

CITY OF BAYONNE
CITY COUNCIL
REGULAR MEETING
FEBRUARY 15, 2017

REQUESTS TO ADDRESS THE COUNCIL

- RA-1 From MEGAN McNALLY, requesting permission to address the council on the subject of North Street.
- RA-2 From STACIE PERCELLA, requesting permission to address the council on the subject of city business.
- RA-3 From FELIX LOPEZ, requesting permission to address the council on the status of his position of employment, wish to speak at private meeting with council.

ORDINANCES SCHEDULED FOR HEARING

- O-1 ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON APPROVING A FINANCIAL AGREEMENT WITH 957 BROADWAY URBAN RENEWAL, LLC. **(Resnick Redevelopment)**
- O-2 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC. **(Deletes Resnick Loading Zone)**
- O-3 AN ORDINANCE AUTHORIZING THE PURCHASE OF CERTAIN REAL PROPERTY (15-19 HOWARD PLACE – BLOCK 289, LOT 15 AND 237-249 AVENUE A – BLOCK 284, LOT 2) BY THE CITY OF BAYONNE, COUNTY OF HUDSON, STATE OF NEW JERSEY FROM THE CONVENT OF SISTERS OF SAINT JOSEPH. **(Holy Family property)**
- O-4 AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, STATE OF NEW JERSEY, AUTHORIZING A SPECIAL EMERGENCY APPROPRIATION PURSUANT TO N.J.S.A. 40A:4-53 FOR PREPARATION OF AN APPROVED TAX MAP.
- O-5 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 35, ZONING REGULATIONS. **(Extending compliance date for registration of home professional occupation premises to June 1, 2017)**
- O-6 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC. **(Restrictive Parking Zones) Public Safety**
 - DELETE
 - 067. Lavina Enoch, 360 Avenue A
 - 118. Albert Resnick, 957 Broadway
 - ADD
 - 079. Salvatore Cardella, 82 West 7th Street
 - 083. Dawn Rinker, 15 Meadow Street
 - 107. Jose Caamano, 40 West 22nd Street
 - 165. Francesco Vita, 163 West 20th Street
 - 215. William Juncisin, 45 East 4th Street
 - 221. Jose Collazo, 171 West 10th Street
 - 261. Carmen Morales, 3 Bergen Court, Apt. 1C
 - 315. Eva Mercer, 160 Avenue C for her husband, Kerry Mercer
 - 376. Michael Alonso, 214A Avenue B

ORDINANCES PROPOSED FOR INTRODUCTION

- O-7 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC; and a resolution fixing, Wednesday, March 15, 2017 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. **(3 metered parking spaces on East 5th Street and Broadway) Public Safety**

- O-8 AN ORDINANCE AUTHORIZING THE PURCHASE OF CERTAIN REAL PROPERTY (7 WEST 9th STREET – BLOCK 277, LOT 29; 555 BOULEVARD – BLOCK 208, LOT 24; 557 BOULEVARD – BLOCK 208, LOT 25 BY THE CITY OF BAYONNE, COUNTY OF HUDSON, STATE OF NEW JERSEY FROM THE BAYONNE ECONOMIC OPPORTUNITY FOUNDATION; and a resolution fixing, Wednesday, March 15, 2017 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. **(3 properties from the BEOF at \$1.00 each) Business Administration**
- O-9 ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING AND EXPANDING AN AMENDED AND RESTATED SCATTERED SITE REDEVELOPMENT PLAN FOR THE PROPERTY LOCATED AT 477 AND 479-481 BROADWAY, AND 19-25 W 22ND ST, WHICH PROPERTIES ARE IDENTIFIED AS BLOCK 204, LOTS 2 & 3, AND BLOCK 203, LOT 4 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE, NJSA 40A:12A-1 ET SEQ.; and a resolution fixing, Wednesday, March 15, 2017 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-10 ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING AND AMENDING THE FORMER BEST FOODS SITE REDEVELOPMENT PLAN BLOCK 310, LOTS 1-3, BLOCK 311.01, LOT 1, BLOCK 333.01, LOTS 3-6, BLOCK 333.02, LOT 1, AND BLOCK 301.01, LOT 7 TO INCORPORATE THE PROPERTY LOCATED AT 16 BAYVIEW COURT AND 18-20 BAYVIEW COURT AND MORE SPECIFICALLY KNOWN AS BLOCK 333.01, LOTS 1 AND 2 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE; and a resolution fixing, Wednesday, March 15, 2017 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 ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY APPROVING A FINANCIAL AGREEMENT WITH BAYONNE REDEVELOPERS URBAN RENEWAL BLOCK 700, LLC; and a resolution fixing, Wednesday, March 15, 2017 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-12 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC; and a resolution fixing, Wednesday, March 15, 2017 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. **(15 minute parking limit for vehicles used for commercial public transportation purposes) Public Safety**

