

Resolution of the City of Jersey City, N.J.

City Clerk File No. Res. 09-073
Agenda No. 10.A
Approved: FEB 11 2009
TITLE:



RESOLUTION AUTHORIZING AN EMERGENCY TEMPORARY APPROPRIATION

COUNCIL
adoption of the following resolution:

offered and moved

WHEREAS, it is necessary to provide an additional appropriation in the Fiscal Year 2009 temporary budget to make available the money necessary for the continuance of City services during the temporary budget period, and

WHEREAS, no adequate provision has been made in the Fiscal Year 2009 temporary budget for the aforesaid purpose, and N.J.S.A. 40A:4-20 provides for the creation of an emergency temporary appropriation for the purpose mentioned above, and

WHEREAS, the total temporary budget resolutions adopted in Fiscal Year 2009 pursuant to the provisions of N.J.S.A. 40A:4-19,20, including this resolution, totals \$335,259,797 .

NOW THEREFORE, BE IT RESOLVED by the Municipal Council of the City of Jersey City (not less than two thirds of all members thereof affirmatively concurring) that in accordance with the aforementioned statutes;

1. An emergency temporary appropriation is hereby created for:

		FROM	TO
28-375	PARK MAINTENANCE OE	500,000	600,000
26-291	BUILDING & STREET MAINTENANCE OE	1,000,000	1,200,000
26-315	AUTOMOTIVE SERVICES OE	1,600,000	2,000,000
20-175	NEIGHBORHOOD IMPROVEMENT OE	17,000	18,000
20-136	PENSION SW	290,000	168,000
28-370	RECREATION OE	470,000	500,000
27-335	DIV OF SENIOR AFFAIRS SW	385,000	281,000
27-335	DIV OF SENIOR AFFAIRS OE	205,000	225,000
30-416	JERSEY CITY MUSEUM	600,000	625,000
45-924	GREEN TRUST-MULTI PARKS	0	3,075
	MILLING AND RESURFACING VARIOUS STREETS	0	1,250,977
	URBAN AREAS SECURITY INITIATIVE (UASI)	0	68,175
	SUBREGIONAL TRANSPORTATION PROGRAM	0	71,977

TITLE:

RESOLUTION AUTHORIZING AN EMERGENCY TEMPORARY APPROPRIATION

2. Said emergency temporary appropriation will be provided for in the Fiscal Year 2009 Municipal Budget.

APPROVED: Kathleen D. Deely

APPROVED AS TO LEGAL FORM

APPROVED: B. O'Reilly
Business Administrator

[Signature]
Corporation Counsel

Certification Required

Not Required

APPROVED 8-0

RECORD OF COUNCIL VOTE ON FINAL PASSAGE											
2/11/09											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
SPINEELO	✓			FULOP	✓			FLOOD	✓		
LIPSKI		ABSENT		RICHARDSON	✓			VEGA, PRES.	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

Adopted at a meeting of the Municipal Council of the City of Jersey City N.J.

Mariano Vega, Jr.
Mariano Vega, Jr., President of Council

Robert Byrne
Robert Byrne, City Clerk

Resolution of the City of Jersey City, N.J.

City Clerk File No. Res. 09-074
 Agenda No. 10.B
 Approved: FEB 11 2009
 TITLE: _____



Resolution Authorizing the Waiver of the Twenty (20) Day Waiting Period for Ordinance 09-010. 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 85 Arlington Avenue; 86-88 Arlington Avenue; 90 Duncan Avenue; 100 Grant Avenue; 283 Stegman Parkway and 20 Stevens Avenue and repeal the reserved parking space at 122 Fowler Avenue and 217-219 Winfield Avenue.

Council as a Whole, offered and moved adoption of the following resolution:

Whereas, at its meeting of February 11, 2009 at 6:00 P.M., the Municipal Council adopted Ordinance 09-010; and

Whereas, N.J.S.A. 40:69A-181(b) provides for the twenty (20) day period prior to the effective date of an ordinance after adoption unless the Municipal Council by resolution, declares an emergency; and

Whereas, it is necessary that this ordinance become effective immediately because a backlog exists in the processing of applications and any further delay in enacting the ordinance would cause undue pain and suffering to the applicant.

Now, Therefore, Be it Resolved, by the Municipal Council of the City of Jersey City that:

- (1) an emergency is hereby declared for the reason set forth herein; and
- (2) pursuant to N.J.S.A. 40:69A-181(b) the twenty (20) day waiting period prior to the effective date of Ordinance 09-010 is hereby waived so that this Ordinance is effective immediately.

APPROVED: _____
 APPROVED: B. O'Keilly
 Business Administrator

APPROVED AS TO LEGAL FORM

 Corporation Counsel

Certification Required

Not Required

APPROVED 8-0

RECORD OF COUNCIL VOTE ON FINAL PASSAGE <u>2/11/09</u>											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
SPINELLO	✓			FULOP	✓			FLOOD	✓		
LIPSKI	ABSENT			RICHARDSON	✓			VEGA, PRES.	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

Adopted at a meeting of the Municipal Council of the City of Jersey City N.J.

Mariano Vega, Jr.
 Mariano Vega, Jr., President of Council

Robert Byrne
 Robert Byrne, City Clerk

Resolution of the City of Jersey City, N.J.

City Clerk File No. Res. 09-075

Agenda No. 10.C

Approved: FEB 11 2009

TITLE: **Resolution Designating the Month of March as
"WOMEN'S HISTORY MONTH"**



Council as a whole, offered and moved adoption of the following resolution:

WHEREAS, New Jersey women of every race, class, and ethnic background have made historic contributions to the growth and strength of our State in countless recorded and unrecorded ways; and

WHEREAS, New Jersey women have played and continue to play a critical economic, cultural, and social role in every sphere of the life of the State by constituting a significant portion of the labor force working inside and outside of the home; and

WHEREAS, New Jersey women have played a unique role throughout the history of the State by providing the majority of the volunteer labor force of the State; and

WHEREAS, New Jersey women were particularly important in the establishment of early charitable, philanthropic, and cultural institutions in our State; and

WHEREAS, New Jersey women of every race, class, and ethnic background served as early leaders in the forefront of every major progressive social change movement; and

WHEREAS, New Jersey women have been leaders, not only in securing their own rights of suffrage and equal opportunity, but also in the abolitionist movement, the emancipation movement, the industrial labor movement, the civil rights movement, and other movements, especially the peace movement, which create a more fair and just society for all; and

WHEREAS, despite these contributions, the role of women in history has been consistently overlooked and undervalued, in the literature, teaching and study of American history; and

WHEREAS, the Department of Community Affairs, specifically the Division on Women's goals are to remember and celebrate New Jersey women and to:

- ◆ ensure that NJ women are offered equal opportunities in education, the workforce and healthcare regardless of age, sexual orientation, income, ethnicity, race or religion.
- ◆ identify, implement, measure and coordinate programs that address the needs of New Jersey women.
- ◆ engage in continuous study and research on issues affecting NJ women and their families, develop policy papers and legislative recommendations.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the City of Jersey City, New Jersey, that March 2009 is designated as "Women's History Month" under the National Women History Project's 2009 theme: *Women Taking the Lead to Save our Planet.*

APPROVED: _____

APPROVED AS TO LEGAL FORM

APPROVED: B. O'Keilly
Business Administrator

Corporation Counsel

Certification Required

Not Required

APPROVED **8-0**

RECORD OF COUNCIL VOTE ON FINAL PASSAGE 2/11/09											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
SPINELLO	✓			FULOP	✓			FLOOD	✓		
LIPSKI		ABSENT		RICHARDSON	✓			VEGA, PRES.	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

Adopted at a meeting of the Municipal Council of the City of Jersey City N.J.

Mariano Vega, Jr.
Mariano Vega, Jr., President of Council

Robert Byrne
Robert Byrne, City Clerk

Resolution of the City of Jersey City, N.J.

City Clerk File No. Res. 09-076

Agenda No. 10.D

Approved: FEB 11 2009

TITLE:



RESOLUTION URGING THE NEW JERSEY STATE ASSEMBLY TO ENACT A-3120, THAT WILL REQUIRE RAILROADS TO NEGOTIATE IN GOOD FAITH WITH GOVERNMENTAL ENTITIES CONCERNING THE SALE OF ABANDONED RAILROAD RIGHTS OF WAY AND TO ENACT AMENDMENTS TO N.J.S.A. 48:12-125.1 ET SEQ. TO CLARIFY THE CURRENT LAW

**COUNCIL
Resolution:**

offered the moved adoption of the following

WHEREAS, on September 15, 2008, the New Jersey State Assembly, 213th Legislature, introduced Assembly Bill A-3120 (attached) to require railroads to negotiate in good faith with local governmental entities concerning the sale of railroad rights of way proposed for abandonment; and

WHEREAS, Assembly Bill A-3120 also amends N.J.S.A. 48:12-125.1 et seq., to strengthen and clarify the current law's protection of the public interest by providing a clear right of first refusal to governmental entities; and

WHEREAS, the City of Jersey City has a continuing interest in preserving the many numerous rail rights of way located throughout Jersey City that are suitable for various public uses including but not limited to light rail, trail, park, and as historic sites, as well as for other public purposes; and

WHEREAS, the City of Jersey City and other state and local agencies would be best protected with a clear right of first refusal; and

WHEREAS, changes to certain language in the bill as introduced would serve to further clarify the intent of the bill in the context of federal abandonment procedures, as follows:

1. Substitute the term "authorized for abandonment" for the existing term "abandoned." (Page 2, line 17).
2. Add the phrase "under this section" after the term "disclaimer of interest" and before the term "in acquiring all or any part." (Page 2, line 29).
3. Add the following new sentence: "A Government entity shall exercise the right of first refusal provided herein no less than ninety days from the later of (a) receipt from the railroad of a copy of the offer to purchase (or sales contract) setting forth the terms and conditions of sale to which the right of first refusal is applicable, or (b) the effective date, after expiration of any stays, of a federal abandonment authorization." (Page 3, line 4).

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the City of Jersey City that:

The City hereby urges the NJ State Assembly to enact Assembly bill A-3120 as it was introduced on September 15, 2008, with the following amendments to N.J.S.A. 48:12-125.1 et seq., to clarify the intent of the bill:

1. Substitute the term "authorized for abandonment" for the existing term "abandoned." (Page 2, line 17).
2. Add the phrase "under this section" after the term "disclaimer of interest" and before the term "in acquiring all or any part." (Page 2, line 29).

TITLE:

RESOLUTION URGING THE NEW JERSEY STATE ASSEMBLY TO ENACT A-3120, THAT WILL REQUIRE RAILROADS TO NEGOTIATE IN GOOD FAITH WITH GOVERNMENTAL ENTITIES CONCERNING THE SALE OF ABANDONED RAILROAD RIGHTS OF WAY AND TO ENACT AMENDMENTS TO N.J.S.A. 48:12-125.1 ET SEQ. TO CLARIFY THE CURRENT LAW

- 3. Add the following new sentence: "A Government entity shall exercise the right of first refusal provided herein no less than ninety days from the later of (a) receipt from the railroad of a copy of the offer to purchase (or sales contract) setting forth the terms and conditions of sale to which the right of first refusal is applicable, or (b) the effective date, after expiration of any stays, of a federal abandonment authorization." (Page 3, line 4).

APPROVED: _____

APPROVED AS TO LEGAL FORM _____

APPROVED: B O'Keilly

Business Administrator

Corporation Counsel

Certification Required

Not Required

APPROVED **8-0**

RECORD OF COUNCIL VOTE ON FINAL PASSAGE 2/11/09											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
SPINELLO	✓			FULOP	✓			FLOOD	✓		
LIPSKI		ABSENT		RICHARDSON	✓			VEGA, PRES.	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

Adopted at a meeting of the Municipal Council of the City of Jersey City N.J.

Mariano Vega, Jr.
Mariano Vega, Jr., President of Council

Robert Byrne
Robert Byrne, City Clerk

Resolution of the City of Jersey City, N.J.

City Clerk File No. Res. 09-077

Agenda No. 10. E

Approved: FEB 11 2009

TITLE:



RESOLUTION AUTHORIZING A GRANT APPLICATION TO THE NEW JERSEY DEPARTMENT OF LAW AND PUBLIC SAFETY, DIVISION OF HIGHWAY TRAFFIC SAFETY FOR THE 2010 JERSEY CITY POLICE DEPARTMENT COMPREHENSIVE TRAFFIC SAFETY PROGRAM

COUNCIL
following resolution.

Offered and moved adoption of the

WHEREAS, the need to enforce and increase awareness in the areas of Pedestrian Safety, Aggressive Driving, Seatbelt Enforcement, and Driving While Intoxicated is essential to all motorists and pedestrians in Jersey City; and

WHEREAS, the New Jersey Department of Law and Public Safety has recognized this need; and

WHEREAS; the Jersey City Police Department has developed a combination of enforcement and education initiatives to increase motorists and pedestrian awareness; and

WHEREAS, the Jersey City Police Department desires to apply for reimbursement grant funding to be utilized for overtime funding during the time period of October 1, 2009 to September 30, 2010; and

WHEREAS, the police overtime will be utilized to implement various enforcement strategies to increase safety and raise awareness to motorist and pedestrians; and

WHEREAS, the New Jersey Department of Law and Public Safety will determine the final grant award for the Jersey City Police Department upon review of Jersey City's application.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the City of Jersey City that:

1. The City of Jersey City is authorized to submit an application to the Department of Law, Division of Highway Traffic Safety, and
2. The funds will be used to reimburse for overtime patrols and purchase commodities to promote education and enforcement for pedestrian safety, aggressive driving, seatbelt enforcement, and driving while intoxicated endeavors.

APPROVED: *Samuel Jefferson* APPROVED AS TO LEGAL FORM
 APPROVED: *B. O'Keefe* *[Signature]*
 Business Administrator Corporation Counsel

Certification Required

Not Required

APPROVED 8-0

RECORD OF COUNCIL VOTE ON FINAL PASSAGE											
2/11/09											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
SPINELLO	✓			FULOP	✓			FLOOD	✓		
LIPSKI	ABSENT			RICHARDSON	✓			VEGA, PRES.	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

Adopted at a meeting of the Municipal Council of the City of Jersey City, N.J.

Mariano Vega, Jr. *Robert Byrne*
 Mariano Vega, Jr., President of Council Robert Byrne, City Clerk

Resolution of the City of Jersey City, N.J.

City Clerk File No. Res. 09-078

Agenda No. 10.F

Approved: FEB 11 2009

TITLE:



RESOLUTION APPROVING THE APPRAISAL REPORT FOR BLOCK 1788, LOTS 39- 40, 255-261 KEARNEY AVENUE AND AUTHORIZING AN OFFER TO THE OWNER

COUNCIL offered and moved adoption of the following Resolution:

WHEREAS, by the adoption of Ordinance 08-094, the City of Jersey City (City) authorized the acquisition of Block 1788, Lots 39 and 40 on the Tax Assessor's Map, and more commonly known by the street address of 255-261 Kearney Avenue [Property]; and

WHEREAS, the City is required to offer the owner fair market value before the institution of any condemnation action; and

WHEREAS, the City hired Value Research Group, LLC, to assist it in determining the fair market value of the property; and

WHEREAS, Value Research Group, LLC, has appraised the property and determined \$1,400,000 to be the fair market value; and

WHEREAS, the City needs to approve the appraisal report of fair market value and authorize an offer in that amount to the property owner; and

WHEREAS, funds in the amount of \$1,400,000 are available in Capital Account No.: 04-215-55-855-990, to be disbursed to the Attorney Trust Account of John Curley for disbursement to the owner or deposited into court.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the City of Jersey City that:

- The City of Jersey City hereby approves the sum of \$1,400,000 for the acquisition of Block 1788, Lots 39 and 40, more commonly known as 255-261 Kearney Avenue.
- The Mayor or Business Administrator is hereby authorized to execute an Agreement to Purchase Real Property and accept a Deed or to take any other action as may be necessary to acquire the property in accordance with the Eminent Domain Act of 1971, N.J.S.A. 20:3-1 et seq.

I, Donna Mauer, Donna Mauer, certify that there are sufficient funds available for this expenditure in accordance with the Local Budget Law, N.J.S.A. 40A:4-1, et seq.

<u>ACCOUNT NUMBER</u>	<u>PO #</u>	<u>AMOUNT</u>
04-215-55-855-990	<u>95262</u>	\$1,400,000

JM/he
1/26/09

APPROVED: _____

APPROVED AS TO LEGAL FORM

APPROVED: B O'Keefe

Business Administrator

Corporation Counsel

Certification Required

Not Required

APPROVED 8-0

RECORD OF COUNCIL VOTE ON FINAL PASSAGE 2/11/09											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
SPINELLO	✓			FULOP	✓			FLOOD	✓		
LIPSKI		ABSENT		RICHARDSON	✓			VEGA, PRES.	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

Adopted at a meeting of the Municipal Council of the City of Jersey City N.J.

