

**CITY OF BAYONNE
CITY COUNCIL
REGULAR MEETING
MAY 17, 2023**

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

ORDINANCES SCHEDULED FOR HEARING

- O-1 Postponing an ordinance entitled, “AN ORDINANCE OF THE CITY OF BAYONNE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES, CHAPTER 16, RENT CONTROL” to Wednesday, June 14, 2023
- O-2 AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY APPROPRIATING \$581,702.10 CONSISTING OF A \$443,201.60 FEDERAL EMERGENCY MANAGEMENT AGENCY GRANT AND \$138,500.50 FROM THE CAPITAL SURPLUS FUND IN ORDER TO PROVIDE FOR PHASE I OF THE COTTAGE STREET FLOOD MITIGATION PROJECT.
- O-3 AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING AN AMENDED AND RESTATED MARIST REDEVELOPMENT PLAN FOR THE PROPERTY LOCATED 1241 KENNEDY BLVD.-REAR AND WEST 57TH STREET, WHICH IS IDENTIFIED AS BLOCK 13, LOTS 1.01, 16, 17, 18 AND 18.B01 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ.
- O-4 AN ORDINANCE AUTHORIZING A TEN (10) YEAR LEASE WITH THE BAYONNE COMMUNITY DAY NURSERY, 591 BROADWAY, BAYONNE, NJ 07002 FOR \$1.00 PER YEAR
- O-5 AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 33. PLANNING AND DEVELOPMENT REGULATIONS. **Establishing escrow fees for Redevelopment**
- O-6 AN ORDINANCE OF THE CITY OF BAYONNE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES, CHAPTER 13, RECREATIONAL AND OTHER PUBLIC FACILITIES **(Increasing fees to Municipal Pool)**
- O-7 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 20, PERSONNEL POLICIES. **(Director salary range-Dir. of Planning, Zoning and Development & Law Director)**
- O-8 AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC . **Amending Subsection 7-11-to add (g) No fee for the use of parking meter bags shall be charged to Not-for-Profit entities in connection with events that are charitable in nature.**
- O-9 AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC. **Restrictive Parking Zone-Add 3/Delete-18**

PUBLIC COMMENTS

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

ORDINANCES PROPOSED FOR INTRODUCTION

- O-10 AN ORDINANCES OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY APPROVING A FINANCIAL AGREEMENT BY AND BETWEEN THE CITY OF BAYONNE AND WOODMONT BAYONNE PHASE 2 URBAN RENWAL, LLC FOR THE PROPERTY LOCATED ON WEST 52ND STREET, WHICH PROPERTY IS IDENTIFIED AS BLOCK 37, LOT1 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY, and a resolution fixing Wednesday, June 14, 2023 and the Dorothy E. Harrington Council Chambers, 630 Avenue C, Bayonne as the time and place of a public hearing and final passage. **(Honeywell-52nd Street)**
- O-11 AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY APPROVING A FINANCIAL AGREEMENT BY AND BETWEEN THE CITY OF BAYONNE AVE E DEV AMS URBAN RENEWAL, LLC FOR THE PROPERTY LOCATED 132 AND 140 AVENUE E, WHICH PROPERTY IS IDENTIFIED AS BLOCK 458, LOT 1.02 AND BLOCK 467, LOT 23 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY, and a resolution fixing Wednesday, June 14, 2023 and the Dorothy E. Harrington Council Chambers, 630 Avenue C, Bayonne as the time and place of a public hearing and final passage. **(Silk Loft East)**
- O-12 AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, 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, and a resolution fixing Wednesday, June 14, 2023 and the Dorothy E. Harrington Council Chambers, 630 Avenue C, Bayonne as the time and place of a public hearing and final passage. **(Silk Lofts West)**
- O-13 AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY APPROVING A FINANCIAL AGREEMENT BY AND BETWEEN THE CITY OF BAYONNE AND 6 COMMERCE STREET URBAN RENEWAL, LLC FOR THE PROPERTY LOCATED AT 6 COMMERCE STREET, WHICH PROPERTY IS IDENTIFIED AS BLOCK 481, LOT 5.02 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY, and a resolution fixing Wednesday, June 14, 2023 and the Dorothy E. Harrington Council Chambers, 630 Avenue C, Bayonne as the time and place of a public hearing and final passage.
- O-14 AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY APPROVING A 5-YEAR TAX AGREEMENT WITH BAYONNE 32 LLC FOR THE PROPERTY LOCATED 43-44 WEST 32ND STREET WHICH PROPERTY IS IDENTIFIED AS BLOCK 145, LOT 1 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY, and a resolution fixing Wednesday, June 14, 2023 and the Dorothy E. Harrington Council Chambers, 630 Avenue C, Bayonne as the time and place of a public hearing and final passage.
- O-15 AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY APPROVING A 5-YEAR TAX AGREEMENT WITH THE BUILDING ON B LLC, FOR THE PROPERTY LOCATED AT 140 AVENUE B, WHICH PROEPRTY IS IDENTIFIED AS BLOCK 84, LOT 6.01 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY, and a resolution fixing Wednesday, June 14, 2023 and the Dorothy E. Harrington Council Chambers, 630 Avenue C, Bayonne as the time and place of a public hearing and final passage.
- O-16 AN ORDINANCE OF THE CITY OF BAYONNE, IN THE COUNTY OF HUDSON, STATE OF NEW JERSEY AMENDING THE REVISED GENERAL ORDINANCES TO ADD CHAPTER 39 PROVIDING FOR THE ESTABLISHMENT OF A MUNICIPAL WATER AND WASTERWATER UTILITY, and a resolution fixing Wednesday, June 14, 2023 and the Dorothy E. Harrington Council Chambers, 630 Avenue C, Bayonne as the time and place of a public hearing and final passage.

