

**CITY OF BAYONNE
CITY COUNCIL
REGULAR MEETING
FEBRUARY 15, 2023**

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

ORDINANCES SCHEDULED FOR HEARING

- O-1 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 TOGUS URBAN RENEWAL, LLC FOR THE PROPERTY IDENTIFIED AS BLOCK 332, LOT 3, BLOCK 360, LOT 2, BLOCK 390, LOTS 1 AND 2 (A.K.A. RG67), AND BLOCK 391, LOTS 1 AND 2.

- O-2 ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, STATE OF NEW JERSEY, PROVIDING FOR THE SPECIAL ASSESSMENT OF THE COST OF CERTAIN IMPROVEMENTS ON THE PROPERTY IDENTIFIED AS BLOCK 332, LOT 3, BLOCK 360, LOT 2, BLOCK 390, LOTS 1 AND 2 (A.K.A. RG67), AND BLOCK 391, LOTS 1 AND 2.

- O-3 ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, STATE OF NEW JERSEY, AUTHORIZING THE GUARANTY OF NOT-TO-EXCEED \$65,000,000 AGGREGATE PRINCIPAL AMOUNT OF CITY GUARANTEED REDEVELOPMENT AREA BONDS.

- O-4 AN ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING THE CENTRAL CONSTABLE HOOK REDEVELOPMENT PLAN FOR PROPERTY IDENTIFIED AS BLOCK 465, LOT 9; BLOCK 466, LOTS 1, 2, 3 AND 4; AND BLOCK 478, LOTS 1 AND 1.01, AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE.

- O-5 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC. **(Restrictive Parking Zones-Add-1) Public Safety**

PUBLIC COMMENTS

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

ORDINANCES PROPOSED FOR INTRODUCTION

- O-6 AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON ADOPTING AN AMENDED AND RESTATED REDEVELOPMENT PLAN FOR THE PROPERTY LOCATED 69-71 NEW HOOK ROAD, BLOCK 416 LOTS 1 & 2 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE and a resolution fixing Wednesday, March 15, 2023 and the Dorothy E. Harrington Council Chambers as the time and place for a public hearing and final passage. (Sixth Wave)

COMMUNICATIONS

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

- C-1 From Scott P. Kessler, Esq., filing notice of claim on behalf of KATHERINE C.

MONTGOMERY alleging injuries sustained when she fell on a City Street on January 3, 2023.

- C-2 From Peter N. Davis, Esq., filing notice of claim on behalf of MIRCA MAURICIO-PENA alleging injuries sustained from a fall on City street on November 22, 2022
- C-3 From OSCAR CESAR filing a notice of claim alleging damage to his automobile when it was struck by a garbage truck while parked in public lot.
- C-4 From Alberico DePierro, Esq. filing notice of claim on behalf of COUNTY OF HUDSON, HUDSON COUNTY OEM alleging injuries sustained to Arnold Landi a firefighter dispatched to a fire on May 17, 2019
- C-5 From Sara Garcia filing notice of claim on behalf of her son, RICARDO PASCAUL PENA alleging false arrest by the Bayonne Police Department on November 1, 2022.

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 Donna L. Mauer, Chief Financial Officer submitting the ANNUAL DEBT STATEMENT as of December 31, 2022

RESOLUTIONS

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

- CR-1 Approving the minutes of the regular meetings held Tuesday, January 3, 2023 and Wednesday January 18, 2023. **City Clerk**
- CR-2 Approving the minutes of the council caucus held Wednesday, January 11, 2023. **City Clerk**
- CR-3 Approving the minutes of the special meeting held Wednesday, January 25, 2023. **City Clerk**
- CR-4 Ordering warrants drawn to taxpayers representing refunds for overpayment of taxes. (8 properties) **Tax Collector**
- CR-5 Authorizing the Mayor and City Clerk to enter into a Right-of-Way ("ROW") Agreement with the Bayonne Community Day Nursery, as tenant of the landlord, the City of Bayonne, (the "City") for purposes of installing and maintaining two (2) awnings in the City's ROW on West 27th Street and waiving the fee for said ROW Agreement as the Bayonne Community Day Nursery is a Non-profit organization and to allow the Bayonne Community Day Nursery to install said awnings on the City of Bayonne's premises throughout the term of the tenancy. **Law**
- CR-6 Authorizing the Mayor and City Clerk to execute an extension to an Access Agreement between the City of Bayonne and PPG Industries, Inc. for the limited purpose of performing a soil and groundwater environmental investigation and performing environmental remediation work at the property comprised of Block 383, Lot 1, Lot 2, and Lots 4-8; Block 384, Lots 1 & 2 and more commonly known as West 1st Street, Dennis Collins Park for the period commencing January 1, 2023 through December 31, 2023. **Law**
- CR-7 Authorizing the purchase and installation of emergency lights, sirens and window tinting for six (6) police vehicles from ELITE VEHICLE SOLUTIONS,

