

CITY OF BAYONNE CITY COUNCIL REGULAR MEETING OCTOBER 20, 2021

ORDINANCES, COMMUNICATIONS AND ADMINISTRATION REQUESTS FOR COUNCIL MEETING AGENDA

ORDINANCES SCHEDULED FOR PASSAGE

- 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 November 10, 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 November 10, 2021.

ORDINANCES SCHEDULED FOR HEARING

- O-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
- O-4 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
- O-5 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. **(Street Name-Port Lincoln Boulevard)**
- O-6 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

- O-7 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 3, POLICE REGULATIONS. **(Repealing Section 3.25-5, Impounding as same conflicts with Chapter 4-29 Towing.)**
- O-8 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC. **(Restrictive Parking Zones-Delete-3)**

PUBLIC COMMENTS

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

ORDINANCES PROPOSED FOR INTRODUCTION

- O-9 ORDINANCE TO AMENDING ORDINANCE NO. O-21-33 CONSENTING TO 1) THE SALE OF THE PROJECT OF 175 WEST 7TH URBAN RENEWAL, LLC TO 175 W 7TH DEVELOPMENT URBAN RENEWAL LLC; 2) CONFIRMING THE ASSIGNMENT OF THE FINANCIAL AGREEMENT BETWEEN THE CITY OF BAYONNE AND 175 WEST 7TH URBAN RENEWAL, LLC TO 175 W 7TH DEVELOPMENT URBAN RENEWAL LLC; AND 3) CONFIRMING AN AMENDMENT TO THE FINANCIAL AGREEMENT TO AMEND THE ESTIMATED CONSTRUCTION SCHEDULE FOR THE PROJECT and resolution fixing Wednesday, November 10, 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. **(Correction of Lot Number from lots 1 & 3 to lot 1)**
- O-10 AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING THE REDEVELOPMENT PLAN TITLED THE “FORMER CASCHEM REDEVELOPMENT PLAN” FOR THE PROPERTIES IDENTIFIED AS BLOCK 360 LOT 1; BLOCK 332, LOTS 2, 2.01, 4 & 5; BLOCK 361, LOT 12 AND BLOCK 352, LOT 3 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 resolution fixing Wednesday, November 10, 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-11 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC, and resolution fixing Wednesday, November 10, 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 7-15 -Parking Prohibited at all times on Centre Street on entire length of both sides)**
- O-12 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC, and resolution fixing Wednesday, November 10, 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-5)**

COMMUNICATIONS

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

- C-1 From MELISSA BARRETT filing notice of claim alleging personal injuries sustained from a fall on the sidewalk at 426-428 Avenue E on August 16, 2021.
- C-2 From DYLAN T. MEARES filing notice of claim alleging damage to his automobile resulting from an unmarked railroad crossing on LeFante Way on June 20, 2021.
- C-3 From Brian & Jessica Kelemen filing notice of claim on behalf of KENNEDY KELEMEN, a minor, alleging personal injuries sustain from a fall at 16th Street Park on June 27, 2021.