Mariano Vega, Jr.
Mariano Vega, Jr., President of Council

Robert Byrne
Robert Byrne, City Clerk

Resolution of the City of Jersey City, N.J.

City Clerk File No. Res. 09-079

Agenda No. 10.G

Approved: FEB 11 2009

TITLE:



RESOLUTION AMENDING RESOLUTION 09-013 WHICH AUTHORIZED THE DISPOSAL OF SURPLUS PERSONAL PROPERTY VIA PUBLIC AUCTION TO INCLUDE ADDITIONAL PERSONAL PROPERTY

COUNCIL OFFERED AND MOVED ADOPTION OF THE FOLLOWING RESOLUTION:

WHEREAS, Resolution 09-013 approved on January 14, 2009 authorized the City of Jersey City (City) to sell surplus personal property consisting of various types of motor vehicles at public auction; and

WHEREAS, Resolution 09-013 identified by color, year and make, type, and vin number a total of 45 vehicles; and

WHEREAS, the City desires to amend Resolution 09-013 to include an additional 12 vehicles to be included on the list of surplus properties to be sold at public auction.

NOW, THEREFORE, Be It Resolved by the Municipal Council of the City of Jersey City that list of surplus property contained in Resolution 09-013 is amended to include the following additional twelve vehicles:

TITLE:

RESOLUTION AMENDING RESOLUTION 09-013 WHICH AUTHORIZED THE DISPOSAL OF SURPLUS PERSONAL PROPERTY VIA PUBLIC AUCTION TO INCLUDE ADDITIONAL PERSONAL PROPERTY

No.	ID	Color	Year Make Model	Type	Vin
1	2789	White	99 Ford CV	4Dr	2FAFP71W2XX151537
2	2925	B/W	03 Ford CV	4Dr	2FAFP71W63X220465
3	2972	B/W	06 Ford CV	4Dr	2FAHP71W76X106701
4	2838	White	00 Ford CV	4Dr	2FAFP71W5YX179009
5	2819	White	00 Ford CV	4Dr	2FAFP71W14X110205
6	2886	Grn	94 Acura Legend	4Dr	JH44KA7661RC0112299
7	1488	Silv	98 Ply Breeze	4Dr	1P3EJ46CXWN153038
8	1490	Red	96 Ford Taurus	4Dr	1FALP52U2TA292311
9	1998	Red	91 Chev Caprice	4Dr	1G1BL5373MR146478
10	1416	Red	94 Merc Tracer	4Dr	3MARM10J9RR641980
11	9393	Tan	93 Chev Cargo	Van	2GCEG25Z5P4111211
12	4292	Red	95 Chev Blazer	4x4	1GKDT13W9SK535418

APPROVED: *Alanna Naves, CFO*

APPROVED AS TO LEGAL FORM

APPROVED: *B. O'Reilly*
Business Administrator

[Signature]
Corporation Counsel

Certification Required

Not Required

APPROVED **8-0**

RECORD OF COUNCIL VOTE ON FINAL PASSAGE 2/11/09											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
SPINEÉLO	✓			FULOP	✓			FLOOD	✓		
LIPSKI	ABSENT			RICHARDSON	✓			VEGA, PRES.	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

Adopted at a meeting of the Municipal Council of the City of Jersey City N.J.

Mariano Vega, Jr.
Mariano Vega, Jr., President of Council

Robert Byrne
Robert Byrne, City Clerk

Resolution of the City of Jersey City, N.J.

City Clerk File No. Res. 09-080
 Agenda No. 10.H
 Approved: FEB 11 2009
 TITLE:



CANCELLATION OF PARTIAL 2007 ESTATE TAXES ON BLOCK 1760 LOT 27, ALSO KNOWN AS 250 BOYD AVENUE

COUNCIL OFFERED, AND MOVED ADOPTION
 OF THE FOLLOWING RESOLUTION:

WHEREAS, the Jersey City Tax Assessor has informed the Tax Collector's office that Block 1760 Lot 27 was erroneously assessed; and

WHEREAS, the Tax Collector's files indicate the taxes were paid for the tax year 2007 and the Tax Collector would like to cancel the erroneous charge in the amount of \$3,906.50; and

WHEREAS, the Tax Collector wishes to refund the homeowner the amount of \$3,906.50; and

NOW THEREFORE, BE IT RESOLVED, by the Municipal Council of the City of Jersey City, that the real estate tax balance on Block 1760 Lot 27 also known as 250 Boyd Avenue, Jersey City, New Jersey, is hereby canceled in the amount of \$ 3,906.50.

APPROVED: [Signature]
 APPROVED: [Signature]
 Business Administrator

APPROVED AS TO LEGAL FORM
[Signature]
 Corporation Counsel

Certification Required

Not Required

APPROVED 8-0
 2/11/09

RECORD OF COUNCIL VOTE ON FINAL PASSAGE											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
SPINELLO	✓			FULOP	✓			FLOOD	✓		
LIPSKI	ABSENT			RICHARDSON	✓			VEGA, PRES.	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

Adopted at a meeting of the Municipal Council of the City of Jersey City, N.J.

[Signature]
 Mariano Vega, Jr., President of Council

[Signature]
 Robert Byrne, City Clerk

Resolution of the City of Jersey City, N.J.

City Clerk File No. Res. 09-081

Agenda No. 10.I

Approved: FEB 11 2009

TITLE:

**RESOLUTION AUTHORIZING THE SALE OF CITY PROPERTY
NOT NEEDED FOR PUBLIC USE.**



COUNCIL
following resolution:

offered and moved adoption of the

WHEREAS, the City of Jersey City (hereinafter referred to as the "City") is the Owner of the following properties; and,

WHEREAS, said properties are not needed for public use; and,

WHEREAS, the City is authorizing to sell any such properties by public sale to the highest bidder pursuant to N.J.S.A. 40A:12-13 et seq; and,

WHEREAS, it is in the best interest of the City that a public auction be held for such properties;

NOW THEREFORE BE IT RESOLVED, by the Municipal Council of the City of Jersey City that:

1. The properties listed below are hereby offered for public sale to the highest bidder at no less than the minimum price set forth herein, subject to the conditions hereinafter as set forth in the terms and conditions of a contract of sale to be executed by the parties, at the **Council Caucus Room, City Hall, 280 Grove Street, Jersey City, New Jersey on Thursday, March 19, 2009 at 10:00 A.M. in the forenoon.**
2. The sale shall be conducted by the Department of Administration, Real Estate Office of the City of Jersey City or by persons designated by the Business Administrator.
3. The sale shall be made subject to:
 - (a) such state of facts which an accurate survey may disclose;
 - (b) easements and restrictions of records, if any;
 - (c) tenancies, leaseholds, and rights of persons in possession;
 - (d) all federal, state, county and municipal laws, statutes, codes, ordinances, rules and regulations affecting the property, its use and occupation;
 - (e) riparian rights or claims;
 - (f) Certificate of Occupancy issued by the Division of Building.
4. The properties herein described, or any part thereof, are sold "as is" and without any representation or warranty, either expressed or implied, as to their present condition.
 - (a) Prospective purchasers are put on notice that the City's records as to any code violations may not be accurate or up to date and the City expressly makes no representations as to such violations.
 - (b) Purchasers will be given an opportunity to inspect the property prior to the auction to ascertain the condition of the property.
 - (c) It shall not be grounds to nullify the contract of sale if the purchaser discovers or is notified of any code violations after the sale.

**TITLE: RESOLUTION AUTHORIZING THE SALE OF CITY-OWNED
PROPERTY NOT NEEDED FOR PUBLIC USE**

5. In the event that the State of New Jersey or any upland owner shall have any rights or claims on the land being sold herein by reason of a riparian interest or otherwise are to be paid for and borne by the purchaser, in addition to the sale price which is bid for said property.
6. All prospective purchasers are put on notice to consult the Water and Sewerage Department for existing facilities.
7. The purchase price for such properties shall be paid by any of the following methods:
 - (a) By payment to the City of Jersey City in cash, money order, bank check or certified check the full purchase price immediately after the conclusion of the bidding for a specific property.
 - (b) By payment to the City of Jersey City immediately after the conclusion of the bidding for a specific property twenty (20%) percent of the minimum bid price by cash, money order, bank check or certified check.
 - (c) The balance of the purchase price is to be paid by certified check, money order or bank check within three (3) months of the date of Confirmation of Sale.
 - (d) If the purchaser fails to pay the balance of the purchase price within three (3) month time limit, the sale to the purchaser is automatically canceled and the deposit shall be forfeited.
8. Purchaser may at its option arrange for a report on title before closing. Within sixty (60) days after the confirmation of sale by the governing body, purchaser shall notify the City in writing of any defects of title which may render title unmarketable. Marketable title is defined herein to mean title which a title company authorized to do business in the State of New Jersey is willing to insure at regular rates. Upon confirmation of such notice, the City shall refund purchaser's entire purchase price without interest and neither party shall have any further obligation or claim under this contract. If the purchaser fails to notify the City in accordance with this paragraph, purchaser shall be deemed to have waived all objections to title.
9. Upon conveyance of deed and notice of termination:
 - (a) Upon delivery of deed, the purchaser shall be entitled to receive all rents and profits from the property and shall be liable for and make payment to the City for all real property taxes, water and sewerage charges, or other assessments against said properties;
 - (b) The purchaser may not use the property as a residence either for him/herself, until he or she has **both**
 - (I) repaired, altered or improved the property so that it complies with the Jersey City Property Maintenance Code and Construction Code and any applicable State and Federal Codes; and,
 - (II) obtained either a temporary or permanent Certificate of Occupancy by the City of Jersey City Construction Official.

**TITLE: RESOLUTION AUTHORIZING THE SALE OF CITY-OWNED
PROPERTY NOT NEEDED FOR PUBLIC USE.**

10. Upon the date of delivery of deed to the purchaser, risk of loss or damages to the property by fire, storm, burglary, vandalism or other casualty shall be assumed by the purchaser, who shall be completely responsible therefore without any claim against the City. The purchaser shall not be released, by reason of any such loss or damage to the property from any obligation hereunder and shall at his/her own expense properly repair and restore same, without limiting the obligations of the purchaser hereunder, the proceeds of any insurance coverage provided by the purchaser, shall be made available to the purchaser for such repair or restoration. Further, from the date of contract of the sale the purchaser shall release the City from and shall covenant and agree that the City shall not be liable for and to indemnify and hold the City harmless against any loss or damage to property or injury to or death defect in the property to be conveyed or, arising from any neglect of the City or any construction or rehabilitation performed on the property prior to the date of delivery of deed.
11. If purchaser fails to pay the purchase price when due or within a time as extended or fails to comply with any term of this contract, the Division of Real Estate may at its option rescind the contract or sue purchaser for any damages accruing or both. The City's failure to exercise any right or power arising out of purchaser's breach of this contract, shall not be deemed a waiver.
12. The highest bid shall be made subject to acceptance or rejection by the governing body, but the acceptance or rejection therefore shall be made not later than the second regular meeting of the governing body following the sale, and if the governing body shall fail or refuse to accept or reject the highest bid as afore said, the said bid shall be deemed to have been rejected. The City also reserves the right to reject all bids where the highest bid is not accepted upon notice to the highest bidder and hearing thereto.
13. **PLEASE TAKE NOTICE** that no employee, agent, officer body or subordinate body has any authority to waive, modify or amend any of the conditions of sale without the express approval of the governing body of the City.
14. No commissions shall be paid to any agent, representative or broker or the successful purchaser of any of the properties listed for sale by the City.
15. The prices set forth as minimum herein are merely upset prices and do not constitute market value or future assessments.

**TITLE: RESOLUTION AUTHORIZING THE SALE OF CITY-OWNED
PROPERTY NOT NEEDED FOR PUBLIC USE.**

16. The purchaser shall not assign or transfer the Contract of Sale, or any interest therein without the prior approval of the Municipal Council of the City of Jersey City, and such approval to assign to transfer shall be deemed to be an approval of a subsequent assignment or transfer. Any assignment or transfer without the approval shall be void and shall constitute a default and breach. No assignment of the Contract of Sale or any interest therein shall be made to any person prohibited from purchasing property from the City pursuant to paragraph 19 of this Resolution and Chapter 9 of the Jersey City Code. In the event of approval of an assignment of a Contract of Sale, the assignee of said contract shall comply with all the conditions of sale required under the terms and conditions of the sale.
17. The City or its duly authorized agents and inspectors shall have the right at all reasonable times to enter upon the property and to examine and inspect the property to determine compliance with the Resolution and the Contract of Sale, or to enforce any remedies in the event of default.
18. The City shall execute a Contract of Sale with any successful bidder upon terms and conditions consistent herewith and upon any additional terms and conditions which are necessary to effectuate the purposes herein and to secure the best interests of the City of Jersey City and its citizens, provided that any additional terms and conditions shall not be inconsistent with the terms and conditions of this resolution.
19. Additional Conditions of Sale.
 - (a) No sale shall be made to any person nor shall said person be permitted to bid who, prior to such sale, has purchased the property being sold or any other property from the City and has breached any of the conditions and terms of the purchase of property from the City.
 - (b) No person who was the previous owner of the property to be sold be permitted to bid for said property if the property was acquired by the City by reason of the non-payment of taxes or other municipal charges by such prior owner.
 - (c) No person shall be permitted to bid for any property to be sold by the City if that person is delinquent in the payment of taxes or other municipal charges on any other property which such person shall own in the City.
 - (d) No sale shall be made to any person who owns other property in the City regarding which properties there exists violations of the Property Maintenance Code and/or Uniform Construction Code, which violations have not been corrected at the time of the sale.

TITLE:

**RESOLUTION AUTHORIZING THE SALE OF CITY-OWNED
PROPERTY NOT NEEDED FOR PUBLIC USE.**

- (e) **PLEASE TAKE NOTICE** all bidders, whether they be the actual prospective purchasers or agents of or representatives of the actual prospective purchasers, shall submit an affidavit, under oath, setting forth the following:
 - (i) That the actual purchaser is not a person who has previously breached a contract for the purchase of property from the City.
 - (ii) That the actual prospective purchaser is not the former owner from whom the City acquired the property to be sold or any other property by reason of the non-payment of taxes or other municipal charges.
 - (iii) That the actual prospective purchaser is not the owner of any other property in the City who is delinquent in the payment of taxes or other municipal charges on said other property.
 - (iv) That the actual prospective purchaser is not the owner of any other properties in the City regarding which there exists Violations of the Property Maintenance Code and/of Uniform Construction Code, which violations have not been corrected at the time of the sale.
 - (v) Such affidavit shall contain the address and block and lot numbers of all the properties the prospective purchaser owns in the City.
- (f) Such affidavit shall be submitted to the officer conducting the sale prior to the commencement of the public auction of the particular parcel in which the prospective bidder is interested. Failure to submit said affidavit shall disqualify a bidder from participating in the public auction.
- (g) No sale to the highest bidder shall be confirmed by the Municipal Council, in the event an investigation and/or inspection reveals that the purchaser is a person who falls within the categories listed in paragraph 19 sub-section (a) through (f).
- (h) In the event a sale is confirmed by the Municipal Council and after the sale has been confirmed by the Municipal Council, it is discovered that the purchaser is a person who falls within the categories set forth in paragraph 19 sub-section (a) through (f) of this resolution, then the purchaser is placed on notice that the said confirmation of sale shall be rescinded by the Municipal Council.

TITLE:

**RESOLUTION AUTHORIZING THE SALE OF CITY-OWNED
PROPERTY NOT NEEDED FOR PUBLIC USE.**

20. The City of Jersey City conveys this property to buyer so long as buyer rehabilitates the property in compliance with the Uniform Construction Code and the Property Maintenance Code. The buyer shall demonstrate compliance with the Uniform Construction Code and the Property Maintenance Code by obtaining a Certificate of Occupancy from the Construction Official. The Construction Official may issue a temporary Certificate of Occupancy for portions of the building provided such portions are in substantial compliance with code standards. Securing a temporary Certificate of Occupancy shall not however, constitute compliance with the condition of sale. Upon receiving a deed, listed below is the period of time in which a purchaser shall have to repair, alter and improve the property.

**Special Purpose Building
540 Days (18 Months)**

The City Council will not under any circumstances grant an extension of the rehabilitation period listed above.

21. **PLEASE TAKE NOTICE** the buyer shall not sell, convey or otherwise transfer the above described property until the buyer has rehabilitated the property in compliance with the other conditions of sale contained in the resolution. If the buyer (1) fails to make the required repairs within the time allotted in Paragraph 20, (2) sells or attempts to sell the property before making the required repairs, or (3) refuses access to City Officials seeking to inspect the property, title to the property shall automatically revert to and become vested in the City of Jersey City. The City Council shall upon the buyer's completion of all the terms and conditions of sale adopt a resolution stating such fact and shall remove from the deed the restriction against alienation.
22. The City of Jersey City's right of reversion is hereby subordinated to the mortgage of the buyer's lender specifically as follows: A transfer of title to such mortgagee pursuant to the mortgage will not be considered a condition activating the City of Jersey City's right of reversion. The express intent being that prior to reversion of title to the City of Jersey City, the mortgagee shall have the right to assume the obligations and duties of buyer set forth in this deed including the buyer's duty to make the required repairs within the number of days as set forth in the Council resolution authorizing the sale of property at public auction. The assumption of the duties and obligations of the buyer by the mortgagee shall not extend the time period for completion of repairs. The mortgagee's right to assume the duties and obligations of the buyer shall arise upon a default under the mortgage and/or upon a default under the terms and conditions of the City Council resolution authorizing the sale of this property at public auction.
23. All offers to bid shall be in increments of no less than five thousand dollars (\$5,000.00).

