

CITY OF JERSEY CITY

280 Grove Street
Jersey City, New Jersey 07302



Robert Byrne, R.M.C., City Clerk
Sean J. Gallagher, R.M.C., Deputy City Clerk
Tolonda Griffin-Ross, Deputy City Clerk

Mariano Vega, Jr., Council President
Peter M. Brennan, Councilperson-at-Large
Willie L. Flood, Councilperson-at-Large
Michael J. Sottolano, Councilperson, Ward A
Mary F. Spinello, Councilperson, Ward B
Steve Lipski, Councilperson, Ward C
William A. Gaughan, Councilperson, Ward D
Steve Fulop, Councilperson, Ward E
Viola Richardson, Councilperson, Ward F

Agenda

Regular Meeting of the Municipal Council Wednesday, October 24, 2007 at 6:00 p.m.

Please note: The next Regular Caucus Meeting of Council is scheduled for Monday, November 5, 2007 at 5:30 p.m. in the Efrain Rosario Memorial Caucus Room, City Hall.

The next Regular Meeting of Council is scheduled for Wednesday, November 7, 2007 at 6:00 p.m. in the Anna Cucci Memorial Council Chambers, City Hall. A pre-meeting caucus may be held in the Efrain Rosario Memorial Caucus Room

1. (a) **INVOCATION:**
- (b) **ROLL CALL:**
- (c) **SALUTE TO THE FLAG:**
- (d) **STATEMENT IN COMPLIANCE WITH SUNSHINE LAW:**

City Clerk Robert Byrne stated on behalf of Council President Mariano Vega, Jr. "In accordance with the New Jersey P.L. 1975, Chapter 231 of the Open Public Meetings Act (Sunshine Law), adequate notice of this meeting was provided by mail and/or fax to The Jersey Journal, the Reporter. Additionally, the **annual notice** was posted on the bulletin board, first floor of City Hall and filed in the Office of the City Clerk on Tuesday, November 21, 2006, indicating the schedule of Meetings and Caucuses of the Jersey City Municipal Council for the calendar year 2007.

The Agenda of this meeting was disseminated on **Thursday, October 18, 2007 at 4:00 p.m.** to the municipal council, mayor and business administrator of Jersey City. It was similarly disseminated to the The Jersey City Reporter, The Jersey Journal.

2. **Bid Reception: None**

****CONSENT AGENDA**

All items listed on the meeting calendar with asterisk (or asterisks) are considered routine by the municipal council and will be enacted by one motion (and roll call) without separate discussion of each item. If discussion is desired on any item and permitted by the council, that item will be considered separately.

Consent Agenda adopted by Ordinance J-636 and supplemented by Ordinance C-248.

Please understand that all documents listed in the consent agenda are available for public perusal at this meeting.

*3.

ORDINANCE HEARING

FIRST READING

CITY CLERK
FILE

Withdrawn

- a. Ordinance amending Chapter 3 (Administration of Government) Article VII (Department of Finance) of the Jersey City Code to mandate minimum hourly rates of pay, vacation benefits and health insurance benefits to certain employees of certain entities entering into certain contracts with the city. Ord. 07-173
- b. Ordinance authorizing the acquisition of block 1464, Lot C, more commonly known as 36 Van Nostrand Avenue, Jersey City, New Jersey. Ord. 07-174

10/24/07

*4.

