

CITY OF BAYONNE CITY COUNCIL REGULAR MEETING JUNE 17, 2020

ORDINANCES, COMMUNICATIONS AND ADMINISTRATION REQUESTS FOR COUNCIL MEETING AGENDA

ORDINANCES SCHEDULED FOR HEARING

- O-1 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC. **(Restrictive Parking Zones) Public Safety**

PUBLIC COMMENTS

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

ORDINANCES PROPOSED FOR INTRODUCTION

- O-2 AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON APPROVING A FINANCIAL AGREEMENT BY AND BETWEEN THE CITY OF BAYONNE AND LEG-BP BAYONNE OWNER URBAN RENEWAL, LLC FOR PROPERTY LOCATED AT 117-121 PROSPECT AVENUE, WITH PROPERTY IS IDENTIFIED AS BLOCK 1180, LOT 1.01; BLOCK 1180, LOT 1.03 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE and a resolution fixing Wednesday, July 15, 2020 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-3 AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON APPROVING A FINANCIAL AGREEMENT BY AND BETWEEN THE CITY OF BAYONNE AND 345-347 AVENUE A URBAN RENEWAL LLC FOR THE PROPERTY LOCATED AT 343-347 AVENUE A, WHICH PROPERTY IS IDENTIFIED AS BLOCK 254, LOT 22.01 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE and a resolution fixing Wednesday, July 15, 2020 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-4 AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON APPROVING A FINANCIAL AGREEMENT BY AND BETWEEN THE CITY OF BAYONNE AND TFG 117-121 PROSPECT AVENUE URBAN RENEWAL LLC FOR THE PROPERTY LOCATED AT 117-121 PROSPECT AVENUE, WHICH PROPERTY IS IDENTIFIED AS BLOCK 441, LOT 10 AND A PORTION OF EAST 25TH STREET RIGHT OF WAY AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE and a resolution fixing Wednesday, July 15, 2020 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-5 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC and a resolution fixing Wednesday, July 15, 2020 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

#029. Thomas Cunningham, 73 West 55th Street

#105. Emily Schmicking, 45 West 4th Street
#137. Agnes Hogan, 4 Story Court
#213. Michael Murphy, 458 Kennedy Blvd.
#351. Maureen Ciolek, 1187 Kennedy Blvd.

ADD

#002. Stephen LeBright, 1124 Avenue C
#149. Barbara D. LaBella, 168 West 49th Street

TRANSFER OF NAME

#208. From James Robinson to Joan Robinson, 84 Lord Ave.

COMMUNICATIONS

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

- C-1 From KEVIN BELLO, filing notice of claim alleging property damage to his automobile from a falling tree branch on May 4, 2020 at West 29th Street.
- C-2 From Superior Court of New Jersey in the matter entitled, “WTFK BAYONNE PROPCO LLC and BAYONNE/OMNI DEVELOPMENT LLC vs. CITY OF BAYONNE. **(Pertains to Ordinance O-20-20)**
- C-3 From Superior Court of New Jersey in the matter entitled, “AARON PINTO; MARIA LIRIANO; RICKY INOA-LIRIANO and JAKE INOA-LIRIANO, minors, by their guardian ad litem, Soris Liriano; AND SORIS LIRIANO, individually vs. DELVALLE, ACOSTA and CITY OF BAYONNE, et als. **(Motor vehicle accident-10/31/19)**
- C-4 From the United States District Court of New Jersey, in the matter entitled, “MAHAMED KHAN vs. MARK’S ADVANCE TOWING,LLC, BARKOWSKI and CITY OF BAYONNE, et als. **(Wrongful impoundment of vehicle)**
- C-5 From Tax Court of New Jersey in the matter entitled, “AEGIS REALTY HOLDINGS, INC. vs. the City of Bayonne. **(Multi-dwelling)**
- C-6 From Tax Court of New Jersey in the matter entitled, “MCDONALD’S CORP. vs City of Bayonne. **(Commercial)**
- C-7 From Tax Court of New Jersey in the matter entitled, “S & M GROUP, LLC vs. City of Bayonne. **(Commercial)**
- C-8 From Tax Court of New Jersey, in the matter entitled, “TUBITO, ELIO & ANNA vs. City of Bayonne” **(Commercial)**
- C-9 From Tax Court of New Jersey, in the matter entitled, “YES CHRIS DEVELOPMENT, LLC vs. City of Bayonne” **(Commercial)**
- C-10 From Tax Court of New Jersey, in the matter entitled, “SPG HOOK ROAD, LLC vs. City of Bayonne” **(Industrial)**
- C-11 From Tax Court of New Jersey, in the matter entitled, “NJIND HOOK ROAD, LLC vs. City of Bayonne” **(Industrial)**
- C-12 From Tax Court of New Jersey, in the matter entitled, “BUCKEYE BAYONNE TERMINAL LLC vs. City of Bayonne” **(Commercial)**
- C-13 From Tax Court of New Jersey, in the matter entitled, “265 AVE B LLC vs. City of Bayonne” **(Commercial)**
- C-14 From Tax Court of New Jersey, in the matter entitled, “124 AVENUE B LLC vs. City of Bayonne” **(Commercial)**
- C-15 From Tax Court of New Jersey, in the matter entitled, “431 KENNEDY LLC vs. City of Bayonne” **(Multi-dwelling)**
- C-16 From Tax Court of New Jersey, in the matter entitled, “BAYONNE GRAND I LLC vs. City of Bayonne” **(Commercial)**

