

CITY OF BAYONNE
CITY COUNCIL
REGULAR MEETING
FEBRUARY 20, 2018

ORDINANCES SCHEDULED FOR HEARING

- O-1 ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AMENDING THE REDEVELOPMENT PLAN FOR 8TH STREET REHABILITATION PLAN (BAYVIEW SHOPPING CENTER) RELATED TO THE PROPERTY LOCATED AT 211-219 WEST 5TH STREET, WHICH PROPERTY IS IDENTIFIED AS BLOCK 300.01, LOT 1 & 6 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. **(Nacirema and A&P) Planning**
- O-2 ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING A SECOND AMENDED REDEVELOPMENT PLAN FOR THE PROPERTIES LOCATED AT 171-181 LEFANTE WAY; 77-97 LEFANTE WAY; 101-129 LEFANTE WAY; 131-139 LEFANTE WAY; AND 191 LEFANTE WAY, WHICH PROPERTIES ARE IDENTIFIED AS BLOCK 412, LOTS 1.01, 2.01, 2.021, 2.022 AND 2.03, AND COMMONLY KNOWN AS SOUTH COVE, AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE. **(South Cove) Planning**
- O-3 ORDINANCE OF THE CITY OF BAYONNE AMENDING AND SUPPLEMENTING THE REVISED ORDINANCES OF THE CITY OF BAYONNE CHAPTER 33 PLANNING AND DEVELOPMENT REGULATIONS TO PROVIDE FOR TAX MAP AND GEOGRAPHICAL INFORMATION SYSTEM MAINTENANCE FEES AND ELECTRONIC SUBMISSIONS. **Tax Assessor**
- O-4 ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AUTHORIZING A FIRST AMENDMENT TO FINANCIAL AGREEMENTS WITH PSIP AVENUE A URBAN RENEWAL II, LLC WITH RESPECT TO BLOCK 333.03, LOTS 1 AND 4 (A.K.A. PHASE 1) AND TO PSIP AVENUE A URBAN RENEWAL, LLC WITH RESPECT TO BLOCK 333.02, LOT 1 AND BLOCK 333.03, LOTS 2 AND 3 (A.K.A. PHASE 2) IN THE CITY OF BAYONNE. **(Corrects discrepancies in the agreement) Planning**
- 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

019. Patrick Johnson, 38 West 12th Street
128. Evelyn Kimock, 44 East 39th Street
250. Palma Wasser, 2 Pamrapo court, Apt. 1-D
400. Geraldine Rogers, 62 Trask Avenue

ADD

201. Frederick Regenye, 17 Sunset Avenue
205. Rosalina Liranzo, 8 East 33rd Street
217. Deborah Bocchino, 76 West 6th Street
225. John Donatelli, Jr., 9 East 51st Street
236. Miriam Lopez, 95 West 52nd Street
239. Jeannette Onysko, 128 West 51st Street
243. Agustin Caamano, 330 Avenue E
245. Bernardino Ortiz, Jr., 92 West 33rd Street
253. Vioula Hanna, 143 West 26th Street
255. Brandon Smith, 577 Broadway

RELOCATE

070. Christopher Reo, from 703 Avenue E to 20 East 10th Street
402. Anmary Zaky for her mother, Genyan Hana from 133 West 20th Street to 313 Avenue A

