

CITY OF BAYONNE
CITY COUNCIL
REGULAR MEETING
APRIL 18, 2018

OFFICER'S REPORT/ORDINANCE REPEAL

- OR-1 From Robert F. Sloan, City Clerk, certifying that the referendum petition filed September 13, 2017, seeking to repeal Ordinance O-17-43, amending Chapter 20, Personnel Policies, of the Revised General Ordinances of the City of Bayonne contains a sufficient number of valid signatures of qualified voters; and a resolution repealing Ordinance O-17-43.

REQUESTS TO ADDRESS THE COUNCIL

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

ORDINANCES SCHEDULED FOR HEARING

- O-1 AN ORDINANCE ADOPTING A REDEVELOPMENT PLAN FOR CERTAIN PROPERTY LOCATED AT 117-121 PROSPECT AVENUE, AND IDENTIFIED AS BLOCK 441, LOT 10 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. **Planning**
- O-2 AN ORDINANCE ADOPTING A REDEVELOPMENT PLAN FOR CERTAIN PROPERTY LOCATED AT 554-556 BROADWAY AND 11 EAST 25TH STREET, AND IDENTIFIED AS BLOCK 185, LOTS 5 AND 10 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. **(Mandee/Feinberg) Planning**
- O-3 AN ORDINANCE ADOPTING A REDEVELOPMENT PLAN FOR CERTAIN PROPERTY LOCATED AT 130-134 AVENUE F, EAST 23RD STREET, MECHANIC STREET, 136 AVENUE F, 37 MECHANIC STREET, 39 MECHANIC STREET, AND 41 MECHANIC STREET, AND IDENTIFIED AS BLOCK 450, LOTS 1, 10.01, 10.02, 22, 23, AND 24 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. **(Parkview) Planning**
- O-4 ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING AN AMENDED REDEVELOPMENT PLAN FOR THE PENINSULA AT BAYONNE HARBOR, AND REFERRED TO AS "HARBOR STATION SOUTH".
- O-5 ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING AN AMENDED AND RESTATED SCATTERED SITE 14 REDEVELOPMENT PLAN FOR THE PROPERTIES IDENTIFIED AS BLOCK 452.02, LOTS 3-9, AND 11 AND BLOCK 451, LOTS 1.01, 1.02, 2.03, 2.04 AND 2.05 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE. **(Lehigh Realty)**
- O-6 ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING THE AMENDED SCATTERED SITE REDEVELOPMENT PLAN FOR THE PROPERTY LOCATED AT 474-476 BROADWAY, WHICH PROPERTY IS IDENTIFIED AS BLOCK 205, LOT 10.01 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. **(Irwin's)**
- O-7 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 11, POLICE DEPARTMENT. **(School security) Public Safety**

- O-8 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC. **(Restrictive Parking Zones) Public Safety**

DELETE

270. Kelly Betsworth, 948 Broadway
391. Krusztotf Kubiak, 89 East 22nd Street

ADD

058. Cynthia Baldassarre, 24 Washington Parkway

RELOCATE

067. Amanda Leonard from 437 Kennedy Boulevard to 380 Avenue C
111. Mary Silvani from 76 Andrew Street to 206 Avenue F

ORDINANCES PROPOSED FOR INTRODUCTION

- O-9 AN ORDINANCE AUTHORIZING THE GRANTING OF A PERPETUAL NON-EXCLUSIVE EASEMENT OVER LANDS LOCATED IN NORTH ARLINGTON, BERGEN, OWNED BY THE CITY OF BAYONNE AND DESIGNATED AS LOTS 3 AND 4 IN BLOCK 167 TO CARCAMO REAL ESTATE HOLDINGS LLC, A NEW JERSEY LIMITED LIABILITY COMPANY, BJ PORETE LLC, A NEW JERSEY LIMITED LIABILITY COMPANY AND THE BOROUGH OF NORTH ARLINGTON, A MUNICIPAL CORPORATION IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY FOR PURPOSES OF INGRESS AND EGRESS FROM THE CARCAMO AND PORETE PROPERTIES TO THE BELLEVILLE TURNPIKE; and a resolution fixing Wednesday, May 16, 2018 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. **(Former pump station in North Arlington)**

