

**CITY OF BAYONNE
CITY COUNCIL
COUNCIL CAUCUS
SEPTEMBER 20, 2023**

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

ORDINANCES SCHEDULED FOR HEARING

- O-1 CAPITAL ORDINANCE PROVIDING FOR VARIOUS TECHNOLOGY IMPROVEMENTS BY AND IN THE CITY OF BAYONNE, IN THE COUNTY OF HUDSON, STATE OF NEW JERSEY; APPROPRIATING \$215,000.00 THEREFOR FROM THE CAPITAL SURPLUS FUND TO PAY FOR THE COST THEREOF
- O-2 AN ORDINANCE OF THE CITY OF BAYONNE ESTABLISHING A TRAFFIC CONTROL SIGNAL AT THE INTERSECTION OF AVENUE C AND 49TH STREET
- O-3 AN ORDINANCE OF THE CITY OF BAYONNE ADOPTING THE REDEVELOPMENT PLAN ENTITLED “FIRST SAVINGS REDEVELOPMENT PLAN” FOR PROPERTY LOCATED AT 562-568 BROADWAY WHICH IS IDENTIFIED AS BLOCK 184, LOTS 1, 2, AND 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.
- O-4 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 WOODMOUNT BAYONNE PHASE 2 URBAN RENEWAL, LLC FOR THE PROPERTY LOCATED ON WEST 52ND STREET, WHICH PROPERTY IS IDENTIFIED AS BLOCK 37, LOT 1 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY
- O-5 AN ORDINANCE OF THE CITY OF BAYONNE AMENDING AN ENCROACHMENT AGREEMENT WITH QOZ PROSPECT PROPERTY URBAN RENEWAL LLC FOR CERTAIN ENCROACHMENTS ASSOCIATED WITH 33 PROSPECT AVENUE, WHICH IS IDENTIFIED AS BLOCK 455, LOT 1.01 AS SHOWN ON THE OFFICAL TAX MAP OF THE CITY
- O-6 AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY APPROVING AN AMENDED AND RESTATED FINANCIAL AGREEMENT BY AND BETWEEN THE CITY OF BAYONNE AND BAYONNE REDEVELOPERS RESIDENTIAL BLOCK 780 URBAN RENEWAL LLC FOR THE PROPERTY LOCATED AT 155 GOLDSBOROUGH DRIVE, WHICH IS IDENTIFIED AS BLOCK 790, LOT 1.01 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE
- O-7 AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY APPROVING AN AMENDED AND RESTATED FINANCIAL AGREEMENT BY AND BETWEEN THE CITY OF BAYONNE AND BAYONNE REDEVELOPERS RESIDENTIAL BLOCK 780 URBAN RENEWAL LLC FOR THE PROPERTY LOCATED AT 110 GOLDSBOUROUGH DRIVE, WHICH PROPERTY IS IDENTIFIED AS BLOCK 722, LOT 1 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE
- O-8 AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING AN AMENDMENT TO THE 218-222 BROADWAY REDEVELOPMENT PLAN, WHICH PROPERTY IS IDENTIFIED AS BLOCK 319, LOT 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-9 AN ORDINANCE OF THE CITY OF BAYONNE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC and a resolution fixing Wednesday, September 20, 2023 at 7:00 P.M. (**Restrictive Parking Zones-Delete-3/Add-3**)