- C-4 From STEPHEN FARRELL, filing notice of claim alleging damage to his automobile in a Municipal Parking lot from a falling branch on August 13, 2021.
- C-5 From MICHAEL R. CASTILLO-LEWIS filing notice of claim alleging damage to his automobile resulting from an unmarked railroad crossing on LeFante Way on August 1, 2021.
- C-6 From Christopher Karounos, Esq. filing notice of claim on behalf of ALEXANDER ESCABI alleging personal injuries sustained fall a fall at 308 Avenue C on September 8, 2021.
- C-7 From the Unites States District Court of New Jersey in the matter of “STEVEN MELEIKA vs. CITY OF BAYONNE, ET ALS.
- C-8 From Tax Court of New Jersey in the matter of “EMILO’S PROPERTIES LLC vs. CITY OF BAYONNE.” **Commercial**
- C-9 From Tax Court of New Jersey in the matter of “SHAHID & GHAZALA CHOCHAN vs. CITY OF BAYONNE.” **1-4 Family residential**
- C-10 From Tax Court of New Jersey in the matter of “MAGDY ABELMASEH vs. CITY OF BAYONNE.” **1-4 Family residential**
- C-11 From Tax Court of New Jersey in the matter of “OMAR HANAFY & MERVAT ABDELWHAD vs. CITY OF BAYONNE.” **1-4 Family residential**
- C-12 From Tax Court of New Jersey in the matter of “YES CHRIS DEVELOPMENT, LLC. vs. CITY OF BAYONNE.” **Commercial**
- C-13 From Tax Court of New Jersey in the matter of “OUR LADY OF MT. CARMEL CHURCH vs. CITY OF BAYONNE.”
- C-14 From Tax Court of New Jersey in the matter of “ST. VINCENT DE PAUL CHURCH vs. CITY OF BAYONNE.” **Commercial**
- C-15 From Tax Court of New Jersey in the matter of “ST. ANDREW’S CHURCH vs. CITY OF BAYONNE.” **Commercial**
- C-16 From Tax Court of New Jersey in the matter of “BERGEN POINT BAYONNE REALTY LLC vs. CITY OF BAYONNE.” **Commercial**
- C-17 From Tax Court of New Jersey in the matter of “BERGEN POINT BAYONNE REALTY LLC vs. CITY OF BAYONNE.” **Commercial**
- C-18 From Tax Court of New Jersey in the matter of “BERGEN POINT BAYONNE REALTY LLC vs. CITY OF BAYONNE.” **Commercial**
- C-19 From Tax Court of New Jersey in the matter of “RJG & ASSOCIATES, LLC vs. CITY OF BAYONNE.” **Commercial**
- C-20 From Tax Court of New Jersey in the matter of “GAMAL GROUP CORP vs. CITY OF BAYONNE.” **Industrial**
- C-21 From Tax Court of New Jersey in the matter of “2-4 MEADOW BAYONNE LLC vs. CITY OF BAYONNE.” **Multi-Unit residential**
- C-22 From Tax Court of New Jersey in the matter of “21-23 BAYONNE LLC vs. CITY OF BAYONNE.” **Multi-Unit residential**
- C-23 From Tax Court of New Jersey in the matter of “25-27 BAYONNE LLC vs. CITY OF BAYONNE.” **Multi-Unit residential**
- C-24 From Tax Court of New Jersey in the matter of “715 AVENUE C APARTMENTS LLC vs. CITY OF BAYONNE.” **Multi-Unit residential**

- C-25 From Tax Court of New Jersey in the matter of “840 KENNEDY BOULEVARD APARTMENTS, LLC vs. CITY OF BAYONNE.” **Multi-Unit residential**

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 appointing GARY CHMIELEWSKI as Director of the Department of Municipal Services effective October 8, 2021, and resolution confirming and consenting.

RESOLUTIONS

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

- CR-1 Approving the minutes of the regular meeting held Wednesday September 22, 2021. **City Clerk**
- CR-2 Approving the minutes of the council caucus held Wednesday, September 15, 2021. **City Clerk**
- CR-3 Approving the minutes of the special meeting held Monday, September 27, 2021. **City Clerk**
- CR-4 Ordering warrants drawn to taxpayers representing refunds for overpayment of taxes. (18 properties) **Tax Collector**
- CR-5 Ordering a warrant in the amount of \$25.20 payable to the order of the BUREAU OF RABIES CONTROL, STATE OF NEW JERSEY, covering the issuance of 11 dog licenses issued in September. **City Clerk**
- CR-6 Ordering a warrant in the amount of \$2,375.00 drawn to the order of the TREASURER, STATE OF NEW JERSEY representing the state's share of 95 marriage licenses issued during the months of July. August and September, 2021. **City Clerk**
- CR-7 Authorizing the Purchasing Agent to purchase Rock Salt from MORTON SALT, INC. Chicago, IL, at \$56.89/ton utilizing the Hudson County Coop Rock Salt Bid #7569, Contract #131464. **Public Works**
- CR-8 Authorizing the Tax Collector to refund and/or cancel taxes on Block 96, Lot 29, a two family home occupied by a qualifying 100% totally and disabled veteran effective March 17, 2021 and authorizing a refund in the amount of \$1,369.33. **Tax Assessor**
- CR-9 Ratifying and affirming the actions of City of Bayonne's Community Development Block Grant Administrator in retaining GATTUSO'S LANDSCAPE CO., Bayonne, NJ for the amount of \$3,250.00 to abate major health code at the former Holy Family located at 237-239 Avenue A and authorizing the Mayor and City Clerk to enter into an agreement with the Bayonne Economic Opportunity Foundation, to provide the cost of CDBG funds in the amount of \$3,250.00 for a period of one (1) year commencing September 1, 2021 and ending August 31, 2022. **CDBG**
- CR-10 Authorizing the purchase of 13 structural firefighting turnout protective gear and 13 pairs of structural firefighting boots from SKYLANDS AREA FIRE EQUIPMENT AND TRAINING LLC for the amount of \$39,727.09, under State Contract #17-FLEET-00810 and #17-FLEET-00809. **Fire**
- CR-11 Authorizing the Mayor and City Clerk to execute an amendment to Agreement No. CY20-077 with the Community Day Nursery, 591 Broadway, Bayonne New Jersey increasing funds for the purpose of providing an pre-school child care for low and