- O-10 AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING A REDEVELOPMENT PLAN FOR A PORTION OF THE PENINSULA AT BAYONNE HARBOR; and a resolution fixing Wednesday, May 16, 2018 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. **(Lincoln Equities property) Business Administration**

- O-11 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 13, SWIMMING POOL, DOCKS, DON AHERN VETERANS MEMORIAL STADIUM, PUBLIC BOAT RAMP, MUNICIPAL PARKS AND PLAYGROUNDS AND BAYONNE PUBLIC LIBRARY AND BAYONNE MUSEUM; and a resolution fixing Wednesday, May 16, 2018 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. **(Exempting Bayonne non-profits from fees for use of Don Ahern Veterans Stadium) Recreation**

- O-12 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 2, ADMINISTRATION; and a resolution fixing Wednesday, May 16, 2018 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. **(Labor peace agreements for hotels where the city has an interest)**

- O-13 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC; and a resolution fixing Wednesday, May 16, 2018 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

031. Mariano DiBenedetto, 161 West 20th Street
044. Brian Sharkey, 39 West 33rd Street
316. Helen Donovan, 6 Story Court

ADD

031. Edward Zaleck, 69 East 25th Street
058. Alice Dahl, 12 West 52nd Street

COMMUNICATIONS

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

- C-1 From ANTHONY CAPUTO, filing notice of tort claim alleging property damage to the curb and sidewalk at his house on or about January 13, 2018 resulting from snow plowing at 12 O'Brien Court.
- C-2 From MIRIAM SANDOVAL, filing notice of tort claim alleging property damage to her automobile on February 17, 2018 resulting from an accident involving a patrol car on West 21 Street west of Broadway.
- C-3 From the Tax Court of New Jersey, complaint in matter entitled, "MPT OF BAYONNE, LLC vs. CITY OF BAYONNE." (407-427 & 408-422 Avenue E, Block 420.02, lot 2, Block 159, lots 14 & 15, Block 164, lot 5.01, Block 504, lot 7.01 - commercial and vacant)
- C-4 From the Tax Court of New Jersey, complaint in matter entitled, "RITE AID #149 vs. CITY OF BAYONNE." (1097 Broadway, Block 31, lot 17.01 - commercial)
- C-5 From the Tax Court of New Jersey, complaint in matter entitled, "McDONALD'S CORP. vs. CITY OF BAYONNE." (534-543 Broadway, Block 189, lot 24 - commercial)
- C-6 From the Tax Court of New Jersey, complaint in matter entitled, "175 AVENUE A HOLDINGS, LLC vs. CITY OF BAYONNE." (175 Avenue A, Block 300.01, lots 2 & 3- commercial)
- C-7 From the Tax Court of New Jersey, complaint in matter entitled, "PSE&G PROPERTIES vs. CITY OF BAYONNE." (160 West 63rd Street, Block 3, lot 3 - industrial)
- C-8 From the Tax Court of New Jersey, complaint in matter entitled, "MILLIONS, INC. vs. CITY OF BAYONNE." (55 Hook Road, Block 417, lot 3 - industrial)
- C-9 From the Tax Court of New Jersey, complaint in matter entitled, "BAYONNE AUTO TERM LLC c/o PORTS OF AMERICA vs. CITY OF BAYONNE." (Peninsula at Bayonne Harbor: Maritime District, Block 1180, lot 1 - 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-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 April 6, 2018: **Finance**
\$5,533,471.00 Claims and payroll for claims and payroll for April, 2018
- OR-4 From Joanne Sisk, CTC, Tax Collector's Annual Report for 2017.
- OR-5 From the Purchasing Department reporting on bids received April 5, 2018, for James J. Shea Shooting Range remediation and miscellaneous demolition. (4 bidders) **Purchasing**

