

CITY OF BAYONNE CITY COUNCIL REGULAR MEETING OCTOBER 19, 2022

ORDINANCES, COMMUNICATIONS AND ADMINISTRATION REQUESTS FOR COUNCIL MEETING AGENDA

ORDINANCES SCHEDULED FOR HEARING-OLD

- O-1 Resolution postponing second reading and a public hearing of “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. 40A:12A-1 ET SEQ.” to the meeting to be held on Wednesday, October, 19, 2022.

ORDINANCES SCHEDULED FOR HEARING

- O-2 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 35, ZONING REGULATIONS. **Amending Section 35-17.6 Parking Space Requirements to correct the minimum space requirement for Industrial Uses to read one minimum space per employee or one per 1,000 square feet, whichever is greater. Mun. Services**
- O-3 AN ORDINANCES AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 35, ZONING REGULATIONS. **Amending “Parking Deficiency Schedule” under “Special Requirement.” Mun. Services**
- O-4 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 3, POLICE REGULATIONS. **Prohibiting the carrying or processing firearms in any municipal building, properties**

PUBLIC COMMENTS

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

ORDINANCES PROPOSED FOR INTRODUCTION

- 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, November 9, 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 **(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 with exemptions) Mun. Services**
- O-6 Ordinance of the City of Bayonne, County of Hudson, State of New Jersey approving a declaration of sidewalk easement from 22nd Street Bayonne Owner, LLC to the City of Bayonne relative to Block 451, Lot 1.02 and a resolution fixing Wednesday, November 9, 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. **(Formerly Block 451, Lots 1.01 and 1.011), which has a street address of 103-143 East 22nd Street**
- O-7 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 2, ADMINISTRATION and a resolution fixing Wednesday, November 9, 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-8 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC and a resolution fixing Wednesday, November 9, 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. **(Section 7-29-Loading Zone Hudson Milestones) Public Safety**

Name of Street	Side	Days	Hours
Gertrude Street	North	Monday thru Sunday	11:00 am to 7:00 PM
Between Kenn Blvd. And Avenue A			

- O-9 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC and a resolution fixing Wednesday, November 9, 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. **(Various parking fees) Finance**

- O-10 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC and a resolution fixing Wednesday, November 9, 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. **(Restrictive Parking Zones – Delete 9) Public Safety**

DELETE

075. Geraldine LaPalerma – 25 East 32nd Street
115. Francesco Miele – 11 West 27th Street
205. Rosalina Liranzo – 8 East 33rd Street
224. Joan Genzel – 33 Andrew Street
259. Christine Fiore – 511 Avenue A
279. Sally Lee Smith – 438 Avenue C
286. Ann Marie Beckmann – 635 Broadway
326. Martin Schnitzer – 3 Bergen Court
329. Christine Gayle – 94 West 20th Street

COMMUNICATIONS

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

- C-1 From Herbert I. Ellis, Esq. filing notice of claim on behalf of ANNA WILLIAMS alleging injuries sustained when a ceiling collapsed in her apartment at 6 Avenue C on July 28, 2022.
- C-2 From Brandon J. Broderick, Esq. filing notice of claim on behalf of ANDREA HERRERA alleging injuries sustained from a fall in front of 342 Broadway on August 15, 2022.
- C-3 From CHARLES BEARD filing notice of claim alleging damage to automobile caused by thrown garbage barrel on August 8, 2022.
- C-4 From Kevin L. Parsons, Esq., filing notice of claim on behalf of CHRISTINE TAMULEWICZ alleging injuries sustained from a fall at 105 West 8th Street on July 16, 2022.
- C-5 From ASHLEY SUAREZ filing notice of claim alleging automobile tire when hit a pothole on Goldsborough Drive on September 19, 2022.
- C-6 From the Superior Court of New Jersey in the matter of “KESHA M. FINLEY vs. KISHAN DONUT 4 LLC, BURAKOVSKY and the CITY OF BAYONNE.” **(Slip and fall**
- C-7 From Donohue, Gironda, Doria & Tompkins, LLC, REPORT OF AUDIT for the year ended December 31, 2021.

