

**CITY OF BAYONNE
CITY COUNCIL
REGULAR MEETING
SEPTEMBER 12, 2018**

**ORDINANCES, COMMUNICATIONS AND
ADMINISTRATION REQUESTS FOR COUNCIL MEETING AGENDA**

ORDINANCES SCHEDULED FOR HEARING

- O-1 AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDON, NEW JERSEY AUTHORIZING A FIVE 5 YEAR TAX EXEMPTION ON THE ASSESSED VALUE OF NEW IMPROVEMENTS ONLY FOR NEWLY CONSTRUCTED IMPROVEMENTS WITH RESPECT TO THE PARCEL OF LAND LOCATED AT 191 BROADWAY, (BLOCK 318, LOTS 20) ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE,” **(New construction on the site that was formerly Naples Pizzeria) Business Administration**
- O-2 BOND ORDINANCE PROVIDING FOR VARIOUS 2018 CAPITAL IMPROVERMENTS, BY AND IN THE CITY OF BAYONNE, IN THE COUNTY OF HUDSON, STATE OF NEW JERSEY (THE “CITY”); APPROPRIATING \$3,650,000 THEREFORE AND AUTHORIZING THE ISSUANCE OF \$3,475,000 BONDS OR NOTES OF THE CITY TO FINANCE PART OF THE COSTS THEREOF **Finance**
- O-3 BOND ORDINANCE PROVIDING FOR AQUEDUCT IMPROVEMENTS, BY AND IN THE CITY OF BAYONNE, IN THE COUNTY OF HUDSON, STATE OF NEW JERSEY (THE “CITY”); APPROPRIATING \$11,700,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$11,700,000 BONDS OR NOTES TO FINANCE THE COST THEREOF **Finance**
- O-4 CAPITAL IMPROVEMENT ORDINANCE TO PROVIDE FUNDING FOR IMPROVEMENTS TO THE BAYONNE WATERFRONT WALKWAY IN THE AMOUNT OF \$425,000 **Finance**
- O-5 AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING AN AMENDED REDEVELOPMENT PLAN FOR A PORTION OF THE SCATTERED SITE REDEVELOPMENT PLAN PERTAINING TO PROPERTY IDENTIFIED AS BLOCK 140, LOTS 1, 60 & 61 AS SHOWN ON THE OFFICIAL TAX MAP IN THE CITY OF BAYONNE PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ.,
- O-6 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC **(No Parking on east side of Broadway from 53rd Street south 83 feet) Public Safety**
- O-7 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC **(Restrictive Parking Zones) Public Safety**
- DELETE
059. Justyna Petrinczyk, 346 Avenue C
072. William Roeheny, 23 New Streect
255. Maureen Anderson, 17 West 31st Street
281. Yolanda Ramos, 15 East 39th Street
299. Vito Barbito, 55 East 4th Street
397. German Valdez, 160 West 49th Street
405. Margaret Oberanowicz, 80 West 42nd Street
- ADD
171. Valeriy D. Levin, 20 West 18th Street
174. George Baran, 15 West 18th Street
181. Carmine Fiorino, 120 West 50th Street
- RELOCATE
367. Kamal Morgan, 21 East 16th Street

PUBLIC COMMENTS

Speakers are to sign the signup sheet prior to the meeting.

ORDINANCES PROPOSED FOR INTRODUCTION

- O-8 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 5, ANIMAL CONTROL, and a resolution fixing Wednesday, October 17, 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. **(Reducing Late Fee from \$25.00 to \$5.00) City Clerk**
- O-9 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC and a resolution fixing Wednesday, October 17, 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. **(Traffic Signal at Avenue C & 12th Street) Public Safety**
- O-10 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC and a resolution fixing Wednesday, October 17, 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. **(Loading Zones-BOE-Juliette Street Facility) 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, October 17, 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. **(Prohibited Parking/No Parking Zone/Drop-of Zone) 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, October 17, 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. **(Installation of Meters at 32nd Street) Public Safety**
- O-13 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC and a resolution fixing Wednesday, October 17, 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

- 020. Anna Sopko, 176 West 8th Street
- 022. Gayle Meadows, 649 Broadway
- 121. Dorothy Nadrowski, 471 Avenue A
- 164. Roger O'Halloran, 19 Washington Parkway
- 276. Michael Ciano, 61 West 6th Street
- 317. Emeil Shenouda, 523 Kennedy Blvd.
- 386. Elaine Reichert, 22 West 45th Street
- 408. Annjeanette Johnson, 308 Avenue C

COMMUNICATIONS

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

- C-1 From KELLY COLLADO, filing notice of tort claim alleging personal injuries resulting from a fall on the steps on March 26, 2018 at 7 Seaview Court.

