

CITY OF BAYONNE  
CITY COUNCIL  
REGULAR MEETING  
MARCH 20, 2018

**ORDINANCES SCHEDULED FOR HEARING**

- O-1 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 2, ADMINISTRATION. **(Raising the application fee for representation in the Municipal Court by the Public Defender from \$50.00 to \$200.00) Law**
- O-2 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC. **(Loading Zone at 47<sup>th</sup> Street and Broadway) Public Safety**
- O-3 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 10, TAXATION AND SPECIAL IMPROVEMENT DISTRICTS. **(Creating the Harbour Place Special Improvement District)**
- O-4 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 3, POLICE REGULATIONS. **(Noise ordinance – banning construction and demolition activities on Sundays and federal holidays) Council**
- O-5 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-6 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC. **(Restrictive Parking Zones)**

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

**PUBLIC COMMENTS**

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

**ORDINANCES PROPOSED FOR INTRODUCTION**

- O-7 ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON APPROVING A FINANCIAL AGREEMENT BY AND BETWEEN THE CITY OF BAYONNE AND 425-429 AVENUE C BAYONNE URBAN RENEWAL, LLC FOR THE PROPERTY LOCATED AT 425-429 AVENUE C, WHICH PROPERTY IS IDENTIFIED AS BLOCK 230, LOT 22 AND 23.01 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE; and a resolution fixing Wednesday, April 17, 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. **Planning**

- O-8 ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING THE AMENDED REDEVELOPMENT PLAN FOR THE PROPERTY LOCATED AT FOR PROPERTY LOCATED AT 276 PROSPECT AVE, WHICH PROPERTY IS IDENTIFIED AS BLOCK 407, LOTS 1, 2, AND 3 AND BLOCK 408, LOTS 1 AND 2 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE 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. (34TH STREET LIGHT RAIL PARKING LOT); and a resolution fixing Wednesday, April 17, 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. **(NJ Transit 34<sup>th</sup> Street Station Redevelopment Plan – Panepinto Properties) Planning**
- O-9 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, litter inspectors) Public Works**
- O-10 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-11 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 3, POLICE REGULATIONS; and a resolution fixing Wednesday, April 17, 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. **(Sale of tobacco products to persons under 21) Law**
- O-12 WITHDRAWN.
- O-13 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, April 17, 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. **Finance**
- O-14 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC; and a resolution fixing Wednesday, April 17, 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. **(Defining “misuse” of a restrictive parking zone) Law**
- O-15 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC; and a resolution fixing Wednesday, April 17, 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
079. Salvatore Cardella, 82 West 7th Street  
116. Cornelius Carroll, 135 West 2nd Street  
280. Daniel Zimmerman, 41 West 16th Street
- ADD
019. Dominick Rizzo, 11 Veterans Court  
020. Mark Weaver, 63 East 4<sup>th</sup> Street  
120. Jeanette and Robert Jensen, 7 East 1st Street  
121. Nancy Lagomarsino, 224 Avenue B  
128. Balys Bieliauskas, 27 West 39th Street  
140. Kirolos S. Raphael for his daughter, Pelagia K. Raphael, 875 Broadway

143. Helene Moorecraft, 102 West 50th Street

RELOCATE

339. Ceceile Reed, 32 West 19th Street to 586-588 Avenue C

**COMMUNICATIONS**

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

- C-1 From JUSTIN M. MILLER, filing notice of tort claim alleging personal injuries and property damage to his automobile sustained on January 30, 2019, resulting from being struck in the rear by a municipal vehicle at 15<sup>th</sup> Street and Broadway.
- C-2 From Superior Court of New Jersey, Chancery, Division Summons and Complaint in matter entitled, "PRO CAP 7, LLC, FIRST TRUST vs. DELAWARE DELTA, LLC, et al., incl. THE CITY OF BAYONNE." (Foreclosure of tax sale certificate – City has Fire Department and building code violation liens on the property.)
- C-3 From the Tax Court of New Jersey, complaint in matter entitled, "JERSAM, INC vs. CITY OF BAYONNE." (63-67 Hook Road, Block 416, lot 3 - industrial)
- C-4 From the Tax Court of New Jersey, complaint in matter entitled, "RITE INVESTORS - NJBR vs. CITY OF BAYONNE." (471 Broadway, Block 210, lot 25.01 - commercial)
- C-5 From the Tax Court of New Jersey, complaint in matter entitled, "MPT OF BAYONNE, LLC vs. CITY OF BAYONNE." (407-421 Avenue E, Block 164, lot 5.01, 408-422 Avenue E, Block 420.01, lot 2.01, 423 Avenue E, Block 159, lot 14, 425-427 Avenue E, Block 159 lot 15 - commercial & vacant)
- C-6 From Donohue, Gironde, Doria & Tompkins, LLC, REPORT OF AUDIT for the year ended December 31, 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 Hon. James M. Davis, Mayor, appointing SANDRA R. DEAR to the Library Board of Trustees to the unexpired term of Gail Godesky, expiring December 31, 2019, and appointing GAIL GODESKY as the Mayor's designee for a term expiring December 31, 2022. **Mayor**
- OR-2 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-3 From Janet Convery, Treasurer, reporting on the transfer of the following amounts to the Board of Education on March 4, 2019: **Finance**  
\$5,692,692.00 Claims and payroll for claims and payroll for March, 2019
- OR-4 From the Purchasing Agent reporting on bids received March 13, 2019, for City Hall Bathroom Renovations. (3 bidders) **Purchasing**
- OR-5 From the Purchasing Agent reporting on bids received March 13, 2019, for Sgt. James J. Shea Memorial Shooting Range Roof Reconstruction. (5 bidders) **Purchasing**

