

CITY OF BAYONNE CITY COUNCIL REGULAR MEETING MAY 18 2022

ORDINANCES, COMMUNICATIONS AND ADMINISTRATION REQUESTS FOR COUNCIL MEETING AGENDA

ORDINANCES SCHEDULED FOR FINAL PASSAGE

- O-1 Postponing final passage of an ordinances 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 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 June 15, 2022
- O-2 Postponing final passage of an ordinances 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 June 15, 2022.

ORDINANCES SCHEDULED FOR HEARING

- O-3 AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, STATE OF NEW JERSEY APPROVING AND AUTHORIZING THE EXECUTION OF A REIMBURSEMENT AGREEMENT BY AND BETWEEN THE CITY OF BAYONNE AND 6 COMMERCE STREET URBAN RENEWAL, LLC. **Law**
- O-4 AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, STATE OF NEW JERSEY APPROVING AND AUTHORIZING THE EXECUTION OF A REIMBURSEMENT AGREEMENT BY AND BETWEEN THE CITY OF BAYONNE AND 7 HOOK ROAD URBAN RENEWAL, LLC. **Law**
- O-5 AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, STATE OF NEW JERSEY APPROVING A FINANCIAL AGREEMENT BY AND BETWEEN THE CITY OF BAYONNE AND AVE E DEV AMS URBAN RENEWAL, LLC FOR THE PROPERTY LOCATED AT 132 AND 140 AVENUE E, WHICH PROPERTY IS IDENTIFIED AS BLOCK 458, LOT 1.02 (FORMERLY KNOWN AS BLOCK 458, LOT 1.01 AND BLOCK 467, LOTS 24-26) AND BLOCK 467, LOT 23 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE (SILK LOFTS EAST) **Law**
- O-6 AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, STATE OF NEW JERSEY APPROVING A FINANCIAL AGREEMENT BY AND BETWEEN THE CITY OF BAYONNE AND 218-220 BROADWAY URBAN RENEWAL, LLC FOR THE PROPERTY LOCATED AT 218-220 BROADWAY, WHICH PROPERTY IS IDENTIFIED AS BLOCK 319, LOT 26 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE. (DELTA GAS STATION) **Law**
- O-7 AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, STATE OF NEW JERSEY APPROVING A FINANCIAL AGREEMENT BY AND BETWEEN THE CITY OF BAYONNE AND AVE E DEV MILE HIGH AMS URBAN RENEWAL, LLC

FOR THE PROPERTY LOCATED AT 157-163 AVENUE E, WHICH PROPERTY IS IDENTIFIED AS BLOCK 234, LOT 8.01 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE. (SILK LOFTS WEST) **Law**

- O-8 AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING A REDEVELOPMENT PLAN FOR THE PROPERTIES IDENTIFIED AS BLOCK 465, LOT 9, BLOCK 466, LOTS 1, 2, 3, AND 4, BLOCK 478, LOTS 1 AND 1.01, AND BLOCK 506, LOT 2 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE
- O-9 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 35, ZONING REGULATIONS. **Section 4.1- Zoning Permit, Subsection (b) to revise the amount of days for a decision to be made by the Zoning Officer from within ten (10) days of the submission of a complete application to ten (10) business days.**
- O-10 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 33, PLANNING AND DEVELOPMENT REGULATIONS. **Section 4.1- Zoning Permit, Subsection (b) to revise the amount of days for a decision to be made by the Zoning Officer from within ten (10) days of the submission of a complete application to ten (10) business days.**
- O-11 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 8, TAXICABS AND LIMOUSINES. **(Amending Section 8-12-Taxicab Fares)**

PUBLIC COMMENTS

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

ORDINANCES PROPOSED FOR INTRODUCTION

- O-12 AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY APPROVING A FINANCIAL AGREEMENT BY AND BETWEEN THE CITY OF BAYONNE AND 6 COMMERCE STREET, WHICH PROPERTY IS IDENTIFIED AS BLOCK 481, LOT 5.02, AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE, and a resolution fixing Wednesday, June 15, 2022 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-13 AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY APPROVING A FINANCIAL AGREEMENT BY AND BETWEEN THE CITY OF BAYONNE AND 7 HOOK ROAD DEVELOPMENT IV URBAN RENEWAL, LLC FOR THE PROPERTY LOCATED AT 7 LOWER HOOK ROAD, WHICH PROPERTY IS IDENTIFIED AS BLOCK 479, LOT 1 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE, and a resolution fixing Wednesday, June 15, 2022 at 7:00 P.M. and the Dorothy E. Harrington Council Chambers as the time and place for a public hearing and final passage.

