

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, MARCH 11, 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 March 11, 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 March 6, 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 MARCH 18, 2014

ORDINANCES SCHEDULED FOR HEARING

- O-1 ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING A REDEVELOPMENT PLAN FOR PROPERTY IDENTIFIED AS BLOCK 195, LOT 2 AND BLOCK 196, LOTS 1-2 AND 4-7 ON THE TAX MAP OF THE CITY OF BAYONNE. **(Del Monte Drive Redevelopment project) Planning**
- O-2 ORDINANCE OF THE CITY OF BAYONNE, ON THE COUNTY OF HUDSON, STATE OF NEW JERSEY, AUTHORIZING THE EXECUTION OF AN AMENDED LEASE AND AGREEMENT WITH THE HUDSON COUNTY IMPROVEMENT AUTHORITY FOR THE SECURITIZATION OF LEASE REVENUE REFUNDING BONDS (BAYONNE DPW GARAGE REFUNDING PROJECT) IN CONNECTION WITH THE BAYONNE DPW GARAGE REFUNDING PROJECT AND THE PROVISION OF CONSENT RELATED THERETO. **Finance**
- 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
133. Joanne Hathaway, 60 Avenue C, Apt. 1
ADD
034. Maryann McCrea, 437 Kennedy Boulevard

ORDINANCES PROPOSED FOR INTRODUCTION

- O-4 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 33, PLANNING AND DEVELOPMENT REGULATIONS; and a resolution fixing Wednesday, April 22, 2015, 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. **(General Development Plans, Planned Developments and related definitions) Planning**
- O-5 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 2, ADMINISTRATION; and a resolution fixing Wednesday, April 22, 2015, 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. **(Parking Utility) Public Safety**
- O-6 AN ORDINANCE AUTHORIZING A FINANCIAL AGREEMENT (PILOT) for the 304 Broadway Redevelopment; and a resolution fixing Wednesday, April 22, 2015, 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 ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING THE 8TH STREET STATION REHABILITATION PLAN; and a resolution fixing Wednesday, April 22, 2015, 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 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC and a resolution fixing Wednesday, April 22, 2015, 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. **(Street sweeping) Public Safety**
- O-9 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC and a resolution fixing Wednesday, April 22, 2015, 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**
- ADD
107. Maria Petrus, 92 West 50th Street, Apt. 1
133. Mervat G. Elsaker, 19 East 52nd Street
210. Cathy Alvaradous, 88 West 55th Street
330. Fletcher Robinson, 31 West 20th Street
361. Luis Canales, 41-43 Kelly Parkway

COMMUNICATIONS

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

- C-1 From Adam M. Epstein, Esq., filing notice of tort claim on behalf of MEDHAT SAMUEL, alleging injuries sustained January 30, 2015 in a fall on ice at 328 Avenue B.
- C-2 From Paul DeGrado, Esq., filing notice of tort claim on behalf of LAURA PODHASKI, alleging injuries sustained January 25, 2015 in a fall on ice and snow at 490 Kennedy Boulevard.
- C-3 From RENEE RIZK, filing notice of tort claim alleging property damage to her automobile on January 27, 2015 resulting from being struck by a snow plow at West Drive and West 31st Street.
- C-4 From the Superior Court of New Jersey, Law Division, Summons and Complaint in matter entitled, “NINIVAGGI vs. PERLMAN, et al., incl. THE CITY OF BAYONNE.” (Sidewalk fall down on March 23, 2014 at 906 Avenue C)
- C-5 From the Superior Court of New Jersey, Chancery Division, Summons and Complaint in matter entitled, “NATIONWIDE MORTGAGE, LLC vs. JOHNSON.” (Mortgage foreclosure – City Employees Federal Credit Union holds a judgment)
- C-6 From the Superior Court of New Jersey, Law Division, Order to Show Cause and Verified Complaint in matter entitled, “RIVERA vs. THE CITY OF BAYONNE.” (OPRA request action)
- C-7 From Donohue, Gironda & Doria, CPA’s submitting the NEW JERSEY COMPREHENSIVE ANNUAL REPORT (AUDIT) OF THE CITY OF BAYONNE for the year ended December 31, 2013.

