

CITY OF BAYONNE
CITY COUNCIL
REGULAR MEETING
AUGUST 24, 2016

REQUESTS TO ADDRESS THE COUNCIL

- RA-1 From CHRISTIAN PASSILANO, requesting permission to address the council on the subject of solar power initiatives for home and building owners.
- RA-2 From PETER FRANCO, requesting permission to address the council on the subject of Bayonne Municipal Utilities Authority.

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. **(Tabled from June 22, 2016)**
- O-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. **(Tabled from June 22, 2016)**
- O-3 AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY APPROVING AND AUTHORIZING THE EXECUTION OF A TEMPORARY CONSTRUCTION AND ACCESS EASEMENT AGREEMENT FOR THE BENEFIT OF BAYONNE 19TH STREET URBAN RENEWAL ASSOCIATES, LLC.
- O-4 ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY APPROVING A FINANCIAL AGREEMENT WITH MHP 222 AVENUE E URBAN RENEWAL LLC. **(CJ Murphy Redevelopment)**
- O-5 ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY APPROVING A FINANCIAL AGREEMENT WITH BAYONNE ENERGY CENTER URBAN RENEWAL, LLC.
- O-6 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.

ORDINANCES PROPOSED FOR INTRODUCTION

- O-7 REPLACED BY ADD-2.
- O-8 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 2, ADMINISTRATION; and a resolution fixing, Wednesday, September 21, 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. **(\$150.00 fee for marriage ceremonies) Business Administration**
- O-9 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC; and a resolution fixing, Wednesday, September 21, 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

- 192. Courtney Booker, 97 West 30th Street
- 201. Dolores Mulkern, 29 East 48th Street
- 202. Janet Staruch, 31-35 East 11th Street
- 210. Cathy Alvaradous, 88 West 55th Street
- 256. Sharon Porter, 179 West 48th Street
- 280. Phyllis Viola, 24 West 41st Street
- 348. Christine Sorrentino for her mother, Barbara Katulka, 53 W. 4th Street
- 357. Judith Martin, 82 West 7th Street

ADD

- 192. Linda Rapsis, 538 Avenue A
- 201. Linda Woodards-French for her husband, William French, 577 Broadway
- 202. Lona Wall, 44 West 55th Street
- 208. Joan Robinson, 84 Lord Avenue
- 210. Robert Kudlacik, 166 West 9th Street
- 232. John Nadrowski, 28 Elm Court
- 256. Bebawy Aziz, 177 West 48th Street
- 280. Robyn Bolles, for her father, Daniel Zimmerman, 41 West 16th Street
- 348. Irene Davis, for her son, Bamjamin Malterre, 482 Avenue A
- 357. Mary Megale, 931 Broadway

COMMUNICATIONS

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

- C-1 From Vincent L. Galasso, Esq., filing notice of tort claim on behalf of PATRICIA BARBITO, alleging injuries sustained May 5, 2016 in a fall on the sidewalk at 562 Broadway.
- C-2 From John J. Rachinsky, Esq., filing notice of tort claim on behalf of YONG AE CHUNG, alleging injuries sustained June 6, 2016 in a fall on the sidewalk at 442 Broadway.
- C-3 From SANDRA I. GENAODEABREU, filing notice of tort claim alleging property damage to her automobile on April 24, 2016 resulting from being struck by a fire engine at East 16th Street and Avenue E.
- C-4 From JAMES CARRENO, filing notice of tort claim alleging property damage to his automobile on April 18, 2016 resulting from being damaged by firefighters at 122 West 26th Street.
- C-5 From PRISCILLA ROSARIO, filing notice of tort claim alleging property damage to her automobile on July 10, 2016 resulting from striking a curb at 30th Street and Avenue E.
- C-6 From JOAQUIN ESPINAL, filing notice of tort claim alleging property damage to his automobile on July 18, 2016 resulting from a tree branch falling at 31 Pointview Terrace.
- C-7 From GABRIELLA GERACE, filing notice of tort claim alleging property damage to her automobile on July 12, 2016 resulting from the contractor working on Clark Park at 8th Street and Avenue C.
- C-8 From MICHAEL C. MORRIS, filing notice of tort claim alleging property damage to his automobile on April 24, 2016 resulting from striking a pot hole at 1000 Broadway.
- C-9 From the Superior Court of New Jersey, Law Division, Summons and Complaint in matter entitled, "JASOLOVSKY vs. LEHIGH REALTY CO, INC. and the BAYONNE FIRE DEPARTMENT." (Premises injury on July 22, 2014 at 158 West 26th Street – city joined for discovery purposes)

