

CITY OF BAYONNE CITY COUNCIL REGULAR MEETING SEPTEMBER 22, 2021

ORDINANCES, COMMUNICATIONS AND ADMINISTRATION REQUESTS FOR COUNCIL MEETING AGENDA

ORDINANCES SCHEDULED FOR HEARING

- O-1 Resolution postponing the final passage of an ordinance entitled, “AN ORDINANCE ENTITLED, “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.” to the meeting of October 20, 2021.
- O-2 Resolution postponing the final passage of an ordinance entitled, “AN ORDINANCE ENTITLED, “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.” to the meeting of October 20, 2021.
- O-3 AN ORDINANCE ENTITLED, “BOND ORDINANCE AMENDING BOND ORDINANCE O-17-2 FINALLY ADOPTED BY THE CITY COUNCIL OF THE CITYOF BAYONNE, IN THE COUNTY OF HUDSON, STATE OF NEW JERSEY ON MAY 17, 2017 TO REAPPROPRIATE THE AMOUNT OF \$286,670.98 AND REAUTHORIZE BONDS OR NOTES IN THE AGGREGATE AMOUNT OF \$272,826.07 TO UNDERTAKE THE ACQUISITION OF VARIOUS EQUIPMENT AND NON-PASSENGER VEHICLES FOR THE POLICE DEPARTMENT
- O-4 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC. **(Restrictive Parking Zones-Delete-11)**

PUBLIC COMMENTS

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

ORDINANCES PROPOSED FOR INTRODUCTION

- O-5 ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON APPROVING A FINANCIAL AGREEMENT BY AND BETWEEN THE CITY OF BAYONNE AND MA DURGA CHOSIN URBAN RENEWAL, LLC FOR THE PROPERTY LOCATED AT CHOSIN FEW WAY, WHICH PROPERTY IS IDENTIFIED AS BLOCK 751, LOTS 1.15 and 1.11 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE, and resolution fixing Wednesday, October 20, 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-6 AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON TO ADOPT OFFICIAL STREET NAME FOR A NEW ROADWAY LOCATED IN THE BAYONNE MARITIME DISTRICT OF THE PENINSULA AT BAYONNE HARBOR, and resolution fixing Wednesday, October 20, 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. **(Street Name-Port Lincoln Boulevard)**
- O-7 AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING A REDEVELOPMENT PLAN TITLED AMENDED AND RESTATED REDEVELOPMENT PLAN TEXACO REDEVELOPMENT AREA FOR THE PROPERTY IDENTIFIED AS BLOCK 360 LOT 1, BLOCK 332 LOT 2. 2.01, 4 AND 5, BLOCK 361 LOT 12 AND BLOCK 362 LOT 3, 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 resolution fixing Wednesday, October 20, 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. **(CASCHEM)**
- O-8 ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON APPROVING A FINANCIAL AGREEMENT BY AND BETWEEN THE CITY OF BAYONNE AND WOODMOUNT BAYONNE PHASE 2 URBAN RENEWAL, LLC FOR THE PROPERTY LOCATED 52ND STREET, WHICH PROPERTY IS IDENTIFIED AS BLOCK 37, LOT 1 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE and resolution fixing Wednesday, October 20, 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. **(BAYER PROPERTY)**
- O-9 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 3, POLICE REGULATIONS. Ordinance amending and supplementing the Revised General Ordinances of the City of Bayonne, Chapter 3, Police Regulations and resolution fixing Wednesday, October 20, 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. **(Repealing Section 3.25-5, Impounding as same conflicts with Chapter 4-29 Towing.)**
- O-10 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC, and resolution fixing Wednesday, October 20, 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-3)**