RESOLUTIONS

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

- CR-1 Approving the minutes of the regular meeting held Wednesday, March 14, 2018. **City Clerk**
- CR-2 Approving the minutes of the council caucus held Wednesday, March 7, 2018. **City Clerk**
- CR-3 Appointing ALICIA K. LOSONCZY Clean Communities Coordinator and authorizing her to submit documents and apply for Clean Communities grant applications. **Public Works**
- CR-4 Ordering warrants drawn to taxpayers representing refunds for overpayment of taxes. (11 properties) **Tax Collector**
- CR-5 Ordering a warrant in the amount of \$50.00 payable to STEPHANIE DIAZ refunding an unused marriage ceremony fee. **City Clerk**
- CR-6 Ordering a warrant in the amount of \$1,825.00 drawn to the order of the TREASURER, STATE OF NEW JERSEY representing the state's share of 73 marriage licenses issued during the months of January, February, and March, 2018. **City Clerk**
- CR-7 Ordering a warrant in the amount of \$61.80 payable to the order of the BUREAU OF RABIES CONTROL, STATE OF NEW JERSEY, covering the issuance of 29 dog licenses issued in March, 2018. **City Clerk**
- CR-8 Ratifying and confirming the actions of the Municipal Treasurer in issuing a warrant from the Unemployment Trust Fund in the amount of \$6,014.73 payable to the STATE OF NEW JERSEY DIVISION OF EMPLOYER ACCOUNTS for City of Bayonne unemployment bills for the quarter ending December 31, 2017. **Finance**
- CR-9 Ordering a warrant payable to the PUBLIC EMPLOYEES RETIREMENT SYSTEM in the amount of \$2,413,120.66 representing the city's annual contribution. **Finance**
- CR-10 Ordering a warrant payable to the POLICE & FIREMEN'S RETIREMENT SYSTEM in the amount of \$11,567,534.00 representing the city's annual contribution. **Finance**
- CR-11 Ordering a warrant in the amount of \$21,725.00 payable to the STATE OF NEW JERSEY representing State Surcharge Fees on New Construction and Alterations for the quarter ending March 31, 2018. Chargeable to Account State Training Fees with the Tax Collector. **Building**
- CR-12 Authorizing the Mayor and City Clerk to enter into an agreement with HUDSON MILESTONE, Jersey City, NJ, to provide for the cost of renovations at the 715 Avenue E location by A1A RESTORATION GROUP, LLC, Hawthorne, NJ in an amount not to exceed \$130,500.00. Chargeable to Account CDBG-917. **Community Development**
- CR-13 Authorizing a Green Acres Project Agreement between the City of Bayonne and the New Jersey Department of Environmental Protection for the NEWARK BAY WATERFRONT PROJECT. **Business Administration**
- CR-14 Approving the bond sale. **Finance**
- CR-15 Authorizing the Purchasing Agent to purchase eight (8) police utility interceptors for use in the patrol division of the Police Department from WINNER FORD, Cherry Hill, NJ for a total cost of \$318,186.00 under State Contract Number A88728. Chargeable to the Department of Justice Reimbursement Fund in the amount of \$218,186.00 with the balance of \$100,000.00 charged to a city budget account. **Public Safety**

