

CITY OF BAYONNE
CITY COUNCIL
REGULAR MEETING
AUGUST 16, 2017

REQUESTS TO ADDRESS THE COUNCIL

- RA-1 From MEGAN McNALLY, requesting permission to address the council on the subject of
- RA-2 From DANIEL WALL, requesting permission to address the council on the subject of request for bids for building, electrical, plumbing & fire subcodes.

ORDINANCES SCHEDULED FOR HEARING

- O-1 ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY APPROVING THE APPLICATION AND FINANCIAL AGREEMENT FOR TAX EXEMPTION WITH BAYONNE EQUITIES URBAN RENEWAL, LLC FOR THE PROPERTY KNOWN AS 477-481 BROADWAY (BLOCK 204, LOTS 2 AND 3) IN THE CITY OF BAYONNE. **Business Administration**
- O-2 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 20, PERSONNEL POLICIES. **(Residency requirement effective date)**
- O-3 ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY APPROVING THE APPLICATION AND FINANCIAL AGREEMENT FOR TAX EXEMPTION WITH NORTH STREET PROPERTIES URBAN RENEWAL, LLC FOR PROPERTY KNOWN AS 105.5 NORTH STREET (BLOCK295, LOT 16 AND 17) IN THE CITY OF BAYONNE.
- O-4 ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY APPROVING THE APPLICATION AND FINANCIAL AGREEMENT FOR TAX EXEMPTION WITH BAYONNE REDEVELOPERS RESIDENTIAL URBAN RENEWAL, LLC FOR THE PROPERTY KNOWN AS A PORTION OF THE HARBOR STATION SOUTH DISTRICT OF THE PENINSULA AT BAYONNE HARBOR, MORE PARTICULARLY IDENTIFIED ON THE TAX MAP OF THE CITY OF BAYONNE AS BLOCK 791, LOT 1 AND A PORTION OF BLOCK 720, LOT 1, IN THE CITY OF BAYONNE.
- O-5 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC. **(Restrictive Parking Zones) Public Safety**
- DELETE
225. Mary Soliman, 140 West 23rd Street
ADD
415. Marianne Abusakroun, 14 West 11th Street

ORDINANCES PROPOSED FOR INTRODUCTION

- O-6 ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY APPROVING THE APPLICATION AND FINANCIAL AGREEMENT FOR TAX EXEMPTION WITH PARKVIEW REALTY URBAN RENEWAL, LLC FOR THE PROPERTY KNOWN AS BLOCK 445, LOTS 1-5 AND 7; and a resolution fixing Wednesday, September 13, 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. **(Parkview Development - 101-105 East 23rd Street, 102-106 East 24th Street and 162-172 Avenue F)**
- O-7 ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY APPROVING THE APPLICATION AND FINANCIAL AGREEMENT FOR TAX EXEMPTION WITH BAYONNE REDEVELOPERS URBAN RENEWAL BLOCK 720, LLC FOR THE PROPERTY KNOWN AS BLOCK 720, LOT 1; and a resolution fixing Wednesday, September 13, 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. **(Harbor Pointe)**

- O-8 An ordinance authorizing a parking agreement between BAYONNE EQUITIES URBAN RENEWAL, LLC and the City of Bayonne for 19-25 West 22nd Street, designated as Block 203, lot 4; and a resolution fixing Wednesday, September 13, 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-9 An ordinance between the City of Bayonne and the BAYONNE ECONOMIC OPPORTUNITY FOUNDATION for the premises known as 17-19 Howard Place and 237-249 Avenue A (former Holy Family Academy site) for the period commencing September 1, 2017 through August 31, 2018 for an amount of \$1,000.00 per month, said \$12,000.00 to be credited for repairs made to the buildings by the Bayonne Economic Opportunity Foundation; and a resolution fixing Wednesday, September 13, 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-10 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC; and a resolution fixing Wednesday, September 13, 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
054. Christine Kochanek, 33 West 54th Street
123. Edmund Narel, 29 West 6th Street
153. Fadia Badrous, 74 West 21st Street
160. Edward Mues, 56 East 48th Street
252. Robert Sharf, 43 West 29th Street
261. Carmen Morales, 3 Bergen Court, Apt. 1C
291. Margaret Basile, 184 Prospect Avenue
293. Antonia Kennedy, 114 West 6th Street
325. Kevin Hennessy, 68 West 24th Street
- ADD
289. Mercedes Castro, 25 Andrew Street
- RELOCATE
281. Yolanda Ramos from 130 West 47th Street to 15 East 39th Street