ORDINANCE HEARING

SECOND READING

CITY CLERK
FILE

- Adopted-8-1-
Lipski: nay
- a. Ordinance authorizing the assumption of the City of Jersey City's mortgage affecting property known as 45-51 Martin Luther King Drive and the subordination of the city's mortgage to the mortgage of Community Preservation Corporation.
- Ord. 07-164
Intro. 10/10/07
- Adopted-9-0-
- b. An ordinance granting permission to Brass Works Urban Renewal Company, LLC, its successors and assigns, to improve and use a portion of the Franklin Street public right of way as more particularly described herein and adjoining Lot G, Block 751 on the official tax assessment map of the City of Jersey City, for the installation and maintenance of a landscaping island, which encroaches onto a portion of the Franklin Street public right of way.
- Ord. 07-165
Intro. 10/10/07
- Adopted-9-0-
- c. An ordinance supplementing Schedule XXI (Parking Restricted for street cleaning purposes) Chapter 332 (Vehicles and Traffic) of the Jersey City Code designating No Parking for street cleaning purposes on both sides of Garabrant Street.
- Ord. 07-166
Intro. 10/10/07
- Adopted-9-0-
- d. Ordinance authorizing the acquisition of Block 1464, Lot 0000A, and more commonly known as 40 Van Nostrand Avenue, Jersey City, New Jersey.
- Ord. 07-167
Intro. 10/10/07
- Adopted-7-2-
Sottolano,
Gaughan: nay;
- e. Ordinance amending Chapter 90 (Animals) Article III (Dogs) Section 16 (Use of Leash in Public Places) of the Jersey City code.
- Ord. 07-168
Intro. 10/10/07
- Adopted-9-0-
- f. An ordinance authorizing the City of Jersey City to enter into a lease agreement as lessee with 255-261 Kearney Avenue, LLC as lessor for fire house/garage space located at 255-261 Kearney Avenue, Jersey City for the Jersey City Fire Department.
- Ord. 07-169
Intro. 10/10/07
- Adopted-9-0-
- g. Ordinance supplementing Chapter A351 (Executive Orders and Ordinances) of the Jersey City Code.(Assistant Director of Parks & Recreation, Assistant Recreation Supervisor, Clinic Physician Part-Time, Program Manager Disease Prevention and Control, Research Aide, Sign Maker 2 and Student Assistant).
- Ord. 07-170
Intro. 10/10/07
- Adopted-9-0-
- h. An ordinance dedicating that Sherman Place from Central Avenue to Summit Avenue also be known as "Eduardo E. Pena, Jr. Way."
- Ord. 07-171
Intro. 10/10/07

10/24/07

*4.

ORDINANCE HEARING

SECOND READING

CITY CLERK
FILE

Adopted-9-0-

- i. An ordinance supplementing Chapter 332 (Vehicles and Traffic) Article XI (Schedules) Schedule 25 (Parking for the Disabled) of the Jersey City Code designating a reserved parking space at 94 Astor Place; 156 Bayview Avenue; 172 Beacon Avenue; 298 Claremont Avenue; 151-153 Danforth Avenue; 274 Danforth Avenue; 105 Fulton Avenue; 233 Garfield Avenue; 92-94 Hutton Street; 146 Hutton Street; 29 Long Street; 6 McAdoo Avenue; 346-7th Street; 33 Stagg Street; 114 Stuyvesant Avenue; 148 Van Nostrand Avenue; 39 Van Wagenen Avenue; 6 Warner Avenue; 291 Woodlawn Avenue.

Ord. 07-172
Intro. 10/10/07

10/24/07

**** 5.**

PUBLIC REQUEST FOR HEARING

1. Marvin Davis, Jersey City
2. Joseph W. Krajnik, Jersey City
3. Yvonne Balcer, Jersey City
4. Notra Porter, Jersey City
5. Lavern Washington, Jersey City
6. Catherine Grimm, Jersey City
7. Terry Dehere, Jersey City
8. Rolando Lazzarrio, Jersey City

