

CITY OF BAYONNE
CITY COUNCIL
REGULAR MEETING
APRIL 19, 2017

REQUESTS TO ADDRESS THE COUNCIL

- RA-1 From MEGAN McNALLY, requesting permission to address the council on the subject of

ORDINANCES SCHEDULED FOR HEARING

- O-1 REMOVED – Listed in error. See O-13.
- O-2 AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING AN OVERLAY AS AN AMENDMENT TO THE REDEVELOPMENT PLAN FOR THE PENINSULA AT BAYONNE – HARBOR STATION SOUTH AS IT RELATED TO THE PORTION OF THE PENINSULA IDENTIFIED AS BLOCK 700, LOT 1, AND BLOCK 791, LOT 1 ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE, AND REFERRED TO AS “HARBOR STATION SOUTH”. **Business Administration**
- O-3 AN ORDINANCE AUTHORIZING THE SALE OF CERTAIN PROPERTY (555 KENNEDY BOULEVARD A/K/A BLOCK 208, LOT 24 AND 557 KENNEDY BOULEVARD A/K/A BLOCK 208, LOT 25 AS SHOWN ON THE TAX MAP OF THE CITY OF BAYONNE) OWNED BY THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY, NOT REQUIRED FOR PUBLIC PURPOSES PURSUANT TO N.J.S.A. 40A:12-13, ET SEQ. **Business Administration**
- O-4 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC. **(Restrictive Parking Zones for residents with disabilities) Public Safety**

ORDINANCES PROPOSED FOR INTRODUCTION

- O-5 BOND ORDINANCE PROVIDING FOR VARIOUS ROADWAY IMPROVEMENTS TO LEFANTE WAY IN AND BY THE CITY OF BAYONNE, IN THE COUNTY OF HUDSON, STATE OF NEW JERSEY, APPROPRIATING \$1,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$550,000 BONDS OR NOTES OF THE CITY TO FINANCE PART OF THE COST THEREOF AND DIRECTING THE SPECIAL ASSESSMENT OF THE COST THEREOF UPON COMPLIANCE WITH CERTAIN CONDITIONS; and a resolution fixing, Wednesday, May 17, 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-6 BOND ORDINANCE PROVIDING FOR VARIOUS 2017 CAPITAL IMPROVEMENTS, BY AND IN THE CITY OF BAYONNE, IN THE COUNTY OF HUDSON, STATE OF NEW JERSEY (THE “CITY”); APPROPRIATING \$1,760,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,675,000 BONDS OR NOTES OF THE CITY TO FINANCE PART OF THE COSTS THEREOF; and a resolution fixing, Wednesday, May 17, 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. **Finance**
- O-7 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, May 17, 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. **Finance**
- O-8 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 6, ALCOHOLIC

BEVERAGE CONTROL; and a resolution fixing, Wednesday, May 17, 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. **(Permitting Bring Your Own Bottle unlicensed restaurants)**

O-9 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC; and a resolution fixing, Wednesday, May 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. **(No parking on both sides of LeFante Way)**

O-10 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC; and a resolution fixing, Wednesday, May 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. **(No parking zone east of the curb cut at 166-168 West 52nd Street from 9:00 AM to 5:00 PM Monday through Friday) Public Safety**

O-11 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC; and a resolution fixing, Wednesday, May 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. **(Loading zone of 40 feet at 85 East 21st Street from 8:00 AM to 4:30 PM Monday through Friday) Public Safety**

O-12 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC; and a resolution fixing, Wednesday, May 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. **(Restrictive Parking Zones) Public Safety**