PUBLIC COMMENTS

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

ORDINANCES PROPOSED FOR INTRODUCTION

- O-10 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 B9 LEFANTE OWNER URBAN RENEWAL LLC FOR THE PROPERTY LOCATED AT 69-73 LEFANTE WAY, WHICH PROPERTY IS IDENTIFIED AS BLOCK 412, LOT 3 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY, and a resolution fixing Wednesday, October 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-11 AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, STATE OF NEW JERSEY APPROVING THE AMENDED AND RESTATED FINANCIAL AGREEMENT BY AND BETWEEN THE CITY OF BAYONNE AND 26 NORTH AVENUE URBAN RENWAL LLC FOR THE PROPERTY LOCATED AT 26 NORTH STREET, WHICH POPERTI IS IDENTIFIED AS BLOCK 297, LOT 3 AS SHOWN ON THEOFFICIAL TAX MAP OF THE CITY and a resolution fixing Wednesday, October 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-12 AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, SATE OF NEW JERSEY APPROVING AN AMENDED AND RESTATED FINANCIAL AGREEMENT BY AND BETWEEN THE CITY OF BAYONNE AND 197 AVE. E URBAN RENEWAL, LLC FOR THE PROPERTY LOCATED 197 AVENUE E, WHICH PROPERTY IS IDENTIFIED AS BLOCK 221, LOT 12.02 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY and a resolution fixing Wednesday, October 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-13 AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, STATE OF NEW JERSEY APPROVING A REDEVELOPMENT PLAN FOR THE PROPERTY LOCATED 80-84 EAST 25TH STREET, WHICH PROPERTY IS IDENTIFIED AS BLOCK 442, LOT 14 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.SA. 40A:12A-1 et seq., and a resolution fixing Wednesday, October 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-14 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC and a resolution fixing Wednesday, October 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. (**Section 15, "Parking Prohibited At All Time on Certain Street- Goldsborough Drive**)
- O-15 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC and a resolution fixing Wednesday, October 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. (**Section 7-27.1 U-Turns Prohibited- for the entirety of Broadway**)
- O-16 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC and a resolution fixing Wednesday, October 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. **(Prohibiting Left hand turns as all times at the intersection of 11th Street and Avenue E)**

- O-17 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC and a resolution fixing Wednesday, October, 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-Add (2) Reassign (1)**

ADD:

016. Pascual Dietz – 76 West 37th Street
057. Mahinaz ElSherif – 863 Kennedy Blvd.

REASSIGN

137. Jerome Hogan – 4 Story Court

COMMUNICATIONS

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

- C-1 From Patrick J. Masterpalo, Esq., filing notice of claim on behalf of JAMES E. BETANCES alleging injuries sustained from an automobile accident with a city owned vehicle.
- C-2 From Michael B. Fusco, Esq., filing notice of claim on behalf of SCUREKA BRANCH alleging injuries sustained in an automobile accident with a police vehicle.
- C-3 From SILVANA MARAGNI filing notice of claim alleging damage to her automobile when it was struck by a city owned vehicle.
- C-4 From the Superior Court of New Jersey in the matter of MICHAEL ALONSO vs. City of Bayonne and Director Robert Kubert.
- C-5 From the Tax Court of New Jersey in the matter of TOGUS URBAN RENEWAL, LLC vs. City of Bayonne.
- C-6 From the Tax Court of New Jersey in the matter of ONE GARFIELD, LLC vs. City of Bayonne & City of Jersey City.

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 Purchasing Agent reporting on bids received for Improvements to Sister Miriam Teresa Park on September 8, 2023. **(3 Bidders)**
- OR-3 From the Hon. James M. Davis, Mayor appointing the following individuals to Zoning Board of Adjustment.

Edward Lubach, Jr.
Thomas Frain
Islam Elgarhi
Ian Garvey

Term to expire on December 31, 2024
Term to expire on December 31, 2023
Term to expire on December 31, 2023
Term to expire on December 31, 2024

RESOLUTIONS

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

- CR-1 Approving the minutes of the regular meeting held Wednesday August 16, 2023.
City Clerk

