

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

City Clerk File No. Res. 10-699
 Agenda No. 10.A
 Approved: OCT 13 2010
 TITLE:



RESOLUTION APPOINTING DENNIS NUBER AS THE FIRE OFFICIAL OF THE FIRE PREVENTION BUREAU IN THE JERSEY CITY FIRE DEPARTMENT

WHEREAS, the City has adopted the New Jersey Uniform Fire Code; and

WHEREAS, N.J.S.A. 52:27D-192 et seq requires a Fire Official to administer the Uniform Fire Code; and

WHEREAS, due to the retirement of the previous Fire Official (Captain Edward Mike), a vacancy currently exists, and

WHEREAS, N.J.S.A. 5:71-4.3 requires that a permanent Fire Official be appointed, and

WHEREAS, Dennis Nuber, a career Fire Fighter possesses the necessary certifications, educational requirements, and experience, and

WHEREAS, this appointment is subject to approval by the New Jersey Division of Community Affairs, Division of Fire Safety upon receipt of this resolution and other required documents, and

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

1. Dennis Nuber be appointed as the Fire Official of the Fire Prevention Bureau of the Jersey City Fire Department, and
2. This appointment shall become permanent pending approval by the New Jersey Division of Community Affairs, Division of Fire Safety.

APPROVED: *[Signature]* APPROVED AS TO LEGAL FORM: _____
 APPROVED: *[Signature]* *[Signature]*
Business Administrator Assessor Corporation Counsel

Certification Required
 Not Required

APPROVED 8-0
10/13/10

RECORD OF COUNCIL VOTE ON FINAL PASSAGE											
				10/13/10							
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			FLOOD		ABSENT	
DONNELLY	✓			FULOP	✓			VELAZQUEZ	✓		
LOPEZ	✓			RICHARDSON	✓			BRENNAN, 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] *[Signature]*
 Peter M. Brennan, President of Council Robert Byrne, City Clerk

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

City Clerk File No. Res. 10-700

Agenda No. 10.B

Approved: OCT 13 2010



TITLE: **RESOLUTION AUTHORIZING THE INSERTION OF SPECIAL ITEMS OF REVENUES AND APPROPRIATIONS IN THE TY 2010 MUNICIPAL BUDGET, PURSUANT TO N.J.S.A. 40A:4-87.**

COUNCIL offered and moved
adoption of the following resolution:

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the municipal budget when such item has been made available after the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for equal amount,

NOW THEREFORE, BE IT RESOLVED by the Municipal Council of the City of Jersey City, that the City requests the Director of the Division of Local Government Services to approve the insertion of the following items of revenue in the TY 2010 Municipal Budget:

	FROM	TO
Local Safety Program – Central Ave	0	477,000
STD Control	0	75,183
Target Violent Crimes Initiative	0	69,000
Municipal Drug Alliance	0	241,739
Woman, Infants & Children (WIC)	0	1,659,900
Job Training Partnership Act (JTPA)	3,464,642	5,319,774
Community Service Blockfront Grant (CSBG)	0	232,968

BE IT FURTHER RESOLVED that a like sum be approved to be appropriated in same budget:

	FROM	TO
Local Safety Program – Central Ave	0	477,000
STD Control	0	75,183
Target Violent Crimes Initiative	0	69,000
Municipal Drug Alliance	0	302,174
Woman, Infants & Children (WIC)	0	1,659,900
Job Training Partnership Act (JTPA)	3,464,642	5,319,774
Community Service Blockfront Grant (CSBG)	0	232,968

BE IT FURTHER RESOLVED that notification of these budget changes will be made to the Director of the Division of Local Government Services on forms as prescribed by the aforementioned authority.

City Clerk File No. Res. 10-700
Agenda No. 10.B OCT 13 2010

TITLE:

**RESOLUTION AUTHORIZING THE INSERTION OF
SPECIAL ITEMS OF REVENUES AND
APPROPRIATIONS IN THE TY 2010 MUNICIPAL
BUDGET, PURSUANT TO N.J.S.A. 40A:4-87.**

APPROVED: *Donna Mauer CTO*
APPROVED: *[Signature]*
Business Administrator

APPROVED AS TO LEGAL FORM
[Signature]
Assistant Corporation Counsel

Certification Required
Not Required

APPROVED **8-0**

RECORD OF COUNCIL VOTE ON FINAL PASSAGE 10/13/10											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			VELAZQUEZ	✓		
DONNELLY	✓			FULOP	✓			FLOOD			ABSENT
LOPEZ	✓			RICHARDSON	✓			BRENNAN, PRES	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

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

Peter M. Brennan
Peter M. Brennan, President of Council

Robert Byrne
Robert Byrne, City Clerk

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

City Clerk File No. Res. 109701

Agenda No. 10.C

Approved: OCT 13 2010

TITLE: **RESOLUTION AUTHORIZING THE CANCELLATION OF
UNEXPENDED BUDGET APPROPRIATION BALANCES**



COUNCIL **offered and moved adoption**
of the following resolution:

WHEREAS, The Local Budget Law, specifically N.J.S.A. 40A:4-60 allows for the cancellation of any unexpended budgetary appropriation prior to the end of the fiscal year by resolution of the governing body; and

WHEREAS, the appropriated amount for the various grants listed below were entered into the adopted budget with the anticipation that the award letters were going to be received prior to said adoption; and

WHEREAS, these award letters were not received; and

WHEREAS, the Chief Financial Officer has determined that said appropriation must to be canceled.

NOW THEREFORE, BE IT RESOLVED, by the Municipal Council of the City of Jersey City that the Comptroller is hereby authorized and directed to cancel the following unexpended balances from the TY 2010 budget appropriation in accordance with N.J.S.A. 40A:4-60:

Justice Assistance Grant	\$ 444,909
UEZ - Monticello Main Street	\$ 70,000
Senior Nutrition	\$ 1,374,698
Recycling Tonnage	\$ 231,403
UEZ - Central Avenue SID	\$ 92,700
Senior's Farmers Market	\$ 3,000
UEZ - McGinley Square SID	\$ 72,336
UEZ - Historic Downtown SID	\$ 160,000
UEZ - Journal Square SID	\$ 673,000
Comprehensive Traffic Safety	\$ 35,800
Body Armor Replacement	\$ 17,654
UEZ - CCTV Public Security Systems	\$ 3,122,250
Drunk Driving Enforcement	\$ 14,105
Subregional Transportation Planning	\$ 71,977
UEZ - Maintenance	\$ 1,080,000
UEZ - CCTV Maintenance	\$ 762,732
Municipal Drug Alliance	\$ 302,174
Woman, Infants and Children (WIC)	<u>\$ 1,508,900</u>
Total Cancellations	\$ 10,037,638

BE IT FURTHER RESOLVED, that one copy of this resolution be filed with the Director of the Division of Local Government Services.

TITLE:

**RESOLUTION AUTHORIZING THE CANCELLATION OF
UNEXPENDED BUDGET APPROPRIATION BALANCES**

APPROVED: *Bonnie Mauer, CFO*
APPROVED: *John Wall*
Business Administrator

APPROVED AS TO LEGAL FORM
Judith O'Donnell
Asst. Corporation Counsel

Certification Required
Not Required

APPROVED 8-0

RECORD OF COUNCIL VOTE ON FINAL PASSAGE											
10/13/10											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			VELAZQUEZ	✓		
DONNELLY	✓			FULOP	✓			FLOOD		ABSENT	
LOPEZ	✓			RICHARDSON	✓			BRENNAN, PRES	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

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

Peter M. Brennan
Peter M. Brennan, President of Council

Robert Byrne
Robert Byrne, City Clerk

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

City Clerk File No. Res. 10-702

Agenda No. 10.D

Approved: OCT 13 2010

TITLE:



RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF THE CITY OF JERSEY CITY'S QUALIFIED GENERAL IMPROVEMENT BONDS (RECOVERY ZONE ECONOMIC DEVELOPMENT BONDS-DIRECT PAYMENT) TAXABLE SERIES 2010 AUTHORIZED BY BOND ORDINANCES HERETOFORE ADOPTED TO FINANCE VARIOUS GENERAL IMPROVEMENTS IN THE CITY OF JERSEY CITY, COUNTY OF HUDSON, AND PROVIDING FOR THE FORM, MATURITY DATES AND OTHER DETAILS OF SAID BONDS.

WHEREAS, the Municipal Council of the City of Jersey City, in the County of Hudson, New Jersey (the "City") has adopted a bond ordinance described in Section 1 of this Resolution (the "Ordinance"), authorizing bonds and bond anticipation notes to finance a portion of the cost of the construction of various capital improvements in said City (collectively, the "Project"); and

WHEREAS, it is desirable and necessary to issue the City's qualified general improvement bonds pursuant to the Ordinance, in an aggregate principal amount of \$6,484,000, unless adjusted pursuant to Section 12 hereof, in order to finance the Project, and it is deemed advisable and in the best interests of the City to provide for the sale, form, maturity dates and other matters in connection with the bonds; and

WHEREAS, based upon current market conditions, the City has been advised by its Financial Advisor that it is further desirable to offer for sale the maturities of the bonds as Recovery Zone Economic Development Bonds (as defined below) in order to take advantage of any positive market conditions due to the "Build America Bonds" program as authorized by the "American Recovery and Reinvestment Act of 2009," Pub. L. 111-5, enacted February 17, 2009 (the "Recovery Act").

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY, COUNTY OF HUDSON, NEW JERSEY AS FOLLOWS:

SECTION 1. Authority for Resolution. Pursuant to the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the New Jersey Statutes (the "Act"), the Municipal Council has previously adopted the Bond Ordinance described in Appendix A hereto, which Ordinance authorized the issuance of qualified bonds in the amount indicated, and the Municipal Council has determined to issue at this time, pursuant to the Ordinance, Qualified General Improvement Bonds (Recovery Zone Economic Development Bonds-Direct Payment), Taxable Series 2010C" in the aggregate principal amount of \$6,484,000 (the "Bonds"), and are authorized to be sold in accordance with the terms of this Resolution.

SECTION 2. Authorization of Bonds; Recovery Act Election. In accordance with the Act, and for the purpose of raising funds to finance the purpose set forth in the Ordinance, there shall be issued qualified bonds of the City in the aggregate principal amount of \$6,484,000, unless adjusted pursuant to Section 12 hereof, pursuant to the Ordinances. All of said bonds shall be issued in a single series. The Bonds will be sold in accordance with Section 10 below as taxable general obligations which the City will elect to designate as "Recovery Zone Economic Development Bonds" as authorized by the Recovery Act and the City irrevocably elects to have Sections 54AA(d), Section 54AA(g), 1400U-2 and Section 6431 of the Internal Revenue Code of 1986, as amended (as such sections were added by the Recovery Act (the "Code") apply to the Bonds. The City hereby allocates \$6,484,000 of its allocation of Recovery Zone Economic Development Bonds under Section 1400U-1 of the Code to the Bonds.

SECTION 3. Details of Bonds. The Bonds will be issued in the form of one certificate for the aggregate principal amount of bonds maturing in each year and will be payable as to both principal and interest in lawful money of the United States of America. Each certificate will be registered in the name of Cede & Co., as nominee of The Depository Trust Company, New York, New York ("DTC"), which will act as securities depository. The certificates will be on deposit with DTC. DTC will be responsible for maintaining a book-entry system for recording the interests among its participants. The participants will be responsible for maintaining records regarding the beneficial ownership interests in the bonds on behalf of individual purchasers. Individual purchases may be made in the principal amount of \$5,000 or any multiple of \$1,000 in excess thereof through book entries made on the books and records of DTC and its participants. The Bonds will bear interest payable semiannually at a rate or rates per annum, expressed in a multiple of 1/8 or 1/20 of 1%, as proposed by the successful bidder in accordance with the Notice of Sale authorized herein. The Bonds shall be substantially in the form as provided in this Resolution, with such omissions, insertions and variations as are properly required. Said Bonds shall be dated the date of delivery, shall bear interest at the rate or rates specified by the successful bidder therefor in accordance with the Notice of Sale hereinafter provided for, said interest to be payable on May 1 and November 1, commencing on May 1, 2011, and shall mature (unless adjusted by the Chief Financial Officer pursuant to

City Clerk File No. Res. 10-702Agenda No. 10.D OCT 13 2010

TITLE:

Section 12 hereof, or aggregated into term bonds pursuant to Section 15 hereof) on November 1 in the following years and amounts:

<u>YEAR</u>	<u>PRINCIPAL AMOUNT</u>	<u>YEAR</u>	<u>PRINCIPAL AMOUNT</u>
2021	\$ 210,000	2031	\$ 320,000
2022	\$ 220,000	2032	\$ 340,000
2023	\$ 230,000	2033	\$ 350,000
2024	\$ 240,000	2034	\$ 360,000
2025	\$ 250,000	2035	\$ 380,000
2026	\$ 260,000	2036	\$ 400,000
2027	\$ 270,000	2037	\$ 410,000
2028	\$ 280,000	2038	\$ 440,000
2029	\$ 300,000	2039	\$ 450,000
2030	\$ 310,000	2040	\$ 464,000

SECTION 4. Certificated Bonds; Successor Securities Depository. In the event the City determines that it is in the best interests of the beneficial owners of the Bonds (the actual purchasers of the bonds) that they be able to obtain certificated bonds, the City may notify DTC of the availability of bond certificates. In such event, the City will appoint a paying agent and the City will issue, transfer and exchange bond certificates as required by DTC and others in appropriate amounts. DTC may determine to discontinue providing its services with respect to the Bonds at any time by giving a reasonable amount of notice in writing to the City and discharging its responsibilities with respect thereto. In the event of such determination, if the City fails to identify another qualified securities depository as successor to DTC, the City will appoint a paying agent and the City will issue and deliver replacement bonds in the form of fully registered certificates. Whenever DTC requests the City to do so, the City will cooperate with DTC in taking appropriate action (a) to make available one or more separate certificates evidencing the Bonds to any participant of DTC having bonds credited to its DTC account or (b) to arrange for another securities depository to maintain custody of certificates evidencing the bonds.

SECTION 5. Redemption.

(A) The Bonds are subject to redemption, at the option of the City prior to maturity and upon notice as hereinafter provided, at any time on or after November 1, 2020, in whole or in part from such maturities as the City shall determine and by lot within a single maturity, at the respective redemption price of 100% of the principal amount to be redeemed together with unpaid interest accrued to the redemption date.

(B) The Bonds shall be subject to redemption prior to November 1, 2020, in whole or in part on any date, in any order of maturity, at the option of the City, upon the occurrences of an Extraordinary Event, as defined below, at a redemption price (the "Extraordinary Optional Redemption Price") equal to the greater of:

(1) the issue price set forth on the inside cover page of the Official Statement (but not less than 100%) of the principal amount of such Bonds to be redeemed; or

(2) the sum of the present value of the remaining scheduled payments of principal and interest to the maturity date of such Bonds to be redeemed, not including any portion of those payments of interest accrued and unpaid as of the date on which such Bonds are to be redeemed, discounted to the date on which such Bonds are to be redeemed on a semi-annual basis, assuming a 360 day year consisting of twelve 30 day months, at the Treasury Rate, described below, plus 100 basis points; plus, in each case, accrued interest on such Bonds to be redeemed to the date fixed for redemption.

An "Extraordinary Event" will have occurred if the City determines that a material adverse change has occurred to Sections 54AA, 1400U-2 or 6431 of the Internal Revenue Code of 1986, as amended (the "Code") (as such Sections were added by the American Recovery and Reinvestment Act of 2009, or there is any guidance published by the Internal Revenue Service or the United States Department of the Treasury with respect to such Sections or any other determination by the Internal Revenue Service or the United States Department of the Treasury, which determination is not the result of an act or omission by the City to satisfy the requirements to qualify to receive the 45% cash subsidy payment from the United States

TITLE:

Department of the Treasury, pursuant to which the City's 45% cash subsidy payment from the United States Department of the Treasury is reduced or eliminated.

"Treasury Rate" means, with respect to any redemption date for a particular maturity, the yield to maturity as of such redemption date of United States Treasury securities with a constant maturity (as compiled and published in the most recent Federal Reserve Statistical Release H.15 (519) that has become publicly available at least 2 business days, but no more than 45 calendar days, prior to the redemption date (excluding inflation indexed securities) (or, if such Statistical Release is no longer published, any publicly available source of similar market data)) most nearly equal to the period from the redemption date to the maturity date of the Bonds to be redeemed; provided, that if the period from the redemption date to such maturity date is less than one year, the weekly average yield on actually traded United States Treasury securities adjusted to a constant maturity of one year will be used.

(C) In the event the winning bidder elects to aggregate consecutive principal maturities of the Bonds into one or more term bonds pursuant to Section 15 hereof, then each such term bond shall mature on the final maturity date of such consecutive maturities in an aggregate principal amount equal to the sum of the principal amounts of such consecutive maturities. Each such term bond shall be subject to mandatory sinking fund redemption prior to maturity, in part, on the dates and in the amounts that would have been consecutive serial maturities had no term bond designation been made (other than the final such maturity, which shall be the maturity date of such term bond), at a redemption price equal to 100% of the principal amount to be redeemed, plus accrued interest thereon to the date fixed for redemption.

(D) When any Bonds are to be redeemed, the City shall give or shall arrange to be given notice of the redemption of bonds. Such notice shall specify the maturities of the bonds to be redeemed, the redemption date and the place or places where amounts due upon such redemption will be payable and, if less than all of the bonds of any maturity are to be redeemed, the letters and the numbers or other distinguishing marks of such bonds so to be redeemed, and, in the case of a bond to be redeemed in part only, such notice shall also specify the portion of the principal amount thereof to be redeemed. Such notice shall further state that on such date there shall become due and payable upon each bond to be redeemed the principal amount of such bond plus the applicable premium, if any, payable upon the redemption thereof, or the specified portion of the principal thereof in the case of a bond to be redeemed in part only, together with interest accrued to such date, and that from and after such date interest thereon shall cease to accrue and be payable. Such notice shall be given by publication at least once in a publication printed in the English language devoted primarily to financial news or the subject of state and municipal bonds and published in the City of New York or in New Jersey, at least once not less than thirty (30) days or more than sixty (60) days prior to the redemption date. The City shall also mail or cause to be mailed a copy of such notice postage prepaid, not less than twenty-five (25) days before such redemption date, to the registered owner of any bond all or a portion of which is to be redeemed, at his last address, if any, appearing upon the registry books kept by or on behalf of the City, but such mailing shall not be a condition precedent to such redemption and failure so to mail any such notice shall not affect the validity of any proceedings for the redemption of bonds. For so long as the book-entry only form remains in effect and the bonds are registered in the name of DTC, or its nominee, the City will not be responsible for mailing of notices of redemption to anyone other than DTC, and the City shall comply with such additional or supplemental requirements as may be imposed by DTC in connection with any redemption of bonds whether such additional or supplemental requirements are specified in the Letter of Representations by and between the City and DTC or otherwise.