COMMUNICATIONS

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

- C-1 From Steven Goldstein, Esq., filing notice of claim on behalf of DALE MONROE alleging personal injury sustained from a fall on the sidewalk at 500 Broadway on May 13, 2021.
- C-2 From John P. Nutly, Jr., Esq., filing notice of claim on behalf of KAREN SQUILLANTE alleging personal injuries sustained when she was struck by police vehicle at Avenue A & 24th Street on June 16, 2021.
- C-3 From Brett H. Klein, Esq., filing notice of claim on behalf of JEAN WASKIEWICZ, individually and as Prospective Administratrix of the Estate of Lee Waskiewicz,
- C-4 From FRANK DEPAULO, filing notice of claim alleging damage to his automobile when it was struck by a Fire Truck while parked at Avenue C & 10th Street on July 2, 2021.
- C-5 From Superior Court of New Jersey in the matter entitled, "CARMEN S. PARRALES vs. SHREE REALTY MANAGEMENT, LLC; ABC CORP. JOHN/JANE DOE 1-5 and the City of Bayonne **(Third Party Complaint)**

- C-6 From the Superior Court of New Jersey in the matter entitled, “MADELINE LINDER vs. CITY OF BAYONNE, BAYONNE ECONOMIC OPPORTUNITY FOUNDATION, JOHN DOE 1-10 & ABC CORP. 1-10)
- C-7 From the Superior Court of New Jersey in the matter entitled, “BAYONNE REDEVELOPERS RESIDENTIAL URBAN RENEWAL BLOCK 780, LLC vs. CITY OF BAYONNE. (**Breach of Redevelopment Agreement-Property Tax Credit**)
- C-8 From Tax Court of New Jersey in the matter entitled, “LEVY/AUG BAYONNE LLC vs. CITY OF BAYONNE” (Commercial)
- C-9 From Tax Court of New Jersey in the matter entitled, “BAYONNE JEWISH COMMUNITY CENTER vs. CITY OF BAYONNE.” (Commercial)
- C-10 From Tax Court of New Jersey in the matter entitled, 915-917 BROADWAY LLC vs. CITY OF BAYONNE.” (Commercial)
- C-11 From Tax Court of New Jersey in the matter entitled, JOHN & MARYAN, LLC vs. CITY OF BAYONNE.” (Vacant)
- C-12 From Tax Court of New Jersey in the matter entitled, “PALMER ASHPHALT CO. vs. CITY OF BAYONNE.” (Industrial)
- C-13 From Tax Court of New Jersey in the matter entitled, “PALMER ASHPHALT CO. 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**

RESOLUTIONS

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

- CR-1 Approving the minutes of the regular meeting held Wednesday August 18, 2021. **City Clerk**
- CR-2 Approving the minutes of the council caucus held Wednesday, August 11, 2021. **City Clerk**
- CR-3 Ordering a warrant in the amount of \$20.40 payable to the order of the BUREAU OF RABIES CONTROL, STATE OF NEW JERSEY, covering the issuance of 7 dog licenses issued in August. **City Clerk**
- CR-4 Ordering warrants drawn to taxpayers representing refunds for overpayment of taxes. (15 properties) **Tax Collector**
- CR-5 Authorizing the Police Department to sell at auction one (1) city-owned vehicle.
- CR-6 Authorizing the Purchasing Agent to advertise for Snow Removal Services during Snow Emergencies.
- CR-7 Authorizing the Mayor to enter into an agreement with the BAYONNE YOUTH CENTER for after school enrichment program and support for community outreach programs in an amount not to exceed \$10,000.00 for a period of one (1) year commencing September 1, 2021 and ending August 31, 2022. **CDBG**