DELETE

289. Scott McCarthy, 23 Dodge Street

ADD

006. Adel Hana for his daughter Marina Hana, 53 Evergreen Street

067. Amanda Leonard for her son Avier Burgos, 437 Kennedy Boulevard

116. Cornelius Carroll, 135 West 2nd Street

156. Mary Tawardos for her husband, Romamy Ramsis, 26 East 36th Street

158. Gwendolyn Green, 340 Broadway, Apt. 6

395. Fathi Sawirs, 86 West 18th Street

396. Maureen Devlin, 131 West 33rd Street

397. German Valdez, 160 West 49th Street

398. Henry Klarmann, 192 West 52nd Street

399. John O'Donnell, 25 Dodge Street

400. Geraldine Rogers, 62 Trask Avenue

401. Deborah Kisielewski, 134 West 28th Street

402. Amanda Zaky, 133 West 20th Street

403. Kemuel Velasquez, 160 West 21st Street

404. Omar Caal for his son Omar Caal, Jr., 76 Humphrey Avenue

405. Margaret Oberanowicz, 80 West 42nd Street

406. John Wojturski, 845 Broadway

407. Joan Kohler for her mother, Dorothy Baldowski, 55 Trask Avenue

408. Annette Johnson, 63 West 14th Street

RE-ASSIGN

150. From Samir Salib to his wife Yasmin Salib, 375 Kennedy Boulevard

(Additions ****between asterisks and/or in bold****, deletions ~~{within brackets and/or struck through }~~;

~~{215-}~~ ****118.**** William Jurcisin, 45 East 4th Street

O-13 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, May 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.

COMMUNICATIONS

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

- C-1 From KELLEN CARSON, filing notice of tort claim alleging property damage to his automobile tire on March 16, 2017 resulting from striking a pothole on Avenue E between 33rd and 20th Streets.
- C-2 From Superior Court of New Jersey, Law Division Summons and Third Party Complaint in matter entitled, "REINOEHL vs. SUNSHINE GROCERY, et al. vs. THE CITY OF BAYONNE." (Sidewalk fall down on September 13, 2015)
- C-3 From the Tax Court of New Jersey, complaint in matter entitled, "INSERRA SUPERMARKETS vs. CITY OF BAYONNE." (567-589 Avenue C, Block 182, lot 11.01 - commercial)
- C-4 From the Tax Court of New Jersey, complaint in matter entitled, "MPT OF BAYONNE, LLC vs. CITY OF BAYONNE." (Bayonne Medical Center, Block 159, lots 14 & 15, Block 164, lots 5 & 6, Block 420.02, lot 2, Block 504, lot 7.01 - commercial and vacant)
- C-5 From the Tax Court of New Jersey, complaint in matter entitled, "THE FOUR B'S vs. CITY OF BAYONNE." (688-692 Broadway, Block 154, lot 47 - commercial)
- C-6 From the Tax Court of New Jersey, complaint in matter entitled, "JERSAM, INC. vs. CITY OF BAYONNE." (63-67 Hook Road, Block 416, lot 3 - industrial)
- C-7 From the Tax Court of New Jersey, complaint in matter entitled, "McDONALDS CORP. (29/144) vs. CITY OF BAYONNE." (537-543 Broadway, Block 189, lot 24 - commercial)
- C-8 From the Tax Court of New Jersey, complaint in matter entitled, "PSE&G CO CORP PROPERTIES vs. CITY OF BAYONNE." (160 West 63rd Street, Block 3, lot 3 - industrial)

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, Supplemental Debt Statement as of April 19, 2017. **(Related to bond ordinances introduced at this meeting) Finance**
- OR-3 From Janet Convery, Treasurer, reporting on the transfer of the following amounts to the Board of Education on March 31, 2017: **Finance**
\$5,239,669.50 Claims and payroll for April, 2017
- OR-4 From Hon. James M. Davis, Mayor, appointing MARIA I. VALADO as a commissioner to the Planning board for a term to expire December 31, 2020. **Mayor**
- OR-5 From Hon. James M. Davis, Mayor, appointing MORIS N. MEKHAEL and STAN KOMOROWSKI as members of the RENT CONTROL BOARD for a term to expire December 31, 2020; and a resolution consenting to the appointments. **Mayor**