(E) Notice having been given by publication in the manner provided above, the Bonds or the portions thereof called for redemption and specified in such notice shall become due and payable on the redemption date specified in such notice at the principal amount thereof plus the premium, if any, applicable on such date, plus unpaid interest on such bonds or portions thereof accrued to such date. Upon presentation and surrender thereof at the place or the places specified in such notice, such bonds or portions thereof shall be paid at the principal amount thereof plus the applicable premium, if any, plus unpaid interest on such bonds or portion thereof accrued to such date. If there shall be so called for redemption less than all of a bond, the City shall execute and cause to be delivered, upon the surrender of such bond, without charge to the registered owner thereof, for the unredeemed balance of the principal amount of the bond so surrendered, registered bonds of like designation, interest rate and maturity in any of the authorized denominations. If on such redemption date moneys for the redemption of all the bonds or the portion thereof of any like maturity to be redeemed, together with interest thereon accrued and unpaid to such date, shall be held on behalf of the City so as to be available therefor on such date and if notice of redemption thereof shall have been published as aforesaid, then from and after such redemption date, interest on the bonds or the portions thereof of such maturity so called for redemption shall cease to accrue and to become payable. All moneys held on behalf of the City for the redemption of particular bonds shall be held in trust for the account of the owners of the bonds so to be redeemed.

City Clerk File No. Res. 10-702
Agenda No. 10.D OCT 13 2010

TITLE:

SECTION 6. Payment of Bonds. The principal of and the interest on the Bonds will be paid to DTC by or on behalf of the City on their respective due dates. Interest on the Bonds will be credited to the participants of DTC as listed on the records of DTC as of each next preceding April 15 and October 15 (the "Record Dates" for the payment of interest on the bonds).

SECTION 7. Execution of Bonds. Said Bonds shall be executed in the name of the City by the manual or facsimile signatures of the Mayor and the Chief Financial Officer and the seal of the City shall be affixed, imprinted, engraved or reproduced thereon and attested by the manual signature of the City Clerk. If any officer whose signature appears on the bonds ceases to hold office before the delivery of the bonds, his/her signature shall nevertheless be valid and sufficient for all purposes. In addition, any bond may bear the signature of, or may be signed by, such persons as at the actual time of the signing of such bond shall be the proper officers to sign such bond although at the date of such bond such persons may not have been such officers.

SECTION 8. Reissuance of Mutilated, Destroyed, Stolen or Lost Bonds. In case any bond shall become mutilated or destroyed, stolen or lost the City shall execute and deliver a new bond of like tenor and amount as the bond so mutilated, destroyed, stolen or lost, in exchange and substitution for such mutilated bond and upon surrender of such mutilated bond, or in lieu of and substitution for the bond destroyed, stolen or lost upon filing with the City evidence satisfactory to the City that such bond has been destroyed, stolen or lost and proof of ownership thereof, and upon furnishing the City with indemnity satisfactory to it and complying with such other reasonable regulations, as the City may prescribe and paying such expenses as the City may incur in connection therewith.

SECTION 9. Form of Bonds. Subject to the provisions of this Resolution, each bond shall be in substantially the form attached hereto as Appendix B, with such omissions, insertions, endorsements and variations as may be required by the circumstances and be required or permitted by this Resolution or as may be consistent with this Resolution and necessary or appropriate to conform to the rules and requirements of any governmental authority or any usage or requirement of law with respect thereto, including the Recovery Act as applicable to the Bond.

SECTION 10. Sale of Bonds. The Bonds shall be sold pursuant to a Notice of Sale in the form attached to this Resolution on Wednesday, November 3, 2010 until 10:30 a.m., New Jersey time, or at such later date and times as may be established in accordance with Section 13 hereof, by Donna Mauer, the City's Chief Financial Officer through the "PARITY Electronic Bid System" (PARITY) in accordance with the terms and conditions set forth in the Notice of Sale authorized herein. Such proposal shall be received and announced at 280 Grove Street, Jersey City, New Jersey 07302, in accordance with the Notice of Sale. The City Clerk is hereby directed to arrange for the publication of the Notice of Sale in *The Jersey Journal*, a newspaper published and circulating in the City, and for the publication of the Notice of Sale (or a summary thereof as provided by law) in *The Bond Buyer*, and/or such other nationally recognized local government bond marketing publication or electronic information service carrying municipal bond notices and devoted primarily to the subject of state and municipal bonds. The Notice of Sale shall be in substantially the form attached hereto as Appendix C. The Summary Notice of Sale containing other terms and provisions of the Bonds and setting forth the conditions of the sale thereof, all of which are hereby approved, shall be substantially in the form attached hereto as Appendix D. The advertisement of said Notice of Sale and Summary Notice of Sale in each such medium shall be published not less than seven (7) days prior to the sale date for the Bonds.

SECTION 11. Delegation of Power to Award and Sell Bonds. The Chief Financial Officer is delegated on behalf of the City the power to award and sell the Bonds to the successful bidder. The Chief Financial Officer shall report the results of such sale in writing at the next meeting of the Municipal Council.

SECTION 12. Adjustment to Maturity Schedule. The Chief Financial Officer is hereby delegated the authority (if the Chief Financial Officer deems it to be in the best interests of the City) to adjust, prior to 5:00 p.m., New Jersey time, after the award of the Bonds, the maturity schedule of each of the Bonds in increments of \$1,000, provided that (i) no maturity schedule adjustment shall exceed 10% of the principal for any maturity as specified in Section 3 hereof and (ii) the aggregate adjustment to the maturity schedule for each of the Bonds shall not exceed 10% of the aggregate principal amount of such Bonds and as adjusted will not exceed \$6,484,000, being the aggregate principal amount authorized by the Ordinances. Notice of any such adjustment shall be given to the successful bidder in the manner specified in the Notice of Sale. In the event of any such adjustment, the dollar amount (but not the interest rate or rates) bid by the successful bidder will be adjusted as provided in the Notice of Sale.

SECTION 13. Postponement of Sale. The Chief Financial Officer is hereby delegated the authority (if the Chief Financial Officer deems it to be in the best interests of the City) (i) to postpone from

City Clerk File No. Res. 10-702Agenda No. 10.D OCT 13 2010

TITLE:

time to time the sale of the Bonds from the date specified in the Notice of Sale (or, in the case of a rescheduled sale, from such rescheduled date), in each case upon not less than 24 hours' notice, and (ii) to reschedule such sale upon not less than 48 hours' notice. Notice of any such postponement and rescheduling shall be given in the manner specified in the Notice of Sale. In the event of any such postponement and rescheduling, the Chief Financial Officer may (and shall, if required by the Local Bond Law) cause a revised Notice of Sale and/or a revised summary thereof to be prepared and published.

SECTION 14. Agreements with The Depository Trust Company. The Chief Financial Officer is hereby authorized to make representations and warranties, to enter into agreements and to make all arrangements with DTC, as may be necessary in order to provide that this issue of the City's bonds will be eligible for deposit with DTC, and to satisfy any obligations undertaken in connection therewith.

SECTION 15. Term Bond Option. As provided in the Notice of Sale, a bidder may aggregate consecutive principal maturities of Bonds for which such bidder bids the same interest rate, into term bonds. Each such term bond shall mature on the final maturity date of such consecutive maturities in an aggregate principal amount equal to the sum of the principal amounts of such consecutive maturities. Each such term bond shall be subject to mandatory sinking fund redemption prior to maturity, in part, on the dates and in the amounts that would have been consecutive serial maturities had no term bond designation been made (other than the final such maturity, which shall be the maturity date of such term bond), at a redemption price equal to 100% of the principal amount to be redeemed, plus accrued interest thereon to the date fixed for redemption.

SECTION 16. Authorization for Official Statement. The Chief Financial Officer, the Business Administrator, the City Clerk, auditor, bond counsel, financial advisor and other officers, agents and employees of the City are authorized to prepare and distribute information with respect to the City in connection with the sale of the bonds in such form as may be approved by the Chief Financial Officer. The preparation and distribution of a Preliminary Official Statement pertaining to the Bonds is hereby authorized. The Chief Financial Officer is hereby authorized to deem final the Preliminary Official Statement for purposes of Rule 15c2-12 of the Securities and Exchange Commission. The Business Administrator and the Chief Financial Officer are hereby authorized and directed to execute a final official statement relating to the bonds, with such changes, revisions, insertions and omissions from the Preliminary Official Statement as may be approved by the Chief Financial Officer.

SECTION 17. Pledge of City. The full faith and credit of the City of Jersey City, in the County of Hudson in the State of New Jersey is hereby pledged for the payment of the principal of and interest on said Bonds and said Bonds shall be general obligations of the City payable as to principal and interest from *ad valorem* taxes which may be assessed on the taxable property within said City without limitation as to rate or amount.

SECTION 18. Period of Usefulness. It is hereby determined and stated that the period of usefulness of the purpose for which bonds are to be issued under the Ordinance described in Section 1 above, is 30 years, computed from the date of said bonds.

SECTION 19. Appointment of Paying Agent and Bond Registrar. The Business Administrator and/or the Chief Financial Officer are hereby delegated the authority to appoint any bank, trust company or national banking association having the power to accept and administer trusts to serve as Paying Agent and Bond Registrar for the Bonds. The Paying Agent and Bond Registrar shall signify its acceptance of the duties imposed upon it by this Resolution by a written certificate delivered to the City prior to the delivery of the Bonds.

SECTION 20. Continuing Disclosure. A Continuing Disclosure Certificate in substantially the form attached hereto as Appendix E is hereby approved, and the Chief Financial Officer is hereby authorized and directed to execute and deliver a Continuing Disclosure Certificate on behalf of the City in substantially such form, with such insertions and changes therein as the Chief Financial Officer may approve, such approval to be evidenced by his/her execution thereof.

SECTION 21. Defeasance. (A) If the City shall pay or shall cause to be paid or if there shall be paid otherwise to the owner of all bonds the principal and the redemption premium, if applicable, and the interest due or to become due thereon at the times and in the manner stipulated therein and in this Resolution, then, at the option of the City, the pledge of the City contained herein and all covenants, agreements and other obligations of the City to the owners of the bonds thereupon shall cease, shall terminate, shall become void and shall be discharged and satisfied. In such event and upon the request of the City, any paying agent shall pay over or shall deliver to the City all moneys, funds or securities held by them pursuant to this Resolution that are not required for the payment of the principal of or premium and interest due or to become due on the bonds. If the City shall pay or shall cause to be paid or if there shall

TITLE:

be paid otherwise to the owners of all-outstanding bonds of a particular maturity the principal of and the redemption premium, if any, and interest due or to become due thereon, at the time and in the manner stipulated therein and in this Resolution, such bonds shall cease to be entitled to any lien, benefit or security under this Resolution, and all covenants, agreements and obligations of the City to the owners of such bonds shall thereupon cease, shall terminate and shall become void and be discharged and satisfied.

(B) Bonds or interest installments for the payment or the redemption of which moneys shall have been deposited with any bank, trust company or national banking association serving as escrow agent (the "Escrow Agent") by or on behalf of the City whether at or prior to the maturity or the redemption date of such bonds, shall be deemed to have been paid within the meaning and with the effect expressed in subsection (A) of this Section. All outstanding bonds or any maturity of the bonds shall be deemed to have been paid within the meaning and with the effect expressed in subsection (A) of this Section if (1) in case any of such bonds are to be redeemed on any date prior to their maturity, the City shall have given to the Escrow Agent irrevocable instruction to publish notice of redemption of such bonds on such date, (2) there shall have been deposited with the Escrow Agent either moneys in an amount that shall be sufficient or direct obligations of the United States of America or securities unconditionally guaranteed as to the timely payment by the United States of America not redeemable at the option of the issuer the principal of and the interest on which when due will provide moneys which, together with the moneys, if any, deposited with the Escrow Agent at the same time, shall be sufficient, to pay when due the principal and any redemption premium and the interest due and to become due on such bonds on and prior to the redemption date or the maturity date thereof, as the case may be, and (3) in the event such bonds are not by their terms subject to redemption within the next succeeding sixty (60) days, the City shall have given the Escrow Agent in form satisfactory to it irrevocable instructions to publish, as soon as practicable, at least twice, at an interval of not less than seven (7) days between publications, in a publication devoted primarily to financial news or the subject of state and municipal bonds and published in the City of New York or in New Jersey a notice to the owners of such bonds that the deposit required by clause (2) above has been made with the Escrow Agent and that such bonds are deemed to have been paid in accordance with this Section and stating such maturity or redemption date upon which moneys are to be available for payment of the principal of and the redemption premium, if any, on such bonds. For so long as the book-entry only form remains in effect and the bonds are registered in the name of DTC or its nominee, the City shall comply with such additional or supplemental requirements as may be imposed by DTC in connection with any advance refunding of the bonds whether such additional or supplemental requirements are specified in the Letter of Representations by and between the City and DTC or otherwise.

SECTION 22. Bonds to be Qualified Bonds. The Bonds shall be issued as "qualified bonds" under, and shall be entitled to the benefits of, the Municipal Qualified Bond Act, N.J.S.A. 40A:3-1 et seq., and the City shall comply in all respects with the Resolution of the Local Finance Board adopted on July 14, 2010 in connection therewith. The City hereby acknowledges and recognizes that the provisos as contained in said Local Finance Board resolution shall constitute binding obligations upon all officials of the City. The Chief Financial Officer of the City is hereby authorized and directed to certify to the State Treasurer the name and address of the Paying Agent, the maturity schedules, the interest rate(s) and the dates of payment of debt service on the Bonds within 10 days after the issuance of the Bonds.

SECTION 23. Effective Date. This Resolution shall take effect upon adoption hereof.

APPROVED: Donna Madue, CFO

APPROVED AS TO LEGAL FORM
Judith O'Donnell
Asst. Corporation Counsel

APPROVED: _____
Business Administrator

Certification Required
Not Required

APPROVED 7-1

RECORD OF COUNCIL VOTE ON FINAL PASSAGE											
10/13/10											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			VELAZQUEZ	✓		
DONNELLY	✓			FULOP		✓		FLOOD	ABSENT		
LOPEZ	✓			RICHARDSON	✓			BRENNAN, PRES	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

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

Peter M. Brennan
Peter M. Brennan, President of Council

Robert Byrne
Robert Byrne, City Clerk

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

City Clerk File No. Res. 10-703

Agenda No. 10.E

Approved: OCT 13 2010



TITLE:

RESOLUTION COMBINING SEVERAL AUTHORIZATIONS OF BONDS INTO A SINGLE ISSUE AND PROVIDING FOR THE ISSUANCE AND SALE OF THE CITY OF JERSEY CITY'S QUALIFIED GENERAL IMPROVEMENT BONDS, SERIES 2010 AUTHORIZED BY BOND ORDINANCES HERETOFORE ADOPTED TO FINANCE VARIOUS GENERAL IMPROVEMENTS IN THE CITY OF JERSEY CITY, COUNTY OF HUDSON, AND PROVIDING FOR THE FORM, MATURITY DATES AND OTHER DETAILS OF SAID BONDS.

WHEREAS, the Municipal Council of the City of Jersey City, in the County of Hudson, New Jersey (the "City") has adopted various bond ordinances described in Section 1 of this Resolution (collectively, the "Ordinances"), authorizing bonds and bond anticipation notes to finance a portion of the cost of the construction of various capital improvements and the acquisition of property in said City (collectively, the "Project"); and

WHEREAS, it is desirable and necessary to combine the Ordinances and issue the City's qualified general improvement bonds pursuant to the Ordinances, in an aggregate principal amount of \$84,431,000, unless adjusted pursuant to Section 12 hereof, in order to finance the Project, and it is deemed advisable and in the best interests of the City to provide for the sale, form, maturity dates and other matters in connection with the bonds; and

WHEREAS, based upon current market conditions, the City has been advised by its Financial Advisor that it is further desirable to offer for sale the maturities of the bonds as either traditional tax exempt bonds or taxable bonds or a combination thereof in order to take advantage of any positive market conditions due to the "Build America Bonds" program as authorized by the "American Recovery and Reinvestment Act of 2009," Pub. L. 111-5, enacted February 17, 2009 (the "Recovery Act").

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY, COUNTY OF HUDSON, NEW JERSEY AS FOLLOWS:

SECTION 1. Authority for Resolution. Pursuant to the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the New Jersey Statutes (the "Act"), the Municipal Council has previously adopted the Ordinances described in Appendix A hereto on the dates indicated, which Ordinances authorized the issuance of qualified bonds in the amounts indicated, and the Municipal Council has determined to issue at this time, pursuant to each of said Ordinances, Qualified General Improvement Bonds, Series 2010 in the aggregate principal amount of \$84,431,000 (the "Bonds"), and are authorized to be sold in accordance with the terms of this Resolution.

SECTION 2. Authorization of Bonds: Recovery Act Election. In accordance with the Act, and for the purpose of raising funds to finance the purposes set forth in the Ordinances, there shall be issued qualified bonds of the City in the aggregate principal amount of \$84,431,000, unless adjusted pursuant to Section 12 hereof, pursuant to the Ordinances. The Bonds will be sold in accordance with Section 10 below either as tax exempt general obligation bonds which the City will designate as Series 2010A (the "Series 2010A Bonds") or as taxable general obligation bonds which the City will elect to designate as "Build America Bonds-Direct Payment" as authorized by the Recovery Act and irrevocably elect to have Section 54AA(d), Section 54AA(g) and Section 6431 of the Internal Revenue Code of 1986, as amended (as such sections were added by Section 1531 of the Recovery Act pertaining to Build America Bonds) which the City will designate as (Build America Bonds-Direct Payment), Taxable Series 2010B (the "Series 2010B Bonds") as determined by the winning bid. At the successful bidder's option and indication made in the bid it submits, the Bonds will be issued as Series 2010A Bonds, Series 2010B Bonds or a combination which would include Series 2010A Bonds and Series 2010B Bonds, as set forth herein. For purposes of Federal tax law, the Series 2010A Bonds and the Series 2010B Bonds shall be treated as two separate issues of bonds.