COMMUNICATIONS

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

- C-1 From MICHAEL OJWANG, filing notice of tort claim alleging property damage to his parked automobile on July 11, 2017 resulting from being struck by a municipally owned vehicle at 92 West 17th Street.
- C-2 From the Tax Court of New Jersey, complaint in matter entitled, “FAHMY vs. CITY OF BAYONNE.” (380 Avenue A, Block 244, lot 36 – 1-4 family residential)
- C-3 From the Tax Court of New Jersey, complaint in matter entitled, “BERGEN POINT BAYONNE REALTY vs. CITY OF BAYONNE.” (203-207½ Broadway & 206-216 Broadway, Block 305, lots 15-18 & 206 & 212-216 Broadway, Block 325, lots 1-3 & 6 -commercial)
- C-4 From the Tax Court of New Jersey, complaint in matter entitled, “BERGEN POINT BAYONNE REALTY vs. CITY OF BAYONNE.” (201 Broadway, Block 305, lot 14 - commercial)
- C-5 From the Tax Court of New Jersey, complaint in matter entitled, “BERGEN POINT BAYONNE REALTY vs. CITY OF BAYONNE.” (208 Broadway, Block 325, lot 5 - commercial)

- C-6 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-7 From the Tax Court of New Jersey, complaint in matter entitled, “SUPERIOR-MPM, LLC vs. CITY OF BAYONNE.” (Hobart Ave., East 4th – 2nd, Block 359, lot 10 - industrial)
- C-8 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-9 From the Tax Court of New Jersey, complaint in matter entitled, “ADIMOOLAN, SEETHARAMAN & KALAIVAN vs. CITY OF BAYONNE.” (129 West 31st Street, Block 151, lot 17 – 1-4 family residential)
- C-10 From the Tax Court of New Jersey, complaint in matter entitled, “ADIMOOLAN, SEETHARAMAN & KALAIVAN vs. CITY OF BAYONNE.” (687 Boulevard, Block 176, lot 22 – commercial)
- C-11 From the Tax Court of New Jersey, complaint in matter entitled, “ADIMOOLAN, SEETHARAMAN & KALAIVANI vs. CITY OF BAYONNE.” (416 Avenue C, Block 231, lot 55 – commercial)
- C-12 From the Tax Court of New Jersey, complaint in matter entitled, “ADIMOOLAN, SEETHARAMAN & KALAIVANI vs. CITY OF BAYONNE.” (361 Broadway, Block 240, lot 22 – commercial)
- C-13 From the Tax Court of New Jersey, complaint in matter entitled, “NJD DEVELOPMENT, LLC vs. CITY OF BAYONNE.” (752-764 Avenue E, Block 393, lot 16 - commercial)
- C-14 From the Tax Court of New Jersey, complaint in matter entitled, “LPM SERVICES, INC. vs. CITY OF BAYONNE.” (446-448 Broadway & 454-456 Broadway, Block 211, lots 19 & 16 – vacant & commercial)
- C-15 From the Tax Court of New Jersey, complaint in matter entitled, “RODRIGUEZ vs. CITY OF BAYONNE.” (Foot of Oak Street, Block 473.03, lot 1 - vacant)
- C-16 From the Tax Court of New Jersey, complaint in matter entitled, “DE PEPPE vs. CITY OF BAYONNE.” (71 West 53rd Street, Block 34, lot 19 – 1-4 family residential)
- C-17 From the Tax Court of New Jersey, complaint in matter entitled, “CHASE BANK #144080 vs. CITY OF BAYONNE.” (646-652 Broadway, Block 159, lot 1 - commercial)
- C-18 From the Tax Court of New Jersey, complaint in matter entitled, “RITE AID #149 vs. CITY OF BAYONNE.” (12-16 West 55th Street, Block 31, lots 17-22 - commercial)
- C-19 From United States District Court, District of New Jersey, Summons and Complaint in matter entitled, “SMITH, et al. vs. THE CITY OF BAYONNE.” (Wrongful dismissal on July 15, 2017)

