

# **CITY OF BAYONNE CITY COUNCIL REGULAR MEETING NOVEMBER 9, 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, December 14, 2022.

### **ORDINANCES SCHEDULED FOR HEARING**

- O-2 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 3, POLICE REGULATIONS. **Prohibiting the carrying or possessing firearms in any municipal building, properties-amended to add: “(3) any duly appointed, off-duty law enforcement law officer”**
- O-3 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 21, HEALTH REGULATIONS. **(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-4 AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, STATE OF NEW JERSEY APPROVING A DECLARATION OF SIDEWALK EASEMENT FROM 22<sup>ND</sup> STREET BAYONNE OWNER, LLC TO CITY OF BAYONNE RELATIVE TO BLOCK 451, LOT 1.02. **(Formerly Block 451, Lots 1.01 and 1.011), which has a street address of 103-143 East 22<sup>nd</sup> Street)**
- O-5 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC. **(Section 7-29-Loading Zone Hudson Milestones) Public Safety**
- O-6 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC. **(Various parking fees) Finance**
- O-7 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC. **(Amending section 7-11 Temporary Parking Prohibition for snow plowing and removal, Special Events, Emergencies and/or Construction related activities; Parking Meter Bags) Finance**
- O-8 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC. **(Restrictive Parking Zones – Delete 9) Public Safety**

### **PUBLIC COMMENTS**

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

### **ORDINANCES PROPOSED FOR INTRODUCTION**

- O-9        WITHDRAWN
- O-10      WITHDRAWN
- O-11      WITHDRAWN
- O-12      WITHDRAWN
  
- O-13      AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 16 RENT CONTROL and a resolution fixing Wednesday, December 14, 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. **(Extending Rent Control to December 31, 2023)**
- O-14      AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 17, PROPERTY MAINTENANCE and a resolution fixing Wednesday, December 14, 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. **(Amending Article 1, Removal of Grass and Weeds, Section 3 to add-the Director of Public Work and/or his/her designee(s) shall investigate complaints, and reinspect)**
- O-15      AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC and a resolution fixing Wednesday, December 14, 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) Public Safety**

**RELOCATE**

**#037 George Bessady for his daughter Miriam -from 780 Broadway to 589 Avenue E**

- O-16      AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 21, HEALTH REGULATIONS, and a resolution fixing Wednesday, December 14, 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, Hot Water Supply in Residences and Rooming Houses, Subsection 13.1 Minimum Temperature to amend that hot water shall be furnished to occupants of rooming housing or residences occupied by two or more families at all times (currently 6:00 a.m. and 11:00 p.m.)**
- O-17      WITHDRAWN
- O-18      AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC and a resolution fixing Wednesday, December 14, 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. **(Amending Section 7-38.4 Regulation for Movement and Parking of Traffic on All Other Private Property-NJSA 39:5A-1) Law**

**COMMUNICATIONS**

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

- C-1        From EDWARD SMITH filing notice of claim alleging damage to his car when it struck a pothole while driving on Goldborough Drive.
- C-2        From BISHOY ELNAKADY filing notice of claim alleging damage to his car when it struck a pothole while driving on Goldborough Drive.
- C-3        From KAETLYN GASSERT filing notice of claim alleging damage to her car when it stuck a pothole while driving on Goldborough Drive.
- C-4        From MIRIAM ORTIZ filing notice of claim alleging personal injuries resulting from a fall in front of Bayonne Medical Center.

