

CITY OF BAYONNE CITY COUNCIL REGULAR MEETING JANUARY 17, 2024

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 5-YEAR TAX AGREEMENT WITH “THE BUILDING ON B LLC” FOR PROPERTY LOCATED AT 140 AVENUE B, WHICH IS IDENTIFIED AS BLOCK 84, LOT 6.01 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY
- 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 BAYVIEW 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.
- O-3 AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY HUDSON, 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 WEST 5TH STREET, WHICH IS IDENTIFIED AS BLOCK 301.01, LOTS 1 & 6 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY
- O-4 AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY APPROVING THE AMENDED FINANCIAL AGREEMENT BY AND BETWEEN THE CITY OF BAYONNE AND TFG 115-117 W 2ND STREET URBAN RENEWAL LLC FOR THE PROPERTY LOCATED AT 115-117 WEST 2ND STREET, WHICH IS IDENTIFIED AS BLOCK 365, LOT 9 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY, SUBJECT TO A DETERMINATION OF HOW THE UNITS WILL BE VALUED AND OWNED BY VIRTUE OF AN AMENDED MASTER DEED
- O-5 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 33, PLANNING AND DEVELOPMENT REGULATIONS (**Section 33-2.2-Definitions – Defining a Convenience Store**)
- O-6 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 16 RENT CONTROL (**Extending Rent Control to December 31, 2024**)
- O-7 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC (**Restrictive Parking Zone-Delete (2)**)

PUBLIC COMMENTS

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

ORDINANCES PROPOSED FOR INTRODUCTION

- O-8 AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON STATE OF NEW JERSEY ADOPTING A REDEVELOPMENT PLAN FOR THE PROPERTY LOCATED AT 431-437 BROADWAY, 11-13 WEST 19TH STREET AND 10-12 WEST 20TH STREET, WHICH PROPERTY IS

IDENTIFIED AS BLOCK 220, LOTS 18, 23, 24, 25 AND 26 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY and a resolution fixing Wednesday, February 14, 2024, at 6:00 P.M. and the Dorothy E. Harrington Council Chambers as the time and place for a public hearing and final passage.

- O-9 AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, STATE OF NEW JERSEY APPROVING A FIVE-YEAR TAX FINANCIAL AGREEMENT BY AND BETWEEN THE CITY OF BAYONNE AND 673-675 AVENUE E, LLC FOR THE PROPERTY LOCATED 673-675 AVENUE E, WHICH PROPERTY IS IDENTIFIED AS BLOCK 94, LOT 18 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY and a resolution fixing Wednesday, February 14, 2024, at 6:00 P.M. and the Dorothy E. Harrington Council Chambers as the time and place for a public hearing and final passage.
- O-10 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCE, CHAPTER 33, PLANNING AND DEVELOPMENT REGULATIONS AND CHAPTER 35, ZONING REGULATIONS and a resolution fixing Wednesday, February 14, 2024, at 6:00 P.M. and the Dorothy E. Harrington Council Chambers as the time and place for a public hearing and final passage. **(To remove the I-H-O District and modify the I-H District to allow for Alternative Energy Production, Storage and Transmission)**
- O-11 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 33, PLANNING AND DEVELOPMENT REGULATIONS and a resolution fixing Wednesday, February 14, 2024 at 6:00 P.M. and the Dorothy E. Harrington Council Chambers as the time and place for a public hearing and final passage. **(Adding Definition of “Habitable Space” and “Story, Half”)**
- O-12 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 33, PLANNING AND DEVELOPMENT REGULATIONS and a resolution fixing Wednesday, February 14, 2024, at 6:00 P.M. and the Dorothy E. Harrington Council Chambers as the time and place for a public hearing and final passage. **(Regulating Short Term Rentals)**
- O-13 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 33, PLANNING AND DEVELOPMENT REGULATIONS and a resolution fixing Wednesday, February 14, 2024, at 6:00 P.M. and the Dorothy E. Harrington Council Chambers as the time and place for a public hearing and final passage. **(Amending section 12 to amend the application fees and escrow requirements)**
- O-14 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 33, PLANNING AND DEVELOPMENT REGULATIONS and a resolution fixing Wednesday, February 14, 2024, at 6:00 P.M. and the Dorothy E. Harrington Council Chambers as the time and place for a public hearing and final passage. **(To include an Article for Leasing Provisions)**
- O-15 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC and a resolution fixing Wednesday, February 14, 2024, at 6:00 P.M. and the Dorothy E. Harrington Council Chambers as the time and place for a public hearing and final passage. **(Loading Zone-591 Broadway and 735 Kennedy Blvd)**
- O-16 AN ORDINANCE AMENDING AND SUPPLEMENTING THE RECvised GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC and a resolution fixing Wednesday, February 14, 2024, at 6:00 P.M. and the Dorothy E. Harrington Council Chambers as the time and place for a public hearing and final passage. **(Restrictive Parking Zone-Delete (6), Add (1), Relocate (1) and Transfer (1)**

DELETE

018. Donna Burgess – 126 West 23rd Street
033. Joanne Striffolino – 25 East 44th Street
051. Kathleen Kelder – 91 Newman Avenue

054. Sussanne Gerald – 87 West 19th Street
146. Pasquale Daddi – 25 East 27th Street
214. Francis Serafin – 70 West 32nd Street
ADD
076. Patrick Boyle – 103 West 6th Street
RELOCATE
011. Hilda Velasco – From 65 West 19th Street – To: 59 Cottage Street
TRANSFER
069. From Mr. Marion Kilarski to his wife, Irene – 53 Linden Street

COMMUNICATIONS

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

- C-1 From JOHN G. BUZINKAI filing notice of claim alleging to his automobile when it was struck by a city owned vehicle at 167 Broadway
- C-2 From Shorkry G. Abdelsayed, Esq. filing notice of claim on behalf of FATEN AWAD alleging damage to her automobile when it was struck by a police vehicle on October 24, 2023
- C-3 From SAMUEL ADJEI-BADU filing notice of claim alleging damage to his automobile when it was struck by a fire truck while parked on Constitution Avenue on November 24, 2023.
- C-4 From Joseph M. Ghabour, Esq. filing notice of claim on behalf of AYAD S. SAYED alleging personal injuries sustained from being struck by a vehicle on Route 440 on April 8, 2023
- C-5 From the Superior Court of New Jersey in the matter of AYAD SAYED vs. Rainier J. Solis, Angela Reynoso-Solis, City of Bayonne, et al.
- C-6 From the Superior Court of New Jersey in the matter of KARINE CHARLEMAGNE vs. 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 Hon. James M. Davis, Mayor fixing the salary range to the title of MOTOR BROOM DRIVER. **(Min. 46,933 to Max. 67,936)**
- OR-3 From the Purchasing Agent reporting on bids received for two (2) GLUTTON ELECTRIC WASTE VACUUM CLEANERS or equivalent) **1 Bidder**

RESOLUTIONS

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

- CR-1 Approving the minutes of the regular meeting held Wednesday December 13, 2023. **City Clerk**
- CR-2 Approving the minutes of the council caucus held Wednesday, December 6, 2023. **City Clerk**
- CR-3 Ordering warrants drawn to taxpayers representing refunds for overpayment of taxes. (8 properties) **Tax Collector**
- CR-4 Authorizing the Purchasing Agent to utilize PAPER CLIPS, INC.. through Safeco Products State Contract#G2004 for Office Furniture chargeable to the individual departmental account for furniture and furnishings for an amount not to exceed \$60,000.00. **Purchasing**

- CR-5 Authorizing the Purchasing Agent to utilize WB MASON CO. through State Contract#T0052 for office supplies for an amount not to exceed \$85,000.00. **Purchasing**
- CR-6 Authorizing the Purchasing Agent to purchase from AMAZON SERVICES LLC, through their Contract #R-TC_17006 utilizing the NATIONAL IPA/OMNIA PARTNERS COOP; City of Bayonne Membership#NIPA15951 for an annual amount not to exceed \$70,000.00. **Purchasing**
- CR-7 Authorizing the Purchasing Agent to purchase Office Supplies from STAPLES CONTRACT & COMMERCIAL LLC aka STAPLES INC. through the Sourcewell Contract#012320. The City of Bayonne is a member of the Sourcewell COOP Account#27851 for an amount not to exceed \$70,000.00. **Purchasing**
- CR-8 Authorizing the Purchasing Agent to purchase from LOWES HOME CENTERS, LLC through their Contract #R192006 utilizing the National IPA/Omnia Partners Coop; City Membership #NIPA15951 for an annual amount not to exceed \$70,000.00. **Purchasing**
- CR-9 Authorizing the Police Department to purchase one (1) 2021 Chrysler Mini Van in the amount of \$22,349.00 from ELRAC LLC d/b/a ENTERPRISE CAR SALES, Iselin, NJ. Chargeable to Account -T-12-56-948-0000-199. **Public Safety**
- CR-10 Authorizing the purchase of a portable palm print/fingerprint capturing machine for use by the Police Department in the amount of \$21,532.00 from IDEMIA IDENTITY AND SECURITY, Bedford, MA. **Public Safety**
- CR-11 Authorizing the Mayor and City Clerk to enter into an agreement with HUDSON MILESTONE 365-381 Clendenny Avenue, Jersey City, NJ to provide the cost of renovations at the 333 Broadway, Bayonne, NJ location from the A1A Restoration Group LLC, 147 Mountain Avenue, Hawthorne, NJ 07506, in an amount not to exceed \$103,780.00 for a period of one (1) year commencing September 1,2023 and ending August 31,2024. **CDBG**
- CR-12 Approving to submission of a grant application and authorize the Mayor and/or his designee to execute state and federal grant documents for a FY 2023 Building Resilient Infrastructure Communities (BRIC) Bayonne Ave E Flood Mitigation Project.(11th – 19th St)
- CR-13 Adopting the CASH MANAGEMENT PLAN for CY 2024. **Finance**
- CR-14 Resolution of support expressing the City of Bayonne’s support for Sole Energy Projects with Dimension Energy
- CR-15 Amending Resolution #23-09-20-088 adopted on September 20, 2023 adopting the BAYONNE UEZ’s ADMINISTRATION BUDGET FY 24 to correct the dated from January 1, 2024 through December 31, 2024 to July 1, 2023 to June 30, 2024. **UEZ**
- CR-16 Approving the submission of the application of the BAYONNE UEZ Hometown Fair to cover the cost of entertainment for the hometown fair on June 8th and June 9th, 2024 for an amount not to exceed \$15,000.00. **UEZ**
- CR-17 Approving the submission of the application for BAYONNE UEZ FOOD TRUCK FESTIVAL to cover the cost of production company, promotion and cleanup crew for an amount not to exceed \$35,000.00. **UEZ**
- CR-18 Authorizing the Purchasing Agent to advertise for bids for Police Vehicles.
- CR-19 Authorizing changes in Petty Cash Custodians.
- CR-20 Authorizing the Mayor and City Clerk to sign a correctory deed for the property formerly known as Block 274, Lot 1, since merged into what is now known as Block 274, lot 1.01 to include the meets and bounds description which wasn’t included in the original quitclaim deed dated oct 24, 2000.
- CR-21 Expressing on the importance of the installation of Suicide Prevention Fencing on the Bayonne Bridge to the Port Authority.

