

CITY OF BAYONNE CITY COUNCIL REGULAR MEETING SEPTEMBER 25, 2019

ORDINANCES, COMMUNICATIONS AND ADMINISTRATION REQUESTS FOR COUNCIL MEETING AGENDA

ORDINANCES SCHEDULED FOR HEARING

- O-1 AN ORDINANCE ADOPTING A REDEVELOPMENT PLAN FOR PROPERTY LOCATED 63-97 WEST 23RD STREET, WHICH PROPERTIES ARE IDENTIFIED AS BLOCK 194, LOT 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. **(Assumption)**
- O-2 AN ORDINANCE ADOPTING AN AMENDMENT TO THE AMENDED AND RESTATED SCATTERED SITES REDEVELOPMENT PLAN FOR BLOCK 37, 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. **(Woodmont Phase II)**
- O-3 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC **(Restrictive Parking Zones) Public Safety**

DELETE

- 009. Maryann Maresca, 120 Avenue E
- 034. Annette Sisk, 43 Newman Ave.
- 035. Clara Durak, 171 West 25th Street
- 036. William Burke, 69 West 29th Street
- 051. Geraldine Boasci, 47 East 27th Street
- 125. Gerard Kiley, 526 Avenue E
- 207. Stephanie Kuzminski, 136 West 36th Street
- 232. John Nadrowski, 28 Elm Court
- 249. Grace Erickson, 100 Lexington Avenue
- 275. Ivan Boshko, 37 West 21st Street
- 374. Loly Marte, 92 West 29th Street

ADD

- 018. Francis Olson, 75 Newman Avenue
- 048. Victor Munoz, 32 West 41st Street
- 055. William Caban, 67 West 19th Street

RELOCATE

- 402. Gemyana Han 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-4 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC, and a resolution fixing Wednesday, OCTOBER 16, 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. **(Drop-off Zones-13 East 21st St. & West 44th St.) Public Safety**

7-16.1 Parking Prohibited During Certain Hours on Certain Streets

- O-5 BOND ORDINANCE PROVIDING FOR VARIOUS 2019 CAPITAL IMPROVEMENTS, BY AND IN THE CITY OF BAYONNE, IN THE COUNTY OF HUDSON, STATE OF NEW JERSEY (THE "CITY"); APPROPRIATING \$7,750,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$7,380,000 BONDS OR NOTES OF THE CITY TO FINANCE PART OF THE COSTS THEREOF; and a resolution fixing, Wednesday, October 16, 2019, 2017 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-6 AN ORDINANCE AMENDING THE REDEVELOPMENT PLAN FOR BLOCK 441, LOT 10 TO INCLUDE A PORTION OF THE 25TH STREET ROW LOCATED AT 117 PROSPECT AVENUE WHICH PROPERTY IS IDENTIFIED AS BLOCK 441, LOT 10 ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE PURSUANT TO LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ., and a resolution fixing Wednesday, OCTOBER 16, 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.
- O-7 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC, and a resolution fixing Wednesday, OCTOBER 16, 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
- | | |
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| 058 | Cynthia Baldassarre, 24 Washington Parkway |
| 077 | Aida Zaki, 87 West 50 th Street |
| 237 | Juan Matos, 87 Andrew Street |
| 417 | Cordelia Grant, 795 Avenue E |
- RELOCATE
- | | |
|-----|---|
| 289 | Mercedes Castro from 25 Andrew Street to 14 West 42 nd Street |
| 331 | Rosalinda Baker-Brayboy from 19 Hartley Place to 77 West 55 th St. |
| 384 | Joseph Gebhardt, 30 Newman Avenue to 1079 Avenue C |

COMMUNICATIONS

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

- C-1 From LOYAD BOOKER, filing notice of tort claim alleging property damage to his automobile on July 23, 2019, when it was struck by a rock while a city employee was mowing grass at 16th Street Park.
- C-2 From RACHEL VILLALOBOS, filing notice of tort claim alleging property damage to her automobile on June 18, 2019, when it was struck by a fire truck while parked in front of her home.
- C-3 From Dean R. Maglione, Esq., filing notice of tort claim on behalf of VICTOR GONZALEZ, alleging personal injuries sustained July 13, 2019 in an alleged assault by police officers at 812 Broadway.
- C-4 From Superior Court of New Jersey, Law Division Summons and Complaint in matter entitled, "HERRMANN vs. PAULANTO DENTAL LLC., et al., incl. THE CITY OF BAYONNE." (Sidewalk fall down on September 28, 2017 at 189-195 Avenue E)
- C-5 From Superior Court of New Jersey, Law Division Summons and Complaint in matter entitled, MADASZ vs. ZONING BOARD OF ADJUSTMENT, incl. CITY OF BAYONNE, et al., (Overturn "bulk" variance under MLUL)
- C-6 From Tax Court of New Jersey, complaint in matter entitled, "TD BANK vs. CITY OF BAYONNE." (1062-1068 Broadway, Block 41, Lot 17.01-commercial)

