

MINUTES OF COUNCIL CAUCUS

CAUCUS MEETING OF THE MUNICIPAL COUNCIL OF THE CITY OF BAYONNE, IN THE COUNTY OF HUDSON, NEW JERSEY, HELD IN THE COUNCIL CHAMBERS, 630 AVENUE C, ON WEDNESDAY, JANUARY 14, 2015

Time of Meeting: 7:00 P.M.

The President announced: “I would like to advise all those present that notice of this Caucus Meeting of the Municipal Council of the City of Bayonne of January 14, 2015, has been provided to the public in accordance with the provision of the Open Public Meetings Act of the State of New Jersey. Notice of time and place has been included in the annual notice of meetings, which was posted and filed with the Jersey Journal and the Star Ledger within the time required. An additional notice of time and place of the meeting was posted and filed with the city clerk and forwarded to the Jersey Journal and the Star Ledger by fax on January 9, 2015 .”

The following Council Members were present if an “X” appears, absent if an “A” appears:

Council Members: Cotter X, Gullace X, La Pelusa X, Perez X, President Nadrowski X

The Council reviewed the items submitted on the proposed agenda for its next regular meeting and at least one Council Member proposed that the items appearing on the attached agenda should be included on the agenda for the regular meeting, subject to the addition of any items the Council may entertain at the regular meeting which may not have been discussed at the Caucus.

CITY OF BAYONNE
CITY COUNCIL
REGULAR MEETING
JANUARY 21, 2014

REQUESTS TO ADDRESS THE COUNCIL

RA-1 From JOSEPH SCOTT, CEO of the Jersey City Medical Center, requesting permission to address the council.

ORDINANCES SCHEDULED FOR HEARING

- O-1 AN ORDINANCE RENAMING A PORTION OF AVENUE J AS COLEMAN WAY. **Council**
- O-2 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC. **(Restrictive Parking Zones) Public Safety**
- DELETE
296. Eleanor Kern, 76 Avenue C
343. Michelle Mercardo, 4 Sunset Avenue, Apt. 1
- ADD
265. Gotel Blachar, 33 Sunset Avenue
296. RJ Norman, 135 Avenue E
297. Christopher Wright, 15 East 52nd Street
309. Lillian DiLorenzo, 166 West 10th Street
- RELOCATE
244. Kathleen Bigg from 70 West 33rd Street to 12 West 41st Street

ORDINANCES PROPOSED FOR INTRODUCTION

- O-3 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 8, TAXICABS AND LIMOUSINES; and a resolution fixing Wednesday, February 18, 2014, 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 AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 4, LICENSING, REGISTRATION AND BUSINESS REGULATIONS; and a resolution fixing Wednesday, February 18, 2014, 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. **(Towing)**
- O-5 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC; and a resolution fixing Wednesday, February 18, 2014, 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

- 34A. Irene Brauer, 7 Country Village Court
- 107A. Rita Patel for her son, Harry Patel, 761 Avenue A
- 157. Paul Bonczkowski, 75 West 30th Street
- 210. Stanley Szymanski, 64 West 27th Street
- 330. Suzanne Weicker, 103 Garretson Avenue

ADD

- 157. Anthony Vetter, 138 Lexington Avenue
- 256. Sharon Porter, 179 West 48th Street
- 298. Dawn Sullivan, 133 West 28th Street
- 343. Cynthia Geroldi, 101 Humphrey Avenue
- 346. Martin Schnitzer, 3 Bergen Court, Apt. 2-C

