

CITY OF BAYONNE CITY COUNCIL REGULAR MEETING FEBRUARY 17, 2021

ORDINANCES, COMMUNICATIONS AND ADMINISTRATION REQUESTS FOR COUNCIL MEETING AGENDA

ORDINANCES SCHEDULED FOR HEARING

- O-1 AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 35, ZONING REGULATIONS AND CHAPTER 4, LICENSING REGISTRATION AND BUSINESS REGULATIONS. **(Establishing zoning code and licensing regulations for Cannabis Establishments)**
- O-2 AN ORDINANCE OF THE CITY OF BAYONNE, NEW JERSEY AMENDING THE GENERAL ORDINANCES OF THE CITY, CHAPTER 33, PLANNING AND DEVELOPMENT REGULATIONS AND CHAPTER 35, ZONING REGULATIONS. **Amending the submissions of application for zoning permits and Construction permits or Certificate of Occupancy**
- O-3 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 16, RENT CONTROL. **(Extending Rent Control through December 31, 2021)**
- O-4 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC. **Parking Prohibited on Certain Streets-West 7th Street**

PUBLIC COMMENTS

Speakers are to sign the signup sheet prior to the meeting.

ORDINANCES PROPOSED FOR INTRODUCTION

- O-5 AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON APPROVING A FINANCIAL AGREEMENT BY AND BETWEEN THE CITY OF BAYONNE AND SWL URBAN RENEWAL, LLC FOR THE PROPERTY LOCATED AT 69-71 NEW HOOK ROAD, WHICH PROPERTY IS IDENTIFIED AS BLOCK 416, LOT 2.01 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE, and a resolution fixing Wednesday, March 17, 2021 at 7:00 P.M. and the Dorothy E. Harrington Council Chambers as the time and place for a public hearing and final passage. **(Delta Storage)**
- O-6 AN ORDINANCE ADOPTING THE REDEVELOPMENT PLAN FOR THE PROPERTY LOCATED AT 1099-1105 AVENUE C AND 66-68 WEST 54TH STREET, WHICH PROPERTY IS IDENTIFIED AS BLOCK 34, LOTS 26, 27, 28, 29 AND 30, AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ., and a resolution fixing Wednesday, March 17, 2021 at 7:00 P.M. and the Dorothy E. Harrington Council Chambers as the time and place for a public hearing and final passage. **DaNoi**
- O-7 REFUNDING BOND ORDINANCE OF THE CITY OF BAYONNE, IN THE COUNTY OF HUDSON, STATE OF NEW JERSEY, (THE "CITY") PROVIDING

FOR (i) THE REFUNDING OF CERTAIN OUTSTANDING SCHOOL REFUNDING BONDS (NEW JERSEY SCHOOL BOND RESERVE ACT, P.L. 1980, C. 72, AS AMENDED) OF THE CITY DATED JUNE 10, 2015 TO PROVIDE DEBT SERVICE SAVINGS AND (ii) AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$13,500,000 AGGREGATE PRINCIPAL AMOUNT OF SCHOOL REFUNDING BONDS OF THE CITY TO EFFECT SUCH REFUNDING AND APPROPRIATING THE PROCEEDS THEREFOR, and a resolution fixing Wednesday, March 17, 2021 at 7:00 P.M. and the Dorothy E. Harrington Council Chambers as the time and place for a public hearing and final passage

- O-8 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC, and a resolution fixing Wednesday, March 17, 2021 at 7:00 P.M. and the Dorothy E. Harrington Council Chambers as the time and place for a public hearing and final passage. **Restrictive Parking Zones-Delete (10)**

COMMUNICATIONS

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

- C-1 From Charles M. Hammer filing notice of claim on behalf of SILVYA GHOU BRIAL alleging personal injuries sustained from a trip and fall at 720 Avenue C on October 8, 2020.
- C-2 From Jonathan Koles, Esq., filing notice of claim on behalf SHARON KRONBERG filing notice of claim alleging personal injuries sustained from fall on ice on the sidewalk/driveway to the underground garage to City Hall on December 23, 2020.
- C-3 From RANDY JOSKOWITZ filing notice of claim alleging damage to his automobile when it was struck by a City owned vehicle on November 15, 2020.
- C-4 From BRENDAN J. DUGAN, filing notice of claim alleging damage to his automobile resulting from hitting a pothole at Avenue E and 25th Street on January 11, 2021.
- C-5 From the Superior Court of New Jersey in the matter entitled, "MICHAEL ELLIOTT MC WILLIAMS vs. Marie Smith, City of Bayonne, Local 2261, Town of Rumford, ME."
- C-6 From the U.S. District Court of New Jersey in the matter entitled, "MAHAMED KHAN vs. Mark's Advance Towing, LLC, City of Bayonne, et als".
- C-7 From the Tax Court of New Jersey in the matter entitled, "PALMER ASPHALT COMPANY vs City of Bayonne." **(Block 311.01/Lot 6-Industrial)**
- C-8 From the Tax Court of New Jersey in the matter entitled, "KNA ENTERPRISES, LLC % SUCATO & ASSOC. vs. City of Bayonne." **(Block 458/Lot 4-Commercial)**
- C-9 From the Tax Court of New Jersey in the matter entitled, "PALMER ASPHALT CO. vs. City of Bayonne." **(Block 301.04/Lot 3-Industrial)**
- C-10 From the Tax Court of New Jersey in the matter entitled, "DAL DEVELOPMENT LLC vs. City of Bayonne." **(Block 283/Lot 20-Commercial)**
- C-11 From the Tax Court of New Jersey in the matter entitled, IRR REALTY LP vs. City of Bayonne." **(Block 414/Lot 2-Industrial)**
- C-12 From the Tax Court of New Jersey in the matter entitled, SUPERIOR-MPM, LLC vs City of Bayonne." **(Block 359/Lot 10.01-Industrial)**
- C-13 From the Tax Court of New Jersey in the matter entitled, DC REAL PROPERTY CO LLC vs City of Bayonne." **(Block 359/Lot 4.05-Vscsnt)**

