

**CITY OF BAYONNE
CITY COUNCIL
REGULAR MEETING
DECEMBER 14, 2022**

**ORDINANCES, COMMUNICATIONS AND
ADMINISTRATION REQUESTS FOR COUNCIL MEETING AGENDA**

ORDINANCES SCHEDULED FOR HEARING-OLD

- O-1 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 16 RENT CONTROL. **(Extending Rent Control to December 31, 2023)**
- O-3 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 17, PROPERTY MAINTENANCE **(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-4 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 21, HEALTH REGULATIONS **(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-5 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC **(Amending Section 7-38.4 Regulation for Movement and Parking of Traffic on All Other Private Property-NJSA 39:5A-1) Law**
- O-6 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC **(Restrictive Parking Zones-Relocating-1) Public Safety**

PUBLIC COMMENTS

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

ORDINANCES PROPOSED FOR INTRODUCTION

- O-7 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 10, TAXATION AND SPECIAL IMPROVEMENT DISTRICTS and a resolution fixing Wednesday, January 18, 2023 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 10-3.3, Urban Enterprise Zone-composition of the Board of Trustees and staff) Bus. Admin.**
- O-8 AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING A REDEVELOPMENT PLAN TITLED

“REDEVELOPMENT PLAN, 69-73 LEFANTE WAY, BLOCK 412, LOT 3, CITY OF BAYONNE, HUDSON COUNTY, NJ (LINK), PUBLIC HEARING PLANNING BOARD DECEMBER 13, 2022, PREPARED 12/2/22”, PREPARED BY THE CITY OF BAYONNE DIVISION OF PLANNING & ZONING, FOR THE PROPERTY IDENTIFIED AS BLOCK 412, LOT 3, AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE, PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ., and a resolution fixing Wednesday, January 18, 2023 at 7:00 P.M. and the Dorothy E. Harrington Council Chambers as the time and place for a public hearing and final passage (**Link former Seahorse**)

- O-9 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 7 HOOK ROAD URBAN RENEWAL, LLC and a resolution fixing Wednesday, January 18, 2023 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-10 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 and a resolution fixing Wednesday, January 18, 2023 at 7:00 P.M. and the Dorothy E. Harrington Council Chambers as the time and place for a public hearing and final passage. **Law**
- O-11 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 and a resolution fixing Wednesday, January 18, 2023 at 7:00 P.M. and the Dorothy E. Harrington Council Chambers as the time and place for a public hearing and final passage. (SILK LOFTS EAST) **Law**
- O-12 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 and a resolution fixing Wednesday, January 18, 2023 at 7:00 P.M. and the Dorothy E. Harrington Council Chambers as the time and place for a public hearing and final passage. (SILK LOFTS WEST) **Law**
- O-13 AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON APPROVING A FINANCIAL AGREEMENT BY AND BETWEEN THE CITY OF BAYONNE AND WOODMONT BAYONNE PHASE 2 URBAN RENEWAL, LLC FOR THE PROPERTY LOCATED 52ND STREET, WHICH PROPERTY IS IDENTIFIED AS BLOCK 37, LOT 1 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE and a resolution fixing Wednesday, January 18, 2023 at 7:00 P.M. and the Dorothy E. Harrington Council Chambers as the time and place for a public hearing and final passage. (**BAYER PROPERTY**)
- O-14 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 2, ADMINISTRATION and a resolution fixing Wednesday, January 18, 2023 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-15 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC and a resolution fixing Wednesday, January 18, 2023 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
059. Maria Lopez, for her son Joel Fernandes from 18 East 29th Street
To: 11 East 16th Street

COMMUNICATIONS

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

- C-1 From CORY BRIGMAN filing notice of claim alleging damage to automobile while driving on Goldsborough Drive on October 29, 2022.
- C-2 From the Superior Court of New Jersey in the matter of “AUSTIN KAUFELER & TAYLOR CAIN vs. LATIGUA-TAVEREZ, POLANCO and the BAYONNE POLICE DEPARTMENT, et als.
- C-3 From the Superior Court of New Jersey in the matter of “MCR 54 RT 440 LOT 6 LLC, THE L GROUP, LLC vs. CITY OF BAYONNE & CITY COUNCIL OF THE CITY OF BAYONNE.
- C-4 From the Superior Court of New Jersey in the matter of “JOAN JEDZINIAK vs. BAYONNE MEDICAL CENTER, 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 From the Hon. James M. Davis, Mayor reappointing DONNA MAUER as Chief Financial Officer pursuant to N.J.S.A 40A:9-140.10 effective January 1, 2023 through December 31, 2026 and a resolution consenting said appointment.
- OR-3 From the Hon. James M. Davis, Mayor appointing KEITH MARKOWSKI as a Regular Member to the Bayonne Housing Authority Board for a term to expire on January 31, 2028 and a resolution consenting said appointment.
- OR-4 From the Hon. James M. Davis, Mayor appointing and reappointing the following individuals to the Zoning Board of Adjustment, and a resolution consenting said appointments:

