

**CITY OF BAYONNE  
CITY COUNCIL  
COUNCIL CAUCUS  
MARCH 6, 2024**

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

**ORDINANCES SCHEDULED FOR HEARING**

- O-1 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.
  
- O-2 BOND ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS, ACQUISITIONS AND INSTALLATION TO 11<sup>TH</sup> 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
  
- O-3 ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF BAYONNE, COUNTY OF HUDSON, STATE OF NEW JERSEY AMENDING ORDINANCE NO. O-24-02 ENTITLED “ORDINANCE OF THE MUNICIPAL COUNCIL 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 JV, LLC FOR THE PROPERTY LOCATED AT 175 AVENUE A, WHICH PROPERTY IS IDENTIFIED AS BLOCK 300.01, LOTS 1, 2 AND 3 AND BLOCK 301.03, LOTS 2 AND 3 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE” TO CORRECT AN ERROR REGARDING THE NAMES OF THE ENTITIES AND TO READ AS FOLLOWS:  
“ORDINANCE OF THE MUNICIPAL COUNCIL 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 JV, LLC}~~ \*\*BAYVIEW I URBAN RENEWAL, LLC, BAYVIEW II URBAN RENEWAL, LLC, BAYVIEW III URBAN RENEWAL, LLC, BAYVIEW IV URBAN RENEWAL, LLC AND BAYVIEW V URBAN RENEWAL, LLC\*\* FOR THE PROPERTY LOCATED AT 175 AVENUE A, WHICH PROPERTY IS IDENTIFIED AS BLOCK 300.01, LOTS 1, 2 AND 3 AND BLOCK 301.03, LOTS 2 AND 3 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE”
  
- O-4 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 **(Amending definitions to define Unlawful Residential Occupancy)**
  
- O-5 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 17, PROPERTY MAINTENANCE **(Amending Section 17-1.4-Removal by City, Costs Established as a Lien.**
  
- O-6 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 25, STREETS AND SIDEWALKS. **(Amending Section 25-8, Abatement of Nuisances)**
  
- O-7 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC. **(Restrictive Parking Zones-Delete 4)**

## **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, NEW JERSEY ADOPTING A REDEVELOPMENT PLAN ENTITLED, “455-461 AVENUE C REDEVELOPMENT PLAN” FOR THE PROPERTY LOCATED AT 455-461 AVENUE C, WHICH IS IDENTIFIED AS BLOCK 219, LOT 24.01 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE PUERSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ. and a resolution fixing Wednesday, April 17, 2024at 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 AMENDING ORDINANCE NO. O-23-52 ENTITLED “ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF BAYONNE, COUNTY OF HUDSON, STATE 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 AT 197 AVENUE E, WHICH PROPERTY IS IDENTIFIED AS BLOCK 221, LOT 12.02 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE” TO CORRECT AN ERROR REGARDING THE REFERENCED LOT TO READ AS FOLLOWS: “ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF BAYONNE, COUNTY OF HUDSON, STATE 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 AT 197 AVENUE E, WHICH PROPERTY IS IDENTIFIED AS BLOCK 221, LOT 12.01 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE” and a resolution fixing Wednesday, April 17, 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 ORDINANCE NO. O-23-59 ENTITLED, “AN ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AUTHORIZING THE EXECUTION OF AN ENCROACHMENT AGREEMENT WITH 197 AVE. E URBAN RENEWAL, LLC FOR PROPERTY LOCATED AT 197 AVENUE AND IDENTIFIED AS BLOCK 221, LOT 12.02 ON THE OFFICIAL TAX MAP OF THE CITY” TO CORRECT AN ERROR IN THE REFERENCED LOT TO AS FOLLOWS: “AN ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AUTHORIZING THE EXECUTION OF AN ENCROACHMENT AGREEMENT WITH 197 AVE. E URBAN RENEWAL, LLC FOR PROPERTY LOCATED AT 197 AVENUE AND IDENTIFIED AS BLOCK 221, LOT 12.01 ON THE OFFICIAL TAX MAP OF THE CITY” and a resolution fixing Wednesday, April 17, 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, April 17, 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 33-3.1.b Duties of a Zoning Officer)**
- O-12 Reserve space for AN ORDINANCE TO AMEND A FINANCIAL AGREEMENT FOR LONG TERM TAX EXEMPTION ENTERED INTO BY THE ENTITLED, BAYONNE REDEVELOPERS RESIDENTAL URBAN RENEWAL BLOCK 780 LLC AND THE CITY OF BAYONNE WITH RESPECT TO BLOCK 790, LOT 1 and a resolution fixing Wednesday, April 17, 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-13 Reserve space for AN ORDINANCE TO AMEND A FINANCIAL AGREEMENT FOR LONG TERM TAX EXEMPTION ENTERED INTO BY THE ENTITLED, BAYONNE REDEVELOPERS RESIDENTIAL URBAN RENEWAL BLOCK 780 LLC AND THE CITY OF BAYONNE WITH RESPECT TO BLOCK 722, LOT 1 and a resolution fixing Wednesday, April 17, 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-14 AN ORDINANCE AMENDING ORDINANCE NO-0-23-55 ENTITLED “AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC” TO CORRECT AN ERROR REGARDING THE SECTION AMENDED TO READ AS SECTION 7.27.1, CHAPTER 7, TRAFFIC and a resolution fixing Wednesday, April 17, 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. (**U-turn prohibited-Entire length of Broadway**)
- O-15 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC and a resolution fixing Wednesday, April 17, 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-Add-1; Delete-2;Relocate 1**)