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 Janet Convery, Treasurer, reporting on the transfer of the following amounts to the Board of Education on August 3, 2017: **Finance**
\$5,534,471.17 Claims & Payroll for August 2017
- OR-3 From the Purchasing Department reporting on bids received July 11, 2017, for Improvements to Dennis P. Collins Park-Phase I Rebid. (6 bidders) **Purchasing**
- OR-4 From the Purchasing Department reporting on bids received August 4, 2017, for laundry services for the Fire Department. (1 bidder) **Purchasing**
- OR-5 From the Purchasing Department reporting on bids received August 8, 2017, for on-site agency acting as Elevator Sub-Code Official. (1 bidder) **Purchasing**
- OR-6 From the Purchasing Department reporting on bids received August 8, 2017, for roof replacement at 57th St. Fire House. (4 bidders) **Purchasing**
- OR-7 From the Purchasing Department reporting on bids received August 10, 2017, for traffic controllers. (1 bidder) **Purchasing**

RESOLUTIONS

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

- CR-1 Approving the minutes of the regular meeting held Wednesday July 19, 2017. **City Clerk**
- CR-2 Approving the minutes of the special meetings held Wednesday, June 14, 2017 and Monday, July 31, 2017. **City Clerk**
- CR-3 Approving the minutes of the council caucus held Wednesday, July 12, 2017. **City Clerk**
- CR-4 Appointing NICHOLAS DiLULLO as Alternate #2 on the Zoning Board of Adjustment for a term expiring December 31, 2018 and appointing ARRIGO DeROS, JR. as Alternate #3 for a term expiring December 31, 2019. **Mayor**
- CR-5 Ordering warrants drawn to taxpayers representing refunds for overpayment of taxes. (2 properties) **Tax Collector**
- CR-6 Ordering a warrant in the amount of \$50.00 payable to WILLIAM P. CAMPBELL for the reimbursement of a marriage ceremony fee. **City Clerk**
- CR-7 Ordering a warrant in the amount of \$2,507.14 payable to MICHAEL and EILEEN NORTON representing a refund of overpaid real estate taxes for the years 2007 (\$791.88), 2008 (\$841.23), and 2009 (\$874.03) due to a clerical error. **Law**
- CR-8 Authorizing a warrant payable to GTBM, East Rutherford, NJ for the semi-annual software license renewal and support for the Police Department's "Info Cop" mobile computer software for the period of one year commencing July 20, 2017, in the amount of \$8,850.00. Chargeable to Account PS-9. **Public Safety**
- CR-9 Ordering a warrant in the amount of \$680.00 payable to BROADCAST MUSIC, INC. (BMI), Cincinnati, OH, representing an annual license fee to play music at festivals, firework shows, concerts in the park, community centers and even while on "hold" during telephone calls. **City Clerk**

