

CITY OF BAYONNE
CITY COUNCIL
REGULAR MEETING
JULY 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 ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING AN AMENDED REDEVELOPMENT PLAN RELATING TO THE WEST ROUTE 440 REDEVELOPMENT AREA IN THE CITY OF BAYONNE PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A.40A:12A-1 ET SEQ. **(Clayton Block redevelopment)**
- O-2 ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING AN AMENDED REDEVELOPMENT PLAN FOR THE PROPERTY COMMONLY KNOWN AS BAYONNE BAY EAST LOCATED AT THE PENINSULA AND REFERRED TO AS A PORTION OF BLOCK 830, LOTS 1.05, 1.06, 1.07, AND A PORTION OF MEMORIAL BOULEVARD FORMERLY A PORTION OF BLOCK 830, LOT 1 AS SHOWN ON THE OFFICIAL TAX MAP IN THE CITY OF BAYONNE PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 30A:12A-1 ET. SEQ. **Bayonne Bay East**
- O-3 ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING A REDEVELOPMENT PLAN FOR 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 PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ. **St. Joseph's Redevelopment**
- O-4 ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY APPROVING THE APPLICATION AND FINANCIAL AGREEMENT FOR TAX EXEMPTION WITH PSIP AVENUE A URBAN RENEWAL, LLC FOR THE PROPERTY KNOWN AS 99 AVENUE A (BLOCK 310, LOTS 5, 6, 7, 8 & 9 AND PARTS OF LOTS 4, 11, 12 & 13; BLOCK 311.01, LOT 1; BLOCK: 333.01, LOTS 1, 2, 3 & 4 AND PART OF LOT 5; BLOCK 333.02, LOT 1; BLOCK 301.01, LOT 7) IN THE CITY OF BAYONNE. **Best Foods**
- O-5 ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY APPROVING THE APPLICATION AND FINANCIAL AGREEMENT FOR TAX EXEMPTION WITH PSIP AVENUE A URBAN RENEWAL II, LLC FOR THE PROPERTY KNOWN AS 99 AVENUE A (BLOCK 310, LOTS 1, 2, 3 AND PARTS OF LOTS 4, 11, 12 & 13 AND BLOCK 333.01, LOT 6 AND PART OF LOT 5) IN THE CITY OF BAYONNE. **Best Foods**
- O-6 ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY APPROVING THE APPLICATION AND FINANCIAL AGREEMENT FOR TAX EXEMPTION WITH SOUTH COVE COMMONS III URBAN RENEWAL, LLC FOR THE PROPERTY KNOWN AS BLOCK 412, LOT 2.02 (WHICH HAS BEEN DIVIDED INTO TWO SEPARATE PARCELS: LOT 2.021 AND LOT 2.022) IN THE CITY OF BAYONNE. **South Cove Hotel.**
- O-7 ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, APPROVING AN AMENDMENT TO THE FINANCIAL AGREEMENT WITH 190 W. 54TH STREET URBAN RENEWAL ASSOCIATES, LLC. **(Hi-Hat Redevelopment)**

- O-8 AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON TO AUTHORIZE THE GRANTING OF AN AERIAL EASEMENT OVER A PORTION OF THE CITY OF BAYONNE'S RIPARIAN RIGHTS AT THE TERMINATION OF INGHAM AVENUE (BLOCK 481, LOT 2) TO INTERNATIONAL MATEX TANK TERMINALS (I.M.T.T.) **(Kill Van Kull at foot of Ingham Avenue) Business Administration**
- O-9 ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AUTHORIZING FIVE (5) YEAR TAX EXEMPTION ON THE ASSESSED VALUE OF NEW IMPROVEMENTS ONLY FOR NEWLY CONSTRUCTED UNITS WITH RESPECT TO THE PARCEL OF LAND LOCATED AT BLOCK 190, LOT 9 (A/K/A 536 BROADWAY) ON THE TAX MAP OF THE CITY OF BAYONNE.
- O-10 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC. **(Regulating temporary no parking at meters) Public Safety**
- O-11 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC. **(Restrictive Parking Zones) Public Safety**