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 BROADWAY, PHASE I on October 14, 2022. **(5 bidders)**
- OR-3 From the Purchasing Agent reporting on bids received for the SGT. JAMES J. SHEA MEMORIAL SHOOTING RANGE BUILDING MODIFICATIONS on October 5, 2022. **(No bidders)**
- OR-4 From the Purchasing Agent reporting on bids received for the LINER REPLACEMENTS AT THE G THOMAS DIDOMENICO MUNICIPAL POOL on October 7, 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 SEPTEMBER 21, 2022. **City Clerk**
- CR-2 Approving the minutes of the council caucus held Wednesday, SEPTEMBER 14, 2022. **City Clerk**
- CR-3 Ordering warrants drawn to taxpayers representing refunds for overpayment of taxes. (15 properties) **Tax Collector**
- CR-4 Authorizing the purchase of a 2022 Ford Explorer SUV from GENTILINI MOTORS, Egg Harbor Township, NJ for use in the Fire Department under State Contract #T2007 #20-FLEET-01393 for the amount of \$38,654.53. Chargeable to account T-12-56-907-0000-199. **Fire**
- CR-5 Authorizing a warrant payable to ROYAL PRINTING SERVICE, West New York, NJ, for the printing of 2022 Primary Election Ballots in the amount of \$31,910.45. **City Clerk**
- CR-6 Authorizing a warrant in the amount of \$54,616.00 payable to the STATE OF NEW JERSEY for new construction and alterations for State Surcharge fees. Chargeable to Account # 12-286-56-312-2-199. **Building**
- CR-7 Authorizing the Mayor to accept the FY2022 PATRICK LEAHY BULLETPROOF VEST PARTNERSHIP grant in the amount of \$21,609.00. **Finance**
- CR-8 Authorizing the Mayor to accept the CY2022 CONGREGATE MEALS grant in the amount of \$91,213.00 and certifying matching funds of 25% in the amount of \$22,803.25. **Finance**
- CR-9 Authorizing the Mayor to accept the CY2022 OLDER AMERICAN'S ACT OF 1965 grant in the amount of \$83,610.00 and certifying matching funds of 25% in the amount of \$20,902.50. **Finance**
- CR-10 Authorizing the purchase of four (4) 2023 Police Utility Interceptor base vehicles from WINNER FORD, Cherry Hill, NJ, under State Contract #20-FLEET-01189 in the amount of \$27,603.00 per vehicle, making total purchase amount of \$150,412.00. **(Chargeable to Capital Bond #04-55-965-2210-994) Public Safety**
- CR-11 Authorizing the Mayor and City Clerk to execute an amendment to Agreement No. CY20-083 with THE WATERFRONT PROJECT, INC., Jersey City, NJ to provide CDBG CV funds for housing counseling and legal advocacy expansion program in the amount of \$45,000.00 increasing same in the amount of \$75,000.00 to cover an additional housing counselor and social worker for the program, making the total contract amount \$120,00.00. Chargeable to Account CDBG CV 1075.
- CR-12 Authorizing the Mayor and City Clerk to execute an amendment to Agreement No. CY20-084 with the BAYONNE ECONOMIC OPPORTUNITY FOUNDATION,

Bayonne, NJ to provide CDBG CV funds for senior holiday Grab 'n' Go Program in the amount of \$30,000.00 increasing same in the amount of \$11,600.00 to cover the Thanksgiving Grab 'n' Go service as a result of the pandemic, thereby making the total contract amount \$41,600.00. Chargeable to Account CDBG CV 1066.

- CR-13 Extending the elevator maintenance contract with STANDARD ELEVATOR, Clifton, NJ for an amount not to exceed \$10,365.00 per year for a total not to exceed \$20,730.00 for a term of two years commencing November 1, 2022 through October 31, 2024. Chargeable to Account # 2-01-26-310-0000-029.
- CR-14 Amending Resolution No. 22-01-19-060 authorizing an agreement with SIMS MUNICIPAL RECYCLING for the receipt of recyclable materials to be based upon current market rated for said Recycling Commodity to be payable by the Contractor to the City or by the City to the Contractor as the current market rates for said Recycling Commodity dictate for an amount not to exceed \$125,000.00 payable by the City. Chargeable to Account #T-12-56-804-0000-199.
- CR-15 Authorizing the BAYONNE ECONOMIC OPPORTUNITY FOUNDATION to allocate and administer funds consistent with their food distribution program to the community.
- CR-16 Accepting the FY2022 CLICK IT OR TICKET GRANT in the amount of \$10,500.00 from the New Jersey Department of Highway Traffic Safety.
- CR-17 Authorizing the purchase of a 2023 Chevrolet Tahoe SUV from MALL CHEVROLET, Cherry Hill, NJ for the amount of \$44,353.88 under the Educational Services Commission of NJ Cooperative System for use by the Fire Department. **Fire**
- CR-18 Granting 2 Raffle licenses to qualified organizations. **City Clerk**

END OF CONSENT AGENDA

- R-1 Affirming that the council members have read, at a minimum, the comments and Recommendations section of the CY 2021 audit, and an affidavit certifying that they have done so. **City Clerk**
- R-2 Authorizing the Mayor and City Clerk to enter in an agreement to purchase one Spartan Metro Star Fire Engine from SPARTAN MOTORS USA through the Houston-Galveston Area Council cooperative purchasing plan for the total of \$593,570.00. Chargeable to Account #. **Fire**
- R-3 Approving Chapter 159 #1 in the CY 2022 budget, seeking permission of the Division of Local Government Services to approve the insertion of an item of revenue. **Finance**
- R-4 Authorizing an amendment to Agreement No. CY22-010 with RUDERMAN & ROTH, LLC for professional legal services as Labor Attorneys increasing same in the amount of \$70,000, thereby making the total contract amount not to exceed \$215,000.00.
- R-5 Authorizing an amendment to Agreement No. CY22-011 with CHASAN, LAMPARELLO, MALLON & CAPPUZZO for professional legal services in connection with State Tax Court Tax Appeals increasing same in the amount of \$60,000, thereby making the total contract amount not to exceed \$160,000.00.
- R-6 Approving an Exemption to the City Noise Ordinance for ALTICE UTILITY COMPANY to replace cabling citywide work being performed by Excell Communications supervised by Bayonne Police department allowing them to work on Sunday's and overnight as determined necessary for a period to not exceed three months with a possible extension on a month to month basis with Council approval
- R-7 Approving the Submittal of a NJDOT Transportation Alternative Application for a Pedestrian Bridge connecting South Cove Commons and the Peninsula at Bayonne Harbor.