**RESOLUTIONS**

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

- CR-1 Approving the minutes of the regular meeting held Wednesday February 20, 2019. **City Clerk**
- CR-2 Approving the minutes of the council caucus held Wednesday, February 13, 2019. **City Clerk**
- CR-3 Appointing MATTHEW J. KLIMANSKY, JR., to the Zoning Board of Adjustment as Alternate #4 for a term expiring December 31, 2021.
- CR-4 Ordering warrants drawn to taxpayers representing refunds for overpayment of taxes. (13 properties) **Tax Collector**
- CR-5 Ordering a warrant in the amount of \$95.40 payable to the order of the BUREAU OF RABIES CONTROL, STATE OF NEW JERSEY, covering the issuance of 47 dog licenses issued in February, 2019. **City Clerk**
- CR-6 Ordering a warrant in the amount of \$15,000.00 payable to the TREASURER, STATE OF NEW JERSEY in settlement of a violation issued by the Department of Environmental Protection as a result of hazardous waste investigation of soil piles at 67 LeFante Way. **Law**
- CR-7 Authorizing an agreement with MOTOROLA SOLUTIONS, Schaumburg, IL, under state contract #83909 for renewal of the annual maintenance contract for the citywide communications system infrastructure for a one year term commencing January 1, 2019 in the amount of \$277,537.30. Chargeable to various accounts. **Public Safety**
- CR-8 Awarding a contract for City Hall Bathroom Renovations to LAROCCA, INC., Jersey City, NJ the low bidder, for the amount of to exceed \$112,500.00. Chargeable to Account CDBG 997. **Purchasing**
- CR-9 Awarding a contract for Sgt. James J. Shea Memorial Shooting Range Roof Reconstruction to MAK GROUP, LLC, Clifton, NJ the low bidder, for the amount of \$110,433.00. Chargeable to Capital Ordinance O-17-21. **Purchasing**
- CR-10 Authorizing the Mayor and City Clerk to enter into an agreement with REMINGTON VERNICK for professional engineering services for special projects for an amount not to exceed \$70,000.00. **Business Administration**
- CR-11 Authorizing the Mayor and City Clerk to enter into an agreement with GOODYEAR AUTO SERVICE to supply tires to the Department of Public Work, Vehicle Maintenance, for use on various city vehicles, under State Contract #82527, for an amount not to exceed \$25,000.00. Chargeable to Account – vehicle maintenance. **Public Works**
- CR-12 Authorizing the Mayor and City Clerk to enter into an agreement with F & S TIRE to supply tires to the Department of Public Work, Vehicle Maintenance, for use on various city vehicles, under state contract #82527 for an amount not to exceed \$25,000.00. Chargeable to Account – vehicle maintenance. **Public Works**
- CR-13 Authorizing the Mayor and City Clerk to enter into an agreement with SAMUELS, INC., d/b/a BUY WISE to supply various parts and supplies to the Department of Public Work, Vehicle Maintenance, for use on various city vehicles, under state contract No. 42071 for an amount not to exceed \$65,000.00. Chargeable to Account – vehicle maintenance. **Public Works**
- CR-14 Authorizing the Mayor and City Clerk to enter into an agreement GENUINE AUTO PARTS CO., d/b/ NAPA AUTO to supply various parts and supplies to the Department of Public Work, Vehicle Maintenance, for use on various city vehicles, under state contract No. 42093 for an amount not to exceed \$45,000.00. Chargeable to Account – vehicle maintenance. **Public Works**