SECTION 3. Details of Bonds. The Bonds will be issued in the form of one certificate for the aggregate principal amount of Bonds maturing in each year and will be payable as to both principal and interest in lawful money of the United States of America. Each certificate will be registered in the name of Cede & Co., as nominee of The Depository Trust Company, New York, New York ("DTC"), which will act as securities depository. The certificates will be on deposit with DTC. DTC will be responsible for maintaining a book-entry system for recording the interests among its participants. The participants will be responsible for maintaining records regarding the beneficial ownership interests in the bonds on behalf of individual purchasers. Individual purchases may be made in the principal amount of \$5,000 or any multiple of \$1,000 in excess thereof through book entries made on the books and records of DTC and its participants. The bonds will bear interest payable semiannually at a rate or rates per annum, expressed in a multiple of 1/8 or 1/20 of 1%, as proposed by the successful bidder in accordance with the Notice of Sale authorized herein. The Bonds shall be substantially in the form as provided in this Resolution, with such omissions, insertions and variations as are properly required. Said bonds shall be dated the date of

TITLE:

delivery, shall bear interest at the rate or rates specified by the successful bidder therefor in accordance with the Notice of Sale hereinafter provided for, said interest to be payable on May 1 and November 1, commencing on May 1, 2011, and shall mature (unless adjusted by the Chief Financial Officer pursuant to Section 12 hereof, or aggregated into term bonds pursuant to Section 15 hereof) on November 1 in the following years and amounts:

<u>YEAR</u>	<u>PRINCIPAL AMOUNT</u>	<u>YEAR</u>	<u>PRINCIPAL AMOUNT</u>
2011	\$ 180,000	2026	\$ 2,800,000
2012	\$ 280,000	2027	\$ 2,930,000
2013	\$ 480,000	2028	\$ 3,070,000
2014	\$ 785,000	2029	\$ 3,200,000
2015	\$ 1,040,000	2030	\$ 3,350,000
2016	\$ 1,240,000	2031	\$ 3,510,000
2017	\$ 1,690,000	2032	\$ 3,660,000
2018	\$ 2,180,000	2033	\$ 3,835,000
2019	\$ 2,275,000	2034	\$ 4,015,000
2020	\$ 2,375,000	2035	\$ 4,195,000
2021	\$ 2,450,000	2036	\$ 4,385,000
2022	\$ 2,545,000	2037	\$ 4,590,000
2023	\$ 2,655,000	2038	\$ 4,790,000
2024	\$ 2,770,000	2039	\$ 5,020,000
2025	\$ 2,890,000	2040	\$ 5,246,000

SECTION 4. Certificated Bonds; Successor Securities Depository. In the event the City determines that it is in the best interests of the beneficial owners of the Bonds (the actual purchasers of the bonds) that they be able to obtain certificated bonds, the City may notify DTC of the availability of bond certificates. In such event, the City will appoint a paying agent and the City will issue, transfer and exchange bond certificates as required by DTC and others in appropriate amounts. DTC may determine to discontinue providing its services with respect to the bonds at any time by giving a reasonable amount of notice in writing to the City and discharging its responsibilities with respect thereto. In the event of such determination, if the City fails to identify another qualified securities depository as successor to DTC, the City will appoint a paying agent and the City will issue and deliver replacement bonds in the form of fully registered certificates. Whenever DTC requests the City to do so, the City will cooperate with DTC in taking appropriate action (a) to make available one or more separate certificates evidencing the bonds to any participant of DTC having bonds credited to its DTC account or (b) to arrange for another securities depository to maintain custody of certificates evidencing the bonds.

SECTION 5. Redemption. (A) Except as indicated in paragraph (C) below, the Bonds maturing prior to November 1, 2021 are not subject to redemption prior to maturity.

(B) The Bonds maturing on or after November 1, 2021 are subject to redemption, at the option of the City prior to maturity and upon notice as hereinafter provided, at any time on or after November 1, 2020, in whole or in part from such maturities as the City shall determine and by lot within a single maturity, at the respective redemption price of 100% of the principal amount to be redeemed together with unpaid interest accrued to the redemption date.

(C) The Series 2010B Bonds shall be subject to redemption prior to November 1, 2020 and their stated maturity dates, in whole or in part on any date, in any order of maturity, at the option of the City, upon the occurrences of an Extraordinary Event, as defined below, at a redemption price (the "Extraordinary Optional Redemption Price") equal to the greater of:

(1) the issue price set forth on the inside cover page of the Official Statement (but not less than 100%) of the principal amount of such Series 2010B Bonds to be redeemed; or

(2) the sum of the present value of the remaining scheduled payments of principal and interest to the maturity date of such Series 2010B Bonds to be redeemed, not including any portion of those payments of interest accrued and unpaid as of the date on which such Series 2010B Bonds are to be redeemed, discounted to the date on which such Series 2010B Bonds are to be redeemed on a semi-annual basis, assuming a 360 day year consisting of twelve 30 day months, at the Treasury Rate, described below,

TITLE:

plus 100 basis points; plus, in each case, accrued interest on such Series 2010B Bonds to be redeemed to the date fixed for redemption.

An "Extraordinary Event" will have occurred if the City determines that a material adverse change has occurred to Section 54AA or 6431 of the Internal Revenue Code of 1986, as amended (the "Code") (as such Sections were added by Section 1531 of the American Recovery and Reinvestment Act of 2009, pertaining to "Build America Bonds") or there is any guidance published by the Internal Revenue Service or the United States Department of the Treasury with respect to such Sections or any other determination by the Internal Revenue Service or the United States Department of the Treasury, which determination is not the result of an act or omission by the City to satisfy the requirements to qualify to receive the 35% cash subsidy payment from the United States Department of the Treasury, pursuant to which the City's 35% cash subsidy payment from the United States Department of the Treasury is reduced or eliminated.

"Treasury Rate" means, with respect to any redemption date for a particular Series 2010B Bond, the yield to maturity as of such redemption date of United States Treasury securities with a constant maturity (as compiled and published in the most recent Federal Reserve Statistical Release H.15 (519) that has become publicly available at least 2 business days, but no more than 45 calendar days, prior to the redemption date (excluding inflation indexed securities) (or, if such Statistical Release is no longer published, any publicly available source of similar market data)) most nearly equal to the period from the redemption date to the maturity date of the Series 2010B Bonds to be redeemed; provided, that if the period from the redemption date to such maturity date is less than one year, the weekly average yield on actually traded United States Treasury securities adjusted to a constant maturity of one year will be used.

(D) In the event the winning bidder elects to aggregate consecutive principal maturities of the bonds into one or more term bonds pursuant to Section 15 hereof, then each such term bond shall mature on the final maturity date of such consecutive maturities in an aggregate principal amount equal to the sum of the principal amounts of such consecutive maturities. Each such term bond shall be subject to mandatory sinking fund redemption prior to maturity, in part, on the dates and in the amounts that would have been consecutive serial maturities had no term bond designation been made (other than the final such maturity, which shall be the maturity date of such term bond), at a redemption price equal to 100% of the principal amount to be redeemed, plus accrued interest thereon to the date fixed for redemption.

(E) When any Bonds are to be redeemed, the City shall give or shall arrange to be given notice of the redemption of bonds. Such notice shall specify the maturities of the bonds to be redeemed, the redemption date and the place or places where amounts due upon such redemption will be payable and, if less than all of the bonds of any maturity are to be redeemed, the letters and the numbers or other distinguishing marks of such bonds so to be redeemed, and, in the case of a bond to be redeemed in part only, such notice shall also specify the portion of the principal amount thereof to be redeemed. Such notice shall further state that on such date there shall become due and payable upon each bond to be redeemed the principal amount of such bond plus the applicable premium, if any, payable upon the redemption thereof, or the specified portion of the principal thereof in the case of a bond to be redeemed in part only, together with interest accrued to such date, and that from and after such date interest thereon shall cease to accrue and be payable. Such notice shall be given by publication at least once in a publication printed in the English language devoted primarily to financial news or the subject of state and municipal bonds and published in the City of New York or in New Jersey, at least once not less than thirty (30) days or more than sixty (60) days prior to the redemption date. The City shall also mail or cause to be mailed a copy of such notice postage prepaid, not less than twenty-five (25) days before such redemption date, to the registered owner of any bond all or a portion of which is to be redeemed, at his last address, if any, appearing upon the registry books kept by or on behalf of the City, but such mailing shall not be a condition precedent to such redemption and failure so to mail any such notice shall not affect the validity of any proceedings for the redemption of bonds. For so long as the book-entry only form remains in effect and the bonds are registered in the name of DTC, or its nominee, the City will not be responsible for mailing of notices of redemption to anyone other than DTC, and the City shall comply with such additional or supplemental requirements as may be imposed by DTC in connection with any redemption of bonds whether such additional or supplemental requirements are specified in the Letter of Representations by and between the City and DTC or otherwise.

(F) Notice having been given by publication in the manner provided above, the bonds or the portions thereof called for redemption and specified in such notice shall become due and payable on the redemption date specified in such notice at the principal amount thereof plus the premium, if any, applicable on such date, plus unpaid interest on such bonds or portions thereof accrued to such date. Upon presentation and surrender thereof at the place or the places specified in such notice, such bonds or portions thereof shall be paid at the principal amount thereof plus the applicable premium, if any, plus unpaid interest on such bonds or portion thereof accrued to such date. If there shall be so called for redemption less than all of a bond, the City shall execute and cause to be delivered, upon the surrender of such bond, without charge to the registered owner thereof, for the unredeemed balance of the principal amount of the bond so surrendered, registered bonds of like designation, interest rate and maturity in any of the authorized denominations. If on such redemption date moneys for the redemption of all the bonds or the portion

TITLE:

thereof of any like maturity to be redeemed, together with interest thereon accrued and unpaid to such date, shall be held on behalf of the City so as to be available therefor on such date and if notice of redemption thereof shall have been published as aforesaid, then from and after such redemption date, interest on the bonds or the portions thereof of such maturity so called for redemption shall cease to accrue and to become payable. All moneys held on behalf of the City for the redemption of particular bonds shall be held in trust for the account of the owners of the bonds so to be redeemed.

SECTION 6. Payment of Bonds. The principal of and the interest on the bonds will be paid to DTC by or on behalf of the City on their respective due dates. Interest on the bonds will be credited to the participants of DTC as listed on the records of DTC as of each next preceding April 15 and October 15 (the "Record Dates" for the payment of interest on the bonds).

SECTION 7. Execution of Bonds. Said Bonds shall be executed in the name of the City by the manual or facsimile signatures of the Mayor and the Chief Financial Officer and the seal of the City shall be affixed, imprinted, engraved or reproduced thereon and attested by the manual signature of the City Clerk. If any officer whose signature appears on the bonds ceases to hold office before the delivery of the bonds, his/her signature shall nevertheless be valid and sufficient for all purposes. In addition, any bond may bear the signature of, or may be signed by, such persons as at the actual time of the signing of such bond shall be the proper officers to sign such bond although at the date of such bond such persons may not have been such officers.

SECTION 8. Reissuance of Mutilated, Destroyed, Stolen or Lost Bonds. In case any bond shall become mutilated or destroyed, stolen or lost the City shall execute and deliver a new bond of like tenor and amount as the bond so mutilated, destroyed, stolen or lost, in exchange and substitution for such mutilated bond and upon surrender of such mutilated bond, or in lieu of and substitution for the bond destroyed, stolen or lost upon filing with the City evidence satisfactory to the City that such bond has been destroyed, stolen or lost and proof of ownership thereof, and upon furnishing the City with indemnity satisfactory to it and complying with such other reasonable regulations, as the City may prescribe and paying such expenses as the City may incur in connection therewith.

SECTION 9. Form of Bonds. Subject to the provisions of this Resolution, each bond shall be in substantially in the form attached hereto as Appendix B, with such omissions, insertions, endorsements and variations as may be required by the circumstances and be required or permitted by this Resolution or as may be consistent with this Resolution and necessary or appropriate to conform to the rules and requirements of any governmental authority or any usage or requirement of law with respect thereto, including the Recovery Act as applicable to the Series 2010B Bonds:

SECTION 10. Sale of Bonds

The Bonds shall be sold pursuant to a Notice of Sale on Wednesday, November 3, 2010 until 10:00 a.m., New Jersey time, or at such later date and times as may be established in accordance with Section 13 hereof, by Donna Mauer, the City's Chief Financial Officer through the "PARITY Electronic Bid System" (PARITY) in accordance with the terms and conditions set forth in the Notice of Sale authorized herein. Such proposal shall be received and announced at 280 Grove Street, Jersey City, New Jersey 07302, in accordance with the Notice of Sale. The City Clerk is hereby directed to arrange for the publication of the Notice of Sale in *The Jersey Journal*, a newspaper published and circulating in the City, and for the publication of the Notice of Sale (or a summary thereof as provided by law) in *The Bond Buyer*, and/or such other nationally recognized local government bond marketing publication or electronic information service carrying municipal bond notices and devoted primarily to the subject of state and municipal bonds. The notice shall be in substantially the form attached hereto as Appendix C. The Summary Notice of Sale containing other terms and provisions of the Bonds and setting forth the conditions of the sale thereof, all of which are hereby approved, shall be substantially in the form attached hereto as Appendix D. The advertisement of said Notice of Sale and Summary Notice of Sale in each such medium shall be published not less than seven (7) days prior to the sale date for the Bonds.

At the successful bidder's option and indication made in the bid it submits, the Bonds will be issued as Series 2010A Bonds, Series 2010B Bonds or a combination which would include Series 2010A Bonds and Series 2010B Bonds, as set forth herein. For purposes of Federal tax law, the Series 2010A Bonds and the Series 2010B Bonds shall be treated as two separate issues of bonds.

SECTION 11. Delegation of Power to Award and Sell Bonds. The Chief Financial Officer is delegated on behalf of the City the power to award and sell the bonds to the successful bidder. The Chief Financial Officer shall report the results of such sale in writing at the next meeting of the Municipal Council.

SECTION 12. Adjustment to Maturity Schedule. The Chief Financial Officer is hereby delegated the authority (if the Chief Financial Officer deems it to be in the best interests of the City) to adjust, prior to 5:00 p.m., New Jersey time, after the award of the bonds, the maturity schedule of each of the Bonds in increments of \$1,000, provided that (i) no maturity schedule adjustment shall exceed 10% of the principal

TITLE:

for any maturity as specified in Section 3 hereof and (ii) the aggregate adjustment to the maturity schedule for each of the Bonds shall not exceed 10% of the aggregate principal amount of such Bonds and as adjusted will not exceed \$84,431,000, being the aggregate principal amount authorized by the Ordinances. Notice of any such adjustment shall be given to the successful bidder in the manner specified in the Notice of Sale. In the event of any such adjustment, the dollar amount (but not the interest rate or rates) bid by the successful bidder will be adjusted as provided in the Notice of Sale.

SECTION 13. Postponement of Sale. The Chief Financial Officer is hereby delegated the authority (if the Chief Financial Officer deems it to be in the best interests of the City) (i) to postpone from time to time the sale of the Bonds from the date specified in the Notice of Sale (or, in the case of a rescheduled sale, from such rescheduled date), in each case upon not less than 24 hours' notice, and (ii) to reschedule such sale upon not less than 48 hours' notice. Notice of any such postponement and rescheduling shall be given in the manner specified in the Notice of Sale. In the event of any such postponement and rescheduling, the Chief Financial Officer may (and shall, if required by the Local Bond Law) cause a revised Notice of Sale and/or a revised summary thereof to be prepared and published.

SECTION 14. Agreements with The Depository Trust Company. The Chief Financial Officer is hereby authorized to make representations and warranties, to enter into agreements and to make all arrangements with DTC, as may be necessary in order to provide that this issue of the City's bonds will be eligible for deposit with DTC, and to satisfy any obligations undertaken in connection therewith.

SECTION 15. Term Bond Option. As provided in the Notice of Sale, a bidder may aggregate consecutive principal maturities of Series 2010A Bonds for which such bidder bids the same interest rate, into term bonds. A bidder may also aggregate consecutive principal maturities of Series 2010B Bonds for which such bidder bids the same interest rate, into term bonds. No Series 2010A Bonds may be aggregated with Series 2010B Bonds into term bonds. Each such term bond shall mature on the final maturity date of such consecutive maturities in an aggregate principal amount equal to the sum of the principal amounts of such consecutive maturities. Each such term bond shall be subject to mandatory sinking fund redemption prior to maturity, in part, on the dates and in the amounts that would have been consecutive serial maturities had no term bond designation been made (other than the final such maturity, which shall be the maturity date of such term bond), at a redemption price equal to 100% of the principal amount to be redeemed, plus accrued interest thereon to the date fixed for redemption.

SECTION 16. Authorization for Official Statement. The Chief Financial Officer, the Business Administrator, the City Clerk, auditor, bond counsel and other officers, agents and employees of the City are authorized to prepare and distribute information with respect to the City in connection with the sale of the bonds in such form as may be approved by the Chief Financial Officer. The preparation and distribution of a Preliminary Official Statement pertaining to the bonds is hereby authorized. The Chief Financial Officer is hereby authorized to deem final the Preliminary Official Statement for purposes of Rule 15c2-12 of the Securities and Exchange Commission. The Business Administrator and the Chief Financial Officer are hereby authorized and directed to execute a final official statement relating to the bonds, with such changes, revisions, insertions and omissions from the Preliminary Official Statement as may be approved by the Chief Financial Officer.

SECTION 17. Pledge of City. The full faith and credit of the City of Jersey City, in the County of Hudson in the State of New Jersey is hereby pledged for the payment of the principal of and interest on said bonds and said bonds shall be general obligations of the City payable as to principal and interest from *ad valorem* taxes which may be assessed on the taxable property within said City without limitation as to rate or amount.

SECTION 18. Appointment of Paying Agent and Bond Registrar. The Business Administrator and/or the Chief Financial Officer are hereby delegated the authority to appoint any bank, trust company or national banking association having the power to accept and administer trusts to serve as Paying Agent and Bond Registrar for the Bonds. The Paying Agent and Bond Registrar shall signify its acceptance of the duties imposed upon it by this Resolution by a written certificate delivered to the City prior to the delivery of the Bonds.

SECTION 19. Determination of Average Period of Usefulness. It is hereby determined and stated that the average period of usefulness of the several purposes for which bonds are to be issued under the Ordinances described in Section 1 above, according to their respective lives, as determined in said Ordinances, taking into consideration the respective amounts of bonds to be issued for said several purposes, is a period of 32.84 years, computed from the date of said bonds.

SECTION 20. Investment of Proceeds of Series 2010A Bonds. The City will make no use of the proceeds of the Series 2010A Bonds which would cause such bonds to be arbitrage bonds; and the City hereby imposes on itself and all officers having custody or control of the proceeds of the Series 2010A Bonds, throughout the term of such bonds, the obligation to comply with applicable requirements of Section 148 of the Internal Revenue Code of 1986, as amended (the "Code") and Regulations Sections

TITLE:

1.148-0 through 1.148-11 and 1.150-1 and 1.150-2, and all other applicable regulations of the Internal Revenue Service, so that the Series 2010A Bonds will not be or become arbitrage bonds.

SECTION 21 Tax Covenants. In order to maintain the exclusion from gross income for federal income tax purposes of interest on the Series 2010A Bonds, and for no other purpose, the City covenants to comply with each applicable requirement of the Code, applicable to such bonds, and the City covenants not to take any action or fail to take any action which would cause the interest on such bonds to lose the exclusion from gross income for federal income taxation purposes under Section 103 of the Code. In furtherance of the covenant contained in the preceding sentence, the City agrees to comply with the Arbitrage Certificate to be executed by the City.