- CR-10 Ordering a warrant drawn from Current Fund payable to the STATE OF NEW JERSEY in the amount of \$1,738.50 in payment of a levy charged by the state to all employers. Chargeable to Group Insurance. **Finance**
- CR-11 Ordering a warrant in the amount of \$2,450.00 drawn to the order of the TREASURER, STATE OF NEW JERSEY representing the state's share of 98 marriage licenses issued during the months of April, May, and June, 2017. **City Clerk**
- CR-12 Ordering a warrant in the amount of \$45.00 payable to the order of the BUREAU OF RABIES CONTROL, STATE OF NEW JERSEY, covering the issuance of 21 dog licenses issued in July, 2017. **City Clerk**
- CR-13 Ratifying and confirming the actions of the Treasurer in issuing a warrant in the amount of \$6,693,147.58 payable to the COUNTY OF HUDSON for Third Quarter County Taxes of 2017, County Open Space Tax and amount due for 2016 PILOT Revenues. **Finance**
- CR-14 Authorizing the Mayor and City Clerk to execute an agreement with the BAYONNE PAL DAY CARE CENTER in the amount of \$17,500.00 for the purpose of providing an after school program and summer camp child care program for the one year period commencing September 1, 2017. Chargeable to Account CDBG-945. **Community Development**
- CR-15 Authorizing the Mayor and City Clerk to execute an agreement with the BAYONNE COMMUNITY MENTAL HEALTH CENTER for psychiatric services for emotionally disturbed children in an amount not to exceed \$23,000.00 for the one year period commencing September 1, 2017. Chargeable to Account CDBG-944. **Community Development**
- CR-16 Authorizing the Mayor and City Clerk to execute an agreement with the BAYONNE COMMUNITY MENTAL HEALTH CENTER for addiction services in an amount not to exceed \$18,000.00 for a one year period commencing September 1, 2017. Chargeable to Account CDBG-943. **Community Development**
- CR-17 Authorizing the Mayor and City Clerk to execute an agreement with the BAYONNE YOUTH CENTER for an after school program in an amount not to exceed \$8,000.00 for a one year period commencing September 1, 2017. Chargeable to Account CDBG-949. **Community Development**
- CR-18 Authorizing the Mayor and City Clerk to execute an agreement with the COMMUNITY DAY NURSERY for preschool childcare services for low income families in an amount not to exceed \$40,000.00 for a one year period commencing September 1, 2017. Chargeable to Account CDBG-938. **Community Development**
- CR-19 Authorizing the Mayor and City Clerk to execute an agreement with the JEWISH COMMUNITY CENTER for an after school program for low income children in an amount not to exceed \$6,000.00 for a one year period commencing September 1, 2017. Chargeable to Account CDBG-942. **Community Development**
- CR-20 Authorizing the Mayor and City Clerk to execute an agreement with the BAYONNE FAMILY COMMUNITY CENTER for child care services for low income families in an amount not to exceed \$30,000.00 for a one year period commencing September 1, 2017. Chargeable to Account CDBG-946. **Community Development**
- CR-21 Authorizing the Mayor and City Clerk to execute 1) an access agreement with 47 BROADWAY ASSOCIATES, LLC and its contractor in connection with construction of a handicapped access ramp in the city's right of way; 2) a license agreement for the use of the ramp including an annual tax assessment of \$250.00. **Law**

- CR-22 Authorizing the Mayor and City Clerk to execute a license agreement with THE BRIDGE ART GALLERY for the purpose of conducting the BRIDGE ARTS FESTIVAL to be held on September 9, 2017 at Mayor Dennis P Collins Park. **Public Works and Parks**
- CR-23 Ratifying and affirming the city's continued participation in shared services agreements for a LICENSED HEALTH OFFICER with the City of Union City, Town of Weehawken, Town of Harrison, and Town of Secaucus for the one year period commencing January 1, 2017 under the same terms and conditions as the original shared services agreements; authorizing the Mayor and City Clerk to execute any and all documents needed to continue participation; and re-designating VINCENT RIVELLI as the city's full time Health Officer and Chief Executive Officer. **Business Administration**
- CR-24 Cancelling any and all open taxes on Block 237 Lot 24.01 effective June 9, 2017 when it was deeded to the BAYONNE HOUSING AUTHORITY, and authorizing the Tax Collector and Tax Assessor to note their accounts and records accordingly. **Tax Assessor**
- CR-25 Appointing SUSAN B. GYSS, ESQ. and STEVEN R. HUMMELL, ESQ. as Chief Municipal Prosecutor and Alternate Municipal Prosecutor respectively for the period commencing August 1, 2017 through December 31, 2017; appointing Assistant City Attorneys and the Law Director as Alternate Municipal Prosecutors; and removing William Opel, Esq. as Chief Municipal Prosecutor. **Law**
- CR-26 Authorizing the City Clerk to advertise for bids for rock salt. **Purchasing**
- CR-27 Authorizing the City Clerk to advertise for bids for emergency snow removal. **Purchasing**
- CR-28 Authorizing the City Clerk to advertise for bids for auto and truck body repairs. **Purchasing**
- CR-29 Authorizing the City Clerk to advertise for bids for construction of a portion of the Hudson River Walkway at the Peninsula at Bayonne Harbor. **Purchasing**
- CR-30 Granting 3 Raffle licenses to qualified organizations. **City Clerk**

