

CITY OF BAYONNE CITY COUNCIL REGULAR MEETING NOVEMBER 8, 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 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-2 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-3 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 IS IDENTIFIED AS BLOCK 297, LOT 3 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY
- O-4 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 12.01 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY
- O-5 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.,
- O-6 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC (**Section 15, "Parking Prohibited At All Time on Certain Street-Goldsborough Drive**)
- O-7 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC (**Section 7-27.1 U-Turns Prohibited- for the entirety of Broadway**)
- O-8 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7,

TRAFFIC (**Prohibiting Left hand turns as all times at the intersection of 11th Street and Avenue E**)

- O-9 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC. (**Restrictive Parking Zones-Add (2) Reassign (1)**)
- O10 AN ORDINANCE OF THE CITY OF BAYONNE APPROVING AN ENCROACHMENT AGREEMENT WITH MECHANIC STREET PARTNERS NJ, LLC FOR THE PROPERTY LOCATED AT 130-134 AVENUE F, WHICH IS IDENTIFIED AT BLOCK 450, LOT 1.01
- O-11 AN ORDINANCE OF THE CITY OF BAYONNE APPROVING AN ENCROACHMENT AGREEMENT WITH 197 AVE. E URBAN RENEWAL LLC FOR PROPERTY LOCATED AT 197 AVENUE E WHICH PROPERTY IS IDENTIFIED AS BLOCK 221, LOT 12.01
- O-12 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC (**Restrictive Parking Zones-Add (5 Delete (3)**)

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 AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 37, HISTORIC PRESERVATION and a resolution fixing Wednesday, December 13, 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 37- Declaring the Elco PT Boat Crane as landmark**)
- O-14 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 63 NEW HOOK ROAD URBAN RENEWAL LLC, FOR THE PROPERTY LOCATED AT 63-67 NEW HOOK ROAD, WHICH IS IDENTIFIED AS BLOCK 416, LOT 3 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY and a resolution fixing Wednesday, December 13, 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 OF THE CITY OF BAYONNE, COUNTY OF HUDSON, STATE OF NEW JERSEY APPROVING A FINANCIAL AGREEMENT BY AND BETWEEN THE CITY OF BAYONNE AND AVENUE E LOFTS URBAN RENEWAL LLC FOR 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 a resolution fixing Wednesday, December 13, 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-16 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 BAYVIEW JV LLC FOR THE PROPERTY LOCATED AT 175 AVENUE A, WHICH IS IDENTIFIED AS BLOCK 300.01, LOTS 1, 2 & 3 AND BLOCK 301.03, LOTS 2 & 3 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY and a resolution fixing Wednesday, December 13, 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-17 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 BAYONNE LUXURY WATERWALK URBAN RENEWAL LLC FOR THE PROPERTY LOCATED AT 211-219 W 5TH

STREET, WHICH IS IDENTIFIED AS BLOCK 301.01, LOTS 1 & 6 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY and a resolution fixing Wednesday, December 13, 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-18 AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, STATE OF NEW JERSEY APPROVING AN AMENDMENT TO THE FINANCIAL AGREEMENT BY AND BETWEEN THE CITY OF BAYONNE AND 746 AVE E URBAN RENEWAL LLC TO EXTEND THE CERTAIN TIMELINES FOR THE PROPERTY LOCATED AT 746 AVENUE E, WHICH IS IDENTIFIED AS BLOCK 393, LOT 3.01 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY and a resolution fixing Wednesday, December 13, 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-19 AN ORDINANCE OF THE CITY OF BAYONNE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 33, PLANNING AND DEVELOPMENT REGULATIONS and a resolution fixing Wednesday, December 13, 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. **(update fees for Special Meetings)**
- O-20 AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, STATE OF NEW JERSEY APPROVING AN ENCROACHMENT AGREEMENT BY AND BETWEEN THE CITY OF BAYONNE AND 746 AVE E URBAN RENEWAL LLC FOR THE PROPERTY LOCATED 746 AVENUE E, WHICH IS IDENTIFIED AS BLOCK 393, LOT 3.01 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY and a resolution fixing Wednesday, December 13, 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-21 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC and a resolution fixing Wednesday, December 13, 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. **(No Parking-Loading Zone-St. Sophia Orthodox Church-West 22nd Street)**
- O-22 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC and a resolution fixing Wednesday, December 13, 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-1 Delete-2)**