- R-8 Designating Bridge Point Bayonne, LLC, as the developer of the property located at 63-67 New Hook Road, which property is identified as Block 416, Lot 3, as shown on the official tax map of the City and authorizing the preparation and negotiation of a Redevelopment Agreement for the redevelopment of said property
- R-9 Adopting a CORRECTIVE ACTION PLAN in response to the CY 2021 Audit. **Finance**
- R-10 A resolution requesting the Director of Local Government Services to make a Change in Title & Text in the CY2022 Budget
- R-11 Ratifying and accepting the term set forth within the Memorandum of understanding (MOU) between the City of Bayonne and Bayonne Municipal Supervisory Association, Hudson Council #2 for a term of five (5) years commencing January 1, 2022 and ending December 31, 2027 and authorizing the Mayor and/or his designee to execute same.
- R-12 Authorizing the City of Bayonne and the Bayonne Board of Education to enter into an Inter-Local Services Agreement for use of garbage and recycling removal.
- R-13 Awarding the contract for the Liner Replacement at the G. Thomas DiDomenico Municipal Pool to AQUATIC RENOVATIONS SYSTEMS INC, 2825 E. 55th Place, Indianapolis, IN 46220 for the bid price of \$172,120.00. Chargeable to Account No. C-04-5-969-2210-994.
- R-14 Awarding the contract for the Improvement to Broadway-Phase I to BLACK ROCK ENTERPRISES LLC, 136 Englishtown Road, Englishtown, NJ 08857 for the bid price of \$446,049.25. Chargeable to Account No. G-022-41-880-2022-029.
- R- Reserve space to award a contract for Professional Legal Services in connection with Federal and State Grants and Funding for the period commencing January 1, 2023 through December 31, 2023 pursuant to the Fair and Open Process.
- R- Reserve space to award contracts for Municipal Court Prosecutor and Alternate Municipal Court Prosecutor for the period commencing January 1, 2023 through December 31, 2023 pursuant to the Fair and Open Process.
- R- Reserve space to award a contract for Planning Board Attorney for the period commencing January 1, 2023 through December 31, 2023 pursuant to the Fair and Open Process
- R- Reserve space to award a contract for Redevelopment/Land Use Attorney in connection with Developers and Redevelopers for the period commencing January 1, 2023 through December 31, 2023 pursuant to the Fair and Open Process
- R- Reserve space to award a contract for Special Redevelopment/Land Use Attorney in connection with Developers and Redevelopers for the period commencing January 1, 2023 through December 31, 2023 pursuant to the Fair and Open Process.
- R- Reserve space to award a contract for Professional Legal Services – Bond Counsel for the period commencing January 1, 2023 through December 31, 2023 pursuant to the Fair and Open Process.
- R- Reserve space to award a contract for Municipal Tax Attorney for the period commencing January 1, 2023 through December 31, 2023 pursuant to the Fair and Open Process
- R- Reserve space to award a contract for Rent Control Board Attorney for the period commencing January 1, 2023 through December 31, 2023 pursuant to the Fair and Open Process.
- R- Reserve space to award a contract for Zoning Board Attorney for the period commencing January 1, 2023 through December 31, 2023 pursuant to the Fair and Open Process

- R- Reserve space to award a contract for Labor Attorney for the period commencing January 1, 2023 through December 31, 2023 pursuant to the Fair and Open Process
- R- Reserve space to appoint Panel Counsel for the period commencing January 1, 2023 through December 31, 2023 pursuant to the Fair and Open Process
- R- Reserve space to award a contract for Special Redevelopment/Land Use Attorney on behalf of the City for the period commencing January 1, 2023 through December 31, 2023 pursuant to the Fair and Open Process
- R- Reserve space to award a contract for Redevelopment/Land Use Attorney on behalf of the City for the period commencing January 1, 2023 through December 31, 2023 pursuant to the Fair and Open Process.
- R- Reserve space to award a contract for Professional Mental Health Services for Employee Assistance Program (EAP) for the period commencing January 1, 2023 through December 31, 2023 pursuant to the Fair and Open Process.
- R- Reserve space to award a contract for Professional Medical Services for Uniform Employees for the period commencing January 1, 2023 through December 31, 2023 pursuant to the Fair and Open Process.
- R- Reserve space to award a contract for architect in connection with SID Land Use Ordinance compliance.

TO BE ADDED AT MEETING

- ADD-1 Amending Resolution No. 21-12-15-035 adopting the annual meeting schedule to change the time of the November 2nd Council Caucus from 7:00 P.M. to 8:30 P.M.