

**CITY OF BAYONNE  
CITY COUNCIL  
REGULAR MEETING  
JULY 19, 2023**

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

**ORDINANCES SCHEDULED FOR HEARING**

- O-1 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 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 **(Silk Loft East)**
- O-2 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 **(Silk Lofts West)**
- O-3 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 43-45 WEST 32<sup>ND</sup> STREET WHICH PROPERTY IS IDENTIFIED AS BLOCK 145, LOT 1 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY.
- O-4 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 WASTEWATER UTILITY.
- O-5 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. **Updating certain definitions and prohibiting various smoke/vapor substances and massage establishments.**
- O-6 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 Zones-Delete 3**
- O-7 AN ORDINANCE OF THE CITY OF BAYONNE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES, CHAPTER 16, RENT CONTROL
- O-8 AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING A REDEVELOPMENT PLAN TITLED “REDEVELOPMENT PLAN, BAYONNE ENERGY CENTER III (aka BEC III) FOR THE PROPERTY IDENTIFIED AS A PORTION OF BLOCK 419, LOT 1 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-9 AN ORDINANCE ADOPTING THE AMENDMENT TO THE 8<sup>TH</sup> STREET STATION REHABILITATION PLAN FOR 218-222 BROADWAY REDEVELOPMENT FOR THE PROPERTY LOCATED AT 218-222 BROADWAY, WHICH PROPERTY IS IDENTIFIED AS BLOCK 319, LOTS 26 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-10 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 4, “LICENSING, REGISTRATION AND BUSINESS REGULATIONS **Section 19, Filming**
- O-11 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 Zones-Add-1/Delete-7**
- O-12 AN ORDINANCE OF THE CITY OF BAYONNE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES, CHAPTER 4, LICENSING, REGISTRATION AND BUSINESS REGULATIONS **Section 7, “Amusements Rides or Carnival” Subsection 1, “License Required” to amend the insurance requirements**

### **PUBLIC COMMENTS**

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

### **ORDINANCES PROPOSED FOR INTRODUCTION**

- O-13 AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING THE REDEVELOPMENT PLAN ENTITLED “SAMSON SITE REDEVELOPMENT PLAN FOR THE PROPERTY LOCATED AT 108 AVENUE F, 104-106 AVENUE F AND 101 EAST 21<sup>ST</sup> STREET WICH IS IDENTIFIED AS BLOCK 457.01 LOTS 2, 3, 4 & 5 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 , and a resolution fixing Wednesday, August 16, 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-14 AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING THE REDEVELOPMENT PLAN ENTITLED “AVENUE F REDEVELOPMENT PLAN FOR THE PROPERTY LOCATED AT 86 EAST 22<sup>ND</sup> STREET, 90 EAST 22<sup>ND</sup> STREET AND 111 AVENUE F, WHICH IS IDENTIFIED AS A BLOCK 456, LOTS 10, 9, 8.02., 8.03 AND 8.01 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 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 35, ZONING REGULATIONS, and a resolution fixing Wednesday, August 16, 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. (Permitted uses in Business District)
- O-16 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC and a resolution fixing Wednesday, August 16, 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. **Parking Prohibited During Certain Hours on Certain Streets – Lord Avenue between 3<sup>rd</sup> & 4<sup>th</sup> Street for Church Purposes.**

- O-17 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC and a resolution fixing Wednesday, August 16, 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-Relocate (1)**