- C-2 From PEDRO A. FALCON, filing notice of tort claim alleging property damage to his automobile on June 19, 2018 resulting when it was illegally towed at Avenue B and 57th Street.
- C-3 From AYVAN J. LOPEZ, filing notice of tort claim alleging property damage to his automobile on June 14, 2018 resulting from being backed into by a city employee.
- C-4 From Nicholas J. Leonardis, Esq., filing notice of tort claim on behalf of CAMILO LOPEZ, alleging personal injuries on April 13, 2018 resulting from debris in roadway caused him to loss control of motorcycle at Pulaski St. and Route 440 South.
- C-5 From Patrick G. Patel, Esq., filing notice of tort claim on behalf of CATHERINE CARR, alleging personal injuries sustained on June 29, 2018 resulting when her bicycle hit a pothole at 16th Street and Country Village Court.
- C-6 From TERRENCE JOYNT, filing notice of tort claim alleging property damage to his automobile on August 7, 2018, when struck by a city owned vehicle at East 22nd Street and Church Lane.
- C-7 From the United States District Court, District of New Jersey, Summons and Complaint in matter entitled, "MULCAHY vs. POPOWSKI, et al." (False Arrest)
- C-8 From the Tax Court of New Jersey, Summons and Complaint in matter entitled, "455 BROADWAY ASSOCIATES, LLC vs. THE CITY OF BAYONNE." (453 Broadway, Block 216, lot 17 - commercial)
- C-9 From the Tax Court of New Jersey, Summons and Complaint in matter entitled, "J & J BUILDERS, LLC vs. THE CITY OF BAYONNE." (156-160 Avenue F, Block 445, lot 8.01 – Multi-residential)
- C-10 From the Tax Court of New Jersey, Summons and Complaint in matter entitled, "PROSPECT WATERVIEW HOLDINGS 18, LLC vs. THE CITY OF BAYONNE." (80 Prospect Avenue, Block 448, lot 27 – Multi-residential)

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 \$5,692,692.00 to the Board of Education on September 2, 2018. **Finance**
- OR-3 From Hon. James M. Davis, Mayor, reappointing GARY CHMIELEWSKI and ROBERT KUBERT as members to the Insurance Fund Commission for the which term expires July 15, 2020.

RESOLUTIONS

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

- CR-1 Approving the minutes of the regular meeting held Wednesday August 15, 2018. **City Clerk**
- CR-2 Approving the minutes of the council caucus held Wednesday, August 8, 2018. **City Clerk**
- CR-3 Ordering warrants drawn to taxpayers representing refunds for overpayment of taxes. (7 properties) **Tax Collector**