- CR-2 Approving the minutes of the council caucus held Wednesday, August 9, 2023. **City Clerk**
- CR-3 Ordering warrants drawn to taxpayers representing refunds for overpayment of taxes. (38 properties) **Tax Collector**
- CR-4 Authorizing the purchase of 26 bullet resistant vests from ALTANTIC TACTICAL, Somerset, NJ in the amount of \$36,618.40 under State Contract #T0106. Chargeable to Account No. #3-01-25-240-0000-029. **Public Safety**
- CR-5 Authorizing the Mayor and City Clerk to enter into a Interlocal Agreement with the County of Hudson to accept \$17,212.00 in Law Enforcement Grant Funding through the 2022 JUSTICE ASSISTANCE GRANT PROGRAM (JAG) to purchase a portable Palmprint Drive for use in the Police Department in the amount of \$21,532.00 with a city match of \$4,320.00. **Public Safety**
- CR-6 Authorizing the advertisement of various Requests for Qualifications/Proposals for professional and/or extraordinary unspecifiable services for the upcoming calendar year commencing January 1, 2024 and ending December 31, 2024 pursuant to the fair and open contracting provisions set forth in N.J.S.A. 19:44A-20.4 and N.J.S.A. 19:44A-20.5. **Law**
- CR-7 Amending Resolution No. 23-08-16-067 authorizing the advertisement for proposals/qualifications for Emergency Medical Services and Emergency Medical Dispatch Services pursuant to the fair and open contracting provisions set forth in N.J.S.A. 19:44A-20.4 and N.J.S.A. 19:44A-20.5 to correct a scrivener's error and authorize the advertisement for said services through the competitive contracting process pursuant to N.J.S.A. 40A:11-4.1(f). **Law**
- CR-8 Ratifying and affirming the actions of the City's CDBG Administrator, in authorizing AXON ENGINEERING SERVICES, Garfield, NJ to perform professional mechanical engineering services in connection with the design of a boiler replacement system to replace three (3) existing heating/AC units servicing the Bayonne Family Community Center Facility (the "BFCC"); and authorizing the Mayor and City Clerk to execute an agreement with the BFCC to provide CDBG funds in the amount of \$7,600.00 representing payment for said Work; and authorizing the Municipal Treasurer to issue a check in the amount of \$7,600.00 representing payment for same. **CDBG**
- CR-9 Authorizing the Purchase Agent to purchase a new-collar system and bow cover from SAFEBOATS INTERNATIONAL LLC, Bremerton WA for the amount of \$25,042.39 for the Fire Department Boat Marine 1. **Fire**
- CR-10 Amending Agreement No. CY23-057 with COMMUNITY DAY NURSERY to provide CDBG funds in the amount of \$31,650.00 for the purpose of providing the cost of building repairs and upgrades at the CDN's facility to increase same in the amount of \$2,500.00, to cover the cost of a change order submitted by D CONSTRUCTION COMPANY INC., due to additional work that was necessary for completion thereby making the total contract amount \$34,100.00 and ratifying and affirming the actions of the City's CDBG Administrator in authorizing the Contractor to perform said work in order to complete the project in a timely manner. **CDBG**
- CR-11 Authorizing the Mayor and City Clerk to execute a "Termination of License Agreement" in connection with a License Agreement authorized by Resolution #22-05-18-036 as amended by Resolution 22-07-20-037 in connection with the construction of an ADA ramp within the City's a Right-of-Way with 714-716 Broadway, LLC, for purposes of installing and maintaining an ADA ramp projecting into the City's Right-of-Way (ROW) located at 714-716 Broadway, to increase the dimension of the protrusion into the City's ROW from 40" to 48" (the "Project") as the Licensee has advised the City that it will no longer be pursuing the Project. **Law**
- CR-12 Authorizing the Mayor and City Clerk to execute a License Agreement, in form and substance as is acceptable to the Law Director, allowing the Bayonne Irish Festival, Inc. to hold the 2023 Irish Festival at 16th Street Park on Saturday, September 23, 2023 from 12:00 p.m. to 6:00 p.m., throughout designated areas of the Thomas Di Domenico Park located at 16th Street between Avenue A and Newark Bay and to waive the License fee because the Bayonne Irish Festival, Inc., is a non-profit organization. **Law**

