

# 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



Peter M. Brennan, Council President  
Willie L. Flood, Councilperson-at-Large  
Mariano Vega, Jr., Councilperson-at-Large  
Michael J. Sottolano, Councilperson, Ward A  
David P. Donnelly, Councilperson, Ward B  
Nidia R. Lopez, 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, February 10, 2010 at 6:00 p.m.

**Please note:** The next caucus meeting of the Municipal Council is scheduled for **TUESDAY**, February 23, 2010, at 5:30 p.m. in the Efrain Rosario Memorial Caucus Room, City Hall.

The next regular meeting of the Municipal Council is scheduled for Wednesday, February 24, 2010 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, City Hall.

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 Peter M. Brennan, Council President. "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 and 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 Wednesday, December 16, 2009, indicating the schedule of Meetings and Caucuses of the Jersey City Municipal Council for the calendar year 2010.

The Agenda of this meeting was disseminated on **Thursday, February 4, 2010 at 4:00 p.m.** to the Municipal Council, Mayor and Business Administrator of Jersey City. It was similarly disseminated to The Jersey City Reporter and 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**

- a. Ordinance creating Community Services Block Grant Board in the Department of Housing, Economic Development and Commerce. Ord. 10-012
- b. Ordinance of the Municipal Council of the of the City of Jersey City adopting amendments to the Land Development Ordinance permitting Medical Office use in the R-1 zoning district along a portion of Palisade Avenue. Ord. 10-013
- c. Ordinance amending and supplementing Chapter 12 (Municipal Authorities) Article IV (Municipal Utilities Authority). Ord. 10-014
- d. Ordinance amending and supplementing Chapter 12 (Municipal Authorities) Article II (Incinerator Authority). Ord. 10-015
- e. Ordinance amending and supplementing Chapter 53 (Personnel) Article VI (Vacation Leave and other benefits for nonunion, unclassified personnel and nonunion managerial personnel). Ord. 10-016
- f. Ordinance establishing polices and procedures for JC1TV. Ord. 10-017
- g. Ordinance to submit the proposition to the voters to amend the City Charter to hold General Elections in November. Ord. 10-018
- h. Ordinance to submit the proposition to the voters at the November 2, 2010 General Election that the City of Jersey City abandon the holding of Run-Off Elections as permitted by the "Uniform Nonpartisan Elections Law". Ord. 10-019
- i. Ordinance approving a 30 year tax exemption for a mixed affordable and market rate rental housing project to be constructed by AHM Housing Associates IV, LLC., a qualified housing sponsor under the New Jersey Mortgage Finance Agency Law N.J.S.A.55:14K-1 et seq. Ord. 10-020
- j. An ordinance approving a five (5) year tax exemption pursuant to the provisions of N.J.S.A.40A:21-1, et seq., and section 304-12 of the Municipal Code for property designated as Block 60.12, Lot 5 on the city's tax map and more commonly known by the street address of 359 Skinner Memorial Drive. Ord. 10-021

02/10/10

\*3.

**ORDINANCE HEARING**

**FIRST READING**

**CITY CLERK  
FILE**

- k. Ordinance approving 1) An \$8,000,000 loan to the City of Jersey City to be guaranteed by the United States Department of Housing and Urban Development pursuant to §108 of the Housing and Community Development Act of 1974, as amended, and 2) A re-loaning of the proceeds to Statue of Liberty Harbor North Redevelopment Urban Renewal, LLC. Ord. 10-022
  
- l. Ordinance approving a 30 year tax exemption for a low income affordable and market rate housing project to be constructed by the Summit Avenue Center for Opportunity, LLC, a qualified housing sponsor under the New Jersey Mortgage Finance Agency Law N.J.S.A.55:14K-1 et seq. Ord. 10-023
  
- m. Ordinance approving 1) The NUNC PRO TUNC assignment of a tax exemption from Summit Apartments, Inc., to Summit Plaza Associates and approval of a portion of the property for commercial use; and 2) An amendment to the tax exemption to remove a portion of the project from the tax exemption, pursuant to the limited dividend Non-profit Housing Corporation Law, N.J.S.A. 55:16-18. Ord. 10-024

\*4.

**ORDINANCE HEARING**

**SECOND READING**

**CITY CLERK  
FILE**

Introduced-8-0-  
Vega: absent

- a. A franchise ordinance granting permission to One LLC, its successors and assigns, to make private improvements to a portion of lands within the sidewalk area of the Bowers Street public right of way located adjacent to 3438 Kennedy Boulevard, Jersey City, New Jersey.

