

**CITY OF BAYONNE
CITY COUNCIL
REGULAR MEETING
MARCH 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 BOND ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS TO THE BAYONNE PUBLIC LIBRARY, BY AND IN THE CITY OF BAYONNE, IN THE COUNTY OF HUDSON, STATE OF NEW JERSEY (THE “CITY”); APPROPRIATING \$2,000,000 THEREFOR (INCLUDING A GRANT TO BE RECEIVED FROM THE STATE OF NEW JERSEY CONSTRUCTION BOND ACT GRANT PROGRAM) AND AUTHORIZING THE ISSUANCE OF \$650,000 BONDS OR NOTES OF THE CITY TO FINANCE PART OF THE COSTS THEREOF

- O-3 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,

- O-4 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. **(DaNoi)**

- O-5 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 30, STORMWATER CONTROL

- O-6 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC **(Restrictive Parking Zones-Delete (10))**

PUBLIC COMMENTS

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

ORDINANCES PROPOSED FOR INTRODUCTION

- O-7 AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON ADOPTING THE REDEVELOPMENT PLAN FOR THE PROPERTY LOCATED AT 7 NEW HOOK ROAD, WHICH PROPERTY IS IDENTIFIED AS BLOCK 479, LOT 1 AS SHOWN ON

THE OFFICIAL TAX MAP OF THE CITY, PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1, ET SEQ., and a resolution fixing Wednesday, April 14, 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. **(PDQ Plastics)**

- O-8 AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON ADOPTING THE REDEVELOPMENT PLAN FOR THE PROPERTY LOCATED AT 471 BROADWAY, WHICH PROPERTY IS IDENTIFIED AS BLOCK 210, LOT 25.01 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY, PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1, ET SEQ., and a resolution fixing Wednesday, April 14, 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. **(Rite-Aid)**
- O-9 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, April 14, 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-10 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, April 14, 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. **(Section 4.29-Towing)**
- O-11 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC, resolution fixing Wednesday, April 14, 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-1**

COMMUNICATIONS

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

- C-1 From Zlata Rudkih, Esq., filing notice of claim on behalf of LEONARDO GONZALEZ RICAURTE, a minor alleging personal injuries sustained in a fall at the Jewish Community Center on November 15, 2019.
- C-2 From GLADYS CONTRERAS, filing notice of claim alleging property damage to her vehicle when it was struck by a city owned vehicle.
- C-3 From ALEXIS ZOLANO, filing notice of claim alleging property damage to her vehicle when it was struck by a fire truck on November 22, 2020.
- C-4 From CHERON WALDEN, filing notice of claim alleging property damage to her vehicle when it hit a pothole at Goldsborough Drive on February 10, 2021.
- C-5 From HEATHER SELLARO, filing notice of claim alleging property damage to her vehicle when it hit a pothole at Goldsborough Drive on February 16, 2021.
- C-6 From THOMAS WALSH, filing notice of claim alleging property damage to his vehicle when he struck the steel gate at the 16th Street boat ramp on December 8, 2020.
- C-7 From the Superior Court of New Jersey in the matter of “BESHOY GERGIS AND LILIAN FAHMY vs. Belinda Michaels, Coleen Vale, City of Bayonne, et als. **(Automobile accident)**