DELETE

239. Robert Schatz, 30 West 7th Street
290. Paul Yurkon, Sr., 509 Kennedy Boulevard

ADD

411. Julia Fantino, for her husband, Carmelo Fantino, 13 East 37th Street
412. Gayle Swierat, 187 West 32nd Street
413. Carlos Castillo, 22 East 36th Street
414. Edward Maksymowicz, 26 East 28th Street
416. Roman Gonzalez, 125 West 19th Street
417. Cordelia Grant, 795 Avenue E

ORDINANCES PROPOSED FOR INTRODUCTION

- O-12 An ordinance approving a Financial Agreement (PILOT) with BAYONNE EQUITIES URBAN RENEWAL, LLC for the property located at 477-481 Broadway; and a resolution fixing, Wednesday, August 16, 2107 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-13 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 20, PERSONNEL POLICIES; and a resolution fixing, Wednesday, August 16, 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. **(Residency requirement effective date)**
- O-14 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC; and a resolution fixing, Wednesday, August 16, 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

225. Mary Soliman, 140 West 23rd Street

ADD

415. Marianne Abusakroun, 14 West 11th Street

COMMUNICATIONS

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

- C-1 From AUSTIN J. SLOAN, JR., filing notice of tort claim alleging property damage to his automobile on May 27, 2017 resulting from being backed into by a police vehicle parking at 184 West 4th Street.

- C-2 From Joel Silberman, Esq., filing notice of tort claim on behalf of MICHAEL MULCAHY alleging personal injuries resulting from a false arrest, search, and seizure on May 5, 2017 at 763 Broadway.
- C-3 From Superior Court of New Jersey, Law Division Summons and Complaint in matter entitled, "BETANCUR vs. JOHNSON, et al., incl. THE CITY OF BAYONNE." (Minor injured by fireworks privately ignited in Gregg Park on July 3, 2015)
- C-4 From Superior Court of New Jersey, Law Division Summons and Complaint in matter entitled, "DAWOD vs. BAYONNE HOUSING AUTHORITY and THE CITY OF BAYONNE, et al." (Fall on ice on February 23, 2015 at 19 East 25th Street)
- C-5 From United States District Court, District of New Jersey, Summons and Complaint in matter entitled, "MALHAN vs. PORRINO and THE CITY OF BAYONNE." (Wrongful prosecution)
- C-6 From the Tax Court of New Jersey, complaint in matter entitled, "PORT JOHNSON REALTY, LLC vs. CITY OF BAYONNE." (Rear of 220-230 East 5th Street, Block 476.01, lot 10.02 - vacant)
- C-7 From the Tax Court of New Jersey, complaint in matter entitled, "TD BANK vs. CITY OF BAYONNE." (1062-1068 Broadway, Block 41, lot 17.01 - commercial)
- C-8 From the Tax Court of New Jersey, complaint in matter entitled, "GOLDBRUN REALTY, LLC vs. CITY OF BAYONNE." (494-496 Broadway, Block 205, lot 1 - commercial)
- C-9 From the Tax Court of New Jersey, complaint in matter entitled, "THE PROVIDENT BANK vs. CITY OF BAYONNE." (569 Broadway, Block 178, lot 21 - commercial)
- C-10 From the Tax Court of New Jersey, complaint in matter entitled, "THE PROVIDENT BANK vs. CITY OF BAYONNE." (464-472 Avenue C, Block 216, lot 36 - 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 Hon. James M. Davis, Mayor, appointing DEBRA E. NOBLE to the Rent Control Board for a term to expire December 31, 2020; and a resolution consenting to the appointment. **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 Janet Convery, Treasurer, reporting on the transfer of the following amounts to the Board of Education on June 29, 2017: **Finance**
\$5,534,471.17 Claims and payroll for claims and payroll for July, 2017
- OR-4 From the Purchasing Department reporting on bids received **, for improvements to Mayor Dennis P. Collins Park. (# bidders) **Purchasing**

RESOLUTIONS

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

- CR-1 Approving the minutes of the regular meeting held Wednesday, June 21, 2017. **City Clerk**

