

**CITY OF BAYONNE
CITY COUNCIL
REGULAR MEETING
FEBRUARY 14, 2024**

**ORDINANCES, COMMUNICATIONS AND
ADMINISTRATION REQUESTS FOR 7OUNCIL MEETING AGENDA**

ORDINANCES SCHEDULED FOR HEARING

- O-1 AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING A REDEVELOPMENT PLAN TITLED “435 BROADWAY REDEVELOPMENT PLAN” PREPARED BY THE CITY OF BAYONNE DIVISION OF PLANNING AND ZONING, FOR THE PROPERTY LOCATED AT 431-437 BROADWAY, 11-13 WEST 19TH STREET AND 10-12 WEST 20TH STREET IDENTIFIED AS BLOCK 220, LOTS 18, 23, 24, 25 AND 26 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE, PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ.
- O-2 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
- O-3 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCE, CHAPTER 33, PLANNING AND DEVELOPMENT REGULATIONS AND CHAPTER 35, ZONING REGULATIONS **(To remove the I-H-O District and modify the I-H District to allow for Alternative Energy Production, Storage and Transmission)**
- O-4 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 33, PLANNING AND DEVELOPMENT REGULATIONS **(Adding Definition of “Habitable Space” and “Story, Half”)**
- O-5 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 33, PLANNING AND DEVELOPMENT REGULATIONS **(Regulating Short Term Rentals)**
- O-6 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 33, PLANNING AND DEVELOPMENT REGULATIONS **(Amending section 12 to amend the application fees and escrow requirements)**
- O-7 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 33, PLANNING AND DEVELOPMENT REGULATIONS **(To include an Article for Leasing Provisions)**
- O-8 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC **(Loading Zone-591 Broadway and 735 Kennedy Blvd)**
- O-9 AN ORDINANCE AMENDING AND SUPPLEMENTING THE RECvised GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC **(Restrictive Parking Zone-Delete (6), Add (1), Relocate (1) and Transfer (1)**

PUBLIC COMMENTS

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

ORDINANCES PROPOSED FOR INTRODUCTION

- O-10 AN ORDINANCE AMENDING ORDINANCE NO. O-24-02 APPROVING A FINANCIAL AGREEMENT WITH BAYONNE JV. LLC (the “Entity”) FOR THE PROPERTY LOCATED AT 175 AVENUE A WHICH IS IDENTIFIED AS BLOCK 300.01, LOTS 1, 2 and 3 and BLOCK 301.03, LOTS 1 &2 TO CORRECT A SCRIVENER’S ERROR AND REFLECT THE ENTITY’S NAME TO BAYVIEW JV LLC and a resolution fixing Wednesday, March 13, 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-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, March 13, 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 definitions to define Unlawful Residential Occupancy)**
- O-12 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 17, PROPERTY MAINTENANCE and a resolution fixing Wednesday, March 13, 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 17-1.4-Removal by City, Costs Established as a Lien.**
- O-13 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 25, STREETS AND SIDEWALKS, and a resolution fixing Wednesday, March 13, 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 25-8, Abatement of Nuisances)**
- O-14 **WITHDRAWN**
- O-15 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC and a resolution fixing Wednesday, March 13, 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 Zones-Delete 4)**

DELETE

**059. Mario Castillo- 78 Prospect Avenue
134. Anna Knoieczny -41 East 26th Street
271. Patricia Russotto – 96 Evergreen Street
377. Jill Patella – 249 Prospect Avenue**

- O-16 BOND ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS, ACQUISITIONS AND INSTALLATION TO RUSSELL GOLDING PARK, APPROPRIATING \$5,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$5,000,000 BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREOF, AUTHORIZED IN AND BY THE CITY OF BAYONNE, IN THE COUNTY OF HUDSON, NEW JERSEY and a resolution fixing Wednesday, March 13, 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-17 BOND ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS, ACQUISITIONS AND INSTALLATION TO 11TH STREET OVAL PARK, APPROPRIATING \$2,500,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,500,000 BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREOF, AUTHORIZED IN AND BY THE CITY OF BAYONNE, IN THE COUNTY OF HUDSON, NEW JERSEY and a resolution fixing Wednesday, March 13, 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.