PUBLIC COMMENTS

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

ORDINANCES PROPOSED FOR INTRODUCTION

- O-6 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 2, ADMINISTRATION; and a resolution fixing Wednesday, March 20, 2019 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. **(Raising the application fee for representation in the Municipal Court by the Public Defender from \$50.00 to \$200.00) Law**
- O-7 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 26, SOLID WASTE MANAGEMENT; and a resolution fixing Wednesday, March 20, 2019 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. **(Adding Article 2, construction, Renovation, and Demolition Debris) Public Works**
- O-8 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 3, POLICE REGULATIONS; and a resolution fixing Wednesday, March 20, 2019 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. **(Prohibiting discarding of construction materials for city collection and prohibiting pickup of illegal materials by the city's collection contractor) Public Works**
- O-9 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 17, PROPERTY MAINTENANCE; and a resolution fixing Wednesday, March 20, 2019 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. **(Prohibiting discarding of construction materials for city collection and prohibiting pickup of illegal materials by the city's collection contractor) Public Works**
- O-10 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 10, TAXATION AND SPECIAL IMPROVEMENT DISTRICTS; and a resolution fixing Wednesday, March 20, 2019 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. **(Creating the Harbour Place Special Improvement District)**
- O-11 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 3, POLICE REGULATIONS; and a resolution fixing Wednesday, March 20, 2019 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. **(Noise ordinance – banning construction and demolition activities on Sundays and federal holidays) Council**
- R-8 Designating certain property locate at 71 New Access Hook Road and 69 New Hook Access Road, which property is identified as Block 416, lots 1 & 2 as a non-condemnation area in need of redevelopment and authorizing and directing the planning board to prepare a redevelopment plan for the property pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. **Planning**
- O-12 AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON , NEW JERSEY ADOPTING A REDEVELOPMENT PLAN FOR CERTAIN PROPERTY LOCATED AT 71 NEW HOOK ACCESS ROAD AND 69 NEW HOOK ACCESS ROAD, WHICH PROPERTY IS IDENTIFIED AS BLOCK 416, LOTS 1 & 2 PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ. **Planning**
- O-13 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC; and a resolution fixing Wednesday, March 20, 2019 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

375. Lucille Pickney, 149 West 3rd Street

ADD

301. Rose Mary Fasciani, 163 West 8th Street

302. Anna Carroll, 14 West 12th Street

307. Nemr Habeb, 726 Avenue A for his son, Andrew Habeb

308. Anna D'Anna Masciale, 97 West 50th Street

313. Walter Francis, 151 Lord Avenue

316. Arlene Tiamzon, 160 West 53rd Street

317. Dee Chesnavich, 167 West 20th Street

322. Fred Prisk, 4 Meadow Street

323. Noel Petrakian, 38 West 43rd Street

RELOCATE

283. Sherry Basden-Heard, from 165 Newman Avenue to 101 West 49th Street

COMMUNICATIONS

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

- C-1 From Brandon J. Broderick, Esq., filing notice of tort claim on behalf of RICKY INOA-LIRIANO alleging personal injuries resulting from being struck by an automobile on October 31, 2018 at 16th Street and Avenue C.
- C-2 From Brandon J. Broderick, Esq., filing notice of tort claim on behalf of JAKE INOA-LIRIANO alleging personal injuries resulting from being struck by and automobile on October 31, 2018 at 16th Street and Avenue C.
- C-3 From Brandon J. Broderick, Esq., filing notice of tort claim on behalf of AARON PINTO alleging personal injuries resulting from being struck by an automobile on October 31, 2018 at Avenue C and 16th Street.
- C-4 From Brandon J. Broderick, Esq., filing notice of tort claim on behalf of MARIA LIRIANO alleging personal injuries resulting from being struck by an automobile on October 31, 2018 at Avenue C and 16th Street.
- C-5 From Dennis M. Abrams, Esq., filing notice of tort claim on behalf of CHIMENE DEJESUS alleging personal injuries resulting from a fall on the front step of a house at 12 West 46th Street.
- C-6 From ANDREW TJANG, filing notice of tort claim alleging property damage to his automobile tires on November 17, 2018, resulting from a raised manhole at Kennedy Boulevard near 35th Street.
- C-7 From MAHAMED KHAN, filing notice of tort claim alleging property damage to his impounded automobile and personal property removed from it on January 7, 2019, following a traffic stop on Avenue C and 40th Street.
- C-8 From Superior Court of New Jersey, Law Division Summons and Complaint in matter entitled, "MASON vs. THE CITY OF BAYONNE." (Motorcycle accident with a pothole on September 4, 2017, on Port Terminal Boulevard)
- C-9 From Superior Court of New Jersey, Law Division Summons and Complaint in matter entitled, "STYLES vs. THE CITY OF BAYONNE." (Suit for legal fees in defense of police officer)

