

**CITY OF BAYONNE
CITY COUNCIL
REGULAR MEETING
APRIL 14, 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 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. **(PDQ Plastics)**

- O-2 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, 26 & 27 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, **(Rite-Aid)**

- O-3 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, LOTS 2.01 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE **(Delta Storage)**

- O-4 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 4, LICENSING, REGISTRATION AND BUSINESS REGULATIONS **(Section 4.29-Towing)**

- O-5 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC **Restrictive Parking Zones-Delete-1)**

PUBLIC COMMENTS

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

ORDINANCES PROPOSED FOR INTRODUCTION

- O-6 AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING THE REDEVELOPMENT PLAN FOR THE PROPERTIES LOCATED AT 218-222 BROADWAY, WHICH PROPERTY IS IDENTIFIED AS BLOCK 319, LOT 26, 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 fixing Wednesday, May 12, 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 Gas)**

- O-7 AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING THE REDEVELOPMENT PLAN FOR THE PROPERTIES LOCATED AT HOOK ROAD AND COMMERCE STREET, WHICH PROPERTY IS IDENTIFIED AS BLOCK 481, LOT 5.02, 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 fixing Wednesday, May 12, 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. **(Atlantic Cement)**

- O-8 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC and fixing Wednesday, May 12, 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
103. William DeVenuto – 590 Avenue A

COMMUNICATIONS

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

- C-1 From MARY A. FRANCO filing notice of claim alleging property damage to automobile when it was struck by a city owned vehicle at Park Road and West 25th Street February 4, 2021.
- C-2 From Steven Benvenisti, Esq., filing notice of claim on behalf of JOHN GONZALEZ alleging personal injuries resulting from a fall on ice at West 2nd Street on February 4, 2021.
- C-3 From ROBERT J. MORETON filing notice of claim alleging property damage to his automobile when it struck a pot hole at 5th Street and Rte. 440 on February 13, 2021.
- C-4 From Peter N. Davis, Esq. filing notice of claim on behalf of PAUL KACZKA, alleging personal injuries sustained from a fall at West 4th Street on February 7, 2021.
- C-5 From Alexander O. Bentsen, Esq., filing notice of claim on behalf of TAYLOR CAIN, alleging personal injury and property damage to her automobile resulting from an accident with a police vehicle on March, 11, 2021.
- C-6 From Alexander O. Bentsen, Esq., filing notice of claim on behalf of AUSTIN KAUFELER, alleging personal injuries sustained on March 11, 2021 from an accident with a police vehicle.
- C-7 From Mitchell Perlmutter, Esq., filing notice of claim on behalf of ROSE HURLEY, alleging personal injuries sustained from a fall at 222 Avenue E on February 2, 2021.
- C-8 From the Superior Court of New Jersey in the matter of “SOLARI vs. VERIZON NEW JERSEY” (City of Bayonne-Third Party Complaint)
- C-9 From the Tax Court of New Jersey in the matter of “DWECK, INC. vs. CITY OF BAYONNE” **(Commercial)**
- C-10 From the Tax Court of New Jersey in the matter of “57-31 BROADWAY vs. CITY OF BAYONNE” **(Commercial)**
- C-11 From the Tax Court of New Jersey in the matter of “RITE INVESTOR – NJBR vs. CITY OF BAYONNE” **(Commercial)**
- C-12 From the Tax Court of New Jersey in the matter of “JORDAN WAREHOUSE, INC. vs. CITY OF BAYONNE” **(Industrial)**
- C-13 From the Tax Court of New Jersey in the matter of “HOWARD WAREHOUSE, INC. vs. CITY OF BAYONNE” **(Vacant)**
- C-14 From the Tax Court of New Jersey in the matter of “HOWARD WAREHOUSE, INC. vs. CITY OF BAYONNE” **(Industrial)**