### **COMMUNICATIONS**

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

- C-1 From ANNESTINE GEORGE filing notice of claim alleging personal injuries resulting from a fall in front of 583-589 Avenue C on March 10, 2023.
- C-2 From 19 E 19 URBAN RENEWAL LLC filing notice of claim alleging property damage to the glass door when it struck by filing rocks while city employees were landscaping at Stanley John Kopcinski Park.
- C-3 From ELIZABETH KIM filing notice of claim alleging injuries sustained from fall at 1040 Kennedy Boulevard on March 10, 2023.
- C-4 From Superior Court of New Jersey in the matter entitled, “ALICIA MYERS vs. Hudson Radiology Center, City of Bayonne, et als.
- C-5 From the U.S District Court of New Jersey in the matter entitled “ESTATE OF LEE THOMAS WASKIEWICZ, et als vs. City of Bayonne, Timothy Ballance, Jr. Edward Tavares, et als.
- C-6 From the Tax Court of New Jersey in the matter entitled “DELAWARE DELTA LLC vs. City of Bayonne”
- C-7 From the Tax Court of New Jersey in the matter entitled, “DELAWARE DELTA LLC vs the City of Bayonne”
- C-8 From the Tax Court of New Jersey in the matter entitled, “231 AVE C, LLC vs. the City of Bayonne”
- C-9 From the Tax Court of New Jersey in the matter entitled "ORTHA SURG TEK, LLC vs. the City of Bayonne”
- C-10 From the Tax Court of New Jersey in the matter entitled "DR. NARD, LLC vs. the City of Bayonne”
- C-11 From the Tax Court of New Jersey in the matter entitled "128 JFK LLC vs. the City of Bayonne”
- C-12 From the Tax Court of New Jersey in the matter entitled "AV ESTATES, LLC vs. the City of Bayonne”
- C-13 From the Tax Court of New Jersey in the matter entitled "CENTERPOINT PULSKI LLC vs the City of Bayonne
- C-14 From the Tax Court of New Jersey in the matter entitled, “SCF REALTY III LLC vs. the City of Bayonne
- C-15 From the Tax Court of New Jersey in the matter entitled, “12-16 NORTH STREET REALTY LLC (Walgreens19690, Tenant Taxpayer) vs. the City of Bayonne.
- C-16 From the Tax Court of New Jersey in the matter entitled, “BAYONNE NM, BAYNEW, BAYONNE LLC vs. the City of Bayonne.
- C-17 From the Tax Court of New Jersey in the matter entitled “PERD L.P. vs. the City of Bayonne.

### **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 Honorable James M. Davis, Mayor reappointing MICHELE HENNESSEY as Tax Assessor effective July 1, 2023 and a resolution ratifying and affirming said appointment.
- OR-3 From the Hon. James M. Davis, Mayor fixing the salary range for the title of SUPERVISING SCHOOL TRAFFIC GUARD. **(MIN. \$52,591-MAX. \$75,232)**
- OR-4 From the Hon. James M. Davis, Mayor fixing the salary range for the title of SUPERVISING PARKING ENFORCEMENT OFFICER. **(MIN. \$52,591-MAX. \$75,232)**
- OR-5 From the Hon. James M. Davis, Mayor fixing the salary range for the title of PERSONNEL TECHNICIAN. **(MIN. \$85,137-MAX. \$119,170)**
- OR-6 From the Hon. James M. Davis, Mayor fixing the salary range for the title of ASST. MUNICIPAL ATTORNEY. **(MIN. \$72,275-MAX. \$96,647)**

### **RESOLUTIONS**

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

- CR-1 Approving the minutes of the regular meeting held Wednesday June 14, 2023. **City Clerk**
- CR-2 Approving the minutes of the council caucus held Wednesday, June 7, 2023. **City Clerk**
- CR-3 Ordering warrants drawn to taxpayers representing refunds for overpayment of taxes. (2 properties) **Tax Collector**
- CR-4 Approving Chapter 159 #1 in the CY 2023 budget, seeking permission of the Division of Local Government Services to approve the insertion of an item of revenue. **Finance**
- CR-5 Authorizing the Mayor and City Clerk to enter into an agreement with GENERAL CODE, Spring Lake, NJ for codification services for CY 2023 Ordinances in an amount not to exceed \$15,000.00. **City Clerk**
- CR-6 Authorizing the submission of an application for 2023 Local Transportation Projects Fund for the Improvements to Avenue E Project.
- CR-7 Ratifying and affirming the actions of the Mayor and City Clerk in executing an amendment to a License Agreement with the N.A.A.C.P, a non-profit organization, for the purpose of a Juneteenth Cerebration to be held at G. Thomas DiDomenico Park at 16<sup>th</sup> Street on Saturday, June 17, 2023 to amend the date to June 24, 2023 due to cancellation caused by inclement weather.
- CR-8 Authorizing the Purchasing Agent to advertise for bids for Elevator Maintenance and Service.
- CR-9 Authorizing entering into an Agreement with NEW JERSEY DEPARTMENT OF TRANSPORTATION for Westside Walkway Improvements.
- CR-10 Authorizing the Purchasing Agent to enter into an agreement with RUDCO PRODUCTS, INC., Vineland, NJ to purchase five (5) Open Containers for the total amount of \$32,900.00. Chargeable to the Recycling Tonnage Grant.
- CR-11 Authorizing the Purchasing Agent to enter into an agreement with HUDSON COUNTY MOTORS through NJ State approved Co-Op #65MCESCCPS Class 8 Truck #ESCNJ 20/21 to purchase one (1) 2024 Western Star 47X Truck for **use**