- CR-22 Authorize the Purchasing Agent to go out to bid for Improvements to Avenue E Project
- CR-23 Granting 1 Raffle licenses to qualified organizations. **City Clerk**

END OF CONSENT AGENDA

- R-1 Authorizing the Mayor and City Clerk to execute an agreement with RICHARD N. CAMPISANO, Esq., 1081 Avenue C, Bayonne, New Jersey 07002 for professional legal services to act as Zoning Board Attorney in connection with Developers for the period commencing January 1, 2024 and ending December 31, 2024 for an amount not to exceed \$50,000.00 **Law**
- R-2 Authorizing and directing the Planning Board to conduct a preliminary investigation to determine whether certain property located at 28-34 East 22nd Street, which is identified as Block 212, Lots 30, 31 and 32 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 and authorizing the preparation of a Redevelopment Plan for said property. **Planning**
- R-3 Authorizing the conditional designation of 1012-1022 HOLDINGS LLC for the property located at 1012-1022 Avenue C and 53-57 West 48th Street, which is identified as Block 64, Lots 2 & 3 and the execution of an Interim Cost Agreement. **Planning**
- R-4 Authorizing the conditional designation of ARCUATE REALTY LLC for the property located 63-97 West 23rd Street, which property is identified as Block 194, Lots 1 & 2 and the execution of an Interim Cost Agreement. **Planning**
- R-5 Authorizing the conditional designation of 28-34 EAST 22nd STREET LLC for the property located 28-34 East 22nd Street, which property is identified as Block 212, Lots 30, 31 & 32 and the execution of an Interim Cost Agreement. **Planning**
- R-6 Authorizing and directing the Planning Board of the City of Bayonne to conduct a preliminary investigation to determine whether the properties located 102-1/2 - 112 Avenue E and 114-116 Avenue E which are identified as Block 380, Lot 12.B, Block 467, Lot 11 and Block 467, Lot 14 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-7 Awarding the contract for the purchase of two (2) GLUTTON ELECTRIC WASTE VACUUM CLEANERS or equivalent) to JOE JOHNSON EQUIPMENT, LLC, 62 LaGrange Avenue, Rochester, NY 14613 for bid price of \$63,800.00. Chargeable to Account No. G-02-41-888-2022-029.
- R-8 Awarding a contract to HUDSON HEALTH EMPLOYEE ASSISTANCE, LLC 354 Avenue C, Bayonne, NJ 07002 for professional mental health services to provide Employee Assistance Mental Health (EAP) services for a one (1) year period commencing January 18, 2024 and ending December 31, 2024 for an amount not to exceed \$36,000.00 payable at the rate of \$9,000.00 quarterly pursuant to the Fair and Open Process. **Law**
- R-9 Authorizing the Mayor and City Clerk to execute an agreement with STACK, COOLAHAN & STACK for Expert Real Estate Appraisal Services for the period commencing January 18, 2024 and ending December 31, 2024 for an amount of \$120,000 payable at the rate of \$8,500 per month with four (4) one (1) year options to renew commencing as of January 1st of each subsequent year at the City's sole discretion in accordance with the Competitive Contracting Process" pursuant to N.J.S.A.40A:11-4.1 et seq. **Law**
- R-10 Authorizing the Mayor and City Clerk to execute an agreement with INTEGRATED MIRCOSYSTEMS, INC. for Information Technology (IT) Maintenance, Support and Procurement Consulting Services for the period commencing January 18, 2024 and ending December 31, 2024 for an amount of \$240,000.00 (\$120,000.00 for IT Maintenance and support consulting services and \$120,000.00 for IT procurement consulting services) with four (4) one (1) year options to renew commencing as of January 1st of each subsequent year at the City's sole discretion pursuant to the fees set forth in the response of Integrated Microsystems, Inc. consistent with the fee schedule set forth in said response in

