

SPECIAL MEETING

OF THE MUNICIPAL COUNCIL OF THE CITY OF BAYONNE, IN THE COUNTY OF HUDSON, NEW JERSEY, HELD IN THE COUNCIL CHAMBER, MUNICIPAL BUILDING, 630 AVENUE C, ON WEDNESDAY, MARCH 28, 2012

The Council met at 4:01 P.M.

The Council President Ruane announced: “I would like to advise all those present that notice of this special meeting of the Municipal Council of the City of Bayonne of March 28, 2012 has been provided to the public in accordance with the provisions of the Open Public Meetings Act of the State of New Jersey. Notice of time and place was posted and filed with the City Clerk and was forwarded to the Jersey Journal and the Star Ledger by on March 26, 2012.”

The Special Meeting of the Municipal Council of the City of Bayonne is now in session.

The Clerk called the roll.

Present were: Council Members Czerwienski, Gillespie, Greaves, Hurley and President Ruane.

Pledge of Allegiance

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01. Council Member Czerwienski moved the following communication be received and filed, seconded by Council Member Gillespie which motion was adopted.

TO: Robert F. Sloan, Esq., Municipal Clerk
FROM: Mark A. Smith, Mayor
RE: Notice of Special Meeting of the Municipal Council – March 28, 2012
DATE: March 16, 2012

Please be advised that it is necessary to call a Special Meeting of the Municipal Council of the City of Bayonne on Wednesday, March 28, 2012 at 4:00 P.m. in the Dorothy E. Harrington Council Chambers.

The purpose of the meeting is as follows:

- 1. To receive bids for the construction of the new firehouse
- 2. To award a contract for the construction of the new firehouse
- 3. To award a contract for the provision of traffic safety markings
- 4. To consider a resolution authorizing an area in need of redevelopment investigation and preparation of a redevelopment plan for Block 453.01, Lots 2.01,3,4,5.01,6.01,7.01 and 9.01 as well as Block 503, lot 9.02

Please ensure that the appropriate Open Public Meeting Act notice is effectuated.

Yeas- Council Members Czerwienski, Gillespie, Greaves, Hurley and President Ruane.

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02. Council Member Gillespie moved the following communication be received and filed, seconded by Council Member Ruane, which motion was adopted.

**BID REPORT
FOR THE MUNICIPAL COUNCIL**

Date: <u>03/27/12</u> <u>02/17/12</u>	Ad Resolution # <u>11-06-15-030</u>	Ad Date:
Date bids accepted: <u>03/27/12</u>	Attending: Amy Dellabella, Purchasing Agent; Anthony DeSalvo, Esq.	
Bid titled: NEW SOUTH HARBOR FIRE STATION		
Bidder(s): Total Lump Sum Bid \$\$ Amount	Bidder(s): Total Lump Sum Bid \$\$ Amount	
PEC/RM Inc.	Alna Construction Corp.	
207 Bogden Blvd.	100 Plaza Center, Suite 2	
Millville, NJ 08332	\$2,994,606.00	Secaucus, NJ 07094 \$3,999,000.00

Arco Construction Group 22-24 South Seventh St. Elizabeth,NJ 07202	\$3,377,000.00	ML Inc. 65 South St. Passaic, NJ 07055	\$3,914,000.00
Unimak LLC 322 Lanza Avenue Garfield,NJ 07026	\$3,695,000.00	ICS Builders Inc. 8 West 36 th St. N.Y., N.Y. 10018	\$3,919,000.00
M & M Construction Co. Inc. 540 North Avenue Union, NJ 07083	\$4,225,000.00	Belmont Construction Corp. 240 W. Passaic St. Suite 11 Maywood, NJ 07607	\$3,975,000.00
Tekton Development Corp. 97 Bayard St. New Brunswick, NJ 08901	\$3,942,000.00	Fuscon Enterprises 414 Central Avenue Box 2595 Westfield, NJ 07091	\$4,098,000.00

After review by the Department Director, the Purchasing Department will prepare a request for contract award and forward it to the City Clerk for inclusion in future Council Agenda. If other than the lowest bidder is recommended, an explanation will be provided with that report. If bids are to be rejected, an appropriate report will be prepared. Please retain this report, as the information above may not be repeated in the request for award documents or in the event of a bid rejection.

