

CITY OF BAYONNE CITY COUNCIL COUNCIL CAUCUS JULY 13, 2022

ORDINANCES, COMMUNICATIONS AND ADMINISTRATION REQUESTS FOR COUNCIL MEETING AGENDA

PUBLIC COMMENTS

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

ORDINANCES PROPOSED FOR INTRODUCTION

- O-1 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 4, FILMING and a resolution fixing Wednesday, August 17, 2022 at 7:00 P.M. in the Dorothy E. Harrington Council Chambers as the time and place for a public hearing and final passage. **(Amending Section 4-19.7- adding subsection (d) waiving permit fees for students) Law**
- O-2 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 5, ANIMAL CONTROL and a resolution fixing Wednesday, August 17, 2022 at 7:00 P.M. in the Dorothy E. Harrington Council Chambers as the time and place for a public hearing and final passage. **(Amending section 5-3.8-authorizing enforcement of this provision and amending maximum fine of \$50 to \$1250; Section 5-17-Removal of Pet Waste-Violations and Penalties amending minimum fine of \$25.00 to \$100 and maximum fine of \$500.00 to \$1250.00) Mun. Services**
- O-3 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7 TRAFFIC and a resolution fixing Wednesday, August 17, 2022 at 7:00 P.M. in the Dorothy E. Harrington Council Chambers as the time and place for a public hearing and final passage. **(Restrictive Parking Zones- Deleting 5) Public Safety**
- O-4 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 11 POLICE DEPARTMENT, and a resolution fixing Wednesday, August 17, 2022 at 7:00 P.M. in the Dorothy E. Harrington Council Chambers as the time and place for a public hearing and final passage. **(Adding Section 11-11 Extra Duty Assignments and Details) Public Safety**
- O-5 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 21, HEALTH REGULATIONS, and a resolution fixing Wednesday, August 17, 2022 at 7:00 P.M. in the Dorothy E. Harrington Council Chambers as the time and place for a public hearing and final passage. **(Section 21-30-to prohibit the keeping, harboring, breeding and raising and/or caring for pigeons, chickens, rooster and all other farm animals within the jurisdictional limits of the City of Bayonne) Mun. Services**
- O-6 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 33, PLANNING AND DEVELOPMENT REGULATIONS and a resolution fixing Wednesday, August 17, 2022 at 7:00 P.M. in the Dorothy E. Harrington Council Chambers as the time and place for a public hearing and final passage. **(Section 33-10.27-Private Swimming Pools to amend the yard setback requirements from three (3) feet to two (2) feet from any property line) Mun. Services**
- O-7 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 35, ZONING REGULATIONS and a resolution fixing Wednesday, August 17, 2022 at 7:00 P.M. in the Dorothy

E. Harrington Council Chambers as the time and place for a public hearing and final passage. **(Removal of Parking Deficiency Schedule) Mun. Services**

Section 35.5.10 CBD – Central Business District

Section 35.5.15 TDO – Transit Development Overlay

Section 35.5.11 Uptown Business District

Section 35.5.13-H-C Highway Commercial/Selected Light Industrial District

- O-8 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC and a resolution fixing Wednesday, August 17, 2022 at 7:00 P.M. in the Dorothy E. Harrington Council Chambers as the time and place for a public hearing and final passage. **(Amending Section 7-18.2.2 –Trucks, Truck Tractors, Trailer and Commercial Vehicle, Special Regulation. Amendment to remove section D”) Public Works**
- O-9 AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK and a resolution fixing Wednesday, August 17, 2022 at 7:00 P.M. in 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 39, RECREATIONAL CANNABIS, and a resolution fixing Wednesday, August 17, 2022 at 7:00 P.M. in the Dorothy E. Harrington Council Chambers as the time and place for a public hearing and final passage. **(Section 39-2 Preliminary application, review process, administration fee and support resolution; Section 39-3 Planning Board: Section 39-6 Term of License and license renewals; Section 39-7 Disciplinary Actions, Sanctions and Penalties)**
- O-11 AN ORDINANCE ADOPTING TO THE 8TH STREET REHABILITATION REDEVELOPMENT PLAN 2015 AND ADOPTING SAID REVELOPMENT PLAN FOR THE BAYONNE HOUSING AUTHORITY PROJECT (7 OAK STREET) PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. N.J.S.A. 40A:12A-1 ET SEQ and a resolution fixing Wednesday, August 17, 2022 at 7:00 P.M. in the Dorothy E. Harrington Council Chambers as the time and place for a public hearing and final passage. **(Senior and Affordable Housing)**
- O-12 AN ORDINANCE REFERRING THE REDEVELOPMENT PLAN TO THE PLANNING BOARD FOR CONSISTENCY REVIEW FOR THE REDEVELOPMENT PLAN FOR PROPERTY LOCATED AT 69-73 LEFANTE WAY AND ADOPTING SAID REDEVELOPMENT PLAN, PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. N.J.S.A. 40A:12A-1 ET SEQ and a resolution fixing Wednesday, August 17, 2022 at 7:00 P.M. in 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 Bradley Cornett, Esq., filing notice of claim on behalf of ANTONIO LECHADORES alleging wrongful death sustained when struck by a tractor trailer on Avenue C and 25th Street.
- C-2 From DAVID ERIC KING filing notice of claim alleging damage to his car tires when crossing railroad tracks at LeFante Way
- C-3 From ELIAS SANTIAGO filing notice of claim alleging damage to his car when it was struck by a City Vehicle.
- C-4 From Daryl L. Zaslow, Esq., filing notice of claim on behalf of THE ESTATE OF JACK JIANG a/k/a/ ZHENG YU JIANG alleging wrongful death resulting from drowning at the pool at Lincoln Community School.
- C-5 From Daryl L. Zaslow, Esq., filing notice of claim on behalf of THE ESTATE OF CHU MING ZHENG alleging wrongful death resulting from drowning at the pool at Lincoln Community School.

- C-6 From GREGORY WOODS filing notice of claim alleging damage to his automobile resulting from the potholes on the 32nd Street Bridge.
- C-7 From the City of Jersey City filing notice of claim on behalf of the JERSEY CITY FIRE DEPARTMENT to assert a Third Party Complaint against the City of Bayonne to seek indemnification and contribution from Bayonne in connection the Lawsuit. **(Arnold Landi v. City of Jersey City, et al-Docket No. HUD-L-1880-21)**
- C-8 From Rosemarie Hebner, Esq., filing notice of claim on behalf of Alden Leeds, Inc. to assert a Third Party complaint against the City of Bayonne. **(Arnold Landi v. City of Jersey City, et al-Docket No. HUD-L-1880-21)**
- C-9 From Brandon Broderick, Esq. filing notice of claim on behalf of ALICIA MYERS alleging personal injuries resulting from a fall on the sidewalk located in front of 39-43 West 25th Street.
- C-10 From Superior Court of New Jersey in the matter of JOAN JEDZINIAK vs. BAYONNE MEDICAL CENTER, CITY OF BAYONNE, et al.

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 four (4) Harley Davidson FLHTP Electric Glide Motorcycle (or equivalent) on July 1, 2022 **(1 bidder)**
- OR-3 From the Purchasing Agent reporting on bids received for On Site Agency acting as Elevator Sub Code Official on July 12, 2022 **(1 bidder)**

RESOLUTIONS

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

- CR-1 Approving the minutes of the regular meeting held Wednesday June 15, 2022. **City Clerk**
- CR-2 Approving the minutes of the council caucus held Wednesday, June 8, 2022. **City Clerk**
- CR-3 Approving the minutes of the closed session held Wednesday, January 12, 2022. **City Clerk**
- CR-4 Ordering warrants drawn to taxpayers representing refunds for overpayment of taxes. (13 properties) **Tax Collector**
- CR-5 Granting a charitable clothing bin license to OUR NEIGHBORHOOD RECYCLING to place 4 bins at Bayonne Crossing Way. **City Clerk**
- CR-6 Authorizing the Mayor and City Council to accept a donation from Bennet Realty LLC in the amount of \$27,323.57 for the purpose of the annual lease payments of a 2018 SPARTAN METRO STAR FIRE ENGINE. **Fire**
- CR-7 Authorizing the Bayonne Police Department to accept a donation from the Guardian Foundation in the amount of \$5,500.00 for future purchases of needed equipment. **Public Safety**
- CR-8 Authorizing the purchase of two (2) 2022 Black Ford Explorer XLT from BEYER FORD, Morristown, NJ for use in the Police Department for the amount of \$38,721.70, for a total cost of \$77,443.40. Chargeable to accounts #2-01-25-240-0000-058 and T-12-56-815-0000-199. **Public Safety**