in the Department of Public Works for total amount of \$125,355.20 and authorizing an agreement with CLIFFSIDE BODY CORPORATION through NJ State approved Co-Op #65MCESCCPS BID #ESCNJ 20/21-55 for installation and upgrades (snowplow, stainless steel V box salt spreader and container) in the of amount \$160,000.00. Chargeable to account #C-04-55-962-2210-994.

- CR-12 Authorizing the Purchasing Agent to enter into a agreement with HUDSON COUNTY MOTORS through NJ State approve Co-Op #65MCESCCPS Class 8 Truck #ESCNJ 20/21 to purchase one (1) 2024 Wester Star 47X truck for the Department of Public Works for the total amount of #125,355.20 and enter into an agreement with CLIFFSIDE BODY CORPORATION through NJ State approved Co-Op #65MCESCCPS BID #ESCNJ 20/21-55 for installation and upgrades (snowplow) for the amount of \$30,422.00 and an agreement with SANTIATION EQUIPMENT CORP. through Sourcewell Contract #091219-LEG for upgrades (21 cubic yard rear-loader body) for the amount of \$109,632.40. Chargeable to account #C-04-55-962-2210-991-\$234,987.60 and account #C-04-55-962-2210-991 - \$30,422.00.
- CR-13 **WITHDRAWN**
- CR-14 Authorizing a Change Title Text. **Space Holder**
- CR-15 Granting 2 Raffle licenses to qualified organizations. **City Clerk**

**END OF CONSENT AGENDA**

- R-1 Authorizing and directing the Planning Board to reopen and prepare amendments to the GAMAL EAST PLAN for the property located at 35 Avenue A which is identified as Block 362, Lot 3 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.
- R-2 Authorizing and directing the Planning Board to a redevelopment plan for North Bay-1<sup>st</sup> to 3<sup>rd</sup> Streets, also referred to as Block 332, Lots 2, 2.01 4 and 5 and Block 360, Lot 1 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.
- R-3 Approving an Access Easement and Maintenance Agreement between the City and B9 LEFANTE OWNER URBAN RENEWAL LLC and confirming designation of same as redeveloper of the property known as 69-73 LeFante Way, Block 412, Lot 3 as shown on the official tax map of the City.
- R-4 Designating BRIDGE POINT BAYONNE LLC as redeveloper of the property identified as 69 New Hook Road, which is identified as Block 416, Lot 3 as shown on the official tax map of the City of Bayonne and authorizing the execution of the Redevelopment Agreement.
- R-5 Authorizing the execution of a redevelopment agreement with B9 LEFANTE OWNER URBAN RENEWAL LLC and confirming designation of same as redeveloper of the property identified as 69-73 LeFante Way, Block 412, Lot 3 as shown on the official tax map of the City.
- R-6 Authorizing the Mayor and City Clerk to execute a Release in consideration or the sum of \$93,345.00 to resolve claims associated with damages to “Bayonne Fire Department Marine” on or about February15, 2023 as a result of a collision with a tugboat owned by Donjon Marine Co. Inc.
- R-7 Authorizing the negotiation and execution of an agreement with New Jersey Department of Transportation for the Constable Hook Infrastructure Study.
- R-8 Authorizing the execution of a second amendment to the redevelopment agreement with BAYONNE PARTNERS URBAN RENEWAL LLC and confirming designation of the same as redeveloper of Block 830, Lot1, 2.01, 2.02, 3.01, 3.02, 4.01 and 4.02.