COMMUNICATIONS

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

- C-1 From Michele DeJesus filing notice of claim on behalf of ESTHER AZQUETA alleging injuries sustained as a result of a fall on an uneven sidewalk in front of 70 West 23rd Street
- C-2 From John E. Molinari, Esq., filing notice of claim on behalf of MAUREEN HULINGS alleging injuries sustained as a result of accident on December 4, 2023
- C-3 From WILLIAM E. GOLDEN, JR., filing notice of claim alleging the unjustifiable towing his vehicle on December 11, 2023.
- C-4 From Superior Court of New Jersey in the matter of LEVERSON vs. City of Bayonne, GKC Textiles.

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 on February 8, 2024 for (2) TWO 2024 FORD EXPLORER XLT (OR EQUIVALENT). **(1 bidder)**
- OR-3 From the Purchasing Agent reporting on bids received for (4) FOUR 2024 FORD POLICE INTERCEPTOR UTILITY SUV (OR EQUIVALENT). **(1 bidder)**
- OR-4 From Donna L. Mauer submitting the Supplemental Debt Statement as of February 14, 2024.

RESOLUTIONS

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

- CR-1 Approving the minutes of the regular meeting held Wednesday January 17, 2024. **City Clerk**
- CR-2 Approving the minutes of the council caucus held Wednesday, January 10, 2024. **City Clerk**
- CR-3 Ordering warrants drawn to taxpayers representing refunds for overpayment of taxes. (3 properties) **Tax Collector**
- CR-4 Re-appointing MICHAEL MCKITTRICK as Registrar of Vital Statistics for a three (3) term commencing January 1, 2024.
- CR-5 Authorizing the Purchasing Agent to go out to bid for Bus Services for the Summer Camp Program.
- CR-6 Authorizing the Bayonne Police Department to enter into an agreement with the State of New Jersey to participate in the LAW ENFORCEMENT SUPPORT OFFICE (LESO) 1033 Program for a period of one year commencing January 1, 2024 through December 31, 2024 to enable the Police Department to request and acquire excess Department of Defense equipment and to include the Demil Inventory.
- CR-7 Authorizing the Mayor and/or his designee(s) to enter into a Tax Appeal Settlement Agreement with BAYWAY REFINING COMPANY for Block -Pipeline, Lot 1- Constable Hook and authorizing the Mayor and/or his designee(s) to take any action necessary to effectuate this resolution and resulting judgement. **Assessor**
- CR-8 Authorizing the Mayor to enter into an agreement with the UCP of Hudson County, 721 Broadway, Bayonne, NJ to provide the cost of the replacement of the rooftop HVAC unit pursuant to a proposal from In-Line Air Conditioning Co., Inc. 85 East 21st Street, Bayonne NJ 07002 in an amount not to exceed \$18,776.00 for a period of one (1) year commencing September 1, 2023 and ending August 31, 2024.

- CR-9 Amending Resolution No. 23-12-13-107 to remove Eileen M. Kane, Esq, as a Public Defender and add Kimberly Glatt, Esq., Thomas Glatt, Esq. and Michael Pastacaldi, Esq. as Public Defenders, with no change to the total amount of the contract.
- CR-10 Authorizing the accepting of the 2023 NJDOT TRANSIT AUTHORITY Set Aside Program for the South Cove Pedestrian Bridge Project and to administer the project under “PROCEDURES FOR ADMINISTRATION AND INSPECTION OF FEDERAL AID HIGHWAY PROJECTS” and adopting the same for a three-year period commencing July, 2023.
- CR-11 Authorizing a Right of Entry/Access Agreement with MCR 54 Rt. 440 Lot 6, LLC, to access City owned property to conduct one to two days of soil borings along the western property boundary owned by the City of Bayonne, Block 452.02, Lot 4 for the purpose of delineation of known petroleum contamination as required by the New Jersey Department of Environmental Protection.
- CR-12 Authorizing and directing the submission of an application to the New Jersey Enterprise Zone Authority to the New Jersey Enterprise Zone Authority for the City of Bayonne’s Urban Enterprise Zone’s Five-Year Strategic Plan and authorizing the appropriate City official to take any and all actions in furtherance of the approval of said application.
- CR-13 Authorizing the Fire Department to sell as scrap or at auction a 1994 Pierce 100ft. Tower Ladder/Quint Fire apparatus that is no longer useable
- CR-14 Authorizing the Mayor and City Clerk to apply for the 2023 ASSISTANCE FOR FIREFIGHTERS GRANT in the amount \$1,820,131.40 to purchase a 100ft Aerial ladder fire truck, firefighting turnout gear, personal protective equipment and SCBA equipment. The grant formula funds the proposed project at 90% federal funding with a 10% local match.
- CR-15 Authorizing the Mayor and City Clerk to enter an agreement with PROPHOENIX CORPORATION for the annual maintenance and support of the Bayonne Fire Department dispatch and records management software in the amount of \$31,056.79.
- CR-16 Ratifying and affirming the actions of the Director of Public Works in procuring heating oil for various City buildings from MAJORA FEUL, 256 Kennedy Blvd, Bayonne, NJ throughout CY2023 for the total amount of \$18,587.60 pursuant to the Non-fair and Open Process and authorizing the Treasurer to issue payment to Majora Fuel in the amount of \$1,457.80 representing payment of the final invoice for heating oil CY2023.
- CR-17 Authorizing a Dedication by Rider for the Urban Enterprise Zone Assistance Fund required by N.J.S.A. 52:27h-88A(2).
- CR-18 Granting 7 Raffle licenses to qualified organizations. **City Clerk**

END OF CONSENT AGENDA

- R-1 Approving Emergency Temporary Budget #1 for CY2024 Municipal Budget
- R-2 Consenting and approving the change in ownership structure for 197 AVENUE E URBAN RENEWAL LLC
- R-3 Designating the property located at 19-45 West 55th Street, which is identified as Block 28, Lots 2 & 3 as shown on the official tax map of the City as a non-condemnations area in need of redevelopment pursuant to Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.
- R-4 Authorizing and providing for the issuance and sale of not to exceed \$10,285,000 BOND ANTICIPATION NOTES of the City of Bayonne, in the County of Hudson, New Jersey to the Hudson County Improvement Authority, and determining various matter in connection therewith.
- R-5 Authorizing an amendment to Agreement No CY21-071 with A & L Disposal, LLC for the collection of solid waste increasing same in the total amount of \$16,400 to cover the cost of twenty (20) dumpsters to the Bayonne Housing Authority

(from \$4,200 per month to \$5,000 per month for a total increased amount of \$9,600 for a total annual amount of \$60,000) for Calendar Year 2024 and additional pickups at the grammar and high schools from \$43,160 per year to \$50,000 per year (for a total additional amount of \$6,840 for CY24) for a total additional amount of \$16,440 for CY24, thereby making the total amount for the Collection of Solid Waste for CY24 \$1,847,885, for a total contract amount of \$6,158,967.50 inclusive of the initial contract term plus the first one (1) year option. Additional charges reimbursable by the Bayonne Housing Authority and the Bayonne Board of Education respectively and amend Resolution 23-12-13-072 authorizing the first one (1) year extension to correct a scrivener’s error and reflect said Agreement No. to be CY21-071 (erroneously stated as CY21-070).