Ord. 10-009  
Intro. 01/27/10

Introduced-6-1-1-  
Richardson: nay;  
Brennan:  
abstained; Vega:  
absent

- b. Ordinance amending and supplementing Chapter 84 (Alcoholic Beverages) Article I (Plenary Retail Consumption and Distribution Licenses) of the Jersey City Code. (Redevelopment Area Distance Reduction)

Ord. 10-010  
Intro. 01/27/10

Introduced-8-0-  
Vega: absent

- c. 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 24 Eastern Parkway; 361 Liberty Avenue; 82 Poplar Street; 77 Prospect Street; 300 Stegman Parkway; 332 Webster Avenue; 224-222 Wilkinson Avenue and Amend the Reserved Parking Space at 7 Apollo Street and 103 Poplar Street and Repeal the Reserved Parking Space at 11 Apollo Street; 222 Wilkinson Avenue and 228 Wilkinson Avenue.

Ord. 10-011  
Intro/ 01/27/10

**\*\* 5.**

**PUBLIC REQUEST FOR HEARING**

1. William Dorrity, 3060 Kennedy Boulevard, Apt 4D, Jersey City
2. Esther Wintner, Jersey City
3. Richard Lear, 136 Prospect Street, Jersey City
4. Yvonne Balcer, Jersey City
5. Shelley Skinner, Jersey City
6. Raju Patel, 813 Newark Avenue, Jersey City
7. Jayson Burg, 85 Neptune Avenue, Jersey City
8. Riaz Wahid, Jersey City
9. Uta Brauser, 521 Jersey Avenue, Jersey City
10. Joanna Hopkinson, Jersey City

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

**\*\*6. PETITIONS AND COMMUNICATIONS**

- a. Application 10-005 dated January 24, 2010 from Roger Hejazi, Jersey City to Robert Byrne, City Clerk re: Municipal Public Service.
- b. Minutes of the regular board meeting of the Jersey City Incinerator Authority Board of Commissioners held December 22, 2009.
- c. Letter dated January 28, 2010 from John Messinger, Arcadis, Infrastructure, Environmental to Robert Byrne, City Clerk re: Railroad ROW between Wayne Street, Montgomery Street, Jersey City.
- d. Letter dated January 29, 2010 from Nancy A. Skidmore, Esq., for Connell Foley, LLP Attorneys at Law to Jerramiah T. Healy, Mayor re: Summit Avenue Center for Opportunity, LLC., amended application for HMFA tax exemption for affordable housing project.
- e. Letter dated January 27, 2010 from Terry Pilawski, Chief, Bureau of Watershed Regulation for State of New Jersey, to Stanley Omland, Omland Engineering Associates, Inc. re: Duncan Avenue Condominiums, Jersey City.
- f. Letter dated January 29, 2010 from Douglas Neumann, Dresdner Robin, Engineering, Environmental Planning Surveying & Landscape Architecture to Robert Byrne, City Clerk re: Public Outreach Notification Letter, 79 Thomas McGovern Drive, Jersey City.
- g. Letter dated January 2010 from New Jersey Land Conservation Rally to be held Saturday, March 20, 2010 at the Conference Center of Montclair State University.
- h. Letter dated January 22, 2010 from Elizabeth McLoughlin, P.P., AICP, Environmental Consulting to Robert Byrne, City Clerk re: NJ Transit Emergency Permit Application, Long Slip Bulkhead Repair, Block 20, Lot 3.09, Jersey City.
- i. Letter from Maureen F. Caporino, Jersey City to Jerramiah T. Healy, Mayor re: Resignation from the Jersey City Parking Authority.
- j. Letter dated January 27, 2010 from Jason Villacis, Project Manager for Dresdner Robin, Engineering, Environmental Planning Surveying & Landscape Architecture to Mr. Stephen Kehayes, New Jersey Department of Environmental Protection re: Public notice and outreach (JCRA) Berry Lane Park, Jersey City.