moderate income families in the amount of \$6,214.28 making the total contract amount \$44,214.28 **CDBG**

- CR-12 Authorizing the Mayor and City Clerk to execute an amendment to Agreement No. CY20-075 with the Bayonne PAL Day Care Center, 550 Avenue A, Bayonne New Jersey increasing funds for the purpose of providing an after school and summer camp child care program in the amount of \$6,214.28 making the total contract amount \$31,214.28. **CDBG**
- CR-13 Authorizing the Mayor and City Clerk to (1) enter into a Right-of-Way Agreement (ROW) with property owner, Jose Turcios, for purposes of installing and maintaining a handicapped ramp compliant with ADA design standards to be located at the front entrance of 69 West 21st Street, designated Block 209, Lot 16 on the official tax map of the City of Bayonne, and (2) a License Agreement for said handicapped accessible ramp to be located in the City's Right of Way in front of 69 West 21st Street to be constructed at the property owner's sole cost and expense for an annual fee of \$500.00 payable to the City. **Law**
- CR-14 Authorizing the Mayor and City Clerk to enter into a Cooperative Pricing System by and between the City of Paterson, City of Newark, City of Bayonne, Passaic Valley Sewerage Commissioners, Jersey City Municipal Utilities Authority, Town of Harrison, Town of Kearny, Borough of East Newark, City of Perth Amboy, City of Elizabeth, City of Hackensack, Village of Ridgefield Park, Town of Fort Lee, Town of Guttenberg and North Bergen Municipalities Authority in connection with expenses incurred in connection with Combined Sewer Overflow NJPDES Permits pursuant to N.J.S.A. 40A:11-11(5). **Law**
- CR-15 Approving Design Guidelines for the Town Center Special Improvement District
- CR-16 Authorizing the Mayor and City to exercise the two (2) year extension to Agreement No. CY18-066 with BORKER TRANSMISSION and to increase the unit price amount for transmission repair services by 3.5%, with no change in the total additional contract amount not to exceed \$16,667.00 per year for a total additional amount not to exceed \$33,334.00 for the period commencing September 1, 2021 and ending August 31, 2023. **Public Works**
- CR-17 Requesting the Director of Local Government Services to make a Change Title and Text in the CY 2021 Budget. **Finance**
- CR-18 Authorizing the Mayor to accept the Older American's Grant from the County of Hudson in the amount of \$66,720.00 with a 25% matching funds contribution in the amount of \$16,680.00, for the purpose of providing counseling programs for senior citizens. **Finance**
- CR-19 Authorizing the Mayor to accept the Congregate Meals Grant from the County of Hudson in the amount of \$101,199.00 with a 25% matching funds contribution in the amount of \$25,299.75 for the purpose of providing nutrition programs for senior citizens. **Finance**
- CR-20 Authorizing the Mayor to accept and expend the FY2020 Assistance to Firefighters Grant from the Department of Homeland Security Federal Emergency Management Agency in the amount of \$234,385.00 with a 10% matching funds contribution in the amount of \$21,307.73 to purchasing portable radios and equipment. **Public Safety**
- CR-21 Authorizing the City's CDBG Administrator to recapture unexpended Community Development Block Grant Funds previously granted to sub recipients in the amount of \$12,428.56 for the period commencing September 1, 2020 and ending August 31, 2021. **CDBG**
- CR-22 Authorizing the CDBG'S Administrator to reallocate CDBG Funds from the Waterfront Project Senior Wills Program Account #1055 to the Waterfront Project Fair Housing Program Account #1056 in the amount of \$8,000.00 and authorizing the Mayor and City Clerk to take any and all actions and execute any and all documents necessary to provide the Waterfront Project with said CBDG funds. **CDBG**