COMMUNICATIONS

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

- C-1 From Rafael E. Davila, Esq., filing notice of tort claim on behalf of MAXWELL IGIRI alleging property damage to his vehicle sustained December 2, 2016 in being struck by a municipal vehicle at 630 Avenue C.
- C-2 From Christine S. Diana, Esq., filing notice of tort claim on behalf of STEPHANIE BOLASCI, alleging injuries sustained November 12, 2016 in a fall in the street at 19th Street and Broadway.
- C-3 From SUZANNAH L. CIANO, filing notice of tort claim alleging property damage to her parked automobile on October 31, 2016 resulting from being struck by a municipal vehicle at Avenue A and West 27th Street.

- C-4 From PSE&G, filing notice of tort claim alleging property damage to their underground electric line on October 20, 2016 resulting from being struck by municipal workers digging at 45th Street and Broadway.
- C-5 From JOSEPHINE WRIGHT, filing notice of tort claim alleging property damage to her automobile on November 22, 2016 resulting from being struck by a municipal vehicle parking at Avenue C and 21st Street.
- C-6 From the Superior Court of New Jersey, Chancery Division, Summons and Complaint in matter entitled, “DEUTSCH BANK NATIONAL TRUST COMPANY, etc. vs. REUSTLE, et al., incl. THE CITY OF BAYONNE.” (Mortgage foreclosure – city holds a Community Development mortgage)

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 CARLTON RHODES as a member of the Restrictive Parking Zone and Permit Review Panel for a term to expire December 31, 2019. **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 Terrence Malloy, Chief Financial Officer, ANNUAL DEBT STATEMENT. **Finance**
- OR-4 From Janet Convery, Treasurer, reporting on the transfer of the following amounts to the Board of Education on February 3, 2017: **Finance**
\$5,239,669.50 Claims and payroll for claims and payroll for
February, 2017
- OR-5 From the Purchasing Department reporting on bids received January 18, 2017 for roadway improvements. (6 bidders) **Purchasing**

RESOLUTIONS

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

- CR-1 Approving the minutes of the regular meeting held Wednesday, January 18, 2017. **City Clerk**
- CR-2 Approving the minutes of the council caucus held Wednesday, January 11, 2017. **City Clerk**
- CR-3 Reappointing HON. JUAN PEREZ as the Class III member of the Planning Board for a one year term expiring December 31, 2017. **Council**
- 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 \$979.20 payable to the order of the BUREAU OF RABIES CONTROL, STATE OF NEW JERSEY, covering the issuance of 517 dog licenses issued in January, 2017. **City Clerk**
- CR-6 Ratifying and confirming the actions of the Municipal Treasurer in issuing payment from Current Fund in the amount of \$6,956,169.76 payable to the COUNTY OF HUDSON for first quarter county taxes of 2017, county open space tax and added/omitted tax. **Finance**