COMMUNICATIONS

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

- C-1 From KYLE GREAVES filing notice of claim alleging damage to automobile and tires when he struck several potholes on Chosen Few Way.
- C-2 From the Superior Court of New Jersey in the matter of "MADELINE LINDER vs. CITY OF BAYONNE, BAYONNE ECONOMIC OPPORTUNITY FOUNDATION, et als.
- C-3 From the Superior Court of New Jersey in the matter of "SHARON and DARYCK BROWN vs. SUEZ NORTH AMERICAN, SUES-BAYONNE, CITY OF BAYONNE, et als.
- C-4 From the Tax Court of New Jersey in the matter of "FRANCIACORTA PROPERTIES, LLC vs. CITY OF BAYONNE." **Commercial**

- C-5 From the Tax Court of New Jersey in the matter of “FAIZ, INC. vs. CITY OF BAYONNE.” **Commercial**

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 Purchasing Agent reporting on bids received for IMPROVEMENTS TO THE INTERSECTION OF AVENUE C AND 49TH STREET.
- OR-3 From the Purchasing Agent reporting on bids received for 2022 VARIOUS STREET PAVING.
- OR-4 From Madelene C. Medina, City Clerk certifying the results of the Municipal Election held on Tuesday, May 10, 2022.

RESOLUTIONS

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

- CR-1 Approving the minutes of the regular meeting held Wednesday April 20, 2022. **City Clerk**
- CR-2 Approving the minutes of the council caucus held Wednesday, April 13, 2022. **City Clerk**
- CR-3 Ordering warrants drawn to taxpayers representing refunds for overpayment of taxes. (11 properties) **Tax Collector**
- CR-4 Authorizing the purchase from TRAFFIC PLAN of Farmingdale, NJ a Camera Tower Retro Fit with Solar Panels, batteries and camera in the amount of \$22,061.00. **Public Safety**
- CR-5 Authorizing the purchase of two (2) VER-MAC SIGN BOARDS from TRAFFIC SAFETY SERVICE of South Plainfield, NJ in the amount of \$18,700.00, making total purchase amount \$37,400.00. **Public Safety**
- CR-6 Authorizing the Purchase Agent to sell approximately 1,200 old unusable parking meters through GOV DEALS. **Public Safety**
- CR-7 Authorizing the Purchasing Agent to advertise for bids for the purchase of four (4) 2022-2023 HARLEY DAVIDSON FLHTP Electra Glide Police Motorcycles or equivalent. **Public Safety**
- CR-8 Authorizing Request for Proposals for Consulting Traffic Engineering Services.
- CR-9 Authorizing the acceptance the NJDOT FY 2022 Local Freight Impact Fund Program for Peninsula at Bayonne Harbor Port Access Road.
- CR-10 Accepting a grant in the amount of \$20,000.00 from the NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS for the CY22 Recreational Opportunities for Individuals with Disabilities.
- CR-11 Cancelling taxes on 100% of Block 423, Lot 2 as being occupied by a qualifying 100% disabled veteran effective October 8, 2021, and ordering a refund of overpaid taxes resulting from the exemption. **Assessor**
- CR-12 Authorizing the Mayor and City Clerk to enter into a Right-of-Way agreement with PETER HOLLINSTEINER for the purpose of installing and maintaining an ADA ramp projecting into the Right-of-Way located at 714-716 Broadway, for an annual fee of \$250.00 payable to the City of Bayonne. **Law**

- CR-13 Authorizing the Mayor to enter into an agreement with the BAYONNE YOUTH CENTER to provide the cost of interior and exterior repairs pursuant to a proposal from ABCO Construction in an amount not to exceed \$61,875.00 for a period of one year commencing September 1, 2021 through August 31, 2022
- CR-14 Authorizing the Mayor and City Clerk to enter into a Right-of-Way Agreement (ROW) with Ryan Ehrlich for purposes of installing and maintaining a new off-street parking space which will be approximately 18 feet in length and will protrude approximately 5 feet 6 inches in depth and into the City's ROW located at 40 East 33rd Street, Block 146, Lot 27, on the official tax map of the City of Bayonne, for an annual fee of \$500.00 payable to the City. **Law**
- CR-15 Authorizing the Mayor to enter into a contract with FUN SERVICES, for the rental of entertainment devices for the HOMETOWN FAIR and authorizing the Bayonne UEZ draw down funds Hometown Fair account in the amount of \$12,000.00
- CR-16 Authorizing the Purchasing Agent to enter into an agreement with STORR TRACTOR COMPANY, Branchburg, NJ through ESCNJ State Approved Co-Op #65MCESCCPS bid #18/19 -25 to purchase a Toro Z-Master 7500 Model #74090 Turn Radius Rotary Mower in the amount of \$28,793.39.
- CR-17 Granting 1 Raffle licenses to qualified organizations. **City Clerk**