The City covenants and agrees with the holders of the Series 2010A Bonds that the City shall not take any action or omit to take any action, which action or omission, if reasonably expected on the date of initial issuance and delivery of such bonds, would cause such bonds to be "private activity bonds" or "arbitrage bonds" within the meaning of Sections 141(a) and 148, respectively, of the Code, or any successor provision.

SECTION 22. Series 2010A Bonds Not Federally Guaranteed. The City covenants that it will take no action which would cause the Series 2010A Bonds to be federally guaranteed (within the meaning of Section 149(b) of the Code).

SECTION 23. Continuing Disclosure. A Continuing Disclosure Certificate in substantially the form attached as Appendix E is hereby approved, and the Chief Financial Officer is hereby authorized and directed to execute and deliver a Continuing Disclosure Certificate on behalf of the City in substantially such form, with such insertions and changes therein as the Chief Financial Officer may approve, such approval to be evidenced by his/her execution thereof.

SECTION 24. Defeasance. (A) If the City shall pay or shall cause to be paid or if there shall be paid otherwise to the owner of all bonds the principal and the redemption premium, if applicable, and the interest due or to become due thereon at the times and in the manner stipulated therein and in this Resolution, then, at the option of the City, the pledge of the City contained herein and all covenants, agreements and other obligations of the City to the owners of the bonds thereupon shall cease, shall terminate, shall become void and shall be discharged and satisfied. In such event and upon the request of the City, any paying agent shall pay over or shall deliver to the City all moneys, funds or securities held by them pursuant to this Resolution that are not required for the payment of the principal of or premium and interest due or to become due on the bonds. If the City shall pay or shall cause to be paid or if there shall be paid otherwise to the owners of all outstanding bonds of a particular maturity the principal of and the redemption premium, if any, and interest due or to become due thereon, at the time and in the manner stipulated therein and in this Resolution, such bonds shall cease to be entitled to any lien, benefit or security under this Resolution, and all covenants, agreements and obligations of the City to the owners of such bonds shall thereupon cease, shall terminate and shall become void and be discharged and satisfied.

(B) Bonds or interest installments for the payment or the redemption of which moneys shall have been deposited with any bank, trust company or national banking association serving as escrow agent (the "Escrow Agent") by or on behalf of the City whether at or prior to the maturity or the redemption date of such bonds, shall be deemed to have been paid within the meaning and with the effect expressed in subsection (A) of this Section. All outstanding bonds or any maturity of the bonds shall be deemed to have been paid within the meaning and with the effect expressed in subsection (A) of this Section if (1) in case any of such bonds are to be redeemed on any date prior to their maturity, the City shall have given to the Escrow Agent irrevocable instruction to publish notice of redemption of such bonds on such date, (2) there shall have been deposited with the Escrow Agent either moneys in an amount that shall be sufficient or direct obligations of the United States of America or securities unconditionally guaranteed as to the timely payment by the United States of America not redeemable at the option of the issuer the principal of and the interest on which when due will provide moneys which, together with the moneys, if any, deposited with the Escrow Agent at the same time, shall be sufficient, to pay when due the principal and any redemption premium and the interest due and to become due on such bonds on and prior to the redemption date or the maturity date thereof, as the case may be, and (3) in the event such bonds are not by their terms subject to redemption within the next succeeding sixty (60) days, the City shall have given the Escrow Agent in form satisfactory to it irrevocable instructions to publish, as soon as practicable, at least twice, at an interval of not less than seven (7) days between publications, in a publication devoted primarily to financial news or the subject of state and municipal bonds and published in the City of New York or in New Jersey a notice to the owners of such bonds that the deposit required by clause (2) above has been made with the Escrow Agent and that such bonds are deemed to have been paid in accordance with this Section and stating such maturity or redemption date upon which moneys are to be available for payment of the principal of and the redemption premium, if any, on such bonds. For so long as the book-entry only form remains in effect and the bonds are registered in the name of DTC or its nominee, the City shall comply with such additional or supplemental requirements as may be imposed by DTC in connection with any advance refunding of the

City Clerk File No. Res. 10-703

Agenda No. 10.E OCT 13 2010

TITLE:

bonds whether such additional or supplemental requirements are specified in the Letter of Representations by and between the City and DTC or otherwise.

SECTION 25. Bonds to be Qualified Bonds. The Bonds shall be issued as "qualified bonds" under, and shall be entitled to the benefits of, the Municipal Qualified Bond Act, N.J.S.A. 40A:3-1 et seq., and the City shall comply in all respects with the Resolution of the Local Finance Board adopted on July 14, 2010 in connection therewith. The City hereby acknowledges and recognizes that the provisos as contained in said Local Finance Board resolution shall constitute binding obligations upon all officials of the City. The Chief Financial Officer of the City is hereby authorized and directed to certify to the State Treasurer the name and address of the Paying Agent, the maturity schedules, the interest rate(s) and the dates of payment of debt service on the Bonds within 10 days after the issuance of the Bonds.

SECTION 26. Effective Date. This Resolution shall take effect upon adoption hereof.

APPROVED: [Signature]

APPROVED: [Signature]
Business Administrator

APPROVED AS TO LEGAL FORM
[Signature]
Assistant Corporation Counsel

Certification Required

Not Required

APPROVED 7-1

RECORD OF COUNCIL VOTE ON FINAL PASSAGE											
10/13/10											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			VELAZQUEZ	✓		
DONNELLY	✓			FULOP		✓		FLOOD		ABSENT	
LOPEZ	✓			RICHARDSON	✓			BRENNAN, 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]
Peter M. Brennan, President of Council

[Signature]
Robert Byrne, City Clerk

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

City Clerk File No. Res. 10-794

Agenda No. 10.F

Approved: OCT 13 2010

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 and subject to the terms and conditions of a contract of sale to be executed by the parties, at the **Assembly Chamber, City Hall, 280 Grove Street, Jersey City, New Jersey on Thursday, November 4, 2010 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 record, 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, such claims 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 ten (10%) percent of the minimum bid price by cash, money order, bank check or certified check and ten (10%) of the difference between the purchase price and the minimum price within ten (10) days of the sale date by certified check or money order.
 - (c) If the purchaser fails to pay the additional deposit required within ten (10) days from the sale date, the initial deposit will be automatically forfeited.
 - (d) The balance of the purchase price is to be paid by certified check, money order or bank check within two (2) months of the date of Confirmation of Sale.
 - (e) If the purchaser fails to pay the balance of the purchase price within two (2) 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 thirty (30) 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 shall 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 minimums 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 shall 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 for which there are Violations of the Property Maintenance Code and/or the 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 conditions 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.

1 Unit Building – 360 Days (12 Months)

2-5 Unit Building – 450 Days (15 Months)

6 or More Units or 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 one thousand dollars (\$1,000.00).

SEE RIDER ATTACHED

TITLE:

VACANT LAND

THE FOLLOWING PROPERTIES ARE OFFERED FOR SALE UPON THE CONDITION THAT THE PURCHASER SHALL CLEAN AND GRADE THE LOT, REPAIR THE SIDEWALK IF NECESSARY, ERECT A FENCE AROUND THAT PART OF THE PERIMETER OF THE LOT WHICH FRONTS ANY PUBLIC STREET WITH A MINIMUM HEIGHT OF SIX (6) FEET, EXCEPT WHEN ACQUIRED BY AN ADJACENT PROPERTY OWNER IN WHICH CASE, THE HEIGHT SHALL BE THE SAME AS THE FENCING ON THEIR PROPERTY, BUT IN NO CASE LESS THAN THREE (3) FEET IN HEIGHT. (THESE PROPERTIES ARE NOT SUBJECT TO PARAGRAPH 21 IN THIS RESOLUTION).

BLOCK	LOT(S)	LOCATION	DESCRIPTION	SIZE	MINIMUM BID
961	1	***TONNELE AVENUE	VACANT LAND	3.25 ACRES	\$ 350,000.00
1305	3.A	262 M.L.K. DRIVE	VACANT LAND	30 X 112 AV.	\$ 12,000.00
1309	E.8	250 M.L.K. DRIVE	VACANT LAND	33.22 X 100 AV.	\$ 14,000.00
1318	B.3	184 M.L.K. DRIVE	VACANT LAND	75.85 X 36 AV.	\$ 8,500.00
1335	33	128 WOODLAWN AVENUE	VACANT LAND	25 X 125	\$ 12,000.00
1335	35.A	124 WOODLAWN AVENUE	VACANT LAND	16.98 X 125	\$ 7,500.00
1336	24.A, 25	126 M.L.K. DRIVE 124 M.L.K. DRIVE	VACANT LAND VACANT LAND	100 X 50 IRR. 25 X 100	\$ 13,500.00
1350	3.A	55-59 M.L.K. DRIVE	VACANT LAND	69.9 X 93 X 56	\$ 25,000.00
1469.B	45	E. VIEW COURT (INSIDE LOT-LANDLOCKED)	VACANT LAND	192.45 X 69.56	\$ 5,500.00
1469.C	12	25 E. BIDWELL AVENUE	VACANT LAND	54.47 X 100 IRR.	\$ 5,000.00

***THIS PROPERTY IS IN A MEADOWLANDS DISTRICT. FOR ZONING USE CONTACT THE DIVISION OF LAND USE MEADOWLANDS COMMISSION.

TITLE:

BLOCK	LOT	LOCATION	DESCRIPTION	SIZE	MINIMUM BID
1475	1.A	516 OCEAN AVENUE	VACANT LAND	26.92 X 91.30	\$ 10,000.00
1475	19.B	53 BAYVIEW AVENUE	VACANT LAND	12.47 X 100	\$ 4,000.00
1475	51	10 BIDWELL AVENUE	VACANT LAND	25 X 100	\$ 11,000.00
1485	39.A	735 GARFIELD AVENUE	VACANT LAND	25 X 74.89	\$ 9,000.00
1794	44	BOYD AVENUE (INSIDE LOT-LANDLOCKED)	VACANT LAND	36.82 X 33	\$ 1,000.00
1832	18	MONTGOMERY STREET	ALLEYWAY	4 X 297.96	\$ 500.00
1890	H	445 MERCER STREET	VACANT LAND	15 X 124.32 AV.	\$ 11,000.00
1914	5	146 SUMMIT AVENUE	VACANT LAND	26 X 120	\$ 13,000.00
1914	7B,7C	57 CLIFTON PLACE	VACANT LAND	67 X 105 AV.	\$ 25,000.00
1915	21	58 CLIFTON PLACE	VACANT LAND	29.30 X 120.4	\$ 15,000.00
1916	11.A	38 CLIFTON PLACE	VACANT LAND	35.50 X 125	\$ 15,000.00
1924	42	10 PRESCOTT STREET A.K.A. 10-12 PRESCOTT ST.	VACANT LAND	48.59 X 101.26 IRR.	\$ 15,000.00
1955	H	111 CLINTON AVENUE	VACANT LAND	19 X 86.41 IRR.	\$ 5,000.00
1959	F.1	483 M.L.K. DRIVE	VACANT LAND	15 X 52.75 IRR.	\$ 3,000.00
1959	X	146.5 UNION STREET	VACANT LAND	15 X 100	\$ 6,000.00
2015	7.T	82 RANDOLPH AVENUE	VACANT LAND	20 X 76	\$ 6,000.00
2042	I	209 HALLADAY STREET	VACANT LAND	12.5 X 100	\$ 4,000.00

TITLE:

BLOCK	LOT	LOCATION	DESCRIPTION	SIZE	MINIMUM BID
2055	32.E	394 COMMUNIPAW AVENUE (INSIDE LOT-LANDLOCKED)	VACANT LAND	25 X 10	\$ 300.00
2062	35	WESTERVELT PLACE	VACANT LAND	3 X 75	\$ 200.00
2075	19	343 JOHNSTON AVENUE	VACANT LAND	25 X 95	\$ 5,000.00

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

BUILDINGS

THE FOLLOWING PROPERTIES ARE OFFERED FOR SALE WITH THE CONDITION THAT THE PURCHASER SHALL REPAIR, ALTER AND IMPROVE IN ACCORDANCE WITH PARAGRAPHS 9, 20 AND 21 OF THE TERMS AND CONDITIONS OF SALE.

BLOCK	LOT	LOCATION	DESCRIPTION	SIZE	MINIMUM BID
1324	23.A	471 OCEAN AVENUE	VACANT BUILDING 3S-B-D-3U-NH	19.62 X 95 AV.	\$ 15,000.00
1463	4.C	364 OCEAN AVENUE	VACANT BUILDING 3S-B-C-7U-H	30.18 X 103.06 IRR.	\$ 80,000.00
1476	27	44 ARLINGTON AVENUE	VACANT BUILDING 2S-F-D-1U-H	25 X 88.19 IRR.	\$ 10,000.00
1959	D.1	479 M. L. K. DRIVE	VACANT BUILDING 2S-B-D-1U-H	15 X 52.75	\$ 6,000.00

DESCRIPTION CODES: S-STORY, B-BRICK, A-ASPHALT, C-CINDER BLOCK, BT-BASEMENT, D-DWELLING, U-UNIT, G-GARAGE, H-HEAT
 PHYSICAL DESCRIPTION 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.

TITLE:

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

APPROVED: Ann Marie Miller
 Ann Marie Miller, Real Estate
 Business Administrator

APPROVED AS TO LEGAL FORM
[Signature]
 Corporation Counsel

Certification Required
 Not Required

APPROVED 7-0-1

RECORD OF COUNCIL VOTE ON FINAL PASSAGE											
				10/13/10							
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			FLOOD		ABSENT	
DONNELLY	✓			FULOP	✓			VELAZQUEZ	✓		
LOPEZ	✓			RICHARDSON	ABSTAIN			BRENNAN, PRES	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

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

Peter M. Brennan
 Peter M. Brennan, President of Council

Robert Byrne
 Robert Byrne, City Clerk

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

City Clerk File No. Res. 10-705

Agenda No. 10.6

Approved: OCT 13 2010

TITLE:



RESOLUTION ASSIGNING TAX SALE CERTIFICATES FROM VARIOUS LIEN HOLDERS TO THE CITY OF JERSEY CITY FOR CONDOMINIUM UNITS AT 311 WASHINGTON STREET

COUNCIL
OF THE FOLLOWING RESOLUTION

OFFERED AND MOVED ADOPTION

WHEREAS, certain properties located at Block 106, Lot A.1, more commonly known by the street address of 311 Washington Street, Units 2A, 2B, 2C, 2D, 2E, 2F and 2G have been subject to a dispute over ownership between Washington Commons, LLC and the City of Jersey and the Zoning Board of Adjustment under Docket Nos. HUD-L-894-07, HUD-L-6306-07, A-65-06T2 and A-000779-07 ; and

WHEREAS, the Property was designated as an affordable housing for artists by the City of Jersey City [City]; and

WHEREAS, Pat Carabellse is the owner of Tax Sale Certificate No: 2009-0072; and

WHEREAS, Five Star, Inc. is the owner of Tax Sale Certificate No: 2009-0075; and

WHEREAS, Pat Carabellse is the owner of Tax Sale Certificate No: 2009-0071; and

WHEREAS, Plymouth Park is the owner of Tax Sale Certificate No: 2009-0069; and

WHEREAS, Plymouth Park is the owner of Tax Sale Certificate No: 2009-0068; and

WHEREAS, Plymouth Park is the owner of Tax Sale Certificate No: 2009-0067; and

WHEREAS, Pat Carabellse is the owner of Tax Sale Certificate No: 2009-0070; and

WHEREAS, the City is desirous of accepting an assignment of the tax sale certificates in order to protect the City's ownership and to minimize its costs at the successful conclusion of the litigation; and

WHEREAS, funds in the amount of \$157,842.88 are available in Account #: 17-293-56-000-025.

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

1. The City shall accept an assignment of the tax sale certificates for property located at Block 106, Lot A.1 and more commonly known by the street address of 311 Washington Street.

2. The City's Tax Collector is authorized to assign the following Tax Sale Certificates and Assignment in an amount not to exceed \$157,842.88:

Certificate No.: 2009-0072 in the amount of \$22,662.73
Certificate No.: 2009-0075 in the amount of \$22,836.60
Certificate No.: 2009-0071 in the amount of \$21,290.69
Certificate No.: 2009-0069 in the amount of \$22,247.80
Certificate No.: 2009-0068 in the amount of \$24,268.54
Certificate No.: 2009-0067 in the amount of \$21,416.30
Certificate No.: 2009-0070 in the amount of \$23,120.22

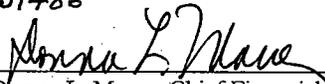
3. The Business Administrator, Tax Collector or Corporation Counsel are authorized to execute any documents necessary or appropriate to effectuate the purposes of the within resolution.

City Clerk File No. Res. 10-705

Agenda No. 10.6 OCT 13 2010

TITLE: **RESOLUTION ASSIGNING TAX SALE CERTIFICATES FROM VARIOUS LIEN HOLDERS TO THE CITY OF JERSEY CITY FOR CONDOMINIUM UNITS AT 311 WASHINGTON STREET**

I, Donna L. Mauer, hereby certify that sufficient funds in the amount of \$157,842.88 are available in Account #: 17-293-56-000-025. *P.O. 101486*


Donna L. Mauer, Chief Financial Officer

JDOD/cw
10/05/10

APPROVED: _____

APPROVED AS TO LEGAL FORM

APPROVED: _____

Business Administrator

Corporation Counsel

Certification Required

Not Required

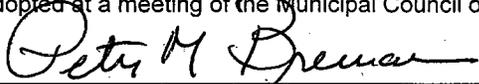
APPROVED 8-0

RECORD OF COUNCIL VOTE ON FINAL PASSAGE											
10/13/10											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			VELAZQUEZ	✓		
DONNELLY	✓			FULOP	✓			FLOOD			ABSENT
LOPEZ	✓			RICHARDSON	✓			BRENNAN, PRES	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

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


Peter M. Brennan, President of Council


Robert Byrne, City Clerk



CITY OF JERSEY CITY
Office of the Corporation Counsel

280 Grove Street
Jersey City, New Jersey 07302
Telephone: (201) 547-4667
Fax: (201) 547-5230

Jerramiah Healy, Mayor
Brian O'Reilly, Business Administrator

Bill Matsikoudis, Corporation Counsel

October 5, 2010

President and Members of the Municipal Council
City Hall-280 Grove Street
Jersey City, New Jersey 07302

Re: Resolution Assigning Tax Sale Certificates from Various Lien Holders to the City of Jersey City for Condominium Units at 311 Washington Street

Dear President and Members of the Municipal Council:

I have attached a Resolution authorizing the City to purchase by assignment seven tax liens for condominiums located at 311 Washington Street. The units are designated artists' affordable housing units. The issue of ownership of these units has been in litigation for several years. The Appellate Division will hear the matter this month.

It would have been the advice of this Office that the liens not be sold. However, the tax lien sale having occurred, it is clearly now in the City's best interest to reacquire the liens.