SEE RIDER ATTACHED

TITLE: RESOLUTION AUTHORIZING THE SALE OF CITY-OWNED PROPERTY NOT NEEDED FOR PUBLIC USE

THE FOLLOWING PROPERTIES ARE OFFERED FOR SALE WITH THE CONDITION THAT THE PURCHASER SHALL REPAIR, ALTER AND IMPROVE IN ACCORDANCE WITH THE BRIGHT STREET REDEVELOPMENT PLAN AND THE TERMS AND CONDITIONS OF SALE. THE PLAN CAN BE PICKED UP AT CITY HALL 280 GROVE STREET IN THE REAL ESTATE OFFICE ROOM B-10.

BLOCK	LOT	LOCATION	DESCRIPTION	SIZE	MINIMUM BID
235	169	14 BRIGHT STREET	2S-B-COMMERCIAL	25 x 100	
235	168	16 BRIGHT STREET	VACANT LAND	25 x 100	\$ 450,000.00

DESCRIPTION

S - STORY, B - BRICK, BT - BASEMENT, H - HEAT

PHYSICAL DESCRIPTIONS OF EACH PROPERTY AS SET FORTH IN THIS LAND SALE ARE FOR INFORMATIONAL PURPOSES ONLY AND THE CITY OF JERSEY CITY WILL NOT BE RESPONSIBLE FOR THEIR ACCURACY.

City Clerk File No. Res. 09-081

Agenda No. 10.I FEB 11 2009

TITLE: RESOLUTION AUTHORIZING THE SALE OF CITY-OWNED PROPERTY NOT NEEDED FOR PUBLIC USE

APPROVED: Ann Marie Miller APPROVED AS TO LEGAL FORM
Ann Marie Miller, Real Estate Manager

APPROVED: B. O'Reilly Corporation Counsel
Business Administrator

Certification Required

Not Required

APPROVED **8-0**

RECORD OF COUNCIL VOTE ON FINAL PASSAGE 2/11/09											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
SPINELLO	✓			FULOP	✓			FLOOD	✓		
LIPSKI		ABSENT		RICHARDSON	✓			VEGA, PRES.	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

Adopted at a meeting of the Municipal Council of the City of Jersey City N.J.

Mariano Vega, Jr.
Mariano Vega, Jr., President of Council

Robert Byrne
Robert Byrne, City Clerk

Resolution of the City of Jersey City, N.J.

City Clerk File No. Res. 09-082
 Agenda No. 10.J
 Approved: FEB 11 2009
 TITLE: _____



RESOLUTION OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY AUTHORIZING THE PLANNING BOARD TO CONDUCT A PRELIMINARY INVESTIGATION OF CONDITIONS OF THE VILLAGE NORTH STUDY AREA FOR DETERMINATION AS AN AREA IN NEED OF REDEVELOPMENT OR REHABILITATION

WHEREAS, pursuant to NJSA 40A:12A-6.a., the Municipal Council, by Resolution, may authorize the Planning Board to undertake a preliminary investigation to determine whether an area is, or is not, an "area in need of redevelopment", as defined by NJSA 40A:12A-3, or "an area in need of rehabilitation", as defined by NJSA 40A:12A-14.; and

WHEREAS, pursuant to NJSA 40A:12A-6.a., such determination shall be made after public notice and public hearing of the Planning Board as provided by NJSA 40A:12A-6.b.; and

WHEREAS, pursuant to NJSA 40A:12A-7.f, the Municipal Council may direct the Planning Board to prepare a redevelopment plan for the adoption by the City Council; and

WHEREAS, the study area contains vacant land, dilapidated and obsolete structures, and appears to exhibit the characteristics qualifying as an area in need of redevelopment or rehabilitation; and

WHEREAS, the study area is along Newark Avenue consistent with the attached map labeled "Village North Study Area Boundary Map" dated December 18, 2008 ; and

NOW, THEREFORE BE IT RESOLVED by the Municipal Council of the City of Jersey City, that the Planning Board be and hereby is authorized to conduct a preliminary investigation into conditions of the above referenced property to determine if said study area qualifies as an "area in need of redevelopment" or an "area in need of rehabilitation," and if the requisite conditions are determined to exist, to review and recommend to the Municipal Council a Redevelopment Plan, which shall include the said property within the Plan and possibly incorporate adjacent property from adjacent redevelopment plan areas.

APPROVED: Carl Goplich
 APPROVED: B. O'Reilly
 Business Administrator

Robert D. Cotter
 Robert D. Cotter, Director
 Division of City Planning
 APPROVED AS TO LEGAL FORM

 Corporation Counsel

Certification Required
 Not Required

APPROVED 8-0

RECORD OF COUNCIL VOTE ON FINAL PASSAGE 2/11/09											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
SPINELLO	✓			FULOP	✓			FLOOD	✓		
LIPSKI	ABSENT			RICHARDSON	✓			VEGA, PRES.	✓		

✓ Indicates Vote N.V.-Not Voting (Abstain)

Adopted at a meeting of the Municipal Council of the City of Jersey City N.J.

Mariano Vega, Jr.
 Mariano Vega, Jr., President of Council

Robert Byrne
 Robert Byrne, City Clerk

Resolution of the City of Jersey City, N.J.

City Clerk File No. Res. 09-083

Agenda No. 10.K

Approved: FEB 11 2009

TITLE:



RESOLUTION OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY AUTHORIZING SUBMISSION OF A NEIGHBORHOOD STABILIZATION PROGRAM (NSP) APPLICATION TO THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS (NJDCA)

COUNCIL
resolution:

offered and moved adoption of the following

WHEREAS, on July 30, 2008 the U.S. Congress appropriated \$3.92 billion under Title III of Division B of the Housing and Economic Recovery Act 2008 (HERA-Pub. L110-289); and

WHEREAS, Housing and Economic Recovery Act (HERA) funds were awarded to all states and particularly those areas most affected by high foreclosures; and

WHEREAS, the State of New Jersey is scheduled to receive \$51,470,620 in Neighborhood Stabilization Program (NSP) funds from the U.S. Department of Housing and Urban Development (HUD) for the purpose of stabilizing neighborhoods that have been impacted by foreclosures, property abandonment and subprime loans; and

WHEREAS, the City of Jersey City Division of Community Development desires to apply for and obtain a grant from the New Jersey Department of Community Affairs for approximately \$3,137,500 to carry out a project which will consist of acquiring and rehabilitating housing units in order to sell such units to households between 50 to 120 percent of Area Median Income (AMI) in targeted neighborhoods, demolishing abandoned and blighted properties and redeveloping vacant or demolished property to create ten (10) units of affordable rental housing for households at 50% or below AMI; and

WHEREAS, Neighborhood Stabilization Program (NSP) funds may be used to acquire and redevelop abandoned and foreclosed homes; demolish blighted structures and redevelop demolished or vacant properties; establish land banks of foreclosed homes and create financing mechanisms to purchase and redevelop abandoned and foreclosed properties; and

WHEREAS, the New Jersey Department of Community Affairs (NJDCA) requires applicants to provide a 25% match to leverage State Neighborhood Stabilization Program (NSP) funds which results in a \$784,375 match requirement imposed on the City of Jersey City; and

WHEREAS, the City will leverage State NSP funds with matching funds from the Affordable Housing Trust Fund (\$205,000) and HOME Investment Partnerships Program funds (\$580,000) committed to C-Line Community Outreach for 120-122 Monticello Avenue.

NOW, THEREFORE, BE IT RESOLVED that the Municipal Council hereby authorizes the submission of a Neighborhood Stabilization Program (NSP) Application to the New Jersey Department Community Affairs (NJDCA).

TITLE:

RESOLUTION OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY AUTHORIZING SUBMISSION OF A NEIGHBORHOOD STABILIZATION PROGRAM (NSP) APPLICATION TO THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS (NJDC)

BE IT FURTHER RESOLVED that the City of Jersey City recognizes and accepts that the Department may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs (NJDC), does further authorize the execution of any such grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of the agreement between the City of Jersey City and the New Jersey Department of Community Affairs (NJDC).

BE IT FURTHER RESOLVED that the Mayor and/or Business Administrator are authorized to enter into and execute all necessary Agreements and Certifications with the NJDC pertaining to the City's Neighborhood Stabilization Program (NSP) application.

APPROVED: _____

B. O'Keefe
Business Administrator

OB

APPROVED AS TO LEGAL FORM

APPROVED: _____

Corporation Counsel

Certification Required

Not Required

APPROVED **8-0**

RECORD OF COUNCIL VOTE ON FINAL PASSAGE 2/11/09											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
SPINELLO	✓			FULOP	✓			FLOOD	✓		
LIPSKI	ABSENT			RICHARDSON	✓			VEGA, PRES.	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

Adopted at a meeting of the Municipal Council of the City of Jersey City N.J.

Mariano Vega, Jr.
Mariano Vega, Jr., President of Council

Robert Byrne
Robert Byrne, City Clerk

Resolution of the City of Jersey City, N.J.

City Clerk File No. _____ Res. 09-084

Agenda No. _____ 10.1

Approved: _____ FEB 11 2009

TITLE:



JERSEY CITY MUNICIPAL COUNCIL RESOLUTION AUTHORIZING 790-792 OCEAN LLC TO APPLY FOR AND ACCEPT CHOICE SUBSIDY FOR THE EMERALD CONDOMINIUMS

COUNCIL
resolution:

offered and moved adoption of the following

WHEREAS, the City of Jersey City desires to approve the development of 8 units of housing as outlined in Exhibit A for the development known as The Emerald Condominiums to be funded under New Jersey Housing and Mortgage Finance Agency's ("the Agency") Choices in Home Ownership Incentives Created for Everyone ("CHOICE") program; and

WHEREAS, the City of Jersey City desires to recognize that an affordable housing grant from the Agency for an amount not to exceed the maximum amount allowed in accordance with the CHOICE Subsidy is for the purpose of subsidizing the construction of home ownership, respectively; and

WHEREAS, the CHOICE Subsidy will, when applicable, benefit home buyers of the affordable units that will be restricted by the Agency using Uniform Housing Affordability Controls (UHAC) type restrictions with funds to be repaid solely to the Agency at the first unrestricted sale; and

WHEREAS, the CHOICE Subsidy will, when applicable, benefit home buyers of the market units that will be restricted by the Agency using the CHOICE program and Subsidy restrictions, with funds to be repaid solely to the Agency at the first sale; and

WHEREAS, the City of Jersey City recognizes 790-792 Ocean, LLC as the developer/sponsor for the development; and

NOW, THEREFORE BE IT RESOLVED, that the City of Jersey City does hereby support the developer/sponsor's application for such grants from the Agency and acknowledges that the processing and expenditure of funds shall be in accordance with the terms of the CHOICE program and the Subsidy.

Resolution of the City of Jersey City, N.J.

City Clerk File No. Res. 09-084

Agenda No. 10.1

Approved: FEB 11 2009



TITLE: **JERSEY CITY MUNICIPAL COUNCIL RESOLUTION AUTHORIZING OCEAN LLC TO APPLY FOR AND ACCEPT CHOICE SUBSIDY FOR THE EMERALD CONDOMINIUMS**

BE IT FURTHER RESOLVED that the persons whose names, titles and signatures appear below are authorized by the City of Jersey City to implement this Resolution and that they or their successors in said titles are authorized to sign any documents necessary in connection therewith:

EXHIBIT A

Unit Type	Homeowner	Total
Low Income* (priced up to 45% ROA affordable to 50%)	\$89,020	1
Moderate Income* (priced up to 55% ROA affordable to 60%)	\$109,800	1
Moderate Income* (priced up to 72% ROA affordable to 80%)	\$145,100	6
Emerging Market Unit		
Total	\$1,069,420	8

*These units will be designated as affordable units and will carry UHAC type income and resale restrictions.

APPROVED: Carl Caporale
 APPROVED: B. O'Reilly
 Business Administrator

APPROVED AS TO LEGAL FORM
 Corporation Counsel

Certification Required
 Not Required **APPROVED 8-0**

RECORD OF COUNCIL VOTE ON FINAL PASSAGE											
2/11/09											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
SPINELLO	✓			FULOP	✓			FLOOD	✓		
LIPSKI	ABSENT			RICHARDSON	✓			VEGA, PRES.	✓		

✓ Indicates Vote N.V.-Not Voting (Abstain)

Adopted at a meeting of the Municipal Council of the City of Jersey City, N.J.

Mariano Vega, Jr.
 Mariano Vega, Jr., President of Council

Robert Byrne
 Robert Byrne, City Clerk

Resolution of the City of Jersey City, N.J.

City Clerk File No. Res. 09-085
 Agenda No. 10.M
 Approved: FEB 11 2009
 TITLE: _____



RESOLUTION AUTHORIZING REALLOCATION OF FUNDS FROM THE AFFORDABLE HOUSING TRUST FUNDS (AHTF) ACCOUNT TO THE HOME INVESTMENT PARTNERSHIPS PROGRAM (HOME) FOR 16 BERGEN AVENUE

COUNCIL _____ offered and moved adoption of the following resolution:

WHEREAS, on September 13, 1995 the City entered into an Agreement with 16 Bergen Associates for the purpose of awarding Home Funds to rehabilitate 16 Bergen Avenue; and

WHEREAS, the project was originally intended to create 11 HOME assisted affordable housing units for low and very low income households; however, the owner actually created 12 units of affordable housing; and

WHEREAS, the creation of 12 units of affordable housing is beneficial to the City, but it triggered other federal requirements that were not met at that time because HOME Investment Partnerships Program funding was the sole source of financing for 16 Bergen Avenue; and

WHEREAS, to insure compliance with all federal requirements the City must substitute federal Home Investment Partnerships Program funds used to rehabilitate one (1) unit with other non-federal affordable housing funds; and

WHEREAS the total federal HOME per unit investment was \$66,750 based on a total Home Investment Partnerships Program award of \$801,000; and

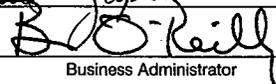
WHEREAS, it is in the best interest of the City to reallocate \$66,750 from the Affordable Housing Trust Fund to cover the cost of one (1) affordable housing unit at 16 Bergen Avenue; and

WHEREAS, as required by HUD these funds will be returned to the City's federal HOME account.

NOW THEREFORE BE IT RESOLVED, that the Municipal Council authorizes the reallocation of \$66,750 from the Affordable Housing Trust Fund account to the HOME Investment Partnerships Program account for 16 Bergen Avenue.

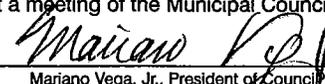
I Donna Mauer certify that sufficient funds in the amount of \$66,750.00 are available in account 01-272-55-000-015.


 Donna Mauer
 Chief Financial Officer

APPROVED:  APPROVED AS TO LEGAL FORM 
 APPROVED:  Corporation Counsel

Certification Required
 Not Required APPROVED 8-0

RECORD OF COUNCIL VOTE ON FINAL PASSAGE											
2/11/09											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
SPINELLO	✓			FULOP	✓			FLOOD	✓		
LIPSKI	ABSENT			RICHARDSON	✓			VEGA, PRES.	✓		

✓ Indicates Vote N.V.-Not Voting (Abstain)
 Adopted at a meeting of the Municipal Council of the City of Jersey City, N.J.
 
 Mariano Vega, Jr., President of Council Robert Byrne, City Clerk

Resolution of the City of Jersey City, N.J.

