

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 1, 2023

The Council met at 7⁰² P.M.

The Council President LaPelusa 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 1, 2023 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 February 24, 2023.”

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 Booker, Carroll, Perez, Weimmer and President LaPelusa.

The Council President led the Pledge of Allegiance.

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

February 24, 2023

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

Re: Special Meeting – March 1, 2023

Dear Ms. Medina:

Please be advised that it is necessary to call a special meeting of the Municipal Council on Wednesday, January 25, 2023 at 7:00 P.M, in the Dorothy E. Harrington Municipal Council Chambers.

The purpose of this special meeting is as follows:

1. ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, STATE OF NEW JERSEY APPROVING A FINANCIAL AGREEMENT BY AND BETWEEN THE CITY OF BAYONNE AND TOGUS URBAN RENEWAL, LLC FOR THE PROPERTY IDENTIFIED AS BLOCK 332, LOT 3, BLOCK 360, LOT 2, BLOCK 390, LOTS 1 AND 2 (A.K.A. RG67), AND BLOCK 391, LOTS 1 AND 2
2. ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, STATE OF NEW JERSEY, PROVIDING FOR THE SPECIAL ASSESSMENT OF THE COST OF CERTAIN IMPROVEMENTS ON THE PROPERTY IDENTIFIED AS BLOCK 332, LOT 3, BLOCK 360, LOT 2, BLOCK 390, LOTS 1 AND 2 (A.K.A. RG67), AND BLOCK 391, LOTS 1 AND 2
3. ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, STATE OF NEW JERSEY, AUTHORIZING THE GUARANTY OF NOT-TO-EXCEED \$65,000,000 AGGREGATE PRINCIPAL AMOUNT OF CITY GUARANTEED REDEVELOPMENT AREA BONDS
4. Appointing Members to the Bayonne Hospital Authority.
5. Appointing JOSEPH SKILLENDER, JR. as Director of PLANNING, ZONING AND DEVELOPMENT.
6. Reporting on bids received on February 23, 2023 for IMPROVEMENTS TO NEW HOOK ROAD. (5 bidders)

7. AUTHORIZING THE EXECUTION OF A REDEVELOPMENT AGREEMENT WITH TOGUS URBAN RENEWAL, LLC FOR THE REDEVELOPMENT OF THE PROPERTY WHICH IS IDENTIFIED AS BLOCK 332, LOT 3; BLOCK 360, LOT 2; BLOCK 373, LOTS 1, 2, 13, 14 AND 15; BLOCK 390, LOTS 1 AND 2 (A/K/A RG67); BLOCK 391, LOTS 1 AND 2; AND BLOCK 511, LOTS 5 AND 6 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE IN ACCORDANCE WITH THE REDEVELOPMENT PLAN
8. Awarding the contract for Improvements to New Hook Road to KM CONSTRUCTION CORP, Irvington, New Jersey for total base bid among of \$3,779,069.84.

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

Very truly yours,
James M. Davis
Mayor

Yeas – Council Members Booker, Carroll, Perez, Weimmer and President LaPelusa

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Council President LaPelusa addressed the members of the audience on the three (3) ordinances and the Redevelopment Plan of the 1888 Studios.

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02. Council Member Perez moved the following resolution, seconded by Council President LaPelusa, which was read by the Clerk and adopted.

WHEREAS, an ordinance entitled, “ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, STATE OF NEW JERSEY APPROVING A FINANCIAL AGREEMENT BY AND BETWEEN THE CITY OF BAYONNE AND TOGUS URBAN RENEWAL, LLC FOR THE PROPERTY IDENTIFIED AS BLOCK 332, LOT 3, BLOCK 360, LOT 2, BLOCK 390, LOTS 1 AND 2 (A.K.A. RG67), AND BLOCK 391, LOTS 1 AND 2” was introduced and passed a first reading at a meeting held January 25, 2023, and was published and posted as required by law, with notice that it would be considered for final passage following a public hearing at this meeting of February 15, 2023; and

WHEREAS, said ordinance was given a second reading at the meeting of February 15, 2023; and

WHEREAS, the public hearing and final passage was postponed until this meeting of March 1, 2023; and

WHEREAS, the Municipal Council continues to review all the documentation before them, it is therefore necessary to postpone the final passage to the meeting of March 15, 2023.

NOW BE IT RESOLVED, that final passage of this ordinance is scheduled for the meeting of March 15, 2023.