- C-7 From Tax Court of New Jersey, complaint in matter entitled, “MERCER BAY LLC vs. CITY OF BAYONNE.” (1191-5 JF Kennedy Blvd., Block 32, Lot 10-commercial)
- C-8 From the Tax Court of New Jersey, complaint in matter entitled, “ADIMOOLAN vs. CITY OF BAYONNE.” (717-719 Broadway, Block 145, lot 18 - commercial)
- C-9 From the Tax Court of New Jersey, complaint in matter entitled, “ADIMOOLAN vs. CITY OF BAYONNE.” (687 JF Kennedy Blvd., Block 176, lot 22-commercial)
- C-10 From the Tax Court of New Jersey, complaint in matter entitled, “ADIMOOLAN vs. CITY OF BAYONNE.” (361 Broadway, Block 240, lot 22-commercial)
- C-11 From the Tax Court of New Jersey, complaint in matter entitled, “ADIMOOLAN vs. CITY OF BAYONNE.” (416 Avenue C, Block 231, lot 55-commercial)
- C-12 From the Tax Court of New Jersey, complaint in matter entitled, “TUBITO vs. CITY OF BAYONNE.” (381-383 Broadway, Block 239, Lot 15-commercial)
- C-13 From the Tax Court of New Jersey, complaint in matter entitled, “265 AVENUE B, LLC vs. CITY OF BAYONNE.” (265 Avenue B, Block 38, Lot 17-commercial)
- C-14 From the Tax Court of New Jersey, complaint in matter entitled, “124 AVENUE B, LLC vs. CITY OF BAYONNE.” (122-126 Avenue B, Block 88, Lot 6-commercial)
- C-15 From the Tax Court of New Jersey, complaint in matter entitled, “GOUDA vs. CITY OF BAYONNE.” (23 Silver St., Block 325, Lot 16-Multi-Family)
- C-16 From the Tax Court of New Jersey, complaint in matter entitled, “431 KENNEDY LLC vs. CITY OF BAYONNE.” (431 JF Kennedy Blvd., Block 244, Lot 21-Multi-Family)
- C-17 From the Tax Court of New Jersey, complaint in matter entitled, “BROADWAY 135 LLC vs. CITY OF BAYONNE.” (671-673 Broadway, Block 153, Lot 15-commercial)
- C-18 From Donohue, Gironda, Doria & Tompkins, LLC, REPORT OF AUDIT for the year ended December 31, 2018.

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 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-2 From Janet Convery, Treasurer, reporting on the transfer of the following amounts to the Board of Education on September 4, 2019. **Finance**
- \$5,755,311.00 Claims and payroll for claims and payroll for September
- OR-3 From Donna L. Mauer, Chief Financial Officer, Supplemental Debt Statement as of September 25, 2019. **(Related to bond ordinances introduced at this meeting)**
Finance

RESOLUTIONS

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

- CR-1 Approving the minutes of the regular meeting held Wednesday August 21, 2019.
City Clerk