**ADD**  
**007. Leo Mahon – 126 Avenue A**  
**DELETE**  
**236. Miriam Lopez – 95 West 52<sup>nd</sup> St.**  
**404. Omar Caal, Jr. – 76 Humphrey Ave**  
**RELOCATE**  
**180. Suzanne Buzinkai from 365 Avenue A to 44 West 32<sup>nd</sup> St.**

**COMMUNICATIONS**

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

- C-1 From Superior Court of New Jersey in the matter entitled “130 W 47<sup>th</sup> ST HPVI, LLC vs. City of Bayonne Rent Control Board & City of Bayonne Rent Control Office.”
- C-2 From the Superior Court of New Jersey in the matter entitled “ALICIA MYERS vs. Hudson Radiology Center, City of Bayonne, et als” (**Slip & fall**)
- C-3 From Tax Court of New Jersey in the matter entitled “BAYONNE NM, BAYNEW, BAYONNE LLC vs. City of Bayonne”
- C-4 From Tax Court of New Jersey in the matter entitled “471 BROADWAY LLC vs. City of Bayonne”
- C-5 From Tax Court of New Jersey in the matter entitled “BAYONNE PLAZA, LLC vs. City of Bayonne”
- C-6 From Tax Court of New Jersey in the matter entitled “HG REALTY, LLC vs. City of Bayonne”
- C-7 From Tax Court of New Jersey in the matter entitled “812-818 AVENUE C ASSOCIATES vs. City of Bayonne”
- C-8 From Tax Court of New Jersey in the matter entitled “119-129 43<sup>RD</sup> STREET LLC vs. City of Bayonne”
- C-9 From Tax Court of New Jersey in the matter entitled “557-561 BROADWAY BAYONNE LLC vs. City of Bayonne”

- C-10 From Tax Court of New Jersey in the matter entitled “PENINSULA MAZEL & PENINSULA MAZEL TIC vs. City of Bayonne”
- C-11 From Tax Court of New Jersey in the matter entitled “431 KENNEDY LLC vs. City of Bayonne”
- C-12 From Tax Court of New Jersey in the matter entitled “399 AVE C HCPVI LLC vs. City of Bayonne”
- C-13 From Tax Court of New Jersey in the matter entitled “92-94 W 34 ST HCPVI LLC 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 appointing CHERYL S. CASHMAN AND SUSAN FERRARO as Municipal Court Judges for a three-year period commencing April 1, 2024 and a resolution confirming and consenting the said appointments