- O-17 AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC, and a resolution fixing Wednesday, June 14, 2023 and the Dorothy E. Harrington Council Chambers, 630 Avenue C, Bayonne as the time and place of a public hearing and final passage. **Restrictive Parking Zones-Add 1/Delete 3**

ADD

038. Carolyn Lindquist – 172 West 9th Street

DELETE

316. Arlene Tiamzon – 160 West 53rd Street

358. Debra Picariello – 33 West 28th Street

409. Lisa Roberts – 620 Avenue E

- O-18 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 33, PLANNING AND DEVELOPMENT REGULATIONS AND CHAPTER 35 ZONING REGULATIONS, and a resolution fixing Wednesday, June 14, 2023 and the Dorothy E. Harrington Council Chambers, 630 Avenue C, Bayonne as the time and place of a public hearing and final passage. **Updating certain definitions and prohibiting various smoke/vapor substances and massage establishments.**

COMMUNICATIONS

- C-1 From the Tax Court of New Jersey in the matter of “BAYVIEW JV LLC vs City of Bayonne” **Commercial**

OFFICERS’ REPORTS

- 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**

RESOLUTIONS

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

- CR-1 Approving the minutes of the regular meeting held Wednesday April 19, 2023. **City Clerk**
- CR-2 Approving the minutes of the council caucus held Wednesday, April 12, 2023. **City Clerk**
- CR-3 Ordering warrants drawn to taxpayers representing refunds for overpayment of taxes. (4 properties) **Tax Collector**
- CR-4 Ratifying, confirming and endorsing Submittal of an Application to the Hudson County Open Space Trust Fund in the amount of \$500,000 for 11th Street Oval Park (Field of Dreams-Buddy Baseball Park). **Public Works**
- CR-5 Authorizing the Mayor and City Clerk to enter into a contract with NJ Fire Equipment Co. under State Contract #17-FLEET-00819 in the amount of \$56,578.50. Funds to be charged to Account No. T-03-56-108-0000-199. **CDBG**
- CR-6 Authorizing the Mayor and City Clerk to enter into a contract with Training Specialties Inc. in the amount of \$23,584.00 for the procurement of fire hoses. Funds to be charged to Account No. T-03-56-108-0000-199. **CDBG**
- CR-7 Accepting the FY2023 PEDESTRIAN SAFETY GRANT in the amount of \$35,000.00. **Finance**
- CR-8 Accepting the FY2023 LOCAL RECREATION IMPROVEMENT GRANT (LRIG) in the amount of \$85,000.00. **Finance**
- CR-9 Accepting the FY2023 DRUNK DRIVING ENFORCEMENT GRANT in the amount of \$9,622.90. **Finance**