- CR-2 Approving the minutes of the council caucus held Wednesday, August 14, 2019. **City Clerk**
- CR-3 Ordering a warrant in the amount of \$30.60 payable to the order of the BUREAU OF RABIES CONTROL, STATE OF NEW JERSEY, covering the issuance of 13 dog licenses issued in August. **City Clerk**
- CR-4 Ordering warrants drawn to taxpayers representing refunds for overpayment of taxes. (7 properties) **Tax Collector**
- CR-5 Authorizing the City Clerk to advertise for bids for the 25TH Street Pedestrian Bridge Improvements. **(Purchasing)**
- CR-6 Authorizing the Mayor and City Clerk to enter into an agreement with the BAYONNE ECONOMIC OPPORTUNITY FOUNDATION for the provision of providing BEOF Headstart security in the amount of \$25,000.00 for the period commencing September 1, 2019 and ending August 30, 2020. Chargeable to Account: CDBG-1014. **(Comm. Dev)**
- CR-7 Authorizing the Mayor and City Clerk to enter into an agreement with the BAYONNE ECONOMIC OPPORTUNITY FOUNDATION for the provision of providing senior transportation insurance in the amount of \$6,000.00 for the period commencing September 1, 2019 and ending August 30, 2020. Chargeable to Account: CDBG-1015. **(Comm. Dev)**
- CR-8 Authorizing the Mayor and City Clerk to enter into an agreement with the BAYONNE ECONOMIC OPPORTUNITY FOUNDATION for the provision of providing fair housing counseling services in the amount of \$60,000.00 for period commencing September 1, 2019 and ending August 31, 2020. Chargeable to Account: CDBG-1011. **(Comm. Dev)**
- CR-9 Authorizing the Mayor and City Clerk to enter into an agreement with the WATERFRONT PROJECT, INC. for the provision of providing wills for low income senior program in the amount of \$8,000.00 for the period commencing September 1, 2019 and ending August 31, 2020. Chargeable to Account-CDBG-1026. **(Comm. Dev)**
- CR-10 Authorizing the Mayor and City Clerk to enter into an agreement with the WATERFRONT PROJECT, INC. for the provision of providing housing counseling and legal advocacy program in the amount of \$6,000.00 for the period commencing September 1, 2019 and ending August 31, 2020. Chargeable to Account-CDBG-1025. **(Comm. Dev)**
- CR-11 Authorizing the Mayor and City Clerk to enter into an agreement with the BAYONNE FAMILY COMMUNITY CENTER for the provision of providing child care services to low and moderate income families in the amount of \$24,000.00 for the period commencing September 1, 2019 and ending August 31, 2020. Chargeable to Account-CDBG-1022. **(Comm. Dev)**
- CR-12 Authorizing the Mayor and City Clerk to enter into an agreement with the GARDEN STATE EPISCOPAL COMMUNITY DEVELOPMENT CORP. for the provision of providing the Hudson County Homeless Street Outreach program in the amount of \$10,000.00 for the period commencing September 1, 2019 and ending August 31, 2020. Chargeable to Account-CDBG-1028. **(Comm. Dev)**
- CR-13 Authorizing the Mayor and City Clerk to enter into an agreement with the WALLACE TEMPLE COMMUNITY ACTIVITY RESOURCE ENRICHMENT SITE. for the provision of providing the C.A.R.E.S living faith food pantry in the amount of \$5,000.00 for the period commencing September 1, 2019 and ending August 31, 2020. Chargeable to Account-CDBG-1027. **(Comm. Dev)**
- CR-14 Authorizing the Mayor and City Clerk to enter into a Memoranda of Understanding with the U.S. Coast Guard for the purpose of providing various emergency services by the Fire Department. **(Fire)**

- CR-15 Authorizing the advertisement of various Request for Qualifications/Proposals for professional and/or extraordinary, unspecifiable services for calendar year 2020, pursuant to the fair and open contracting provisions set forth in N.J.S.A. 19:44A-20.4 and N.J.S.A. 19:44A-20.5. **Law**
- CR-16 Amending Ordinance NO. O-19-50 entitled, "AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON APPROVING A FINANCIAL AGREEMENT BY AND BETWEEN THE CITY OF BAYONNE AND TFG-39-43 W 25TH URBAN RENEWAL, LLC FOR THE PROPERTY LOCATED AT 39-43 W 25TH STREET, WHICH PROPERTY IS IDENTIFIED AS BLOCK 183, LOT 2.01 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE," to correct a scrivener's error (389-43 W 25th Street" to "39-43 W 25th Street". **Law**
- CR-17 Authorizing the Mayor and City Council to accept a FY2019 Department of Homeland Security Port Security Grant for the total amount of \$18,750.00, which is federally funded at 100% with no local matching funds. **(Finance)**
- CR-18 Authorizing the Mayor and City Clerk to execute a License Agreement with CIRCULO HISPANO AMERICANO de BAYONNE for the purpose of Circulo Hispano Americano Festival to be held on Saturday, October 5, 2019.
- CR-19 Ratifying and affirming a Memorandum of Understanding between the City of Bayonne and the Bayonne Chamber of Commerce as required for an application to the NJEDA Opportunity Zones Challenge Grant.
- CR-20 Authorizing the submission of an application to the NJ Department of Community Affairs Grant for \$20,000.00 to carry out a project to provide inclusive recreational opportunities for teenagers and adults with disabilities as a part of Bayonne's recreational programming.
- CR-21 Ratifying and affirming an application for Bayonne Marine Terminal Modernization Project from the USDOT Port Investment Development Program (PIDP) Grant Program by Global Container Terminal for \$5,000,000 in Federal funds at no cost to the City.
- CR-22 Ratifying and affirming an application for Bayonne Marine Terminal Modernization Project FY 2019 Build Grant by Global Container Terminal for \$25,000,000 in Federal funds at no cost to the City.
- CR-23 Authorizing a UEZ/SID project entitled, "CROSSWALKS".
- CR-24 Accepting a grant from the Hudson County Open Space Trust Fund in the amount of \$500,000 for the Open Space Grant-Improvements to Russell Golding Park.
- CR-25 Accepting a grant from the County of Hudson Open Space Trust Fund in the amount of \$250,000 for the Open Space Grant-Improvements to 28th Street Park
- CR-26 Granting 1 Raffle licenses to qualified organizations. **City Clerk**