Yeas – Council Members Booker, Carroll, Perez, Weimmer and President LaPelusa

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

WHEREAS, an ordinance entitled, “ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, STATE OF NEW JERSEY, PROVIDING FOR THE SPECIAL ASSESSMENT OF THE COST OF CERTAIN IMPROVEMENTS ON THE PROPERTY IDENTIFIED AS BLOCK 332, LOT 3, BLOCK 360, LOT 2, BLOCK 390, LOTS 1 AND 2 (A.K.A. RG67), AND BLOCK 391, LOTS 1 AND 2” was introduced and passed a first reading at a meeting held January 25, 2023, and was published and posted as required by law, with notice that it would be considered for final passage following a public hearing at this meeting of February 15, 2023; and

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NOW BE IT RESOLVED, that final passage of this ordinance is scheduled for the meeting of March 15, 2023.

Yeas – Council Members Booker, Carroll, Perez, Weimmer and President LaPelusa

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

WHEREAS, an ordinance entitled, “ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, STATE OF NEW JERSEY, AUTHORIZING THE GUARANTY OF NOT-TO-EXCEED \$65,000,000 AGGREGATE PRINCIPAL AMOUNT OF CITY GUARANTEED REDEVELOPMENT AREA BONDS” was introduced and passed a first reading at a meeting held January 25, 2023, and was published and posted as required by law, with notice that it would be considered for final passage following a public hearing at this meeting of February 15, 2023; and

WHEREAS, said ordinance was given a second reading at the meeting of February 15, 2023; and

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WHEREAS, the Municipal Council continues to review all the documentation before them, it is therefore necessary to postpone the final passage to the meeting of March 15, 2023.

NOW BE IT RESOLVED, that final passage of this ordinance is scheduled for the meeting of March 15, 2023.

Yeas – Council Members Booker, Carroll, Perez, Weimmer and President LaPelusa

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05. Council President LaPelusa moved the following communication be received and filed, seconded by Council Member Perez, which was read by the Clerk and adopted.

February 24, 2023

Dear Council President LaPelusa and
Honorable Members of City Council

I hereby appoint the following individuals to the Municipal Hospital Authority of the City of Bayonne:

William Sampson	Appointment as Class I Member (Mayor’s Designee)
Dr. Mohammed Zubair	Appointment as Class II Hospital Member
Dr. Shahnaz Akhtar	Appointment as Class II Hospital Member
Vincent Lombardo	Appointment as Class III Public Member
Irene Pyke	Appointment as Class III Public Member
Kenneth Poesl	Appointment as Class III Public Member
Patricia Kraszyk	Appointment as Class III Public Member
Meriem Bendaoud	Appointment as Class III Public Member
Robert Doria	Appointment as Class III Public Member
Dr. Alfredo Rabines	Appointment as Class IV Non-Voting Member
Commissioner of Community Affairs of New Jersey Appointee	Appointment as Class III Public Member

In conjunction with these appointments, the City Clerk has been directed to add an accompanying item on the Municipal Council’s Special Meeting of March 1, 2023 agenda to be received and filed by the City Council.

Very truly yours,
James M. Davis
Mayor

BE IT RESOLVED, that the Municipal Council of the City of Bayonne hereby consents to and confirms the foregoing appointments.

Yeas – Council Members Booker, Carroll, Perez, Weimmer and President LaPelusa

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06. Council President LaPelusa moved the following communication be received and filed, seconded by Council Member Perez, which was read by the Clerk and adopted.

February 24, 2023

RE: Appointment of Joseph D. Skillender, Jr., Esq.
Director of Planning, Zoning and Development

Dear Council President LaPelusa. Honorable Members of City Council and City Clerk Madelene Medina

Please be advised that I am appointing Joseph D. Skillender, Jr., Esq., as Director of Planning, Zoning and Development (Chapter 2, Article 10 of the Revised General Ordinances of the City of Bayonne) effective March 1, 2023.

Pursuant to Statute, the advise and consent of the Municipal Council is required. As such, I would ask that a resolution approving this appointment be voted on at the Municipal Council ‘s Special Meeting of March 1, 2023.

If you have any questions, please contact me at your convenience.

Very truly yours,
James M. Davis
Mayor

BE IT RESOLVED, that the Municipal Council of the City of Bayonne hereby consents to and confirms the foregoing appointment,

Yeas – Council Members Booker, Carroll, Perez, Weimmer and President LaPelusa

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07. Council President LaPelusa moved the following communication be received and filed, seconded by Council Member Perez, which was read by the Clerk and adopted.