- CR-13 Authorizing the Mayor and City Clerk to enter into an agreement with JEWEL ELECTRIC SUPPLY CO., Jersey City, NJ for the purchase of material and supplies for electrical repairs in the amount not to exceed \$30,000.00. Chargeable to Account # 3-01-26-310-0000-030. **DPW**
- CR-14 Authorizing the Mayor and City Clerk to enter into an agreement with PRIME LUBE, INC., Carteret, NJ to purchase oil and washer fluid for maintenance of city vehicles in the amount not to exceed \$35,000.00. Chargeable to Account #3-01-26-315-0000-030. **DPW**
- CR-15 Amending Agreement #CY23-039 with the Bayonne Economic Opportunity Foundation in the amount of \$455,169.96, increasing the contract in the amount of \$61,268.00 chargeable to the CY2023 Congregate Meals Grant (G-02-41-657-2023-199), for a total contract amount not to exceed \$516,437.96. **Finance**
- CR-16 Approving Chapter 159 #3 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-17 Requesting the Director of the Division of Local Government Services make such a correction of the title, text or amount of an appropriation appearing the CY2023 Budget to make said item of appropriation available for the purpose required for the needs of the City
- CR-18 Amending Agreement No. #CY21-086 between the City of Bayonne and Picerno-Giordano Construction, LLC in the amount of \$539,841.50 to correct a scrivener's error in the funding allocation
- CR-19 Amending Council Resolution #23-08-16-077 between the City of Bayonne and 4 Clean Up, Inc. in the amount of \$1,056,602.75 to correct a scrivener's error in the funding allocation
- CR-20 Authorizing the application for the FY2024 Recreational Opportunities for Individuals with Disabilities (ROID) Grant from the New Jersey Department of Community Affairs for approximately \$20,000.00, with a local match of \$4,000.00, and authorizing the Mayor, Clerk and designated officials to sign the agreement and any other documents necessary connection therewith.
- CR-21 Authorizing the Mayor and City Clerk to execute a license agreement with the BAYONNE YOUTH CENTER, INC. for purposes of the Bayonne Arts & Music Festival to be held on Saturday, October 14, 2023 at Dennis P. Collins Park.
- CR-22 Designating WILLIAM SHEEHAN as Special Advisor of Ports and Maritime and Infrastructure for the City of Bayonne.
- CR-23 Granting 5 Raffle licenses to qualified organizations. **City Clerk**

END OF CONSENT AGENDA

- R-1 Authorizing the Mayor and/or his designee(s) to enter into a Tax Appeal Settlement Agreement with MPT of Bayonne, LLC and IJKG OPCO, LLC for 407-421 Avenue E, also identified as Block 159 Lots 14 & 15; Block 164, Lots 5 & 6 and Block 420.02, Lot 2 and authorizing the Mayor and/or his designee(s) to take any action necessary to effectuate this resolution and resulting judgement. **Assessor**
- R-2 Adopting changes to an existing deferred compensation plan pursuant to the final Internal Revenue Code Section 415 Regulations, Pension Protection Act of 2006, the Heroes Earnings Assistance and Relief Tax Act of 2008 and the Worker, Retiree and Employer Recovery Act of 2008 (Plan Document Identifier 81-PD-VALIC-103111) **Bus. Admin**
- R-3 Awarding the contract for Improvements to Sister Miriam Teresa Park to PICERNO GIORDANO CONSTRUCTION, LLC, 200 Market Street, Kenilworth, NJ 07033 for the bid amount of \$251,254.90. Chargeable to Account # G-02-41-878-0000-199.,
- R-4 Adopting a Non-condemnation Area in Need of Redevelopment Study for the property located at 173-179 Avenue F, which is identified as Block 442, Lots 6, 7, 8 and 9 as shown on the official tax map of the city, as a non-condemnation area in need of redevelopment and authorizing and directing the Planning Board to prepare a Redevelopment Plan for said property. **(former Walczyk's Tavern)**