- CR-2 Approving the minutes of the council caucus held Wednesday, June 14, 2017. **City Clerk**
- CR-3 Ordering warrants drawn to taxpayers representing refunds for overpayment of taxes. (5 properties) **Tax Collector**
- CR-4 Ordering a warrant in the amount of \$448.00 payable to NJCR, Carlstadt, NJ refunding building permit fees for a construction job that was cancelled. **Building**
- CR-5 Ordering a warrant in the amount of \$150.00 payable to LEO CAMPBELL TANK SERVICES representing reimbursement due to the retention of a different contractor. **Building**
- CR-6 Ordering a warrant in the amount of \$5,250.00 payable BLUE APRON representing the return of the security deposit in connection with their lease agreement for parking spaces at Harbor Station North. **Business Administration**
- CR-7 Authorizing a warrant in the amount of \$60,811.00 payable to the STATE OF NEW JERSEY representing State Surcharge Fees on New Construction and Alterations for the quarter ending June 30, 2017. Chargeable to Account State Training Fees with the Tax Collector. **Building**
- CR-8 Ordering a warrant in the amount of \$31.20 payable to the order of the BUREAU OF RABIES CONTROL, STATE OF NEW JERSEY, covering the issuance of 11 dog licenses issued in June, 2017. **City Clerk**
- CR-9 Authorizing the Police Department to enter into an agreement with SHI, Somerset, NJ, for 12 months of Swift Research 9-1-1 emergency notification system access, under State Contract Number 77560, for an annual service charge of \$16,025.00 for a one year period commencing June 1, 2017. Chargeable to Account #PS-9. **Public Safety**
- CR-10 Authorizing the Mayor and City Clerk to execute an access agreement between the city and PATRICK AND PATRICIA McGOVERN and their LSRP in connection with the investigation of possible contamination resulting from a decommissioned underground tank located in the city's right of way within the sidewalk of 730-734 Avenue C, and to provide for a license to allow for the possible legal abandonment within the right of way with an annual tax assessment of \$250.00. **Law**
- CR-11 Amending Resolution No. 16-12-14-089 authorizing an agreement with the BAYONNE COMMUNITY MENTAL HEALTH CENTER for professional mental health services to low income and public assistance clients residing in Bayonne to increase the amount of the contract from not to exceed \$30,000.00 to not to exceed \$50,000.00. Chargeable to Account No. HW-4. **Finance**
- CR-12 Cancelling taxes on 50% of Block 44, lot 15 as being occupied by a qualifying 100% disabled veteran effective February 29, 2015, and ordering a refund of overpaid taxes resulting from the exemption. **Assessor**
- CR-13 Cancelling taxes on 50% of Block 351, lot 4 as being occupied by a qualifying 100% disabled veteran effective March 30, 2017, and ordering a refund of overpaid taxes resulting from the exemption. **Assessor**
- CR-14 Cancelling any and all taxes open of record on Block 328 Lots 1.02 and 2.02 deeded to the city on November 9, 2010, which deed was not recorded until February, 2017, although the property was used by the city for public purposes since November 9, 2010. **(Sight line improvements at 5th Street and Hobart Avenue) Assessor**

- CR-15 Authorizing the waiver of all Health Department and Fire Department fees for the BAYONNE FARMER'S MARKET, Recreation Division events, UEZ/SID events and the HOMETOWN FAIR. **Finance**
- CR-16 Authorizing eateries to participate in the sidewalk sale by providing outdoor seating. **UEZ**
- CR-17 Removing DREW NIEKRASZ as petty cash custodian and naming CHIEF DREW SISK as petty cash custodian for the Police Department. **Finance**
- CR-18 Authorizing the City Clerk to advertise for bids for roadway improvements to LeFante Way. **Business Administration**
- CR-19 Authorizing the City Clerk to advertise for bids for improvements to the 57th Street Fire House. **Business Administration**
- CR-20 Authorizing the City Clerk to advertise for RFP's for uniform construction code official services, plumbing sub-code inspector services, electrical sub-code inspector services, and building sub-code official services. **Business Administration**
- CR-21 Granting 5 Raffle licenses to qualified organizations. **City Clerk**