Lakewood, NJ for \$5,726.85 per vehicle, making total amount \$34,361.10. **Public Safety.**

- CR-8 Authorizing the purchase and installation of emergency lights, sirens and computer equipment in 18 current and new police vehicles from ELITE VEHICLE SOLUTIONS, Lakewood, NJ under that NJ State Contract #17-FLEET-00749 for the total purchase price of \$171,488.38. **Public Safety**
- CR-9 Authorizing the Business Administrator to execute a Shared Services Agreement with the County of Hudson for the installation of public information kiosks for the period commencing as of March 1, 2023 through February 28, 2024 with an option of two (2) additional years. **Law**
- CR-10 Authorizing the Mayor and City Clerk to apply for the 2022 ASSISTANCE FOR FIREFIGHTERS GRANT in the amount of \$967,500.00 to purchase an SCBA air refilling vehicle and fire department SCBA equipment. Grant formula funds proposed projects at 90% with a 10% local match. **Fire**
- CR-11 Authorizing the Purchasing Agent to execute any and all documents and take any and all actions necessary to effectuate the purchase of parts and supplies for use in various City vehicles for calendar year 2023 from STEVENS JERSEY CITY FORD at a total cost not to exceed \$25,000.00. Chargeable to Account #3-01-26-315-0000-030.
- CR-12 Approving the Beautification for Bayonne program to maintain the sidewalks and streets and authorizing the UEZ Coordinator to submit an application to the NJ UEZ ASSISTANCE FUND for the amount of \$794,510.00.00. **UEZ**
- CR-13 Approving the Promotion for UEZ Bayonne Business program to promote/highlight the UEZ businesses within the City with events and marketing advertisements and authorizing the UEZ Coordinator to submit an application the NJ UEZ ASSISTANCE FUND for the amount of \$47,700.00. **UEZ**
- CR-14 **SEE R-16 AND R-17.**
- CR-15 Authorizing the Purchasing Agent to purchase four (4) 2023 Ford F250 Pick-up trucks for use in the Department of Public Works from WINNER FORD, through State Contract #A88726, T210 for the amount of \$191,648.00. Chargeable to Account #C-04-55-962-2210-994. **Public Works**
- CR-16 Authorizing the Purchasing Agent to purchase a Glutton Street Vacuum from JOE JOHNSON EQUIPMENT LLC in the amount of \$28,900.00. **Public Works**
- CR-17 Authorizing the Purchasing Agent to advertise for bids elevator maintenance services. **Public Works**
- CR-18 Authorizing the acceptance of the American Rescue Plan 2022 Firefighters Grant in the amount of \$29,000.00. **Finance**
- CR-19 Authorizing an amendment to Agreement No. CY23-007 with WERNER SUAREZ to increase contract an additional \$25,000.00 to cover legal fees incurred by drafting and revisions to the Rent Control Ordinance making the total contract not to exceed \$40,000.00
- CR-20 Granting 9 Raffle licenses to qualified organizations. **City Clerk**

END OF CONSENT AGENDA

- R-1 Authorizing the Mayor and City Clerk to execute an amendment to Agreement No. CY22-039 with HOPLITE COMMUNICATION, LLC, (the "Contractor") for 5G and other telecommunications consulting services extending same for a two (2) month period commencing January 1, 2023 and ending February 28, 2023 at no additional cost and to reappoint Peter J. Lupo, Esq. of Hoplite as a consultant to provide the aforementioned Telecommunications Consulting Services for said period. **Law**