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 HON. FRANK T. CARPENTER, IV, and HON. CHERYL SCOTT CASHMAN as Municipal Judges for three year terms commencing April 1, 2015; and a resolution consenting to the appointments. **Municipal Court**
- OR-2 From Hon. James M. Davis, Mayor appointing BEN COSTANZA as a Constable for a term expiring December 31, 2017; and a resolution consenting to the appointment. **Mayor**
- OR-3 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-4 From Janet Convery, Treasurer, reporting on the transfer of the following amounts to the Board of Education on March 6, 2015: **Finance**
- \$4,949,372.83 Claims and payroll for March, 2015

RESOLUTIONS

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

- CR-1 Approving the minutes of the regular meeting held Wednesday, February 18, 2015. **City Clerk**
- CR-2 Approving the minutes of the council caucus held Wednesday, February 11, 2015. **City Clerk**

- CR-3 Re-appointing JAN PATRICK EGAN and KEITH WEICKER to the Board of Adjustment for four year terms expiring December 31, 2018. **Mayor**
- CR-4 Ordering warrants drawn to taxpayers representing refunds for overpayment of taxes. (30 properties) **Tax Collector**
- CR-5 Ordering a warrant drawn from the Current Fund payable to POLICE & FIREMEN'S RETIREMENT SYSTEM in the amount of \$10,134,690.70, representing the city's annual contribution. **Finance**
- CR-6 Ordering a warrant payable to the PUBLIC EMPLOYEES RETIREMENT SYSTEM in the amount of \$2,004,325.90, representing the city's annual contribution. **Finance**
- CR-7 Ordering a warrant in the amount of \$189.00 payable to the order of the BUREAU OF RABIES CONTROL, STATE OF NEW JERSEY, covering the issuance of 85 dog licenses issued in February, 2015. **City Clerk**
- CR-8 Ratifying and confirming the actions of the Municipal Treasurer in issuing payment from Current Fund in the amount of \$ 6,995,219.24 payable to the COUNTY OF HUDSON for first quarter county taxes of 2015. **Finance**
- CR-9 Amending Resolution No. 15-01-24-064 authorizing an agreement with the PENINSULA LODGE/BAYONNE MASONIC TEMPLE for funding to provide maintenance of the three boilers/flue system to increase the amount from \$1,400.00 to an amount not to exceed \$3,784.00. **Community Development**
- CR-10 Granting ** Bingo licenses to qualified organizations. **City Clerk**
- CR-11 Granting ** Raffle licenses to qualified organizations. **City Clerk**

END OF CONSENT AGENDA

- R-1 Authorizing the purchase of field turf for Don Ahern Veterans Stadium from FIELD TURF, USA, INC. in the amount of \$1,036,395.39. Chargeable to Capital Ordinance O-14-01 and pending Green Acres Grant. **Business Administration**
- R-2 Authorizing the purchase of field lighting for Don Ahern Veterans Stadium from MUSCO SPORTS LIGHTING, LLC, in the amount of \$359,866.00. Chargeable to Capital Ordinance O-14-01. **Business Administration**
- R-3 Authorizing the Mayor and City Clerk to enter into an agreement with the BAYONNE COMMUNITY MENTAL HEALTH CENTER for professional mental health services to low and moderate income clients from Bayonne for a one year period commencing April 1, 2015 for an amount not to exceed \$30,000.00. (Professional Services contract obtained through the Fair and Open solicitation process - notice of award to be published.) **Municipal Services**
- R-4 Authorizing the Mayor and City Clerk to enter into an agreement with the BAYONNE COMMUNITY MENTAL HEALTH CENTER for professional mental health services in connection with the city's Employee Assistance Program for a one year period commencing April 1, 2015 for an amount not to exceed \$27,000.00. (Professional Services contract obtained through the Fair and Open solicitation process - notice of award to be published.) **Municipal Services**
- R-5 Authorizing an agreement with HUDSON MILESTONES, Jersey City, NJ, to provide services for the operation of the Adult Activity Center, one group home, two supervised apartment programs, a Saturday recreation program, Early Intervention Program, After School Program, advocacy, information and referral services for the developmentally disabled population of Bayonne for the one year period commencing July 1, 2013 and for the one year period commencing July 1, 2014 for the sum of \$7,000.00 per year, effective retroactively. Chargeable to Account #HW-4. **Municipal Services**
- R-6 Authorizing the Mayor and City Clerk to enter into an agreement with the COMMUNITY DAY NURSERY to provide for the cost of reconstruction in various parts of their building by BARD CONSTRUCTION, Lyndhurst, NJ, in an amount not to exceed \$141,000.00. **Community Development**
- R-7 Authorizing the Mayor and City Clerk to enter into an agreement with NW FINANCIAL for professional advisory services for a one year period commencing April 1, 2015. (Extraordinary Unspecifiable Services contract obtained through the Fair and Open Solicitation Process - notice of award to be published.) **Business Administration**
- R-8 Authorizing the Mayor and City Clerk to enter into an agreement with NV ENDURANCE for management of the one mile race and 5K race to be held June 6, 2015 at no cost to the city. **UEZ**
- R-9 Authorizing the Mayor and City Clerk to enter into an agreement with DONOHUE, GIRONDA & DORIA, CPA's, for professional accounting services to audit the books, accounts and financial transactions of the City of Bayonne for the Calendar Year 2014 as prescribed by N.J.S.A. 40A:5-4 et seq.; to assist in the preparation of the Fiscal Year 2015 budget preparation process, excluding department detail worksheets, to review the unaudited Calendar Year ended December 31, 2014 financial statements prior to submission to the State; to attend Municipal Council meetings, as required; to provide technical advice during the Calendar Year ending December 31, 2015, as needed, and to review the Employees Deferred Compensation Plan, for a one year period commencing April 1, 2015 for a contract amount not to exceed

\$83,500.00. Chargeable to Account – Budget and Accounting Fees. (Professional Services contract - notice of award to be published.) **Business Administration**

- R-10 Authorizing the Mayor and City Clerk to enter into a shared services agreement with the BMUA for the purpose of allowing the BMUA to utilize the services of BATHGATE, WERNER & WOLF, PC, and MERLIN LAW GROUP, PA, to pursue the BMUA’s claims to its insurance carrier(s) and to the Federal Emergency Management Agency (FEMA) for property damage and other covered claims arising out of and due to the effects of Superstorm Sandy through an agreement between the city and the two law firms; and authorizing the Mayor and City Clerk to execute amendments to said agreements to effectuate same. **Business Administration**
- R-11 Granting permission to BOHLER ENGINEERING NJ, LLC and/or its sub-contractors and/or affiliates, CONTROLPOINT ASSOCIATES, INC., ATLANTIC TRAFFIC & DESIGN ENGINEERS, INC., WHITESTONE ASSOCIATES, INC. AND FIRST ENVIRONMENTAL, to access the property located at Del Monte Drive and West 24th Street to conduct a site investigation in connection with the proposed construction of a five story parking garage to be located at the site, and authorizing the Mayor and City Clerk to execute any and all documents approved by the Law Division to effectuate same. **Business Administration**
- R-12 Authorizing an exemption from the allowable hours for construction under the Revised General Ordinances, Chapter 3, section 3-1, Noise, to allow HENKELS AND McCOY to start work on Saturdays at 8:00 AM (rather than 9:00 AM) at Avenue E and 11th Street for the period from March 9 to April 11, 2015 (excluding April 3, 4, and 5) and allowing 24 hour work for one day at the end of March, and extended hours from April 6th through April 11th, in order to complete a major gas line installation. **Public Works and Parks**
- R-13 Authorizing the Mayor and such other city officials and professionals as may be necessary to negotiate the terms of a Redevelopment Agreement with M&M REALTY regarding the development of the city owned portion of Scattered Site 14, and authorizing them to continue discussion with the New Jersey Department of Transportation to remove a deed restriction from Block 452.02, lot 1. **(Clayton Block Redevelopment Area) Business Administration**
- R-14 Authorizing a reimbursement agreement for snow removal and street lighting with the ROSEGATE VILLAGE HOMEOWNERS ASSOCIATION and providing for reimbursement of costs incurred by the Association from 2009 to the present. **Law**
- R-15 Approving Budgetary Transfer # 5 in the CY 2014 budget. **Finance**
- R-16 Approving Temporary Emergency #2 in the CY 2015 budget. **Finance**
- R-17 Adopting the city’s CASH MANAGEMENT PLAN. **Finance**
- R-18 Directing the Planning Board to review the Peninsula at Bayonne Harbor Master Plan dated 2006 to make recommendations and prepare a standalone Redevelopment Plan “BAYONNE BAY WEST AT THE PENINSULA” for various Blocks and lots. **Planning**
- R-19 Directing the Planning Board to conduct an investigation and prepare a study to designate the area in need of redevelopment “RESNICK REDEVELOPMENT AREA” for non-condemnation purposes, encompassing 9 contiguous tax parcels on the northwest corner of Broadway and West 46th Street. **Planning**
- R-20 Directing the Planning Board to prepare a rehabilitation plan for the parcel commonly known as 105.5 North Street, designated as Block 295, lot 17 on the tax map. **Planning**
- R-21 Authorizing the execution of the Amended and Restated Redevelopment and Purchase and Sale Agreement and certain other agreements in connection with the settlement of certain litigation and claims concerning a portion of the BAYONNE BAY DISTRICT. **Business Administration**