Accordingly, to assure clear title and to avoid additional interest accrual, I ask that you approve these payments - - which were negotiated by our Tax Collector. The payment will be made by the Affordable Housing Trust Fund and I ask that you approve it.

Very truly yours,

WILLIAM C. MATSIKLOUDIS
CORPORATION COUNSEL

WCM/cw

cc: Robert Byrne, City Clerk

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

City Clerk File No. Res. 10-706

Agenda No. 10.H OCT 13 2010

Approved: _____

TITLE:



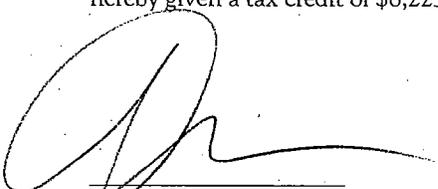
CANCELLATION OF IMPROVEMENT VALUE ON BLOCK 577 LOT 34, ALSO KNOWN AS 130 BEACON AVENUE, JERSEY CITY, NEW JERSEY

COUNCIL OFFERED, AND MOVED ADOPTION
OF THE FOLLOWING RESOLUTION:

WHEREAS, the Jersey City Tax Assessor has informed the Tax Collector's Office that Block 577 Lot 34 had been demolished on December 21, 2009; and

WHEREAS, the Jersey City Tax Assessor would like to cancel the improvement value of 119,600 which equals to \$8,225.98; and

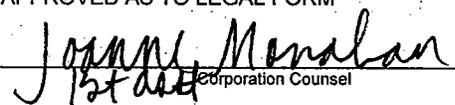
NOW THEREFORE, BE IT RESOLVED, by the Municipal Council of the City of Jersey City, that Block 577 Lot 34 also known as 130 Beacon Ave, Jersey City, New Jersey, is hereby given a tax credit of \$8,225.98 for the removal of the improvement value.



Tax Assessor

APPROVED: 

Business Administrator

APPROVED AS TO LEGAL FORM


Corporation Counsel

Certification Required

Not Required

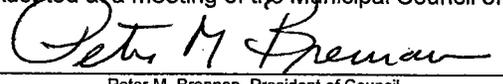
APPROVED 8-0
10/13/10

RECORD OF COUNCIL VOTE ON FINAL PASSAGE											
				10/13/10							
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			FLOOD	ABSENT		
DONNELLY	✓			FULOP	✓			VELAZQUEZ	✓		
LOPEZ	✓			RICHARDSON	✓			BRENNAN, PRES	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

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



Peter M. Brennan, President of Council



Robert Byrne, City Clerk

INTERDEPARTMENTAL MEMORANDUM
OFFICE OF THE CITY ASSESSOR
(201) 547-5131

DATE: June 3, 2010
TO: Maureen Cosgrove, City Tax Collector
FROM: Ed Toloza, Assessor
SUBJECT: **Block 577 Lot 34**
130 Beacon Avenue

Please be advised that the above subject property was assessed for the 2010 taxing year for land and improvement. The taxpayer, Anthony Lentini has submitted sufficient proof that the structure/improvement on the subject property has been demolished as of Dec. 21, 2009. The demolition was confirmed by field inspection.

To date we do not have the general tax rate for 2010. Therefore, could you please that as soon as the 2010 tax rate comes out, cancel part of 2010 real estate taxes corresponding to the difference between assessed value as a vacant land vis-a-vis with improvements which amount to 119,600.

w/enc.

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

City Clerk File No. Res. 10-707

Agenda No. 10.1

Approved: OCT 13 2010

TITLE:



**CANCELLATION OF 2002-2009 REAL ESTATE TAXES ON
BLOCK 691.5 LOT 4.B, ALSO KNOWN AS TONNELE AVENUE
OWNED BY THE STATE OF NEW JERSEY**

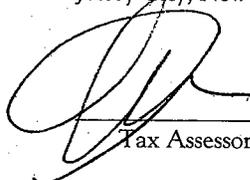
COUNCIL OFFERED, AND MOVED ADOPTION
OF THE FOLLOWING RESOLUTION:

WHEREAS, the property located at Block 691.5 Lot 4.B owned by The State Of New Jersey was inadvertently assessed for the 2002-2009 tax years; and

WHEREAS, the property still shows open and should be exempt according to the Tax Assessor; and

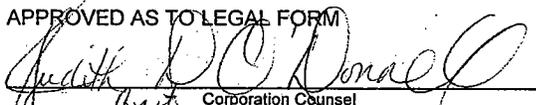
WHEREAS, the Tax Collector's files still indicate that taxes are due for the tax years 2002-2009 and the Tax Collector would like to cancel the erroneous charges; and

NOW THEREFORE, BE IT RESOLVED, by the Municipal Council of the City of Jersey City, that the real estate tax balance on Block 691.5 Lot 4.B also known as Tonnele Avenue, Jersey City, New Jersey, is hereby canceled.


Tax Assessor 10/5/10

APPROVED: 

APPROVED: 
Business Administrator

APPROVED AS TO LEGAL FORM

Corporation Counsel

Certification Required

Not Required

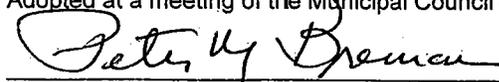
APPROVED 8-0

RECORD OF COUNCIL VOTE ON FINAL PASSAGE											
10/13/10											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			FLOOD			ABSENT
DONNELLY	✓			FULOP	✓			VELAZQUEZ	✓		
LOPEZ	✓			RICHARDSON	✓			BRENNAN, PRES	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

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


Peter M. Brennan, President of Council


Robert Byrne, City Clerk

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

City Clerk File No. Res. 10-708

Agenda No. 10.J

Approved: OCT 13 2010

TITLE:



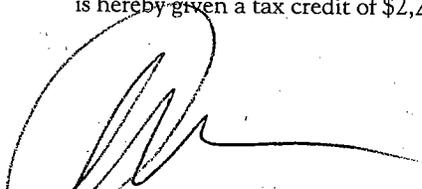
CANCELLATION OF IMPROVEMENT VALUE ON BLOCK 1851 LOT 38.99, ALSO KNOWN AS 70 CORBIN AVENUE, JERSEY CITY, NEW JERSEY

COUNCIL OFFERED, AND MOVED ADOPTION
OF THE FOLLOWING RESOLUTION:

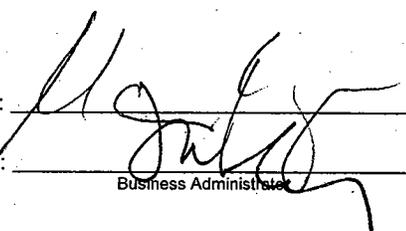
WHEREAS, the Jersey City Tax Assessor has informed the Tax Collector's Office that Block 1851 Lot 38.99 had been demolished on October 16, 2009; and

WHEREAS, the Jersey City Tax Assessor would like to cancel the improvement value of 32,400 which equals to \$2,236.57; and

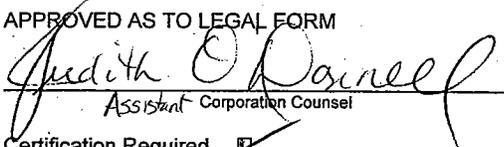
NOW THEREFORE, BE IT RESOLVED, by the Municipal Council of the City of Jersey City, that Block 1851 Lot 38.99 also known as 70 Corbin Ave, Jersey City, New Jersey, is hereby given a tax credit of \$2,236.57 for the removal of the improvement value.



Tax Assessor

APPROVED: 

Business Administrator

APPROVED AS TO LEGAL FORM


Assistant Corporation Counsel

Certification Required

Not Required

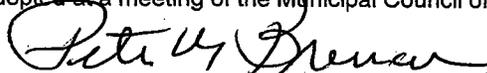
APPROVED 8-0

RECORD OF COUNCIL VOTE ON FINAL PASSAGE											
10/13/10											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			FLOOD		ABSENT	
DONNELLY	✓			FULOP	✓			VELAZQUEZ	✓		
LOPEZ	✓			RICHARDSON	✓			BRENNAN, PRES	✓		

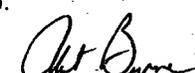
✓ Indicates Vote

N.V.-Not Voting (Abstain)

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



Peter M. Brennan, President of Council



Robert Byrne, City Clerk

INTERDEPARTMENTAL MEMORANDUM

OFFICE OF THE TAX ASSESSOR

(201) 547-5131

DATE: August 2, 2010

TO: Maureen Cosgrove, Tax Collector

FROM: Ed Toloza, Assessor

SUBJECT: **Block 1851** **Lot 38.99**
A/k/a 70 Corbin Avenue

Please be advised that the above subject property was assessed for the 2010 taxing year for land and improvement. The taxpayer, Mr. Sukhvinder Singh has submitted sufficient proof that the structure/improvement on the subject property has been demolished in a timely manner, October 16, 2009. The subject property therefore should have been assessed as vacant land for the 2010 taxing year.

In this connection, would you please cancel part of 2010 real estate taxes corresponding to the difference between assessments as a vacant and assessments with improvements amounting to 32,400 or ~~\$2,180.52~~ in taxes at the current tax rate..

2,236.57

cc: Singh, Sukhvinder - Property Owner

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

City Clerk File No. Res. 10-709

Agenda No. 10.K

Approved: OCT 13 2010

TITLE:



AUTHORIZING REPLACEMENT OF LOST THIRD PARTY TAX SALE CERTIFICATES SOLD TO ALGE CONSULTING, CORP

COUNCIL OFFERED, AND MOVED ADOPTION OF THE FOLLOWING RESOLUTION:

WHEREAS, the City of Jersey City sold various tax sale certificates to Alge Consulting, Corp.; and

WHEREAS, Alge Consulting, Corp had a recent robbery and had all tax sale certificates stolen; and

WHEREAS, Alge Consulting, Corp has not assigned or transferred any certificates; and

WHEREAS, the Tax Collector would like to issue duplicate tax sale certificates to Alge Consulting, Corp. under chapter 99 the P.L. of 1997.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the City of Jersey City, that Alge Consulting, Corp. be given duplicate tax sale certificates.

(See List Attached)

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											
10/13/10											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			FLOOD		ABSENT	
DONNELLY	✓			FULOP	✓			VELAZQUEZ	✓		
LOPEZ	✓			RICHARDSON	✓			BRENNAN, 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]
 Peter M. Brennan, President of Council

[Signature]
 Robert Byrne, City Clerk

Sept 13th, 2010

Affidavit of Loss.

To: Jersey City Tax Collector

Please note, due to a robbery, all our tax lien certificates have been stolen.

We have not assigned or transferred certificates to any other entity.

Please accept this as authorization to reissue ALL the certificates to ALGE Consulting Corp.

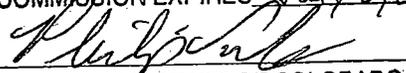
	Certificate #	Block	Lot Q'Code	Address
1	2007-0582	822	0000E	157 South St.
2	2008-1886	1281.B	61	358 Woodlawn Ave
3	2009-0042	60.08	1	187 Marin Blvd.
4	2009-0064	75	154.W CPH25	88 MORGAN ST. #PH2-5
5	2009-0126	246	10	208 Fourth Street
6	2009-0201	387	39	340 Third Street
7	2009-0264	575	97 C0003	133 Hopkins Ave
8	2009-0278	593.A	PLB.3E	10 Huron Ave
9	2009-0336	593.A	PLG.3V	201 St. Pauls Ave
10	2009-0697	1297.5	7	345 Westside Ave
11	2009-0893	1487	A	682 Garfield Ave
12	2010-0085	75	154.W C1807	88 Morgan Street
13	2010-0113	166	M	163 Grand Street
14	2010-0127	228	2 C1104	689 Marin Blvd
15	2010-0185	355	OU C003B	314 Sixth Street
16	2010-0202	391	33	336 Seventh Ave
17	2010-0204	409	13	381 First Street
18	2010-0336	712	18 q. C0001	270 Palisade Ave
19	2010-0391	775	1	224 Webster Ave
20	2010-1032	1840	64B.R4	109 Stuyvenson Ave
21	2010-1052	1847	18	2765 Kennedy Blvd
22	2010-1061	1851	D5	234 Sip Ave

Thank you in advance.

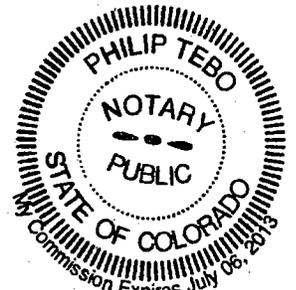


Dmitry Genzer, Managing Partner
ALGE Consulting, Corp.
 201-984-2990 -o
 917-836-6655 -m

SUBSCRIBED AND SWORN BEFORE ME
 THIS 21st DAY OF September 2010
 MY COMMISSION EXPIRES July 6, 2013



NOTARY PUBLIC, STATE OF COLORADO



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

City Clerk File No. Res. 10-710
 Agenda No. 10.1
 Approved: OCT 13 2010



TITLE:

RESOLUTION AUTHORIZING THE CLOSING OF A MUNICIPAL STREET(S), GRAND STREET FROM GREENE STREET TO WASHINGTON STREET BEGINNING NOON AND ENDING 5:00 P.M. SUNDAY, OCTOBER 31, 2010, AND IF THE EVENT CANNOT BE HELD ON SUNDAY, DUE TO INCLEMENT WEATHER, OR FOR ANY OTHER REASON, THE RAIN DATE WILL BE SATURDAY, OCTOBER 30, 2010 AT THE REQUEST OF THE HISTORIC PAULUS HOOK ASSOCIATION FOR A HALLOWEEN COSTUME EVENT

WHEREAS, the Division of Engineering, Traffic & Transportation has received an application from the Historic Paulus Hook Association to close Grand Street from Greene Street to Washington Street beginning Noon and ending 5:00 p.m. on Sunday, October 31, 2010. If the event cannot be held on Sunday, October 31, 2010, due to inclement weather, or for any other reason, the rain date is Saturday, October 30, 2010, for the purpose of a Halloween costume event; and

WHEREAS, in accordance with the provisions of Section 296-71 and 296-72, a street may be temporarily closed for a block party or any recreational event to be conducted within an area not exceeding one city block under certain conditions;

WHEREAS, when one or more of the required conditions for a street closing are not met, in accordance with Sections 296-74 (B) the Traffic Engineer may recommend to the City Council that one or more of the requirements of Sections 296-71, 296-72 and 296-73 be waived; and

WHEREAS, the request to close Grand Street does not meet one or more of the requirements set forth in Section 296-71(A)(B)(C)(D); 296-72(B)(8) and 296-73(D) as the application for the street closing has been filed by a nonresident; and

WHEREAS, the closing of the aforementioned street will not affect public safety or convenience, and in accordance with the provision of Section 296-74 (B) the applicant has made a request to the City Council that the aforementioned requirements set forth in Section 296-71, 296-72 and 296-73 be waived.

NOW THEREFORE IS IT RESOLVED, that the Municipal Council via adoption of this resolution authorizes the closing of Grand Street from Greene Street to Washington Street beginning Noon and ending 5:00 p.m. on Sunday, October 31, 2010, rain date: Saturday, October 30, 2010.

APPROVED: [Signature]
 Director of Traffic & Transportation

APPROVED: [Signature]
 Municipal Engineer

APPROVED: [Signature]
 Director, Dept. of Public Works

APPROVED: [Signature]
 Business Administrator

APPROVED AS TO LEGAL FORM
[Signature]
 Corporation Counsel

JDS:pcl
 (09/23/10)

Certification Required
 Not Required

APPROVED 8-0

RECORD OF COUNCIL VOTE ON FINAL PASSAGE											
10/13/10											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			FLOOD		ABSENT	
DONNELLY	✓			FULOP	✓			VELAZQUEZ	✓		
LOPEZ	✓			RICHARDSON	✓			BRENNAN, 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]
 Peter M. Brennan, President of Council

[Signature]
 Robert Byrne, City Clerk

This summary sheet is to be attached to the front of any ordinance, resolution, cooperation agreement or contract that is submitted for Council consideration. Incomplete or sketchy summary sheets will be returned with the resolution or ordinance. The Department, Division or Agency responsible for the overall implementation of the proposed project or program should provide a concise and accurate statement of facts.

1. Full title of ordinance/ resolution/cooperation agreement:

A resolution authorizing the closing of a municipal street(s), Grand Street from Greene Street to Washington Street beginning Noon and ending 5:00 p.m. on Sunday, October 31, 2010, and if the event cannot be held on Sunday, due to inclement weather, or for any other reason, the rain date is Saturday, October 30, 2010, at the request of the Historic Paulus Hook Association for the purpose of a Halloween costume event.

2. Name and title of person initiating ordinance/resolution, etc.:

Joao D'Souza, Director of Traffic & Transportation, Division of Engineering, Traffic and Transportation at the request Andree Bourgon on behalf of the Historic Paulus Hook Association, 100 Dudley St., JCNJ 917.388.7154

3. Concise description of program, project or plan proposed in the ordinance/resolution:

Authorize the closing of Grand Street from Greene Street to Washington Street beginning Noon and ending 5:00 p.m., Sunday, October 31, 2010. However, due to inclement weather, or for any other reason, the Halloween costume event cannot be held on Sunday, October 31, 2010, it will then take place on Saturday, October 30, 2010

4. Reasons (need) for the proposed program, project, et

A Halloween costume event.

5. Anticipated benefits to the community:

Community Affair

6. Cost of proposed program, project, etc. (Indicate the dollar amount of City, State and Federal funds to be used, as well as match and in-kind contribution:

No cost to the City.

7. Date proposed program or project will commence:

Noon, Sunday, October 31, 2010, rain date: Saturday, October 30, 2010

8. Anticipated completion date:

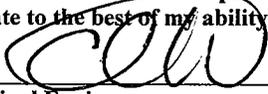
5:00 p.m., Sunday October 31, 2010, rain date: Saturday, October 30, 2010

9. Person responsible for coordinating proposed program, project, etc.:

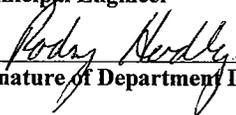
Monte Zucker, Supervising Planner, Division of Traffic and Transportation, ex. 4469

10. Additional comments:

Based on the information provided to me, I certify that all the facts presented herein are accurate to the best of my ability.


Municipal Engineer

9/23/10
Date


Signature of Department Director

9/24/10
Date

APPLICATION FOR RECREATIONAL EVENT ST CLOSURE

BLOCK: GRAND ST, GREENE ST to WASHINGTON ST

PURPOSE OF EVENT: Halloween costume event

BEGINS: Noon ENDS: 5PM Sun, Oct 31 (rain date Sat, Oct 30), 2010

APPLICANT: Andree Bourgon

ORGANIZATION: Historic Paulus Hook Assoc

STREET ADDRESS: 100 Dudley St #241

CITY, STATE, ZIP: Jersey City NJ 07302

PHONE #: 917.388.7154

BEING WAIVED: nonresident

BLKS. 37, 67, 68 & 69
URBAN RENEWAL SITE.