- C-5 From Superior Court of New Jersey in matter of “ANTONINO PLATANIA vs the City of Bayonne, et als”

### **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 WITHDRAWN
- OR-3 WITHDRAWN

### **RESOLUTIONS**

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

- CR-1 Approving the minutes of the regular meeting held Wednesday October 19, 2022. **City Clerk**
- CR-2 Approving the minutes of the council caucus held Wednesday, October 12, 2022. **City Clerk**
- CR-3 Ordering warrants drawn to taxpayers representing refunds for overpayment of taxes. (14 properties) **Tax Collector**
- CR-4 Authorizing the Purchasing Agent to purchase rock salt from MORTON SALT, INC., 444 West Lake Street, Chicago, IL utilizing the Hudson County Coop Rock Salt Bid #7569, Contract #131464 at \$56.89/ton for an amount not to exceed \$100,000.00. **Public Works**
- CR-5 Authorizing an addendum to the Second Amendment to Agreement No. CY21-062 with NJ HUMANE SOCIETY, CORP., for an Animal Control Officer and Animal Shelter Services for the period commencing May 1, 2021 through December 31, 2022 to: (1) clarify the scope of services for the Trap, Neuter and Release program and conform with the terms of the TNR Ordinances No. O-22-30 and (2) correct the contract amount to include the language “not to exceed” \$25,000.00 in order to effectuate the program as reflected in Resolution No 22-04-20-115. **Law**
- CR-6 Authorizing the Purchasing Agent to advertise for bids for the 2023 ROADWAY IMPROVEMENTS – PHASE I. **Public Works**
- CR-7 Authorizing the acceptance of a donation from the GUARDIAN FOUNDATION in the amount of \$12,500.00 for the purchase of a Police Canine. **Public Safety**
- CR-8 Authorizing the purchase of two (2) vehicles for a total amount of \$42,898.00 from ELRAC, LLC d/b/a ENTERPRISE CAR SALES, 449 State Hwy 27, Iselin, NJ. Monies for purchase to come from Auction Fund. **Public Safety**
- CR-9 Authorizing the purchase of six (6) 2023 Malibu unmarked police vehicles from MALL CHEVROLET, Cherry Hill, NJ under State Contract #ESCNJ 20/21-09 for the total amount of \$146,106.00 (\$24,351.00/vehicle) funds will come from the Police Justice Account and Customs and Border. **Public Safety**
- CR-10 Authorizing the Finance department to award \$25,000.00 in grants in connection with the City of Bayonne’s American Rescue Plan Act of 2021 Domestic Violence Grant Program to two (2) non-profits from the Coronavirus Local Fiscal Recovery Funds. **Finance**
- CR-11 Authorization for RFQ’s for Professional Engineering Services-(Utility Engineering and Compliance) Engineering Firms with Experience In Combined Sewer System Compliance with Long Term Control Plan Requirements Under The Clean Water Act, NJDEP Pollution Discharge Permits And Water and Sewer Permitting, Approval And Design(Hydraulic Modeling) Engineering Firms With Experience In

Hydraulic Modeling of CSO, Storm a Topographic Related Floodwater Management. **Law**

- CR-12 Authorization for RFQ for PROFESSIONAL ENGINEERING SERVICES - (Hydraulic Modeling)) Engineering Firms with Experience in Hydraulic Modeling of CSO, Storm A Topographic Related Floodwater Management. **Law**
- CR-13 Authorizing advertisement for RFP/RFQ for General Traffic Engineering Services/ /Special Project Traffic Engineer/On Call Traffic Engineer/Special Project Traffic Engineer in connection with Developers and Redevelopers for the period commencing January 1, 2023 and ending December 31, 2023. **Law**
- CR-14 Authorizing the Purchasing Agent to purchase five (5) 2022 Ford Bronco Sport chargeable to account T-12-56-813-0000-199 UCC Dedication by Rider through Contract#65MCESCCPS from Nielsen Ford of Morristown Inc 170 Ridgedale Avenue, Morristown, NJ. **Building**
- CR-15 Authorizing the purchase of a 2023 F-250 pickup truck and equipment from 10-75 EMERGENCY VEHICLES, Haskell, NJ through the Houston-Galveston Area Council Cooperative purchasing plan for a total of \$69,945.00. **Public Works**
- CR-16 Authorizing an amendment to Agreement No. CY20-080 with the BAYONNE YOUTH CENTER to provide CDBG CV funds for community outreach services in the amount of \$34,000.00 increasing same in the amount of \$72,000.00 to cover additional community outreach initiatives, making the total contract amount \$106,000.00. **CDBG**
- CR-17 Authorizing an amendment to Agreement No. CY20-095 with the BAYONNE PAL to provide CDBG CV funds for childcare program PPE supplies in the amount of \$15,000.00 increasing same in the amount of \$8,000.00 to cover the cost of 2 additional teachers for the afterschool homework program, making the total contract amount \$23,000.00. **CDBG**
- CR-18 Authorizing the Director of Public Safety or his designee to take any and all actions necessary to prepare and submit a grant application for grant funding from the New Jersey Office of Information Technology FY23 Next Generation 911 Grants Program.
- CR-19 Amending Agreement No. CY22-066 with the BAYONNE ECONOMIC OPPORTUNITY FOUNDATION to increase the contract in the amount of \$50,000.00 for a total amount not to exceed \$505,169.96 for the CY2022 Congregate Meals Program. Chargeable to the CY2022 Congregate Meals Program Grant-G-02-42-657-2022-199.
- CR-20 Granting 1 Raffle licenses to qualified organizations. **City Clerk**