- C-17 From Tax Court of New Jersey, in the matter entitled, “JERSAM REALTY LLC vs. City of Bayonne” **(Industrial)**

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 the Honorable James M. Davis, appointing DEMAYANA YOUSSEF, to the Planning Board for a term to expire December 31, 2020 and a resolution consenting to said appointment. **(Replacing Terrence Malloy)**

RESOLUTIONS

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

- CR-1 Approving the minutes of the regular meeting held Wednesday May 13, 2020. **City Clerk**
- CR-2 Approving the minutes of the council caucus held Wednesday, May 6, 2020. **City Clerk**
- CR-3 Approving the minutes of the special meetings held Wednesday, May 6, 2020 and Thursday, May 21, 2020. **City Clerk**
- CR-4 Ordering warrants drawn to taxpayers representing refunds for overpayment of taxes. (7 properties) **Tax Collector**
- CR-5 Ordering a warrant in the amount of \$8.40 payable to the order of the BUREAU OF RABIES CONTROL, STATE OF NEW JERSEY, covering the issuance of 7 dog licenses issued in May. **City Clerk**
- CR-6 Authorizing the CDBG Administrator to reallocate the CDBG funds previously allocated to CDBG account 1026 in the amount of \$8,000.00 provided the Waterfront Project for the purpose of providing senior services to CDBG account 1025 for the purpose of providing counseling services to low and moderate income families. **(Bus. Administration)**
- CR-7 Ordering a warrant in the amount of \$54,016.00 payable to the STATE OF NEW JERSEY for state surcharge fees on new construction and alterations. **Building**
- CR-8 Ordering a warrant in the amount of \$6,977.00 payable to LTG PROPERTY GROUP for reimbursement for an electrical permit. **Building**
- CR-9 Extending the Agreement No. CY15-051 with HERBERT'S ARMY & NAVY, LLC for a period of six months commencing July 1, 2020 to December 31, 2020 for an amount not to exceed \$19,999.98. **Public Works**
- CR-10 Authorizing the submission an application to the COUNTY OPEN SPACE, RECREATION AND HISTORIC PRESERVATION TRUST FUND for a matching grant of \$500,000.00 with a city match of \$383,536.25 to fund the improvements to Russell Golding Park-Phase II. Total project \$883,526.25 **Bus. Admin.**
- CR-11 Authorizing the Tax Collector to refund and/or cancel taxes on Block 229, Lot 25, on one family home occupied by a qualifying 100% totally and disabled veteran effective November 14, 2019. **Tax Assessor**
- CR-12 Authorizing the cancellation of Inactive Trust Fund Reserves. **Finance**
- CR-13 Accepting the LOCAL FREIGHT IMPACT FUNDS GRANT in the amount of \$1,400,000.00. **Finance**

- CR-14 Accepting the BJA CORONAVIRUS FUNDING GRANT in the amount of \$51,793.00.
- CR-15 Authorizing the submission of a grant application and execution of a contract with the NEW JERSEY DEPARTMENT OF TRANSPORTATION for various streets 2021-Bayonne Project Fiscal Year 2020 Municipal Aid Program in the amount of \$
- CR-16 Authorizing the submission of a grant application and execute a grant contract with the NEW JERSEY DEPARTMENT OF TRANSPORTATION for the Pedestrian Intersection Improvements -8th Street Light Rail Station Project.
- CR-17 Ratifying and affirming the actions of the Public Safety Director, in entering into a Third Party Purchasing Agent Agreement with MCCABLE AMBULANCE SERVICES, INC. for the emergency procurement of Personal Protective Equipment (“PPE”), including but not limited to, FDA approved respirator masks, goggles, face shields and protective suits, for us by the City’s First Responders and employees, in an amount not to exceed \$75,000.00 in accordance with the NJ Governor’s Executive Order(s) relaxing public contracts law requirements during the Covid-19 declared State of Emergency.
- CR-18 Authorizing an additional two (2) month extension of Agreement No. CY19-002 with ALPHA DOG SOLUTIONS, INC., for website design, management & maintenance services for period commencing July 1, 2020 through August 31, 2020 for an additional amount not to exceed \$9,900.00 and authorizing the Mayor and City Clerk to execute an Amendment to said Agreement CY19-006 reflecting same. Extension necessary due to COVID-19 Emergency.
- CR-19 Authorizing an additional two (2) month extension of Agreement No. Cy19-001 with INTEGRATED MICRO SYSTEMS, INC. for information technology, computer systems and network administration and support services for the period commencing July 1, 2020 through August 31, 2020 for an additional amount not to exceed \$14,000.00 making the total contract amount \$126,000.00 and authorizing the Mayor and City Clerk to execute an Amendment to said Agreement CY19-001 reflecting same. Extension necessary due to COVID-19 Emergency.’
- CR-20 Approving the submission of a grant application and execute a grant contract with the NEW JERSEY DEPARTMENT OF TRANSPORTATION for the Pedestrian Intersection Improvements-8th Street Light Rail Station project.
- CR-21 Accepting a grant from IMTT in the amount of \$78,718.78 for License Plate readers for use in the Police Department.
- CR-22 Granting 1 Raffle licenses to qualified organizations. **City Clerk**

