

**CITY OF BAYONNE
CITY COUNCIL
REGULAR MEETING
MAY 12, 2021**

**ORDINANCES, COMMUNICATIONS AND
ADMINISTRATION REQUESTS FOR COUNCIL MEETING AGENDA**

ORDINANCES SCHEDULED FOR HEARING

- O-1 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 **(Delta Storage)**
- O-2 AN ORDINANCE OF THE CITY OF BAYONNE, IN THE 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
- O-3 AN ORDINANCE OF THE CITY OF BAYONNE, STATE OF NEW JERSEY AUTHORIZING THE GUARANTY OF THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON NOT EXCEEDING \$95,000,000 AGGREGATE PRINCIPAL AMOUNT OF 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
- O-4 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.* **(DELTA GAS)**
- O-5 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.* **(ATLANTIC CEMENT)**
- O-6 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
- O-7 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-8 AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES, CHAPTER 35, ZONING REGULATIONS, and resolution fixing Wednesday, June 16, 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. **(Amending Sections 25-1, 25-2 & 25.3)**
- O-9 AN ORDINANCE ADOPTING THE REDEVELOPMENT PLAN FOR THE PROPERTY LOCATED 80-84 EAST 25TH STREET, WHICH PROPERTY IS IDENTIFIED AS BLOCK 442, LOT 14 PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1, ET SEQ. and resolution fixing Wednesday, June 16, 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-10 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC, and fixing Wednesday, June 16, 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. **Prohibiting Articulate trailers on Bayview Court)**
- O-11 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC, and fixing Wednesday, June 16, 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

015. James Devaney-939 Avenue C
024. Marie Sanana -145 West 3rd Street
045. Magdy Faried-162 West 49th Street
156. Mary Tawardos for Romamy Ramsis- 26 East 36th Street
292. Frances Mincieli-90 West 21st Street

RELOCATE

345. Claire Evanes – from 91 West 4th St. to 31 West 29th Street

COMMUNICATIONS

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

- C-1 From Brandon Broderick, Esq., filing notice of claim on behalf of JOSEPH COSTIGAN, alleging personal injuries sustained resulting from a fall in front of 37 West 31st Street on February 15, 2021.
- C-2 From MARGARITA DIAZ-MENDEZ, filing notice of claim alleging personal injuries sustained resulting from a fall on the sidewalk between 849 and 853 Broadway on March 9, 2021
- C-3 From Edward Lutz, Esq., filing notice of claim on behalf of MARYANN MIKOLAJCZAK alleging personal injuries sustained resulting from a fall on the sidewalk between 849 and 853 Broadway on January 15, 2021.
- C-4 From Jeffrey Lowenthal, Esq., filing notice of claim on behalf of DENISE WALKER alleging personal injuries sustained from a fall at 890 Broadway on April 13, 2021.
- C-5 From the Superior Court of New Jersey, Hudson County in the matter entitled “MELISSA MATHEWS vs. CITY OF BAYONNE, ET ALS.”

- C-6 From the Tax Court of New Jersey in the matter entitled, “BAYONNE REDEVELOPERS RESIDENTIAL URBAN RENEWAL BLOCK 780 LLC vs. CITY OF BAYONNE” (**vacant**)
- C-7 From the Tax Court of New Jersey in the matter entitled, “JIJI, KHIDER & BLANCHE vs. CITY OF BAYONNE” (**Commercial**)
- C-8 From the Tax Court of New Jersey in the matter entitled, “KRG BAYONNE RBAN RENEWAL LLC vs. CITY OF BAYONNE.” (**vacant**)
- C-9 From the Tax Court of New Jersey in the matter entitled, “SMZ BAYONNE, LLC vs. CITY OF BAYONNE.” (**Multi-Dwelling**)
- C-10 From the Tax Court of New Jersey in the matter entitled, “SOUTH COVE DEVELOPMENT LLC (Stop & Shop-tenant) vs CITY OF BAYONNE.” (**Commercial**)
- C-11 From the Tax Court of New Jersey in the matter entitled, “85 W 5TH ST., LLC vs. CITY OF BAYONNE.” (**Multi-Dwelling**)
- C-12 From the Tax Court of New Jersey in the matter entitled, “FOUR J HOLDINGS, LLC vs. CITY OF BAYONNE.” (**Commercial**)
- C-13 From the Tax Court of New Jersey in the matter entitled, “90-96 W 33RD ST LLC vs. CITY OF BAYONNE.” (**Multi-Dwelling**)
- C-14 From the Tax Court of New Jersey in the matter entitled, “NEW YORK COMMUNITY BANK vs. CITY OF BAYONNE.” (**Commercial**)
- C-15 From the Tax Court of New Jersey in the matter entitled, “NEW YORK COMMUNITY BANK vs. CITY OF BAYONNE.” (**Commercial**)
- C-16 From the Tax Court of New Jersey in the matter entitled, “LINNET ST REALTY LLC vs. CITY OF BAYONNE.” (**Industrial**)

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, submitting Executive Order No 1, fixing the salary for the Health Officer title.
Min - \$82,806 - Max \$112,000
- OR-3 From the Hon. James M. Davis, re-appointing LEE FAHLEY to the Historic Preservation Commission, term to expire December 31, 2024.
- OR-4 From the Purchasing Agent reporting on bids received for Recycling Collection Services.
- OR-5 From the Purchasing Agent reporting on bids received for Solid Waste Collection Services.
- OR-6 From the Purchasing Agent report on bids received for Improvements to Dennis P. Collins Park Phase II.