END OF CONSENT AGENDA

- R-1 Awarding a contract for laundry services for the Fire Department, to TNT Shirt Laundry and Dry Cleaners LLC, DBA/ Skye Dry Cleaning, 1089 Avenue C, Bayonne, NJ 07002, the sole bidder, for the amount \$31,680.00. Chargeable to Account Fire, O/E. **Purchasing**
- R-2 Awarding a contract for on-site agency acting as Elevator Sub-Code Official, to ** the low bidder, for the amount (not to exceed) **. Chargeable to Account **.
- R-3 Awarding a contract for roof replacement at 57th St. Fire House, to JOURNEY CONTRACTING CO., INC., Millstone, NJ the low bidder, for the amount of \$60,000.00. Chargeable to Account CBO #O-17-21. **Purchasing**
- R-4 WITHDRAWN.
- R-5 Approving the settlement of State Tax Court appeals.
- R-6 Authorizing and directing the Planning Board to conduct a preliminary investigation to determine whether certain property located at 115-117 WEST 2ND STREET, which property is identified as Block 365, lot 9 within the city 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. **(Chris's Corner)**

- R-7 Authorizing and directing the Planning Board to prepare an overlay for a portion of Scattered Site 14 Redevelopment Plan for the property located at 103-143 EAST 22ND STREET & 43-75 MECHANIC STREET, which properties are identified as Block 451, lots 1.01 & 2.05 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. **(Lehigh Realty/Poesl) Planning**
- R-8 Authorizing and directing the Planning Board to prepare a rehabilitation plan for the property located at 39-43 WEST 25TH STREET & 45 WEST 25TH STREET, which properties are identified as Block 183, lots 1 & 2.01 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. **(Forum Fitness) Planning**
- R-9 Authorizing and directing the Planning Board to prepare a rehabilitation plan for the property located at 738 AVENUE E & 742 AVENUE E, which properties are identified as Block 393, lots 4 & 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. **(Beacon Oil) Planning**
- R-10 Authorizing and directing the Planning Board to conduct a preliminary investigation to determine whether certain property identified as BLOCK 394.02, LOT 1 within the city 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. **(Matthew Outdoor Advertising) Planning**

TO BE ADDED AT THE MEETING

- ADD-1 Authorizing the 2017 TAX LEVY SALE; and authorizing ARCHER & GREINER, Red Bank, NJ to serve as special counsel in connection with the tax sale for a fee not to exceed \$1,000.00.
- ADD-2 Authorizing the City of Bayonne's participation in the pooled note financing program of the HUDSON COUNTY IMPROVEMENT AUTHORITY.
- ADD-3 Accepting mid-year grant allocation funds from the HUDSON COUNTY OFFICE ON AGING including additional funds for the Physical Health Program component of the Title III grant in the amount of \$10,000.00 to be spent before the end of the calendar year, and meals on wheels in the amount of \$59,908.00 to secure a "hot shot" vehicle (\$47,000 to \$49,000 max), with the balance to go to the existing nutrition agreement between the Office on Aging and the BEOF before the end of the calendar. **Business Administration**
- ADD-4 Authorizing and directing the planning board to conduct a preliminary investigation to determine whether certain property located at 43-45 West 32nd Street, identified as Block 145, lot 1, constitutes an AREA IN NEED OF REDEVELOPMENT pursuant to the Local Redevelopment and Housing Law, NJSA 40A: 12A-1, et seq. **Planning**