Respectfully submitted,
Amy Dellabella, R.P.P.O., Q.P.A.
Purchasing Agent

Legal Approval:
Anthony DeSalvo, Esq.

Yeas- Council Members Czerwienski, Gillespie, Greaves, Hurley and President Ruane.

03. Council Member Greaves moved the following resolution, seconded by Council Member Hurley, which was read by the Clerk and adopted.

WHEREAS, the city clerk, in accordance with a resolution adopted on June 15, 2011 advertised in the Jersey Journal on February 17, 2012 that sealed bids for construction of the New South Harbor Fire Station would be received on March 27,2012; and

WHEREAS, pursuant to such advertisement, ten (10) proposals were received from:

PEC/RM Inc. 207 Bogden Blvd. Millville, NJ 08332	\$2,994,606.00	Alna Construction Corp. 100 Plaza Center, Suite 2 Secaucus, NJ 07094	\$3,999,000.00
Arco Construction Group 22-24 South Seventh St. Elizabeth, NJ 07202	\$3,377,000.00	ML Inc. 65 South St. Passaic, NJ 07055	\$3,914,000.00
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Tekton Development Corp. 97 Bayard St. New Brunswick, NJ 08901	\$3,942,000.00	Fuscon Enterprises 414 Central Avenue Box 2595 Westfield, NJ 07091	\$4,098,000.00;

and

WHEREAS, Amy Dellabella, R.P.P.O., Q.P.A. and Jason O'Donnell, Director of Public Safety have examined the bids or proposals and have determined that the lowest bid substantially exceeds the contracting unit's appropriation for the goods or services; now, therefore, be it

RESOLVED, that the bids for the New South Harbor Fire Station be rejected; and be it further

RESOLVED, that the Purchasing Agent be and is hereby authorized and directed to take appropriate action to obtain responsible bids for the project.

Yeas- Council Members Czerwienski, Gillespie, Greaves, Hurley and President Ruane.

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04. Council Member Ruane moved the following resolution, seconded by Council Member Gillespie, which was read by the Clerk and adopted.

WHEREAS, the city clerk, in accordance with a resolution adopted by the municipal council, advertised in the Jersey Journal on two separate occasions that sealed bids for driveway line striping would be received; and

WHEREAS, pursuant to such advertisement, no proposals were received on either occasion; and

WHEREAS, pursuant to N.J.S.A. 40A:11-5(3), proposals for such goods or services were solicited; and

WHEREAS, Stephen J. Gallo, Business Administrator has examined the proposal and has determined that the proposal of Evergreen Landscaping, P.O. Box 421, Bayonne, NJ 07002 is a regular proposal and complies with the statutory requirements that:

- a reasonable effort was made to determine that the same or equivalent goods or services, at a cost which is lower than the negotiated price is not available from an agency or authority of the United States, the State of New Jersey, or of the County of Hudson or any municipality in close proximity to Bayonne
- the terms, conditions, restrictions and specifications set forth in the negotiated contract are not substantially different from those which were the subject of the competitive bidding
- any minor amendment or modification of the specifications are hereinafter set forth; and

WHEREAS, the proposal of Evergreen Landscaping is to charge property owners \$60.00 for a complete residential driveway striping, of which \$10.00 will be forwarded to the City of Bayonne to cover administrative costs; now, therefore, be it

RESOLVED, BY A TWO-THIRDS MAJORITY OF THE FULL AUTHORIZED COUNCIL that the contract for residential driveway striping be awarded to Evergreen Landscaping, P.O. Box 421, Bayonne, NJ 07002 for the following bid price: \$60.00 for one complete residential driveway striping to be paid to the contractor by the property owner ordering same, with \$10.00 thereof to be forwarded to the City of Bayonne, for a term of one (1) year commencing April 1, 2012 and ending March 31, 2013, and that the contract be executed in the name of the City of Bayonne by the proper city officials.

Yeas- Council Members Czerwienski, Gillespie, Greaves, Hurley and President Ruane.