BID REPORT
FOR THE MUNICIPAL COUNCIL

Date: 02/24/23 Ad Date: 01/28/23 Resolution #20-02-19-004

Date bids accepted: 02/23/23 Attending: Amy
Dellabella, Purchasing Agent
Rob Russo,
CME

Bid titled: IMPROVEMENTS TO NEW HOOK ROAD
Bidders: Total amount

Total amount bid alternate A Sta 0+00 - 41+00	Total amount bid alternate B Sta 41+00- to Terminus	Total amount bid alternate C Commerce St drainage improvements	Deletion 5 Remove Commerce St drainage improvements	Deletion 4 Remove heavy duty geotextile filter fabric	Deletion 3 Remove Basin Sta 10+00 to 11+75	Deletion 2 Remove Basin Sta 29+50 to 31+00	Deletion 1 Remove Basin Sta 11+75 to 14+95
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KM CONSTRUCTION CORP. 14 CORDIER STREET IRVINGTON, NJ 07111	\$1,091,674.55	\$1,091,674.55	\$565,620.35	(\$565,620.35)	(\$37,810.00)	(\$123,191.35)	(\$143,144.01)	(\$190,216.60)
BLACK ROCK ENTERPRISES LLC 1316 ENGLISHTOWN RD OLD BRIDGE, NJ 08857	\$2,998,885.85	\$1,364,423.45	\$494,010.00	(\$494,010.00)	(\$27,600.00)	(\$115,866.00)	(\$183,381.00)	(\$181,283.00)
REIVAX CONTACTING CORP. 165 RIVER RD FLEMINGTON, NJ 08822	\$3,384,128.20	\$1,300,537.90	\$445,013.55	(\$445,013.55)	(\$22,080.00)	(\$123,345.95)	(\$165,348.60)	(\$221,211.75)
PETILLO LLC 167 FLANDERS RD. FLANDERS, NJ 07826	\$4,557,590.75	\$1,836,007.25	\$501,311.25	(\$501,311.25)	(\$19,320.00)	(\$188,334.50)	(\$237,503.25)	(\$358,708.50)
UNION PAVING & CONSTRUCTION CO. INC. 1140 GLOBE AVE MOUNTAINSIDE, NJ 07092	\$4,828,469.50	\$1,602,845.55	\$475,388.75	(\$475,388.75)	(\$38,640.00)	(\$167,480.00)	(\$196,500.00)	(\$261,270.00)

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

Yeas – Council Members Booker, Carroll, Perez, Weimmer and President LaPelusa

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08. Council Member Perez moved the following resolution, seconded by Council Member Booker, which was read by the Clerk and adopted.

WHEREAS, pursuant to Resolution No. 23-01-03-004 adopted January 3, 2023, the City Clerk, advertised in the Jersey Journal on January 28, 2023 that sealed bids for 2023 IMPROVEMENTS TO NEW HOOK ROAD would be received on February 23, 2023; and

WHEREAS, pursuant to such advertisement, five (5) proposals were received from:

See Schedule A attached hereto

;and

WHEREAS, the Purchasing Agent, the City Engineer and the Director of Public Works have examined the bids and have determined that the bid of KM Construction Corp., 14 Cordier Street, Irvington, New Jersey 07047 utilizing Deletion Item No. 5 through Deletion Item No. 2 for a total contract amount of \$3,779,069.84 is a regular bid and is the most advantageous to the City; and

WHEREAS, the award of this contract is subject to the approval of the New Jersey Department of Transportation; and

WHEREAS, funds are certified as available in Account G-02-41-954-000-199 - \$2,500,000.00 and Account G-02-41-589-0000-199 - \$1,279,069.84; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The contract for 2023 IMPROVEMENTS TO NEW HOOK ROAD utilizing Deletion Item No. 5 through Deletion No. 2 be awarded to:

KM CONSTRUCTION CORP.
14 CORDIER STREET
IRVINGTON, NJ 07111

for the following bid price: \$3,779,069.84 and that the contract be executed in the name of the City of Bayonne by the proper city officials.

2. The award of this contract is subject to the approval of the New Jersey Department of Transportation.

3. Funds shall be charged to Account G-02-41-954-000-199 - \$2,500,000.00 and Account G-02-41-589-0000-199 - \$1,279,069.84.

JHC

Yeas: Council Member Booker, Carroll, Perez, Weimmer and President LaPelusa.

. At ** P.M., Council Member ** moved to adjourn, seconded by Council Member ** , which motion was adopted.

Yeas - Council Members Booker, Carroll, Perez, Weimmer and President LaPelusa.

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President – Gary LaPelusa

City Clerk – Madelene C. Medina