- CR-4 Authorizing the Mayor and City Clerk to enter into an agreement with the BAYONNE FAMILY COMMUNITY CENTER to provide child care services for low and moderate income families for an amount not to exceed \$24,000.00 for a one year period commencing September 1, 2018. Chargeable to Account CDBG-977. **Community Development**
- CR-5 Authorizing the Mayor and City Clerk to enter into an agreement with the BAYONNE ECONOMIC OPPORTUNITY FOUNDATION to provide fair housing counseling services for an amount not to exceed \$40,000.00 for a one year period commencing September 1, 2018. Chargeable to Account CDBG-985. **Community Development**
- CR-6 Authorizing the Mayor and City Clerk to enter into an agreement with the BAYONNE ECONOMIC OPPORTUNITY FOUNDATION to provide senior transportation salary and fringe benefits for an amount not to exceed \$30,000.00 for a one year period commencing September 1, 2018. Chargeable to Account CDBG-969. **Community Development**
- CR-7 Authorizing the Mayor and City Clerk to enter into an agreement with the BAYONNE ECONOMIC OPPORTUNITY FOUNDATION for provide senior transportation insurance for an amount not to exceed \$6,000.00 for a one year period commencing September 1, 2018. Chargeable to Account CDBG-970. **Community Development**
- CR-8 Authorizing the Mayor and City Clerk to enter into an agreement with the GARDEN STATE EPISCOPAL COMMUNITY DEVELOPMENT CORPORATION to provide the Hudson County Homeless Street Outreach program for an amount not to exceed \$15,000.00 for a one year period commencing September 1, 2018. Chargeable to Account CDBG-983. **Community Development**
- CR-9 Authorizing the Mayor and City Clerk to enter into an agreement with the JEWISH COMMUNITY CENTER OF BAYONNE to provide an after school program for low income families for an amount not to exceed \$6,000.00 for a one year period commencing September 1, 2018. Chargeable to Account CDBG-973. **Community Development**
- CR-10 Authorizing the Mayor and City Clerk to enter into an agreement with the WALLACE TEMPLE COMMUNITY ACTIVITY RESOURCE ENRICHMENT SITE to provide the C.A.R.E.S. living faith food pantry for an amount not to exceed \$5,000.00 for a one year period commencing September 1, 2018. Chargeable to Account CDBG-982. **Community Development**
- CR-11 Authorizing the Mayor and City Clerk to enter into an agreement with the WATERFRONT PROJECT, INC. to provide housing counseling and legal advocacy program for an amount not to exceed \$6,000.00 for a one year period commencing September 1, 2018. Chargeable to Account CDBG-981. **Community Development**
- CR-12 Authorizing the Mayor and City Clerk to enter into an agreement with the WATERFRONT PROJECT, INC. to provide wills for low income senior program for an amount not to exceed \$8,000.00 for a one year period commencing September 1, 2018. Chargeable to Account CDBG-980. **Community Development**
- CR-13 Authorizing the Mayor and City Clerk to enter into an agreement with BAYONNE FAMILY COMMUNITY CENTER to provide for the cost of replacing defective compressors of three (3) HVAC units from In-Line Heating and Air Conditioning Company in the amount of \$8,962.35 for a period commencing September 1, 2017 and ending August 31, 2018. Chargeable to Account CDBG-917. **Community Development**
- CR-14 Authorizing the Mayor and City Clerk to enter into an agreement with HUDSON MILESTONE to provide for the cost of renovations at the 333 Broadway location from Ridgeline Construction in an amount not to exceed \$14,200.00 for a period commencing September 1, 2017 and ending August 31, 2018. Chargeable to Account CDBG-917. **Community Development**

- CR-15 Authorizing the submission of a grant application to the NJ DEPARTMENT OF COMMUNITY AFFAIRS in the amount of \$20,000.00 to provide inclusive recreational opportunities for citizens with disabilities as part of Bayonne's recreational program with a City match of \$4,000. **Business Administration**
- CR-16 Amending the access agreement with GETTY PROPERTIES CORP. and ANTEA USA, INC., in connection with NJDEP Remedial Investigation at the former Getty Service Station #56301 located at 1028 Avenue C, to extend the same for an additional year commencing from the date of the execute agreement and to include the installation of five (5) additional groundwater monitoring wells on West 48th, 49th, 50th and 51st Street (adjacent to the curbs). **Law**
- CR-17 Authorizing an agreement with USA Architects for architectural services for the UEZ/SID and CDBG programs, for an amount not to exceed \$125,000.00. **(UEZ)**
- CR-18 Ordering a warrant in the amount of \$46.80 payable to the order of the BUREAU OF RABIES CONTROL, STATE OF NEW JERSEY, covering the issuance of 19 dog licenses issued in August, 2018. **City Clerk**
- CR-19 Resolution waiving the provisions of section 6-3.3 of Chapter 6, Alcoholic Beverage Control, of the Revised General Ordinances of the City of Bayonne for the Bayonne Chamber of Commerce for event to be held in the Dorothy E. Harrington Council Chambers on October 11, 2018
- CR-20 Rendering a decision from the hearing held on July 11, 2018, pertaining to JOHN KULIK.
- CR-21 Cancelling taxes on 100% of Block 46, lot 35 as being occupied by a qualifying 100% disabled veteran effective July 19, 2018, and ordering a refund of overpaid taxes resulting from the exemption. **Assessor**
- CR-22 Cancelling taxes on 100% of Block 174, lot 7 as being occupied by a qualifying 100% disabled veteran effective April 6, 2018, and ordering a refund of overpaid taxes resulting from the exemption. **Assessor**
- CR-23 Cancelling taxes on 100% of Block 276, lot 33 as being occupied by a qualifying 100% disabled veteran effective November 13, 2017, and ordering a refund of overpaid taxes resulting from the exemption. **Assessor**
- CR-24 Granting 2 Raffle licenses to qualified organizations. **City Clerk**