16

17



WASHINGTON

ST.

ST.

ST.

9

GREENE

36

P A R K I N G

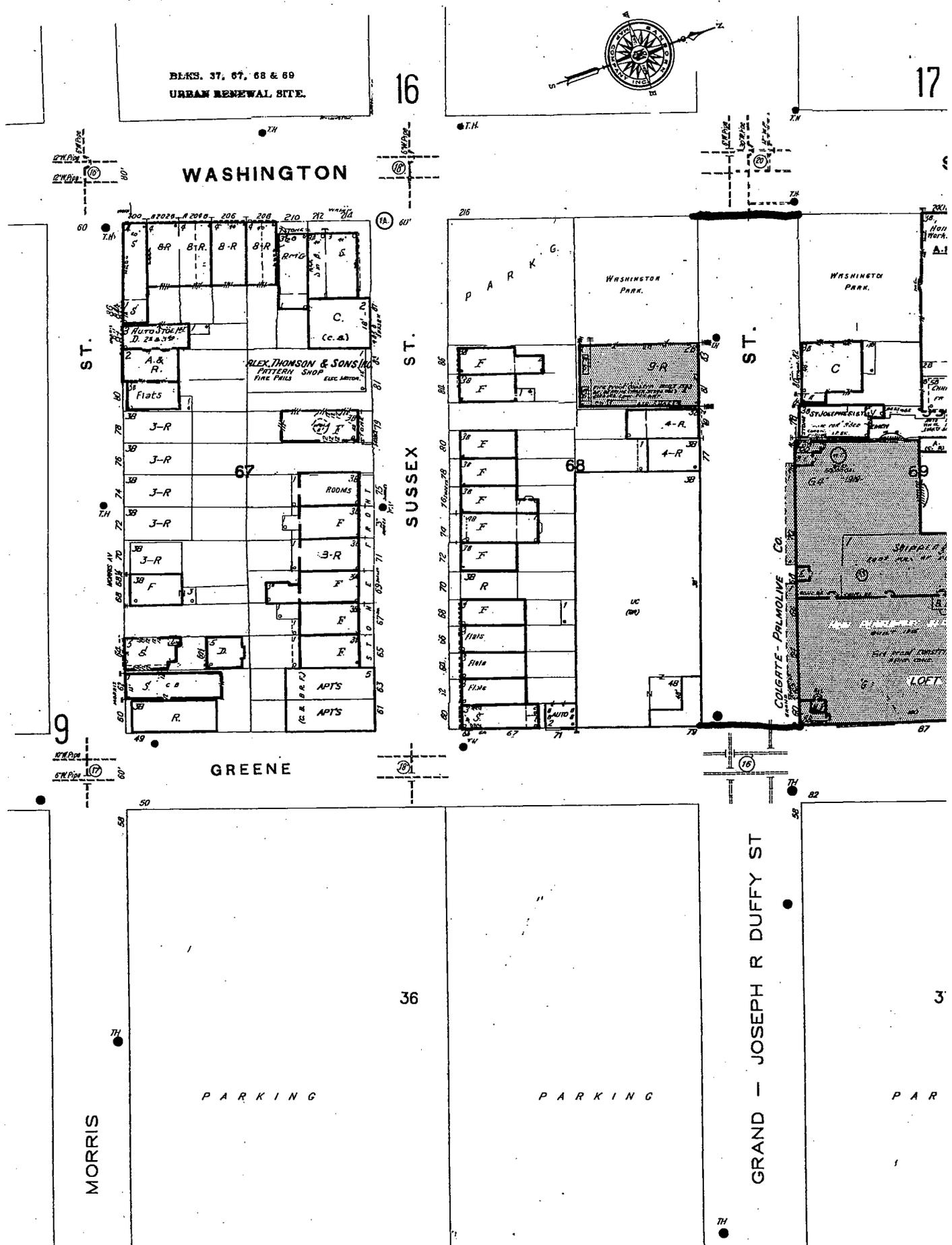
MORRIS

P A R K I N G

GRAND - JOSEPH R DUFFY ST

3

P A R



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

City Clerk File No. Res. 10-711

Agenda No. 10.M

Approved: OCT 13 2010



TITLE: RESOLUTION AUTHORIZING THE CITY OF JERSEY CITY TO ENTER INTO AN AGREEMENT FOR INDEMNIFICATION AND AUTHORIZING THE CITY RISK MANAGER TO ISSUE A LETTER OF INSURANCE

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

WHEREAS, the City of Jersey City, through the Department of Health and Human Services sponsors programs and/or coordinates cultural events; and

WHEREAS, in sponsoring and/or coordinating such events or programs, the Department of Health & Human Services requires the use of facilities or property not owned by the City; and

WHEREAS, the Department of Health & Human Services will hold their Health and Wellness Festival event on October 16, 2010 at the EXTRA Supermarket Shopping Plaza on Martin Luther King Drive in Jersey City; and

WHEREAS, EXTRA Supermarket requires an indemnification and letter of insurance from the City for October 16, 2010; and

WHEREAS, the agreement will specify the City's responsibilities to the owner of the facilities including an indemnification and hold harmless clause in which the owner cannot be held liable for injuries received by participants at these City sponsored events for property damage to the facility itself; and

WHEREAS, it is in the best interests of the City Council to conduct these events and enter into this agreement.

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 the agreement hereto indemnifying EXTRA Supermarkets.

BE IT FURTHER RESOLVED, that the Risk Manager is authorized to issue a letter of insurance to EXTRA Supermarkets in reference to this event.

BE IT FURTHER RESOLVED, that the Mayor or Business Administrator is authorized to execute such other documents that may be necessary to effectuate the purpose of the Resolution.

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

APPROVED AS TO LEGAL FORM
[Signature]
 Assistant Corporation Counsel

Certification Required
 Not Required

APPROVED 8-0

RECORD OF COUNCIL VOTE ON FINAL PASSAGE											
10/13/10											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLAND	✓			GAUGHAN	✓			BRENNAN	✓		
KENNY	✓			FULOP	✓			FLOOD		ABSENT	
LOPEZ	✓			RICHARDSON	✓			VELAZQUEZ	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

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

[Signature]
 President of Council

[Signature]
 Robert Byrne, City Clerk

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

City Clerk File No. Res. 10-712
 Agenda No. 10.N
 Approved: OCT 13 2010
 TITLE:



RESOLUTION AUTHORIZING THE CITY OF JERSEY CITY TO APPLY FOR FUNDS FROM THE NEW JERSEY DEPARTMENT OF LAW AND PUBLIC SAFETY, DIVISION OF HIGHWAY TRAFFIC SAFETY ON BEHALF OF THE POLICE DEPARTMENT TO COMBAT DRIVING WHILE INTOXICATED

**COUNCIL as a whole
 of the following resolution**

Offered and moved adoption

WHEREAS, Driving while intoxicated creates many dangers to all who use the streets of the City of Jersey City; and

WHEREAS, the New Jersey Department of Law and Public Safety has recognized this danger and has submitted a grant application for the Jersey City Police Department to apply for \$13,452.14 under the 2010 Drunk Driving Enforcement Fund (DDEF); and

WHEREAS, the Drunk Driving Enforcement Fund administers funds to Municipalities to combat While Intoxicated; and

WHEREAS, the City of Jersey City desires to combat D.W.I. and has established a Driving While Intoxicated Program; and

WHEREAS, the Division of Highway Traffic Safety will award the Jersey City Police Department a total of \$13,452.14 upon completion of this grant application; and

WHEREAS, the funds will be used to provide law enforcement overtime patrols to combat Driving While Intoxicated; implementing both roving patrols and D.W.I. checkpoints; in addition to purchasing safety equipment such as flares, cones and possibly portable breathalyzers to help officers in conducting DWI Checkpoints; and

WHEREAS, the Jersey City Police Department would like to apply for the \$13,452.14 grant from the Division of Highway Traffic Safety's 2010 Drunk Driving Enforcement Fund.

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 New Jersey Law and Public Safety for the Drunk Driving Enforcement Fund; and
2. The funds will be used for overtime patrols to combat and deter drunk driving and equipment needed to support these efforts.

APPROVED: *Samuel Jefferson*
 Business Administrator

APPROVED AS TO LEGAL FORM
Judith D. O'Donnell
 Corporation Counsel

Certification Required

Not Required

APPROVED 8-0

RECORD OF COUNCIL VOTE ON FINAL PASSAGE											
10/13/10											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			FLOOD		ABSENT	
DONNELLY	✓			FULOP	✓			VELAZQUEZ	✓		
LOPEZ	✓			RICHARDSON	✓			BRENNAN, PRES	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

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

Peter M. Brennan
 Peter M. Brennan, President of Council

Robert Byrne
 Robert Byrne, City Clerk

ORDINANCE/RESOLUTION FACT SHEET

Date Submitted to B.A. 9/28/10 *DM*

This summary sheet is to be attached to the rear of any ordinance, resolution, cooperation agreement, or contract that is submitted for Council consideration. Incomplete or sketchy summary sheets will be returned with the resolution or ordinance. The department, division, or agency responsible for the overall implementation of the proposed project or program should provide a concise and accurate statement of facts.

1. Full Title of Ordinance/Resolution/Cooperation Agreement:

RESOLUTION AUTHORIZING THE CITY OF JERSEY CITY TO APPLY FOR FUNDS FROM THE NEW JERSEY DEPARTMENT OF LAW AND PUBLIC SAFETY, DIVISION OF HIGHWAY TRAFFIC SAFETY ON BEHALF OF THE POLICE DEPARTMENT TO COMBAT DRIVING WHILE INTOXICATED

2. Name and Title of Person Initiating Ordinance/Resolution:

Police Director Samuel Jefferson

3. Concise Description of the Program, Program Project, or Plan Proposed in the Ordinance/Resolution:

The New Jersey Department of Law and Public Safety intends to award the Jersey City Police Department \$13,452.14 to combat and deter drunk driving.

4. Reasons (Need) for the Proposed Program, Project, etc.:

To ensure that persons who have been drinking do not drive and remove them from the streets.

5. Anticipated Benefits to the Community:

To remove persons that have been drinking and driving from the streets and make Jersey City a safer place for residents, motorists, and visitors.

6. Cost of Proposed Program Project, etc. (Indicate the dollar amount of City, State and Federal Funds to be used, as well as match and in-kind contributions.):

The total cost of the program will be \$13,452.14 all supplied through State Funds.

7. Date Proposed Program or Project will Commence: January 1, 2011

8. Anticipated Completion Date: December 31, 2011

9. Person Responsible for Coordinating Proposed Program/Project:

Elyse Gibbs, Supervising Analyst Grant Applications

Samuel Jefferson
Samuel Jefferson, Director of Police

9/24/10
Date

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

City Clerk File No. Res. 10-713

Agenda No. 10.0

Approved: OCT 13 2010

TITLE:



RESOLUTION AUTHORIZING THE JERSEY CITY REDEVELOPMENT AGENCY TO APPLY FOR FUNDS FROM THE UNITED STATES DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR BROWNFIELD CLEANUP GRANTS

COUNCIL
of the following resolution:

offered and moved adoption

WHEREAS, the United States Environmental Protection Agency's (USEPA) Brownfield Program provides direct funding for brownfield cleanup through a grant program; and

WHEREAS, these grants provide funding for a grant recipient to carry out cleanup activities at brownfield sites; and

WHEREAS, the Jersey City Redevelopment Agency (JCRA) desires to further the public interest by obtaining two (2) grants in the amount of \$200,000 each for a total application of \$400,000; and

WHEREAS, the projects will consist of the clean up of 125 Woodward Street and part of Grand Street (a.k.a Mill Creek); and

WHEREAS, 125 Woodward Street will be cleaned up and added to Berry Lane Park. This park is 17.5 acres and includes baseball, soccer and football fields, a spray park, court sports and other recreational components; and

WHEREAS, the second project will consist of the clean up of part of Grand Street (a.k.a. Mill Creek) which currently is a remnant tidal creek that has been owned by the City of Jersey City since the 1940's. The Creek is heavily contaminated and once remediated the site will be used to build a park; and

WHEREAS, the USDEP shall determine if the application is complete and in conformance with the scope and intent of the agency, and notify the applicant of the amount of the funding award; and

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

- 1) The City of Jersey City authorizes the Jersey City Redevelopment Agency to apply for two grants from the United States Department of Environmental Protection for clean up of 125 Woodward Street and part of Grand Street (Mill Creek); and
- 2) That these funds will be used by the Jersey City Redevelopment Agency; and
- 3) In the event that the USDEP funds are less than the grant amounts requested above the applicant has, or will secure, the balance of funding necessary to complete the project; and
- 4) That the applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project; and
- 5) That this resolution shall take effect immediately

City Clerk File No. Res. 10-713

Agenda No. 10.0 OCT 13 2010

TITLE:

RESOLUTION AUTHORIZING THE JERSEY CITY REDEVELOPMENT AGENCY TO APPLY FOR FUNDS FROM THE UNITED STATES DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR BROWNFIELD CLEANUP GRANTS

APPROVED: _____
APPROVED: _____
Business Administrator

APPROVED AS TO LEGAL FORM _____
Assistant Corporation Counsel

Certification Required
Not Required

APPROVED 8-0

RECORD OF COUNCIL VOTE ON FINAL PASSAGE											
10.7/13/10											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			VELAZQUEZ	✓		
DONNELLY	✓			FULOP	✓			FLOOD		ABSENT	
LOPEZ	✓			RICHARDSON	✓			BRENNAN, PRES	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

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

Peter M. Brennan, President of Council

Robert Byrne, City Clerk

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

City Clerk File No. Res. 10-714
 Agenda No. 10.P
 Approved: OCT 13 2010



TITLE:

RESOLUTION REJECTING ALL BIDS RECEIVED BY THE CITY OF JERSEY CITY ON SEPTEMBER 21, 2010 FOR A CONTRACT TO PROVIDE CLEANING, DECONTAMINATION, INSPECTION AND REPAIR OF ALL FIREFIGHTING PROTECTIVE GEAR AND ACCESSORIES

COUNCIL offered and moved adoption of the following resolution:

WHEREAS, the Purchasing Agent acting within his authority and conformance with N.J.S.A. 40A:11-1 et seq. publicly advertised for bids for a contract to provide cleaning, decontamination, inspection and repair of all firefighting protective gear and accessories; and

WHEREAS, the City of Jersey City (City) accepted bids on September 21, 2010 from three bidders, Lion Total Care Inc., Minerva Bunker Gear Cleaners, and 911 Safety Equipment LLC; and

WHEREAS, after receiving the bids, it was discovered that the City had inadvertently issued two different bid specifications because one requested price quotes for 500 pairs of coats and pants and the other requested price quotes for 900 pairs of coats and pants; and

WHEREAS, two bidders submitted price quotes for 500 pairs of coats and pants and one bidder submitted price quotes for 900 pairs of coats and pants; and

WHEREAS, all of the bid specifications should have stated 900 pairs of coats and pants; and

WHEREAS, it is necessary to reject all bids and rebid the contract using the quantity of 900 pairs of coats and pants; and

WHEREAS, pursuant to N.J.S.A. 40A:11-13.2(d) and (e), all bids may be rejected when the bid specifications must be revised to correct a material error.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal council of the City of Jersey City that because of the above stated reasons which are incorporated herein, all bids accepted on September 21, 2010, for a contract to provide cleaning, decontamination, inspection and repair of all firefighting protective gear and accessories are rejected.

APPROVED: *Jerome A. Pala*
 APPROVED: *[Signature]*
 Business Administrator

APPROVED AS TO LEGAL FORM
[Signature]
 Corporation Counsel

Certification Required
 Not Required

APPROVED 8-0
10/13/10

RECORD OF COUNCIL VOTE ON FINAL PASSAGE											
				10/13/10							
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			FLOOD		ABSENT	
DONNELLY	✓			FULOP	✓			VELAZQUEZ	✓		
LOPEZ	✓			RICHARDSON	✓			BRENNAN, PRES	✓		

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

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

Peter M. Brennan
 Peter M. Brennan, President of Council

Robert Byrne
 Robert Byrne, City Clerk

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

City Clerk File No. Res. 10-715

Agenda No. 10.Q

Approved: OCT 13 2010



TITLE:

RESOLUTION AUTHORIZING THE AWARD OF CONTRACT TO RICH PICERNO BUILDERS, LLC TO PROVIDE PLAYGROUND SAFETY SURFACE MAINTENANCE FOR THE DEPARTMENT OF PUBLIC WORKS /PARK MAINTENANCE

COUNCIL

OFFERED AND MOVED ADOPTION OF THE FOLLOWING RESOLUTION:

WHEREAS, the City Director of Purchasing acting within his authority and in conformity with N.J.S.A. 40A:11-1 et. seq. has publicly advertised for bids for providing **Playground Safety Surface Maintenance** for the Department of Public Works/ Park Maintenance; and

WHEREAS, pursuant to public advertisement the City of Jersey City has received **One (1) Bid**, the sole bid being that from **Rich Picerno Builders, LLC, 500 Hoiles Drive, Kenilworth, New Jersey 07033** in the total bid amount of **Fifty Eight Thousand, Eight Hundred Eighty Five (\$58,885.00) Dollars**; and

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

WHEREAS, the sum of **Fifty Eight Thousand, Eight Hundred Eighty Five (\$58,885.00) Dollars** is available in the 2011 permanent budget **Account No. 04-215-55-531-990 Department of Public Works/Park Maintenance**; and

WHEREAS, the term of this contract shall be for one (1) year after award of contract with an option to extend the contract with the same terms and conditions for up to two (2) additional one (1) year periods at the request of the City in accordance with N.J.S.A. 40A:11-15 permitting a term for three (3) years.

WHEREAS, this award of contract is contingent upon sufficient funding being appropriated in the 2011 permanent budget and in the subsequent 2012, 2013 and fiscal year budgets; and

WHEREAS, if funds are not available for the contract in the 2011 thru 2013 temporary and permanent budgets, the contract will be terminated.