- CR-10 Accepting the FY2023 ROID GRANT from the New Jersey Department of Community Affairs to provide inclusive recreational opportunities for teenagers and adults with disabilities in the amount of \$20,000.00 and appropriating a local match in the amount of \$4,000.00. **Finance**
- CR-11 Authorizing the Purchasing Agent to purchase two (2) HONDA 250 horsepower outboard engines and associated equipment for the Fire Department from ALL POINTS MARINE SERVICES under State Contract B2020-158 for the amount of \$59,470.98. **Fire**
- CR-12 Authorizing the Mayor and City Council to enter into a Vessel Use Lease Agreement with NORTH HUDSON REGIONAL FIRE AND RESCUE for the temporary use of a 25' Sea Ark Vessel in the Fire Department for the amount of \$1.00 for the period from March 27, 2023 to September 27, 2023. **Fire**
- CR-13 Authorizing the Purchasing Agent to purchase 24 sets of structural firefighting turnout protective gear and 17 pairs of structural firefighting boots from SKYLANDS AREA FIRE EQUIPMENT AND TRAINING LLC for the amount of \$77,441.36 under NJ State Contract #17-FLEET-00809. **Fire**
- CR-14 Authorizing the Mayor and City Clerk to enter into a Sub Grant Agreement Building Resilient Infrastructure and Communities (BRIC) Grant program with the NJ OFFICE OF EMERGENCY MANAGEMENT for FEMA funds. **Mun. Services**
- CR-15 Authorizing Police Chief Geisler to dispose of, by way of donation to the BAYONNE BOARD OF EDUCATION ten (10) BMW mountain bikes that are no longer useable by the Bayonne Police Department to be used by the Board of Education for bicycle repair vocational classes. **Police**
- CR-16 Authorizing the purchase of 2023 black Dodge Durango Police AWD through the Cranford Cooperative Pricing System (47-CPCPS) from HERTRICH FLEET SERVICES INC in the amount of \$38,716.00 for use by the Bayonne Police Department. **Police**
- CR-17 Authorizing the Mayor and City Clerk to enter into a contract with LTW, Pinebrook, NJ for annual support and maintenance on all equipment deployed as part of the Digital Video Surveillance Network (DVSN) deployed throughout the City for a period of one year commencing January 1, 2023 and authorizing payment in the amount of \$39,99968 under State Contract #89980. Chargeable to Account No. 3-01-25-240-0000-077. **Public Safety**
- CR-18 Authorizing the City of Bayonne to declare and exercise dominion over the Elco PT Boat Crane currently located within Rutkowski Park.
- CR-19 Authorizing amendments to Agreement Nos. CY23-032 with Timothy J. Moriarty, Esq., for professional legal services as Municipal Court Prosecutor for an amount not to exceed \$79,200.00 and CY23-033 with Steven R. Hummell, Esq. for professional legal services as Alternate Municipal Court Prosecutor for an amount not to exceed \$28,000.00 increasing each Agreement in the amount of in the amount of \$6,400.00 for Special Assessment Municipal Court Sessions not to exceed two sessions per month payable at the rate of \$400.00 per session to be approved by Assignment Judge Jablonski that are necessary due to the backlog resulting from the COVID-19 pandemic payable through the Parking Offenses Adjudication Act fund, thereby making the total amount of Agreement No. CY23-032 with Timothy J. Moriarty, Esq., not to exceed \$85,600.00 and the total amount of Agreement No. CY23-033 with Steven R. Hummell, Esq. not to exceed \$34,400.00. **Law**
- CR-20 Authorizing and directing the Mayor and/or his designee(s) to take all steps necessary and to execute any and all documents necessary to effectuate the Bayonne Music Festival to be held at the lower level of 16th Street park on Saturday, May 20, 2023 with a rain date of Sunday, May 21, 2023. **Public Works**
- CR-21 Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the Improvements to Avenue E. **Public Works**

- CR-22 Authorizing the Fire Department to sell, scrap or at auction the following vehicles/equipment:
1997 Pierce Fire Engine
2009 Ford Escape
(2) 2012-250 Horsepower Yamaha Outboard Motors
- CR-23 Authorizing the Mayor and Law Director to execute any and all the of fully awarded grant documents to HUD B23-CPNJ-0985 for an EDI Community Project grant in the amount of \$1,000,000.00 for Field of Dreams Park at 11th Street. **Planning**
- CR-24 Authorizing the Mayor and City Clerk to take all steps necessary to execute License Agreements in form and substance as is approved by the Law Director with individual vendors of the New Jersey Council of Farmers to permit the use of municipal land located at West 23rd Street between Broadway and Del Monte Drive for the purpose of the Bayonne Farmers' Market every Tuesday from 2:00 p.m. until 7:00 p.m. effective May 23, 2023 through November 7, 2023 or if earlier upon written notice from the City, for a sum not to exceed \$35/week per vendor. **UEZ**
- CR-25 Authorizing the Purchasing Agent to purchase Hurst Jaws of Life Vehicle Extrication tools from STATE LINE FIRE AND SAFETY for the amount of \$26,790,00 for use in the fire department. **Fire**
- CR-26 Authorizing the Mayor and City Clerk to execute a License Agreement with BAYONNE MUSLIMS, a non-profit organization, for the purpose of festival to be held at G. Thomas DiDomencio Park located 16th Street on Sunday, June 4, 2023 from 11:00 A.M. to 5:00 P.M. and to waive the license fee.
- CR-27 Granting 6 Raffle licenses to qualified organizations. **City Clerk**

END OF CONSENT AGENDA

- R-1 Approving Emergency Temporary Budget #4 for CY2023 Municipal Budget.
- R-2 Authorizing and directing Planning Board to reopen the 8TH STREET REHABILITATION PLAN to consider amendments for 12-14 West 9th Street, which property is identified a Block 283, Lot 23, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 ET SEQ **Planning**
- R-3 Authorizing and directing the Planning Board to conduct a preliminary investigation to determine whether the property located at 28-34 East 22nd Street, which is identified as Block 212, Lots 30 and 31 constitutes a non-condemnation area in need of redevelopment pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 ET SEQ. **Planning**
- R-4 Authorizing and directing the Planning Board to conduct a preliminary investigation to determine whether the property located 361-363, 365-371 and 373 Kennedy Blvd., which is identified as Block 262, Lots 7, 8 and 9 constitutes a non-condemnation area in need of redevelopment pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 ET SEQ. **Planning**
- R-5 Authorizing and directing the Planning Board to conduct a preliminary investigation to determine whether the property located 13 East 33rd Street and 734-756 BROADWAY (EVEN ONLY) which property is identified as Block 140, Lots 2, 56, 57, 58, 59.01, 60, 61 and 62 constitutes condemnation area in need of redevelopment pursuant to 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. **Planning**
- R-6 Authorizing and directing the Planning Board to conduct a preliminary investigation to determine whether the property located at 11-13 West 47th Street, 973-975 Broadway, 979 Broadway, 983-987 Broadway and 12 West 48th Street, which property is identified as Block 70, Lots 19, 20, 21.01 constitutes condemnation area in need of redevelopment pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 ET SEQ. **Planning**

- R-7 Authorizing negotiation to enter into a Redevelopment Agreement with BRIDGE POINT BAYONNE URBAN RENEWAL LLC for 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. **Planning**
- R-8 Introduction of the 2023 Local Municipal Budget and fixing Wednesday, June 14, 2023 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-9 Authorizing the City of Bayonne's participation in the Pooled Note Financing Program of the Hudson County Improvement Authority. **Finance**
- R-10 Determining the form and other details of not to exceed \$1,697,557 General Obligation Bonds of the City of Bayonne, in the County of Hudson, State of New Jersey, and approving for its sale to the NEW JERSEY INFRASTRUCTURE BANK Pursuant to the NEW JERSEY TRANSPORTATION INFRASTRUCTURE BANK FINANCING PROGRAM. **Finance**
- R-11 Authorizing the Mayor and/or his designee(s) to enter into a Tax Appeal Settlement Agreement with Rite Investors, Inc for 471 Broadway, also identified as Block 210 Lot 25.01 and authorizing the Mayor and/or his designee(s) to take any action necessary to effectuate this resolution and resulting judgement. **Assessor**
- R-12 Authorizing the Tax Collector to prepare and mail estimated Third Quarter Taxes
- R-13 Amending Resolution No. 23-02-15-032 authorizing the Mayor and City Clerk to execute an Access Agreement with PPG Industries, Inc. in connection with Block 383, Lot 1, Lot 2, Lot 3, Lots 4-8; Block 384, Lot 1 and Lot 2 as amended by Resolution 23-03-15-096 authorizing the Mayor and City Clerk to execute a Deed Notice and a Notice in Lieu of Deed Notice amending both Resolutions to remove Block 383, Lot 1 and Lot 2 and include Block 385, Lots 1 and 2 and Block 385, Lots 3 & 6 and ratifying and affirming the actions of the Mayor and City Clerk in executing said Deed Notice and Notice in Lieu of Deed Notice.
- R-14 Expressing the City of Bayonne's support of the BAYONNE MEDICAL CENTER'S and CAREPOINT HEALTH'S request for Federal Grant Funds.

TO BE ADDED AT THE MEETING

- ADD-1 Authorizing the UEZ Coordinator to apply to the NEW JERSEY URBAN ENTERPRISE ZONE AUTHORITY-ZONE ASSISTANCE FUND (ZAF) in the amount of \$30,000.00 for the Bayonne UEZ-Music on Broadway.
- ADD-2 Designating the property located at 431-433 Broadway, 435-437 Broadway, 10 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 LOT 24), and 26 as a non-condemnation area in need of redevelopment pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 ET SEQ. and authorizing and directing the Planning Board to prepare a Redevelopment Plan.