#### **END OF CONSENT AGENDA**

- R-1 Authorizing the Mayor and City Clerk to enter into an agreement with RICHARD N. CAMPISANO, ESQ., 1081 Avenue C, Bayonne, New Jersey 07002 for professional legal services to act as Planning Board Attorney on behalf of the City for the period commencing January 1, 2023 and ending December 31, 2023 for an amount not to exceed \$10,800.00 payable at a rate of \$900.00 per month for all legal and administrative duties associated with his function as Board attorney and in the event the Planning Board is involved in litigation, said amount not to exceed \$5,000.00. **Law**
- R-2 Authorizing the Mayor and City Clerk to enter into an agreement with RICHARD N. CAMPISANO, ESQ. 1081 Avenue C, Bayonne, New Jersey 07002 for professional legal services to act as Planning Board Attorney in connection with Developers for the period commencing January 1, 2023 and ending December 31, 2023 payable at the rate of \$175.00 per hour. **Law**
- R-3 Authorizing the Mayor and City Clerk to execute an agreement with INGLESINO, WEBSTER, WYCISKALA & TAYLOR, LLC, 600 Parsippany Road, Suite 204, Parsippany, New Jersey 07054 for professional legal services as Redevelopment/Land Use Counsel on behalf of the City for the period commencing

January 1, 2023 and ending December 31, 2023 for at a cost of not more than \$150,000. **Law**