- C-15 From the Tax Court of New Jersey in the matter of “HOWARD REALTY, INC. vs. CITY OF BAYONNE” **(Industrial)**
- C-16 From the Tax Court of New Jersey in the matter of “CLIFTON BOULEVARD PROPERTY INC. vs. CITY OF BAYONNE” **(Vacant)**
- C-17 From the Tax Court of New Jersey in the matter of “IJKG OPCO, LLC, a New Jersey LLC (tenant) vs. CITY OF BAYONNE” **(Vacant)**
- C-18 From the Tax Court of New Jersey in the matter of “J & J BUILDERS, LLC vs. CITY OF BAYONNE” **(Multi dwelling)**
- C-19 From the Tax Court of New Jersey in the matter of “804-810 AVENUE C ASSOC. vs. CITY OF BAYONNE” **(Multi dwelling)**
- C-20 From the Tax Court of New Jersey in the matter of “120 WEST 28TH STREET ASSOCIATES, LLC vs. CITY OF BAYONNE” **(Multi dwelling)**
- C-21 From the Tax Court of New Jersey in the matter of “SPG HOOK ROAD, LLC vs. CITY OF BAYONNE” **(Industrial)**
- C-22 From the Tax Court of New Jersey in the matter of “AMV ESPOSITO GROUP, LLC vs. CITY OF BAYONNE” **(Commercial)**
- C-23 From the Tax Court of New Jersey in the matter of “ONE GARFIELD, LLC vs CITY OF BAYONNE” **(Commercial)**
- C-24 From the Tax Court of New Jersey in the matter of “TERRENO 20 PULASKI, LLC vs. CITY OF BAYONNE” **(Industrial)**
- C-25 From the Tax Court of New Jersey in the matter of “BAYONNE GRAND I, LLC vs CITY OF BAYONNE” **(Commercial)**
- C-26 From the Tax Court of New Jersey in the matter of “431 KENNEDY LLC vs. CITY OF BAYONNE” **(Multi dwelling)**
- C-27 From the Tax Court of New Jersey in the matter of “265 AVE B LLC vs CITY OF BAYONNE” **(Commercial)**
- C-28 From the Tax Court of New Jersey in the matter of “124 AVENUE B, LLC vs. CITY OF BAYONNE” **(Commercial)**
- C-29 From the Tax Court of New Jersey in the matter of “WALGREENS COMPANY #5463 vs. CITY OF BAYONNE.” **(Commercial)**
- C-30 From the Tax Court of New Jersey in the matter of “S & M GROUP, LLC vs CITY OF BAYONNE.” **(Commercial)**
- C-31 From the Tax Court of New Jersey in the matter of “McDONALD’S REAL ESTATE COMPANY vs. CITY OF BAYONNE.” **(Commercial)**
- C-32 From the Tax Court of New Jersey in the matter of “PALOMONT LLC vs. CITY OF BAYONNE.” **(Commercial)**
- C-33 From the Tax Court of New Jersey in the matter of “GORDON TERMINAL SERVICES COMPANY OF NJ vs. CITY OF BAYONNE.” **(Commercial)**
- C-34 From the Tax Court of New Jersey in the matter of “FLEET NATIONAL BANK c/o BANK OF AMERICA vs. CITY OF BAYONNE.” **(Commercial)**
- C-35 From the Tax Court of New Jersey in the matter of “ALD REALTY CO., INC. c/o INSERRA SUPERMARKETS (Tenant Taxpayer) vs. CITY OF BAYONNE.” **(Commercial)**
- C-36 From the Tax Court of New Jersey in the matter of “12-16 NORTH STREET REALTY LLC c/o WALGREENS (Tenant Taxpayer) vs. CITY OF BAYONNE.” **(Commercial)**

- C-37 From the Tax Court of New Jersey in the matter of “ADAM CORP. vs. CITY OF BAYONNE.” **(Commercial)**
- C-38 From the Tax Court of New Jersey in the matter of “LEVIN MANAGEMENT CORP. vs. CITY OF BAYONNE.” **(Commercial)**
- C-39 From the Tax Court of New Jersey in the matter of “CENTERPOINT PULASKI, LLC vs. CITY OF BAYONNE.” **(Industrial)**
- C-40 From the Tax Court of New Jersey in the matter of “AIM DEVELOPMENT, LLC vs. CITY OF BAYONNE.” **(Commercial)**
- C-41 From the Tax Court of New Jersey in the matter of “LEG-BP BAYONNE OWNER LLC c/o LINCOLN EQUITIES vs. CITY OF BAYONNE.” **(Industrial)**
- C-42 From the Tax Court of New Jersey in the matter of “LEG-BP BAYONNE OWNER LLC c/o LINCOLN EQUITIES vs. CITY OF BAYONNE.” **(Vacant)**
- C-43 From the Tax Court of New Jersey in the matter of “JAY-KEN ARMS LLC vs. CITY OF BAYONNE.” **(Commercial)**
- C-44 From the Tax Court of New Jersey in the matter of “COMMERCE BANL/TD BANK vs. CITY OF BAYONNE.” **(Commercial)**
- C-45 From the Tax Court of New Jersey in the matter of “BUCKEYE BAYONNE TERMINAL LLC vs CITY OF BAYONNE.” **(Commercial)**
- C-46 From the Tax Court of New Jersey in the matter of “ENGEL HOLDING COMPANY vs. CITY OF BAYONNE.” **(Industrial)**
- C-47 From the Tax Court of New Jersey in the matter of “THE 106 WEST CO. LLC vs. CITY OF BAYONNE.” **(Multi dwelling)**
- C-48 From the Tax Court of New Jersey in the matter of “THE 106 WEST CO. LLC vs. CITY OF BAYONNE.” **(Multi dwelling)**
- C-49 From the Tax Court of New Jersey in the matter of “557-561 BROADWAY BAYONNE LLC vs. CITY OF BAYONNE.” **(Commercial)**
- C-50 From the Tax Court of New Jersey in the matter of “1030 BROADWAY LLC vs. CITY OF BAYONNE.” **(Commercial)**
- C-51 From the Tax Court of New Jersey in the matter of “LPM SERVICES, INC., vs. CITY OF BAYONNE.” **(Vacant)**
- C-52 From the Tax Court of New Jersey in the matter of “NJD DEVELOPMENT, LLC vs. CITY OF BAYONNE.” **(Commercial)**