NOTE: THE FOLLOWING ARE AVAILABLE UPON REQUEST FROM THE OFFICE OF THE CITY CLERK

****6. PETITIONS AND COMMUNICATIONS**

- a. Public notice from the Hudson County Planning Board to Robert Byrne, Clerk re: Regular meeting to be held on Wednesday, October 17, 2007 at 6:30 p.m. in the chambers of the Hudson County Board of Chosen Freeholders located 567 Pavonia Avenue, Jersey City.
- b. Letter dated October 4, 2007 from David C. Mudge, Supervising Environmental Specialist for the State of New Jersey, to Robert Byrne, Clerk re: U.S. Routes 1 & 9 (T) Saint Paul's Avenue Viaduct Replacement.
- c. Letter dated October 3, 2007 from Yacoub E. Yacoub, Chief Northern Bureau of Field Operation, for the State of New Jersey, Department of Environmental Protection to Rodolfo Lopes, Livingston, New Jersey, re: One 1,000 gallon #2 fuel oil underground storage tank.
- d. Letter dated October 3, 2007 from Dorothy P. Guzzo, Administrator for the State of New Jersey, Department of Environmental Protection to David C. Mudge, Environmental Team Leader for the Division of Environmental Resources re: U.S. Routes 1 & 9 (T) Saint Paul's Avenue Viaduct Replacement.
- e. Letter dated October 10, 2007 from Barbara Amato, Secretary to the Board of Jersey City Redevelopment Agency to Robert Byrne, Clerk re: Jersey City Redevelopment Agency meeting to be held on Tuesday, October 16, 2007 at 6:00 p.m., at 30 Montgomery Street, Jersey City.
- f. Fax dated October 11, 2007 from Molly B. Adams, Area Manager of Government and Community Affairs to Robert Byrne, Clerk re: Additional of NHL Network and IN Demand deletions.
- g. Letter dated October 4, 2007 from Joseph P. Eaker, Bureau of Underground Storage Tank for the State of New Jersey, to Rich Rodack, Exxonmobil Refining & Supply Co., re: Compliance Status Notice, 384 Paterson Plank Road, Jersey City.
- h. Letter dated September 28, 2007 from Gregory S. Miller, Environmental Business Manager for Atlantic Richfield Company to Renee Wright, New Jersey Department of Environmental Protection re: Remedial Action Progress Report for 235 12th Street, Jersey City.
- i. Letter dated September 17, 2007 from Gregory S. Miller, Environmental Business Manager for Atlantic Richfield Company to Helen Capone, New Jersey Department of Environmental Protection re: Remedial Action Workplan Amendment and Progress Report for 230 West 14th Street, Jersey City.

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****6. PETITIONS AND COMMUNICATIONS**

- j. Fax dated October 16, 2007 from Peter Soriero, Risk Manager to Jersey Journal Editor re: Jersey City Insurance Fund Commission meeting will be Monday, October 22, 2007 at 3:00 p.m. in Room B-6, City Hall.
- k. Minutes of the work session and regular session of the Jersey City Municipal Utilities Authority held September 27, 2007.
- l. Letter dated October 16, 2007 from James C. McCann, Esq., for Connell Foley, LLP., Attorney at Law to Robert Byrne, Clerk re: Power House Arts District Redevelopment Plan Draft Proposed Amendments replacement pages 33 & 43.
- m. Letter dated October 12, 2007 from Judith R. McAlpin, President for Save Ellis Island to Robert Byrne, Clerk re: Save Ellis Island is submitting an application to the State of New Jersey Green Acres Program.
- n. Letter dated October 16, 2007 from Brian O'Reilly, Business Administrator to Lt. Edward Kist re: State Health Benefits.
- o. Letter dated October 10, 2007 from Anthony Fontana, Chief Bureau of Transfer Stations & Recycling Facilities to Leonard Pirrello, Reliable Paper Recycling Inc., re: Prohibit outside storage of combustible or flammable materials.
- p. Letter dated October 12, 2007 from Susan A. Evanchick, Secretary for Town of Kearny Planning Board to Robert Byrne, Clerk re: Special meeting of the Kearny Planning Board will be Thursday, October 25, 2007 at 7:30 p.m., in the Council Chambers, 402 Kearny Avenue, Kearny, New Jersey.
- q. Letter dated October 16, 2007 from Albert G. Santos, Clerk for the Board of Chosen Freeholders to Robert Byrne, Clerk re: Resolution adopted by the Board of Chosen Freeholders on October 11, 2007.

Resolution authorizing the use of a section of Lincoln Park in Jersey City for the EID Prayer Service, Friday, October 12, 2007 or Saturday, October 13, 2007.
- r. Letter dated October 17, 2007 from Kenneth J. Kloo, Administrative office of Brownfield Reuse, for the State of New Jersey, to Steve Vita, Vita & Becht, LLC re: 1000 gallon #2 heating oil underground storage tank 254-258 Warren Street, Jersey City.

