

CITY OF BAYONNE
CITY COUNCIL
REGULAR MEETING
MAY 16, 2017

REQUESTS TO ADDRESS THE COUNCIL

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

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 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-3 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-4 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-5 ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING A REDEVELOPMENT PLAN FOR CERTAIN PROPERTY LOCATED AT 43-45 W 32ND ST, WHICH PROPERTY IS IDENTIFIED AS BLOCK 145, LOT 1, 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.
- O-6 ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING AN OVERLAY AS AN AMENDMENT TO THE REDEVELOPMENT PLAN FOR CERTAIN PROPERTY IDENTIFIED AS BLOCK 1180, LOTS 1 AND 2, 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. **(Lincoln Equities property) Business Administration**
- O-7 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. **(Exempting Bayonne non-profits from fees for use of Don Ahern Veterans Stadium) Recreation**
- O-8 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 2, ADMINISTRATION. **(Labor peace agreements for hotels where the city has an interest)**

- 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. **(Former pump station in North Arlington)**
- O-10 ORDINANCE TO AUTHORIZE THE ADDENDUM TO AND PARTIAL RELEASE OF THAT CERTAIN DEED OF EASEMENT FROM THE CITY OF BAYONNE TO THE BAYONNE MUNICIPAL UTILITIES AUTHORITY ("BMUA") DATED OCTOBER 5, 2006, RECORDED ON OCTOBER 18, 2006, IN THE HUDSON COUNTY CLERK/REGISTRARS OFFICE IN DEED BLOCK 8028 AT PAGE 56 ("EASEMENT") GRANTING THE BMUA RIGHTS TO INSTALL, OPERATE, MAINTAIN, REPAIR AND REPLACE WATER AND SEWER SYSTEMS SERVING REDEVELOPMENT THROUGHOUT THE FORMER BAYONNE MILITARY OCEAN TERMINAL, FORMERLY BLOCKS 404, LOT 1 ("PENINSULA") SO AS TO EXTINGUISH THE RIGHTS AND OBLIGATIONS OF THE PARTIES WITH THE EXCEPTION OF A 20-FOOT-WIDE SANITARY SEWER EASEMENT LOCATED AT BLOCK 700, LOT 1, A PORTION OF HARBOR STATION SOUTH, IN FAVOR OF BAYONNE REDEVELOPERS URBAN RENEWAL BLOCK 700 LLC, THE SUCCESSOR PURCHASER OF A PORTION OF THE PROPERTY COMPRISING THE PENINSULA. **(Costco Property)**
- 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
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

ORDINANCES PROPOSED FOR INTRODUCTION

- O-12 ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING AN AMENDED REDEVELOPMENT PLAN FOR THE MILITARY OCEAN TERMINAL/PENINSULA AT BAYONNE HARBOR PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, *N.J.S.A. 40A:12A-1 ET SEQ.*; and a resolution fixing Wednesday, June 20, 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.
- O-13 An Ordinance approving amendments to the SILK LOFTS REDEVELOPMENT PLAN; and a resolution fixing Wednesday, June 20, 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.
- O-14 CALENDAR YEAR 2018 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, June 20, 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. **Finance**
- O-15 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC; and a resolution fixing Wednesday, June 20, 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.

DELETE

- 137. Barbara Benedetto, 33 East 17th Street
- 228. Helena Zabicka, 56 East 34th Street
- 245. Eleanor Hajduk, 84 East 23rd Street
- 256. Bebawy M. Aziz, 177 West 48th Street
- 307. Mary Rushnak, 170 West 31st Street
- 336. John Diaz, 207 Avenue B

ADD

- 129. Jennifer Agostini, 92 West 24th Street
- 133. Krzysztof Orlowski, 46 East 18th Street
- 137. Agnes Hogan, 4 Story Court
- 144. James Cody, 64 Humphrey Avenue
- 145. Gerald Grimmeyer, 21 Dodge Street