- R-6 Amending Resolution 23-12-13-073 authorizing the first one (1) year extension to Agreement No. CY21-071 with A & L Disposal, LLC, 157 West 21st Street, Bayonne, NJ for Recycling Collection Services for the period commencing January 1, 2024 and ending December 31, 2024 for an additional amount of \$1,274,348 to correct scrivener’s errors and reflect said Agreement No. to be CY21-070 (erroneously stated as CY21-071) an the account to be #4-01-32-465-0000-028 (erroneously stated as #4-01-20-101-0000-029).
- R-7 Directing the Director of Planning, Zoning and Redevelopment to investigate the propriety and impact of establishing certain setbacks in connection with new multi-story buildings
- R-8 Reserve space for approving Budgetary Appropriation Reserve Transfer #1 in CY 2023
- R-9 Awarding the contract to ALL AMERICAN FORD, 3698 US Highway 9, Old Bridge, NJ 08857 for the purchase of (2) two 2024 FORD EXPLORER XLT (or equivalent) for the bid amount of \$102,095.00.
- R-10 Awarding the contract to ALL AMERICAN FORD, 3698 US Highway 9, Old Bridge, NJ 08857 for the purchase of (4) four 2024 FORD POLICE INTERCEPTOR UTILITY SUV (or equivalent) for the bid amount of \$188,260.00.
- R-11 Reserve space to award contract for Police Extra Duty administration services pursuant to the Fair and Open Process

TO BE ADDED AT MEETING

- ADD-1 Amending Resolution No. 23-12-13-099 which authorized an agreement with RICHARD N. CAMPISANO, ESQ., for professional legal services to represent the Zoning Board at all meetings and to defend any and all actions and other matters impacting the Zoning Board to correct the amount for Zoning Board litigation to no to exceed \$10,000.00 (erroneously stated as \$18,000.00).
- ADD-2 From the Hon. James M. Davis, Mayor appointing and re-appointing the following individuals to the Planning Board:

Ramon Veloz	Re-appointed as Mayor’s Designee
	Term to expire June 30, 2024
Jack Beiro	Re-appointed as Class II Member
	Term to expire December 31, 2024
Miguel Quintela	Appointed as Class IV Member
	Term to expire December 31, 2027
Loyad Booker, Jr.	Re-appointed as Class III Member
	Term to expire June 30, 2024
- ADD-3 From the Hon. James M. Davis, Mayor re-appointing the following individuals to the ZONING BOARD OF ADJUSTMENTS

Nicholas DiLullo	Re-appointed as a Regular Member
	Term to expire December 31, 2027
Cindy Sisk-Galvin	Re-appointed as Regular Member
	Term to expire December 31, 2027
Susan Contey	Re-appointed as Regular Member
	Term to expire December 31, 2027
Thomas Frain	Re-appointed as Alternate #2
	Term to expire December 31, 2025
Islam Elgarhi	Re-appointed as Alternate #3
	Term to expire December 31, 2025

- ADD-4 Amending Resolution 23-12-13-036 authorizing the Mayor and City Clerk to execute an agreement with JERSEY ELEVATOR, 657 Line Road, Aberdeen, NJ 07747 for elevator maintenance and repair services various municipal buildings for the period commencing January 1, 2024 and ending December 31, 2024 for a total contract amount not to exceed \$30,000 to amend same to remove all references to the Bayonne Public Library, the amount payable by the Bayonne Public Library and the account chargeable for same and also to increase the total contract amount to a not to exceed amount of \$40,000.00. Additional funds in the amount of \$10,000 are chargeable to account #4-01-26-310-0000-029.
- ADD-5 Authorizing the extension of the procurement period for the procurement of HVAC Services from In-Line Air Conditioning Co., Inc. through the Cooperative Pricing Agreement No. 65MCESCCPS with the Educational Services Commission of New Jersey (formerly the Middlesex Regional Educational Services Commission for the period commencing January 1, 2024 through March 17, 2024 for an additional amount not to exceed \$30,000,00