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****6. PETITIONS AND COMMUNICATIONS**

- s. The Community Awareness Series of the Jersey City Free Public Library re: Program Journal celebrating 30 years of Service to the Community on Saturday, October 13, 2007 at 8:00 p.m., Miller Branch Library Multicultural Center , 489 Bergen Avenue, Jersey City.
- t. Letter dated October 4, 2007 from Project Manager for Sustainable Strategies for Global Leaders to Kevin Kratina, Bureau Chief re: Biennial Certification Monitoring Report for Ground Water, 590 Luis Munoz Marin Blvd.
- u. Rockaway Valley Regional Sewerage Authority minutes of a board meeting September 20, 2007.
- v. Letter dated October 17, 2007 from Stephen D. Marks. Planning Director for the County of Hudson, Department of Parks, Engineering & Planning to Jerramiah Healy, Mayor re: Public hearing and Comment Period on the "DRAFT: Hudson County Map Update for Open Space, Recreation & Historic Preservation."
- w. Letter dated October 19, 2007 from Indhira Reyes, Executive Assistant for the Jersey City Employment & Training Program, Inc, to Robert Byrne, Clerk re: Board meeting will be held on Thursday, October 25, 2007 at 10:00 a.m., 121-125 Newark Avenue, 3rd Floor Conference Room, Jersey City.

**NOTE: THE FOLLOWING ARE AVAILABLE UPON REQUEST FROM THE
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****7. OFFICERS COMMUNICATIONS**

NONE

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NOTE: THE FOLLOWING ARE AVAILABLE UPON REQUEST FROM THE OFFICE OF THE CITY CLERK

****8. REPORT OF DIRECTORS**

- a. Letter dated October 12, 2007 from Jerramiah T. Healy, Mayor to Benjamin Lopez re: Thanking Mr. Lopez for the service as a member of the Jersey City Employment And Training Committee.
- b. Letter dated October 16, 2007 from Brian O'Reilly, Business Administrator, to Joe Delaney, President of PSOA re: State Health Benefits Plan.
- c. Memo dated October 22, 2007 from Jerramiah T. Healy, Mayor to Department Directors and Executive Directors re: Disposition of Parking Tickets.

****9. CLAIMS & ADDENDUM #1**

- A. City Clerk
- B. Tax Assessor
- C. Department of Administration
- D. Department of Finance
- E. Department of H.E.D. & C.
- F. Department of Health & Human Services
- G. Department of Law
- H. Department of Police
- I. Department of Fire and Emergency Services
- J. Department of Public Works
- K. Department of Recreation

****10. Resolutions**

**CITY CLERK
FILE #**

- a. Resolution authorizing an emergency temporary appropriation. Res. 07-801
- b. Resolution Authorizing the Waiver of the Twenty (20) Day Waiting Period for Ordinance 07-172. An ordinance supplementing Chapter 332 (Vehicles and Traffic) Article XI (Schedules) Schedule 25 (Parking for the Disabled) of the Jersey City Code designating a reserved parking space at 94 Astor Place; 156 Bayview Avenue; 172 Beacon Avenue; 298 Claremont Avenue; 151-153 Danforth Avenue; 274 Danforth Avenue; 105 Fulton Avenue; 233 Garfield Avenue; 92-94 Hutton Street; 146 Hutton Street; 29 Long Street; 6 McAdoo Avenue; 346-7th Street; 33 Stagg Street; 114 Stuyvesant Avenue; 148 Van Nostrand Avenue; 39 Van Wagenen Avenue; 6 Warner Avenue; 291 Woodlawn Avenue. Res. 07-802
- c. Resolution eulogizing Carlbert Heard, Sr. Res. 07-803
- d. Resolution of the Municipal Council of the City of Jersey City authorizing the extension of the Urban Enterprise Zone Maintenance Project Phase IV for three months for the Doe Fund. Res. 07-804
- e. Resolution of the Municipal Council of the City of Jersey City amending the FY2007-2008 Annual Action Plan to reallocate Home Investment Partnerships Program (HOME) and Housing Opportunities For Persons With Aids (HOPWA) Funds. Res. 07-805
- f. Resolution authorizing the adoption and submission of "Keys to Ending Homelessness in Hudson County" Hudson County's ten year plan to end chronic homelessness. Res. 07-806
- g. Resolution awarding a professional services agreement to Andrew C. Abrams, Esq. Attorney at Law of the State of New Jersey, to serve as Chief Municipal Public Defender in the Jersey City Municipal Courts in addition to performing his duties as a public defender for the 2008 fiscal year. Res. 07-807
- h. Resolution awarding professional services agreements to Attorneys at Law of the State of New Jersey, to serve as public defenders in the Jersey City Municipal Court for the 2008 fiscal year. Res. 07-808