- C-14 From the Tax Court of New Jersey in the matter entitled, SURMACZEWSKI, ZDISLAW & IRENA vs City of Bayonne.” **(Block 53/Lot 46-Commercial)**

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 Donna L. Mauer, 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-2 From Donna L. Mauer, Chief Financial Officer, submitting the Annual Debt Statement for CY2020. **Finance**
- OR-3 From the Hon. James M. Davis, Mayor appointing ORTAVIA JACKSON, to the Rent Control Board, term to expire December 31, 2023. **Replacing David Watson.**
- OR-4 From the Hon. James M. Davis, Mayor appointing JESSICA DRISCOLL to the Historic Preservation Commission, term to expire December 31, 2022.

RESOLUTIONS

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

- CR-1 Approving the minutes of the regular meeting held Wednesday January 20, 2021. **City Clerk**
- CR-2 Approving the minutes of the council caucus held Wednesday, January 13, 2021. **City Clerk**
- CR-3 Ordering warrants drawn to taxpayers representing refunds for overpayment of taxes. (# properties) **Tax Collector**
- CR-4 Ordering a warrant in the amount of \$543.00 payable to the order of the BUREAU OF RABIES CONTROL, STATE OF NEW JERSEY, covering the issuance of 275 dog licenses issued in January. **City Clerk**
- CR-5 Authorizing the City's CDBG Administrator to reallocate the residual CDBG funds allocated to CDBG Account-1046 in the amount of \$19,782 for the purpose of providing Headstart Security to CDBG Account-1059 for the purpose of providing additional funds for the Fair Housing Counseling Program and authorizing the Mayor and/or his designee is/are hereby authorized to execute any and all documents necessary to effectuate same. **CDBG**
- CR-6 Appointing ROSEMARIE N. MARTINEZ as Tax Collector effective March 1, 2021, with a four year term effective January 1, 2022 through December 31, 2025.
- CR-7 Amending Resolution No. 20-12-16-052 to authorize the execution of two (2) separate right-of-way agreements, one with CROSS RIVER FIBER LLC and a separate right-of-way agreement with NEW CINGULAR WIRELESS PCS, LLC and further confirming the actions of the Mayor in executing a separate right-of-way agreement with New Cingular Wireless PCS LLC on February 3, 2021, so as not to delay the progression of 5G rollout or potentially violate the federally mandated time constraints.
- CR-8 Authorizing the Mayor and City Clerk to apply for the 2020 ASSISTANCE FOR FIREFIGHTERS GRANT in the amount of \$360,000.00 to purchase portable radios and radio equipment. **Fire**
- CR-9 Authorizing the Mayor and City Clerk to apply for the 2020 ASSISTANCE FOR FIREFIGHTERS GRANT in the amount of \$80,000.00 to purchase of a new firefighter escape systems. **Fire**

- CR-10 Authorizing the Mayor and City Clerk to apply for the 2020 ASSISTANCE FOR FIREFIGHTERS GRANT in the amount of \$575,000.00 to purchase a fire engine apparatus and fire department equipment. **Fire**
- CR-11 Authorizing the Mayor and City Clerk to execute an agreement with the BAYONNE YOUTH CENTER for the replacement of a hot water boiler from JP Plumbing & Heating Corp for the amount of \$10,475.00 and ratifying and affirming the actions of the Executive Director of the City's CDBG Administrator in authorizing the work. Chargeable to Account No. CDBG-1089.
- CR-12 Authorizing the Mayor and City Clerk to execute agreement with the BAYONNE ECONOMIC OPPORTUNITY FOUNDATION for the emergency replacement of a hot water boiler in the amount of \$1,925.00 and ratifying and affirming the actions of the Executive Director of the City's CDBG Administrator in authorizing the work. Chargeable to Account No. CDBG-1090.
- CR-13 Granting 1 Raffle licenses to qualified organizations. **City Clerk**