City Clerk File No. Res. 09-086
 Agenda No. 10.N
 Approved: FEB 11 2009
 TITLE:



RESOLUTION TO RE-ENCUMBER HOME INVESTMENT PARTNERSHIPS PROGRAM FUNDS TO THE JERSEY CITY EPISCOPAL COMMUNITY DEVELOPMENT COPORATION (JCECDC) FOR 109-111 OLD BERGEN ROAD

COUNCIL offered and moved adoption of the following resolution:

WHEREAS, on May 12, 1999 the City of Jersey City adopted Resolution No. 99-00328 authorizing program contracts under various HUD Entitlement Grants; and

WHEREAS, the Municipal Council granted authorization to execute program contracts with numerous vendors including the Jersey City Episcopal CDC (JCECDC) for the rehabilitation of 109-111 Old Bergen Road; and

WHEREAS, the City had awarded an allocation of \$221,307 in HOME Investment Partnerships Program funds for the rehabilitation of 109-111 Old Bergen Road; and

WHEREAS, during the rehabilitation of 109-111 Old Bergen Road a fire occurred which destroyed the building and it had to be demolished; and

WHEREAS, the rehabilitation of 109-111 Old Bergen Road was approximately 50% completed at the time of the fire and the JCECDC had drawn down the full HOME allocation of \$221,307; and

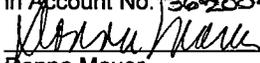
WHEREAS, as a result of a modification in the program scope, from rehabilitation to new construction, the Department of Housing and Urban Development (HUD) required that the City return the HOME award of \$221,307 to the City's HOME account; and

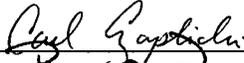
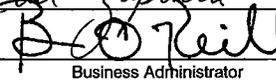
WHEREAS, while funds were returned to the City's HOME account, it is necessary to re-encumber these funds to the JCECDC to cover costs associated with the new construction of 109-111 Old Bergen Road; and

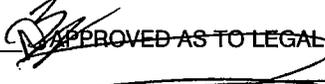
WHEREAS, 109-111 Old Bergen Road is currently under construction with an anticipated completion date of May 2009.

NOW, THEREFORE BE IT RESOLVED, by the Municipal Council that the City may re-encumber \$221,307 in HOME Investment Partnerships Program funds to the JCECDC for the new construction of 109-111 Old Bergen Road.

I, Donna Mauer, hereby certify that sufficient funds in the amount of \$221,307 are available in Account No. 36200-56-878-588. PO 95256


 Donna Mauer
 Chief Financial Officer

APPROVED: 
 APPROVED: 
 Business Administrator


 APPROVED AS TO LEGAL FORM
 Corporation Counsel

Certification Required

Not Required

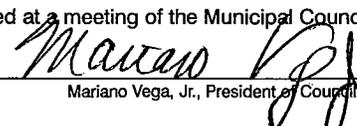
APPROVED **8-0**

RECORD OF COUNCIL VOTE ON FINAL PASSAGE											
2/11/09											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
SPINELLO	✓			FULOP	✓			FLOOD	✓		
LIPSKI	ABSENT			RICHARDSON	✓			VEGA, PRES.	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

Adopted at a meeting of the Municipal Council of the City of Jersey City, N.J.


 Mariano Vega, Jr., President of Council


 Robert Byrne, City Clerk

Resolution of the City of Jersey City, N.J.

City Clerk File No. Res. 09-087
 Agenda No. 10.0
 Approved: FEB 11 2009
 TITLE: _____



RESOLUTION AUTHORIZING THE BUSINESS ADMINISTRATOR TO EXECUTE A DISCHARGE OF MORTGAGE AFFECTING 164 GRAND STREET A/K/A BLOCK 167, LOT 3

COUNCIL offered and moved adoption of the following resolution:

WHEREAS, Resolution 98-805 approved on October 28, 1998 authorized the Vacant Building Initiative Program (VBI Program); and

WHEREAS, the VBI Program authorized the City of Jersey City (City) to provide loans of up to \$50,000 per building to first time homeowners to purchase and rehabilitate vacant 1-4 family buildings; and

WHEREAS, Dominick Pandolfo qualified for the VBI Program and signed a contract to receive VBI Program funds in the amount of \$50,000 to purchase and rehabilitate a vacant 4 unit building at 164 Grand Street; and

WHEREAS the mortgage self-amortizes over period of ten years provided the first time homeowner resides in the building for a period of ten years; and

WHEREAS, the mortgage executed on January 11, 1999 contained an erroneous provision which was not a requirement of the VBI Program stating that the property had to remain affordable to low and moderate income households for a period of ten years; and

WHEREAS, ten (10) years have passed since the loan was made and all of the conditions of the loan have been fully satisfied; and

WHEREAS, the City is obligated to execute a Discharge of Mortgage to remove the mortgage from the public record that affects 164 Grand Street also known as Block 167, Lot 3.

NOW, THEREFORE, BE IT RESOLVED, that the Business Administrator is authorized to execute a Discharge of the Mortgage of Dominick Pandolfo dated January 11, 1999 in the sum of \$50,000.00 affecting 164 Grand Street, Jersey City, also known as Lot 167 in Block 3.

RR
2-10-09
 APPROVED: _____ APPROVED AS TO LEGAL FORM

APPROVED: B. O. Kelly Business Administrator
Ronald Reddy Corporation Counsel

Certification Required
 Not Required **APPROVED 8-0**

RECORD OF COUNCIL VOTE ON FINAL PASSAGE											
2/11/09											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
SPINELLO	✓			FULOP	✓			FLOOD	✓		
LIPSKI	ABSENT			RICHARDSON	✓			VEGA, PRES.	✓		

✓ Indicates Vote N.V.-Not Voting (Abstain)

Adopted at a meeting of the Municipal Council of the City of Jersey City, N.J.

Mariano Vega, Jr. Mariano Vega, Jr., President of Council
Robert Byrne Robert Byrne, City Clerk

Resolution of the City of Jersey City, N.J.

City Clerk File No. Res. 09-088

Agenda No. 10.P

Approved: FEB 11 2009

TITLE:



RESOLUTION AUTHORIZING THE BUSINESS ADMINISTRATOR TO EXECUTE A DISCHARGE OF MORTGAGE AFFECTING 104 GREENVILLE AVENUE A/K/A BLOCK 1267, LOT 104

COUNCIL offered and moved adoption of the following resolution:

WHEREAS, on November 18, 2003, Suzette Broughton (Borrower) executed a second mortgage in favor of the City of Jersey City (City) to secure the City's loan to her in the amount of \$5,175.00 made under the HORP Program; and

WHEREAS, the loan was made for the purpose of making home improvements for a low and moderate income family and it self-amortizes over five (5) years provided the homeowner resides in the property and does not sell the property; and

WHEREAS, the mortgage affects the property known as 104 Greenville Avenue, Jersey City, also known as Lot 104 in Block 1267; and

WHEREAS, five (5) years have passed since the loan was made and the City is obligated to execute a Discharge of Mortgage to remove the mortgage from the public record.

NOW, THEREFORE, BE IT RESOLVED, that the Business Administrator is authorized to execute a Discharge of the Mortgage of Suzette Broughton dated November 18, 2003 in the sum of \$5,175.00 affecting 104 Greenville Avenue, Jersey City, also known as Lot 104 in Block 1267.

IW/mw
1-23-09

APPROVED: _____

APPROVED AS TO LEGAL FORM

APPROVED: B. O'Keefe
Business Administrator

Corporation Counsel

Certification Required

Not Required

2008340

APPROVED 8-0

RECORD OF COUNCIL VOTE ON FINAL PASSAGE 2/11/09											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
SPINELLO	✓			FULOP	✓			FLOOD	✓		
LIPSKI	ABSENT			RICHARDSON	✓			VEGA, PRES.	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

Adopted at a meeting of the Municipal Council of the City of Jersey City N.J.

Mariano Vega, Jr.
Mariano Vega, Jr., President of Council

Robert Byrne
Robert Byrne, City Clerk

Resolution of the City of Jersey City, N.J.

City Clerk File No. Res. 09-089

Agenda No. 10.0

Approved: FEB 11 2009

TITLE:



RESOLUTION AUTHORIZING THE SUBORDINATION OF THE CITY'S MORTGAGE TO A NEW FIRST MORTGAGE AFFECTING PROPERTY KNOWN AS 193-195 CLINTON AVENUE

**COUNCIL
resolution:**

offered and moved adoption of the following

WHEREAS, E.S.E. Funding Corp. (E.S.E.) the owner of Block 1802, Lot 3 and 4, a/k/a 193-195 Clinton Avenue (Property), executed an Affordable Housing Agreement with the City of Jersey City (City) on July 17, 2000; and

WHEREAS, E.S.E. received a \$500,000 grant from the City on March 18, 2002 to develop 25 units of affordable housing which are required to remain as affordable housing units for a 20 year period; and

WHEREAS, E.S.E. made a \$500,000 mortgage with the City on March 18, 2002 which was amended by a mortgage dated July 17, 2003; and

WHEREAS, the City's mortgage was recorded as a second lien against the Property; and

WHEREAS, E.S.E sold the property to NJ Norse Holdings, Inc. (NJ Norse) provided that the new buyer agreed to maintain the housing units as affordable for the remainder of the 20 year affordability period and assumed the City's mortgage; and

WHEREAS, Resolution 06-489 approved on June 28, 2006 authorized the assumption of the City's mortgage by NJ Norse and the subordination of the City's mortgage to a purchase money mortgage to be given by New York Community Bank (NYCB) in the amount of \$1,220,000.00; and

WHEREAS, NJ Norse assigned its contract to purchase the Property to 193-195 Norse, LLC; and

WHEREAS, Resolution 06-718 approved on September 13, 2006 authorized the assumption of the City's mortgage by 193-195 Norse, LLC; and

WHEREAS, 193-195 Norse, LLC now desires to refinance the first mortgage in order to obtain lower monthly mortgage payments and use the additional loan funds to make capital improvements to the property; and

WHEREAS, the new lender, Greystone Capital, its successors and/or assigns requires that the City's mortgage be made subordinate to its loan; and

WHEREAS, the amount of the new first mortgage is \$1,540,000, and the City's lien will remain in second lien position; and

2008341

TITLE:

WHEREAS, the Division has reviewed the appraisal report and determined that the value of the Property supports the amount of the new loan and the City's loan and has further reviewed the title commitment and determined that there are no other judgments or loans affecting the Property.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the City of Jersey City that the Mayor or Business Administrator is authorized to execute a mortgage subordination agreement, in a form to be approved by Corporation Counsel, subordinating the City's lien affecting 193-195 Clinton Avenue, Jersey City also known as Block 1802 Lots 3 and 4 to the interests of the new first mortgage of Greystone Capital.

IW/mw
2-2-09

APPROVED: _____

APPROVED AS TO LEGAL FORM _____

APPROVED: B. O'Keilly
Business Administrator

Corporation Counsel

Certification Required

Not Required

2008341

APPROVED **8-0**

RECORD OF COUNCIL VOTE ON FINAL PASSAGE											
				2/11/09							
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
SPINELLO	✓			FULOP	✓			FLOOD	✓		
LIPSKI	ABSENT			RICHARDSON	✓			VEGA, PRES.	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

Adopted at a meeting of the Municipal Council of the City of Jersey City N.J.

Mariano Vega, Jr.
Mariano Vega, Jr., President of Council

Robert Byrne
Robert Byrne, City Clerk

Resolution of the City of Jersey City, N.J.

City Clerk File No. Res. 09-090
Agenda No. 10.R
Approved: FEB 11 2009
TITLE:



**RESOLUTION AUTHORIZING AN AMENDMENT TO RESOLUTION
05-664 ADOPTED ON AUGUST 10, 2005 WHICH AUTHORIZED THE
EXECUTION OF A MORTGAGE SUBORDINATION AGREEMENT
AFFECTING PROPERTY KNOWN AS 301 CLAREMONT AVENUE
A/K/A BLOCK 1780, LOT 37**

COUNCIL
following resolution:

Offered and moved adaption of the

WHEREAS, Regina Thomas, the owner of 301 Claremont Avenue, participated in the City of Jersey City's ("City") HARP Program; and

WHEREAS, the owner received from the City a \$5,666.00 loan on May 26, 2004 for the purpose of making repairs to her home at 301 Claremont Avenue; and

WHEREAS, the City's loan was recorded as a second mortgage against the property; and

WHEREAS, the City's loan self-amortizes over five (5) years provided the owner does not sell the property; and

WHEREAS, in 2005, the owner sought to refinance the first mortgage made to Ameriquest in order to obtain lower monthly mortgage payments and additional loan funds; and

WHEREAS, in 2005, the lender, AAMES Home Loan ("AAMES"), requested permission from the City that the City's mortgage be made subordinate to its loan; and

WHEREAS, Resolution 05-664 adopted on August 10, 2005 authorized the subordination of the City's mortgage to the amount of the new first mortgage with AAMES of \$212,500.00; and

WHEREAS, AAMES failed to record the Subordination Agreement executed on August 22, 2005 with the Office of the Hudson County Register's Office; and

WHEREAS, AAMES assigned its mortgage to HSBC Bank USA, N.A. by written assignment dated November 3, 2006 and recorded on March 27, 2008 in the Hudson County Register's Office in Assignment Book 1153 at page 102; and

WHEREAS, the City's mortgage is currently in first lien position and superior to the HSBC Bank mortgage because the Subordination Agreement to AAMES was not recorded; and

WHEREAS, the lender, HSBC Bank, has made an application to the City requesting that the City re-execute the Subordination Agreement that was originally approved to AAMES to reflect the name change of the lender; and

WHEREAS, the City's lien will return to second lien position; and

2008339

TITLE:

WHEREAS, the City by its Division of Community Development has reviewed the appraisal report and determined that the value of the property supports the new loan and the City's second mortgage and has further reviewed the title commitment and determined that there are no other judgments or loans affecting the property; and

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the City of Jersey City that Resolution No. 05-664 is amended and the Mayor or Business Administrator is authorized to execute a mortgage subordination agreement, in a form to be approved by Corporation Counsel, subordinating the City's lien affecting 301 Claremont Avenue, Jersey City to the interests of the new first mortgage of HSBC Bank USA, N.A.

IW/mw
1-15-09

APPROVED: _____

APPROVED AS TO LEGAL FORM _____

APPROVED: B. O'Keefe

Business Administrator

Corporation Counsel

Certification Required

Not Required

2008339

APPROVED 8-0

RECORD OF COUNCIL VOTE ON FINAL PASSAGE											
2/11/09											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
SPINELLO	✓			FULOP	✓			FLOOD	✓		
LIPSKI	ABSENT			RICHARDSON	✓			VEGA, PRES.	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

Adopted at a meeting of the Municipal Council of the City of Jersey City N.J.

Mariano Vega, Jr.
Mariano Vega, Jr., President of Council

Robert Byrne
Robert Byrne, City Clerk

Resolution of the City of Jersey City, N.J.

City Clerk File No. Res. 09-091

Agenda No. 10.5

Approved: FEB 11 2009

TITLE:



RESOLUTION AUTHORIZING MUNICIPAL SERVICES AGREEMENTS WITH SOCIETY HILL AT JERSEY CITY CONDOMINIUM ASSOCIATION, I, II AND III (DROYERS POINT) PURSUANT TO THE MUNICIPAL SERVICES ACT, N.J.S.A. 40:67-23.1 ET SEQ.

WHEREAS, the Municipal Services Act of 1991, N.J.S.A. 40:67-23.2, et seq., as amended by L. 1993, c.6 (the Act) requires municipalities to provide municipal services to "qualified private communities" or reimburse such communities for the cost of services; and

WHEREAS, a qualified private community is defined in the Act as a condominium or cooperative community (but not an apartment building or garden apartment) which does not receive any tax abatements or tax exemptions; and

WHEREAS, the services required to be provided under the Act are snow and ice removal, street lighting, garbage collection and the collection of recyclable materials along streets and roads; and

WHEREAS, Society Hill at Jersey City Condominium Association I ("Society Hill I") collectively, Society Hill I, II and III, Society Hill at Jersey City Condominium Association II ("Society Hill II") and Society Hill at Jersey City Condominium Association III at Droyer's Point ("Society Hill III"), are qualified private communities under the Act; and

WHEREAS, the Business Administrator has negotiated and the Council approved agreements with the Condominium Association of Society Hill I, Society Hill II and Society Hill III which requires the City provide services and reimburse Society Hill I, Society Hill II and Society Hill III for the annual cost of snow removal; and

WHEREAS, the term "annual", as used in the Resolution and in the attached agreements refers to the City's Fiscal Year beginning July 1 of each year and ending June 30 of the following year; and

WHEREAS, starting with the 2010 Fiscal Year, the Business Administrator recommends that agreements be approved authorizing provision of the above-mentioned services to and reimbursement of snow removal on qualified streets for Society Hill I, II and III at the following rates of: \$25,000.00 for 0" - 9" snowfall; \$27,000.00 10" - 19" snowfall; \$29,000.00 20" - 29" snowfall; and, \$32,000.00 - 30" and above snowfall; and

WHEREAS, in the event that a total snowfall for a Fiscal Year exceeds 30" or greater, requiring the Association to incur additional costs for snow removal, the Association is to request funding up to, but not exceeding \$5,000.00, which may be provided by the City, at its sole discretion, provided such amount is verifiable and necessary.

WHEREAS, the agreements for snow removal reimbursement shall be in substantially the form attached hereto.