RELOCATE

- 194. Elaine Fischer, from 93 Avenue E to 27 East 32nd Street

COMMUNICATIONS

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

- C-1 From Michael I. Berliner, Esq., filing notice of tort claim on behalf of JOANNA SMITH alleging personal injuries resulting from a fall on the sidewalk on February 15, 2018 at 90-92 West 14th Street.
- C-2 From Michael Wittenberg, Esq., filing notice of tort claim on behalf of TAMER HEBAYSH alleging property damage to his automobile resulting from being struck by a city owned vehicle on January 5, 2018 at Newark Bay Court.
- C-3 From STEPHEN L. SCARANO, filing notice of tort claim alleging property damage to his automobile on February 11, 2018 resulting potholes on West 46th Street between Broadway and Avenue C.
- C-4 From KAREEM A. RIVERS, filing notice of tort claim alleging property damage to his automobile on February 10, 2018 resulting pot holes at LeFante Way west of Avenue J.
- C-5 From JENNIFER SILVEY, filing notice of tort claim alleging property damage to her automobile on March 24, 2018 resulting from being struck by a snow plow at the corner of Meadow Street and East 19th Street.
- C-6 From Superior Court of New Jersey, Law Division Summons and Complaint in matter entitled, "NAPOLITANO vs. EUROPEAN CONSTRUCTION PROFESSIONALS, LLC, et al., incl. THE CITY OF BAYONNE." (Defective home construction in 2014, at 73 West 21st Street)
- C-7 From the United States District Court, District of New Jersey, Summons and Complaint in matter entitled, "KHAN vs. THE CITY OF BAYONNE et al." (Civil rights violations stemming from sewer line backup)
- C-8 From the BAYONNE BOARD OF EDUCATION, resolution adopting the tentative budget for the 2018-2019 school year.

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 May 3, 2018: **Finance**
\$5,533,471.00 Claims and payroll for claims and payroll for May, 2018

- OR-3 From the Purchasing Agent reporting on bids received May 10, 2018, for improvements to the 16th Street miniature golf course. (# bidders) **Purchasing**
- OR-4 From the Purchasing Agent reporting on bids received May 10, 2018, for improvements to Neil A. DeSena Park. (# bidders) **Purchasing**
- OR-5 From the Purchasing Agent reporting on bids received May 10, 2018, for vehicle collision repairs. (# bidders) **Purchasing**
- OR-6 From the Purchasing Agent reporting on bids received May 10, 2018, for 57th Street firehouse bay floor replacement, driveway and sidewalk improvements. (# bidders) **Purchasing**
- OR-7 From the Purchasing Agent reporting on bids received May 10, 2018, for 2018 roadway improvements. (# bidders) **Purchasing**
- OR-8 From Robert F. Sloan, City Clerk, certifying the results of the Municipal Election held May 8, 2018. **City Clerk**

RESOLUTIONS

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

- CR-1 Approving the minutes of the regular meeting held Wednesday April 18, 2018. **City Clerk**
- CR-2 Approving the minutes of the council caucus held Wednesday, April 11, 2018. **City Clerk**
- CR-3 Ordering warrants drawn to taxpayers representing refunds for overpayment of taxes. (14 properties) **Tax Collector**
- CR-4 Ordering a warrant drawn in the amount of \$374.00 payable to Baran & Sons Roofing refunding a duplicate payment for a building permit. **Building**
- CR-5 Ordering a warrant in the amount of \$43.80 payable to the order of the BUREAU OF RABIES CONTROL, STATE OF NEW JERSEY, covering the issuance of 19 dog licenses issued in April, 2018. **City Clerk**
- CR-6 Ratifying and confirming the actions of the Municipal Treasurer in issuing payment from Current Fund in the amount of \$6,711,166.84 payable to the COUNTY OF HUDSON for second quarter county taxes of 2018 and county open space tax. **Finance**
- CR-7 Authorizing a maintenance agreement with VERIPIC, INC., San Jose, CA, for software license maintenance for VeriPic photo management software for a one-year period commencing July 1, 2018 for the amount of \$2,140.00. Chargeable to Account PS-9. **Public Safety**
- CR-8 Authorizing the Mayor and City Clerk to take all steps necessary to execute any and all documents for the BAYONNE FARMERS MARKET and to permit the use of Fitzpatrick Park by individual vendors pursuant to license agreements for the market to be held each Tuesday from 2:00 P.M. through 7:00 P.M. commencing, May 22, 2018 through November 20, 2018. **Business Administration**
- CR-9 Authorizing the Mayor and City Clerk to execute a license agreement with the BAYONNE HOMETOWN FAIR ASSOCIATION in order to effectuate the Bayonne Hometown Fair on June 9th and 10th, 2018. **UEZ**
- CR-10 Authorizing the UEZ Coordinator to undertake all the required activities related to the Bayonne Hometown Fair. **UEZ**

- CR-11 Approving the design of DR. DAVID MORRIS PARK to determine the cost of in-kind contribution under section 2.08 of the Resnick redevelopment agreement for improvements/upgrades to Dr. Morris Park. **Business Administration**
- CR-12 Authorizing the Mayor and City Clerk to execute an amendment to Agreement No. CY17-080 with the BAYONNE COMMUNITY DAY NURSERY increasing same in the amount of \$11,500.00 for the purpose of providing the cost of the removal, storage, and reinstallation of existing insulation involved in ceiling replacement, making the total contract amount \$198,025.00. Chargeable to Account CDBG-917. **Community Development**
- CR-13 Approving Change Order #1 in the city's contract with CONSULTING AND MUNICIPAL ENGINEERS, LLP, increasing the amount of the contract by \$5,932.00, making the total contract amount \$755,932.50. **Public Works**
- CR-14 Amending Agreement No. CY17-018 with MILLENIUM STRATEGIES to increase the contract amount from \$8,000.00 to \$52,447.50. **Business Administration**
- CR-15 Granting ** Raffle licenses to qualified organizations. **City Clerk**