OFFICER’S 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 Purchasing Agent reporting on bids received for Animal Control Services. **(2 bidders)**

RESOLUTIONS

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

- CR-1 Approving the minutes of the regular meeting held Wednesday, MARCH 17, 2021. **City Clerk**

- CR-2 Approving the minutes of the council caucus held Wednesday, MARCH 10, 2021. **City Clerk**
- CR-3 Ordering warrants drawn to taxpayers representing refunds for overpayment of taxes. (5 properties) **Tax Collector**
- CR-4 Ordering a warrant in the amount of \$65.40 payable to the order of the BUREAU OF RABIES CONTROL, STATE OF NEW JERSEY, covering the issuance of 32 dog licenses issued in March. **City Clerk**
- CR-5 Ordering a warrant in the amount of \$1,775.00 drawn to the order of the TREASURER, STATE OF NEW JERSEY representing the state's share of 71 marriage licenses issued during the months of January, February and March, 2021. **City Clerk**
- CR-6 Authorizing the Tax Collector to refund and/or cancel taxes on Block 254, Lot 30, on one family home occupied by a qualifying 100% totally and disabled veteran effective August 13, 2019 and authorizing a refund in the amount of \$1,209.11. **Tax Assessor**
- CR-7 Authorizing the City's continued membership in the REGIONAL HEALTH COMMISSION of Hudson County for the calendar year 2021 for a total annual assessment of \$25,944.00 and authorizing the Treasurer to make quarterly payments in the amount of \$6,486.00. **(Mun. Services)**
- CR-8 Authorizing submission of a strategic plan for the BAYONNE MUNICIPAL ALLIANCE grant to the Governor's Council on Alcoholism and Drug Abuse through the County of Hudson in the amount of \$19,921.00 with a \$4,980.25 cash match and a \$13,940.75 in-kind match. **Finance**
- CR-9 Authorizing the Mayor and City Clerk to take all steps necessary to execute a License Agreement with the individual vendors of the NEW JERSEY COUNCIL OF FARMERS to operate the 2021 BAYONNE FARMER'S MARKET commencing June 1, 2021 through November 23, 2021.
- CR-10 Authorizing the Mayor and City Clerk to execute a License Agreement with the JOYCE HERBERT VFW, a non-profit organization, for the use of the 9th Street Parking Lot for the purpose of a fundraiser May 15, 2021.
- CR-11 Granting 2 Raffle licenses to qualified organizations. **City Clerk**

END OF CONSENT AGENDA

- R-1 Approving Temporary Emergency #4 in the CY 2021 budget. **Finance**
- R-2 Adopting a CORRECTIVE ACTION PLAN in response to the CY 2019 Audit. **Finance**
- R-3 Authorizing and directing the Planning Board to conduct a preliminary investigation to determine whether certain property located at 13 East 33rd Street and 734-758 Broadway, which is identified as Block 140, Lots 2, 55, 56, 57, 58, 59.02, 60, 61 and 62, as shown on the official tax map of the City constitutes a non-condemnation area in need of redevelopment pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40AZ:12A-1, et seq. **(Holiday Tree)**
- R-4 Designating AMS EQUITIES, LLC as redeveloper of the property located at 130-140 Avenue E, 154 Avenue E and 157-163 Avenue E, which properties are identified as Block 467, Lots 23, 24, 25 and 26, Block 458, Lots 1.02 and 1.03 and Block 234, Lot 8.01 as shown on the official tax map of the City of Bayonne and authorizing the negotiation of a redevelopment agreement with AMS EQUITIES LLC for the redevelopment of said property in accordance with the redevelopment Plan. **(Silk Lofts)**
- R-5 Amending Resolution No. 21-03-17-090 authorizing the city to enter a Consent order specifying the terms of a settlement in the New Jersey Tax Court for a tax settlement with 190 West 54th Street Urban Renewal, LLC, to enter into a Memorandum of Agreement between 190 West 54th Street Urban Renewal LLC and City of Bayonne.

