- 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 \$1,900.00 drawn to the order of the TREASURER, STATE OF NEW JERSEY representing the state's share of 76 marriage licenses issued during the months of January, February and March, 2016. **City Clerk**
- CR-6 Ordering a warrant in the amount of \$46.80 payable to the order of the BUREAU OF RABIES CONTROL, STATE OF NEW JERSEY, covering the issuance of 19 dog licenses issued in April, 2016. **City Clerk**
- CR-7 Ratifying and confirming the actions of the Municipal Treasurer in issuing payment from Current Fund in the amount of \$7,177,290.48 payable to the COUNTY OF HUDSON for second quarter county taxes of 2016. **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 \$5,732.54 payable to the STATE OF NEW JERSEY DIVISION OF EMPLOYER ACCOUNTS for the City of Bayonne unemployment bills for quarter ending March 31, 2016. **Finance**
- CR-9 Authorizing the purchasing agent to sell two vehicles no longer needed for public use at auction. **Police**
- CR-10 Cancelling the lease for the former BAYONNE LOCAL REDEVELOPMENT AUTHORITY offices. **Business Administration**
- CR-11 Authorizing the Mayor and City Clerk to enter into a Fourth Amendment to the access agreement with PPG INDUSTRIES for access to real property owned by the city at Mayor Dennis P. Collins Park for the limited purpose of performing a soil and groundwater investigation and performing environmental remediation work, extending the agreement for the period June 18, 2016 through June 17, 2017. **Law**
- CR-12 Authorizing an amendment to Agreement with APPRUZZESE McDERMOTT MASTRO & MURPHY, PC, for professional legal services in connection with the Harbor Station Fire House, to extend the contract to June 30, 2016 for an amount not to exceed \$5,000.00, for a total contract amount of \$22,500.00. **Law**
- CR-13 Authorizing the UEZ Coordinator to undertake various actions regarding the HOMETOWN FAIR. **UEZ**
- CR-14 Authorizing the Mayor and City Clerk to execute any and all documents necessary to effectuate the Independence Day fireworks display.
- CR-15 Authorizing the City Clerk to advertise for bids for traffic controllers. **Purchasing**

CR-16 WITHDRAWN. **City Clerk**

CR-17 Granting 5 Raffle licenses to qualified organizations. **City Clerk**

END OF CONSENT AGENDA

R-1 Awarding a contract for 2016 Roadway Improvements to AJM CONTRACTORS, INC., Clifton, NJ, the low bidder, in the amount of \$676,722.50. Chargeable to Accounts – CDBG & Road Restoration. **Purchasing**

R-2 Authorizing the Mayor and City Clerk to enter into an agreement with IRON MOUNTAIN INFORMATION MANAGEMENT, LLC, for off-premises document and file storage for a one-year period commencing April 4, 2016 at a cost not to exceed \$5,000.00. **(Per existing contract with Time Record Storage, purchased by Iron Mountain) Business Administration**

R-3 Authorizing the Mayor and City Clerk to enter into an agreement with NW FINANCIAL GROUP for financial advisory services. (Extraordinary Unspecifiable Services Contract awarded pursuant to the Fair and Open process. Notice of its award will be published.)

R-4 Authorizing the Mayor and City Clerk to enter into a grant agreement with the COUNTY OF HUDSON to provide for the installation of signage and bike racks under the HUDSON RIVER WATERFRONT WALKWAY SIGNAGE AND BICYCLE RACK INSTALLATION PLAN. **Business Administrator**

R-5 Authorizing the Mayor and City Clerk enter into an agreement with the FLOURNOY GETHERS VFW POST #7470 for the purpose of providing the cost of architectural plans from Jose Carballo Architectural Group, Hackensack NJ in the amount of \$2,995.00. Chargeable to Account #CDBG-917. **Community Development**

R-6 Authorizing the city to apply for the 2015 RECYCLING TONNAGE GRANT and designating Gary Chmielewski to insure that the application is properly filed. **Public Works**

R-7 Certifying the submission of expenditures for recycling taxes paid in 2015 for solid waste disposal pursuant to the RECYCLING ENHANCEMENT ACT in the amount of \$96,804.51. **Public Works**

R-8 Authorizing the preparation and submission to the Department of Environmental Protection of a 2016 RECREATIONAL TRAILS GRANT Application, and authorizing execution of the grant if received.