- CR-16 Authorizing the Purchasing Agent to purchase two hundred (200) Body Worn Gen 2 complete camera systems from L3 MOBILE-VISION, INC, and the necessary computer hardware to manage and store the video data from various vendors under state contract for a total amount of \$167,381.00, to be funded in part from the Edward Byrne Memorial Justice Grant (JAG) Program. **Public Safety**
- CR-17 Authorizing a second amendment to Agreement No. CY 16-055 with the BAYONNE ECONOMIC OPPORTUNITY FOUNDATION for CDBG funds for the cost of air sampling/monitoring at the Head Start Building, 7 West 9th Street, amending the scope of work to include groundwater sampling and monitoring, and extending the contract through August 31, 2018 and increasing the contract in the amount of \$4,900.00, making the total contract amount \$7,750.00. Chargeable to Account CDBG-917. **Business Administration**
- CR-18 Approving Change Order No. 1 in the city's agreement with CLEAN UP, INC., increasing the contract in the amount of \$48,228.79 for speed humps at East 5th Street, East 35th Street, and Park Road (Veterans/Ahern Stadium) and making final contract amount of \$354,118.79. Chargeable to Account RPI. **Public Works**
- CR-19 Creating a UEZ project entitled, "STRUCTURED PARKING GARAGE" located on West 22nd Street and Del Monte Drive. **Business Administration**
- CR-20 Amending the EMPLOYEE HANDBOOK. **Business Administration**
- CR-21 Authorizing an RFP for the retention of a business consultant to advise both businesses seeking to open or are newly opened as well as limited services for existing businesses. **UEZ**
- CR-22 Authorizing the City Clerk to advertise for bids for improvements to the 16th Street Miniature Golf Course. **Public Works**
- CR-23 Granting 4 Raffle licenses to qualified organizations. **City Clerk**

END OF CONSENT AGENDA

- R-1 Authorizing an RFP for a ferry service operator at the Peninsula at Bayonne Harbor. **Business Administration**
- R-2 Awarding a contract for environmental remediation and miscellaneous demolition at the James J. Shea Shooting Range to ** the low/sole bidder, for the amount of/not to exceed \$**. Chargeable **. **Purchasing**
- R-3 Appointing a Risk Manager/Insurance Broker for a period commencing on the date of the contract and terminating December 31, 2018 for the lesser amount of \$90,000.00 or six and one-half percent (6.5%) if the city's annual assessment as promulgated by the NJIIF, to be paid by the NJIIF. **Law**
- R-4 Approving Temporary Emergency Appropriation #3 in the CY 2018 budget. **Finance**
- R-5 Designating LEG-BP BAYONNE INVESTORS, LLC as conditional redeveloper for the property located at Block 1180, lots 1 and 2 on the official Tax Map of the City of Bayonne and authorizing the negotiation and preparation of a redevelopment agreement for such property and the negotiation and preparation of an agreement for the sale of Block 1180, lot 2 to LEG-BP BAYONNE INVESTORS, LLC for the redevelopment of such property in accordance with the redevelopment plan. **(Terminating Redevelopment Agreement with Bayonne Auto Terminal, LLC/(Lincoln Equities) Business Administration**
- R-6 Consenting to the transfer of development and purchase rights from FIDELCO/KRE to 151 CENTRE STREET URBAN RENEWAL, LLC for a portion of Block 600, lot 1 and Block 630, lot 1. **Business Administration**

- R-7 Designating TFG 39-43 WEST 25TH STREET, LLC as redeveloper of 39-45 West 25th Street, and identified as Block 183, lots 1 and 2.01 on the official Tax Map of the City of Bayonne, and authorizing a redevelopment agreement. **(Forum Fitness) Business Administration**
- R-8 Designating TFG 117-121 PROSPECT, LLC as redeveloper of 117-121 Prospect Avenue, identified as Block 441, lot 10 on the official Tax Map of the City of Bayonne and authorizing a redevelopment agreement. **(Manny Klein) Business Administration**
- R-9 Designating JERSAM, INC. as redeveloper of 63-67 Hook Road, identified as Block 416, lot 3 on the official Tax Map of the City of Bayonne and authorizing a redevelopment agreement. **(Mecca Property) Business Administration**
- R-10 Authorizing the planning board to conduct an Area in Need of Redevelopment Study for Block 457.01, lots 6, 7, 7.01, 8, 8.01, 8.02, 9, and 10, and Block 457.02, lots 1, 2, 7, and 8, located at 103 East 21st Street, 105-109 East 21st Street, 111, East 21st Street, 106 East 22nd Street, 104 East 22nd Street, 102 East 22nd Street, 113 East 21st Street, 115 East 21st Street, 114-120 East 22nd Street, and 112 East 22nd Street. **(Lehigh Realty Phase 2/Poesl) Business Administration**