- R-5 Adopting a Non-condemnation Area in Need of Redevelopment Study for the property located at 1012-1022 Avenue C, which is identified as Block 64, Lots 2 & 3 as shown on the official tax map of the city, as a non-condemnation area in need of redevelopment and authorizing and directing the Planning Board to prepare a Redevelopment Plan for said property. **(former Synagogue)**
- R-6 Adopting a Non-condemnation Area in Need of Redevelopment Study for the property located at 15-21 East 23rd Street, which is identified as Block 198, Lots 1 & 2 as shown on the official tax map of the city, as a non-condemnation area in need of redevelopment and authorizing and directing the Planning Board to prepare a Redevelopment Plan for said property. **(former St. Michael's Church)**
- R-7 Authorizing and directing the Planning Board to re-open and prepare amendments to the Scattered Site Redevelopment Project: Phase II, Site 14: Rt 440 Redevelopment Plan pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12-1 et seq.
- R-8 Approving the Redevelopment Agreement by and between the City of Bayonne and 111 AVENUE F PARTNERS, LLC for the property located at 107-111 Avenue F, 86-92 East 22nd Street, which property is identified as Block 456, Lots 7, 8.01, 8.02, 8.03, 9 and 10 as shown on the official tax map of the City.
- R-9 Approving the consent of the transfer of the Redevelopment Agreement and the Financial Agreement by and between the City of Bayonne and PENINSUAL LOFTS URBAN RENEWAL LLC, to 197 AVE E URBAN RENEWAL, LLC for the property located at 197 Avenue E, which is identified as Block 221, Lot 12.01 as shown on the official tax map of the City.
- R-10 Approving the Redevelopment Agreement by and between the City of Bayonne and 197 AVE E URBAN RENEWAL, LLC for the property located at 197 Avenue E, which is identifies as Block 221, lot 12.02 as shown on the official tax map of the City.
- R-11 Designating 1207-1211 JFK BLVD. URBAN RENEWAL LLC as Redeveloper of the property locates 1207-1211 John F. Kennedy Boulevard, which is identified as Block 24, Lots 2 & 3 as shown on the official tax map of the City and authorizing the preparation and execution of the Redevelopment Agreement.
- R-12 Designating AVENUE E LOFTS URBAN RENEWAL LLC as redeveloper of the property located at 196-200 Avenue E, which is identified as Block 458, Lots 7, 8 & 9 as shown on the official tax map of the City and authorizing the preparation and execution of the Redevelopment Agreement.
- R-13 Approving the amended and restated Redevelopment Agreement by and between the City of Bayonne and 26 NORTH AVENUE URBAN RENEWAL, LLC for the property located 26 North Street, which is identified as Block 297, Lot 3 as shown on the official tax map of the City.
- R-14 Authorizing a closed session to discuss matters involving the settlement litigation pursuant to N.J.S.A. 10:4-12. **Law**

TO BE ADDED AT MEETING

- ADD-1 From the Hon. James M. Davis, Mayor appointing ROBERT F. SLOAN, ESQ to ALCOHOLIC BEVERAGE CONTROL BOARD. **(for the unexpired term of H. MICKEY MCCABE to expire December 31, 2023)**
- ADD-2 Approving the Bayonne UEZ Administrative FY 2024 Budget for administrative cost including salaries, office supplies, marketing and promotions in an amount not to exceed \$190,000.00.
- ADD-3 Authorizing the UEZ Coordinator to take all steps necessary to approve the Bayonne's UEZ 2023 Classic Car Show to be held Saturday, September 30, 2023 from 1:00 to 4:00 PM to be located between 40th and 43rd Streeton Broadway.
- ADD-4 Awarding contract to JAN PRO to provide janitorial services to the Police Department for an amount not to exceed \$40,771.00 for a term of one year commencing October 1, 2023.