- C-10 From the Superior Court of New Jersey, Law Division, Summons and Complaint in matter entitled, "LEONARD vs. THE CITY OF BAYONNE, et al." (Civil rights violations/employment)
- C-11 From the Tax Court of New Jersey, complaint in matter entitled, "BROADWAY BAYONNE REALTY LIMITED LIABILITY COMPANY vs. CITY OF BAYONNE." (434-436 Broadway, East 19th Street & East 21st Street, Block 221, lots 1, 4, 15-19 & 24 – commercial & vacant)
- C-12 From the Tax Court of New Jersey, complaint in matter entitled, "LPM SERVICES, INC. vs. CITY OF BAYONNE." (446-456 Broadway, 11-13 East 21st Street, Block 211, lots 1-2 & 16-19 – commercial & vacant)
- C-13 From the Tax Court of New Jersey, complaint in matter entitled, "MAJMUNDAR vs. CITY OF BAYONNE." (15-17 East 21st Street, Block 211, lot 3 - commercial)
- C-14 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-15 From the Tax Court of New Jersey, complaint in matter entitled, "SUPERIOR-MPM, LLC vs. CITY OF BAYONNE." (Hobart Ave. – East 4th Street, Block 359, lot 10 - industrial)
- C-16 From the Tax Court of New Jersey, complaint in matter entitled, "RITEAID #149 vs. CITY OF BAYONNE." (1085-1089 Broadway, Block 31, lot 20-22 - commercial)
- C-17 From the Tax Court of New Jersey, complaint in matter entitled, "J & J BUILDERS, LLC vs. CITY OF BAYONNE." (1122-1126 Kennedy Boulevard, Block 60, lot 1 - vacant)
- C-18 From the Tax Court of New Jersey, complaint in matter entitled, "J & J BUILDERS, LLC vs. CITY OF BAYONNE." (41-47 West 34th Street, Block 131, lot 1 - vacant)
- C-19 From the Tax Court of New Jersey, complaint in matter entitled, "J & J BUILDERS, LLC vs. CITY OF BAYONNE." (22 East 11th Street, Block 273, lot 23 - vacant)
- C-20 From the Tax Court of New Jersey, complaint in matter entitled, "J & J BUILDERS, LLC vs. CITY OF BAYONNE." (101 East 21st Street, Block 457.01, lots 4 & 5 - vacant)
- C-21 From the Tax Court of New Jersey, complaint in matter entitled, "J & J BUILDERS, LLC vs. CITY OF BAYONNE." (196-198 Avenue E, Block 458, lots 7 & 8 – commercial & vacant)
- C-22 From the Tax Court of New Jersey, complaint in matter entitled, "ESSES ENTERPRISES, INC. vs. CITY OF BAYONNE." (477 Broadway, Block 204, lot 2 - commercial)
- C-23 From the Tax Court of New Jersey, complaint in matter entitled, "RODRIGUEZ vs. CITY OF BAYONNE." (Foot of Oak Street, Block 473.01, lot 1 - vacant)
- C-24 From the Tax Court of New Jersey, complaint in matter entitled, "SUMO COMPANIES, INC. vs. CITY OF BAYONNE." (103 Oak Street, Block 473.02, lot 1 - vacant)
- C-25 From the Tax Court of New Jersey, complaint in matter entitled, "403 PROP INC. vs. CITY OF BAYONNE." (403 Broadway, Block 231, lot 27 - commercial)

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 Terrence Malloy, Chief Financial Officer, Certificate of Determination and Award of sale of \$10,000,000 Tax Anticipation Notes of 2016. **(Provident Bank @ 1.998%) Finance**
- OR-3 From Janet Convery, Treasurer, reporting on the transfer of the following amounts to the Board of Education on August 4, 2016: **Finance**
\$5,239,669.59 Claims and payroll for August, 2016
- OR-4 From the Purchasing Department reporting on bids received July 27, 2016 for traffic controllers. (2 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 20, 2016. **City Clerk**
- CR-2 Approving the minutes of the special council meetings held Wednesday, July 6, 2016 and July 13, 2016. **City Clerk**
- CR-3 Approving the minutes of the council caucus held Wednesday, July 13, 2016. **City Clerk**
- CR-4 Ordering warrants drawn to taxpayers representing refunds for overpayment of taxes. (11 properties) **Tax Collector**
- CR-5 Ordering a warrant drawn from Current Fund and made payable to the STATE OF NEW JERSEY in the amount of \$1,882.50 in payment of an invoice from the Department of Labor relating to assessment levied on New Jersey Employers. Chargeable to Group Insurance. **Finance**
- CR-6 Ordering a warrant in the amount of \$45.40 payable to the order of the BUREAU OF RABIES CONTROL, STATE OF NEW JERSEY, covering the issuance of 17 dog licenses issued in July, 2016. **City Clerk**
- CR-7 Extending the current contract with BORKER TRANSMISSION SERVICES INC. for an additional two years commencing on September 1, 2016 for amount not to exceed \$30,000.00 based on current usage, pursuant to Resolution#13-08-14-041. **Public Works**
- CR-8 Authorizing renewal of the annual contract with DIGITAL DATA SOLUTIONS., Columbus, OH, for maintenance and support for the Police Department's AccuGlobe E9-1-1 crime mapping and wireless caller locator software, for a six month period commencing July 1, 2016, in the amount of \$3,146.00, and ordering a warrant in payment. Chargeable to Account #PS-9. **Public Safety**
- CR-9 Ratifying and confirming the actions of Mayor James M. Davis in signing a Memorandum of Agreement for the Bayonne Fire Department to become a member of the NEW JERSEY OFFICE OF EMERGENCY MANAGEMENT TASK FORCE ONE URBAN SEARCH AND RESCUE TEAM. **Public Safety**

