

**CITY OF BAYONNE
CITY COUNCIL
REGULAR MEETING
JULY 20, 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**
- DELETE**
034. Francis Olson, 75 Newman Avenue
072. Juan P. Albizl, 108 West 3rd Street
076. Annmarie Collins, 32 East 28th Street
080. Diane Wierzbicki, 42 East 19th Street
303. Diane Hopkins, 680 Kennedy Blvd.
- 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 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-7 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-8 **WITHDRAWN**
- O-9 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-10 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 Electra Glide Motorcycle (or equivalent) on July 12, 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 REMOVED
- 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 \$44,000.00 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-19 Authorizing the Mayor and City Clerk to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the 2023 Roadway Improvements.
- CR-20 Granting 6 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), Roseland, NJ 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, pursuant to the Fair and Open Process. **Law**
- R-5 Award a contract to ATLANTIC COUNTY HARLEY DAVIDSON, Galloway, NJ for four (4) Harley Davidson FLHTP Electra Glide Motorcycle (or equivalent) for the bid price of \$90,041.78. Chargeable to Account No. C-04-055-965-2210-994.
- R-6 Award a contract to MUNICIPAL INSPECTION CORP., Bayonne, NJ for On-Site Agency acting as Elevator Sub Code Official for a three (3) year initial contract term commencing September 1, 2022 through August 31, 2025, with a mutually agreed tow-year extension through August 31, 2027 at no cost to the City. For inspections will be charged 90% of State Controlled rates, with a 20% commission to the City of Bayonne. Account to be credited #0252-69
- 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 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-10 Approving Temporary Emergency Appropriation #7 in CY2022 budget.
- R-11 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-12 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 LLC 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.
- R-13 Renaming 2nd Street and Kennedy Blvd. as “JADA’S WAY”
- R-14 Authorizing a study to be conducted on the Absorption Rate of the number of redevelopment units built and occupation of units.

TO BE ADDED AT MEETING

- ADD-1 Ratifying and affirming the actions of the City’s CDBG Administrator in authorizing Schindler Elevator Corporation (“Schindler”) to repair the elevator at the Bayonne Family Community Center located at 259 Avenue E (the “BFCC”) pursuant to a proposal from Schindler dated January 31, 2022 for the amount of \$18,000 (the “Work”) and authorizing the Mayor and City Clerk to execute an Agreement with the BFCC to provide CDBG funds in the amount of \$18,000.00 for the purpose of providing payment due for said Work; and authorizing the Municipal Treasure the to issue a warrant for the amount of \$18,000.00 to the BFCC to cover the cost said Work.
- ADD-2 Authorizing the Mayor to sign all documents and certifications relating to the city’s FY 2022 CDBG Programs and CDBG-CV special allocation to authorize submission of the FY 2022 ANNUAL ACTION PLAN to the U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT for the following anticipated amounts:
- | | |
|-------------------|-------------|
| 2022 CDBG Program | \$1,374,343 |
|-------------------|-------------|
- ADD-3 Authorizing the Mayor and City Clerk to enter into a Cooperative Pricing System with Hudson County for the purchase of goods and services pursuant to N.J.S.A. 40A:11-11(5).
- ADD-4 From the Hon. James M. Davis, Mayor appointing MARLANA WILLIAMS to the Rent Control Board as an Alternate Member term to expire July 31, 2025.