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, Executive Order #2019-01, Active Duty Reservists. **(Providing for payment of the difference between salary and military pay for reservists called up on active duty.) Mayor**

- OR-2 From Hon. James M. Davis, Mayor, reappointing EDUARDO FERRANTE, JR. as Emergency Management Coordinator for a terms to expire March 4, 2022. **Mayor**
- OR-3 From Terrence Malloy, Chief Financial Officer, ANNUAL DEBT STATEMENT for 2018. **Finance**
- OR-4 From Donna L. Mauer, 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-5 From Janet Convery, Treasurer, reporting on the transfer of the following amounts to the Board of Education on February 4, 2019: **Finance**
\$5,692,692.00 Claims and payroll for claims and payroll for February, 2019

RESOLUTIONS

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

- CR-1 Approving the minutes of the regular meeting held Wednesday January 16, 2019. **City Clerk**
- CR-2 Approving the minutes of the council caucus held Wednesday, January 9, 2019. **City Clerk**
- CR-3 Appointing SUSAN FERRARO, ESQ. as New Jersey Intergovernmental Insurance Fund (NJIIF) Commissioner and BRIAN DELLABELLA as Alternate NJIIF Commissioner for a three year term commencing January 1, 2019. **Mayor**
- CR-4 Ordering warrants drawn to taxpayers representing refunds for overpayment of taxes. (5 properties) **Tax Collector**
- CR-5 Ordering a warrant in the amount of \$1,292.00 payable to SESAC, INC., Nashville, TN, representing payment for annual license to play music at various functions including, but not limited to, festivals, firework shows, concerts, community centers and "on hold" telephone calls for the one year period commencing January 1, 2019. Chargeable to Account BA-2. **Business Administrator**
- CR-6 Authorizing the refund of \$56,250.00 to KAPLAN-PROMENADE AT BAYONNE, LLC, as a credit against excess connection fees deposited with the City of Bayonne in 2005. Chargeable to Water/Sewer O.E. **Business Administration**
- CR-7 Ordering a warrant in the amount of \$891.40 payable to the order of the BUREAU OF RABIES CONTROL, STATE OF NEW JERSEY, covering the issuance of 462 dog licenses issued in January, 2019. **City Clerk**
- CR-8 Ratifying and confirming the actions of the Municipal Treasurer in issuing payment from Current Fund in the amount of \$6,894,733.35 payable to the COUNTY OF HUDSON for First Quarter County Taxes of 2019, County Open Space Tax and Added/Omitted Tax. **Finance**
- CR-9 Ratifying and confirming the actions of the Municipal Treasurer in issuing a warrant from the Unemployment Trust Fund in the amount of \$13,819.18 payable to the STATE OF NEW JERSEY DIVISION OF EMPLOYER ACCOUNTS for City of Bayonne unemployment bills for quarter ending December 31, 2018. **Finance**
- CR-10 Authorizing the Police Department to sell at auction two vehicles that have reached their useful life and are too costly to repair. **Public Safety**