- CR-7 Ratifying and confirming the actions of the Municipal Treasurer in issuing a warrant from the Unemployment Trust Fund in the amount of \$7,737.60 payable to the STATE OF NEW JERSEY DIVISION OF EMPLOYER ACCOUNTS for the City of Bayonne unemployment bills for quarter ending December 31, 2016. **Finance**
- CR-8 Authorizing the Mayor to accept Law Enforcement Grant Funding under the 2016 NEW JERSEY ATTORNEY GENERAL BWC ASSISTANCE PROGRAM, utilizing funds from the EDWARD BYRNE JUSTICE ASSISTANCE (JAG) PROGRAM in the amount of \$90,000.00 for the purchase of body worn cameras for use by the Police Department. **Public Safety**
- CR-9 Appointing William Opel, Esq., Donna Russo, Esq., Susan Ferraro, Esq., Karla Garcia, Esq., and John F. Coffey, II, Esq. as Municipal Prosecutors for the Municipal Court, and designating William Opel, Esq. as Chief Prosecutor. **Law**
- CR-10 Amending Resolution No. 16-12-14-072 authorizing an agreement with the JEWISH COMMUNITY CENTER for architectural plans in the amount of \$4,750.00 to reflect the account to be charged as CDBG-917. **Community Development**
- CR-11 Amending Agreement No. CY 16-055 with the BAYONNE ECONOMIC OPPORTUNITY FOUNDATION in connection with air sampling/monitoring at the Head Start Building located at 7 West 9th Street, increasing the amount of the contract by \$400.00 to include the cost of a No Further Action letter prepared by Atlantic Environmental Solutions, Inc., making the total contract amount \$2,850.00. Chargeable to Account CDBG-917. **Community Development**
- CR-12 Ratifying and affirming the actions of the Director of Community Development in authorizing additional remediation work in connection with the removal of a 2,000 gallon oil tank at the BAYONNE MASONIC TEMPLE/PENINSULA MASONIC LODGE #99 F & AM pursuant to Agreement No. 16-039 for an additional amount of \$7,477.50, making the total contract amount \$14,700.00; and authorizing an amendment to the contract in that amount. **Community Development**
- CR-13 Authorizing the sale at auction of a vehicle no longer needed for public use. **Public Safety**
- CR-14 Authorizing the City Clerk be to issue a permit for three (3) clothing donation bins to be located at 400 Bayonne Crossing Way to H AND M LEASING CORP., Copiague, NY for calendar year 2017. **City Clerk**
- CR-15 Authorizing the Comptroller to issue a warrant in the amount of \$150.00 to TADCO ENGINEERING & ENVIRONMENTAL SERVICES, LLC, Jersey City, NJ, representing reimbursement of an unused building permit fee associated with the removal of an underground storage tank.
- CR-16 Granting 10 Raffle licenses to qualified organizations. **City Clerk**

END OF CONSENT AGENDA

- R-1 Awarding a contract for roadway improvements to 4 CLEAN UP INC., North Bergen, NJ, the low bidder, in an amount of \$305,890.00. Chargeable to Account – Municipal Aid Program. **Purchasing/Public Works**
- R-2 Authorizing the Mayor and City Clerk to enter into an agreement with MOTOROLA SOLUTIONS, Woodcliff Lake, NJ for a system upgrade of the city-wide Motorola brand P25 digital trunked two-way radio system infrastructure, dispatch, and recording platforms under State Contract # 83909, for a total amount of \$1,098,119.40. Chargeable to Capital Ordinance O-16-66. **Public Safety**