RELOCATE

- 352. Perpetuo Ledda from 9 Cottage Street to 98 West 6th Street

COMMUNICATIONS

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

- C-1 From Joseph Peters, Esq., filing notice of tort claim on behalf of JOSEPH GROHOL, alleging injuries sustained August 4, 2014 in a fall on the sidewalk at 45 West 25th Street.
- C-2 From Robert F. Jones, Esq., filing notice of tort claim on behalf of EIAD SALEH and HEDAIA SALEH, alleging property damage to his tires sustained September 16, 2014 in a pothole incident at Route 440 north of Pulaski Drive.
- C-3 From WILLIAM HURLEY, filing notice of tort claim alleging property damage to his automobile on November 10, 2014 resulting from being sideswiped by a fire truck at Kennedy Boulevard between 48th and 49th Streets.
- C-4 From the United States District Court, District of New Jersey, Summons and Complaint in matter entitled, “WALSH vs. THE CITY OF BAYONNE, et al.” (False arrest on December 27, 2013)
- C-5 From the United States District Court, District of New Jersey, Summons and Complaint in matter entitled, “CRESCI vs. O’DONNELL, et al., incl. THE CITY OF BAYONNE.” (False arrest, malicious prosecution in June, 2011)
- C-6 From the Superior Court of New Jersey, Law Division, Summons and Complaint in matter entitled, “JOHNSON vs. THE CITY OF BAYONNE.” (False arrest, malicious prosecution on December 14, 2012)
- C-7 From the Superior Court of New Jersey, Chancery Division, Summons and Complaint in matter entitled, “ORIX REAL ESTATE CAPITAL, INC. vs. MALAWICH, et al., incl. THE CITY OF BAYONNE.” (Municipal lien foreclosure)

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, re-appointing H. MICKEY McCABE to the Alcoholic Beverage Control Board for a three year term expiring December 31, 2017; and a resolution consenting to the appointment. **Mayor**
- OR-2 From Hon. James M. Davis, Mayor, appointing MIGUEL QUINTELA as a Class IV member of the Planning Board. **(Filling unexpired term of Ramon Veloz – December 31, 2015) Mayor**
- OR-3 From Hon. James M. Davis. Mayor, reappointing LUDOVICO NOLFO to the Housing Authority for a five year term expiring December 31, 2019; and a resolution consenting to the appointment. **Mayor**
- OR-4 From Hon. James M. Davis. Mayor, reappointing JOHN BUDNIK to the Municipal Utilities Authority for a five year term expiring January 31, 2020; and a resolution consenting to the appointment. **Mayor**
- OR-5 From Terrence Malloy, 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-6 From Janet Convery, Treasurer, reporting on the transfer of the following amounts to the Board of Education on December 5, 2014: **Finance**
\$4,949,372.85 Claims and payroll for December, 2014
- OR-7 From the Purchasing Department reporting on bids received ** for emergency medical services and emergency medical dispatch services. (# bidders) **Purchasing**