- R-9 Designating AMS EQUITIES LLC as redeveloper of the property identified as Block 234, Lot 8.01, Block 458, Lots 1.02 and 1.03 and Block 467, Lot 23 and executing a Redevelopment Agreement for said property
- R-10 Authorizing the extension of City's Trust and Indemnity Agreement with the NEW JERSEY INTERGOVERNMENT INSURANCE FUND (NJIIF) through December 31, 2026.
- R-11 Authorizing and directing the Director of Planning, Zoning, and Development to notify the property owners of 13 East 33rd Street, 734-756 Broadway (Even Only), which properties are identified as Block 140, Lots 2, 56, 57, 58, 59.01, 60,61, and 62 on the official tax maps of the City of Bayonne, that the City Council may authorize the Planning Board to conduct a preliminary investigation to determine whether these properties constitute either a condemnation or non-condemnation area in need of redevelopment pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 ET SEQ.
- R-12 Authorizing the Mayor and/or his designee and the City Clerk to take any and all steps and execute any and all documents necessary to exercise the City's first one (1) year option to renew the Shared Services Agreement between the Bayonne Board of Education (BBOE) and the City of Bayonne for the City to provide collection of solid waste services to its Grammar and High Schools for a one (1) year period commencing January 1, 2024 and ending December 31, 2024 for the amount of \$ 339,660.10 payable by the BBOE to the City.
- R-13 Authorizing the Mayor and/or his designee and the City Clerk to take any and all steps and execute any and all documents necessary to exercise the City's first one (1) year option to renew the Shared Services Agreement between the Bayonne Housing Authority (BHA) and the City of Bayonne for the rental of twenty (20) ten (10) yard dumpsters located at various BHA locations for a one (1) year period commencing January 1, 2024 and ending December 31, 2024 for the amount of \$5,000.00 per month payable by the BHA to the City for a total amount of \$60,000.00.
- R-14 Authorizing the Mayor and City Clerk to enter into an amendment to Agreement No. CY23-001 with Ruderman & Roth, LLC, 150 Morris Avenue, Suite 303, Springfield, New Jersey 07081 for professional legal services in connection with labor related matters for a one year period commencing January 1, 2023 and ending December 31, 2023 for an amount not to exceed \$100,000.00 increasing same in an amount not to exceed \$50,000.00, thereby making the total contract amount not to exceed \$150,000.00.
- R-15 Authorizing and directing the Director of Planning, Zoning, and Development to notify the property owners of 11-13 West 47th Street, 973-975 Broadway, 979 Broadway, 983-987 Broadway and 12 West 48th Street, which properties are identified as Block 70, Lots 19, 20, 21.01 on the official tax maps of the City of Bayonne, that the City Council may authorize the Planning Board to conduct a preliminary investigation to determine whether these properties constitute either a condemnation or non-condemnation area in need of redevelopment pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 ET SEQ.

**TO BE ADDED AT MEETING**

- ADD-1 From the Honorable James M. Davis, Mayor appointing MIKEL LAWANDY to the Planning Board as a Class IV member, term to expire on December 31, 2023 and a resolution confirming said appointment.
- ADD-2 AUTHORIZING REDEVELOPER B9 LEFANTE OWNER URBAN RENEWAL, LLC TO INSTALL SANITARY SEWER FACILITIES WITHIN THE LEFANTE WAY RIGHT-OF-WAY AT THE PROPERTY IDENTIFIED AS BLOCK 412, LOT

3 (69-73 LEFANTE WAY), AS SHOWN ON THE OFFICIAL TAX MAP OF THE  
CITY OF BAYONNE

ADD-3 AUTHORIZING THE EXECUTION OF A REDEVELOPMENT AGREEMENT WITH  
218-220 BROADWAY URBAN RENEWAL, LLC FOR REDEVELOPMENT OF  
PROPERTY LOCATED AT 218-220 BROADWAY AND IDENTIFIED AS BLOCK 319,  
LOT 26 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY