

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, OCTOBER 7, 2020

The Council met at 7:11 P.M.

The Council President Nadrowski 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 October 7, 2020 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 of the meeting has been included in the annual notice of meetings, which was posted and filed with the City Clerk, and with the Jersey Journal and the Star Ledger. An additional 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 October 2, 2020"

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 Carroll, La Pelusa, Perez, and President Nadrowski.

Absent – Council Member Gullace.

The Council President led the Pledge of Allegiance.

* * * * *

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

October 2, 2020

Madelene C. Medina
City Clerk
630 Avenue C
Bayonne, NJ 07002

RE: SPECIAL MEETING NEEDED
WEDNESSDAY, OCTOBER 7, 2020 @ 7:00 PM

Ms. Medina:

There is a need for a Special Meeting of the Bayonne Municipal Council on Wednesday, October 7, 2020 at 7:00 pm for the following item to be addressed:

1. Authorizing the upper mid-town business district owners to conduct COVID-19 complaint Outdoor Dining events on October 9th and October 15th.
2. Establishing a committee to negotiate a Non-Regional "Municipal alternate" approach to implementing the USEPA AND NJDEP mandated "Long Term Control Plan" for combined sewer overflows.

Thank you for your attention to this matter and please stay safe and healthy.

Very truly yours,
Sharon A. Nadrowski
Council President
(signed)

cc: Mayor
Council
John F. Coffey, Esq.

Yeas- Council Members Carroll, LaPelusa, Perez and Nadrowski.
Absent- Council Member Gullace

* * * * *

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

WHEREAS, the City's upper mid-town business district owners are looking to host two Covid-19 compliant outdoor dining festivals to promote and support the upper mid-town business district; and

WHEREAS, the City of Bayonne is desirous of assisting all of its business owners and operators during the COVID-19 crisis and believes that these outdoor dining festivals are beneficial to the business owner and operators and to the City of Bayonne as a whole; and

WHEREAS, these outdoor dining festivals will require (1) Broadway from the South Side of 41st Street to the North Side of 45th Street to be closed to vehicular traffic from 5 p.m. to 11 p.m. on October 9, 2020 (rain date of October 10, 2020) and (2) Broadway from the South Side of 33rd Street to the North Side of 38th Street to be closed to vehicular traffic from 5 p.m. to 11 p.m. on October 15, 2020 (rain date of October 16, 2020); now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor, City Clerk and Public Safety Director are hereby authorized to take any and all actions and/or execute any and all documents necessary to allow for the upper mid-town business district owners' Covid-19 compliant Outdoor Dining events to take place on October 9, 2020 (Rain Date, October 10, 2020) on Broadway from the South Side of 41st Street to the North Side of 45th Street and on October 15, 2020 (Rain Date, October 16, 2020) from the South Side of 33rd Street to the North Side of 38th Street and to close same to vehicular traffic from 5:00 p.m. to 11:00 p.m. on said dates as noted above.

Yeas- Council Members Carroll, LaPelusa, Perez and Nadrowski.
Absent- Council Member Gullace

* * * * *

03. Council Member Perez moved the following communication be received and filed, seconded by Council President Nadrowski, which motion was adopted.

RESOLUTION ESTABLISHING A COMMITTEE TO NEGOTIATE A NON- REGIONAL "MUNICIPAL ALTERNATIVE" APPROACH TO IMPLEMENTING THE USEPA AND NJDEP MANDATED "LONG TERM CONTROL PLAN" FOR COMBINED SEWER OVERFLOWS

WHEREAS, the City of Bayonne of is a "Combined Sewer Overflow" ("CSO") Municipality; and

WHEREAS, all CSO Municipalities are authorized to use CSOs by the United States Environmental Protection Agency ("USEPA") pursuant to its National Pollutant Discharge Elimination System permitting program; and

WHEREAS, it is the national policy of USEPA and the state policy of the New Jersey Department of Environmental Protection ("NJDEP") to reduce and/or completely eliminate the volume of wastewater that flows out of CSOs and into local waterbodies without any treatment; and

WHEREAS, in accordance with its national CSO policy, USEPA has required all permitted entities to create "long term control plans," pursuant to which each permitted entity must identify all actions that the entity will implement to achieve the goals and level of CSO control that USEPA sets forth in its national CSO policy; and

WHEREAS, long term control plans most frequently require the completion of massive public infrastructure projects that are highly technically complex, take many years or even decades to develop and implement, and place severe economic burdens on the residents who live in the areas where implementation takes place; and

WHEREAS, in 2015, NJDEP required all New Jersey CSO Municipalities to develop a CSO Long Term Control Plan ("LTCP") in order to comply with USEPA's national CSO policy, which must be submitted to NJDEP for approval on October 1, 2020; and

WHEREAS, the City of Bayonne has participated in a working group of CSO Municipalities and the Passaic Valley Sewerage Commission ("PVSC") (collectively

referred to as the “CSO Group”) to develop a regional LTCP (the “Regional Approach”) for submission to NJDEP; and

WHEREAS, the Regional Approach would achieve the NJDEP goal of capturing 85 percent by volume of combined sewage for treatment based on a regional annual average compared to achieving 85 percent capture for each municipality; and

WHEREAS, the Regional Approach will achieve the goal of 85 percent regional capture through the development of public infrastructure projects located in each of the CSO Group municipalities and a project to improve flow to the PVSC plant;

WHEREAS, the CSO Group has conducted analyses showing that implementing the Regional Approach would create a cost savings of approximately \$500,000,000, which could be shared among participating CSO Group members and would decrease the financial burden of implementing a LTCP and associated public infrastructure projects for each municipality; and

WHEREAS, the CSO Group members are currently negotiating an agreement to share the cost savings associated with implementing the Regional Approach; and

WHEREAS, if a CSO Group member does not agree to pursue the Regional Approach prior to the submission of the LTCP and/or if a CSO Group member fails to enter into the negotiated cost savings agreement, then such CSO Group member will be obligated to pursue their own Municipal Alternative to implementing a LTCP and associated public infrastructure projects; and

WHEREAS, on September 23, 2020 this Municipal Council passed Resolution # _____ whereby this Municipal Council resolved to negotiate in good faith with the CSO Group members to reach an agreement to share the cost savings associated with implementing the Regional Approach and further established a negotiating committee to collectively negotiate on behalf of the City of Bayonne for the purposes of developing an agreement to share the cost savings associated with implementing the Regional Approach; and

WHEREAS, if the City of Bayonne does not enter into the negotiated cost savings agreement on a Regional basis, then it will be obligated to pursue its own Municipal Alternative to implementing a LTCP and associated public infrastructure projects; now, therefore, be it

RESOLVED, , if the City of Bayonne does not enter into the negotiated cost savings agreement on a Regional basis, that the Council President and/or the Council President’s designee, the Business Administrator, the City Engineer, Law Director and the City’s Financial Analyst/Consultant is/are hereby authorized to collectively negotiate on behalf of the City of Bayonne for the development and implementation of (1) the City’s own Municipal Alternative approach to an LTCP and associated public infrastructure projects and (2) any and all contracts and/or agreements associated therewith.

Yeas- Council Members Carroll, LaPelusa, Perez and Nadrowski.
Absent- Council Member Gullace

* * * * *

At 7:17 P.M., Council Member Perez moved to adjourn, seconded by Council Member LaPelusa, which motion was adopted.

Yeas- Council Members Carroll, LaPelusa, Perez and Nadrowski.
Absent- Council Member Gullace

* * * * *

President – Sharon Nadrowski

City Clerk – Madelene C. Medina