Joseph Pineiro	Term to expire on December 31, 2026 (Reappointed as Regular Member)
Cindy Sisk-Galvin	Term to expire on December 31, 2023 (Reappointed as Regular Member)
Susan Contey	Term to expire on December 31, 2023 (Reappointed as Regular Member)
Joseph McCourt	Term to expire on December 31, 2025 (Appointed as Alternate #1)
Edward Lubach Jr.	Term to expire on December 31, 2024 (Appointed as Alternate #2)
Thomas Frain	Term to expire on December 31, 2023 (Appointed as Alternate #3)
Islam Elgarhi	Term to expire on December 31, 2023 (Appointed as Alternate #4)
- OR-5 From the Hon. James M. Davis, Mayor reappointing the following three individuals to the Historic Preservation Board and a resolution consenting said appointments:

Keri Toomey	Term to expire on December 31, 2026 (Reappointed as Class B Member)
P. Gerard Nowicki	Term to expire on December 31, 2025 (Reappointed as Class B Member)
Frank McGady	Term to expire on December 31, 2026 (Reappointed as Class B Member)

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| | Jessica Driscall | Term to expire on December 31, 2023
(Appointments Class A Member
Engineer/Architect) |
| | Donna Holovach | Term to expire on December 31, 2026
(Appointment as Class C Member,
Formally Alternate #2) |
| | Lisa Glover | Term to expire on December 31, 2026
(Appointment as Alternate #1) |
- OR-6 From the Hon. James M. Davis, Mayor reappointing the following individuals to the Planning Board and a resolution consenting said appointments:
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| | Karen J. Fiermonte | Term to expire on December 31, 2026
(Reappointment as Class IV Member) |
| | George Becker | Term to expire on December 31, 2026
(Reappointed as Class IV Member) |
| | Jack Beiro | Term to expire on December 31, 2023
(Reappointed as Class II Member) |
| | Ramon Veloz | Term to expire on June 30, 2023
(Reappointed as Mayor's Designee) |
- OR-7 From the Hon. James M. Davis, Mayor reappointing RAMY LAWANDY AND DEBRA CUSEGLIO to the ALCOHOLIC BEVERAGE CONTROL BOARD, terms to expire December 31, 2025, and a resolution consenting said appointments:
- OR-8 From the Purchasing Agent reporting on bids received for the SGT. JAMES J. SHEA MEMORIAL SHOOTING RANGE BUILDING MODIFICATIONS received on November 10, 2022 **(1 Bidder)**
- OR-9 From the Purchasing Agent reporting on bids received for the BAYONNE BRIDGE PARKING LOT IMPROVEMENTS received on November 2, 2022. **(5 bidders)**
- OR-10 From the Purchasing Agent reporting on bids received for the 2023 ROADWAY IMPROVEMENTS, PHASE I received on December 9, 2022. **(7 bidders)**

RESOLUTIONS

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

- CR-1 Approving the minutes of the regular meeting held Wednesday November 9, 2022, **City Clerk**
- CR-2 Approving the minutes of the council caucus held Wednesday, November 2, 2022. **City Clerk**
- CR-3 Ordering warrants drawn to taxpayers representing refunds for overpayment of taxes. (7 properties) **Tax Collector**
- CR-4 Establishing the calendar of council caucuses and council meetings for 2023. **City Clerk**
- CR-5 Authorizing the Director of Public Safety to accept the donation of three (3) vehicles from the PORT AUTHORITY OF NEW YORK/NE JERSEY the use by the Bayonne Police Department. **Public Safety**
- CR-6 Authorizing the Mayor and City Clerk to enter into a contract with PROPHOENIX CORP., MOORESTOWN, NJ in the amount of \$60,202.39 for the annual software maintenance for PropPhoenix Police Public Safety software for a period of one year commencing January 1, 2023 through December 31, 2023 and authorizing the issuance of payment of same. **Public Safety**
- CR-7 Awarding a contract to BAYONNE EXTERMINATING COMPANY, Bayonne, NJ for rodent and pest control services for a period one year commencing January 1, 2023 for the contract amount of \$24,900.00
- CR-8 Canceling various grants. **Finance**
- CR-9 Authorizing the Mayor and City Clerk to enter into a contract with F & S TIRES CORP. INC. as an approved distributor under state contract M8000 to provide

vehicle tires for a total amount not to exceed \$25,000.00. Chargeable to Account No. 3-01-26-315-0000-030. **DPW**