### **RESOLUTIONS**

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

- CR-1 Approving the minutes of the regular meetings held Wednesday January 3, 2024 and February 14, 2024. **City Clerk**
- CR-2 Approving the minutes of the council caucus held Wednesday, February 6, 2024. **City Clerk**
- CR-3 Approving the minutes of the Special Meeting held Wednesday, February 6, 2024.
- CR-4 Ordering warrants drawn to taxpayers representing refunds for overpayment of taxes. (11 properties) **Tax Collector**
- CR-5 Amending Resolution #23-12-13-038 authorizing the Mayor and City Clerk to execute an agreement with PROPHOENIX CORPORATION for maintenance and support for its Police Public Safety Software for a period of one year commencing January 1, 2024 to December 31, 2024 for contract amount of \$60,008.46 to amend same to correct a scrivener's error insofar as to correct the total contract amount to be \$62,008.46. Additional funds chargeable to Account No. 4-01-25-240-0000-028.
- CR-6 Authorizing the Mayor and City Clerk to execute a License Agreement allowing the BENEVOLENT AND PROTECTIVE ORDER OF ELKS OF U.S.A. Bayonne NJ Elks Lodge #434, a New Jersey Non-Profit Organization, to hold a Bike Blessing event on April 20, 2024 from 12:00 p.m. to 4:00 p.m. on Broadway between 16<sup>th</sup> and 17<sup>th</sup> streets and waiving the license fee and parking meter bag fee in the Bayonne NJ Elks Lodge #434 is a non-profit organization.
- CR-7 Authorizing the Police Department to accept as a donation pre-owned technology equipment (specially 55-computer monitors, 14 office chairs and 1 commercial copier) with an approximate value of \$9,800.00 from ASSURED PARTNER, 20 Commerce Drive, Cranford, NJ 07016.
- CR-8 Amending Agreement No. CY24-017 with ALPHA DOG SOLUTIONS, INC., 335 Union Ave., Belleville, NJ for website design, management and maintenance services for the period commencing January 1, 2024 through December 31, 2024 in the amount of \$54,000.00 to increase same in the amount of \$5,750.00 to cover cost of additional services required by the Police Department that were not

anticipated at the time of the original contract award, thereby making the total contract amount \$59,750.00 and to amend the Scope of Services to include same.

- CR-9 Authorizing the Mayor and/or his designee(s) to enter into a Tax Appeal Settlement Agreement with Four J Holdings, LLC for Block 189 Lot 18.01 and authorizing the Mayor and/or his designee(s) to take any action necessary to effectuate this resolution and resulting judgement. **Assessor**
- CR-10 Authorizing various actions, documents and solicitation necessary for the NEW JERSEY I-BANK ENVIRONMENTAL INFRASTRUCTURE financing of Lead Services Line Replacement program.
- CR-11 Ratifying, confirming and authorizing solicitation of proposals for professional engineering services in connection with completion of the 63<sup>rd</sup> Street pump station power and resiliency project which was approved for FEMA/BRIC grant funding.
- CR-12 Authorizing the City of Bayonne to apply for not to exceed \$600,000 from the NEW JERSEY URBAN ENTERPRISE ZONE AUTHORITY-Zone Assistance Fund (ZAF) for the Bayonne Urban Enterprise Zone Broadway Safety Cameras.
- CR-13 Authorizing the Law Director and/or Business Administrator to solicit proposals for professional engineering services in connection with projects eligible for state and/or federal funding.
- CR-14 Authorizing the submission of a strategic plan for the BAYONNE MUNICIPAL ALLIANCE grant to the Governor's Council on Alcoholism and Drug Abuse through the County of Hudson in the amount of \$19,921.00 for a period of one year commencing July 1, 2024 and ending June 30, 2025. **City Clerk**  
\$14,940.75 – In-kind Match  
\$ 4.980.25 – Cash Match
- CR-15 Authorizing the Purchasing Agent to advertise for request for proposals for sidewalk waste and recycling receptacles.
- CR-16 Authorizing the Purchasing Agent to advertise for bids for Improvement to Collins Park-Phase III.
- CR-17 Authorizing the Mayor and City Council to apply for and obtain a grant from the NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS for a Local Recreation Improvement Grant for approximately \$100,000.00
- CR-18 Authorizing the Mayor and City Clerk to award a contract to BAYONNE CUSTOM FENCE COMPANY, 25 County Village Court, Bayonne, NJ 07002 for fencing a G. Thomas DiDomenico Bayonne Municipal Pool for the amount of \$13,648.00 and the G. Thomas DiDomenico Park Dog Run for the amount of \$16,907.94 for a total contract amount not to exceed \$30,655.94
- CR-19 Amending Resolution No. 23-12-13-105 awarding contracts to TIMOTHY J. MORIARTY, ESQ., as Chief Municipal Court prosecutor and STEVEN R. HUMMELL, ESQ., and LANDY BELZIARE, ESQ., as Alternate Municipal Court Prosecutors for a total combined contract amount of \$150,000 to increase the total combined contract in an amount not to exceed \$25,000 to cover Special Municipal Court sessions, thereby making the total combined total contract amount not to exceed \$175,000 and to allocate specific contract amounts as follows: Timothy J. Moriarty, Esq. – not to exceed \$79,000 (\$77,000 inclusive of \$2,000 for municipal appeals requiring Superior Court appearances and \$2,000 for Special Assessment Municipal Court Sessions); Steven R. Hummell, Esq. – not to exceed \$76,000 (\$57,000 inclusive of \$2,000 for municipal appeals requiring Superior Court appearances and \$19,000 for Special Assessment Municipal Court Sessions); and Landry Belziare, Esq. – not to exceed \$20,000 (\$16,000 inclusive of \$1,000 for municipal appeals requiring Superior Court Sessions and \$4,000 for Special Assessment Municipal Court Sessions).
- CR- Granting Raffle licenses to qualified organizations. **City Clerk**