RESOLUTIONS

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

- CR-1 Approving the minutes of the regular meeting held Wednesday April 14, 2021.
City Clerk

- CR-2 Approving the minutes of the council caucus held Wednesday, April 7, 2020. **City Clerk**
- CR-3 Approving the minutes of the special meeting held Thursday, April 8, 2021. **City Clerk**
- CR-4 Ordering a warrant in the amount of \$31.20 payable to the order of the BUREAU OF RABIES CONTROL, STATE OF NEW JERSEY, covering the issuance of 16 dog licenses issued in April. **City Clerk**
- CR-5 Ordering warrants drawn to taxpayers representing refunds for overpayment of taxes. (3 properties) **Tax Collector**
- CR-6 Authorizing the Purchasing Agent to utilize J. FLETCHER CREAMER & SON, INC. to perform Emergency Water Service Installation at 200 West 5th Street, through the Bergen County Coop Membership/NJ Cooperative Purchasing Alliance, for an amount not to exceed \$39,840.10. Chargeable to Account No. C-04-55-945-0000-991. **Public Works**
- CR-7 Authorize the Purchasing Agent to utilize Picerno Giordano through State Contract#T0103 to perform repairs to the playground surface at Dennis P. Collins Park. In the amount of \$42,322.50. Chargeable to account G-02-41-887-882A-199 Port Authority Grant. **Public Works**
- CR-8 Authorizing the Mayor and City Clerk to enter into an agreement with GARDEN STATATE FIREWORKS, INC. for the exhibition of fireworks on July 7, 2021 or a rain date to be determine during the month of July for the amount of \$12,500.00. **Public Works**
- CR-9 Amending Resolution No. 21-01-20-139 authorizing an agreement with RAINONE, COUGHLIN & MINCHELLO for professional legal services relating the existing Utility and Management Agreements for the City's water/sewer systems, to correct stated account no. from 1-01-20-156-0000-028 to 1-01-20-113-0000-029 and to change all references to the commencement date of said agreement to reflect February 1, 2021 at commencement date. **Finance**
- CR-10 Ratifying and affirming the actions of the Bayonne Economic Opportunity Foundation's Executive Director in purchasing technology equipment with CDBG-COVID-19 Funds due to exigent circumstances and the Mayor and City Clerk to execute an amendment to Agreement No. CY20-082 with the BEOF to include technology equipment. **CDBG**
- CR-11 Authorizing the Mayor and City Clerk to enter into an agreement with GENERAL CODE, Spring Lake, NJ for codification services for CY 2021 ordinances in an amount not to exceed \$15,000.00. **City Clerk**
- CR-12 Authorizing the annual lease/purchase payment for a 2018 Spartan Fire Engine in the amount of \$54,647.15. **Fire**
- CR-13 Authorizing the Mayor and City Clerk to enter into an agreement with ALTICE MEDIA SOLUTIONS CORP. for public broadcasting services in the amount not to exceed \$30,000.00. **Finance**
- CR-14 Authorizing issuance of Estimated Tax Bills. **Finance**
- CR-15 Authorizing the Mayor and City Clerk to enter into an agreement with the BAYONNE FAMILY COMMUNITY CENTER to provide the cost of the replacement of three rooftop heating and cooling units pursuant the proposal from In-Line Heating and Air Conditioning in the amount of \$45,300.00 for the period of one year commencing September 1, 2020. **CDBG**
- CR-16 Authorizing the Fire Chief to auction or sell as scrap a 1996 Modec Trailer that is no longer usable.
- CR-17 Granting 2 Raffle licenses to qualified organizations. **City Clerk**