- CR-10 Authorizing the Bayonne Police Department to enter into an interlocal agreement with the COUNTY OF HUDSON to accept \$14,855.00 in law enforcement grant funding through the 2016 JUSTICE ASSISTANCE GRANT (JAG) PROGRAM, funded through the US Department of Justice for law enforcement programs and equipment. **Public Safety**
- CR-11 Authorizing the Mayor and City Council to accept a grant award from the FIREHOUSE SUBS SAFETY FOUNDATION for seven sets of fire fighter turnout gear valued up to \$16,440.20. **Public Safety**
- CR-12 Ratifying and confirming the actions of the Mayor and City Clerk in executing an agreement with the BAYONNE COMMUNITY DAY NURSERY to provide the cost of the installation of a fire suppression system at its building located at 591 Broadway pursuant to the proposal from APPROVED FIRE PROTECTION in the amount of \$5,145.00 and ratifying the actions of the Director of Community Development in retaining Approved Fire Protection to install the fire suppression system. Chargeable to Account CDBG-867. **Community Development**
- CR-13 Authorizing the sale of one city vehicle no longer serviceable at auction. **(1993 GMC pickup truck) Public Safety**
- CR-14 Authorizing the City Clerk to advertise for bids for rock salt and snow removal. **Purchasing**
- CR-15 WITHDRAWN. **City Clerk**
- CR-16 Granting 3 Raffle licenses to qualified organizations. **City Clerk**

END OF CONSENT AGENDA

- R-1 Awarding a contract for traffic controllers to SIGNAL CONTROL PRODUCTS INC., Branchburg, NJ, the low bidder, in the amount of \$89,160.00. Chargeable to Account – Recycling 12-286-56-308-2-199. **Purchasing**
- R-2 Authorizing the Mayor and City Clerk to enter into an agreement with DYNAMIC TESTING SERVICES for the provision of controlled dangerous substance /alcohol testing for the Department of Public Works and the Municipal Utilities Authority for a period of 18 months commencing July 1, 2016 in the amount of \$4,140.00. Chargeable to Account HW-33. **Business Administration**
- R-3 Authorizing the Mayor and City Clerk to enter into an agreement with the BAYONNE JEWISH COMMUNITY CENTER for their after school daycare program for low income children in an amount not to exceed \$6,000.00 for the one year period commencing September 1, 2016. Chargeable to Account CDBG-924. **Community Development**
- R-4 Authorizing the Mayor and City Clerk to enter into an agreement with the BAYONNE COMMUNITY DAY NURSERY for pre-school childcare for low income families in an amount not to exceed \$42,000.00 for the one year period commencing September 1, 2016. Chargeable to Account CDBG-920. **Community Development**
- R-5 Authorizing the Mayor and City Clerk to enter into an agreement with the BAYONNE FAMILY COMMUNITY CENTER for childcare services for low income families in an amount not to exceed \$22,000.00 for the one year period commencing September 1, 2016. Chargeable to Account CDBG-927. **Community Development**
- R-6 Authorizing the Mayor and City Clerk to enter into an agreement with UCP OF HUDSON COUNTY for its pediatric medical daycare center in an amount not to exceed \$18,000.00 for the one year period commencing September 1, 2016. Chargeable to Account CDBG-923. **Community Development**