NOW, THEREFORE BE IT RESOLVED, by the Municipal Council of the City of Jersey City that:

1. The Mayor or Business Administrator be authorized to sign an agreement, in substantially the form attached hereto, with Society Hill I, II and III, authorizing municipal services and snow reimbursements for the 2010 Fiscal Year and ensuing years, i.e. until terminated or modified pursuant to the terms of the agreement in the amount of \$25,000.00 for snowfalls of 0" - 9" snowfall, \$27,000.00 for snowfalls of 10" - 19", \$29,000.00 for snowfalls of 20" - 29"; and \$32,000.00 for snowfalls of 30" and above snowfall; and

TITLE: **RESOLUTION AUTHORIZING MUNICIPAL SERVICES AGREEMENTS WITH SOCIETY HILL AT JERSEY CITY CONDOMINIUM ASSOCIATION, I, II AND III (DROYERS POINT) PURSUANT TO THE MUNICIPAL SERVICES ACT, N.J.S.A. 40:67-23.1 ET SEQ.**

- 2. In the event that each individual snowfall for a Fiscal Year exceeds 30" or greater requiring the Association to incur additional costs for the removal of snow, the Association may request funding up to, but not exceeding \$5,000.00, which may be provided by the City, at its sole discretion, provided such amount is verifiable and necessary.
- 3. Pursuant to the Municipal Services Act, the agreement with each qualified private community shall be effective for the Fiscal Year 2010, commencing July 1, 2009 and renewable annually, as provided for in the agreements, or as earlier amended or terminated, as provided for in the agreements.

JDOD/cw
01/29/09

APPROVED: _____

APPROVED: *BO Reilly*
Business Administrator

APPROVED AS TO LEGAL FORM

[Signature]
Corporation Counsel

Certification Required

Not Required

APPROVED 8-0

RECORD OF COUNCIL VOTE ON FINAL PASSAGE 2/11/09											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
SPINELLO	✓			FULOP	✓			FLOOD	✓		
LIPSKI		ABSENT		RICHARDSON	✓			VEGA, PRES.	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

Adopted at a meeting of the Municipal Council of the City of Jersey City N.J.

Mariano Vega, Jr.
Mariano Vega, Jr., President of Council

Robert Byrne
Robert Byrne, City Clerk

Resolution of the City of Jersey City, N.J.

City Clerk File No. Res. 09-092

Agenda No. 10.T

Approved: FEB 11 2009

TITLE:



RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT TO PUBLIC SERVICE ELECTRIC AND GAS COMPANY (PSE&G) FOR THE PURCHASE AND INSTALLATION OF DECORATIVE STREET LIGHTS FOR THE NEWARK AVENUE STREETScape IMPROVEMENTS PHASE 1 & 2 PROJECT FOR THE DEPARTMENT OF ADMINISTRATION, DIVISION OF ENGINEERING, TRAFFIC AND TRANSPORTATION.

**COUNCIL AS A WHOLE
FOLLOWING RESOLUTION:**

OFFERED AND MOVED ADOPTION THE

WHEREAS, the Municipal Council of the City of Jersey City on January 14, 2009 awarded a contract to Jogi Construction, Inc. Edison, New Jersey for the Newark Avenue Streetscape Improvements Phase 1 & 2 (Grove Street to Coles Street) Project No. 06-023 for the Department of Administration, Division of Engineering, Traffic & Transportation (Resolution No. 09-022); and

WHEREAS, as part of the project, all existing cobra head street lights on aluminum poles will be replaced with PSE&G (HADCO) decorative street lights; and

WHEREAS, PSE&G is the only entity who supplies power in the area; and

WHEREAS, PSE&G is the only entity who can furnish, install and maintain the decorative lights; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-5(l) (f), authorizes the City to contract without public bidding for the rendering of any service by a public utility company which is subject to the jurisdiction of the Board of Public Utilities (BPU), in accordance with tariffs and schedules of charges made, charged or exacted, and filed with the BPU; and

WHEREAS, PSE&G is a public utility company and has submitted a proposal dated November 17, 2008 in the amount of \$ 160,395.44 to purchase the decorative street lights and \$102,216.64 to install the decorative street lights for a total amount of \$262,612.08 in accordance with tariffs or schedules of charges filed with the BPU; and

WHEREAS, the sum of \$ 262,612.08 is available from U.E.Z Grant Account No. 02-213-40-909-314 to purchase and install the decorative street lights and the 20% contingency is available from NJDOT Grant Account 02-213-40-709-314.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the City of Jersey City that:

1. A contract in the amount of \$ 262,612.08 plus a 20% contingency to purchase and install the decorative street lights is awarded to PSE&G Company.
2. The contract is awarded without public bidding pursuant to N.J.S.A. 40A: 11-5(l) (f);

TITLE:

RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT TO PUBLIC SERVICE ELECTRIC AND GAS COMPANY (PSE&G) FOR THE FURNISHING AND INSTALLATION OF DECORATIVE STREET LIGHTS FOR THE NEWARK AVENUE STREETScape IMPROVEMENT PROJECT PHASE 1 & 2 FOR THE DEPARTMENT OF ADMINISTRATION, DIVISION OF ENGINEERING, TRAFFIC AND TRANSPORTATION.

3. The Purchasing Agent and Business Administrator are authorized to take such other action as may be necessary to effectuate the purpose of the Resolution.

4. The award of this contract shall be subject to the condition that the Contractor provides satisfactory evidence of compliance with the Affirmative Action Amendments to the Law Against Discrimination, N.J.S.A. 10:5-31 et. seq.

5. Upon notification of an official or employee of the City, authorized to attest that PSE&G has complied with the conditions of the Purchase Order, then payments to PSE&G will be made in accordance with the provisions of the Local Fiscal Affairs Law N.J.S.A. 40A:5-1 et. seq.

Donna Mauer, Donna Mauer as Chief Financial Officer hereby certify that funds are available for this expenditure in the amounts shown below in accordance with the Local Budget Law N.J.S.A. 40A:4-1 et. seq.

Department of Administration, Division of Engineering, Traffic and Transportation

Account No. 02-213-40-909-314	P.O. # <u>95074</u>	\$ 262,612.08
Account No. 02-213-40-709-314	P.O. # <u>95075</u>	\$ 52,522.42
(20 % Contingency)	Total Encumbrance	\$ 315,134.50

Approved WRG
William R. Goble, P.E., City Engineer

APPROVED: _____

APPROVED AS TO LEGAL FORM

APPROVED: B O'Keill
Business Administrator

[Signature]
Corporation Counsel

Certification Required

Not Required

APPROVED 8-0

RECORD OF COUNCIL VOTE ON FINAL PASSAGE <u>2/11/09</u>											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
SPINELLO	✓			FULOP	✓			FLOOD	✓		
LIPSKI		ABSENT		RICHARDSON	✓			VEGA, PRES.	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

Adopted at a meeting of the Municipal Council of the City of Jersey City N.J.

Mariano Vega, Jr.
Mariano Vega, Jr., President of Council

Robert Byrne
Robert Byrne, City Clerk

Resolution of the City of Jersey City, N.J.

City Clerk File No. Res. 09-093
Agenda No. 10.U
Approved: FEB 11 2009
TITLE:



RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT TO INTERNATIONAL INSTITUTE OF NEW JERSEY FOR PROVIDING INTERPRETERS FOR MUNICIPAL COURT

COUNCIL

offered and moved

adoption of the following resolution:

WHEREAS, the City of Jersey City (City) deems it necessary to provide certified, qualified and experienced interpreters to interpret legal proceedings in the City of Jersey City Municipal Court; and

WHEREAS, N.J.S.A. 40A:11-4.1(k) authorizes the City to use competitive contracting to award contracts for interpreting services with the approval of the Director of the Division of Local Government Services; and

WHEREAS, the Director of the Division of Local Government Services has given her approval to use competitive contracting for this purpose; and

WHEREAS, the City Council approved Resolution 08-609 on August 6, 2009, authorizing the use of competitive contracting for this purpose; and

WHEREAS, the City advertised for bids pursuant to the Competitive Contracting Law, N.J.S.A. 40A:11-4.1 et seq. and received proposals from INTERNATIONAL INSTITUTE OF NEW JERSEY and RAUL MANTILLA INTERPRETING SERVICES; and

WHEREAS, a committee appointed by the Business Administrator, has reviewed the proposals and prepared a report attached hereto, recommending that the contract be awarded to; International Institute of New Jersey; and

WHEREAS, International Institute of New Jersey agrees to provide interpreting services for a one year period for an amount not to exceed \$100,000.00; and

WHEREAS, funds in the amount of \$40,000.00 are available in Account No. 01-201-43-490-312.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the City of Jersey City that:

- 1) Pursuant to N.J.S.A. 40A:11-4.1 et seq., a contract to provide interpreting services to the Jersey City Municipal Court is awarded to International Institute of New Jersey;
- 2) The total contract amount shall not exceed the sum of \$100,000;
- 3) The term of the contract shall be for one year commencing on March 1, 2009 and the City shall have an option to renew the contract for an additional one year;

TITLE: RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT TO INTERNATIONAL INSTITUTE OF NEW JERSEY FOR PROVIDING INTERPRETERS FOR MUNICIPAL COURT

- 4) Subject to such modification as deemed necessary or appropriate by Corporation Counsel, the Mayor or Business Administrator is authorized to execute an agreement prepared by the Purchasing Agent based on the terms and conditions of the City's Request for Proposals document;
- 5) Notice of this action shall be published in a newspaper of general circulation within the municipality within ten days of this award;
- 6) The resolution authorizing the award of this contract and the contract itself shall be available for public inspection;
- 7) This Agreement shall be subject to the condition that International Institute of New Jersey provide satisfactory evidence of compliance with the Affirmative Action Amendments to the Law Against Discrimination, N.J.S.A. 10:5-31 et seq.
- 8) Pursuant to N.J.A.C. 5:30-5.5(a), the continuation of the contract after the expenditure of funds encumbered in the 2009 fiscal year temporary budget shall be subject to the availability and appropriation of sufficient funds in the 2009 fiscal year permanent budget and in the subsequent fiscal year budget; and
- 9) Upon certification by an official or employee of the City authorized to attest that the contractor has complied with the specifications in all respects, and the requirements of the contract met, then payment to the contractor shall be made in accordance with the provisions of the Local Fiscal Affairs Law, N.J.S.A. 40A:5-1 et seq.

2/3/09

I, Donna Mauer (Donna Mauer), Chief Financial Officer, hereby certify that there are sufficient funds in the amount of \$40,000.00 available for the payment of the above resolution in Account No. 01-201-43-490-312.
P.O. No. 95174 Temporary Encumbrancy.

APPROVED: _____

APPROVED AS TO LEGAL FORM _____

APPROVED: B O'Reilly
Business Administrator

Corporation Counsel

Certification Required

Not Required

APPROVED **8-0**

RECORD OF COUNCIL VOTE ON FINAL PASSAGE <u>2/11/09</u>											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
SPINELLO	✓			FULOP	✓			FLOOD	✓		
LIPSKI	ABSENT			RICHARDSON	✓			VEGA, PRES.	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

Adopted at a meeting of the Municipal Council of the City of Jersey City N.J.

Mariano Vega, Jr.
Mariano Vega, Jr., President of Council

Robert Byrne
Robert Byrne, City Clerk

Resolution of the City of Jersey City, N.J.

City Clerk File No. Res. 09-094

Agenda No. 10.V

Approved: FEB 11 2009

TITLE:



RESOLUTION AUTHORIZING THE AWARD OF CONTRACT TO GENERATOR EXCHANGE COMPANY FOR THE SUPPLY AND DELIVERY OF LIGHT AUTOMOTIVE PARTS FOR THE DEPARTMENT OF PUBLIC WORKS/DIVISION OF AUTOMOTIVE MAINTENANCE

COUNCIL

OFFERED AND MOVED ADOPTION OF THE FOLLOWING RESOLUTION:

WHEREAS, the Acting City Purchasing Director acting within his authority and in conformity with N.J.S.A. 40A:11-1 et. seq. has publicly advertised for bids for the **Supply and Delivery of Light Automotive Equipment** to the City of Jersey City for the Department of Public Works, Division of Automotive Maintenance; and

WHEREAS, the City reserves the right to extend the contract for one additional one year term pursuant to specifications and bids thereon; and

WHEREAS, pursuant to public advertisement the City of Jersey City has received **Four (4) Bids**, the lowest bid being that from **Generator Exchange, 667-669 Communipaw Ave., Jersey City, New Jersey 07304** in the total bid amount of **One Hundred Fifty Nine Thousand, Four Hundred Twenty Five Dollars (\$159,425.35) and Thirty Five Cents**; and

WHEREAS, the Acting City Purchasing Director has certified that he considers said bids to be fair and reasonable; and

WHEREAS, the sum of **One Hundred Fifty Nine Thousand, Four Hundred Twenty Five Thousand, (\$159,425.35,) and Thirty Five Cents,** will be budgeted for the 2009 and 2010 temporary and permanent budgets subject to the approval of said budget by the Municipal Council; and

WHEREAS, the sum of **Five Thousand Dollars(\$5,000.00)** is available in the 2009 and 2010 temporary and permanent budgets in account No. 01-201-26-315-210, Department of Public Works, Division of Automotive Maintenance; and

WHEREAS, these funds are available for this expenditure in accordance with requirements of the Local Budget Law, N.J.S.A. 40A:4-1 et. seq.

Account Number:	Purchase Order	Amount
01-201-26-315-210	95104	\$5,000.00

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the City of Jersey City that the said bid of the aforementioned companies be accepted and that a contract be awarded to said company in the above amount, and the Acting City's Purchasing Director is directed to have such a contract drawn up and executed; and be it further

(Continued on page 2)

City Clerk File No. Res. 09-094

Agenda No. 10.V FEB 11 2009

TITLE:

RESOLUTION AUTHORIZING THE AWARD OF CONTRACT TO GENERATOR EXCHANGE COMPANY FOR SUPPLY AND DELIVERING OF LIGHT AUTOMOTIVE PARTS FOR THE DEPARTMENT OF PUBLIC WORKS/ AUTOMOTIVE MAINTENANCE

RESOLVED, that upon certification by an official or employee of the City authorized to receive the material pursuant to the contract, that the same has been received and that the requirements of the contract met, then; payment to the contractor shall be made in accordance with the provisions of the Local Fiscal Affairs Law, N.J.S.A. 40A:5-1 et. seq; and be it further

J.A. 2/11/09
RESOLVED, this contract shall be subject to the condition that the vendor/contractor provide satisfactory evidence of compliance with the Affirmative Action Amendments to the Law Against Discrimination, N.J.S.A. 10:5-31 et. seq.; and be it further

RESOLVED, that the Mayor or Business Administrator is hereby authorized to execute a contract on behalf of the City of Jersey City.

I, *Donna Mauer*, Donna Mauer, Chief Financial Officer, certify that there are sufficient funds available for payment of this above resolution in account No. 01-201-26-315-210

Account # 01-201-26-315-210 Purchase Order No. 95104 \$5,000.00 Temp. Enc.

Peter Folgado
Peter Folgado, Acting Director of Purchasing

APPROVED: *B O'Reilly*
APPROVED: *B O'Reilly*
Business Administrator

APPROVED AS TO LEGAL FORM
[Signature]
Corporation Counsel

Certification Required
Not Required **APPROVED 8-0**

RECORD OF COUNCIL VOTE ON FINAL PASSAGE											
2/11/09											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
SPINELLO	✓			FULOP	✓			FLOOD	✓		
LIPSKI		ABSENT		RICHARDSON	✓			VEGA, PRES.	✓		

✓ Indicates Vote N.V.-Not Voting (Abstain)

Adopted at a meeting of the Municipal Council of the City of Jersey City, N.J.

Mariano Vega, Jr.
Mariano Vega, Jr., President of Council

Robert Byrne
Robert Byrne, City Clerk

Resolution of the City of Jersey City, N.J.

City Clerk File No. _____ Res. 09-095

Agenda No. _____ 10.W

Approved: _____ FEB 11 2009

TITLE:



RESOLUTION AUTHORIZING THE AWARD OF CONTRACT TO NICKERSON CORPORATION FOR FURNISHING AND DELIVERING SIXTY ONE ART METAL HEAVY DUTY CORRIDER ELITE (HDCE) KD LOCKERS OR APPROVED EQUAL FOR FIRE DEPARTMENT /FIRE EMERGENCY SERVICES

COUNCIL

OFFERED AND MOVED ADOPTION OF THE FOLLOWING RESOLUTION:

WHEREAS, the City Purchasing Director acting within his authority and in conformity with N.J.S.A. 40A:11-1 et. seq. has publicly advertised for bids for Furnishing and Delivering **Sixty One Art Metal Heavy Duty Corridor Elite (HDCE) KD Lockers**, pursuant to specifications and bids thereon; and

WHEREAS, pursuant to public advertisement the City of Jersey City has received **One (1) Bid**, that bid being from **Nickerson Corporation, 11 Moffitt Boulevard, Bayshore NY 11706**, in the total bid amount of **Thirty Thousand, Nine Hundred Eighty Eight (\$30,988.00) Dollars** ; and

WHEREAS, the Acting City Purchasing Director has certified that he considers said bid to be fair and reasonable; and

WHEREAS, these funds are available for this expenditure in accordance with requirements of the Local Budget Law, N.J.S.A. 40A:4-1 et. seq.