END OF CONSENT AGENDA

- R-1 Designating certain property located at 21 West 46th Street, 19 West 46th Street, 17 West 46th Street, 12 West 47th Street, 16 West 47th Street, 20 West 47th Street, 22 West 47th Street and 24 West 47th Street, which property is identified as Block 77, Lots 13, 14, 15 27, 28, 29, 30, 31 and 32 on the official tax map of the City of Bayonne as a non-condemnation area in need of redevelopment and authorizing and directing the Planning Board to prepare a redevelopment plan, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. **(Resnick’s)**
- R-2 Designating certain property located at 86 East 22nd Street, 88 East 22nd Street, 90 East 22nd Street, 92 East 22nd Street and 111 Avenue F, which property is identified as Block 456, Lots 10, 9, 8.02, 8.03 and 8.01 on the official tax map of the City of Bayonne as a non-condemnation area in need of redevelopment and authorizing and directing the Planning Board to prepare a redevelopment plan, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.
- R-3 Designating the property located 471 Broadway, which property is identified as Block 210, Lot 25.01 on the official tax map of the City of Bayonne as a non-condemnation area in need of redevelopment and authorizing and directing the Planning Board to prepare a redevelopment plan, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. **(Rite-Aid)**

- R-4 Designating JERSAM REALTY, LLC as redeveloper for the property located 63-67 New Hook Road, which property is identified as Block 416, Lot 3 on the official tax map of the City of Bayonne and authorizing the execution of a Redevelopment Agreement with Jersam Realty, LLC for the development of such property in accordance with the Redevelopment Plan. **(Cold Storage Warehouse)**
- R-5 Amending the Redevelopment Agreement with 975 BROADWAY OWNER, LLC for reconstruction of Dr. Morris Park in accordance with the Redevelopment Plan.
- R-6 Designating 345-347 AVENUE A URBAN RENEWAL LLC as redeveloper for the property located at 345-347 Avenue A and identified as block 254, Lot 22.01 on the official tax map of the City of Bayonne and authorizing the execution of a redevelopment agreement with 345-347 Avenue A Urban Renewal LLC for the redevelopment of such property in accordance with the redevelopment plan.
- R-7 Authorizing the Mayor and City Clerk to execute a Settlement Agreement and Release with ACE AMERICAN INSURANCE CO., in form and substance as is approved by the Law Director, in the amount of \$200,000.00 from ACE in full and final settlement of all claims made in the lawsuit entitled, "City of Bayonne v. ACE American Insurance Co., Inc., et al.
- R-8 Approving Temporary Emergency #6 in the CY 2020 budget. **Finance**
- R-9 Introduction of the 2020 Local Municipal Budget and fixing Wednesday, July 15, 2020 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.
- R-10 Authorizing the Mayor and/or his designee to enter into an Emergency Contract with JP'S PLUMBING & HEATING, Corp. for the replacement of the existing water heater, in the amount of \$58,865.00. Chargeable to C-04-55-947-1956-994 **Public Works**
- R-11 Authorizing the Mayor and/or his designee to take all steps and to execute any and all documents necessary in order to procure additional services from IN-LINE HEATING & AIR CONDITIONING CO. to clean and sanitize ductwork and vents and to install purification devices in air handlers for the HVAC systems in various municipal buildings through the Education Services Commission for New Jersey Cooperative Pricing Agreement No. 65MCESCCPS for an amount not to exceed \$100,000.

TO BE ADDED AT MEETING

- ADD-1 Authorizing the submission of an application to the New Jersey Department of Environmental Protection for a 2019 RECYCLING TONNAGE GRANT and designating Recycling Coordinator Michael Tassone as the municipal official responsible for its filing. **Public Works**
- ADD-2 AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AUTHORIZING THE LEASING OF PROPERTIES KNOWN AS PORTION OF BLOCK 393 LOT 18 & 19 AND AN UNIMPROVED PORTION OF 2ND STREET, ALL SUBJECT TO REDEVELOPMENT PLANS, TO BCP, LLC, THE CONTRACT REDEVELOPER PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ. , and a resolution fixing Wednesday, July 15, 2020 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.
(Digital Displays)
- ADD-3 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC, and a resolution fixing Wednesday, July 15, 2020 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.
- ADD-4 Accepting the Congregate Meals FAMILIES FIRST CORONAVIRUS RESPONSE ACT (FFCRA) Grant in the amount of \$102,568.00