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**\*\*6. PETITIONS AND COMMUNICATIONS**

- k. Letter dated January 29, 2010 from Eileen Birch, Township Clerk, Township of Union to Robert Byrne, City Clerk re: Resolution 2010-39.
  - 1. Resolution requesting the State establish Municipal Service Fees to be paid by students attending Colleges and Universities within the municipality.
- l. Letter dated January 27, 2010 from Maura E. Blau, Farer Fersko, Attorneys at Law to Robert Byrne, City Clerk re: Biennial certification Monitoring Report for Groundwater Classification Exception Area, Block 60, Lot 53 (formerly Lots 28D & 28H) Jersey City.
- m. Application 10-006 dated February 3, 2010 from Sondra Edwards Buesing Riley, Jersey City to Robert Byrne, City Clerk re: Municipal Public Service.
- n. Memo from Steven Pinkney, Project Manager, Division of Economic Opportunity to Jerramiah T. Healy, Mayor re: Union 246 contract.
- o. Letter dated January 29, 2010 from Mark J. Pedersen, Bureau Chief, Bureau of Industrial Site Remediation, Department of Environmental Protection to Robert Caulfield, Fields Development Group re: No further Action Letter with Requirements for Biennial Certifications, 196-198 Van Vorst Street, Jersey City.

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**\*\*7. OFFICERS COMMUNICATIONS**

**NONE**

02/10/10

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

**\*\*8. REPORT OF DIRECTORS**

- a. Letter dated January 26, 2010 from Jerramiah T. Healy, Mayor to President and Members of the Municipal Council re: Appointing Louis M. Greco, of Jersey City, to serve as a member of the Jersey City Board of Adjustment, replacing Thomas P. Fricchione who is deceased. Mr. Greco's term will expire on June 30, 2011.
- b. Letter dated January 27, 2010 from Jerramiah T. Healy, Mayor to President and Members of the Municipal Council re: Appointing Larry Eccleston, of Jersey City, to serve as a Class II member of the Jersey City Planning Board. Mr. Eccleston's term will expire on June 30, 2010.
- c. Letter dated February 2, 2010 from Jerramiah T. Healy, Mayor to President and Members of the Municipal Council re: Re-appointing Walt Boraczek, of Jersey City, to serve as a Class I Member (Mayor's Designee) of the Jersey City Planning Board. Mr. Boraczek's term will expire on June 30, 2013. (Corrective Letter)
- d. Letter dated February 2, 2010 from Jerramiah T. Healy, Mayor to President and Members of the Municipal Council re: Re-appointing Sondra Edwards Buesing Riley, of Jersey City, to serve as a member of the Jersey City Public Library. Ms. Riley's term will expire on December 31, 2014.
- e. Letter dated February 3, 2010 from Jerramiah T. Healy, Mayor to President and Members of the Municipal Council re: Appointing Kabili Tayari, Deputy Mayor, to serve as his designee on the Mayor's Tax Enhancement Committee.
- f. Letter dated February 3, 2010 from Jerramiah T. Healy, Mayor to President and Members of the Municipal Council re: appointing Roger Hejazi, of Jersey City, to serve as a member of the Jersey City Incinerator Authority, replacing Rev Fernando L. Colon, Jr.. Mr. Hejazi's term will expire on February 1, 2015.

**\*\*9. CLAIMS**

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

**\*\*10. RESOLUTIONS**

**CITY CLERK  
FILE #**

- a. Resolution authorizing an Emergency Temporary Appropriation. Res. 10-077
- b. Resolution authorizing the extension of term of a license agreement with RAV Group, LLC for the use of city owned property located at Block 1471.D, Lot 1.C location: 446-448 Ocean Avenue. Res. 10-078
- c. Resolution authorizing the renewal of a lease agreement between the City of Jersey City as lessee and 18 Ash Street Realty, LLC., as lessor, for fire and emergency storage space in the premises at located at 46 State Street, Jersey City. Res. 10-079
- d. Resolution rejecting all bids received by the City of Jersey City on December 29, 2009 for ten (10) 2010 Harley Davidson Flagship Electric Glide Solo Certified Traffic Law Enforcement Motorcycles for the Police and Department of Public Works/Automotive Division. Res. 10-080
- e. Resolution of the Municipal Council of the City of Jersey City determining that the proposed housing project, known as Glenview Townhouse Phase II east and west (Lafayette Gardens Family Housing Phase VII) will address an existing housing need in the City of Jersey City. Res. 10-081
- f. Resolution of the Municipal Council of the City of Jersey City determining that the proposed housing project, known as A. Harry Moore Phase IV will address an existing housing need in the City of Jersey City. Res. 10-082
- g. Resolution of the Municipal Council of the City of Jersey City determining that the proposed housing project, known as The Summit Avenue Center for Opportunity will address an existing housing need in the City of Jersey City. Res. 10-083
- h. Resolution of the Municipal Council of the City of Jersey City accepting a grant and authorizing the execution of a grant agreement with the County of Hudson Department of Health and Human Services Office on Aging. Res. 10-084
- i. Resolution authorizing a license agreement with Team Walker for the use of city owned property located at Block 2042, Lots 6, 7, 8, address 373-375-377 Communipaw Avenue. Res. 10-085
- j. A resolution authorizing submittal of an application to transfer uncommitted balances in the amount of \$171,655.28 from the New Jersey Department of Transportation Annual Transportation Program FY2004 (ATP-Jersey City-2004) to the Traffic Marking Maintenance Program (Project No. 09-0115). Res. 10-086