RESOLUTIONS

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

- CR-1 Approving the minutes of the regular meeting held Wednesday March 15, 2017.
City Clerk
- CR-2 Approving the minutes of the council caucus held Wednesday, March 8, 2017.
City Clerk
- CR-3 Ordering warrants drawn to taxpayers representing refunds for overpayment of taxes. (24 properties) **Tax Collector**
- CR-4 Ordering warrants in the amounts of \$685.00 and \$2,950.00 payable to MORGAN ENGINEERING, Toms River, NJ, in payment for two title surveys in connection with the purchase of the Holy Family property. **Business Administration**
- CR-5 Ordering a warrant payable to the PUBLIC EMPLOYEES RETIREMENT SYSTEM in the amount of \$ 2,247,541.09, representing the city's annual contribution.
Finance
- CR-6 Ordering a Current Fund warrant payable to the POLICE & FIREMEN'S RETIREMENT SYSTEM in the amount of \$10,592,650.42, representing the city's annual contribution. **Finance**
- CR-7 Ordering a warrant in the amount of \$69.00 payable to the order of the BUREAU OF RABIES CONTROL, STATE OF NEW JERSEY, covering the issuance of 25 dog licenses issued in March, 2017. **City Clerk**
- CR-8 Authorizing the Mayor and City Clerk to enter into an agreement with the BAYONNE FAMILY COMMUNITY CENTER, for the purpose of providing the cost of architectural plans from CARMINIO ARCHITECTURE, LLC, Scotch Plains, NJ in the amount of \$5,500.00. Chargeable to Account #CDBG-917. **Community Development**
- CR-9 Authorizing the Mayor and City Clerk to take all steps necessary to execute any and all documents Corporation for the BAYONNE FARMERS MARKET and to permit the use of Fitzpatrick Park by individual vendors pursuant to license agreements for the market. **Business Administration**
- CR-10 Authorizing an extension of a license agreement with CAPE LIBERTY CRUISE PORT, LLC for the limited purpose of maintaining signage to benefit the Royal Caribbean International Terminal Building located at the Peninsula at Bayonne Harbor for a five month period commencing May 1, 2017 for an additional license fee of \$3,000.00 per month for a total additional amount of \$15,000.00 payable to the city. **Business Administration**
- CR-11 Authorizing the UEZ Coordinator to create a UEZ project entitled, "ART ON BROADWAY" in the amount of \$60,000.00. **Finance**
- CR-12 Authorizing the city to apply for the 2016 RECYCLING TONNAGE GRANT and designating Gary Chmielewski to insure that the application is properly filed.
Public Works
- CR-13 Certifying the submission of expenditures for recycling taxes paid in 2016 for solid waste disposal pursuant to the RECYCLING ENHANCEMENT ACT in the amount of \$97,089.12. **Public Works**
- CR-14 Amending Resolution No. 16-12-14-064 authorizing an agreement with ALPHA DOG SOLUTIONS for website design, management, and maintenance services to correct the amount of the contract from \$54,900.00 to \$59,400.00 due to a scrivener's error. **Law**

- CR-15 Cancelling taxes on 100% of Block 409, lot 11 as being occupied by a qualifying 100% disabled veteran effective July 27, 2016, and ordering a refund of overpaid taxes resulting from the exemption. **Assessor**
- CR-16 REMOVED.
- CR-17 Granting ** Raffle licenses to qualified organizations. **City Clerk**

END OF CONSENT AGENDA

- R-1 Ratifying and confirming the actions of the Director of Community Development in authorizing the BAYONNE FAMILY COMMUNITY CENTER to retain the services of PENINSULA ELECTRIC, INC., to provide onsite emergency electrical restoration services and authorizing the Mayor and City Clerk to enter into an agreement with the Bayonne Family Community Center, for the purpose of providing the cost of such services for a total contract amount of \$24,626.73. Chargeable to Accounts #CDBG-917 (\$16,419.90) and #CDBG 927 (\$8,196.83). **Community Development**
- R-2 Authorizing the Mayor and City Clerk to enter into an agreement with the SENIOR CENTER, 16 West 4th Street for the purpose of providing the cost repairing the stairs at the center by LUCCIOLA MASON CONTRACTING INC., Chargeable to Account #CDBG-917. **Community Development**
- R-3 Authorizing the Mayor and City Clerk to enter into an agreement with IN LINE AIR CONDITIONING COMPANY, INC. through the Middlesex Regional Co-op for HVAC services for an eighteen month period commencing July 1, 2017. **Business Administration**
- R-4 Amending the city's contract with DMR ARCHITECTS, Hasbrouck Heights, NJ, for the preparation of the city's Master Plan, to increase the contract amount by \$20,000.00, for the preparation of a demand and impact study for ferry service to Manhattan, making the total contract amount \$126,800.00. Chargeable to CDBG, UEZ, and Account BA-2. **Business Administration**
- R-5 Authorizing a grant application for NEW JERSEY HISTORIC TRUST CAPITAL PRESERVATION GRANT. **Business Administration**
- R-6 Affirming that the council members have read, at a minimum, the comments and Recommendations section of the CY 2015 audit, and an affidavit certifying that they have done so. **City Clerk**
- R-7 Accepting the CORRECTIVE ACTION PLAN submitted by the city administration with respect to the CY 2015 audit and directing appropriate municipal officers to take the corrective actions listed therein. **Finance**
- R-8 Approving Temporary Emergency Appropriation #3 in the CY 2017 budget. **Finance**
- R-9 Approving Temporary Capital Budget. **(Related to Capital Bond Ordinances introduced at this meeting) Finance**
- R-10 Authorizing the transfer of the Redevelopment Agreement for the Resnick Redevelopment from 975 Broadway Owner, LLC to 957 BROADWAY URBAN RENEWAL, LLC. **Planning**
- R-11 Designating BAYONNE EQUITIES, LLC as redeveloper of the property located at 477-481 Broadway and 19-25 West 22nd Street, and authorizing the execution of a redevelopment agreement with the entity for the redevelopment of the property in accordance with the redevelopment plan. **Planning**
- R-12 Authorizing and directing the planning board to conduct a preliminary investigation to determine whether certain property located at 105½ North Street, identified as Block 295, lots 16 & 17 constitutes a non-condemnation