RESOLUTIONS

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

- CR-1 Approving the minutes of the regular meeting held Wednesday, December 10, 2014. **City Clerk**
- CR-2 Approving the minutes of the council caucus held Wednesday, December 3, 2014. **City Clerk**
- CR-3 Appointing JOHN CALCATERRA to the Zoning Board of Adjustment for a term expiring December 31, 2016. **(Unexpired term of Miguel Quintela) Mayor**
- CR-4 Appointing DAVID RIVERA as Alternate #3 and FRANK PELLITTERI as Alternate #4 on the Zoning Board of Adjustment for terms expiring December 31, 2015. **(Replacing John Calcaterra and David Rivera, respectively) Mayor**
- CR-5 Appointing HON. SHARON NADROWSKI and HON. JUAN PEREZ to the Bayonne Urban Enterprise Zone Development Corporation Board of Trustees for their term of office. **(Clerk's Note: Mayor James M. Davis, Business Administrator Joseph DeMarco and Chamber of Commerce President Vincent Verga hold office for their respective term of office.) Mayor**
- CR-6 Naming 9th Street and Broadway as PATRIOTS WAY to commemorate the VETERANS OF FOREIGN WARS, and authorizing the installation of a courtesy sign for the ceremony honoring the Veterans of Foreign Wars which will be held February 21, 2015 as organized by the students of Marist High School. **Law**
- CR-7 Ordering warrants drawn to taxpayers representing refunds for overpayment of taxes. (24 properties) **Tax Collector**
- CR-8 Ordering a Current Fund warrant in the amount of \$1,657.20 payable to POWER DMS, Orlando, FL, for annual renewal of software upgrade and support for the electronic document management system software for use in the Police Department for the one year period commencing January 1, 2015. Chargeable to Account No. PS-9. **Public Safety**
- CR-9 Ordering a warrant in the amount of \$2,475.00 drawn to the order of the TREASURER, STATE OF NEW JERSEY representing the state's share of 99 marriage licenses issued during the months of October, November and December, 2014. **City Clerk**
- CR-10 Authorizing a warrant in the amount of \$7,825.00 payable to the STATE OF NEW JERSEY representing State Surcharge Fees on New Construction and Alterations for the quarter ending December 31, 2014. Chargeable to Account - State Training Fees with the Tax Collector. **Building**
- CR-11 Ordering a warrant in the amount of \$14.40 payable to the order of the BUREAU OF RABIES CONTROL, STATE OF NEW JERSEY, covering the issuance of 8 dog licenses for 2014 issued in December, 2014. **City Clerk**
- CR-12 Ordering a warrant in the amount of \$716.40 payable to the order of the BUREAU OF RABIES CONTROL, STATE OF NEW JERSEY, covering the issuance of 437 dog licenses for 2015 issued in December, 2014. **City Clerk**
- CR-13 Authorizing the transfer of title to a vehicle no longer needed for use by the city to the BAYONNE ECONOMIC OPPORTUNITY FOUNDATION.
- CR-14 Amending Resolution No. 14-12-10-037 authorizing an amendment to an agreement with CLARKE, CATON, HINTZ to reflect the correct agreement as Agreement No. CY '14-100. **Law**
- CR-15 Granting ** Bingo Licenses to qualified organizations. **City Clerk**
- CR-16 Granting 19 Raffle licenses to qualified organizations. **City Clerk**

END OF CONSENT AGENDA

- R-1 Awarding a contract for emergency medical services and emergency medical dispatch services to McCABE AMBULANCE SERVICE, INC., for a five year period commencing February 1, 2015.
- R-2 Authorizing renewal of the annual maintenance contract with MOBILE TECHTRONICS, INC., Clark, NJ, for maintenance of eight Zetron Series 3200 9-1-1 telephone consoles located in the communication center for a period of one year commencing January 1, 2015, under state contract #83924 in the amount of \$8,656.00, and ordering a warrant in payment. Chargeable to Account #PS-9. **Police**
- R-3 Authorizing renewal of the annual maintenance contract with KOVACORP, Manahawkin, NJ, for annual maintenance of the city's Audiolog Recording System (9-1-1 and citywide radio multi-server audio recording system) under state contract #83906, for a one year period commencing January 1, 2015, in the amount of \$35,681.41, and ordering a warrant in payment. Chargeable to various accounts. **Police**
- R-4 Authorizing renewal of the annual maintenance contract with VISUAL COMPUTER SOLUTIONS, INC., Freehold, NJ, for the Police Department's annual support and upgrades for its POSS Enterprise Edition scheduling software for a one-year period commencing March 1, 2015, in the amount of \$4,749.60, and ordering a warrant in payment. Chargeable to Account #PS-9. **Police**