- CR-11 Authorizing the Mayor and City Clerk to enter into an agreement with the BAYONNE ECONOMIC OPPORTUNITY FOUNDATION for the purpose of providing the cost of asbestos abatement for ceiling plaster, vinyl floor tiles, pipes and wall paneling of the former Holy Family property located at 237-249 Avenue A by the LILICH CORPORATION, Woodland, NJ, in the amount of \$186,355.00. Chargeable to Account #CDBG-917. **Community Development**
- CR-12 Authorizing the Mayor and City Clerk to enter into an agreement with PROPHOENIX CORPORATION, Moorestown, NJ for continued maintenance and support for its Police Public Safety Software, CAD-RMS-WDA software for a one year period commencing January 1, 2019. Chargeable to Account PS-9. Contract awarded through the Non-Fair and Open Solicitation Process. **Public Safety**
- CR-13 Authorizing the Mayor and City Clerk to enter into an agreement with MILLENNIUM STRATEGIES, LLC, Caldwell, NJ for a one year period commencing January 1, 2019 for professional grant writing and management services for an amount not to exceed \$66,000.00. Chargeable to Various Accounts. (Extraordinary Unspecifiable Services contract obtained through the Fair and Open Solicitation Process - notice award to be published.) **Business Administration**
- CR-14 Authorizing the Mayor and City Clerk to execute an amendment to the 2018 agreement with CHASAN LAMPARELLO MALLON & CAPPUZZO, P.C, increasing the contract amount by \$13,525.92, making the total contract amount \$68,525.92, and an amendment increasing the 2017 contract by \$440.61, making the total contract amount \$55,440.61. **Business Administration**
- CR-15 Authorizing the Mayor and City Clerk to execute an amendment to the 2018 agreement with RUDERMAN AND ROTH, LLC, increasing the amount of the contract by \$8,927.50, making the total contract amount \$58,827.50. **(Successor firm to Roth D'Aquanni, LLC) Business Administration**
- CR-16 Authorizing the Mayor and City Clerk to execute an amendment to the 2018 agreement with CME, increasing the amount of the contract by \$52,352.51, making the total contract amount \$802,352.51. **Business Administration**
- CR-17 Approving the city's CASH MANAGEMENT PLAN for CY 2019. **Finance**
- CR-18 Authorizing the CHIEF FINANCIAL OFFICER to eliminate various inactive receivables and reserves. **Business Administration**
- CR-19 Approving a two year extension of the existing labor agreement with the BAYONNE MUNICIPAL SUPERVISORS ASSOCIATION. **Business Administration**
- CR-20 Creating a UEZ project entitled, "FERRY SERVICE." **UEZ**
- CR-21 Accepting grant funds from the County of Hudson Office on Aging (Area Agency on Aging/Disability Resource Connection) in the amount of \$441,490.00 for CY 2019: the OFFICE ON AGING will receive \$48,461.00 for Care Management, Emergency and Physical Health; the BEOF will receive \$393,029.00 for the Congregate Meals on Wheels and State Meals on Wheels Home Delivered Meals; and authorizing an agreement with the BAYONNE ECONOMIC OPPORTUNITY FOUNDATION to provide the above services for the amounts listed for CY 2019. **Municipal Services**
- CR-22 Authorizing the Mayor and City Clerk to enter into a Memorandum of Understanding with the TOWNSHIP OF WEST NEW YORK and the TOWN OF NORTH BERGEN wherein the City of Bayonne will act as administrator of the FY 2017 JUSTICE ASSISTANCE GRANT funds received from the U.S. Department of Justice, to be distributed equally between the three municipalities. **Police**
- CR-23 Authorizing the Mayor and City Clerk to enter into an easement agreement with PSIP AVENUE A URBAN RENEWAL, LLC to allow access by the city to property

known as Block 333.03, lot 3 in perpetuity to allow for the maintenance of combined sewer overflows. **Law**