accordance with the Competitive Contracting Process” pursuant to N.J.S.A.40A:11-4.1 *et seq.* **Law**

- R-11 Authorizing the Mayor and City Clerk to enter into an agreement with JOHN L. SCHETTINO, ESQ. of the Law Offices of John L Schettino, LLC, 800 Main Street, Ste. 101 Hackensack, NJ 07601 for professional legal services to act as Rent Control Board Attorney for a one-year period commencing January 18, 2024 and ending December 31, 2024 for an amount not to exceed \$15,000.00. **Law**
- R-12 Authorizing the Mayor and City Clerk to execute an agreement with McMANIMON, SCOTLAND & BAUMANN, LLC 75 Livingston Ave., 2nd Fl. Roseland, NJ 07068 for Professional legal services to act as Special Bond Counsel on behalf of the City for the period commencing January 18, 2024 and ending December 31, 2024 for an amount not to exceed \$120,000.00 **Law**
- R-13 Authorizing the Mayor and City Clerk to execute agreements with McMANIMON, SCOTLAND & BAUMANN,, LLC, 75 Livingston Avenue 2nd Fl., Roseland, NJ 07068 (the “Contractor”) for professional legal services as Special Redevelopment/Land Use Counsel in connection with Developers and Redevelopers for the period commencing January 18, 2024 and ending December 31, 2024 for a total contract amount not to exceed \$150,000 payable at hourly rates as set forth in the City’s Request for Proposals/Qualifications (“RFQ/P”) and the Contractor’s response to the City’s RFQ/P to be paid from various developers’ escrow accounts

TO BE ADDED AT MEETING

- ADD-1 Authorizing the Mayor and City Clerk to execute an agreement with JOHN PAVLOVICH, P.E., 208 Voorhees Avenue, River Edge, NJ 07661-1240 for professional engineering services to act as Municipal Traffic Engineer for professional engineering services to act as Municipal Traffic Engineer on behalf of the City for the period commencing January 18, 2024 and ending December 31, 2024 for a total contract amount not to exceed \$20,000 payable at hourly rates as set forth in the response to the Request for Qualifications/Proposals.
- ADD-2 Authorizing the Mayor and City Clerk to execute an agreement with JOHN PAVLOVICH, P.E., 208 Voorhees Avenue, River Edge, NJ 07661-1240 for professional engineering services to act as Municipal Traffic Engineer for professional engineering services to act as Municipal Traffic Engineer in connection with Developers and Redevelopers for the period commencing January 1, 2024 and ending December 31, 2024 for a total contract amount not to exceed \$50,000 payable at hourly rates as set forth in the response to the Request for Qualifications/Proposals to be paid from various developers’ escrow accounts pursuant to the Fair and Open Process.
- ADD-3 Designating McMANIMON, SCOTLAND & BAUMANN,, LLC, 75 Livingston Ave., 2nd Fl. Roseland, NJ 07068; CHASAN, LAMPARELLO, MALLON & CAPPUZZO, PC, 300 Lighting Way, Ste. 200, Secaucus, NJ 07094; FLORIO, KENNY, RAVAL, LLP, 125 Chubb Ave., Ste 310-N, Lyndhurst, NJ 07071; DURKIN & DURKIN, LLC, 1120 Bloomfield Ave., P.O. Box 1289, East Caldwell, NJ 07007; and RUDERMAN & ROTH, LLC, 150 Morris Avenue, Ste. 303, Springfield, NJ 07081 qualified panel counsel for the period commencing January 18, 2024 and ending December 31, 2024 pursuant to the Fair and Open process.
- ADD-4 Authorizing the Mayor and City Clerk to execute an agreement with CONSULTING AND MUNICIPAL ENGINEERS, LLC d/b/a CME ASSOCIATES, 3141 Bordentown Avenue, Parlin, NJ 08859-1182 for professional Licensed Site Remediation for an amount not to exceed \$50,000.00 for a period of one year commencing January 1, 2024 and ending December 31, 2024