- R-5 Authorizing an agreement with CODED SYSTEMS CORP., Spring Lake Heights, NJ for continued updates of the Revised General Ordinances for a one year period commencing January 1, 2015 for an amount not to exceed \$15,000.00. Chargeable to Account #C-6. **City Clerk**
- R-6 Authorizing the purchase of field turf for Don Ahern Veterans Memorial Stadium from FIELD TURF, U.S.A. in the amount of \$1,036,395.39 under state contract. Chargeable to Capital Ordinance O-14-01 and a pending Green Acres Grant. **Business Administration**
- R-7 Authorizing the purchase of field lighting for Don Ahern Veterans Memorial Stadium from MUSCO SPORTS LIGHTING, INC. under state contract in the amount of \$359,866.00. Chargeable to Capital Ordinance No. O-14-01. **Business Administration**
- R-8 Authorizing an agreement with CLARKE, CATON, HINTZ, Trenton, NJ, for professional planning services related to the submission of a Housing Element and Fair Share Plan to the New Jersey Council on Affordable Housing, for a period of one year commencing February 1, 2015 for an amount not to exceed \$36,000.00 payable on a case by case basis. Chargeable to the Affordable Housing Trust Fund. (Professional Services contract - notice of award to be published.) **Municipal Services**
- R-9 Authorizing an agreement with TRIARSI, BETANCOURT, WUKOVITS & DUGAN, East Cranford, NJ, for professional legal services as attorney to the Ethical Standards Board for a one-year period commencing February 1, 2015 for the amount not to exceed \$1,000.00 per month for each month that the Ethics Board holds a meeting or a subcommittee meeting for a total amount not to exceed \$10,000.00, awarded pursuant to the Fair and Open process. Chargeable to Account 01-201-20-156-2-020. (Professional Services contract obtained through the Fair and Open solicitation process - notice of award to be published.) **Business Administration**
- R-10 Authorizing an agreement with STACK, COOLAHAN & STACK, LLC, Hoboken, NJ, for real property appraisals and expert testimony in connection with tax appeals before the State Tax Court for a one year period commencing February 1, 2015 for a total contact amount not to exceed \$81,000.00, payable monthly at the rate of \$6,750.00 per month. Chargeable to Account 01-201-20-101-2-20. (Professional Services contract obtained through the Fair and Open solicitation process - notice of award to be published.) **Business Administration**
- R-11 Designating the following as QUALIFIED SPECIAL PROJECT ENGINEERS FOR a one year period commencing February 1, 2015, pursuant to the Fair and Open process. (Professional Services contract obtained through the Fair and Open solicitation process - notice of award to be published.)
Carroll Engineering, Hillsborough, NJ
Matrix New World Engineering, Inc., Florham Park, NJ
Neglia Engineering Associates, Lyndhurst, NJ
Jacobs Engineering Group, Inc., Morristown, NJ
- R-12 Authorizing an agreements with MATRIX NEW WORLD ENGINEERING, INC., Florham Park, NJ and Remington, VERNICK & ARANGO ENGINEERS, INC., Cinnaminson, NJ, as qualified Licensed Site Remediation Professionals for a one year period commencing February 1, 2015 for amounts to be negotiated pursuant to fee proposals submitted, not to exceed 17,500.00 each. Chargeable to Various Accounts. (Professional Services contract obtained through the Fair and Open solicitation process - notice of award to be published.) **Business Administration**
- R-13 Authorizing an agreement with MATRIX NEW WORLD ENGINEERING, INC., Florham Park, NJ, for services to perform certified lead based paint inspections/risk assessments and clearance testing as required under CDBG regulations for residential properties being rehabilitated under the Block Grant Program for period of ten months commencing February 1, 2015 for an amount not to exceed \$17,000.00. Chargeable to Account No. CDBG-843. (Professional Services contract obtained through the Fair and Open solicitation process - notice of award to be published.) **Business Administration**
- R-14 Authorizing an agreement with NOWELL, AMOROSO, KLEIN, BIERMAN, P.A., Hackensack, NJ for professional legal services in defense of the city in connection with State Tax Court appeals for a one year period commencing February 1, 2015 for an amount not to exceed \$55,000.00 at an hourly rate of \$165.00 pursuant to the Fair and Open solicitation process. Chargeable to Account DL-4. (Professional Services contract - notice of award to be published.) **Business Administration**
- R-15 Authorizing an agreement with of INGLESINO, WYCISKALA & TAYLOR, LLC, Parsippany, NJ, and MCMANIMON, SCOTLAND & BAUMANN, LLC, Roseland, NJ, to serve as redevelopment/land use attorneys for a one year period commencing February 1, 2015, pursuant to the Fair and Open Solicitation process. Chargeable to various escrow accounts and BA-2. (Professional Services contract - notice of award to be published.) **Business Administration**
- R-16 Authorizing an agreement with BRUNO ASSOCIATES, INC., Clifton, NJ, for professional grant writing and management services for the city and affiliated agencies for the one year period commencing February 1, 2015 for a total amount not to exceed \$48,000.00, awarded pursuant to the Fair and Open process. (Professional Services contract - notice of award to be published.) **Business Administration**
- R-17 Authorizing an agreement with ARCHER & GREINER, Hackensack, NJ, to serve as bond counsel for a one year period commencing February 1, 2015, awarded pursuant to the Fair and Open solicitation process. Chargeable to various capital ordinances and Account BA-2. (Professional Services contract - notice of award to be published.) **Business Administration**