Fire Department/ Fire Emergency Services
Acct. No. 17-289-56-000-002 P.O. NO. 95180 Amount \$30,988.00

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the City of Jersey City that the said quotation of the aforementioned, **Nickerson Corporation** be accepted and that a contract be awarded to said company in the above amount and the Acting City Purchasing Director is directed to have such a contract drawn up and executed; and be it further

RESOLVED, that upon certification by an official or employee of the City authorized to receive the material pursuant to the contract, that the same has been received and that the requirements of the contract met, then; payment to the contractor shall be made in accordance with the provisions of the Local Fiscal Affairs Law, N.J.S.A. 40A:5-1 et. seq; and be it further

(Continued on page 2)

City Clerk File No. Res. 09-095

Agenda No. 10.W FEB 11 2009

TITLE:

RESOLUTION AUTHORIZING THE AWARD OF CONTRACT TO NICKERSON CORPORATION FOR FURNISHING AND DELIVERING SIXTY ONE ART METAL HEAVY DUTY CORRIDER ELITE (HDCE) KD LOCKERS OR APPROVED EQUAL FOR FIRE DEPARTMENT/FIRE EMERGENCY SERVICES

J.A. 2/10/09 **RESOLVED**, this contract shall be subject to the condition that the vendor/contractor provide satisfactory evidence of compliance with the Affirmative Action Amendments to the Law Against Discrimination, N.J.S.A. 10:5-31 et. seq.; and be it further

RESOLVED, that the Mayor or Business Administrator is hereby authorized to execute a contract on behalf of the City of Jersey City.

I, *Donna Mauer*, Donna Mauer, Chief Financial Officer, certify that there are sufficient funds available for payment of this above resolution in Account No.17-289-56-000-002

Fire Department/ Fire Emergency Services
Acct. No.17-289-56-000-002 P.O. No #95180 Amount \$30,988.00

Reviewed by _____
Peter Folgado, Acting Purchasing Director

APPROVED: *B. Kelly*
APPROVED: *B. Kelly*
Business Administrator

APPROVED AS TO LEGAL FORM _____
Corporation Counsel

Certification Required
Not Required

APPROVED 8-0

RECORD OF COUNCIL VOTE ON FINAL PASSAGE											
				2/11/09							
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
SPINELLO	✓			FULOP	✓			FLOOD	✓		
LIPSKI			ABSENT	RICHARDSON	✓			VEGA, PRES.	✓		

✓ Indicates Vote N.V.-Not Voting (Abstain)

Adopted at a meeting of the Municipal Council of the City of Jersey City, N.J.

Mariano Vega, Jr.
Mariano Vega, Jr., President of Council

Robert Byrne
Robert Byrne, City Clerk

Resolution of the City of Jersey City, N.J.

City Clerk File No. Res. 09-096
 Agenda No. 10.X
 Approved: FEB 11 2009



TITLE: **RESOLUTION AUTHORIZING A REFUND/CREDIT OF \$378,746.76 AND A REDUCTION IN ASSESSMENT TO SETTLE TAX APPEALS FILED BY THE OWNERS OF VARIOUS PROPERTIES.**

COUNCIL OFFERED AND MOVED ADOPTION OF THE FOLLOWING RESOLUTION:

WHEREAS, complaints were filed in the Tax Court of New Jersey challenging real estate tax assessments as indicated below; and

WHEREAS, the Office of the Tax Collector has reviewed these settlements and computed the amount of refund or credit that will result from the implementation of these settlements; and

WHEREAS, both the taxpayer and the City agree that all interest payments on any such refund shall be waived by the taxpayer if such refund shall be made by the City within sixty (60) days of the Tax Court judgment pursuant to N.J.S.A. 54:3-27.2; and

WHEREAS, after consulting with the Office of the Tax Assessor and reviewing appraisal reports prepared by the owners and by certified real estate appraisers engaged by the City, the Corporation Counsel has recommended that the complaints be settled at the assessments specified below; and

WHEREAS, these settlements will reduce the assessment to reflect the actual fair assessable value of the property(ies) consistent with assessing practices generally applicable in the City of Jersey City, as required by law; and

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the City of Jersey City that the following complaints be settled for the assessments listed on the attached schedule.

These settlements will result in a refund and/or credit in the amount of \$378,746.76

MAM/mw
January 30, 2009

APPROVED: _____
 APPROVED: B. O'Keilly
 Business Administrator

APPROVED AS TO LEGAL FORM _____
 Corporation Counsel

Certification Required
 Not Required

2009338

APPROVED 8-0

RECORD OF COUNCIL VOTE ON FINAL PASSAGE											
2/11/09											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
SPINELLO	✓			FULOP	✓			FLOOD	✓		
LIPSKI	ABSENT			RICHARDSON	✓			VEGA, PRES.	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

Adopted at a meeting of the Municipal Council of the City of Jersey City N.J.

Mariano Vega, Jr.
 Mariano Vega, Jr., President of Council

Robert Byrne
 Robert Byrne, City Clerk

Block	Lot	Tax Years	TaxPayer Owner	Property Address	Present Assessment	Settled Assessment	Assessment Reduction	Refund
1874	9	2007	88 Van Reypen Rly	88 Van Reypen Street	\$1,750,000	\$1750000	\$0	\$0.00
1874	9	2008	88 Van Reypen Rlty, LLC	88 Van Reypen Street	\$1,750,000	\$1650000	\$100000	\$5,552.00
1751	0010N.1 OR	2008	Hudson Mall	617-723 Route 440	\$25,100,000	\$19590000	\$5510000	\$305,915.20
20	1.12	2007	JC Penney	10 Mall Drive	\$5,706,000	\$5350000	\$356000	\$19,754.44
20	1.12	2008	JC Penney Properties, Inc.	10 Mall Drive West	\$5,706,000	\$48500000	\$856000	\$47,525.12

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Refund	Total Refunds
0	0
5,552.00	5552
305,915.20	311467.2
19,754.44	331221.64
47,525.12	378746.76

Resolution of the City of Jersey City, N.J.

City Clerk File No. Res. 09-097
 Agenda No. 10.Y
 Approved: FEB 11 2009
 TITLE:



**RESOLUTION AUTHORIZING SETTLEMENT
 OF THE SUIT OF DUNCAN BARCO AGAINST
 GEORGE REYES AND THE CITY OF JERSEY CITY**

**COUNCIL OFFERED AND MOVED
 ADOPTION OF THE FOLLOWING RESOLUTION:**

WHEREAS, Duncan Barco having filed suit against George Reyes and the City of Jersey City in the Superior Court of New Jersey under Hudson County Docket No.: HUD-L-1374-07; and

WHEREAS, the Complaint alleges that plaintiff, while stopped for a traffic light at Sip Avenue, Jersey City, New Jersey was struck in the rear by a motor vehicle being owned and operated by the City of Jersey City; and

WHEREAS, plaintiff incurred medical expenses of \$68,799.60; and

WHEREAS, the Corporation Counsel has recommended a settlement of \$318,000.00; and

WHEREAS, plaintiff has agreed to this settlement and has signed the required releases; and

WHEREAS, the necessary funds for this settlement are available in the City of Jersey City Insurance Fund Accounts.

NOW THEREFORE, BE IT RESOLVED by the Municipal Council of the City of Jersey City that:

1. the Corporation Counsel be authorized to settle this lawsuit for \$318,000.00;
2. The Jersey City Insurance Fund Commission be authorized to issue a check for \$318,000 payable to plaintiff and his attorney.

I certify that funds for this expenditure are available in the City of Jersey City Insurance Fund Commission Accounts.

SRM/kn

Peter Soriero,
 Risk Manager

APPROVED: _____ APPROVED AS TO LEGAL FORM

APPROVED:
 Business Administrator

Corporation Counsel

Certification Required

Not Required **APPROVED 8-0**

RECORD OF COUNCIL VOTE ON FINAL PASSAGE											
2/11/09											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
SPINELLO	✓			FULOP	✓			FLOOD	✓		
LIPSKI	ABSENT			RICHARDSON	✓			VEGA, PRES.	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

Adopted at a meeting of the Municipal Council of the City of Jersey City, N.J.

Mariano Vega, Jr., President of Council

Robert Byrne, City Clerk

Resolution of the City of Jersey City, N.J.

City Clerk File No. Res. 09-098
 Agenda No. 10.7
 Approved: FEB 11 2009
 TITLE: **RESOLUTION AUTHORIZING SETTLEMENT
 OF THE SUIT OF CLAUDINA YULAN AGAINST
 GEORGE REYES AND THE CITY OF JERSEY CITY**



**COUNCIL
 ADOPTION OF THE FOLLOWING RESOLUTION:**

OFFERED AND MOVED

WHEREAS, Claudina Yulan having filed suite against George Reyes and the City of Jersey City in the Superior Court of New Jersey under Hudson County Docket No.: HUD-L-1411-07; and

WHEREAS, the Complaint alleges that plaintiff, while stopped for a traffic light at Sip Avenue, Jersey City, New Jersey, was struck in the rear by a motor vehicle being owned and operated by the City of Jersey City; and

WHEREAS, plaintiff incurred medical expenses of \$21,200; and

WHEREAS, the Corporation Counsel has recommended a settlement of \$113,500.; and

WHEREAS, plaintiff has agreed to this settlement and has signed the required releases; and

WHEREAS, the necessary funds for this settlement are available in the City of Jersey City Insurance Fund Accounts.

NOW THEREFORE, BE IT RESOLVED by the Municipal Council of the City of Jersey City that:

1. the Corporation Counsel be authorized to settle this lawsuit for \$113,500.;
2. The Jersey City Insurance Fund Commission be authorized to issue a check for \$113,500 payable to plaintiff and her attorney.

I certify that the funds for this expenditure are available in the City of Jersey City Insurance Fund Commission Accounts.

SRM/kn

Peter Sorio
 Risk Manager

APPROVED: _____

APPROVED AS TO LEGAL FORM

APPROVED:
 Business Administrator

Corporation Counsel

Certification Required

Not Required

APPROVED 8-0

RECORD OF COUNCIL VOTE ON FINAL PASSAGE											
2/11/09											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
SPINELLO	✓			FULOP	✓			FLOOD	✓		
LIPSKI	ABSENT			RICHARDSON	✓			VEGA, PRES.	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

Adopted at a meeting of the Municipal Council of the City of Jersey City, N.J.

Mariano Vega, Jr., President of Council

Robert Byrne, City Clerk

Resolution of the City of Jersey City, N.J.

City Clerk File No. Res. 09-099
 Agenda No. 10.Z.1
 Approved: FEB 11 2009
 TITLE:



**RESOLUTION AUTHORIZING SETTLEMENT
 OF THE SUIT OF TEDDY SALTOS AGAINST
 GEORGE REYES AND THE CITY OF JERSEY CITY**

COUNCIL

OFFERED AND MOVED

ADOPTION OF THE FOLLOWING RESOLUTION:

WHEREAS, Teddy Saltos having filed suit against George Reyes and the City of Jersey City in the Superior Court of New Jersey under Hudson County Docket No.: HUD-L-1411-07; and

WHEREAS, the Complaint alleges that plaintiff, while stopped for a traffic light at Sip Avenue, Jersey City, New Jersey, was struck in the rear by a motor vehicle being owned and operated by the City of Jersey City; and

WHEREAS, plaintiff incurred medical expenses of \$48,500.00; and

WHEREAS, the Corporation Counsel has recommended a settlement of \$68,000.; and

WHEREAS, plaintiff has agreed to this settlement and has signed the required releases; and

WHEREAS, the necessary funds for this settlement are available in the City of Jersey City Insurance Fund Accounts.

NOW THEREFORE, BE IT RESOLVED by the Municipal Council of the City of Jersey City that:

1. the Corporation Counsel be authorized to settle this lawsuit for \$68,000;
2. The Jersey City Insurance Fund Commission be authorized to issue a check for \$68,000 payable to plaintiff and his attorney.

I certify that the funds for this expenditure are available in the City of Jersey City Insurance Fund Commission Accounts.

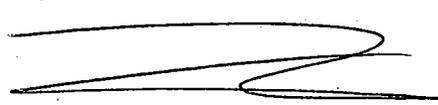
SRM/kn


 Peter Sorero
 Risk Manager

APPROVED: _____

APPROVED AS TO LEGAL FORM

APPROVED: 
 Business Administrator


 Corporation Counsel

Certification Required

Not Required

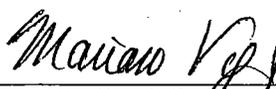
APPROVED 8-0

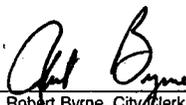
RECORD OF COUNCIL VOTE ON FINAL PASSAGE											
				2/11/09							
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
SPINELLO	✓			FULOP	✓			FLOOD	✓		
LIPSKI	ABSENT			RICHARDSON	✓			VEGA, PRES.	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

Adopted at a meeting of the Municipal Council of the City of Jersey City, N.J.


 Mariano Vega, Jr., President of Council


 Robert Byrne, City Clerk

Resolution of the City of Jersey City, N.J.

City Clerk File No. Res. 09-000
 Agenda No. 10.7.2
 Approved: FEB 11 2009
 TITLE:



RESOLUTION AUTHORIZING SETTLEMENT OF THE SUIT OF TITUS JOHNSON AND THE CITY OF JERSEY CITY

COUNCIL ADOPTION OF THE FOLLOWING RESOLUTION: **OFFERED AND MOVED**

WHEREAS, Titus Johnson having filed suit against the City of Jersey City, et al. in Superior Court of New Jersey under Hudson County Docket No. HUD-L-4914-07; and

WHEREAS, the Complaint alleges that defendants violated the New Jersey Law Against Discrimination, breached an expressed and implied contract, and breached the implied covenant of good faith and fair dealing; and

WHEREAS, the Corporation Counsel has recommended a settlement in the amount of \$150,000; and

WHEREAS, Plaintiff has agreed to this settlement and will sign all required releases and stipulation of dismissal; and

WHEREAS, the necessary funds for this settlement are available in the City of Jersey City Insurance Fund Commission Accounts.

NOW THEREFORE, BE IT RESOLVED by the Municipal Council of the City of Jersey City that:

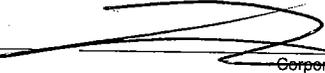
1. The Corporation Counsel be authorized to settle this lawsuit for \$150,000.
2. The Jersey City Insurance Fund Commission be authorized to issue a check in the amount of \$150,000 payable to plaintiff and his attorney.

Thereby certify that funds for this expenditure are available in the City of Jersey City Insurance Fund Commission Accounts.

MW/sdc


 Peter Soriero, Risk manager

APPROVED: 
 Business Administrator

APPROVED AS TO LEGAL FORM

 Corporation Counsel

Certification Required
 Not Required

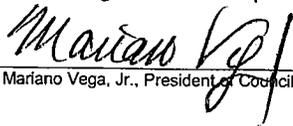
APPROVED 7-1

RECORD OF COUNCIL VOTE ON FINAL PASSAGE											
2/11/09											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
SPINELLO		✓		FULOP	✓			FLOOD	✓		
LIPSKI	ABSENT			RICHARDSON	✓			VEGA, PRES.	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

Adopted at a meeting of the Municipal Council of the City of Jersey City N.J.


 Mariano Vega, Jr., President of Council


 Robert Byrne, City Clerk

Resolution of the City of Jersey City, N.J.