- R-2 Authorizing the Mayor and City Clerk to execute an amendment to Agreement No. CY22-038 with INTEGRATED MIRCO SYSTEMS, INC. for information technology, computer systems and network administration procurement services extending same for a two (2) month period commencing January 1, 2023 and ending February 28, 2023 for an amount not to exceed \$15,000.00. **Law**
- R-3 Authorizing the Mayor and City Clerk to execute an amendment to Agreement No. CY22-037 with INTEGRATED MIRCO SYSTEMS, INC. for information technology, computer systems and network administration and support services extending same for a two (2) month period commencing January 1, 2023 and ending February 28, 2023 for an amount not to exceed \$8,500.00. **Law**
- R-4 Authorizing the Mayor and City Clerk to execute an amendment to Agreement No. CY22-015 with MILLENNIUM STRATEGIES, LLC for grant writing and management services extending same for a two (2) month period commencing January 1, 2023 and ending February 28, 2023 for an additional amount of \$11,000.00, thereby making the total contract amount not to exceed \$77,000.00. **Law**
- R-5 Authorizing the Mayor and City Clerk to enter into a Temporary Access and Indemnification Agreement between the City of Bayonne and 9 PORETE URBAN RENEWAL LLC to temporarily access real property owned by the City of Bayonne, in the Borough of North Arlington (Lots 3 and 4, Block 167) in order to determine the precise location and depth of the City of Bayonne's aqueduct and provide the additional data requested by Bayonne's consulting engineer in order to determine what protective measures may be needed with respect to a proposed easement. **Law**
- R-6 Amending Resolution 22-12-14-074 authorizing the Mayor and City Clerk to execute an agreement with Christopher D. Adams, Esq. of the law firm of GREENBAUM ROWE SMITH DAVIS, LLP for professional legal services in furtherance of regulatory compliance issues involving the State of New Jersey for the period commencing July 12, 2022 and ending March 30, 2023 to increase same in the amount of \$10,000.00, thereby making the total contract amount not to exceed \$27,500.00 pursuant to the Non-fair and Open Process and to correct a scrivener's error as it was not necessary to determine that the original contract was awarded pursuant to the Fair and Open Process insofar as the original contract amount did not exceed \$17,500.00. **Law**
- R-7 Authorizing the Mayor and City Clerk to enter into an agreement with KAI STRATEGIC INSURANCE PARTNERS LLC d/b/A STRATEGIC INSURANCE PARTNERS, LLC for Professional Risk Management/Insurance Broker Services for a period of one year commencing January 1, 2023 at a risk management fee paid directly by the New Jersey Intergovernmental Insurance Fund by shall not exceed three (3%) of the City's NJIF Premium assessment for CY2023. **Law**
- R-8 Authorizing and directing the Planning Board to conduct a preliminary investigation to determine whether the property located at 21-29, 35 and 37 West 25th Street which is identified as Block 183, Lots 5, 6 and 8.01 as shown on the official tax map of the City constitutes an area in need of redevelopment, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. **Law**
- R-9 Authorizing and directing the Planning Board to conduct a preliminary investigation to determine whether the property located at 431-433 Broadway, 435-437 Broadway, 10-12 West 20th Street and 11-13 West 19th Street which is identified as Block 220, Lots 18, 23, 24, 25 (which is assessed as an additional lot under Lo 24) and 26 as shown on the official tax map of the City constitutes an area in need of redevelopment, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. **Law**
- R-10 Authorizing and Directing the Planning Board to re-open and consider amendments to the "Amended and Restated Scattered Site Redevelopment Plan, NJ TRANSIT 34TH STREET STATION", Block 404, Lots 1, 2 & 3, Block 408, Lots 1

& 2 DATED March 5, 2019” (a/k/a AMENDED SCATTERED SITE REDEVELOPMENT PLAN)

- R-11 Designating DUKE REALTY BAYONNE DEVELOPMENT LLC, as the redeveloper of Block 465, Lots 9, Block 466, Lots 1, 2 3 and 4 and Block 478, Lot 1 and 1.01 and authorizing the preparation and execution of a Redevelopment Agreement. **Law**
- R-12 Adopting a Preliminary Investigation Non-Condemnation Area in Need of Redevelopment for BAYONNE ENERGY CENTER III located at 250 East 22nd Street (Portion of) Block 419, Lot 1 pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.
- R-13 Consenting the change in ownership of PARKVIEW REALITY URBAN RENEWAL II LLC pursuant to the terms of the financial agreement authorized by Ordinance No. O-20-44, dated August 19, 2020. **Law**
- R-14 Approving Emergency Temporary Budget #2 for CY2023 Municipal Budget
- R-15 Authorizing the Mayor and City Clerk to enter in an agreement for Professional Engineer for Hydraulic Study for Flood Mitigation to T & M ASSOCIATES, Bloomfield, NJ for an amount not to exceed \$390,000.00 for the period commencing January 1, 2023 through December 31, 2023, pursuant to the Fair and Open Process.
- R-16 Authorizing the Mayor and/or his designee to prepare an application to the NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION GREE ACRES PROGRAM to obtain grant funding for the West 24th Street Park Improvements Project in the amount of \$885,000.00
- R-17 Authorizing the Mayor and/or his designee to prepare an application to the NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION, URBAN PARKS INITIATIVE to obtain grant funding for the North Street Mini Park Improvements Project in the amount of \$500,000.00.

TO BE ADD AT MEETING

- ADD-1 From the Hon. James M. Davis, Mayor appointing JESSE R. WOLLEON to the HISTORIC PRESERVATION COMMISSION at Alternate #2, term to expire February 28, 2027 and resolution consenting to said appointment.