- R-18 Authorizing an agreement with ERNEST SWIGER CONSULTING, INC., Stroudsburg, PA, for professional services as Community Development Block Grant consultant for a one year period commencing February 1, 2015 for an amount not to exceed \$50,000.00 awarded pursuant to the Fair and Open solicitation process. Chargeable to Account #CDBG-843. (Professional Services contract obtained through the Fair and Open solicitation process - notice of award to be published.) **Business Administration**
- R-19 Authorizing an agreement with JOHN T. DEDOUSIS, M.D. for professional medical services for uniformed employees for a one year period commencing February 1, 2015 for an amount not to exceed \$36,000.00 payable at a monthly rate of \$3,000.00, awarded pursuant to the Fair and Open solicitation process. (Professional Services contract obtained through the Fair and Open solicitation process - notice of award to be published.) **Municipal Services**
- R-20 Authorizing an agreement with CME ASSOCIATES T/A CONSULTING AND MUNICIPAL ENGINEERS, Howell, NJ, for professional planning services to assist the city planner for a one year period commencing February 1, 2015, awarded pursuant to the Fair and Open solicitation process. Chargeable to Various Escrow Accounts. **Municipal Services**
- R-21 Authorizing an agreement with (t/b/d) for the provision of communication, public relations, web hosting and design services, marketing and graphic arts consulting services for a one year period commencing February 1, 2015 in the amount not to exceed \$***, awarded pursuant to the Fair and Open solicitation process. Chargeable to Account 01-201-20-101-2-020. (Professional Services contract obtained through the Fair and Open solicitation process - notice of award to be published.) **Business Administrator**
- R-22 Authorizing an agreement with KRIVIT & KRIVIT, P.C., Washington, DC, for professional services as special counsel for grants and federal affairs for a one year period commencing February 1, 2015, for the amount of \$100,000.00, awarded pursuant to the Fair and Open Procurement Process. Chargeable to Account PS-9. (Professional Services contract obtained through the Fair and Open solicitation process - notice of award to be published.) **Business Administration**
- R-23 Authorizing an agreement with RICHARD N. CAMPISANO, ESQ., Jersey City, NJ, for professional legal services as attorney for the Zoning Board of Adjustment for a one-year period commencing February 1, 2015 for an amount not to exceed \$13,200.00 payable in equal monthly installments of \$1,100.00 with additional compensation of \$150.00 per hour for litigation and escrow fund work, not to exceed \$9,000.00, awarded pursuant to the Fair and Open process. Chargeable to Account M-6. (Professional Services contract obtained through the Fair and Open solicitation process - notice of award to be published.) **Business Administration**
- R-24 Authorizing an agreement with RICHARD N. CAMPISANO, ESQ., Jersey City, NJ, for professional legal services as attorney for the Planning Board for a one-year period commencing February 1, 2015 for an amount not to exceed \$10,800.00 payable in equal monthly installments of \$900.00 with additional compensation of \$150.00 per hour for litigation and escrow fund work, not to exceed \$5,000.00, awarded pursuant to the Fair and Open process. Chargeable to Account M-4. (Professional Services contract obtained through the Fair and Open solicitation process - notice of award to be published.) **Business Administration**
- R-25 Authorizing an agreement with (t/b/d) for professional legal services as counsel to the Rent Control Board for a one year period commencing February 1, 2015 for an amount not to exceed \$15,000.00, awarding pursuant to the Fair and Open procurement process. (Professional Services contract obtained through the Fair and Open solicitation process - notice of award to be published.) **Business Administration**
- R-26 Authorizing an agreement with HUGHES & FINNERTY, PC, for professional legal services as Municipal Public Defender for a one-year period commencing February 1, 2015 for an amount not to exceed \$70,000.00 payable in equal monthly installments of \$5,833.33, awarded pursuant to the Fair and Open process. Chargeable to Account 01-201-43-495-2-028. (Professional Services contract obtained through the Fair and Open solicitation process - notice of award to be published.) **Business Administration**
- R-27 Authorizing an agreements with FLORIO & KENNY, L.L.P., Hoboken, NJ, and ROTH D'AQUANNI, LLC, Springfield, NJ, for professional legal services as Labor/Employment Attorney for a one year period commencing February 1, 2015 for contract amounts not to exceed \$30,000.00 each, payable at a rate of \$165.00 per hour, awarded pursuant to the Fair and Open process. Chargeable to Account 01-201-20-156-2-020. (Professional Services contract obtained through the Fair and Open solicitation process - notice of award to be published.) **Business Administration**
- R-28 Authorizing the Mayor and City Clerk to enter into an agreement with the AMERICAN LEGION BAYONNE POST 19, for funding for a service platform for exhaust fan inspections, required by state law for commercial stoves that benefit the low to moderate income patrons in the amount of \$8,500.00 for the period commencing September 1, 2013 and ending August 31, 2014. Chargeable to Account #CDBG-842. **Community Development**
- R-29 Amending Resolution No. 14-11-13-053 and Agreement No. CY 14-110 authorizing an agreement with UCP OF HUDSON COUNTY for the funding of the expansion of the play area and sleep area in their pediatric medical daycare center, increasing the amount of the agreement by \$950.00 to fund additional necessary work not foreseen at the time of the original contract, making the total contract amount \$26,735.00; ratifying and confirming the actions of the Assistant Director of Community Development in authorizing such work due to exigent circumstances; and correcting the contract to reflect Account CDBG 833; and authorizing the Mayor and City Clerk to execute an amendment to the agreement reflecting the above changes. **Community Development**