City Clerk File No. Res. 09-101

Agenda No. 10.Z.3

Approved: FEB 11 2009

TITLE:



RESOLUTION AMENDING A PROFESSIONAL SERVICE CONTRACT MELICK-TULLY AND ASSOCIATES, P.C., GEOTECHNICAL ENGINEERS AND ENVIRONMENTAL CONSULTANTS, IN CONNECTION WITH GEOTECHNICAL/ENVIRONMENTAL ANALYSIS FOR THE NEW PUBLIC SAFETY COMMUNICATIONS CENTER, PROJECT NO. 2004-009 FOR THE DEPARTMENT OF ADMINISTRATION, DIVISION OF ARCHITECTURE

**COUNCIL
RESOLUTION:**

OFFERED AND MOVED ADOPTION OF THE FOLLOWING

WHEREAS, the Municipal Council of the City of Jersey City at its April 25, 2007 meeting did authorize the award of a Professional Service Agreement between the City of Jersey City and Melick-Tully and Associates, P.C.; Res. 07-301; and

WHEREAS, this contract was increased via Change Order by the sum of \$8,320.00 for additional testing for moisture infiltration into building due to inadequate weather protection by General Contractor on November 18, 2008; and

WHEREAS, due to various actions by the Contractor at the jobsite, it became necessary for the City to investigate the possibility of water damage to components of the new Public Safety Communications Center being constructed on this site; and

WHEREAS, subsequent investigations by the environmental consultant have determined that water damage resulted in the formation of mold in various locations; and

WHEREAS, the environmental consultant was directed to provide remediation instructions, monitoring, and oversight during the removal of mold at the jobsite, and

WHEREAS, subsequent delays will require the presence of the environmental consultant at the jobsite for an extended period of time past May 2009, and

WHEREAS, the additional amount to be encumbered for this amendment shall not exceed **THIRTY-SIX THOUSAND TWO HUNDRED DOLLARS (\$36,200.00)** bringing the overall base contract amount to **ONE HUNDRED EIGHTEEN THOUSAND SIX HUNDRED TWENTY DOLLARS (\$118,620.00)**; and

WHEREAS, Melick-Tully and Associates, P.C., have submitted its Certification of Compliance with the City's Contractor Pay-to-Play Reform Ordinance 08-128 adopted on September 3, 2008; and

WHEREAS, the funds are available for this expenditure from

<u>Account</u>	<u>P. O. No.</u>	<u>Amount</u>
04-215-55-533-990	86566	\$82,420.00
04-215-55-838-990	95195	\$36,200.00

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the City of Jersey City that:

1. a. The agreement with Melick Tully and Associates, P.C., Consulting Engineers is amended to increase the fee by an additional \$36,200.00; and
- b. All other terms and conditions of the agreement shall remain in effect; and

TITLE:

RESOLUTION AMENDING A PROFESSIONAL SERVICE CONTRACT TO MELICK-TULLY AND ASSOCIATES, P.C., GEOTECHNICAL ENGINEERS AND ENVIRONMENTAL CONSULTANTS, IN CONNECTION WITH GEOTECHNICAL/ENVIRONMENTAL ANALYSIS FOR THE NEW PUBLIC SAFETY COMMUNICATIONS CENTER, PROJECT NO. 2004-009 FOR THE DEPARTMENT OF ADMINISTRATION, DIVISION OF ARCHITECTURE

2. This Agreement shall be subject to the condition that Melick-Tully and Associates, P.C. provides satisfactory evidence of compliance with the Affirmative Action Amendments to the Law Against Discrimination, N.J.S.A. 10:5-31 et seq.
J.A. 2/13/09

3. The Certification of Compliance with the City's Contractor Pay-to-Play Reform Ordinance 08-128 adopted on September 3, 2008, attached hereto and incorporated herein by reference, shall be placed on file with this resolution.

I, *Donna Mauer* (Donna Mauer), as Acting Chief Financial Officer hereby certify that these funds are available for this expenditure in Account Number 04-215-55-838-990 for payment of the above Resolution.

ab
February 2, 2009

APPROVED: _____

APPROVED AS TO LEGAL FORM _____

APPROVED: *B. O'Neill*
Business Administrator

Corporation Counsel

Certification Required

Not Required

APPROVED **8-0**

RECORD OF COUNCIL VOTE ON FINAL PASSAGE 2/11/09											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
SPINELLO	✓			FULOP	✓			FLOOD	✓		
LIPSKI		ABSENT		RICHARDSON	✓			VEGA, PRES.	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

Adopted at a meeting of the Municipal Council of the City of Jersey City N.J.

Mariano Vega, Jr.
Mariano Vega, Jr., President of Council

Robert Byrne
Robert Byrne, City Clerk

Resolution of the City of Jersey City, N.J.

City Clerk File No. Res. 09-102
 Agenda No. 10.Z.4
 Approved: FEB 11 2009
 TITLE: _____



RESOLUTION AUTHORIZING THE EXECUTION OF A SPACE PERMIT WITH THE PORT AUTHORITY OF NEW YORK AND NEW JERSEY ALLOWING THE CITY OF JERSEY CITY TO PLACE A SIGN ON A PEDESTRIAN BRIDGE LOCATED NEAR THE NEW JERSEY EXIT LANES OF THE HOLLAND TUNNEL

WHEREAS, the Port Authority of New York and New Jersey (Port Authority) operates the Holland Tunnel in Jersey City; and

WHEREAS, the Port Authority owns a pedestrian bridge which crosses over the New Jersey exit lanes of the Holland Tunnel; and

WHEREAS, the Port Authority agrees to grant permission to the City of Jersey City (City) to install a sign on the east side of the pedestrian bridge which will state, "Welcome to Jersey City;" and

WHEREAS, the term of the permit to use the space shall commence on February 15, 2009 and continue through February 14, 2019 subject to the Port Authority's and the City's right to cancel the Space Permit without cause by providing thirty (30) days' written notice; and

WHEREAS, the City will be permitted to use the space at no cost; and

WHEREAS, the space permit between the City and the Port Authority is authorized pursuant to N.J.S.A. 40A:11-5(2) and N.J.S.A. 32:1-35.57.

NOW, THEREFORE BE IT RESOLVED, by the Municipal Council of the City of Jersey City that:

1. The Mayor or Business Administrator is authorized to execute the attached Space Permit agreement authorizing the City to install a sign as shown on the attached Exhibit A on the east side of the Port Authority's pedestrian bridge over the exit lanes of the Holland Tunnel; and
2. The term of the Space Permit agreement shall be effective February 15, 2009 and continue until February 14, 2019 subject to the Port Authority's and the City's right to cancel the agreement without cause by providing thirty (30) days' written notice.

RR/cw

APPROVED: _____ APPROVED AS TO LEGAL FORM

APPROVED: B. O'Reilly
 Business Administrator

Ronald Reddy
 Corporation Counsel

2008343

Certification Required

Not Required

APPROVED 8-0

RECORD OF COUNCIL VOTE ON FINAL PASSAGE											
2/11/09											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
SPINELLO	✓			FULOP	✓			FLOOD	✓		
LIPSKI	ABSENT			RICHARDSON	✓			VEGA, PRES.	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

Adopted at a meeting of the Municipal Council of the City of Jersey City, N.J.

Mariano Vega, Jr.
 Mariano Vega, Jr., President of Council

Robert Byrne
 Robert Byrne, City Clerk

Resolution of the City of Jersey City, N.J.

City Clerk File No. Res. 09-103

Agenda No. 10.Z.5

Approved: FEB 1 1 2009

TITLE:



RESOLUTION AUTHORIZING THE AWARD OF CONTRACT TO LION TOTAL CARE, TO PROVIDE CLEANING AND REPAIRING VARIOUS FIREFIGHTERS PROTECTIVE GEAR AND ACCESSORIES FOR THE DEPARTMENT OF FIRE AND EMERGENCY SERVICES

COUNCIL

OFFERED AND MOVED ADOPTION OF THE FOLLOWING RESOLUTION:

WHEREAS, the Acting Purchasing Director acting within his authority and in conformity with N.J.S.A. 40A:11-1 et. seq. has publicly advertised for bids for providing cleaning and repairing various protective fire fighting and protective gear and accessories for the **Department of Fire/Emergency Services** pursuant to specifications and bids thereon; and

WHEREAS, pursuant to public advertisement the City of Jersey City has received **One (1) Bid**, the sole bid being that from **Lion Total Care**, 225 Birch Street, Kenneth Square, PA, 19348 in the total bid amount of **Thirty Six Thousand, Three Hundred One (\$36,301.25) Dollars and Twenty Five Cents**; and

WHEREAS, the Acting Purchasing Director has certified that he considers said bid to be fair and reasonable; and

WHEREAS, these funds are available for this expenditure in accordance with requirements of the Local Budget Law, N.J.S.A. 40A:4-1 et. seq.

Department of Fire/Emergency Services.

Acct. No. 01-201-25-265-312 P.O. NO. 95102 Amount \$36,301.25

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the City of Jersey City that the said quotation of the aforementioned **Lion Total Care**, be accepted and that a contract be awarded to said company in the above amount and the Acting Purchasing Director is directed to have such a contract drawn up and executed; and be it further

RESOLVED, that upon certification by an official or employee of the City authorized to receive the material pursuant to the contract, that the same has been received and that the requirements of the contract met, then; payment to the contractor shall be made in accordance with the provisions of the Local Fiscal Affairs Law, N.J.S.A. 40A:5-1 et. seq; and be it further

(Continued on page 2)

City Clerk File No. Res. 09-103

Agenda No. 10.7.5 FEB 1 1 2009

TITLE:

RESOLUTION AUTHORIZING THE AWARD OF CONTRACT TO LION TOTAL CARE, TO PROVIDE CLEANING AND REPAIRING VARIOUS FIREFIGHTERS PROTECTIVE GEAR AND ACCESSORIES FOR THE DEPARTMENT OF FIRE AND EMERGENCY SERVICES

RESOLVED, this contract shall be subject to the condition that the vendor/contractor provide satisfactory evidence of compliance with the Affirmative Action Amendments to the Law Against Discrimination, N.J.S.A. 10:5-31 et. seq.; and be it further

RESOLVED, that the Mayor or Business Administrator is hereby authorized to execute a contract on behalf of the City of Jersey City.

I, Donna Mauer, Donna Mauer, Acting, Chief Financial Officer, certify that there are sufficient funds available for payment of this above resolution in Account No.01-201-25-265-312

Department of Fire/Emergency Services
Acct. No. 01-201-25-265-312 P.O. NO. 95102

Amount \$36,301.25

APPROVED Peter Folgado
Peter Folgado, Acting Director, Purchasing

APPROVED: B. O'Kelly
APPROVED: B. O'Kelly
Business Administrator

APPROVED AS TO LEGAL FORM [Signature]
Corporation Counsel

Certification Required

Not Required

APPROVED 8-0

RECORD OF COUNCIL VOTE ON FINAL PASSAGE											
COUNCILPERSON			AYE	NAY	N.V.	COUNCILPERSON			AYE	NAY	N.V.
SOTTOLANO			✓			GAUGHAN			✓		
SPINELLO			✓			FULOP			✓		
LIPSKI			ABSENT			RICHARDSON			✓		
						COUNCILPERSON			AYE	NAY	N.V.
						BRENNAN			✓		
						FLOOD			✓		
						VEGA, PRES.			✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

Adopted at a meeting of the Municipal Council of the City of Jersey City, N.J.

Mariano Vega, Jr.
Mariano Vega, Jr., President of Council

Robert Byrne
Robert Byrne, City Clerk

Resolution of the City of Jersey City, N.J.

City Clerk File No. Res. 09-104
 Agenda No. 10.Z.6
 Approved: FEB 11 2009
 TITLE:



RESOLUTION HONORING MARY T. FALLON ON THE OCCASION OF HER 100th BIRTHDAY

COUNCIL AS A WHOLE, offered and moved adoption of the following resolution:

WHEREAS, Mary T. Fallon was born on February 16, 1909, in Kiltimagh, County Mayo, Ireland. She was the eldest of nine children born to Anne Egan and Patrick Fords; and

WHEREAS, Mary T. Fallon left her home and emigrated to the United States, arriving in Hoboken, New Jersey in 1926 to work and support her family in Ireland; and

WHEREAS, Mary T. Fallon met and married Vincent Fallon, a Hoboken fireman. The family relocated to Jersey City where she raised her four children; and

WHEREAS, Mary T. Fallon worked as Head Housekeeper at the prestigious St. Regis Hotel in New York City. Mary also worked as a Teacher's Aide at A. Harry Moore School, a school for students with disabilities in Jersey City until her retirement at the youthful age of 70; and

WHEREAS, Mary T. Fallon has enriched and contributed to the lives of so many people over the years including, of course, her husband, her children, three grandchildren and four great-grandchildren. Mary has done so with love, grace, courage, determination and that typical Irish sense of humor and fun. She is admired and loved by all who know her; and

WHEREAS, Mary T. Fallon will celebrate her 100th birthday on February 16, 2009. She will be honored by friends and family at a celebration to be held at the Fountain Manor on Sunday, February 15, 2009.

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the City of Jersey City does hereby honor **Mary T. Fallon** on the celebration of her 100th birthday. We wish her continued health and happiness.

APPROVED: [Signature]
 APPROVED: [Signature]
 Business Administrator

APPROVED AS TO LEGAL FORM
[Signature]
 Corporation Counsel

Certification Required

Not Required

APPROVED 8-0

RECORD OF COUNCIL VOTE ON FINAL PASSAGE 2/11/09											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
SPINELLO	✓			FULOP	✓			FLOOD	✓		
LIPSKI		ABSENT		RICHARDSON	✓			VEGA, PRES.	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

Adopted at a meeting of the Municipal Council of the City of Jersey City N.J.

[Signature]
 Mariano Vega, Jr., President of Council
 G:\WPDOCS\JANET\RESOLUTION\HONORING\MARY T. FALLON\wpd

[Signature]
 Robert Byrne, City Clerk

Resolution of the City of Jersey City, N.J.

City Clerk File No. Res. 09-105

Agenda No. 10.Z.7

Approved: FEB 11 2009

TITLE:



RESOLUTION AUTHORIZING THE CITY OF JERSEY CITY TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH GLUCK WALRATH, LLP, ATTORNEYS AT LAW, TO REPRESENT THE CITY OF JERSEY CITY IN MATTERS ARISING IN CONNECTION WITH A SECTION 108 LOAN FOR THE DEVELOPMENT OF A HOTEL ON A 2.7 ACRE SITE LOCATED ON MARIN BOULEVARD

COUNCIL OFFERED AND MOVED ADOPTION OF THE FOLLOWING RESOLUTION:

WHEREAS, the City of Jersey City (City) needs outside counsel to advise it in connection with legal issues arising in connection with a Section 108 loan which the City is to undertake to assist in the development of a Hilton Hotel on a 2.7 acre site located on Marin Boulevard near the Liberty Harbor North Light Rail Station and prepare the necessary loan documents for the borrowing by the City and the loan to the developer, Tramz Hotels, Inc.; and

WHEREAS, Gluck Walrath, LLP, Attorneys at Law, 21 East Front Street, Red Bank, New Jersey 07701, have agreed to represent the City in connection with the above matter; and

WHEREAS, the services of an attorney qualify as professional services exempt from public bidding under the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, Gluck Walrath, LLP agrees to provide the legal services of Christopher Walrath Esq. at an hourly rate of \$200.00 and the legal services of William Katz, Esq. at an hourly rate of \$150.00, plus costs, for a total sum not to exceed Ten Thousand (\$10,000) Dollars; and

WHEREAS, funds in the amount of \$10,000.00 are available in Account No. 09-01-201-20-155-312.

WHEREAS, Gluck Walrath, LLP has submitted its Certification of Compliance with the City's Contractor Pay-to-Play Reform Ordinance 08-128 adopted on September 3, 2008; and

WHEREAS, Tramz Hotels, Inc. agrees to defray all costs which the City will incur in connection with the services to be rendered by Special Counsel in a total amount not to exceed Ten Thousand (\$10,000.00) Dollars, plus disbursements.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the City of Jersey City that :

1. An agreement is authorized with, Gluck Walrath, LLP, Attorneys at Law for performing legal services in connection with a Section 108 loan for Tramz Hotels, Inc. for construction of a Hilton Hotel on a 2.7 acre site located on Marin Boulevard near the Liberty Harbor North Light Rail Station;
2. For performing these services Christopher Walrath, Esq. will be compensated at an hourly rate of \$200.00 and William Katz, Esq. at an hourly rate of \$150.00 , plus costs, for a total sum not to exceed Ten Thousand (\$10,000.00) Dollars;
3. This agreement is awarded without competitive bidding as a professional services agreement under the Local Public Contracts Law, N.J.S.A. 40A:11 et seq.;
4. A copy of this resolution shall be published in a newspaper of general circulation in the City of Jersey city as required by law within 10 days of the adoption of this resolution; and

TITLE:

RESOLUTION AUTHORIZING THE CITY OF JERSEY CITY TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH GLUCK WALRATH, LLP, ATTORNEYS AT LAW, TO REPRESENT THE CITY OF JERSEY CITY IN MATTERS ARISING IN CONNECTION WITH A SECTION 108 LOAN FOR THE DEVELOPMENT OF A HOTEL ON A 2.7 ACRE SITE LOCATED ON MARIN BOULEVARD

- 5. The Certification of Compliance with the City's Contractor Pay-to-Play Reform Ordinance, attached hereto and incorporated herein by reference, shall be placed on file with this resolution.

I, Donna Mauer, Donna Mauer, Chief Financial Officer, certify that there are sufficient funds available for payment of the above resolution in Account No. 09-01-201-20-155-312. PO 95257

APPROVED: [Signature]
 APPROVED: [Signature]
 Business Administrator

APPROVED AS TO LEGAL FORM
[Signature]
 Corporation Counsel

Certification Required

Not Required

APPROVED 8-0

RECORD OF COUNCIL VOTE ON FINAL PASSAGE 2/11/09											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
SPINELLO	✓			FULOP	✓			FLOOD	✓		
LIPSKI	ABSENT			RICHARDSON	✓			VEGA, PRES.	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

Adopted at a meeting of the Municipal Council of the City of Jersey City N.J.

[Signature]
 Mariano Vega, Jr., President of Council

[Signature]
 Robert Byrne, City Clerk

Resolution of the City of Jersey City, N.J.