END OF CONSENT AGENDA

- R-1 Approving Temporary Emergency Appropriation #4 in CY 2022 Municipal Budget.
- R-2 Authorizing the Mayor and City Clerk to enter into an agreement with the ROGERS GROUP, LLC, Frisco, Texas for Consulting Services to assist the Police Department in attaining NJ STATE CHIEF OF POLICE ASSOCIATION Communications Center Accreditation for a period not to exceed one year for an amount of \$10,500.00. Awarded pursuant to Extraordinary Unspecifiable Services.
- R-3 Designating ATLANTIC CEMENT REALTY, LLC as Conditional Redeveloper of the property known as 6 Commerce Street (Block 481, Lot 5.02) and a portion of the Right of Way on Commerce Street, subject to and conditioned upon a Redevelopment Agreement and Lease/License Agreement between the City of Bayonne and the Redeveloper. **Law**
- R-4 Authorizing and consenting to the transfer of Financial Agreement from PENINSULA LOFTS URBAN RENEWAL, LLC to 197 AVENUE E URBAN RENEWAL, LLC. **Law**
- R-5 Designating Duke Realty Bayonne Redevelopment LLC as redeveloper of the property known and identified as Block 465, Lot 9, Block 466, Lots 1, 2,3 and 4 Block 478, Lota 1 and 1.01 and Block 506, Lot 2 and authorizing the preparation and execution of a Redevelopment Agreement. **Law**
- R-6 Approving and adopting the MEMORANDUM OF AGREEMENT between the City of Bayonne and AFSCME Council 63, Local 2261 for period January 1, 2022 through December 31, 2026 and authorizing the execution of same. **Law**
- R-7 Approving and adopting the MEMORANDUM OF AGREEMENT between the City of Bayonne, the City of Bayonne Parking Enforcement Utility and Crossing Guards and AFSCME COUNCIL 63, LOCAL 2261 for period January 1, 2022 through December 31, 2026 and authorizing the execution of same. **Law**
- R-8 Ratifying and affirming the actions of the Mayor and City Clerk in executing a License Agreement with PUBLIC SERVICE ELECTRIC & GAS (PSE&G) to allow PSE&G to test soil electrical resistivity in the 11th Street Park on Avenue E in connection with PSE&G's engineering of its substation updates at its Bergen Point substation located at Evergreen and Orient Street. **Law**
- R-9 Awarding the contract to ZUCCARO, INC, 54 Commerce Street,, Garfield, NJ for Improvements to the intersection of Avenue E and West 49th Street for the bid price

of \$284,040.00. (Chargeable to Account No's C-04-55-978-2210-991 and C04-55-979-2210-994)

- R-10 Awarding the contract to TOP LINE CONSTRUCTION CORP., 22 Fifth Street, Somerville, NJ for Various Street 2022 paving for the bid price \$1,290,110.60 (Chargeable to Accounts No's C-04-55-972-2210-993, C-04-55-972-2210-994 and C-04-55-974-2210-994)
- R-11 Authorizing Tax Counsel for the City of Bayonne is authorized to enter into and execute a stipulation of settlement on behalf of the City of Bayonne consistent with the terms provided on the attached schedule A with respect to the outstanding appeal listed in that schedule for: Block 359 Lot 4.04, 2nd Street. (2020-2021 tax years).
- R-12 Naming and dedicating the public park located at 28th Street and Avenue F as "MAKOWSKI PARK" in honor of former Councilmen Joseph F. Makowski (deceased) and Joseph E. Makowski.
- R-13 Authorizing and directing the Planning Board of the City of Bayonne to prepare a Redevelopment Plan for 69-83 LeFante Way also known as Block 412, Lot 3 pursuant to the Local Redevelopment and Housing Law, N.J.S.A 40A:12A-1 et seq. (Link Logistics Site)
- R-14 Opposing PASSAIC VALLEY SEWAGE COMMISSION'S (PVSC) proposed gas-burning power plant and supports the use of a renewable energy-based hybrid microgrid powered primarily by solar and battery storage for PVSC to achieve its resiliency goals