**\*\*10. RESOLUTIONS**

**CITY CLERK  
FILE #**

- k. Resolution authorizing the renewal of contract with International Institute of New Jersey for providing Interpreters for Municipal Courts. Res. 10-087
- l. Resolution authorizing the award of contract to Jeral Construction, Inc. for Jersey City Police Department West District Police Precinct- Project No. 2007-002 for the Department of Administration, Division of Architecture. Res. 10-088
- m. Resolution amending a professional service contract to Holt Morgan Russell Architecture in connection with the Van Wagenen Apple Tree House- Phase II Interior Restoration, Project No. 2007-027, for the Department of Administration, Division of Architecture. Res. 10-089
- n. Resolution authorizing the renewal of a contract with Generator Exchange Company for the supply and delivery of light automotive parts for the Department of Public Works, Division of Automotive Maintenance. Res. 10-090
- o. Resolution awarding a professional service agreement with Florio, Parakou, Steinhardt & Faber to Counsel the City of Jersey City on legal matters in connection with environmental matters connected to the acquisition of the PJP Landfill property. Res. 10-091
- p. Resolution amending a professional service agreement to Stephen J. Eienstein, Esq. of Schwartz, Simon, Eienstein, Celso & Kessler. Res. 10-092
- q. Resolution authorizing the City of Jersey City to enter into a Shared Services Agreement with the Jersey City Public Library for the performance of services for one another. (Jersey City Public Library) Res. 10-093
- r. Resolution authorizing the City of Jersey City to enter into a Shared Services Agreement with the Jersey City Public Library for the performance of services for one another.(JCMUA) Res. 10-094
- s. Resolution appointing Roger Hejazi as a member of the Jersey City Incinerator. Res. 10-095
- t. Resolution authorizing the use of competitive contracting to award a contract for energy audit services. Res. 10-096

**\*\*10. RESOLUTIONS**

**CITY CLERK  
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- u. Resolution authorizing the award of contract to LDV Inc., for providing the Jersey City Fire Department with a Mobile Medical Command Center funded by the Urban Area Securities Initiative (UASI) via the Office of Emergency Management without public bidding. Res. 10-097
- v. Resolution authorizing the award of contract to LDV Inc., for providing the Jersey City Police Department Emergency Services Unit with a Mobile Explosive Ordinance Detector funded by the Urban Area Securities Initiative (UASI) via the Office of Emergency Management without public bidding. Res. 10-098
- w. Resolution authorizing the award of contract with Proactive Planning Associates as an extraordinary unspecifiable services without public bidding to provide mandatory training of Municipal Employees for Community Emergency Response Team (C.E.R.T.) And National Incident Management System (NIMS). Res. 10-099

**11. DEFERRED OR TABLED AGENDA AS OF FEBRUARY 10, 2010**

- a. Ordinance #09-119 Ordinance redesignating “Gregory Park Plaza” to “Marin Boulevard” also known as “Metropolis Towers Plaza”. Tabled-9-0- after the close of the public hearing at the 11/24/09 meeting on motion by Councilperson Fulop and seconded by Councilperson Donnelly.
  
- b. Ordinance #10-002 An ordinance supplementing Chapter 332 (Vehicles and Traffic) of the Jersey City Code Article VII (Metered Parking) amending the hours for the monthly permit parking zone from (6:00 a.m. to 7:00 p.m.) to (6:00 a.m. to 5:00 p.m.) and supplementing Article VIII (Permit Parking Zones) establishing a Four (4) hour residential parking permit for city residents; establishing 500 feet as the minimum distance a vehicle must be moved to reactivate the Two (2) hour parking provision; provide for the City Clerk to administer daily visitors parking permits; establish guidelines for the placement of the Vehicle Immobilization Device (Boot) and establish guidelines as to when the fee for the Vehicle Immobilization Device (Boot) shall be refunded by the Jersey City Parking Authority. Tabled-8-0- prior to the close of the public hearing at the 01/27/10 meeting on motion by Councilperson Gaughan and seconded by Councilperson Sottolano and Councilperson Vega: absent..