area in need of redevelopment pursuant to the Local Redevelopment and Housing Law. **Planning**

- R-13 Authorizing and directing the planning board to conduct a preliminary investigation to determine whether certain property located at 105 East 24th Street and 107-113 East 24th Street constitutes a non-condemnation area in need of redevelopment pursuant to the Local Redevelopment and Housing Law. **(Parkview Redevelopment) Planning**
- R-14 Authorizing and directing the planning board to conduct a preliminary investigation of city owned property as an area in need of redevelopment for Second Street (paper street) from Avenue A westerly to the Newark Bay as a non-condemnation area in need of redevelopment and authorizing the preparation of a redevelopment plan pursuant to the Local Redevelopment and Housing Law, NJSA 40A:12A-1, et seq. **Business Administration**
- R-15 Authorizing the Mayor and/or Timothy Boyle to execute an amended Consent Decree on behalf of the City of Bayonne as Successor of Interest to the Bayonne Municipal Utilities Authority in connection with the matter known as the Remediation of the New Jersey City University Redevelopment Area, Consolidated Docket No. 05-5955 (DMC-PS). **Law**
- R-16 Ratifying and confirming the actions of the Business Administrator in executing NJDEP-TWA-1 Application, NJDEP WQM-003-Statement of Consent Form, and NJDEP WQM-006-Engineer's Report for Domestic Treatment Works Approval Application in connection with sanitary sewer application for the Redevelopment Project, Harbor Station North on Chosin Few Way. **Business Administration**
- R-17 Designating 19th STREET REALTY, LLC as redeveloper of the property located at Block 221, Lots 10, 11, 12, 13, Lots 8 & 9 and authorizing the execution of a redevelopment agreement with the 19th STREET REALTY, LLC for the redevelopment of the property in accordance with the redevelopment plan. **Planning**
- R-18 Designating PENINSULA VIEW, LLC as redeveloper of the property located at Block 411, Lots 1, 2, 3, 4, 5, 6, 7, 8, 10.01, 11, 12, 13, 14, 15 and authorizing the execution of a redevelopment agreement with the PENINSULA VIEW, LLC for the redevelopment of the property in accordance with the redevelopment plan. **Planning**
- R-19 Authorizing the Mayor and City Clerk to execute an extension of Agreement No. CY15-042 between the City and JOAN MARIE TSIRABDIDES T/A LET'S EAST CONCESSION, for the operation of the food concession at the Municipal Pool for a period commencing Memorial Day 2017 through Labor Day, 2017 for an amount of \$8,222,22. **Business Administration**

TO BE ADDED AT THE MEETING

- ADD-1 Authorizing the submission of an application for a matching grant of \$3,081,003.00 from the COUNTY TRUST FUND to fund IMPROVEMENTS TO DENNIS P. COLLINS PARK and committing a match for the project in the amount of \$2,581,003.00. **Business Administration**
- ADD-2 From Hon. James M. Davis, designating JOHN MILAN SEBIK as his Class I designee on the Planning Board.
- ADD-3 Supporting the Community Development Block Grant Program and urging Congress to restore its funding at a level no less than \$1,748,848.00 in formula funding allocated in Program Year 2016.