****10. Resolutions**

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- i. Resolution authorizing the award of a professional services contract to Paul Beisser, M.A.I. and Richard Polton, M.A.I. of Value Research Group, L.L.C., to provide appraisal services in connection with property tax appeal cases filed before the Tax Court of New Jersey for the fiscal year 2008. Res. 07-809
- j. Resolution authorizing payment to Power Concrete Co., Inc. for completion of additional work requested by State Department of Transportation Local Aid on the State funded resurfacing of Bergen Avenue Project No. 99-011 for the Department of Administration, Division of Engineering. Res. 07-810
- k. Resolution ratifying the extension of a contract with N.A.I. James E. Hanson, Inc. for real state consulting services for the Department of Administration. Res. 07-811
- l. Resolution authorizing the award of contract to Jim Luongo Construction, Inc. for City Hall-Council Chambers Renovation, Project No. 2004-003 for the Department of Administration, Division of Architecture. Res. 07-812
- m. Resolution authorizing the award of contract to Hewlett Packard for furnishing and delivering mini computer microcomputer workstation & associated products for the Jersey City Fire Department under state contract without public bidding. Res. 07-813
- n. Resolution authorizing the award of contract to Dell Marketing Corporation for furnishing and delivering minicomputer, microcomputer, workstation & associated products for Department of Information Technology under state contract without public bidding. Res. 07-814
- o. A resolution supplementing the Manual of Loading Zone designations of the City of Jersey City designating a Loading Zone measuring 67 feet at 99 Sackett Street, Monday, through Friday, 6:00 a.m. to 4:00 p.m. Res. 07-815
- p. Resolution authorizing the granting of a Pool Room License to Paul L. Dudley for operation of a pool room at 911 Montgomery Street, pursuant to Chapter 248 of the Jersey City Code. Res. 07-816
- q. Resolution authorizing the Business Administrator to execute mortgage discharges for various properties within the Bernius Court Affordable Housing Project Area. Res. 07-817

****10. Resolutions**

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Withdrawn

- r. Resolution of the Municipal Council of the City of Jersey City authorizing a professional services contract with Dr. Danilo Palomares, a licensed physician, to provide consultant services for the Department of Health and Human Services, Division of Health. Res. 07-818
- s. Resolution terminating the City of Jersey City's participation in the New Jersey State Health Benefits Program, including its Prescription Drug Program. Res. 07-819
- t. Resolution authorizing an amendment to a contract with All Star Rentals, Inc., for rental of chairs, tables, tents and supplies for various events for the Department of Health and Human Services/Cultural Affairs Division. Res. 07-820
- u. Resolution authorizing the Philippine-American Friendship Committee and the Jersey City Communities That Care Coalition to enter on city owned vacant property for the purposes of cleaning the property in conjunction with Red Ribbon Week, October 23 through 31, 2007. Res. 07-821
- v. Resolution authorizing the closing of a Municipal Street (s) New York Avenue from Franklin Street to Ferry Street on Saturday, October 27, 2007 from Noon to 5:00 p.m., at the request of the New York Avenue Block Association for the purpose of a block party. Res. 07-822
- w. Resolution honoring "True American Heroes" on the occasion of the Annual Italian Flag Rasing Ceremony. Res. 07-823
- x. Resolution honoring Nancy Torres during Breast Cancer Awareness Month. Res. 07-824
- y. Resolution urging the Support of Public Question No.3 Green Acres, Farmland, Blue Acres and Historic Preservation Bond Act of 2007. Res. 07-825
- z. Resolution proclaiming October 23 through October 31, 2007 as Red Ribbon Week. Res. 07-826
- z1. Resolution authorizing the waiver of the Twenty day waiting period for Ordinance 07-167. An Ordinance authorizing the acquisition of Block 1464, Lot 0000A, and more commonly known as 40 Van Nostrand Avenue, Jersey City, New Jersey. Res. 07-827