TO BE ADDED AT MEETING

- ADD-1 AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON APPROVING A FINANCIAL AGREEMENT BY AND BETWEEN THE CITY OF BAYONNE AND BAYONNE EQUITIES BII URBAN RENEWAL, LLC FOR THE PROPERTY LOCATED AT 9-11 WEST 12TH STREET AND 281-289 BROADWAY, WHICH PROPERTY IS IDENTIFIED AS BLOCK 264, LOTS 15, 16, 17 AND 18 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE and fixing Wednesday, May 12, 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.
- ADD-2 Ratifying and affirming the actions of the Municipal Council on entering into an agreement with BESPOKE, LLC, New York, NY for professional medical, related and ancillary services to provide and administer COVID-19 vaccinations and entering into an Affiliation Agreement with HUDSON COUNTY COMMUNITY COLLEGE to provide supplemental nursing related services in connection with the City's COVID-19 vaccination programs.
- ADD-3 AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY APPROVING THE FORM AND AUTHORIZING THE EXECUTION AND DELIVERY OF A LEASE PURCHASE AGREEMENT WITH THE HUDSON COUNTY IMPROVEMENT AUTHORITY RELATING TO THE ISSUANCE OF UP TO \$95,000,000 AGGREGATE PRINCIPAL AMOUNT OF THE AUTHORITY'S CITY GUARANTEED LEASE REVENUE BONDS (BAYONNE MEDICAL CENTER PROJECT) AND ANY NOTES ISSUED IN ANTICIPATION THEREOF BY THE HUDSON COUNTY IMPROVEMENT AUTHORITY, and fixing Wednesday, May 12, 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.
- ADD-4 AN ORDINANCE OF THE CITY OF BAYONNE, STATE OF NEW JERSEY AUTHORIZING THE GUARANTY OF THE PAYMENT OF THE PRINCIPAL OF AN INTEREST ON NOT EXCEEDING \$95,000,000 AGGREGATE PRINCIPAL AMOUNT OF THE CITY GUARANTEED LEASE REVENUE BONDS (BAYONNE MEDICAL CENTER PROJECT), TO BE ISSUED BY THE HUDSON COUNTY IMPROVEMENT AUTHORITY, FOR THE PURPOSE OF PROVIDING ADDITIONAL SECURITY THEREFOR AND DETERMINING CERTAIN OTHER MATTERS IN CONNECTION THEREWITH, and fixing Wednesday, May 12, 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.
- ADD-5 Authorizing the Mayor and City Clerk to accept a donation from BENNET REALTY LLC in the amount of \$27,323.57 to be used towards the annual lease payment of a 2018 Spartan Metro Star Fire Engine
- ADD-6 Authorizing the execution of a Road Access Agreement between the PORT AUTHORITY OF NY/NJ and the City of Bayonne to provide public access over a roadway to be known as a portion of Port Lincoln Road located within Block 900, Lot 1.0101 and Block 930, Lot 1.01 as shown on the official tax map of the City of Bayonne **(North South Connector Road)**
- ADD-7 From Donna Mauer, CFO, submitting Supplemental Debt Statement as of April 14, 2021. **(pertains to ADD-3)**
- ADD-8 Authorizing the Mayor and City Clerk to execute an agreement with NJ Humane Society, LLC, 6412 Dewey Avenue, West New York, New Jersey 07093 for the aforesaid Animal Control Officer and Animal Shelter Services for the period commencing May 1, 2021 and ending December 31, 2021 payable at the rate of \$6,765.48 per month for a total contract amount of \$47,358.33 for the eight (8) month period with two (2) possible one (1) year renewal options, extending the contract period one year each calculated at the rate of \$81,185.76 if exercised.
- ADD-9 Ordering a warrant in the amount of \$10,036.00 payable to the STATE OF NEW JERSEY for state surcharge fees on new construction and alterations. **Building**

ADD-10 From the Hon. James M. Davis, Mayor reappointing Maribeth Doria as a meeting to the Library Board for term to expire December 31, 2025 and appointing Donna Russo as the Mayor's Designee for a term to expire December 31, 2022