- CR-8 Authorizing the Mayor to enter into an agreement with GARDEN STATE EPISCOPAL COMMUNITY DEVELOPMENT CORPORATION for the Hudson County Homeless Outreach program in an amount not to exceed \$10,000.00 for a period of one (1) year commencing September 1, 2021 and ending August 31, 2022. **CDBG**
- CR-9 Authorizing the Mayor to enter into an agreement with the WATERFRONT PROJECT, INC. for the housing counseling and legal advocacy program in an amount not to exceed \$16,670.00 for a period of one (1) year commencing September 1, 2021 and ending August 31, 2022. **CDBG**
- CR-10 Authorizing the Mayor to enter into an agreement with CHURCH WORLD SERVICE for refugee employment coach program in an amount not to exceed \$5,000.00 for a period of one (1) year commencing September 1, 2021 and ending August 31, 2022. **CDBG**
- CR-11 Authorizing the Mayor to enter into an agreement with VICTORY HALL for art instruction/development in the area of drawing and painting to adult/young adults developmentally disabled in an amount not to exceed \$6,000.00 for a period of one (1) year commencing September 1, 2021 and ending August 31, 2022. **CDBG**
- CR-12 Authorizing the Mayor to enter into an agreement with COMMUNITY DAY NURSERY for preschool childcare program in an amount not to exceed \$35,000.00 for a period of one (1) year commencing September 1, 2021 and ending August 31, 2022. **CDBG**
- CR-13 Authorizing the Mayor to enter into an agreement with WALLACE TEMPLE COMMUNITY ACTIVITY RESOURCE ENRICHMENT site for the C.A.R.E.S living faith food pantry in an amount not to exceed \$2,000.00 for a period of one (1) year commencing September 1, 2021 and ending August 31, 2022. **CDBG**
- CR-14 Authorizing the Mayor and City Clerk to execute a License Agreement with the SHAMROCK SOCIETY OF BAYONNE, INC., for purposes of an Irish Festival to be held on Saturday, October 2, 2021 to be located G. Thomas DiDomenico Park – event to be held from 12:00 p.m. to 8:00 p.m.
- CR-15 Amending Resolution No. 20-12-16-053 awarding a contract for E. 25th Street Pedestrian Bridge Replacement to Grand Construction of Paterson New Jersey for a total contract amount of \$2,643,569.71 to reflect the contract is awarded to Diaco Contracting, Inc. trading as Grade Construction of Paterson, New Jersey and authorizing payment be made to Diaco Contracting, Inc. t/a Grade Construction of Paterson New Jersey.
- CR-16 Authorizing the City Clerk to advertise for bids for the 2021 Roadway Improvements project.
- CR-17 Authorizing the City Clerk to advertise for bids for the 22nd Street Project.
- CR-18 Authorizing the advertisement of various Requests for Qualifications/Proposals for professional and/or extraordinary unspecifiable services for the upcoming calendar year commencing January 1, 2022 and ending December 31, 2022.
- CR-19 Dedicating West 52nd Street to Jack Graham a lifelong resident of West 52nd Street and a Vietnam War Veteran and renaming West 52nd Street “Jack Graham Way.”
- CR-20 Dedicating the lower portion at 16th Street Park the Detective Joseph Seals who was fatally wounded while on duty and renaming the lower portion “Detective Joseph Seals Way”
- CR-21 Authorizing the Mayor, City Clerk and Chief of Police to endorse a Social Affairs Permit for the FRIENDS OF TEAMSTERS.