- CR-24 Authorizing the submission of an application to the New Jersey Department of Community Affairs for a grant to provide inclusive recreational opportunities for teenagers and adults with disabilities as part of Bayonne's Recreation programming in the amount of \$20,000.00. **Recreation**
- CR-25 Authorizing a warrant payable to ROYAL PRINTING SERVICE, West New York, NJ, for the printing of 2021 Primary Election Ballots in the amount of \$39,525.00. **City Clerk**
- CR-26 Granting 1 Raffle licenses to qualified organizations. **City Clerk**

END OF CONSENT AGENDA

- R-1 Approving Chapter 159 #2 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 Amending Agreement No. CY210=-024 with CME ASSOCIATES for professional engineering services as in-house Engineer, increasing agreement in the amount of \$300,000.00 making total amount not to exceed \$1,050,000.00.
- R-3 Amending Resolution No. 21-06-16-053 authorizing the execution of a Redevelopment Agreement with 175 w 7TH DEVELOPMENT URBAN RENEWAL, LLC to correct a scrivener's error and removed all references to Lot 3 insofar as the correct Block and Lot should be Block 304, Lot 1.
- R-4 Designating certain property located 562-568 Broadway, which is identified as Block 184, Lots 1, 2 & 3 on the official tax map of the City as a non-condemnation area in need of redevelopment and authorizing and directing the Planning Board to prepare a redevelopment plan pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1. **(Nacirema)**

TO BE ADDED AT MEETING

- ADD-1 Authorizing the purchase of four (4) Police Patrol Equipped 2022 Ford Utility Interceptor Police Vehicles from WINNER FORD, Cherry Hill, NJ, under State Contract #20-FLEET-01189 for the total prices of \$133,478.00. **Public Safety**
- ADD-2 Authorizing an amending to Agreement No. CY21-068 with ALTICE MEDIA SALES for the promotion of the City's COVID-19 vaccination program to increase said contract in the \$30,000.00, making total contract amount not to exceed \$60,000.00. **Finance**
- ADD-3 Authorizing the request to the NEW JERSEY DEPARTMENT OF TRANSPORTATION for an extension of the award of bid for the Local Freight Impact Fund Award LFIF-19; Peninsula at Bayonne Harbor Port Access Road Project to March 24, 2022.
- ADD-4 Authorizing the cancellation of Ordinance No.0-20-28 adopted October 21, 2020 for the appropriation of \$100,000 from the Capital Improvement Fund in connection with acquisition of Marist High School. **Finance**
- ADD-5 Authorizing the purchase of four (4) GETAC Computer Systems for four (4) new police vehicles from GTBM, East Rutherford, NJ under State Contract #89980 for a total cost of \$32,695.40. **Public Safety**
- ADD-6 Authorizing the purchase and installations of Emergency Police Vehicle Operating Equipment for four (4) new police vehicles from ELITE VEHICLE SOLUTIONS, Lakewood, NJ for the total amount of \$59,828.20 under State Contract #17-FLEET-00749. **Public Safety**
- ADD-7 Authorizing the Mayor and Clerk to execute any and all documents necessary to effectuate (1) an assignment and assumption of the Purchase and Sale Agreement between the City of Bayonne and Marist Brothers of the Schools, Inc. and (2) the termination of the City of Bayonne's interest in said property. **Law**