- R-3 Authorizing the Mayor and City Clerk to enter into an agreement with MOTT MAC DONALD, Iselin, NJ for professional engineering services as special project engineer for the one year period commencing January 1, 2017 for an amount not to exceed \$75,000.00. (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 with ASTRA HEALTH CENTERS for professional medical services for a one year period commencing January 1, 2017 for an amount not to exceed \$37,000.00. (Professional Services contract obtained through the Non 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 with CHASAN, LEYNER & LAMPARELLO, P.C., Secaucus, NJ, for professional legal services to represent the city in State Tax Court appeals for the one year period commencing January 1, 2017 payable at the rate of \$165.00 per hour for an amount not to exceed \$55,000.00. Chargeable to Account #01-201-20-156-2-020. (Professional Services contract obtained through the Fair and Open solicitation process - notice of award to be published.) **Law Department**
- R-6 Authorizing the Purchasing Agent on behalf of the City of Bayonne to join the EDUCATIONAL SERVICES COMMISSION OF NJ (MIDDLESEX REGIONAL) COOP to purchase School Buses for the Recreation Division of the Department of Administration. **Business Administration**
- R-7 Authorizing the Mayor to request, receive, and expend an Emergency Management Agency Assistance grant in the amount of \$9,400.00 with a local match of \$9,400.00 for a total amount of \$18,800.00 through the NJ STATE POLICE OFFICE OF EMERGENCY MANAGEMENT for the purpose of enhancing the city'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-8 Authorizing the Mayor to accept grant funds from the HUDSON COUNTY OFFICE OF DISABILITIES in the amount of \$10,000.00 from the PEER GROUPING PROGRAM to provide additional home delivered meals for CY 2017. **Business Administration**
- R-9 Authorizing the Mayor and City Clerk to execute any and all documents necessary to effectuate the sale of a portion of Block 221 Lot 26 for the sum of \$400,000.00 to BAYONNE 19TH STREET URBAN RENEWAL ASSOCIATES LLC. **(Portion of 426-428 Broadway)**
- R-10 Approving BUDGETARY TRANSFER #4 in the 2016 budget. **Finance**
- R-11 Ratifying and confirming the approval by the former Bayonne Municipal Utilities Authority of its approval of a "Tidelands License Application Authorization and Green Acres Notification" to allow HONEYWELL to remediate chromium contamination along the western shoreline of the City of Bayonne and in the area of the Western Sewer interceptor. **Tax Assessor**
- R-12 Approving an amendment to the Redevelopment Agreement with FIDELCO BAYONNE REALTY, LLC. **(Harbor Stations North)**
- R-13 Designating certain property located at Avenue E and E. 25th Street, which property is identified as Block 191, lot 5.02, and certain property located at 306-322 Avenue E, which property is identified as Block 440, lots 3, 4, and 5 as shown on the official tax map of the City of Bayonne as a non-condemnation area in need of redevelopment and authorizing and directing the planning board to prepare a redevelopment plan for the property pursuant to the Local

Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. **(St. Joseph's Church property) Planning**

- R-14 Directing the Planning Board to reopen the HARBOR STATION SOUTH REDEVELOPMENT PLAN to consider amendments for the redevelopment of a portion of Harbor Station South District, Block 720, lot 1, Block 791, lot 1, and Block 700, lot 1. **Planning**

TO BE ADDED AT THE MEETING

- ADD-1 AN ORDINANCE AMENDING AND SUPPLEMENTING THE GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 4, LICENSING, REGISTRATION AND BUSINESS REGULATIONS; and a resolution fixing, Wednesday, March 15, 2017 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-2 Unilaterally dedicating to the Bayonne Board of Education, a portion of the payment in lieu of taxes called for within the body of the Financial Agreement with 957 BROADWAY URBAN RENEWAL, LLC. **(Resnick Redevelopment. See O-1 above.)**
- ADD-3 Approving Temporary Emergency Appropriation #1 in the CY 2017 budget. **Finance**
- ADD-4 Ratifying and confirming the actions of the Mayor and City Clerk in executing a second amendment to Agreement CY 15-092 with ATLANTIC COASTAL FIBERS, LLC, for receipt of the city's recycling commodity for the month of February under the same terms and conditions as the original contract. **(No cost to the city) Public Works**
- ADD-5 Authorizing the Mayor and City Clerk to enter into an agreement with RELIABLE PAPER RECYCLING, INC., Jersey City, NJ, for the receipt of the city's recycling commodity for a ten month period commencing March 1, 2017. **Public Works**
- ADD-6 ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING A REDEVELOPMENT PLAN FOR THE PROPERTY LOCATED AT 171-181 LEFANTE WAY; 77-97 LEFANTE WAY; 101-129 LEFANTE WAY; 131-139 LEFANTE WAY; AND 191 LEFANTE WAY, WHICH PROPERTIES ARE IDENTIFIED AS BLOCK 412, LOTS 1.01, 2.01, 2.021, 2.022 AND 2.03, AND COMMONLY KNOWN AS SOUTH COVE, AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE; and a resolution fixing, Wednesday, March 15, 2017 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.