ADD

072. Ronald Carr – 38 West 6th Street

DELETE

312. Frances D'Agostino – 326 Avenue E

322. Fred Prisk – 4 Meadow Street

- O-23 AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES, CHAPTER 33, PLANNING AND DEVELOPMENT REGULATIONS AND CHAPTER 35, ZONING REGULATIONS, and a resolution fixing Wednesday, December 13, 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. **(Removing the Specialized Heavy Industrial District-I-H-O Overlay and modifying the Heavy Industrial - I-H District to allow for alternative energy production, storage and transmission) Space Holder**

COMMUNICATIONS

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

- C-1 From JENISE N. VEGA filing notice of claim alleging property damage to her apartment door and window caused by the Fire and Police Department on October 22, 2023
- C-2 From Ammar S. Wasfi, Esq. filing notice claim on behalf of KEVIN LI, a minor by and through his parents alleging injuries sustained at the G. Thomas DiDomenico Bayonne Municipal Pool on August 9, 2023
- C-3 From the Superior Court of New Jersey in the matter of LANCE ROSE & LOVEDAMEKA FREDERICK vs. Joseph J. Torrello, Jr. City of Bayonne and/or Bayonne Police Department, 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**

RESOLUTIONS

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

- CR-1 Approving the minutes of the regular meeting held Wednesday October 18, 2023. **City Clerk**
- CR-2 Approving the minutes of the council caucus held Wednesday, October 11, 2023. **City Clerk**
- CR-3 Ordering warrants drawn to taxpayers representing refunds for overpayment of taxes. (3 properties) **Tax Collector**
- CR-4 Authorize the Purchasing Agent to go out to bid for HVAC Services for Various City Buildings
- CR- 5 Authorizing the Mayor, City Clerk and/or any other appropriate City official to take any and all actions and execute any and all documents necessary to enable the City to exercise its first one (1) year option to renew Agreement No. CY23-046 with HOPLITE COMMUNICATIONS, LLC, 197 Route 18, Suite 3000, East Brunswick, NJ 08816 ("Hoplite") for Telecommunications Consulting Services to extend same for the period commencing January 1, 2024 through December 31, 2024 for an amount not to exceed \$75,000.
- CR-6 Authorizing the Mayor, City Clerk and/or any other appropriate City official to take any and all actions and execute any and all documents necessary to enable the City to exercise its first one (1) year option to renew Agreement No. CY23-051 with MILLENNIUM STRATEGIES, LLC, 60 Columbia Road, Suite 230, Morristown, NJ 07960 for grant writing and management services to extend same for the period commencing January 1, 2024 through December 31, 2024 for an amount not to exceed \$72,000.
- CR-7 Authorizing an amendment to Agreement No. CY23-004 with CHASAN, LAMPARELLO, MALLON & CAPPUZZO for professional legal services in connection with State Tax Court Tax Appeals increasing same in the amount of \$80,000, thereby making the total contract amount not to exceed \$180,000.
- CR-8 Authorizing the Mayor and City Clerk to enter into a second 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 increasing same in an amount not to exceed \$39,000, thereby making the total contract amount not to exceed \$189,000.

- CR-9 Authorizing the Mayor and City Clerk and/or any other appropriate City official to take any and all actions and execute any and all documents necessary to enable the City to exercise its first one (1) year option to renew Agreement No, CY23-045 with HEARTLAND PAYMENTS SYSTEMS, LLC, Atlantia, GA for credit card processing services to extend same for period commencing January 1, 2024 through December 31, 2024.
- CR-10 Resolution of the City of Bayonne, County of Hudson, State of New Jersey in support of Dimension Renewable Energy for the New Jersey Board of Public Utilities community solar projects
- CR-11 Amending Agreement No. CY19-051 with IN-LINE AIR CONDITIONING CO., INC., 85 East 21st Street, Bayonne, NJ to increase said contract in the amount of \$50,000.00 for current and future invoices for calendar year 2023. Chargeable to Account No. 3-01-26-310-0000-029
- CR-12 Authorizing the Mayor and City Clerk to apply for the FY2024 AMERICAN RESCUE PLAN FIREFIGHTERS GRANT (ARP-FFG) FOR 16 SETS OF firefighter turnout gear for the total amount of \$74,174.56.
- CR-13 Authorizing the Mayor and/or his designee to request, accept and expend funded in the amount of \$10,000.00 federal grant awarded to the Bayonne Office of Emergency Management by the EMERGENCY MANAGEMENT PERFORMANCE GRANT-EMPG/EMERGENCY MANAGEMENT AGENCY ASSISTANCE EMAA sub grant award (Award FFY23-EMPA-EMA-0901) for the period of July 1, 2023 to June 30, 2024. **Public Safety**
- CR-14 Authorizing the Mayor and Municipal Council to rename a portion of Margaret Street, off of Kennedy Blvd. between 4th and 5th Street to HARRINGTON WAY.
- CR-15 Authorizing a second amendment to Agreement No. CY20-084 with the Bayonne Economic Opportunity Foundation to provide CDBG CV funds for senior holiday Grab 'n' Go program in the amount of \$41,600.00 increasing same in the amount of \$48,000.00 to cover additional holiday Grab 'n' Go services, thereby making the total contract amount \$89,600.
- CR-16 Authorizing the Purchasing Agent to take any and all actions and execute any and all documents necessary to procure a 2023 Ford F250 Crew Cab 4 x4 Pick-up from CIOCCA FORD OF FLEMINGTON, Flemington, NJ for the amount of \$50,089.00, utilizing existing State Contract 23-FLEET-41909. Chargeable to Account # G-02-41-880-2022-029