- R-30

Authorizing the Mayor and City Clerk to enter into an agreement with the PENINSULA LODGE/BAYONNE MASONIC TEMPLE to provide rehabilitation and maintenance of the three boilers/flue system in an amount not to exceed \$1,400.00 for a period of one year commencing September 1, 2014 and ending August 31, 2015. **Community Development**
- R-31

Approving Budgetary Transfer #3 in the CY 2014 budget. **Finance**
- R-32

Approving CY 2015 Temporary Budget. **Finance**
- R-33

Authorizing the issuance of TAX ANTICIPATION NOTES in an amount not to exceed \$12,000,000.00. **Finance**
- R-34

Authorizing the Mayor and City Clerk to execute a Declaration of Covenants and Restrictions with respect to the 1040 Kennedy Boulevard LLC Redevelopment Project.
- R-35

Authorizing the Mayor and City Clerk to enter in a Solid Waste and Recycling Collection Agreement with CAMELOT AT BAYONNE, LLC, to provide for the establishing of rights and obligations regarding the specific municipal services to be rendered and/or not rendered by the city to the residential apartment complex located at 42 Kennedy Boulevard. **Municipal Services**
- R-36

Appointing ROBERT L. HENNESSY, ESQ., as Municipal Prosecutor for the purpose of prosecuting State vs. Rios, scheduled for trial on February 4, 2015 and authorizing the Mayor and City Clerk to enter into an agreement with Robert L. Hennessey, Esq., Bogota, NJ, for the limited services as prosecutor in the matter at a rate of \$150.00 per hour, for a total not to exceed \$5,000.00 **Law**
- R-37

Authorizing the preparation of a Request for Qualifications (RFQ) for the reexamination of the city’s Master Plan in accordance with NJSA 40:55D-40.4 in accordance with Fair and Open procurement procedures. **Planning**