- CR-10 Authorizing the Mayor and City Clerk to enter into a contract with CUSTOM BANDAG as an approved distributor under state contract M8000 to provide vehicle tires for a total amount not to exceed \$25,000.00. Chargeable to Account No. 3-01-26-315-0000-030. **DPW**
- CR-11 Authorizing the Mayor and City Clerk to enter into a contract with GRAINGER INDUSTRIAL SUPPLY for the purchase of janitorial goods and supplies for the Department of Public Works for a total contract amount not to exceed \$35,000.00. Chargeable to Account #3-01-26-310-0000-030. **DPW**
- CR-12 Authorizing the Mayor and City Clerk to enter into a contract with SAMUELS INC. d/b/a BUY WISE NEW JERSEY for the purchase of parts and supplies for various city vehicles for a total contract amount not to exceed \$70,000.00. Chargeable to Account #3-01-26-315-0000-030. **DPW**
- CR-13 Authorizing the Mayor and City Clerk to enter into a contract with GENUINE AUTO PARTS CO. d/b/a NAPA AUTO for the purchase of parts and supplies for various city vehicles for a total contract not to exceed \$65,000.00. Chargeable to Account #3-01-26-315-0000-030. **DPW**
- CR-14 Authorizing a contract with NEW JERSEY DOOR WORKS, Hillside, NJ for the repair and/or replacement of overhead doors on various City owned buildings for an amount not to exceed \$50,000.00. Chargeable to account #3-01-26-310-0000-030. **DPW**
- CR-15 Authorizing the Mayor and City Clerk to enter into an agreement with the Bayonne Youth Center, 524 Kennedy Blvd, Bayonne, NJ to provide the cost of architectural plans from Kawalek & Kawalek Architects 764 Avenue C Bayonne, NJ 7002 to address the design of new HVAC system are in an amount not to exceed \$2,500.00 for a period of one (1) year commencing September 1, 2022 and ending August 31, 2023. **CDBG**
- CR-16 Authorizing and designating the amounts payable to the Bayonne Parking Utility in connection with the local supplemental violations bureau scheduled as of January 1, 2023. **Finance**
- CR-17 Ratifying and affirming the action of the Public Works Director to enter into contract with JP's PLUMBING AND HEATING CORP. for emergency work performed at the City Hall Fire House in the amount of \$32,500.00 and authorizing the Municipal Treasurer to issue payment in said amount. Chargeable to Account No. C-04-55-947-1956-994 **DPW**
- CR-18 Authorizing BOB's CARPET SERVICE to supply and install flooring to various city offices for an amount not to exceed \$30,000.00. Chargeable to Account No. C-04-55-976-2210-994. **DPW**
- CR-19 Approval to submit a grant application and execute a grant contract with the NJDOT for the Constable Hook Comprehensive Infrastructure Study, Bayonne. (Local Freight Grant LFIF-23)
- CR-20 Granting 2 Raffle licenses to qualified organizations. **City Clerk**

END OF CONSENT AGENDA

- R-1 Authorizing Budgetary Transfer #2 in the CY 2022 budget. **Finance**
- R-2 Ratifying and accepting 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-3 Amending Resolution No. 22-11-09-057 authorizing an agreement with STACK, COOLAHAN & STACK, LLC, for professional real estate appraisal services in connection with the Hudson County Board of Taxation and State Tax Court of New

Jersey for the period of one year commencing January 1, 2023 to reflect the total contact amount is not to exceed \$127,000.00 (\$102,000.0 payable at the rate of \$8,500 per month and an additional amount not to exceed \$25,000.00 for Litigation Support payable at the rate of \$275.00 per hour)