END OF CONSENT AGENDA

- R-1 Authorizing Budgetary Transfer #1 in the CY 2023 budget. **Finance**
- R-2 Accepting the Best Practices questionnaire.
- R-3 Approving the Corrective Action Plan for the Calendar Year ending December 31, 2022.
- R-4 Awarding a contract with SHI INTERNATIONAL CORP. for the purchase and implementation of Primepoint Payroll and Human Resources Management software program through the New Jersey Cooperative Alliance for a total contract amount not to exceed \$111,747.35. Chargeable to Account #C-04-55-999-2342-992
- R-5 Designating CHANTI 5, LLC as the redeveloper of the property located at 562-568 Broadway, which is identified as Block 184, Lots 1, 2 & 3 as shown on the official tax map of the City and approving the Redevelopment Agreement for said property.
- R-6 Designating 111 AVENUE F PARTNERS LLC as the redeveloper of the properties located at 107-111 Avenue F, 86 East 22nd Street, 88 East 22nd Street, 90 East 22nd Street and 92 East 22nd Street which are identified as Block 456, Lots 7,

8.01, 8.02, 8.03, 9 & 10 as shown on the official tax map of the City and approving the Redevelopment Agreement for said property

- R-7 Authorizing and directing the Planning Board to conduct a preliminary investigation to determine whether the property located at 41-47 West 34th Street, which is identified as Block 131, Lot 1 as shown on the official tax map of the City constitutes as an Area in Need of Redevelopment, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:40A:12A-1 et seq.
- R-8 Authorizing and directing the Planning Board to conduct a preliminary investigation to determine whether the property located at 1122-1126 John F. Kennedy Boulevard, which is identified as Block 60, Lot 1 as shown on the official tax map of the City constitutes as an Area in Need of Redevelopment, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:40A:12A-1 et seq.
- R-9 Approving the consent of the transfer of the Redevelopment Agreement and Financial Agreement by and between the City of Bayonne and EOM 90 AVENUE E URBAN RENEWAL LLC to RAM 90 AVENUE E, LLC for the property located at 90 Avenue E, which is identified as Block 467, Lots 8 & 9 as shown on the official tax map of the City.

TO BE ADDED AT THE MEETING

- ADD-1 Authorizing the Business Administrator and/or his or her designee to advertise for Animal Control and Sheltering Services and Real Estate Appraisal Services utilizing the competitive contracting process, pursuant to N.J.S.A. 40A:11-4.1 *et seq.*
- ADD-2 Authorizing the Mayor and/or his designee(s) to take any and all actions and execute any and all documents necessary including, but not limited to a Soil Remedial Action Permit Initial Application – Soil in order for PPG and the City to obtain a soil remedial action permit from the NJDEP and that permit will obligate PPG to maintain the engineering controls at Dennis Collins Park comprised of Bl. 383, Lots 3-8; Bl. 384, Lots 1 and 2; Block 385, Lots 1-3; and Portion of West 1st Street.
- ADD-3 AWARDING THE SALE BY THE CITY OF BAYONNE, IN THE COUNTY OF HUDSON, NEW JERSEY OF ITS PROPERTY TAX LEVY FOR THE FISCAL YEAR ENDING DECEMBER 31, 2023 AND RATIFYING, CONFIRMING AND AUTHORIZING CERTAIN ACTIONS IN CONNECTION THEREWITH