R-9 Approving Temporary Emergency Appropriation #4 in the CY 2016 budget. **Finance**

R-10 Tabling further consideration of the CY 2016 LOCAL MUNICIPAL BUDGET to the meeting of June 22, 2016 or such other time as the council determines.

R-11 Authorizing and directing the Planning Board to prepare a redevelopment plan for the property located at 101-105 East 23rd Street, 102-106 East 24th Street, and 162-170 Avenue F (Block 445, lots 1-5 & 7). **Planning**

R-12 Authorizing and directing the Planning Board to prepare a redevelopment plan for the property located at 676-688 Avenue E, Block 402, lots 6& 7). **Doolan's/Bayonne Roofing Redevelopment) Planning**

R-13 Authorizing and directing the planning board to prepare a redevelopment plan for the property commonly known as Prospect at 73-78 East 32nd Street and 258-270 Prospect Avenue, Block 411 lots 1 & 6 - 15. **(Peninsula View Redevelopment) Planning**

TO BE ADDED AT THE MEETING

- ADD-1 From Hon. James M. Davis, Mayor, Executive Order # 2016-001, IMPLEMENTING A ONE YEAR HIRING FREEZE. **Mayor**
- ADD-2 BOND ORDINANCE OF THE CITY OF BAYONNE, IN THE COUNTY OF HUDSON, STATE OF NEW JERSEY, PROVIDING AS PART OF THE DISSOLUTION OF THE BAYONNE MUNICIPAL UTILITIES AUTHORITY FOR THE ASSUMPTION OF CERTAIN OUTSTANDING OBLIGATIONS OF SUCH AUTHORITY ISSUED TO FINANCE SUCH AUTHORITY'S WATER AND SEWER SYSTEMS, APPROPRIATING NOT TO EXCEED \$234,920 THEREFOR AND AUTHORIZING THE ASSUMPTION BY THE CITY OF NOT TO EXCEED \$234,920 BONDS OF THE AUTHORITY FOR SUCH PURPOSE; and a resolution fixing, Wednesday, June 22, 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.
- ADD-3 From Terrence Malloy, CFO, submitting Supplemental Debt Statement as of May 18, 2016.
- ADD-4 Approving Close Out Change Order to Agreement No. CY15-071 with BLACK ROCK ENTERPRISES, Old Bridge, NJ, for CY 2015 roadway improvements, decreasing the contract cost in the amount of \$514.62, making the total contract amount \$796,837.38. **Law**
- ADD-5 Accepting bids for properties sold at public auction on January 6, 2016:
- | <u>Real Property</u> | <u>Bidder</u> | <u>Bid Amount</u> |
|---|--------------------|----------------------|
| Block 215, Lot 8, commonly known as 81 West 20th Street | Richard Cirminello | \$ 500.00 |
| Block 295, Lot 16, commonly known as North Street Rear | Robert Bubnis | \$ 1,900.00 |
| Block 333.01, Lot 1, commonly known as 16 Bayview Court | Robert Bubnis | \$ 500.00 Law |
- ADD-6 Authorizing the Mayor and City Clerk to execute a Fourth Amendment to Agreement No. FY12-002 with CONTROL INDUSTRIES, for Heavy Equipment Rental Program for Demolition and other Projects III increasing the contract cost in an amount not to exceed \$5,369.80, making the total contract amount not to exceed \$455,369.80. Chargeable to Accounts - Park Maintenance (50%) and Street/Road Repairs (50%) **Law**
- ADD-7 Authorizing the City Clerk to advertise for bids for the construction of the Hudson River Walkway in what is now known as Harbor Station South. **Law**