END OF CONSENT AGENDA

- R-1 Awarding a contract for improvements to the 16th Street miniature golf course to ** the low/sole bidder, for the amount of/not to exceed \$**. Chargeable **. **Purchasing**
- R-2 Awarding a contract for vehicle collision repairs to ** the low/sole bidder, for the amount of/not to exceed \$**. Chargeable **. **Purchasing**
- R-3 Awarding a contract for 57th Street firehouse bay floor replacement, driveway and sidewalk improvements to ** the low/sole bidder, for the amount of/not to exceed \$**. Chargeable **. **Purchasing**
- R-4 Awarding a contract for 2018 roadway improvements to ** the low/sole bidder, for the amount of/not to exceed \$**. Chargeable **. **Purchasing**
- R-5 Approving Temporary Emergency Appropriation #4 in the CY 2018 budget. **Finance**
- R-6 Introducing the CY 2018 Local Municipal Budget; and fixing Wednesday, ** 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**
- R-7 Designating EOM REALTY, LLC as redeveloper of the property located at 554-556 Broadway & 11 East 25th Street, which properties are identified as Block 184, lots 5 & 10 as shown on the Official Tax Map of the City of Bayonne and authorizing the negotiation and preparation of a redevelopment agreement with EOM REALTY, LLC for the redevelopment of such property in accordance with the redevelopment plan. **(Mandee's)**
- R-8 Designating NOVA GROUP, LLC as redeveloper of 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 and authorizing the negotiation and preparation of a redevelopment agreement with NOVA GROUP, LLC for the redevelopment of such property in accordance with the redevelopment plan. **(Irwin's)**
- R-9 Designating RAM DEVELOPMENT, LLC as redeveloper of the property located at 130-134 Avenue F, East 23rd Street, Mechanic Street, 37 Mechanic Street, 39 Mechanic Street, And 41 Mechanic Street, which properties are 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 and authorizing the negotiation and preparation of a

redevelopment agreement with RAM DEVELOPMENT, LLC for the redevelopment of such property in accordance with the redevelopment plan. **(Parkview II)**

- R-10 Authorizing the Mayor to execute a second amendment to the Amended and Restated Redevelopment Agreement with FIDELCO BAYONNE REALTY, LLC, for the property identified as Block 600, lot 1, Block 630, lot 1, Block 645, lot 1, Block 660, lot 1, and Block 680, lot 1. **Law**
- R-11 Authorizing the Mayor to enter into an agreement with 151 CENTRE STREET URBAN RENEWAL, LLC in connection with the development and construction of Block 600, lots 1 and 2. **Law**
- R-12 Requesting the Planning Board to reopen the redevelopment plan for the property commonly known as BAYONNE BAY EAST and located at 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 of the City of Bayonne, pursuant to the Local Housing and Redevelopment Law, NJSA 30A:12-1, et seq., to reconsider amendments to the plan. **Business Administration**
- R-13 Designating 425-429 AVENUE C BAYONNE REALTY, LLC developer of block 230, lots 22, 23, and 24 having a street address of 425-429 Avenue C. **Business Administration**
- R-14 Designating LEHIGH REALTY CO., INC. as developer of Block 451, lots 1.01 and 2.05 having a street address of 103-142 East 22nd Street and 43-75 Mechanic Street. **(Poesl Redevelopment) Business Administration**
- R-15 Designating RAM DEVELOPMENT, LLC as redeveloper of 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, and authorizing a redevelopment agreement. **(Parkview) Business Administration**
- R-16 Designating EOM REALTY, LLC as redeveloper of Block 184, lots 5 and 10, having a street address of 11 East 25th Street and 554-556 Broadway, and authorizing a redevelopment agreement and a parking agreement. **(Mandee's) Business Administration**
- R-17 Designating NOVA GROUP, LLC as redeveloper of Block 205, lot 10.01, having a street address of 474-476 Broadway, and authorizing a redevelopment agreement and a parking agreement. **(Irwin's) Business Administration**
- R-18 Designating TFG 39-43 W 25TH STREET, LLC as redeveloper of Block 183, lot 1, having a street address of 39-45 West 25th Street and 554-556 Broadway, and authorizing a redevelopment agreement. **(Manny Klein property) Business Administration**
- R-19 Designating TFG 117-121 PROSPECT, LLC as redeveloper of Block 441, lot 10, having a street address of 117-121 Prospect Avenue, and authorizing a redevelopment agreement. **(Manny Klein property) Business Administration**