Department of Public Works/Park Maintenance
Acct. No. 04-215-55-531-990 **P.O. No. 10115** **Total Amount: \$58,885.00**

(Continued on page 2)

TITLE:

RESOLUTION AUTHORIZING THE AWARD OF CONTRACT TO RICH PICERNO BUILDERS, LLC TO PROVIDE PLAYGROUND SAFETY SURFACE MAINTENANCE FOR THE DEPARTMENT OF PUBLIC WORKS /PARK MAINTENANCE

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the City of Jersey City that the said quotation of the aforementioned **Rich Picerno Builders, LLC**, be accepted and that a contract be awarded to said Company in the above amount and the City Director of Purchasing 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

J.A. 10/14/10
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 the Account shown below

Department of Public Works/Park Maintenance

Acct. No. 04-215-55-531-990

P.O. No. 101415

Total Amount \$53,835.00

Peter Folgado
APPROVED _____
Peter Folgado, Director, Purchasing

APPROVED: _____
APPROVED: _____
Business Administrator

APPROVED AS TO LEGAL FORM
_____ Corporation Counsel

Certification Required
Not Required

APPROVED 8-0
10/13/10

RECORD OF COUNCIL VOTE ON FINAL PASSAGE											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			FLOOD		ABSENT	
DONNELLY	✓			FULOP	✓			VELAZQUEZ	✓		
LOPEZ	✓			RICHARDSON	✓			BRENNAN, PRES	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

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

Peter M. Brennan
Peter M. Brennan, President of Council

Robert Byrne
Robert Byrne, City Clerk

FULL TITLE OF RESOLUTION:

RESOLUTION AUTHORIZING THE AWARD OF CONTRACT TO RICH PICERNO BUILDERS, LLC TO PROVIDE PLAYGROUND SAFETY SURFACE MAINTENANCE FOR THE DEPARTMENT OF PUBLIC WORKS /PARK MAINTENANCE

PERSON AND DEPARTMENT REQUESTING BID RECEPTION:

Rodney Hadley Director, Department of Public Works

PERSON RESPONSIBLE FOR CONDUCTING BID RECEPTION

Peter Folgado, Director, Division of Purchasing

NUMBER OF PROPOSALS PICKED-UP:

Three (3)

DATE BIDS WERE PUBLICLY RECEIVED:

July 15, 2010

NUMBER OF BIDS RECEIVED:

One (1)

DESCRIBE THE PROGRAM OR PROJECT REQUIRING BIDS:

Playground Safety Surface Maintenance for the Department of Public Works/Park Maintenance

IN THE SPACE BELOW, PROVIDE DETAILED INFORMATION FOR:

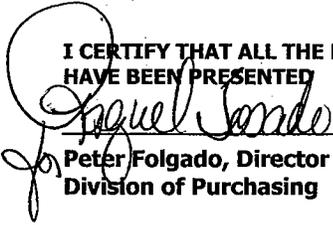
- (A) COMPLETE NAME AND ADDRESS OF ALL BIDDERS
- (B) BID RESULTS (DESCRIPTION OF BID ITEMS - INCLUDING QUANTITY OF ITEMS BID UPON, UNIT PRICES, EXTENDED PRICES, AND ANY OTHER PERTINENT INFORMATION RELEVANT TO THE BID RECEPTION) :

	Grand Total Bid Price
1. Rich Picerno Builders LLC. 500 Hoiles Avenue Kenilworth, NJ 07033	\$58,885.00

BID QUOTATION IS CONSIDERED TO BE FAIR AND REASONABLE:

10-6-10
Date

**I CERTIFY THAT ALL THE FACTS
HAVE BEEN PRESENTED**


Peter Folgado, Director
Division of Purchasing

03/07/07

Taxpayer Identification# 030-512-029/000

Dear Business Representative:

Congratulations! You are now registered with the New Jersey Division of Revenue.

Use the Taxpayer Identification Number listed above on all correspondence with the Divisions of Revenue and Taxation, as well as with the Department of Labor (if the business is subject to unemployment withholdings). Your tax returns and payments will be filed under this number, and you will be able to access information about your account by referencing it.

Additionally, please note that State law requires all contractors and subcontractors with Public agencies to provide proof of their registration with the Division of Revenue. The law also amended Section 92 of the Casino Control Act, which deals with the casino service industry.

We have attached a Proof of Registration Certificate for your use. To comply with the law, if you are currently under contract or entering into a contract with a State agency, you must provide a copy of the certificate to the contracting agency.

If you have any questions or require more information, feel free to call our Registration Hotline at (609)292-1730.

I wish you continued success in your business endeavors.

Sincerely,



James J. Fruscione
Acting Director
New Jersey Division of Revenue

STATE OF NEW JERSEY
BUSINESS REGISTRATION CERTIFICATE

DEPARTMENT OF TREASURY/
DIVISION OF REVENUE
PO BOX 252
TRENTON, N J 08646-0252

TAXPAYER NAME:

RICH PICERNO BUILDERS, L.L.C.

TRADE NAME:

ADDRESS:

**500 HOILES DRIVE
KENILWORTH NJ 07033**

SEQUENCE NUMBER:

0115923

EFFECTIVE DATE:

ISSUANCE DATE:

03/07/07



Acting Director
New Jersey Division of Revenue

FORM-BRC(08-01)

This Certificate is NOT assignable or transferable. It must be conspicuously displayed at above address.

**EEO/AFFIRMATIVE
ACTION
REQUIREMENTS
CONSTRUCTION CONTRACTS**

Questions in reference to EEO/AA Requirements For Construction
Contracts should be directed to:

Jeana F. Abuan
Affirmative Action Officer, Public Agency Compliance Officer
Department of Administration
Office of Equal Opportunity/Affirmative action
280 Grove Street Room-103
Jersey City NJ 07302
Tel. #201-547- 4533
Fax# 201-547-5088
E-mail Address: abuanJ@jcnj.org

EXHIBIT B

MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE
N.J.S.A 10:5-31 et seq., N.J.A.C. 17:27

CONSTRUCTION CONTRACTS

During the performance of this contract, the contractor agrees as follows:

The contractor or subcontractor, where applicable, will not discriminate against any employee or applicant for employment because of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Except with respect to affectional or sexual orientation and gender identity or expression, the contractor will ensure that equal employment opportunity is afforded to such applicants in recruitment and employment, and that employees are treated during employment, without regard to their age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Such equal employment opportunity shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Public Agency Compliance Officer setting forth provisions of this nondiscrimination clause.

The contractor or subcontractor, where applicable will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex.

The contractor or subcontractor, where applicable, will send to each labor union or representative of workers with which it has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the agency contracting officer advising the labor union or workers' representative of the contractor's commitments under this act and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

The contractor or subcontractor where applicable, agrees to comply with any regulations promulgated by the Treasurer pursuant to N.J.S.A. 10:5-31 et seq., as amended and supplemented from time to time and the Americans with Disabilities Act .

When hiring or scheduling workers in each construction trade, the contractor or subcontractor agrees to make good faith efforts to employ minority and women workers in each construction trade consistent with the targeted employment goal prescribed by N.J.A.C. 17:27-7.2; provided, however, that the Division may, in its discretion, exempt a contractor or subcontractor from compliance with the good faith procedures prescribed by the following provisions, A, B and C, as long as the Division is satisfied that the contractor or subcontractor is employing workers provided by a union which provides evidence, in accordance with standards prescribed by the Division , that its percentage of active "card carrying" members who are minority and women workers is equal to or greater than the targeted employment goal established in accordance with N.J.A.C. 17:27-7.2.

EXHIBIT B (Cont)

The contractor or subcontractor agrees that a good faith effort shall include compliance with the following procedures:

(A). If the contractor or subcontractor has a referral agreement or arrangement with a union for a construction trade, the contractor or subcontractor shall, within three business days of the contract award, seek assurances from the union that it will cooperate with the contractor or subcontractor as it fulfills its affirmative action obligations under this contract and in accordance with the rules promulgated by the Treasurer pursuant to N.J.S.A. 10:5-31 et. seq., as supplemented and amended from time to time and the Americans with Disabilities Act. If the contractor or subcontractor is unable to obtain said assurances from the construction trade union at least five business days prior to the commencement of construction work, the contractor or subcontractor agrees to afford equal employment opportunities to minority and women workers directly, consistent with this chapter. If the contractor's or subcontractor's prior experience with a construction trade union, regardless of whether the union has provided said assurances, indicates a significant possibility that the trade union will not refer sufficient minority and women workers consistent with affording equal employment opportunities as specified in this chapter, the contractor or subcontractor agrees to be prepared to provide such opportunities to minority and women workers directly, consistent with this chapter, by complying with the procedures prescribed under (B) below; and the contractor or subcontractor further agrees to take said action immediately if it determines or is so notified by the Division that the union is not referring minority and women workers consistent with the equal employment opportunity goals set forth in this chapter.

(B). If good faith efforts to meet targeted employment goals have not or cannot be met for each construction trade by adhering to the procedures of (A) above, or if the contractor does not have a referral agreement or arrangement with a union for a construction trade, the contractor or subcontractor agrees to take the following actions:

(1). To notify the public agency compliance officer, the Division, and minority and women referral organizations listed by the Division pursuant to N.J.A.C. 17:27-5.3, of its workforce needs, and request referral of minority and women workers;

(2). To notify any minority and women workers who have been listed with it as awaiting available vacancies;

(3). Prior to commencement of work, to request that the local construction trade union refer minority and women workers to fill job openings; provided the contractor or subcontractor has a referral agreement or arrangement with a union for the construction trade;

(4). To leave standing requests for additional referral to minority and women workers with the local construction trade union, provided the contractor or subcontractor has a referral agreement or arrangement with a union for the construction trade, the State Training and Employment Service and other approved referral sources in the area;

(5). If it is necessary to lay off some of the workers in a given trade on the construction site, layoffs shall be conducted in compliance with the equal employment opportunity and non-discrimination standards set forth in this regulation, as well as with applicable Federal and State court decisions;

EXHIBIT B (Cont)

(6). To adhere to the following procedure when minority and women workers apply or are referred to the contractor or subcontractor:

(i) If said individuals have never previously received any document or certification signifying a level of qualification lower than that required in order to perform the work of the construction trade, the contractor or subcontractor shall in good faith determine the qualifications of such individuals. The contractor or subcontractor shall hire or schedule those individuals who satisfy appropriate qualification standards in conformity with the equal employment opportunity and non-discrimination principles set forth in this chapter. However, a contractor or subcontractor shall determine that the individual at least possesses the requisite skills, and experience recognized by a union, apprentice program or a referral agency, provided the referral agency is acceptable to the Division. If necessary, the contractor or subcontractor shall hire or schedule minority and women workers who qualify as trainees pursuant to these rules. All of the requirements, however, are limited by the provisions of (C) below.

(ii). The name of any interested women or minority individual shall be maintained on a waiting list, and shall be considered for employment as described in paragraph (i) above, whenever vacancies occur. At the request of the Division, the contractor or subcontractor shall provide evidence of its good faith efforts to employ women and minorities from the list to fill vacancies.

(iii). If, for any reason, said contractor or subcontractor determines that a minority individual or a woman is not qualified or if the individual qualifies as an advanced trainee or apprentice, the contractor or subcontractor shall inform the individual in writing of the reasons for the determination, maintain a copy of the determination in its files, and send a copy to the public agency compliance officer and to the Division.

(7). To keep a complete and accurate record of all requests made for the referral of workers in any trade covered by the contract, on forms made available by the Division and submitted promptly to the Division upon request.

(C). The contractor or subcontractor agrees that nothing contained in (B) above shall preclude the contractor or subcontractor from complying with the union hiring hall or apprenticeship policies in any applicable collective bargaining agreement or union hiring hall arrangement, and, where required by custom or agreement, it shall send journeymen and trainees to the union for referral, or to the apprenticeship program for admission, pursuant to such agreement or arrangement. However, where the practices of a union or apprenticeship program will result in the exclusion of minorities and women or the failure to refer minorities and women consistent with the targeted county employment goal, the contractor or subcontractor shall consider for employment persons referred pursuant to (B) above without regard to such agreement or arrangement; provided further, however, that the contractor or subcontractor shall not be required to employ women and minority advanced trainees and trainees in numbers which result in the employment of advanced trainees and trainees as a percentage of the total workforce for the construction trade, which percentage significantly exceeds the apprentice to journey worker ratio specified in the applicable collective bargaining agreement, or in the absence of a collective bargaining agreement, exceeds the ratio established by practice in the area for said construction trade. Also, the contractor or subcontractor agrees that,

EXHIBIT B (Cont)

in implementing the procedures of (B) above it shall, where applicable, employ minority and women workers residing within the geographical jurisdiction of the union.

After notification of award, but prior to signing a construction contract, the contractor shall submit to the public agency compliance officer and the Division an initial project workforce report (Form AA 201) provided to the public agency by the Division for distribution to and completion by the contractor, in accordance with N.J.A.C. 17:27-7. The contractor also agrees to submit a copy of the Monthly Project Workforce Report once a month thereafter for the duration of this contract to the Division and to the public agency compliance officer.

The contractor agrees to cooperate with the public agency in the payment of budgeted funds, as is necessary, for on-the-job and/or off-the-job programs for outreach and training of minorities and women.

(D). The contractor and its subcontractors shall furnish such reports or other documents to the Division of Public Contracts Equal Employment Opportunity Compliance as may be requested by the Division from time to time in order to carry out the purposes of these regulations, and public agencies shall furnish such information as may be requested by the Division of Public Contracts Equal Employment Opportunity Compliance for conducting a compliance investigation pursuant to Subchapter 10 of the Administrative Code at N.J.A.C. 17:27.

The undersigned vendor certifies on their company's receipt, knowledge and commitment to comply with:

EXHIBIT B
N.J.S.A. 10:5-31 and N.J.A.C. 17:27
MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE
Construction Contracts
(Mandatory Affirmative Action Language)

The undersigned vendor further agrees to furnish the required forms of evidence and understands that their contract/company's bid shall be rejected as non-responsive if said contractor fails to comply with the requirements of N.J.S.A. 10:5-31 and N.J.A.C. 17:27.

Representative's Name/Title (Print): _____

Richard Picerno, Manager

Representative's Signature: _____

Name of Company: Rich Picerno Builders, LLC

Tel. No.: (908) 241-4331 Date: 7/8/2010

APPENDIX A
AMERICANS WITH DISABILITIES ACT OF 1990
Equal Opportunity for Individuals with Disability

The contractor and the City of Jersey City (hereafter "owner") do hereby agree that the provisions of Title 11 of the Americans With Disabilities Act of 1990 (the "Act") (42 U.S.C. §12101 et seq.), which prohibits discrimination on the basis of disability by public entities in all services, programs, and activities provided or made available by public entities, and the rules and regulations promulgated pursuant there unto, are made a part of this contract. In providing any aid, benefit, or service on behalf of the owner pursuant to this contract, the contractor agrees that the performance shall be in strict compliance with the Act. In the event that the contractor, its agents, servants, employees, or subcontractors violate or are alleged to have violated the Act during the performance of this contract, the contractor shall defend the owner in any action or administrative proceeding commenced pursuant to this Act. The contractor shall indemnify, protect, and save harmless the owner, its agents, servants, and employees from and against any and all suits, claims, losses, demands, or damages, of whatever kind or nature arising out of or claimed to arise out of the alleged violation. The contractor shall, at its own expense, appear, defend, and pay any and all charges for legal services and any and all costs and other expenses arising from such action or administrative proceeding or incurred in connection therewith. In any and all complaints brought pursuant to the owner's grievance procedure, the contractor agrees to abide by any decision of the owner which is rendered pursuant to said grievance procedure. If any action or administrative proceeding results in an award of damages against the owner, or if the owner incurs any expense to cure a violation of the ADA which has been brought pursuant to its grievance procedure, the contractor shall satisfy and discharge the same at its own expense.

The owner shall, as soon as practicable after a claim has been made against it, give written notice thereof to the contractor along with full and complete particulars of the claim. If any action or administrative proceeding is brought against the owner or any of its agents, servants, and employees, the owner shall expeditiously forward or have forwarded to the contractor every demand, complaint, notice, summons, pleading, or other process received by the owner or its representatives.

It is expressly agreed and understood that any approval by the owner of the services provided by the contractor pursuant to this contract will not relieve the contractor of the obligation to comply with the Act and to defend, indemnify, protect, and save harmless the owner pursuant to this paragraph.

It is further agreed and understood that the owner assumes no obligation to indemnify or save harmless the contractor, its agents, servants, employees and subcontractors for any claim which may arise out of their performance of this Agreement. Furthermore, the contractor expressly understands and agrees that the provisions of this indemnification clause shall in no way limit the contractor's obligations assumed in this Agreement, nor shall they be construed to relieve the contractor from any liability, nor preclude the owner from taking any other actions available to it under any other provisions of the Agreement or otherwise at law.

Representative's Name/Title Print: Richard Picerno, Manager
Representative's Signature: [Signature]
Name of Company: Picerno Builders LLC
Tel. No.: (908) 204-4331 Date: 7/8/2010

**Minority/Woman Business Enterprise (MWBE)
Questionnaire for Bidders**

Jersey City Ordinance C-829 establishes a goal of awarding 20% of the dollar amount of total city procurement to minority and woman owned business enterprises.

To assist us in monitoring our achievement of this goal, please indicate below whether your company is or is not a minority owned and/or woman owned business, and return this form with your bid proposal.

Business Name : Rich Picerno Builders, LLC
Address : 500 Hoiles Dr. Kenilworth, NJ 07033
Telephone No. : (908) 241-4331
Contact Name : Richard Picerno

Please check applicable category :

Minority Owned Business (MBE) Minority & Woman Owned Business (MWBE)
 Woman Owned business (WBE) Neither

Definitions

Minority Business Enterprise

Minority Business Enterprise means a business which is a sole proprietorship, partnership or corporation at least 51% of which is owned and controlled by persons who are African American, Hispanic, Asian American, American Indian or Alaskan native, defined as follows:

African American: a person having origins in any of the black racial groups of Africa

Hispanic: a person of Mexican, Puerto Rican, Central or South American or other non-European Spanish culture or origin regardless of race.

Asian: a person having origins in any of the original peoples of the Far East, South East Asia, Indian subcontinent, Hawaii or the Pacific Islands.

American Indian or Alaskan Native: a person having origins in any of the original peoples of North America and who maintains cultural identification through tribal affiliation or community recognition.

Woman Business Enterprise

Woman Business Enterprise means a business which is a sole proprietorship, partnership or corporation at least 51% of which is owned and controlled by a woman or women.

**Minority/Woman Business Enterprise (MWBE)
Questionnaire for Bidders**

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To assist us in monitoring our achievement of this goal, please indicate below whether your company is or is not a minority owned and/or woman owned business, and return this form with your bid proposal.

Business Name : Rich Picerno Builders, LLC
Address : 500 Hoiles Drive Kenilworth, NJ 07033
Telephone No. : (908) 241-4331
Contact Name : Richard Picerno

Please check applicable category :

- | | |
|--|---|
| <input type="checkbox"/> Minority Owned Business (MBE) | <input type="checkbox"/> Minority & Woman Owned Business (MWBE) |
| <input type="checkbox"/> Woman Owned business (WBE) | <input checked="" type="checkbox"/> Neither |

Definitions

Minority Business Enterprise

Minority Business Enterprise means a business which is a sole proprietorship, partnership or corporation at least 51% of which is owned and controlled by persons who are African American, Hispanic, Asian American, American Indian or Alaskan native, defined as follows:

- African American:** a person having origins in any of the black racial groups of Africa
- Hispanic:** a person of Mexican, Puerto Rican, Central or South American or other non-European Spanish culture or origin regardless of race.
- Asian:** a person having origins in any of the original peoples of the Far East, South East Asia, Indian subcontinent, Hawaii or the Pacific Islands.
- American Indian or Alaskan Native:** a person having origins in any of the original peoples of North America and who maintains cultural identification through tribal affiliation or community recognition.