END OF CONSENT AGENDA

- R-1 Awarding a contract for improvements to Mayor Dennis P. Collins Park, to ** the low bidder, for the amount (not to exceed) **. Chargeable to Account **.
- R-2 Authorizing the Mayor and City Clerk to enter into an agreement with the BAYONNE HOUSING AUTHORITY for a one year period commencing July 1, 2017 for supplemental police services associated with the Authority's security program to create a drug and crime free environment and to provide safety and protection to the residents in public housing developments for an amount not less than \$200,000.00. **Public Safety**
- R-3 Authorizing and directing the Planning Board to conduct a preliminary investigation to determine whether the property located at 41 Prospect Avenue and identified as Block 455, lot 3 is a non-condemnation area in need of redevelopment pursuant to the Local Redevelopment and Housing Law, NJSA 40A:12A-1, et seq. **Planning**
- R-4 Authorizing and directing the Planning Board to conduct a preliminary investigation of the riparian property located at Block 412, lots 4.04, 5.03, 5.04, & 6, and Block 419, lot 2, to determine if it is a non-condemnation area in need of redevelopment pursuant to the Local Redevelopment and Housing Law, NJSA 40A:12A-1, et seq. **(Bayonne Golf Club) Planning**
- R-5 Designating the BAYONNE GOLF CLUB as redeveloper of the property designated as Block 404, lot 2.05 and authorizing the negotiation of a redevelopment agreement for the property pursuant to the Local Redevelopment and Housing Law, NJSA 40A:12A-1, et seq. **(Bayonne Golf Club) Planning**
- R-6 Designating the property located at 122-140 Avenue E and 157-169 Avenue E, identified as Block 467, lots 8.01 & 17-26, Block 234, lots 11-13, and Block 458, lots 1-1.01 as a non-condemnation area in need of redevelopment and authorizing the preparation of a redevelopment plan (including an amendment to the existing Maidenform Redevelopment Plan) pursuant to the Local Redevelopment and Housing Law, NJSA 40A:12A-1, et seq. **(Expanded Silklofts zone) Planning**
- R-7 Designating the properties located at 517-531 Avenue E, identified as Block 140, lots 21-25 as a non-condemnation area in need of redevelopment and authorizing the preparation of a redevelopment plan for the property pursuant to the Local Redevelopment and Housing Law, NJSA 40A:12A-1, et seq. **Planning**

- R-8 Designating PSIP AVENUE A, LLC as redeveloper of the property 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 1-6 (lot 1- "16 Bayview Ct," lot 2- "18-20 Bayview Ct," 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 official Tax Map of the City of Bayonne and authorizing the execution of a redevelopment agreement with PSIP AVENUE A, LLC for the redevelopment of such property in accordance with the redevelopment plan. **Planning**
- R-9 Authorizing the execution of the first amendment to the Redevelopment and Purchasing Agreement by and between the City of Bayonne and BAYONNE REDEVELOPERS, LLC for the property identified as Block 700, lot 1 and Block 791, lot 1 pursuant to the Local Redevelopment and Housing Law, NJSA 40A:12A-1, et seq. **Business Administration**
- R-10 Approving Chapter 159 #1 in the CY 2017 budget, seeking permission of the Division of Local Government Services to approve the insertion of an item of revenue in the amount of \$27,389.61, under the caption, "Custom Border Patrol." **Finance**
- R-11 Approving Chapter 159 #2 in the CY 2017 budget, seeking permission of the Division of Local Government Services to approve the insertion of an item of revenue in the amount of \$1,000.00, under the caption, "Fire Prevention Materials Grant." **Finance**
- R-12 Approving Chapter 159 #3 in the CY 2017 budget, seeking permission of the Division of Local Government Services to approve the insertion of an item of revenue in the amount of \$7,000.00, under the caption, "Emergency Assistance Grant." **Finance**
- R-13 Approving Chapter 159 #4 in the CY 2017 budget, seeking permission of the Division of Local Government Services to approve the insertion of an item of revenue in the amount of \$17,001.91, under the caption, "New Jersey Turnpike - MUA." **Finance**