- CR-15 Authorizing the Mayor and City Clerk to enter into an agreement with M & R MILLER AUTO GEAR to supply various parts and supplies to the Department of Public Work, Vehicle Maintenance, for use on various city vehicles, for an amount not to exceed \$30,000.00. Chargeable to Account – vehicle maintenance. **Public Works**
- CR-16 Ratifying and confirming the actions taken authorizing the continued procurement of HVAC Services for Various City Buildings from IN-LINE HEATING AND AIR CONDITIONING COMPANY through a Cooperative Pricing Agreement with the Educational Services Commission of New Jersey, for various repairs on city owned buildings since January 1, 2019 and authorizing the continued procurement of such services through the cooperative pricing agreement through May 31, 2019. Chargeable to Account - Buildings and Grounds. **Public Works**
- CR-17 Authorizing the Mayor and City Clerk to enter into an agreement with CAMPBELL SUPPLY COMPANY to install a new fire pump on Engine 7 for the amount of \$72,763.00 under state contract. Chargeable to Account - Vehicle Maintenance. **Public Works**
- CR-18 Authorizing the Mayor and City Clerk to take all steps necessary to execute any and all documents needed to permit the use of municipal lands designated as Fitzpatrick Park, located at Avenue C between 26<sup>th</sup> and 27<sup>th</sup> Streets, by individual vendors pursuant to license agreements, for the purpose of conducting the BAYONNE FARMER'S MARKET from May 28, 2019 through November 26, 2019. **Business Administration**
- CR-19 MOVED TO R-6.
- CR-20 Authorizing the submission of a strategic plan to the COUNTY OF HUDSON DEPARTMENT OF HEALTH AND HUMAN SERVICES for the Bayonne Municipal Alliance grant year July 1, 2019 to June 30, 2020 to prevent alcoholism and drug abuse, and authorizing the Mayor and City Clerk to sign Form 1B in connection with the grant.
- CR-21 Cancelling taxes on Block 377, lot 7, a one unit condominium occupied by a totally disabled veteran, effective January 2, 2019 and authorizing a refund of any overpayment resulting from the cancellation. **Tax Assessor**
- CR-22 Authorizing settlement of state Tax Court appeals for 2010-2013 on Block 396, lot 1, 20 Pulaski Street. **Tax Assessor**
- CR-23 Authorizing settlement of state Tax Court appeals for 2010-2017 state Tax Court appeals on Block 154, lot 47, 688-692 Broadway. **Tax Assessor**
- CR-24 Authorizing the CY 2019 “Reserve for Uncollected Taxes” to be calculated using a three year average. **Finance**
- CR-25 Amending Resolution No. 19-02-20-049 to include monthly payments to the BEOF in the amount of \$37,930.83, subject to additional funding to be received in the amount of \$83,241.00.
- CR-26 Authorizing the Police Department to sell at public auction, one vehicle that has reached its useful life and has become too costly to repair. **Public Safety**
- CR-27 Authorizing the renewal of three clothing donation bins located at 400 Bayonne Crossing Way, to H AND M LEASING CORP., Copaque, NY. **City Clerk**
- CR-28 Granting 6 Raffle licenses to qualified organizations. **City Clerk**

**END OF CONSENT AGENDA**

- R-1 Authorizing and directing the planning board to conduct a preliminary investigation to determine whether certain property located at 1207 and 1209-

1211 Kennedy Boulevard, which property is identified as Block 24, lots 2 and 3 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. **(Corner property on 54th and Kennedy Boulevard). Planning**

R-2 WITHDRAWN.

R-3 Adopting an area in need of redevelopment study for property located at 222-30 East 10<sup>th</sup> Street, 13-15 Ave. E and 9 Ave. E, which property is identified as Block 278, lots 4, 3 and 2 as shown on the official tax map of the City of Bayonne 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. **(Bayonne Pool) Planning**

R-4 Approving Budgetary Transfer # 5 in the CY 2018 budget. **Finance**

R-5 Approving Temporary Emergency # 2 in the CY 2019 budget. **Finance**

R-6 Authorizing the Mayor to execute an agreement and any amendment thereto with the NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION, GREEN ACRES, for a grant in the amount of \$1,134,189.00 with a local match of \$378,063.00, for a total project cost of \$1,512,252.00 for the COTTAGE STREET PARK and 28<sup>TH</sup> STREET PARK DEVELOPMENT PROJECT; and a PUBLIC HEARING ON THE PROJECT as required by Green Acres. **Business Administration**

**TO BE ADDED AT THE MEETING**

ADD-1 Authorizing settlement of State Tax Court appeals related to BAYONNE GOLF HOLDINGS, LLC on the properties designated as Block 406, lot 33, Block 412, lot 5.03, and Block 418, lot for 2018 and 2019. **Tax Assessor**

ADD-2 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC; and a resolution fixing Wednesday, April 17, 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. **(Redevelopment properties not entitled to receive on-street restrictive parking zone permits)**

ADD-3 Authorizing the Mayor and City Clerk to enter into an agreement with the BAYONNE ECONOMIC OPPORTUNITY FOUNDATION, for the purpose of providing the cost an environmental consultant to provide scope specific asbestos abatement design and oversight of the former Holy Family Site by MATRIX NEW WORLD ENGINEERING, Florham Park, NJ in the amount of \$75,780.48. Chargeable to Account #CDBG-1002. **Community Development**

ADD-4 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC; and a resolution fixing Wednesday, April 17, 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 on East 2<sup>nd</sup> Street between Lexington and Hobart Avenues)**

ADD-5 Authorizing the City Clerk to advertise for bids for HVAC services.