END OF CONSENT AGENDA

- R-1 Approving Emergency Temporary Budget #2 for CY2021 Municipal Budget. **Finance**
- R-2 Authorizing the Planning Board to conduct a redevelopment study to determine if the property located at 107 Avenue F, which is identified as Block 456, Lot 1 as shown on the official tax map of the City of Bayonne is an area in need of redevelopment and authorizing and directing the Planning Board to prepare of Redevelopment Plan pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. **Planning**
- R-3 Authorizing an agreement with MATRIX NEW WORLD ENGINEERING, Florham Park, NJ for professional engineering services on behalf of Developers and Redevelopers for the period commencing January 1, 2021 and ending December 31, 2021. Chargeable to account Various Developers Escrow and Redevelopers Escrow accounts.
- R-4 Designating certain property located at 11-13 West 47th Street, 973-975, 979, 983-987 Broadway and 12 West 48th Street which property is identified as Block 70, Lots 19, 20, 21.01, 23 AND 24 as shown on the official tax map of the City of Bayonne as non-condemnation area in need of redevelopment and authorizing and directing Planning Board to prepare a redevelopment plan pursuant the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 ET SEQ. **Planning**
- R-5 Authorizing and directing the Planning Board to conduct a preliminary investigation to the determine whether certain property located at 1241 JFK Blvd. and West 57th Street, 192 West 58th Street and 1241 JFK Blvd. rear, which is identified as Block 13, Lots 1.01, 16, 17, 18 and 18 B01, as shown on the official tax map of the City of Bayonne constitutes a non-condemnation area in need of redevelopment, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 ET SEQ. **Planning**
- R-6 Authorizing the Mayor and City Clerk to enter into an agreement with INGELISINO, WEBSTER, WYCISKALA & TAYLOR, LLC for professional legal services as Redevelopment/Land Use Attorney on behalf of Developers and Redevelopers for the period of one year commencing January 1, 2021, monies payable from Developers and Redevelopers Escrow Accounts-no cost to city.
- R-7 Renaming the corner of Avenue C and West 19th Street EDITH FARRELL WAY.
- R-8 Amending Resolution No. 20-06-17-051 to designated JERSAM REALTY, INC. as redeveloper for the property located at 63-67 New Hook Road, which is identified as Block 416, Lot 3 as shown on the official tax map of the City of Bayonne and authorizing the execution of a Redevelopment Agreement with JERSAM REALTY, INC. for redevelopment of said property. **(Cold Storage)**
- R-9 Authorizing the Mayor and City Clerk to execute an Interlocal Agreement between the City of Bayonne and HUDSON REGIONAL HEALTH COMMISSION for the

conducting of elevated blood lead investigations for a three year period commencing March 1, 2021 through February 29, 2024 for an amount not to exceed \$17,500.

- R-10 Authorizing the Mayor and City Clerk to execute an agreement with CLEARY, GIACOBBE, ALFIERI & JACOBS, LLC for professional legal services as Special Redevelopment/Land Use Attorney on behalf of developers and redevelopers for a period of one year commencing January 1, 2021 through December 31, 2021. Chargeable to the Developers/Redevelopers Escrow Accounts-no cost to the City.
- R-11 Authorizing the Mayor and City Clerk to execute an agreement with MILLENNIUM STRATEGIES for grant writing and management consultant services for the period of one year commencing January 1, 2021 through December 31, 2021 for an amount of \$66,000.00.
- R-12 Adopting the 2021 CASH MANAGEMENT PLAN. **Finance**

TO BE ADDED AT MEETING

- ADD-1 Amending Resolution No. 20-12-16-087 authorizing an agreement with ALPHA DOG SOLUTIONS to correct it to read “for the purpose of website design, management and maintenance services” for the period of one year commencing January 1, 2021 for a total contract amount of \$54,000.00.
- ADD-2 Authorizing the City Clerk to advertised for bids for improvement to the 28th Street Park. **Public Works**
- ADD-3 Approving Budgetary Transfer for CY2020. **Finance**
- ADD-4 Authorizing the advertisement of various Requests for Proposal for the management of solicitation and administration of advertising space within the existing City-owned, on-street advertising kiosks located at 23rd Street & Broadway, 26th Street & Avenue C and at the intersection at 1st Street and Kennedy Blvd. **(Formerly part of the City’s Bicycle Share Program) Bus. Admin**
- ADD-5 From the Hon. James M. Davis, Mayor appointing CINDY SISK-GALVIN as Alternate #1 and SAIDEH BROWN as Alternate #2 to the ZONING BOARD OF ADJUSTMENTS, terms to expire December 31, 2023.