City Clerk File No. Res. 09-106
 Agenda No. 10.7.8
 Approved: FEB 11 2009
 TITLE:



RESOLUTION APPOINTING MARY McDONALD AS A MEMBER OF THE JERSEY CITY ALCOHOLIC BEVERAGE CONTROL BOARD

**COUNCIL
 OFFERED AND MOVED ADOPTION OF THE FOLLOWING RESOLUTION:**

WHEREAS, the Honorable Jerramiah T. Healy, Mayor, by letter dated January 27, 2009, has advised the Municipal Council that he has appointed **Mary McDonald (Republican)** of 145 Grace Street, Jersey City, New Jersey, as a **Member of the Jersey City Alcoholic Beverage Control Board**, replacing Patricia E. Murphy, who has resigned, for a term to commence upon adoption of this resolution and expire June 30, 2009.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the City of Jersey City, that the appointment of **Mary McDonald** as a **Member of the Jersey City Alcoholic Beverage Control Board**, for the above-mentioned term is hereby advised and consented to pursuant to law.

RB:sgj

APPROVED: _____ APPROVED AS TO LEGAL FORM

APPROVED: *B. O'Keefe* Business Administrator *[Signature]* Corporation Counsel

Certification Required

Not Required

APPROVED 8-0

RECORD OF COUNCIL VOTE ON FINAL PASSAGE											
2/11/09											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
SPINELLO	✓			FULOP	✓			FLOOD	✓		
LIPSKI	ABSENT			RICHARDSON	✓			VEGA, PRES.	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

Adopted at a meeting of the Municipal Council of the City of Jersey City, N.J.

Mariano Vega, Jr.
 Mariano Vega, Jr., President of Council

Robert Byrne
 Robert Byrne, City Clerk

Resolution of the City of Jersey City, N.J.

City Clerk File No. Res. 09-107

Agenda No. 10.7.9

Approved: FEB 11 2009

TITLE:



Proclaiming the Month of February 2009 as **Black History Month**

Council as a whole, offered and moved adoption of the following resolution:

WHEREAS, **Black History Month** was established in 1976 by the Association for the Study of Afro-American Life and History. The month-long celebration was an expression of Negro History Week, which was established in 1926 by Carter G. Woodson, director of what was then known as the Association for the Study of Negro Life and History; and

WHEREAS, one of the best ways we can shape the future is to preserve what we value of our past. African-Americans have a proud history and rich heritage. African-Americans have shown great courage and determination in overcoming the educational, social and legal systems of slavery and segregation and **Black History Month** gives us the opportunity to learn more about this important part of our nation's story; and

WHEREAS, **Black History Month** not only highlights the impact of African-Americans on society, it also helps people remember the danger of racial and socioeconomic oppression which affect more than just African-Americans; and

WHEREAS, **Black History Month** emphasizes the importance of the continued journey to build a society that fully lives up to its democratic ideals and accentuates the importance of human rights for all people.

NOW THEREFORE, BE IT RESOLVED, that the Municipal Council of the City of Jersey City does hereby commend and thank all African-Americans who have contributed to the extensive and prosperous history of our nation. We join with Jersey City residents in celebrating our population and pledge to continue our efforts to protect democracy for all people.

BE IT FURTHER RESOLVED, that the Municipal Council does hereby proclaim the month of February 2009 as **Black History Month**.

G:\WPDOCS\TOLONDA\RESOS\MONTH\BLACK HISTORY MONTH.wpd

APPROVED: *[Signature]*
Business Administrator

APPROVED AS TO LEGAL FORM
[Signature]
Corporation Counsel

Certification Required

Not Required

APPROVED 8-0

RECORD OF COUNCIL VOTE ON FINAL PASSAGE 2/11/09											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
SPINELLO	✓			FULOP	✓			FLOOD	✓		
LIPSKI	ABSENT			RICHARDSON	✓			VEGA, PRES.	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

Adopted at a meeting of the Municipal Council of the City of Jersey City N.J.

[Signature]
Mariano Vega, Jr., President of Council

[Signature]
Robert Byrne, City Clerk

Resolution of the City of Jersey City, N.J.

City Clerk File No. Res. 09-108

Agenda No. 10.7.10

Approved: FEB 11 2009

TITLE:



RESOLUTION AUTHORIZING THE AWARD OF CONTRACT TO DELL MARKETING FOR FURNISHING AND DELIVERING DATA COMMUNICATIONS EQUIPMENT FOR THE PUBLIC SAFETY COMMUNICATIONS CENTER PROJECT NUMBER 2004-009 FOR THE DEPARTMENT OF ADMINISTRATION/ARCHITECTURE UNDER STATE CONTRACT WITHOUT PUBLIC BIDDING

COUNCIL

OFFERED AND MOVED ADOPTION OF THE FOLLOWING RESOLUTION:

WHEREAS, there exists a need to purchase **Data Communications Equipment** for the Department of Administration/Architecture; and

WHEREAS, pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-12 allowing municipalities to use state contract without public bidding; and

WHEREAS, **Dell Marketing, 1 Dell Way, Bldg. 8 Box 8747, Round Rock, Texas 78682**, being in possession of State Contract A70256-WSCA/NASPO submitted an amount to the City of Jersey City in the total amount of **One Million, Three Hundred Ninety Eight Thousand, Four Hundred Twenty Six Dollars (\$1,398,426.57) and Fifty Seven Cents**; and

WHEREAS, the Acting City Purchasing Director has certified that he considers said amount to be fair and reasonable; and

WHEREAS, this amount is available in the present budget for this expenditure in accordance with requirements of the Local Budget Law, N.J.S.A. 40A:4-1 et. seq.

Administration/Architecture

Acct. No. 04-215-55-838-990

P.O. No. 95255

Amount \$1,398,426.57

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the City of Jersey City that the said quotation of the aforementioned **Dell Marketing Corporation**, be accepted and that a contract be awarded to said company in the above amount and the Acting City Purchasing Director is directed to have such a contract drawn up and executed; and be it further

RESOLVED, that upon certification by an official or employee of the City authorized to receive the material pursuant to the contract met, then payment to the contractor shall be made in accordance with the provisions of the Local Fiscal Affairs Law, N.J.S.A. 40A:5-1 et. seq; and be it further

City Clerk File No. Res. 09-108

Agenda No. 10.Z.10 FEB 11 2009

TITLE:

RESOLUTION AUTHORIZING THE AWARD OF CONTRACT TO DELL MARKETING FOR FURNISHING AND DELIVERING DATA COMMUNICATIONS EQUIPMENT FOR THE PUBLIC SAFETY COMMUNICATIONS CENTER PROJECT NUMBER 2004-009 FOR THE DEPARTMENT OF ADMINISTRATION/ARCHITECTURE UNDER STATE CONTRACT WITHOUT PUBLIC BIDDING

J.A. **RESOLVED**, this contract shall be subject to the condition that the vendor/contractor provide satisfactory evidence of compliance with the Affirmative Action Amendments to the Law Against Discrimination, N.J.S.A. 10:5-31 et. seq. and be it further
2/10/09

RESOLVED, that the Mayor or Business Administrator is hereby authorized to execute a contract on behalf of the City of Jersey City.

I, *Donna Mauer* **Donna Mauer, Chief Financial Officer**, certify that there are sufficient funds available for payment of this above resolution in the Account No. 04-215-55-838-990

Administration Department/Architecture

Acct. No. 04-215-55-838-990 P.O. No. 95255 Amount \$1,398,426.57

Peter Folgado **Peter Folgado, Acting Purchasing Director**

APPROVED: *B. O'Keefe*

APPROVED AS TO LEGAL FORM

APPROVED: *B. O'Keefe*
Business Administrator

[Signature]
Corporation Counsel

Certification Required

Not Required

APPROVED 8-0

RECORD OF COUNCIL VOTE ON FINAL PASSAGE											
2/11/09											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
SPINELLO	✓			FULOP	✓			FLOOD	✓		
LIPSKI	ABSENT			RICHARDSON	✓			VEGA, PRES.	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

Adopted at a meeting of the Municipal Council of the City of Jersey City, N.J.

Mariano Vega, Jr.
Mariano Vega, Jr., President of Council

Robert Byrne
Robert Byrne, City Clerk

Resolution of the City of Jersey City, N.J.

City Clerk File No. Res. 09-109

Agenda No. 10.Z.11

Approved: FEB 11 2009

TITLE:



RESOLUTION AUTHORIZING THE EXECUTION OF A COOPERATION AGREEMENT WITH THE JERSEY CITY REDEVELOPMENT AGENCY (JCRA) TO GOVERN THE USE OF ESCROW FUNDS FOR THE REMEDIATION OF CITY OWNED PROPERTY ADJOINING THE JERSEY CITY MEDICAL CENTER

COUNCIL OFFERED AND MOVED ADOPTION OF THE FOLLOWING RESOLUTION:

WHEREAS, the City of Jersey City [City] is the owner of certain property located within Block 60, Lots 19h, 19r, 19q and Block 2145, Lots 19g, 41t, 41q, 41n and 63, on and to the south of Grand Street [Property]; and

WHEREAS, the Property needs to be remediated in order to implement the Grand Jersey Redevelopment Plan; and

WHEREAS, pursuant to a License Agreement dated November 20, 2006, between the City and the JCRA, the Jersey City Redevelopment Agency [JCRA] undertook a preliminary site investigations at the Property that revealed the need for additional testing and significant remediation; and

WHEREAS, pursuant to a certain Escrow Agreement dated February 17, 1995, among the City, the New Jersey Economic Development Authority and the Jersey City Medical Center, \$2,000,000 (two million dollars) was deposited into an escrow account to be maintained by the New Jersey National Bank, for environmental remediation of the Property; and

WHEREAS, in addition the JCRA will require access to the Property to conduct the testing and remediation; and

WHEREAS, pursuant to Section 2.06 of the Escrow Agreement, the City of Jersey City may assign its interest in the escrow proceeds, including the right to draw down from the funds; and

WHEREAS, the City of Jersey City desires to assign its interests under the Escrow Agreement, provided the JCRA obtains the Business Administrator's prior written consent to any proposed draw downs on the escrow funds; and

WHEREAS, the JCRA will perform its services for the City for no consideration or compensation; and

WHEREAS, in order to provide these services and enable the JCRA to draw upon the Escrow funds, it is necessary for the City of Jersey City and the JCRA to enter into a Cooperation Agreement; and

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-39(f) and N.J.S.A. 40A:12A-22(o) authorize such agreements as well as cooperation between a City and its redevelopment agency; and

WHEREAS, up to \$2,000,000 (two million dollars) are available in the escrow account maintained by New Jersey National Bank; and

TITLE: **RESOLUTION AUTHORIZING THE EXECUTION OF A COOPERATION AGREEMENT WITH THE JERSEY CITY REDEVELOPMENT AGENCY (JCRA) TO GOVERN THE USE OF ESCROW FUNDS FOR THE REMEDIATION OF CITY OWNED PROPERTY ADJOINING THE JERSEY CITY MEDICAL CENTER**

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the City of Jersey City that the Mayor or Business Administrator is authorized to execute:

- (a) A Cooperation Agreement with the JCRA (substantially in the form attached) subject to such modification as the Business Administrator or Corporation Counsel deems necessary or appropriate; and
- (b) Such additional documents as may be necessary or appropriate to effectuate the implementation of the Cooperation Agreement and redevelopment plan.

JM/he
2/11/09

APPROVED: _____

APPROVED AS TO LEGAL FORM

APPROVED: B. O'Keefe
Business Administrator

Corporation Counsel

Certification Required

Not Required

APPROVED **8-0**

RECORD OF COUNCIL VOTE ON FINAL PASSAGE											
2/11/09											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
SPINELO	✓			FULOP	✓			FLOOD	✓		
LIPSKI		ABSENT		RICHARDSON	✓			VEGA, PRES.	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

Adopted at a meeting of the Municipal Council of the City of Jersey City N.J.

Mariano Vega, Jr.
Mariano Vega, Jr., President of Council

Robert Byrne
Robert Byrne, City Clerk

Resolution of the City of Jersey City, N.J.

City Clerk File No. Res. 09-110

Agenda No. 10.Z.12

Approved: FEB 11 2009

TITLE:



**RESOLUTION OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY
AUTHORIZING AN AMENDMENT TO AN AFFORDABLE HOUSING TRUST FUND
(AHTF) AGREEMENT WITH WEBB-WASHINGTON COMMUNITY DEVELOPMENT
CORPORATION FOR THE DEVELOPMENT OF THE FRED W. MARTIN
COMPLEX**

WHEREAS, on September 28, 2005 the City of Jersey City adopted Ordinance 05-130 amending and supplementing Chapter 304, Article VI (Long Term Tax Exemptions) of the Jersey City code that established an Affordable Housing Trust Fund (AHTF) from recipients of long term tax exemptions to adopt a spending plan; and

WHEREAS, on November 21, 2006 the Municipal Council amended the Affordable Housing Trust Fund spending plan (Ordinance 05-130) to allow for property acquisition in limited instances and to clarify fund dedications; and

WHEREAS, on August 8, 2007 the Municipal Council adopted Resolution no. 07-631 authorizing an Affordable Housing Trust Fund (AHTF) Agreement with Webb-Washington Community Development Corporation for the acquisition of properties for the Fred W. Martin Complex; and

WHEREAS, Webb-Washington Community Development Corporation is the developer of the Fred W. Martin Complex which is located at 194, 196, 198, 200, 208, 210 and 212 Martin Luther King Drive (Block 1319; Lots 57A, 59, 58A, A.03, A.09, A.08 and A.07; 202 Martin Luther King Drive (Block 1319; Lots A-2) ; 204 and 206 Martin Luther King Drive (Block 1319, Lots A-2); 204 and 206 Martin Luther King Drive (Block 1319; Lots A-1 and 60) Jersey City, Hudson County, New Jersey; and

WHEREAS, Webb-Washington Community Development Corporation was originally awarded \$1,397,000 in Affordable Housing Trust Funds to acquire certain properties identified above; and

WHEREAS, in addition to this Affordable Housing Trust Fund award, Webb Washington CDC anticipated accessing \$243,000 in CDBG funds awarded to JCRA for the acquisition of 202 MLK Drive to offset cost associated with this project; and

WHEREAS, due to federal requirements Webb Washington CDC is unable to access CDBG funds to offset acquisition costs related to this project; and

WHEREAS, this has resulted in a \$243,000 gap in the project budget for this 39 unit affordable housing project; and

WHEREAS, it is in the best interest of the City to award \$243,000 in AHTF to offset costs related to developing this mixed used affordable housing project. Affordable Housing Trust Funds will be limited to costs associated with the affordable units; and

WHEREAS, the revised total costs for the project is \$12,073,270. Proposed financing will consist of the following sources: Low Income Housing Tax credits \$7,770,270) New Jersey Neighborhood Preservation Balanced Housing (\$2,663,000- a portion of these funds may be used to cover the commercial space) and Affordable Housing Trust Funds (\$1,640,000 – \$1,397,000 prior award and \$243,000 – new request to replace CDBG award).

TITLE:

RESOLUTION OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY AUTHORIZING AN AMENDMENT TO AN AFFORDABLE HOUSING TRUST FUND (AHTF) AGREEMENT WITH WEBB-WASHINGTON COMMUNITY DEVELOPMENT CORPORATION FOR THE DEVELOPMENT OF THE FRED W. MARTIN COMPLEX

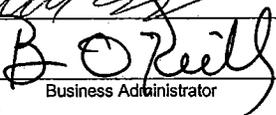
NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the City of Jersey City that:

- 1) The Mayor and / or Business Administrator is hereby authorized to amend the AHTF Agreement with the Webb-Washington Community Development Corporation for the purpose of increasing the award by \$243,000 to cover eligible costs related to The Fred W. Martin Complex.
- 2) Subject to review and approval by Corporation Counsel, the Mayor or Business Administrator is hereby authorized to execute mortgages, notes, affordable housing development agreements, and such other documents deemed necessary to secure loans under the Affordable Housing Trust Fund (AHTF). The terms and conditions of the aforementioned documents may be negotiated by the Division of Community Development (DCD) and shall be in accordance with all laws, rules and regulations applicable to the program.

I, Donna L. Mauer, hereby certify that sufficient funds in the amount of \$243,000 are available in Account No. 01-272-55-000-015. *PO 88191*


 Donna L. Mauer
 Chief Financial Officer

APPROVED:  APPROVED AS TO LEGAL FORM 

APPROVED:  Business Administrator  Corporation Counsel

Certification Required

Not Required

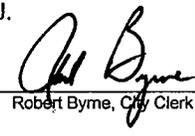
APPROVED 8-0

RECORD OF COUNCIL VOTE ON FINAL PASSAGE 2/11/09											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
SPINELLO	✓			FULOP	✓			FLOOD	✓		
LIPSKI	ABSENT			RICHARDSON	✓			VEGA, PRES.	✓		

✓ Indicates Vote N.V.-Not Voting (Abstain)

Adopted at a meeting of the Municipal Council of the City of Jersey City N.J.


 Mariano Vega, Jr., President of Council


 Robert Byrne, City Clerk