CR-22 Granting 4 Raffle licenses to qualified organizations. **City Clerk**

END OF CONSENT AGENDA

- R-1 Approving Chapter 159 #1 in the CY 2021 budget, seeking permission of the Division of Local Government Services to approve the insertion of an item of revenue. **Finance**
- R-2 Authorizing the Mayor and/or his designee and the City Clerk to execute an agreement with NJ Humane Society Corp., 6412 Dewey Avenue, West New York, NJ 07093 for Trap, Neuter and Release for the period commencing October 1, 2021 and ending September 3, 2022 for a total contract amount not to exceed \$25,000 pursuant to the Non-fair and Open Process. **Law**
- R-3 Designating BAYVIEW JV LLC as redeveloper for the property identified as block 300.01, Lots 1, 2 & 3; Block 301.03, Lots 2 & 3 and Block 511, Lot 1 as shown on the official tax map of the City and authorizing the execution of a redevelopment agreement with BAYVIEW JV LLC for redevelopment of such property in accordance with the redevelopment plan. **(A&P site)**
- R-4 Designating 7 HOOK ROAD URBAN RENEWAL, LLC as redeveloper of the property located at 7 Hook Road which is identified at Block 479, Lot 1 as shown on the official tax map of the City and authorizing the execution of a redevelopment agreement with 7 HOOK ROAD URBAN RENEWAL, LLC for the redevelopment of such property in accordance with the redevelopment Plan.
- R-5 Authorizing and directing the Planning Board to conduct a preliminary investigation to determine whether certain property identified as Block 465, Lot 1; Block 466, Lot 1, 2, 3 & 4; Block 478, Lots 1 and 1.01 as shown on the official tax map of the City constitutes a non-condemnation area in need of redevelopment pursuant the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. **(Exxon)**
- R-6 Ratifying and affirming the actions of Mayor and/or City Clerk in executing an agreement with Immediate Care Walk-In Management, LLC and Urgent Care Physicians of New Jersey, LLC, 46 Newman Springs Road East, Red Bank, NJ 07701 to provide COVID-19 Testing Services for residents and employees on Thursdays and Sundays for the period commencing September 2, 2021 through April 8, 2022 for a total contract amount not to exceed \$157,500 payable at the rate of \$2,500.00 per day.
- R-7 Designating WOODMOUNT BAYONNE PHASE 2 URBAN RENEWAL LLC as redeveloper for the property located on West 52ndn Street and is identified as Block 37, Lot 1 as shown on the official tax map of the City of Bayonne and authorizing the execution of a Redevelopment Agreement with WOODMOUNT BAYONNE PHASE 2 URBAN RENEWAL LLC for the development of such property in accordance with the Redevelopment Plan.
- R-8 Authorizing the Mayor and/or his designee and the City Clerk to take any and all steps and execute any and all documents necessary to effect a Shared Services Agreement in substance and form as is approved by the Law Director between the Bayonne Board of Education (BOE) and the City of Bayonne (the "City") for the collection of Solid Waste from various BOE locations retroactive from January 1, 2021 through December 31, 2023 for the amount of \$104,000 per year payable by the BOE to the City with two (2) additional one (1) year options to renew with each one (1) year option commencing January 1st of each consecutive option year.
- R-9 Amending Resolution 17-07-19-069 to replace the Director of Public Works with the Director of Municipal Services as a City official authorized to execute any and all documents on behalf of the City of Bayonne in furtherance of any and all sanitary sewer applications submitted to the State of New Jersey by developers in connection with redevelopment or other projects within the City and remove the Director of the Department of Public Works, and also to delete John Ludington,

II, Project Manager Suez Bayonne and authorize “Project Manager Suez Bayonne” as a party authorized to execute these applications.

- R-10 Amending Resolution 17-05-17-058 to replace the Superintendent of the Department of Public Works with the Director of Municipal Services as a City official authorized to execute any and all documents on behalf of the City of Bayonne in furtherance of any and all sanitary sewer applications submitted to the State of New Jersey by developers in connection with redevelopment or other projects within the City.
- R-11 Authorizing the Mayor and/or his designee to execute a Memorandum of Understanding with the Borough of East Newark, the Town of Harrison, the City of Jersey City, the Town of Kearny, the City of Newark, the Township of North Bergen and the City of Paterson setting forth minimum conditions of coordinated lobbying efforts to obtain funding for the Regional Long Term Control Plan by Combined Sewer Overflow Municipalities in the Passaic Valley Sewerage Commission Sewerage District.
- R-12 Authorizing a closed session to discuss matters involving matters falling within attorney-client privilege, pursuant to NJSA 10:4-12(a).

TO BE ADDED AT MEETING

- ADD-1 Amending Agreement No. CY21-068 with ALTICE MEDIA SALES to correct a scrivener’s error and set forth the contract amount of \$30,596.00 shall be chargeable to Accounts BAYONNE UEZ (50%) and Special Improvement District Account (50%)
- ADD-2 Amending Agreement No. CY21-024 with CME ASSOCIATES for professional engineering services to increasing contract by an additional \$300,000 for a total contract amount not to exceed \$1,050,000.
- ADD-3 BOND ORDINANCE PROVIDING FOR VARIOUS 16TH STREET PARK IMPROVEMENTS, BY AND IN THE CITY OF BAYONNE, IN THE COUNTY OF HUDSON, STATE OF NEW JERSEY (THE “CITY”); APPROPRIATING \$1,500,000 THEREFOR (INCLUDING A GRANT FROM NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION GREEN ACRES PROGRAM) AND AUTHORIZING THE ISSUANCE OF \$750,000 BONDS OR NOTES OF THE CITY TO FINANCE PART OF THE COSTS THEREOF, and resolution fixing Wednesday, October 20, 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.