- R-4 Authorizing the Mayor and/or his designees to enter into Tax Appeal Settlement Agreement with PSE&G CO. CORP for Block 3, Lot 3 and 3.01 in the amount of \$51,999.00 and authorize the Mayor and/or his designees to take any action necessary to effectuate this resolution and the resulting judgement. **(Multi-year Appeal)**
- R-5 Authorizing and directing the Planning Board to re-open and consider an amendment to the redevelopment plan for the located at 69-71 Hook Road, also identified as Block 416, Lots 1.01 and 2.02 as shown on the official tax map of the City of Bayonne, pursuant the Local Redevelopment and Housing Law N.J.S.A. 40A:12A-1 ET SEQ.
- R-6 Authorizing and directing the Planning Board to re-open and consider an amendment to the 8th STREET REHABILITATION PLAN pursuant the Local Redevelopment and Housing Law N.J.S.A. 40A:12A-1 ET SEQ.
- R-7 Authorizing and directing the Planning Board of the City of Bayonne to conduct a preliminary investigation to determine whether certain property located in the Avenue A Corridor and known as BLOCK 332, LOTS 1, 6 & 7; BLOCK 333.01, LOT 7; and BLOCK 373, LOTS 1, 2, 13 & 14 within the City constitutes a non-condemnation area in need of redevelopment pursuant the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 ET SEQ. and authorizing the preparation of a Redevelopment Plan for the property.
- R-8 Authorizing and directing the Planning Board to conduct a preliminary investigation to determine whether certain properties located in the Constable Hook West and East Side Redevelopment Study Areas with of the City of Bayonne constitutes a non-condemnation area in need of redevelopment as shown on the official tax map of the City of Bayonne, pursuant the Local Redevelopment and Housing Law N.J.S.A. 40A:12A-1 ET SEQ. and authorizing the preparation of a Redevelopment Plan for the properties.
- R-9 Authorizing the execution of a fully awarded grant documents to HUD FY B-22-CP-NJ-0598 for an EDI (Economic Development Initiative) Community Project grant in the amount of \$5,000,000.00 for RUSSELL GOLDING PARK and authorizing the Mayor and Law Director to execute all documents necessary.
- R-10 Authorizing the Mayor and City Clerk to enter into an agreement with HUGHES & FINNERTY, P.C. for Professional Legal Services to act as Municipal Court Public Defender for the period commencing January 1, 2023 through December 31, 2023 for an amount not to exceed \$70,000.00 pursuant to the Fair and Open Process. **Law**
- R-11 Authorizing the Mayor and City Clerk to execute an amendment to Agreement No. CY21-062 with NJ HUMANE CORP. for an Animal Control Office and Shelter Services to exercise the second one (1) year period commencing January 1, 2023 for an additional amount of \$81,185.76, making the total contract amount \$241,495.26.
- R-12 Approving Chapter 159 #4 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-13 Authorizing the contract with RACHELS/MICHELE'S OIL COMPANY, Clifton, NJ through State Contract # T1845 to provide diesel fuel for city vehicles in amount not to exceed \$250,000.00. Chargeable to account #3-01-31-447-0000-028. **Public Works**
- R-14 Authorizing the contract with RACHELS/MICHELE'S OIL COMPANY, Clifton, NJ through State Contract #T0083 to provide gasoline for city vehicles in amount not to exceed \$450,000.00. Chargeable to account #3-01-31-447-0000-028. **Public Works**

- R-15 Accepting the BEST PRACTICES INVENTORY as prepare by the CFO.
- R-16 Rejecting the bid received for SGT. JAMES J. SHEA MEMORIAL SHOOTING RANGE BUILDING MODIFICATIONS pursuant to N.J.S.A. 40A:11-13.2, bid exceeds substantially the cost estimates for goods and services.
- R-17 Award the contract to 4 CLEAN-UP, INC., North Bergen, NJ for the 2023 ROADWAY IMPROVEMENTS-PHASE 1 for the total bid amount of \$861,860.50.

TO BE ADDED AT THE MEETING

- ADD-1 From the Hon. James M. Davis, Mayor (re)/appointing the following individuals to the URBAN ENTER PRISE ZONE DEVELOPMENT CORPORATION BOARD:

Bishop Thomas Robinson	Term to expire on December 31, 2023 (Reappointment as Regular Member)
Maria Upenieks	Term to expire on December 31, 2024 (Reappointment as Regular Member)
Tish Kraszyk	Term to expire on December 31, 2024 (Reappointment as Regular Member)
Juan Perez	Term to expire on June 30, 2026 (Appointment)
Neil Carroll	Term to expire on June 30, 2026 (Appointment)
Donna Russo	Term to expire on June 30, 2026 (Appointment)
Amy Gajewski	Term to expire on June 30, 2026 (Appointment as Mayor’s Designee)
- ADD-2 Authorizing the Business Administrator and/or his or her designee to advertise for Grant Writing, Management and Consulting Services, utilizing the competitive contracting process, pursuant to N.J.S.A. 40A:11-4.1 *et seq.*
- ADD-3 Authorizing the Business Administrator and/or his or her designee to advertise for 5G and Other Telecommunications Consulting Services, utilizing the competitive contracting process, pursuant to N.J.S.A. 40A:11-4.1 *et seq.*
- ADD-4 Authorizing the Business Administrator and/or his or her designee to advertise for Information Technology Maintenance, Support and Procurement Consulting Services, utilizing the competitive contracting process, pursuant to N.J.S.A. 40A:11-4.1 *et seq.*