END OF CONSENT AGENDA

- R-1 Awarding the contract for Recycling Collection Services to ** for the bid amount of \$**.
- R-2 Awarding the contract for Solid Waste Collection Services to ** for the bid amount of \$**.
- R-3 Awarding the contract for Improvements to Dennis P. Collins Park Phase II to PICERNO-GIORDANO CONSTRUCTION, Kenilworth, NJ for the bid amount of \$3,697,669.00.
- R-4 Authorizing the Mayor to sign all documents and certifications relating to the city's FY 2021 CDBG Programs to authorize submission of the FY 2021 ANNUAL ACTION PLAN to the U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT for the following anticipated amount:
- | | |
|-------------------|-------------|
| 2021 CDBG Program | \$1,511,913 |
|-------------------|-------------|
- R-5 Authorizing the execution of the second amendment to the Redevelopment Agreement with LEG-BAYONNE OWNER LLC and the City of Bayonne. **(MOTBY)**
- R-6 Authorizing and directing the Planning Board to conduct a preliminary investigation to determine whether the property located at 455-461 Avenue C, which property is identified as Block 219, Lot 24.01 constitutes a non-condemnation area in need of redevelopment.
- R-7 Authorizing and directing the Planning Board to conduct a preliminary investigation to determine whether the properties located at 70-72 Prospect Avenue, 66-68 Prospect Avenue and 62 ½ Prospect Avenue which properties are identified as Block 449, Lots 21, 22 and 23 constitutes an area in need of redevelopment.
- R-8 Authorizing and directing the Planning Board to conduct a preliminary investigation to determine whether the property located 566-568 Broadway, 564 Broadway and 562 Broadway, which properties are identified as Block 184, Lot 1, 2 and 3 constitutes an area in need of redevelopment.
- R-9 Authorizing and directing the Planning Board to conduct a preliminary investigation to determine whether the property located at 534-548 Avenue E, which property is identified as Block 406, Lot 29.01, inclusive of all qualifiers constitutes an area in need of redevelopment.
- R-10 Transferring ## Taxi Cab licenses from Bayonne Yellow Cab d/b/a Bayonne City Taxi to Jersey Limousine d/b/a Archie's Cab.
- R-11 Ratifying and affirming the Collective Bargaining Agreement between the City of Bayonne and the BAYONNE POLICE SUPERIORS ASSOCIATION, beginning January 1, 2021 through December 31, 2025. **Public Safety**
- R-12 Amending Agreement No. CY21-037 with CHASAN, LAMPARELLO, MALLON & CAPPUZZO for professional legal services in connection with State Court Tax Appeals, increasing agreement in the amount of \$75,000.00 making total contract amount not to exceed \$130,000.00
- R-13 Authorizing the execution of the Redevelopment Agreement with LEG-BP BAYONNE OWNER URBAN RENEWAL LLC and the City of Bayonne for Block 1180.01, Lot 1 **(MOTBY)**
- R-14 Adopting an Area In Need of Redevelopment Study for the property located at 1241 JFK Boulevard, JFK Boulevard and West 57th Street and 192 West 58th Street, which property is identified as Block 13, Lots 1.01, 16, 17, 18 and 18 B01 to develop a map reflecting the boundaries of the proposed non-condemnation area and to determine whether said property constitutes a non-condemnation

area in need of redevelopment and authorizing the Planning Board to prepare a redevelopment plan, pursuant the Local Redevelopment and Housing Law, N.J.S.A.40A:12A-1, et seq.

TO BE ADDED AT MEETING

- ADD-1 From the Hon. James M. Davis, submitting Executive Order No 1, fixing the salary for the Systems Analyst title.
- Min - \$82,221 - Max \$109,573
- ADD-2 Ratifying and affirming the actions of the Director of Public Works in authorizing the striping of Avenue C intersection by STATEWIDE STRIPING CORPORATION in the amount of \$36,803.69 and authorizing the Mayor and City Clerk to enter into an agreement with Statewide Striping Corporation for an amount not to exceed \$36,803.69. Chargeable to account no. C-04-55-946-1956-994. **Public Works**
- ADD-3 Authorizing the Chief Financial Officer to use the average of prior year cash collections to calculate the CY2021 budget appropriation "Reserve for Uncollected Taxes"
- ADD-4 AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK, and a resolution fixing Wednesday, June 16, 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 and directing the Planning Board to conduct a preliminary investigation to determine whether certain property located at 9 East 50th Street, 1022 Broadway, 1026 Broadway and 1028 Broadway, which property is identified as Block 54, Lots 1, 24, 25 and 26, inclusive of all qualifiers, as shown on the official tax map of the City constitutes a non-condemnation area in need of redevelopment pursuant to N.J.S.A. 40A:12A-1 et seq. **(Bella Sorella)**
- ADD-6 Approving Temporary Emergency Appropriation in CY2021 #4.
- ADD-7 Anticipating Miscellaneous Revenues in the CY 2021 Budget used the three year average of realized revenues from the prior three years
- ADD-8 AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON APPROVING AN AMENDMENT TO THE FINANCIAL AGREEMENT BY AND BETWEEN THE CITY OF BAYONNE AND LEG-BP BAYONNE OWNER URBAN RENEWAL, LLC FOR THE PROPERTY LOCATED AT WITHIN THE MARITIME DISTRICT AT MOTBY, WHICH PROEPRTY IS IDENTIFIED AS BLOCK 1180, LOTS 1.01 AND 1.02 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE, and a resolution fixing Wednesday, June 16, 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. **(Lincoln Equities)**
- ADD-9 Amending Resolution No. 21-03-17-063 authorizing an IP-Surveillance Agreement with HITACHI VANTARA for annual software support and extending one-year warranties for all equipment as part of the Digital Video Surveillance Network to increase said contract in the amount of \$1,672.95 to cover the cost of annual software support and extended warranties for a five month period for additional equipment purchased pursuant to Resolution No. 21-02-19-040, making the total amount \$48,172.95.
- ADD-10 Authorizing the Mayor and City Clerk to accept the donation from Joe Bolowski of a 2021 FORD F-250 PICK-UP truck and equipment, in the amount of \$4,327.59 for use by the Bayonne Office of Emergency Management.