****10. Resolutions**

**CITY CLERK
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- z2. Resolution authorizing an application for a grant under the Green Acres Program to expand Boyd McGuiness Park. Res. 07-828

11. DEFERRED OR TABLED AGENDA AS OF OCTOBER 24, 2007

- a. Ordinance #05-097 Ordinance approving a 20-year tax exemption for a market rate residential condominium project to be constructed by Washington Commons Urban Renewal Company, LLC., an Urban Renewal Entity pursuant to the Long Term Tax Exemption Law N.J.S.A. 40A:20-1 et seq. Tabled-9-0-after to the close of the public hearing at the meeting of 08/10/05 meeting on a motion by Councilperson Vega and seconded by Councilperson Sottolano.
- b. Ordinance #06-009 Ordinance supplementing Chapter 3 (Administrative Code) Article XI (Department of Police) of the City of Jersey City establishing the procedure and fees for providing off-duty police officers for special detail assignments. Tabled-9-0- after the close of the public hearing at the 02/08/06 meeting on a motion by Councilperson Richardson seconded by Councilperson Lipski.
- c. Ordinance #05-133 An ordinance supplementing Chapter 332 (Vehicles and Traffic) Article XI (Schedules) Schedule XV (No Stopping or Standing Certain Hours) of the Jersey City Code amending the parking prohibition on both sides of Washington Boulevard between Thomas Gangemi Drive and 14th Street. Tabled-7-0- after the close of the public hearing at the 4/12/06 meeting on motion by Councilperson Gaughan and seconded by Councilperson Lipski; Councilperson Fulop and Councilperson Richardson: absent.
- d. Ordinance #05-134 An ordinance supplementing Chapter 332 (Vehicles and Traffic) Article V (Parking Meters) Sec. 332-18 (Parking Meter Zones) and Sec. 332-30 (Parking Meter Time Limits) of the Jersey City Code designating metered parking spaces on both sides of Washington Boulevard between Thomas Gangemi Drive and 14th Street. Tabled-7-0- after the close of the public hearing at the 4/12/06 meeting on motion by Councilperson Gaughan and seconded by Councilperson Lipski; Councilperson Fulop and Councilperson Richardson: absent.
- e. Ordinance #06-152 An ordinance supplementing Chapter 332 (Vehicles and Traffic) Article XI (Schedules) of the Jersey City Code Schedule XVI (Parking prohibited during certain hours daily except Saturday, Sundays and Holidays) prohibiting parking on the west side of Marin Boulevard between 2nd Street and 1st Street, Monday through Friday, 9:30 a.m. to 3:30 p.m. Tabled -7-0- after the close of the public hearing at the 12/13/06 meeting on motion by Councilperson Fulop and seconded by Councilperson Richardson and Councilperson Lipski and Councilperson Flood: absent.
- f. Ordinance #07-028 An ordinance requiring Apprenticeships and Project Labor Agreements on certain public construction contracts and construction contracts for which a tax abatement has been granted. Tabled -8-0- after the close of the public hearing at the 02/28/07 meeting on motion by Councilperson Vega seconded by Councilperson Lipski and Councilperson Richardson: absent.
- g. Ordinance #07-067 An ordinance vacating a portion of Washington Street from its intersection with Dudley Street and extending southerly to the Morris Canal Big Basin and authorizing the acceptance of deeds dedicating the vacated street as a public park. Tabled-8-0- after the close of the public hearing at the 05-09-07 meeting on a motion by Councilperson Vega and seconded by Councilperson Gaughan and Councilperson Richardson: absent.

10/24/07

11. DEFERRED OR TABLED AGENDA AS OF OCTOBER 24, 2007

- h. Ordinance #07-083 An ordinance supplementing Schedule 8, Chapter 26 (Vehicles and Traffic) of the Jersey City Code prohibiting the left turn eastbound on Newark Avenue turning northbound into the driveway for 550 Newark Avenue. Tabled-8-0- after the close of the public hearing at the 05-09-07 meeting on a motion by Councilperson Lipski and seconded by Councilperson Vega and Councilperson Richardson: absent.