- CR-24 Authorizing the Mayor and City Clerk to execute a license agreement with the BAYONNE ELKS LODGE #434 for the purpose of a fundraiser Bike Blessing to be held on April 20, 2019 from 12:00 P.M. to 4:00 P.M. **Business Administration**
- CR-25 Authorizing the Mayor to take any and all actions and to execute any and all documents necessary to effectuate a FOOD TRUCK FESTIVAL sponsored by the City of Bayonne to be held Saturday, May 18, 2019 from 12:00 P.M. to 6:00 P.M. on Avenue E between 22nd and 24th Streets, and to waive all application fees. **Mayor**
- CR-26 Adopting the Department of Community Affairs CITIZEN PARTICIPATION PLAN GUIDELINES for use in CDBG-DR March 2013 for use in NJDEP RESILIENCY GRANT PROGRAM. **Law**
- CR-27 Authorizing the cancellation of a mortgage made by PHILLIP CRISONINO and MARIE CRISONINO to the Bayonne Economic Development Corp. dated April 24, 2002 in the originally stated amount of \$50,000.00. **Law**
- CR-28 Authorizes the transfer of nine taxicab permits from CAMPBELL TAXI to JERSEY ONE AUTO SALES.
- CR-29 Authorizing the City Clerk to advertise for bids for Newark Bay Waterfront Access Project- Veterans Park. **Business Administration**
- CR-30 Authorizing the City Clerk to advertise for bids for Improvements to the Police Firing Range - Roof Replacement Project. **Engineer**
- CR-31 Authorizing the City Clerk to advertise for bids for Improvements to City Hall Employee Men's Bathroom. **Engineer**
- CR-32 Authorizing the City Clerk to advertise for bids for Improvements to the B.E.O.F. Roof (Formerly Holy Family Academy). **Engineer**
- CR-33 Authorizing the City Clerk to advertise for bids for Improvements to Fitzpatrick Park. **Engineer**
- CR-34 Authorizing the City Clerk to advertise for requests for proposals for the West 22nd Street automated parking garage project. **Planning**
- CR-35 Granting 25 Raffle licenses to qualified organizations. **City Clerk**

END OF CONSENT AGENDA

- R-1 Approving budgetary transfer #4 in the 2018 budget. **Finance**
- R-2 Approving Temporary Emergency Appropriation #1 in the 2019 budget. **Finance**
- R-3 Authorizing and directing the planning board to reopen and amend the redevelopment plan titled, "Amended and Restated Redevelopment Plan Texaco Redevelopment Area Block 332 lots 1 & 2, Block 360 lot 2, Block 373 lots 1,2,13,14 and 15; Block 390 lots 1 and RG67, Block 391, lots 1 and 2, Block 511, lots 5 and 6 as shown on the official Tax Map of the City of Bayonne." **(Unimproved portion of West 2nd Street) Law**
- R-4 Authorizing and directing the planning board to conduct a preliminary investigation to determine whether certain property located at 70 and 86 HOBART AVE., which property is identified as Block 359, lots 10.01 and 4.05 as shown on the official Tax Map of the City of Bayonne 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. **(DC Plastics) Law**

ADD-1 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC; and a resolution fixing Wednesday, March 20, 2019 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 Zone at 47th Street and Broadway – inadvertently deleted before the caucus) Public Safety**

ADD-2 Requesting a time extension for the 2013 Safe Streets to Transit Grant in the amount of \$205,000.00 from the NEW JERSEY DEPARTMENT OF TRANSPORTATION for the Pedestrian Intersection Improvements – Avenue E at 34th and 35th Streets.

ADD-3 Authorizing the Comptroller and/or other appropriate officials of the City of Bayonne to issue a warrant in the amount of \$110.00 payable to WILLIAM J. GUARINI, INC., Jersey City, NJ, representing reimbursement of the fee for Building Permit #19-02-042 in connection with the replacement of the two (2) hot waters at 74 West 56th Street, Bayonne, which permit was not needed. Chargeable to Accounts T-12-56-839-0000-199 (\$10.00) and T-12-56-813-0000-199 (\$100.00).

ADD-4 Appointing the following to the Zoning Board of Adjustment for the term and status indicated:

Joe Pineiro – regular member	December 31, 2022
Nick DiLulo – alternate #1	December 31, 2021
Arigo De Ros, Jr. – alternate #2	December 31, 2019
Tiffani Simmons – Alternate #3	December 31, 2019