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05. Council Member Ruane moved the following resolution, seconded by Council Member Czerwienski, which was read by the Clerk and adopted.

RESOLUTION OF THE CITY OF BAYONNE CITY COUNCIL, COUNTY OF HUDSON, NEW JERSEY AUTHORIZING THE PLANNING BOARD TO INVESTIGATE WHETHER THE PROPERTY COMMONLY KNOWN AS BLOCK 453.01, LOT 2.01, 3, 4, 5.01, 6.01, 7.01, AND 9.01, AND BLOCK 503, LOT 9.02 IN THE CITY OF BAYONNE, STATE OF NEW JERSEY SHOULD BE DESIGNATED AS AN AREA IN NEED OF REDEVELOPMENT AND DIRECTING THE PLANNING BOARD TO PREPARE A REDEVELOPMENT PLAN, IF APPROPRIATE, PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-7.

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, *et seq.*, authorizes municipalities to determine whether certain parcels of land in the municipality constitute areas in need of redevelopment; and

WHEREAS, to determine whether certain parcels of land constitute areas in need of redevelopment, the City Council must authorize the Planning Board to conduct a preliminary investigation of the area and make recommendations to the City Council; and

WHEREAS, the City Council believes it is in the best interest of the City of Bayonne that an investigation occur and therefore authorizes and directs the Planning Board to conduct an investigation of the properties commonly known as Tax Map Block 453.01, Lot 2.01, 3, 4, 5.01, 6.01, 7.01, And 9.01, and Block 503, Lot 9.02 (hereinafter the "Study Area"), as depicted on a Minor Subdivision Map prepared by Langan Engineering and Development Associates dated February 24, 2009, which is annexed hereto, to determine whether the Study Area meet the criteria set forth in *N.J.S.A. 40A:12A-5* and should be designated as an area in need of redevelopment: and

WHEREAS, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-7*, requires that no redevelopment project be undertaken or carried out except in accordance with a Redevelopment Plan adopted by ordinance of the City Council; and

WHEREAS, the Local Redevelopment and Housing Law requires that prior to adoption of the Redevelopment Plan, the City Council authorize the Planning Board to prepare and review said Redevelopment Plan for the Study Area;

NOW THEREFORE, BE IT RESOLVED by the City Council:

1. The Planning Board is hereby authorized and directed to conduct an investigation pursuant to *N.J.S.A. 40A:12A-6* to determine whether the Study Area satisfies the criteria set forth in *N.J.S.A.40A:12A-5* to be designated as an area in need of redevelopment.

2. As part of its investigation, the Planning Board shall prepare a map showing the boundaries of the proposed redevelopment area and the location of the various parcels contained therein.

3. The Planning Board shall conduct a public hearing, after giving due notice of the proposed boundaries of the proposed area and the date of the hearing to any persons who are interested in or would be affected by a determination that the area delineated in the notice is a redevelopment area.

4. At the hearing, the Planning Board shall hear from all persons who are interested in or would be affected by a determination that the area delineated in the notice is a redevelopment area. All objections to a determination that an area is an area in need of redevelopment and evidence in support of those objections shall be received and considered by the Planning Board and made part of the public record.

5. After conducting its investigation, preparing a map of the proposed redevelopment area, and conducting a public hearing at which all objections to the designation are received and considered, the Planning Board shall make a recommendation to the City Council as to whether the City Council should designate all or some of the area identified above as an area in need of redevelopment.

6. If the Planning Board recommends that the City Council designate all or a portion of the Study Area, as an area in need of redevelopment, the Planning Board shall hereby also prepare and review a Redevelopment Plan in connection with the proposed redevelopment of the Study Area pursuant to *N.J.S.A. 40A:12A-7(5) e-f* for consideration by the City Council.

7. This Resolution shall take effect immediately.

Yeas- Council Members Czerwienski, Gillespie, Greaves, Hurley and President Ruane.

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At 4:06 P.M. Council Member Gillespie motioned to adjourned, seconded by Council Member Ruane, which motion was adopted.

Yeas- Council Members Czerwienski, Gillespie, Greaves, Hurley and President Ruane.

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President – Terence Ruane

City Clerk – Robert F. Sloan