- R-4 Authorizing the Mayor and City Clerk to enter into an agreement with ARTHUR D. THIBAUT, JR., ESQ. of Apruzzese, McDermott, Mastro & Murphy, PC, 25 Independence Blvd. Warren, NJ 07059 to act as Special Labor Attorney for professional legal services in connection with the negotiation of labor agreements with PBA Local No. 7, the Bayonne Police Superior Officers Association, the Bayonne Fire Fighters, Local 11 of the NJ FMBA and the Fire Superiors Union, Local 211 of the NJ FMBA for a one year period commencing January 1, 2023 and ending December 31, 2023 for an amount not to exceed \$60,000 pursuant to the Fair and Open Process. **Law**
- R-5 Authorizing the Mayor and City Clerk to execute agreements with MCMANIMON. SCOTLAND & BAUMANN, LLC, 75 Livingston Avenue 2<sup>nd</sup> Fl., Roseland, NJ 07068 for professional legal services as Special Redevelopment/Land Use Counsel in connection with Developers and Redevelopers for the period commencing January 1, 2023 and ending December 31, 2023 for a total contract amount not to exceed \$100,000.00 payable at hourly rates as set forth in the response to the Request for Qualifications/Proposals to be paid from various developers' escrow accounts. **Law**
- R-6 Authorizing the Mayor and City Clerk to enter into an agreement with RICHARD N. CAMPISANO, ESQ., 1081 Avenue C, Bayonne, New Jersey 07002 for professional legal services to act as Zoning Board Attorney in connection with Developers for the period commencing January 1, 2023 and ending December 31, 2023 payable at the rate of \$175.00 per hour. **Law**
- R-7 Authorizing Budgetary Transfer #1 in the CY 2022 budget. **Finance**
- R-8 Authorizing the submission of an application to the Local Finance Board, pursuant to N.J.S.A. 40A:12A-67(g) AND N.J.S.A. 40A:12A-29(a)(3). (Pertains to O-11)
- R-9 Approving Chapter 159 #3 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-10 Authorizing the Mayor and City Clerk to enter into an agreement with GREENBAUM, ROWE, SMITH & DAVIS LLP, 331 Newman Springs Road, Red Bank, NJ for Professional Legal Services in connection with Regulatory Compliance Matters in an amount not to exceed \$35,000
- R-11 Authorizing the Mayor or his designee to review, approve and execute a Standard Operating Procedures and Memorandum of Agreement with Honeywell International Inc. in connection with remediation of chromium contaminated soil and groundwater at various NJDEP sites pursuant to a Consent Judgment with the New Jersey Department of Environmental Protection dated September 7, 2011.
- R-12 Authorizing the execution of a Right-of-way Agreement with CABLEVISION OF NEW JERSEY, LLC to permit the installation of ten (10) Remote Optic Line Terminals (ROLT's) throughout the City of Bayonne for purposes of constructing, maintaining and operating a fiber to the home system capable of providing state-of-the-art cable services and internet speed capability of surpassing current industry standards.
- R-13 Awarding the sale by the City of Bayonne, in the County of Hudson, New Jersey of its property tax levy for the fiscal year ending December 31, 2022
- R-14 Authorizing the Mayor and City Clerk to enter into an agreement with ALPHA DOG SOLUTIONS, INC., 335 Union Avenue, Belleville, NJ for Website Design, management and Maintenance Services for the period commencing January 1, 2023 through December 31, 2023 for an amount not to exceed \$54,000.00 pursuant to the Fair and Open Process. **Law**
- R-15 Authorizing the Mayor and City Clerk to enter into an agreement with DONOHUE, GIRONDA, DORIA & TOMKINS, LLC, 310 Broadway, Bayonne, NJ for Professional Accounting Services to act as municipal auditors for the City for the period

commencing January 1, 2023 through December 31, 2023 for an amount not to exceed \$100,000.00 plus reimbursement expenses in an amount not to exceed \$1,200.00 making the total contract amount not to exceed \$101,200.00 pursuant to the Fair and Open Process. **Law**

- R-16 Authorizing the Mayor and City Clerk to enter into an agreement with STACK, COOLAHAN & STACK, LLC, 90 Hudson Street, Hoboken, NJ for Professional Real Estate Appraisal Services in connection with State Court Tax Appeals for the period commencing January 1, 2023 through December 31, 2023 for an amount not to exceed \$102,000.00 pursuant to the Fair and Open Process. **Law**
- R-17 Authorizing the Mayor and City Clerk to enter into an agreement with BAYONNE COMMUNITY MENTAL HEALTH CENTER, a service of Trinitas Regional Medical Center, 225 Williamson Street, Elizabeth, NJ for Professional Mental Health Services to low and moderate income and public assistance clients for the period commencing January 1, 2023 through December 31, 2023 for an amount not to exceed \$120,000.00 pursuant to the Fair and Open Process. **Law**
- R-18 Authorizing the Mayor and City Clerk to enter into an agreement with HOWARD S. LEVINE, D.O. 654 Broadway, Bayonne, NJ for Professional Medical Services for non-uniform employees for the period commencing January 1, 2023 through December 31, 2023 for an amount not to exceed \$15,000.00 pursuant to the Fair and Open Process. **Law**