END OF CONSENT AGENDA

- R-1 Affirming that the council members have read, at a minimum, the comments and Recommendations section of the CY 2018 audit, and an affidavit certifying that they have done so. **City Clerk**
- R-2 Adopting a CORRECTIVE ACTION PLAN in response to the CY 2018 Audit. **Finance**
- R-3 Amending the Capital Budget. **(Related to Bond Ordinances introduced at this meeting)**
Finance
- R-4 Authorizing an extension of Agreement No. CY15-087 with Suburban Disposal, Inc. for the collection of solid waste for the period commencing November 1, 2019

through December 31, 2019 for an additional amount of \$282,333.32 (\$141,166.66/month) making the total contract amount \$6,676,166.65. **(Public Works)**

- R-5 Authorizing an extension of Agreement No. CY15-086 with Suburban Disposal Inc. for the collection of recyclable materials for the period commencing November 1, 2019 through December 31, 2019, for the additional amount of \$170,666.66 (\$85,333.33/month) making the total contract amount \$4,140,666.66
- R-6 Authorizing the Mayor and City Clerk to enter into a contract with Mackay Meters, Inc., Nova Scotia, Canada for Gateway/Hosting/Notifications services for the City's MK Beacon on-street parking meters, for a one year period commencing from the date of the commencement of the operation of the parking meters for a monthly fee of \$8.00 per meter and \$0.10 per credit card transaction or \$12.00 per meter and \$0.00 per credit card transaction, at the City's discretion.
- R-7 Adopting an Area in Need of Redevelopment Investigation Study (AINR) for 1207-1211 John F. Kennedy Boulevard pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.. **Law**
- R-8 Designating 17 AVENUE E LLC, as redeveloper of the property located 9-15 Avenue E and 22 East 10th Street, which property is identified as Block 278, Lots 2, 3 and 4 and authorizing the execution of a redevelopment agreement with the 17 AVENUE E, LLC for the redevelopment of the property in accordance with the redevelopment plan. **Planning (Bayonne Pool)**
- R-9 Designating FVIOP BAYONNE 25 URBAN RENEWAL LLC, as redeveloper of the property located at 39-43 W 25th Street, which is identified as Block 183, Lot 2.01 and authorizing the execution of a redevelopment agreement and transfer of the financial agreement with FVIOP Bayonne 25 Urban Renewal, LLC for the redevelopment of the property in accordance with the redevelopment plan. **Planning-25th St Forum lot**
- R-10 Designating BAYVIEW JV, LLC as redeveloper of the property located at 175 Avenue A, which is identified as Block 300.01, Lots 2 and 3 and authorizing the execution of a redevelopment agreement and directing and authorizing the Planning Board to reopen and amend the redevelopment plan. **Planning (portion of A&P lot)**
- R-11 Authorizing and directing the Planning Board to reopen and amend the redevelopment plan for the property located at 122 Avenue E, 124 Avenue E, 126 Avenue E, 126-1/2 Avenue E, 128 Avenue E, 130 Avenue E, 132 Avenue E, 134-136 Avenue E 138 Avenue E, 140 Avenue E, 165 Avenue E, 167 Avenue E, 169 Avenue E, 170-180 Avenue and 157-163 Avenue E, which property is identified as Block 467, Lot 17,18,19,29,21,22,23,24,25 & 26, Block 234, Lots 8.01, 11, 12 & 13 and Block 458, Lots 1 & 1.01, 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. **Planning (Silk Lofts)**
- R-12 Authorizing and directing the Planning Board to reopen and amend the redevelopment plan for the property identified as Block 452.02, Lots 3-9, and 11 and Block 451, Lots 1.01, 2.03, 2.04 and 2.05 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 (Ken's Marine Self Storage)**
- R-13 Authorizing and directing the Planning Board to reopen and amend the redevelopment plan for the property located at 101 East 23rd Street which property is identified as Block 445, Lot 1.01 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. **Planning (Parkview Phase 1)**

- R-14 Authorizing the Mayor and City Clerk to execute any and all documents including, but not limited to a Right-of-Entry agreement with ARCO, White Plains, NY and Letter of Agreement with CONRAIL, Mt. Laurel, NJ in connection with the proposed installation of one (1) 10” ductile iron water pipe in a 20” steel casing pipe wholly within the public right of way of Bayview Court, on Conrail’s Avenue A Industrial Track. **(Law)**
- R-15 Authorizing the insertion of Special Items of Revenues and appropriations in the CY 2019 Municipal Budget. **Finance**

TO BE ADDED AT MEETING

- ADD-1 Awarding the contract to Persistent Construction, Inc., 58 Industrial Ave. Fairview NJ 07022 for the Newark Bay Waterfront Access Project Veteran’s Parl-25th Street for the total bid amount not to exceed \$993,094. Chargeable to ONRR Grant, (G-02-41-946-0000-199 in the amount of \$900,013 and \$93,081 from Green Acres Grant (G-02-41-738-715A-199)