**END OF CONSENT AGENDA**

- R-1 Approving an adjustment to the utility rate stabilization threshold in order to pay for a FINANCIAL CAPABILITY ANALYSIS with respect to the mandated long-term Combined Sewer Overflow (CSO) control plan as well as a rate and connection fee study.
- R-2 Authorizing the Planning Board to re-open the 8<sup>th</sup> Street Rehabilitation Plan to prepare an amended redevelopment plan for 26 North Street which is identified as Block 297, Lot 3.
- R-3 Authorizing the Planning Board to re-open the Redevelopment Plan for the Peninsula at Bayonne Harbor – Harbor Station South.
- R-4 Authorizing the Planning Board to conduct a preliminary investigation to determine whether the property located at 657-663 Broadway, which is identified as Block 158, Lots 22, 23 and 24 as shown on the official tax map constitutes a non-condemnation area in need of redevelopment pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 4A:12A-1 et seq. **(Hudson Radiology)**
- R-5 Authorizing the Planning Board to conduct a preliminary investigation to determine whether the property located at 749 Broadway, which is identified as Block 139, Lots 18 and 19 as shown on the official tax map of the City constitutes a non-condemnation area in need of redevelopment pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 4A:12A-1 et seq..
- R-6 Amending Resolution No. 23-09-20-063 adopted September 20, 2023 to correct a scrivener's error in the consent for the transfer of ownership in accordance with the terms of the financial agreement with 197 AVE. E URBAN RENEWAL LLC and the City of Bayonne to correct the block and lot from Block 458, Lots 7, 8 and 9 to Block 221, Lot 12.01.
- R-7 Amending Resolution No. 23-09-20-064 adopted September 20, 2023 to correct a scrivener's error in the redeveloper agreement authorization with 197 AVE. E URBAN RENEWAL LLC to correct the block and lot from Block 458, Lots 7, 8 and 9 to Block 221, Lot 12.01.
- R-8 Reserve space for the contract award for Animal Control Services to \*\* for the contract amount of \$ \*\*
- R-9 Reserve space for the contract award for Professional Engineering Consulting Services to \*\* for the contract amount of \$\*\*
- R-10 Reserve space for the contract award for Health Insurance Broker to \*\* for the contract amount of \$\*\*

**TO BE ADDED AT CAUCUS**

- ADD-1 Authorizing the Mayor and City Clerk to enter into a contract with PATCH MANAGEMENT, INC., 451 Tyburn Road, Fairless Hills, PA 19030 through State Contract T2817 to provide pothole repair services for a total amount not to exceed \$35,000.00
- ADD-2 Ratifying and affirming the actions of the City's CDBG Administrator, in authorizing Axon Engineering Services, 324 Semel Avenue, Garfield, NJ 07026 to perform the preparation of design documents 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 amendment to agreement CY23-085 with the BFCC to provide CDBG funds in the amount of \$47,400.00 making the total contract amount \$55,000 for said Work; and authorizing the Municipal Treasurer to issue a check in the amount of \$23,000.00 representing payment for invoice no. 1087.
- ADD-3 Approving Emergency Temporary Appropriation #2 for CY 2024 Budget
- ADD-4 Appropriation Reserve Transfer for CY 2023

ADD-5 From Donna L. Mauer submitting the Annual Financial Statement for CY 2023