- C-8 From the Superior Court of New Jersey in the matter of ‘GLORIA GARI vs. the City of Bayonne, Dept. of Public Works and Parks, et als.
- C-9 From the Tax Court of New Jersey in the matter of “AEGIS REALTY HOLDINGS, INC. vs. City of Bayonne” **(Multi dwelling)**
- C-10 From the Tax Court of New Jersey in the matter of “SUBHA REALTY, INC. vs. City of Bayonne” **(Industrial)**
- C-11 From the Tax Court of New Jersey in the matter of “44-46 WEST 33RD ST., LLC vs. City of Bayonne” **(Multi dwelling)**
- C-12 From the Tax Court of New Jersey in the matter of “RITE AID #149 vs. City of Bayonne” **(Commercial)**
- C-13 From the Tax Court of New Jersey in the matter of “TUCKER LIMITED PARTNERSHIP vs. City of Bayonne” **(Commercial)**
- C-14 From the Tax Court of New Jersey in the matter of “119-129 43RD STREET LLC vs. City of Bayonne” **(Multi dwelling)**
- C-15 From the Tax Court of New Jersey in the matter of “930 KENNEDY BLVD. APARTMENTS INC. vs. City of Bayonne” **(Multi dwelling)**
- C-16 From the Tax Court of New Jersey in the matter of “812-818 AVENUE C ASSOCIATES vs. City of Bayonne” **(Multi dwelling)**
- C-17 From the Tax Court of New Jersey in the matter of “HG REALTY, LLC vs. City of Bayonne” **(Commercial)**
- C-18 From the Tax Court of New Jersey in the matter of “GALELLA, MICHAEL & DIANNE vs. City of Bayonne” **(Commercial)**
- C-19 From the Tax Court of New Jersey in the matter of “BAYONNE PLAZA, LLC vs. City of Bayonne” **(Commercial)**
- C-20 From the Tax Court of New Jersey in the matter of “EILAT REALTY COMPANY vs. City of Bayonne” **(Multi dwelling)**
- C-21 From the Tax Court of New Jersey in the matter of “EILAT REALTY COMPANY vs. City of Bayonne” **(Multi dwelling)**
- C-22 From the Tax Court of New Jersey in the matter of “SPG HOOK ROAD LLC by ABALINE PAPER PRODUCTS, INC. (subtenant) vs. City of Bayonne” **(Industrial)**
- C-23 From the Tax Court of New Jersey in the matter of “151 CENTRE ST URBAN RENEWAL LLC vs. City of Bayonne” **(Vacant)**
- C-24 From the Tax Court of New Jersey in the matter of “275 CHOSEN FEW WAY URBAN RENEWAL, LLC vs. City of Bayonne” **(Multi dwelling)**
- C-25 From the Tax Court of New Jersey in the matter of “NJIND HOOK ROAD, LLC vs. City of Bayonne” **(Industrial)**
- C-26 From the Tax Court of New Jersey in the matter of “569 BROADWAY LLC vs. City of Bayonne” **(Commercial)**
- C-27 From the Tax Court of New Jersey in the matter of “39 AVENUE C LLC vs. City of Bayonne” **(Industrial)**
- C-28 From the Tax Court of New Jersey in the matter of “GASA REALTY LLC c/o Valley National Bank vs. City of Bayonne” **(Commercial)**
- C-29 From the Tax Court of New Jersey in the matter of “AVENUE C BAYONNE REALTY LLC vs. City of Bayonne” **(Commercial)**

- C-30 From the Tax Court of New Jersey in the matter of “DI DOMENICO FAMILY LTD PARTNERSHIP vs. City of Bayonne” **(Commercial)**
- C-31 From the Tax Court of New Jersey in the matter of “DELTA SELF STORAGE, LLC vs. City of Bayonne” **(Industrial)**
- C-32 From the Tax Court of New Jersey in the matter of ‘SHAMOSH, 5, LLC vs. City of Bayonne” **(Industrial)**
- C-33 From the Tax Court of New Jersey in the matter of “PSE & G CO CORP. vs. City of Bayonne” **(Industrial)**
- C-34 From the Tax Court of New Jersey in the matter of “GOLDBURN REALTY LLC % AGM ELECTRICAL vs. City of Bayonne” **(Commercial)**
- C-35 From Donohue, Gironda, Doria & Tompkins, LLC, REPORT OF AUDIT for the year ended December 31, 2019.

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 the Hon. James M. Davis, Mayor reappointing CHERYL SCOTT CASHMAN and appointing SUSAN FERARRO as Municipal Court Judges for three year terms commencing April 1, 2021 and reappointing FRANK CARPENTER, III as Chief Judge on a temporary holdover basis for a term not to exceed one year and a resolution consenting and confirming said appointments.
- OR-3 From the Purchasing Agent reporting on bids received for alterations to the Bayonne Economic Opportunity Foundation (BEOF). **Former Holy Family**

RESOLUTIONS

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

- CR-1 Approving the minutes of the regular meeting held Wednesday February 17, 2021. **City Clerk**
- CR-2 Approving the minutes of the council caucus held Wednesday, February 10 2021. **City Clerk**
- CR-3 Ordering warrants drawn to taxpayers representing refunds for overpayment of taxes. (21 properties) **Tax Collector**
- CR-4 Ordering a warrant in the amount of \$106.20 payable to the order of the BUREAU OF RABIES CONTROL, STATE OF NEW JERSEY, covering the issuance of 46 dog licenses issued in February. **City Clerk**
- CR-5 Amending Resolution No. 20-12-16-037 adopting the 2021 Municipal Council meeting schedule to include remote accessibility wordage. **City Clerk**
- CR-6 Amending Resolution No. 21-01-20-122 authorizing an agreement with INGLESINO, WEBSTER, WYCISKALA & TAYLOR, LLC for professional legal services as Redevelopment/Land Use Attorney to correct the Account No. from 1-01-20-101-0000-105 to Account No. 1-22-200-0000-028. **(Finance)**
- CR-7 Authorizing payment to PROPHOENIX CORPORATION for the annual maintenance and support of the Bayonne Fire Department dispatch and records management software in the amount of \$28,885.84. **(Fire)**

- CR-8 Ordering a warrant in the amount of \$724.00 payable to BROADCAST MUSIC, INC. (BMI), Cincinnati, OH, representing an annual license fee to play music at festivals, firework shows, concerts in the park, community centers and even while on "hold" during telephone calls. **City Clerk**
- CR-9 Authorizing the purchase of three (3) handheld radios and associated equipment from MOTOROLA SOLUTIONS in the amount of \$23,137.80 under State Contract #83909. **(Fire)**
- CR-10 Authorizing a warrant in the amount of \$46,500.00 payable to HITACHI DATA SYSTEMS, Santa Clara, CA for annual support, software renewals and extending one (1) year warranties on all equipment deployed as part of the digital video surveillance network (DVSN) throughout the city for period of one (1) year commencing January 1, 2021 through December 31, 2021. **Public Safety**
- CR-11 Authorizing the Mayor and City Clerk to apply for a FY2020 Staffing for Adequate Fire and Emergency Response (SAFER) Grant. **(Fire)**
- CR-12 Accepting grant funds from the County of Hudson Office on Aging (Area Agency on Aging/Disability Resource Connection) in the amount of \$465,573.75 and authorizing the Mayor and City Clerk to enter into an agreement with the BAYONNE ECONOMIC OPPORTUNITY FOUNDATION to administer a Nutritional Feeding Program for Senior Citizens for the amount \$455,169.96 for period of one year commencing January 1, 2021; and ratifying and affirming the actions of the Chief Financial Officer in authorizing payment to the BEOF in the amount \$37,930.83 for the month of January. **Municipal Services**
- CR-13 Authorizing the Mayor and City Clerk to exercise the second one (1) year option to renew Agreement No. CY19-051 with IN-LINE AIR CONDITIONING, INC., for HVAC services for various city buildings including the South Harbor Fire station through the Educational Services Commission under the Cooperative Pricing Agreement No. 65MCESCCPS for the period commencing April 1, 2021 for an amount not to exceed \$150,000.00. **Public Works**
- CR-14 Authorizing the Mayor and City Clerk to execute an amendment to Agreement No. CY16-078 with CONTROL SERVICES, LLC for heavy duty equipment rental for demolition and other projects to increase same in the amount of \$150,000 for a period of one year commencing July 1, 2020 through June 30, 2021 for a total amount for said period not to exceed \$200,000.00, making the total contract amount for the five (5) year term not to exceed \$500,000.00. **Finance**
- CR-15 Authorizing the Mayor and City Clerk to enter into an agreement with the COMMUNITY DAY NURSERY to provide the cost of exterior renovations pursuant to the proposal from JOSEPH CANNAROZZO, INC. in the amount of \$208,436.00 for a period of one year commencing September 1, 2020. **(CDBG)**
- CR-16 Authorizing the Mayor and City Clerk to enter into an agreement with the BAYONNE YOUTH CENTER to provide the cost of the camera systems access control doors and lighting pursuant to the proposal from VISUAL SOUND INSTALLATION, LLC., in the amount of \$24,100.00 for a period of one year commencing September 1, 2020. **(CDBG)**
- CR-17 Authorizing the Purchasing Agent to advertise for bids for Heavy Duty Equipment Rental. **Purchasing**
- CR-18 Authorizing the Purchasing Agent to advertise for bids for Vehicle Collision Repairs. **Purchasing**
- CR-19 REMOVED
- CR-20 Permitting Outdoor dining and Sidewalk Cafes, under Governor's Murphy's Executive Order No. 150.
- CR-21 Authorizing the Mayor and City Clerk to submit a Grant Application to the NJ Historic Trust in the amount of \$22,500.00 (\$7,500.00 match) and to execute any

and all documents necessary to perfect said application and receive any and all funds.

- CR-22 Authorizing the transfer of \$10,035.32 from the Gifts and bequests account consisting of the Bayonne Economic Opportunity Foundation (BEOF) Food Bank donations to the MATHEWS FOUNDATION FOOD BANK account for the purchase of food for the Bayonne Food Bank program. **Bus. Admin.**
- CR-23 Authorizing the Director of Public Safety to purchase new handguns for the Police Department from WITMER PUBLIC SAFETY GROUP, under State Contract 17-FLEET-00767 in the amount of \$36,900.00. **Public Safety**
- CR-24 Authorizing the Mayor and City Clerk to enter into an agreement with the COMMUNITY DAY NURSERY to provide the cost of lead based paint inspection pursuant to the proposal from MCCABE ENVIRONMENTAL SERVICES, LLC. in the amount of \$1,500.00 for a period of one year commencing September 1, 2020. Chargeable to Account CDBG #1093. **CDBG**
- CR-25 Authorizing the Purchasing Agent to advertise for bids for Improvements to Dennis P. Collins Park Phase II. **Purchasing**
- CR-26 Authorizing the waiver of any and application fees associated with (a) outdoor dining and (b) taxi license renewals for the year 2021 in light of COVID19s impact on these industries.

END OF CONSENT AGENDA

- R-1 Rejecting the sole bidder for renovations and alterations the Bayonne Economic Opportunity Foundation, bids exceeds the Engineer's cost estimates. **(former Holy Family)**
- R-2 Adopting the TITLE VI (Civil Rights) PLAN in accordance with Federal requirements. **Law**
- R-3 Authorizing the Mayor and City Clerk to enter into an agreement with FAIRVIEW INSURANCE AGENCY ASSOCIATES, INC. for professional risk management services for the period commencing January 1, 2021 at a risk management fee of 3% of the City's NJIIF premium assessment for the 2021 Calendar Year. **Law**
- R-4 Authorizing the Mayor and City Clerk to enter into an agreement with JOHN PAVLOVICH, PE, for professional engineering services on an on-call basis for the period of one year commencing January 1, 2021 for an amount not to exceed \$15,000.00. **Law**
- R-5 Authorizing the Mayor and City Clerk to enter into an agreement with DMR ARCHITECTS for professional planning services on an on-call basis for the period of one year commencing January 1, 2021 for an amount not to exceed \$15,000.00. **Law**
- R-6 Affirming that the council members have read, at a minimum, the comments and recommendations section of the CY 2019 audit, and an affidavit certifying that they have done so. **City Clerk**
- R-7 Authorizing a third extension of Agreement No. CY18-043 with LIBERTY HUMANE SOCIETY, commencing January 1, 2021 through April 30, 2021, for an additional amount of \$28,300.00, making the total contract amount not to exceed \$242,908.30. **Mun. Services**
- R-8 Approving Temporary Emergency #3 in the CY 2021 budget. **Finance**
- R-9 Approving Budgetary Transfer #2 for CY2020. **Finance**
- R-10 Authorizing the Mayor and City Clerk to enter into an agreement with ARAMARK UNIFORMS SERVICES for uniform rental/laundry service for the Department of Public Works for a period of one year commencing January 1, 2021 for an amount not to exceed \$25,000.00. Pursuant to the Non-Fair and Open Process. **Public Works**

- R-11 Authorizing an increase in the contract to purchase Rock Salt through the Hudson Cooperative Pricing System from ATLANTIC SALT in the amount of \$75,000.00, making the total amount not to exceed \$100.000.00. **Public Works**
- R-12 Authorizing Thomas Brogan, Esq. and/or Kenneth Porro, Esq., of CHASAN, LAMPARELLO, MALLON & CAPPUZZO, P.C. to enter into a Consent Order Specifying Terms of Settlement in the New Jersey Tax Court in connection with the matter known as 190 West 54th Street Urban Renewal, LLC v. City of Bayonne. **Law**
- R-13 Authorizing the Tax Assessor and/or Law Director to file affirmative tax appeals and counter-appeals with the Hudson County Tax Board through April 1, 2021 when necessary to effectuate changes to the City's tax records and properly reflect true value and/or protect the City's interest. **Assessor**

TO BE ADDED AT MEETING

- ADD-1 From the Hon. James M. Davis, Mayor appointing RYAN BLAKE to the Zoning Board of Adjustment as Alternate # 3, term to expire December 31, 2023.
- ADD-2 Authorizing the Mayor to exercise the option to renew Agreement No. CY15-042 between Marie Tsirabdidies t/a Let's East Concession for the lease of the pool concession for a one year period commencing May 1, 2021 at the lease price of \$8,222.22. **Law**
- ADD-3 Declaring Saturday, April 24, 2021 as the City's Annual Earth Day Clean-up. **UEZ**
- ADD-4 Authorizing the Mayor and City Clerk to enter into an agreement for advertising kiosk administration to CAPITOL OUTDOOS, INC., Washington, DC for a period of five (5) years commencing from date of contract award at no cost to the City. Pursuant to the Non-Fair and Open Process. **Bus. Admin.**