END OF CONSENT AGENDA

- R-1 Requesting the Planning Board to reopen the RIVERWALK AT SOUTH COVE to amend the Redevelopment Plan. **Planning**
- R-2 Approving Chapter 159 #1 in the CY 2018 budget, seeking permission of the Division of Local Government Services to approve the insertion of an item of revenue in the amount of \$17,904.00, under the caption, "Older American Act of 1965-Title III." **Finance**
- R-3 Approving Chapter 159 #2 in the CY 2018 budget, seeking permission of the Division of Local Government Services to approve the insertion of an item of revenue in the amount of \$10,000.00, under the caption, "Congregate Meals Program" **Finance**
- R-4 Resolution designating 343-347 AVENUE A, LLC as redeveloper of 343 Avenue A and 345-347 Avenue A, which properties are identified as Block 254, Lots 22 and 23. **(Bus. Administration)**
- R-5 Resolution designating TFG 115-117 W 2nd STREET URBAN RENEWAL LLC redeveloper for Block 365, Lot 9, 115-117 W2nd Street and authorizing preparation of a Redevelopment Agreement. **(Bus. Administration)**

- R-6 Resolution authorizing transfer of the controlling interest of BAYONNE ENERGY CENTER URBAN RRENEWAL II, LLC as redeveloper of the property located at Constable Hook (a/k/a New Hook Road), which property is identified as Block 482, Lots 10 and 11 as shown on the official tax map of the City of Bayonne, County of Hudson, State of New Jersey. **(Bus. Administration)**
- R-7 Awarding a contract to PICERNO-GIORDANO CONSTRUCTION, LLC of Kenilworth, NJ, for the improvements to Neil A. DeSena Park in the amount of \$723,138.00 Chargeable to Hudson County Open Space, CDBG and the pending adoption of O-2 Bond Ordinance. **(Bus. Administration)**

TO BE ADDED AT THE MEETING

- ADD-1 Designating JMF PROPERTIES, LLC as conditional redeveloper of the property located on a portion of the eastern part of Port Terminal Blvd., which property is identified at Block 900, Lot 1; Block 930, Lot 1; Block 970, Lot 1; Block 1000, Lot 1; Block 1030, Lot 1, Block 1060, Lot 1, Block 1100, Lot1, Block 1131, Lot 1; Block 1132, Lot 1; Block 1150, Lot 1 and Block 1160, Lot 1 as shown on the official tax map of the City of Bayonne and authorizing the execution of a redevelopment agreement with PANEPINTO PROPERTIES, INC. for the redevelopment of such property in accordance with the Redevelopment Plan.
- ADD-2 Designating PANEPINTO PROPERTIES, INC. as redeveloper of the property located at 276 Prospect Avenue, which property is identified as Block 407, lots 1 and 2 as shown on the official tax map of the City of Bayonne and authorizing the execution of a Redevelopment Agreement with PANEPINTO PROPERTIES, INC., for the redevelopment of such property in accordance with the redevelopment plan.
- ADD-3 Ratifying and confirming the action of the Mayor in the executing of a redevelopment agreement with LEG-BP OWNER, LLC for Block 1180, Lots 1 and 2, and designating LEG-BP OWNER, LLC as the redeveloper.