- R-7 Authorizing the Mayor and City Clerk to enter into an agreement with VICTORY HALL for art instruction/development in the area of drawing and painting for developmentally disabled adults/young adults in an amount not to exceed \$6,000.00 for the one year period commencing September 1, 2016. Chargeable to Account CDBG-928. **Community Development**
- R-8 Authorizing the Mayor and City Clerk to enter into an agreement with the WINDMILL ALLIANCE for the HIGHWAYS program to provide community outreach services in an amount not to exceed \$22,000.00 for the one year period commencing September 1, 2016. Chargeable to Account CDBG-922. **Community Development**
- R-9 Authorizing the Mayor and City Clerk to enter into an agreement with the BAYONNE ECONOMIC OPPORTUNITY FOUNDATION (BEOF) to provide for the cost of reconstruction at the HEAD Start locations at 7 West 9th Street and 21 West 8th Street to be completed by AA-ABCO CONSTRUCTION in an amount not to exceed \$215,270.00 for the one year period commencing September 1, 2016. Chargeable to Account CDBG-917. **Community Development**
- R-10 Authorizing the Mayor and City Clerk to enter into an agreement with the BAYONNE HOUSING AUTHORITY to provide for the cost of plumbing work for sanitary sewer repairs at Pamrapo Gardens to be completed by GEORGE KNOBLOCH, INC., Jersey City, NJ, in an amount not to exceed \$112,000.00 for the one year period commencing September 1, 2016. Chargeable to Account CDBG-917. **Community Development**
- R-11 Approving Change Order to the contract with APPLIED LANDSCAPE TECH, Montville, NJ for improvements to Don Ahern Veterans Stadium, increasing the contract in the amount of \$85,318.52, making the total contract amount \$2,291,071.49. **Public Works**
- R-12 Introducing Budget Amendments for the CY 2016 budget; and fixing, Wednesday, September 21, 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**
- R-13 Approving Temporary Emergency Appropriation #7 in the CY 2016 budget. **Finance**
- R-14 City Clerk's Office Election worker payments. **City Clerk**
- R-15 Authorizing the 2016 BULK LEVY TAX SALE, and authorizing ARCHER & GREINER, Red Bank, NJ to perform the professional legal services in connection with the tax sale for a fee not to exceed \$15,000.00, pursuant to their current contract with the city. **Finance**
- R-16 Authorizing the settlement of two state tax court appeals. **Tax Assessor**
- R-17 Cancelling taxes and ordering a refund of any resulting overpayment on Block 221, lot 26, obtained by the City of Bayonne for public use as of June 29, 2016. **Tax Assessor**
- R-18 Conditionally designating BB BAYONNE, LLC as redeveloper of the property located at 140 Avenue B, 138 Avenue B, 103 West 44th Street and 101 West 44th Street, which property is identified as Block 84, lots 6, 7, 8 and 9 as shown on the official Tax Map of the City of Bayonne and authorizing the negotiation and preparation of a redevelopment agreement with BB BAYONNE, LLC for the redevelopment of such property in accordance with the redevelopment plan. **Planning**
- R-19 Conditionally designating BAYONNE ENERGY CENTER URBAN RENEWAL II, LLC, as redeveloper of the Property located at Constable Hook (a/k/a New Hook Road) which property is identified as Block 482, lots 10 and 11 on the official

Tax Map of the City of Bayonne; and authorizing the execution of a redevelopment agreement with Bayonne Energy Center, II, LLC for the redevelopment of such property in accordance with the redevelopment plan. **Planning**

- R-20 Authorizing and directing the Planning Board to conduct a preliminary investigation to determine whether certain property located at 16 Bayview Court and 18-20 Bayview Court and more specifically known as Block 333.01, lots 1 and 2 constitutes 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. **(Best Foods Redevelopment) Planning**
- R-21 Authorizing a Financial Agreement (PILOT) with 160 EAST 22ND ST. URBAN RENEWAL, LLC, for property identified as Block 464.01, lot 2.02 on the Tax Map of the City of Bayonne. **Planning**

TO BE ADDED AT THE MEETING

- ADD-1 From Hon. James M. Davis, Mayor, notice of intention to expand the existing residential permit parking zones to the westerly side of Kennedy Boulevard and/or all dead-end streets west of Avenue A pursuant to section 7-17.1 of the Revised General Ordinances of the City of Bayonne. **(Council has 45 days to disapprove by resolution.) Mayor**
- ADD-2 Authorizing and directing the Planning Board to amend and prepare a Redevelopment Plan for the property located at 101 East 23rd Street; 103 East 23rd Street; 105 East 23rd Street; East 23rd Street; 102-106 East 24th Street; and 162-170 Avenue F, which property is identified as Block 445, lots 1, 2, 3, 4, 5 and 7 as shown on the official Tax Map of the City of Bayonne. **(Parkview Redevelopment) Planning**