- CR-9 Authorizing the purchase of 30 computers and 25 monitors from DELL FINANCIAL SERVICES, under State Contract #MO483/19TELE00656 in the amount of \$49,573.35. Chargeable to account #C-04-55-965-2210-994. **Public Safety**
- CR-10 Authorizing the purchase of handgun ammunition for the Police Department from LAWMEN SUPPLY CO., in the amount of \$30,070.70 and authorizing payment of the same. **Public Safety**
- CR-11 Authorizing the expansion of the sidewalk sale days to all commercial zones throughout the City of Bayonne, from Thursday, July 21, 2022 through Saturday, July 23, 2022
- CR-12 Amending Resolution No. 22-05-18-036 authorizing the Mayor and City Clerk to enter into a Right-of-Way Agreement with 714-716 Broadway, LLC for purposes of installing and maintaining as ADA ramp projecting into the City's Right-of-Way to increase the dimension of the protrusion into the City's Right-of-Way from 40" to 48". **Law**
- CR-13 Authorizing the maximum allowable bid threshold of \$44,0000.00 before going out for bids. **Finance**
- CR-14 Authorizing the Cancellation of items of reserve in the Current Fund and authorizing their use as Anticipated Revenue in the CY 2022 Budget. **Finance**
- CR-15 Authorizing the anticipation of Miscellaneous Revenues in the CY 2022 Budget by using the three year average of Realized Revenues from the prior three years. **Finance**
- CR-16 Authorizing the use of a three (3) year average for the Reserve for Uncollected Taxes calculation. **Finance**
- CR-17 Authorizing the reimbursement of \$3,450.00 payable to ROGER IBARRA-REALPE for the double payment of a CCO. **Building**
- CR-18 Amending Resolution No. 22-03-16-077 entering into an agreement with BILLY'S CONTRACTING & RESTORATION, INC. for alterations to the Bayonne Economic Opportunity Building for funds to be charged to Account No.
- CR- Granting ** Raffle licenses to qualified organizations. **City Clerk**

END OF CONSENT AGENDA

- R-1 Authorizing a modification to the 2012 Concession Agreement with Bayonne Water Joint Venture, LLC to provide for additional geotechnical testing (soil borings, analysis and design revisions) in connection with the Bayonne Water Supply Aqueduct directional drilling project. **Mun. Services**
- R-2 Authorizing a modification to the 2012 Concession Agreement with Bayonne Water Joint Venture, LLC to provide for emergency generators at various sewage pump stations to comply with an Information Request and Administrative Compliance Order ("ACO") issued to the City by the EPA and with the terms and conditions of the New Jersey Department of Environmental Protection ("NJDEP") Pollutant Discharge Permit associated with the City's Combined Sewer System. **Mun. Services**
- R-3 Authorizing the Mayor and City Clerk to enter into an agreement to lease/purchase a 2022 Spartan Metro Star 1500 GPM Fire Engine from SPARTAN MOTORS, USA through the Houston-Galveston Area Council Cooperative Purchasing Plan for a total of \$586,330.00. **Fire**
- R-4 Authorizing the Mayor and City Clerk to an agreement with McManimon, Scotland & Baumann, LLC (MSB), 75 Livingston Avenue 2nd Fl., Roseland, NJ 07068 for professional legal services including, but not limited to, legal representation of the City in all matters in connection with the City's Water Sewer Utility and/or appearances on behalf of the City to assist or supplement the efforts of the Law Department in such other diverse municipal law matters as may be requested and/or approved by the City Law Director for the period commencing July 1, 2022 and ending December 31, 2022 for an amount not to exceed \$75,000 payable at rates

set forth in MSB's response to the City's Request for Qualifications/Proposals for Panel Counsel pursuant to the Fair and Open Process. **Law**

- R-5 Award a contract for four (4) Harley Davidson FLHTP Electric Glide Motorcycle (or equivalent) (space holder)
- R-6 Award a contract for On Site Agency acting as Elevator Sub Code Official. (space holder)
- R-7 Award a contract for professional engineering services as traffic engineer pursuant to the Fair and Open Process. (space holder)
- R-8 Conditionally designating ATLANTIC CEMENT REALTY, LLC as Redeveloper of the property located at 6 Commerce Street, identified as Block 481, Lots 5.02 and 5.04 and authorizing the City to execute a consent to the filing of the site plan application pertaining to this property, which proposes certain improvements in adjoining City-owned rights-of-way and/or lands. **Law**
- R-9 Authorizing and directing the Planning Board to re-open and consider amendments to the "Scattered Site Redevelopment Project: Phase II site 14 Rte 440 West Redevelopment Plan, dated October 16, 2013". **(Clayton Block parcels) Law**
- R-10 Authorizing the payment to PSE&G in the amount of \$84,706.00 for construction of new electrical lines and poles at Dennis P. Collins Park at West 1st Street. **Public Works**
- R-12 Introduction of the 2022 Local Municipal Budget and fixing Wednesday, **, 2022 at 7:00 P.M. and the Dorothy E. Harrington Council Chambers, Municipal Building, as the time and place for a public hearing and final passage. **Finance**
- R-13 Correcting resolution for the transfer of a Financial Agreement and Redevelopment Agreement from Pier View Lofts Urban Renewal, LLC to PARKVIEW REALTY URBAN RENEWAL III and reauthorizing the transfer of the Financial Agreement and the Property, Project Redeveloper Designation and Redevelopment Agreement for the located at 676-684 Avenue E, which property is identified as Block 402, Lot 4.01 as shown on the official tax map of the City.