Woman Business Enterprise

Woman Business Enterprise means a business which is a sole proprietorship, partnership or corporation at least 51% of which is owned and controlled by a woman or women.

Form MWB-3 Contractor's compliance plan to be submitted with bid document
CONTRACTOR: PROVIDE TWO (2) COMPLETED COPIES OF THIS FORM WITH YOUR PROPOSAL (or within 24 hours thereafter)

**City of Jersey City
 Department of Administration / Division of Equal Opportunity
 Division of Equal Opportunity**

Project: Playground Safety Surface # _____

Contractor: Rich Picerno Builders, LLC Bid Amt. \$58,885.00

Please list what portions of the work, if any, you intend to sublet, the approximate value of same, and whether you anticipate subletting it to a minority or woman owned contractor, or neither.

None

Trade	Approx. \$ value	To minority or woman Business? check appropriate column		
		Minority	Wom-an	Neither
XXXXXXXXXXXXXXXXXXXXXXXXXXXX				

Receipt of this report by the City does not constitute acceptance by the City of minority business participation goals less than 20% or women business participation goals less than 5% unless specifically agreed to by the Division of Equal Opportunity

CONTINUED ON NEXT PAGE

Form MWB-3 Contractor's compliance plan to be submitted with bid document
CONTRACTOR: PROVIDE TWO (2) COMPLETED COPIES OF THIS FORM WITH YOUR PROPOSAL (or within 24 hours thereafter)

**City of Jersey City
 Department of Administration / Division of Equal Opportunity
 Division of Equal Opportunity**

Project: Playground Safety Surface # _____

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None

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		Minority	Wom-an	Neither
XXXXXXXXXXXXXXXXXXXXXXXXXXXX				

Receipt of this report by the City does not constitute acceptance by the City of minority business participation goals less than 20% or women business participation goals less than 5% unless specifically agreed to by the Division of Equal Opportunity

CONTINUED ON NEXT PAGE

MWB3 page 2 - Project Playground Safety Surface

2. As to subcontracted trades mandated to be included in proposal pursuant to NJSA 40A:11-16, please list name of proposed subcontractor, trade, and whether minority, woman, or not

NONE

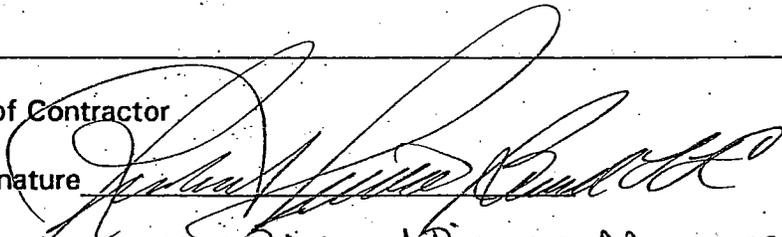
Trade	Contractor name & address	Approx \$ value	To minority or woman Business? check appropriate column		
			Min.	Wom.	Neither
XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX					

3. What is your policy and practice with respect to outreach and consideration of minority and woman owned vendors/contractors as contractors and/or suppliers?

see Attached

Name of Contractor

by: Signature



Type or print name/title: Richard Picerno, Manager

Tel: No. (908) 241-4331

Date: 7/8/2010

For City use:

Acceptable M/W business participation levels for this project: _____

by _____

Date: _____

MWB3 page 2 - Project Playground Safety Surface

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NONE

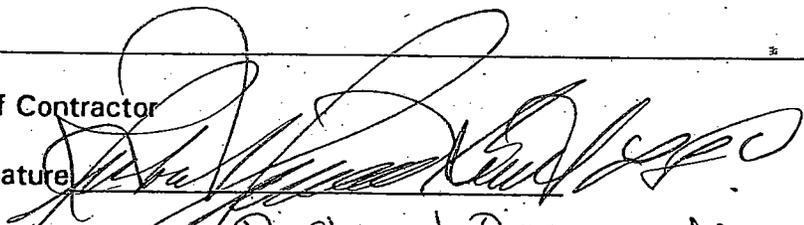
Trade	Contractor name & address	Approx \$ value	To minority or woman Business? check appropriate column		
			Min.	Wom.	Neither
XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX					

3. What is your policy and practice with respect to outreach and consideration of minority and woman owned vendors/contractors as contractors and/or suppliers?

A See Attached *

Name of Contractor

by: Signature



Type or print name/title:

Richard Picerno, Manager

Tel: No.

(908) 241-4331

Date:

7 / 8 / 2010

For City use:

Acceptable M/W business participation levels for this project:

by

Date:



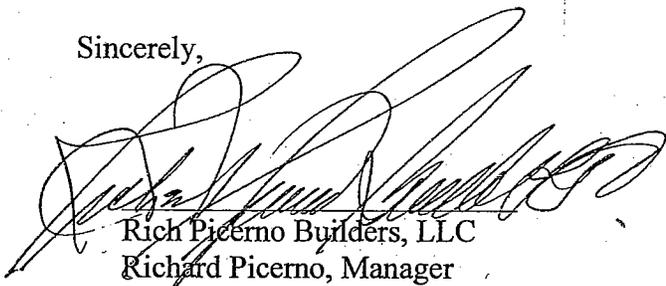
Rich Picerno Builders, LLC

500 Hoiles Drive Kenilworth, NJ 07033
Ph: 908-241-4331 Fax: 908-241-7854
GSA Schedule # GS-07F-5873P
www.sureplayinternational.com

Affirmative Action Statement

We comply with the anti-discrimination provisions of N.J.S.A. 10:2-1 et. Seq., the New Jersey Law against Discrimination N.J.S.A 10:5-1 et. seq., N.J.A.C. 17:27-1.1 et. Seq., and N.J.A.C. 6:4-1.6.

Sincerely,



Rich Picerno Builders, LLC
Richard Picerno, Manager

7/13/2010
Date

JON S. CORZINE
Governor



DAVID ROUSSEAU
State Treasurer

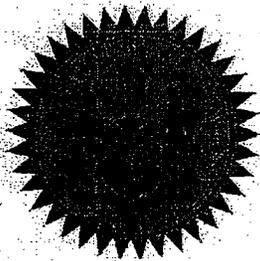
APPROVED

by the
Department of the Treasury
Division of Minority and Woman Business Development
under the
Small Business Set-Aside Act
and
Women and Minority Certification Program

This certificate acknowledges **RICH PICERNO BUILDERS LLC** as a **Category 5** approved Small Business Enterprise that has met the criteria established by N.J.A.C. 17:13.

This registration will remain in effect for three years. Annually the business must submit, not more than 20 days prior to the anniversary of the registration notice, an annual verification statement in which it shall attest that there is no change in the ownership, revenue eligibility or control of that business.

If the business fails to submit the annual verification statement by the anniversary date, the registration will lapse and the business will be removed from the SAVI that lists registered small businesses. If the business seeks to be registered again, it will have to reapply and pay the \$100 application fee. In this case, a new application must be submitted prior the expiration date of this registration.



Certification Number: 46694-25

Issued: April 7, 2009

Nina E. Moseley
Nina E. Moseley
Senior Director

Expiration: April 6, 2012

Certification 5542

CERTIFICATE OF EMPLOYEE INFORMATION REPORT

INITIAL

This is to certify that the contractor listed below has submitted an Employee Information Report pursuant to N.J.A.C. 17-27-11 et seq. and the State Treasurer has approved said report. This approval will remain in effect for the period of 15-FEB-2008 to 15-FEB-2015.

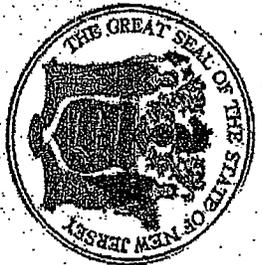
RICH PICERNO BUILDERS, LLC
500 HOILLES DRIVE
KENTLMORTH NJ 07033

Acting State Treasurer



Certificate Number
626124

Registration Date: 07/03/2010
Expiration Date: 07/04/2011



State of New Jersey

Department of Labor and Workforce Development
Division of Wage and Hour Compliance

Public Works Contractor Registration Act

Pursuant to N.J.S.A. 34:11-56.48, et seq. of the Public Works Contractor Registration Act, this certificate of registration is issued for purposes of bidding on any contract for public work or for engaging in the performance of any public work to:

Responsible Representative(s):

Toni Giordano, Manager
Richard Picerno, Manager

Rich Picerno Builders LLC
2010

Responsible Representative(s):

Harold J. Wirths

Harold J. Wirths, Commissioner
Department of Labor and Workforce Development

NON TRANSFERABLE

This certificate may not be transferred or assigned and may be revoked for cause by the Commissioner of Labor and Workforce Development.

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

City Clerk File No. Res. 10-716

Agenda No. 10.R

Approved: OCT 13 2010

TITLE:



RESOLUTION AUTHORIZING THE AWARD OF CONTRACT TRI SEASON LANDSCAPING, FOR FALL TREE PLANTING CITY WIDE FOR THE DEPARTMENT OF PUBLIC WORKS/DIVISION OF PARK MAINTENANCE

COUNCIL

OFFERED AND MOVED ADOPTION OF THE FOLLOWING RESOLUTION:

WHEREAS, the Purchasing Director acting within his authority and in conformity with N.J.S.A. 40A:11-1 et. seq. has publicly advertised for bids to supply and deliver Fall Tree Planting City Wide for the **Department of Public Works/Division of Park Maintenance**; and

WHEREAS, pursuant to public advertisement the City of Jersey City has received **Two (2)** Bids, the lowest bid being that from **Tri Season Landscaping, 2560 US Highway 22 #345, Scotch Plains New Jersey 07076**, in the total bid amount of **Twenty Three Thousand(\$23,000.00) Dollars**; and

WHEREAS, the contract shall be for a period of one (1) year commencing the date of the award of the contract; and

WHEREAS, the City reserves the option to renew the contract for one (1) additional one (1) year term; and

WHEREAS, the entire amount of this contract will be reimbursed to the City of Jersey City through a grant from New Jersey Transit for a Reforestation Plan; and

WHEREAS, the sum of **Twenty Three Thousand(\$23,000.00) Dollars**; will be budgeted for the 2011, 2012, and 2013 temporary and permanent budget years subject to the approval of said budget by the Municipal Council; and

WHEREAS, the 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.

Dept. of Public Works/Park Maintenance
Acct. No. 17-293-56-000-037 P.O. No. 101420 Amount: \$23,000.00

(Continued of page 2)

TITLE:

RESOLUTION AUTHORIZING THE AWARD OF CONTRACT TRI SEASON LANDSCAPING, FOR FALL TREE PLANTING CITY WIDE FOR THE DEPARTMENT OF PUBLIC WORKS/DIVISION OF PARK MAINTENANCE

WHEREAS, the award of the contract shall be subject to the availability and appropriation of sufficient funds in the 2011, 2012, and 2013 temporary and permanent budget; and

WHEREAS, if funds are not available for the contract in the 2011, 2012 and 2013 temporary and permanent budgets; this award will be null and void.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the City of Jersey City that the said quotation of the aforementioned **Tri Season Landscaping** be accepted and that a contract be awarded to said company in the above amount and the 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-ET, seq; and be it further

J.A. 10/4/10
 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 the Account shown below

Dept. of Public Works/Park Maintenance
 Acct. No. 17-293-56-000-037 P.O. No. 101420 Amount: \$23,000.00

APPROVED BY Peter Folgado
 Peter Folgado, Director, Purchasing

APPROVED: _____
 APPROVED: _____
 Business Administrator

APPROVED AS TO LEGAL FORM
Judith D. Connell
 Assistant Corporation Counsel

Certification Required
 Not Required

APPROVED 8-0

RECORD OF COUNCIL VOTE ON FINAL PASSAGE											
10/13/10											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			FLOOD		ABSENT	
DONNELLY	✓			FULOP	✓			VELAZQUEZ	✓		
LOPEZ	✓			RICHARDSON	✓			BRENNAN, PRES	✓		

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

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

Peter M. Brennan
 Peter M. Brennan, President of Council

Robert Byrne
 Robert Byrne, City Clerk

OF BID RECEPTION

FULL TITLE OF RESOLUTION:

RESOLUTION AUTHORIZING THE AWARD OF CONTRACT TRI SEASON LANDSCAPING, FOR FALL TREE PLANTING CITY WIDE FOR THE DEPARTMENT OF PUBLIC WORKS/DIVISION OF PARK MAINTENANCE

PERSON AND DEPARTMENT REQUESTING BID RECEPTION:

John Yurchak, Director, Public Works

PERSON RESPONSIBLE FOR CONDUCTING BID RECEPTION

Peter Folgado, Director, Division of Purchasing

NUMBER OF PROPOSALS PICKED-UP:

Seven (7)

DATE BIDS WERE PUBLICLY RECEIVED:

July 13, 2010

NUMBER OF BIDS RECEIVED:

Six (6)

DESCRIBE THE PROGRAM OR PROJECT REQUIRING BIDS:

Fall Tree Planting City Wide

IN THE SPACE BELOW, PROVIDE DETAILED INFORMATION FOR:

- (A) COMPLETE NAME AND ADDRESS OF ALL BIDDERS
- (B) BID RESULTS (DESCRIPTION OF BID ITEMS - INCLUDING QUANTITY OF ITEMS BID UPON, UNIT PRICES, EXTENDED PRICES, AND ANY OTHER PERTINENT INFORMATION RELEVANT TO THE BID RECEPTION) :

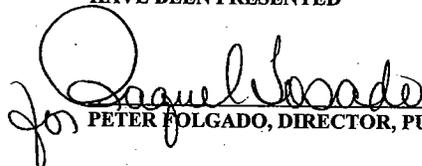
		Grand Total Bid Price
1.	Tri Season Landscaping 2560 U.S Highway 22 Scotch Plains, NJ 07076	\$23,000.00
2.	Ascape Landscape & Construction 634 Rt 33 Baulvelt, NY 10913	\$23,000.00 * Rejected-No Bid Bond
3.	Nicola Matera & Sons, LLC 48 Old Jacksonville Rd. Towaco, NJ 07082	\$24,500.00
4.	Aspen Landscaping Contracting 51 Progress Street Union, NJ 07083	\$28,944.00
5.	Louis Barbato Landscaping 1600 Railroad Avenue Holbrook, NJ 11741	\$34,300.00
6.	Andy Matt, Inc. 19 Scrub Oak Road Mine Hill, NJ 07803	\$39,800.00

BID QUOTATION IS CONSIDERED TO BE FAIR AND REASONABLE:

**I CERTIFY THAT ALL THE FACTS
HAVE BEEN PRESENTED**

Date

10-6-10


for PETER FOLGADO, DIRECTOR, PURCHASING

**EEO/AFFIRMATIVE
ACTION
REQUIREMENTS
CONSTRUCTION CONTRACTS**

Questions in reference to EEO/AA Requirements For Construction
Contracts should be directed to:

Jeana F. Abuan
Affirmative Action Officer, Public Agency Compliance Officer
Department of Administration
Office of Equal Opportunity/Affirmative action
280 Grove Street Room-103
Jersey City NJ 07302
Tel. #201-547- 4533
Fax# 201-547-5088
E-mail Address: abuanJ@jcnj.org

EXHIBIT B

MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE
N.J.S.A. 10:5-31 et seq., N.J.A.C. 17:27

CONSTRUCTION CONTRACTS

During the performance of this contract, the contractor agrees as follows:

The contractor or subcontractor, where applicable, will not discriminate against any employee or applicant for employment because of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Except with respect to affectional or sexual orientation and gender identity or expression, the contractor will ensure that equal employment opportunity is afforded to such applicants in recruitment and employment, and that employees are treated during employment without regard to their age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Such equal employment opportunity shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Public Agency Compliance Officer setting forth provisions of this nondiscrimination clause.

The contractor or subcontractor, where applicable will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex.

The contractor or subcontractor, where applicable, will send to each labor union or representative of workers with which it has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the agency contracting officer advising the labor union or workers' representative of the contractor's commitment under this act and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

The contractor or subcontractor where applicable, agrees to comply with any regulations promulgated by the Treasurer pursuant to N.J.S.A. 10:5-31 et seq., as amended and supplemented from time to time and the Americans with Disabilities Act.

When hiring or scheduling workers in each construction trade, the contractor or subcontractor agrees to make good faith efforts to employ minority and women workers in each construction trade consistent with the targeted employment goal prescribed by N.J.A.C. 17:27-7.2; provided, however, that the Division may, in its discretion, exempt a contractor or subcontractor from compliance with the good faith procedures prescribed by the following provisions, A, B and C, as long as the Division is satisfied that the contractor or subcontractor is employing work provided by a union which provides evidence, in accordance with standards prescribed by the Division, that its percentage of active "card carrying" members who are minority and women workers is equal to or greater than the targeted employment goal established in accordance with N.J.A.C. 17:27-7.2.

EXHIBIT B (Cont)

The contractor or subcontractor agrees that a good faith effort shall include compliance with the following procedures:

(A). If the contractor or subcontractor has a referral agreement or arrangement with a union for a construction trade, the contractor or subcontractor shall, within three business days of the contract award, seek assurances from the union that it will cooperate with the contractor or subcontractor as it fulfills its affirmative action obligation under this contract and in accordance with the rules promulgated by the Treasurer pursuant to N.J.S.A. 10:5-31 et. seq., as supplemented and amended from time to time and the Americans with Disabilities Act. If the contractor or subcontractor is unable to obtain said assurances from the construction trade union at least five business days prior to the commencement of construction work, the contractor or subcontractor agrees to afford equal employment opportunities to minority and women workers directly, consistent with this chapter. If the contractor's or subcontractor's prior experience with a construction trade union, regardless of whether the union provided said assurances, indicates a significant possibility that the trade union will not refer sufficient minority and women workers consistent with affording equal employment opportunities as specified in this chapter, the contractor or subcontractor agrees to be prepared to provide such opportunities to minority and women workers directly, consistent with this chapter, by complying with the procedures prescribed under (B) below; and the contractor or subcontractor further agrees to take said action immediately if it determines or is so notified by the Division that the union is not referring minority and women workers consistent with the equal employment opportunity goals set forth in this chapter.

(B). If good faith efforts to meet targeted employment goals have not or cannot be met for each construction trade by adhering to the procedures of (A) above, or if the contractor does not have a referral agreement or arrangement with a union for a construction trade, the contractor or subcontractor agrees to take the following actions:

- (1). To notify the public agency compliance officer, the Division, and minority and women referral organization listed by the Division pursuant to N.J.A.C. 17:27-5.3, of its workforce needs, and request referral of minority and women workers;
- (2). To notify any minority and women workers who have been listed with it as awaiting available vacancies;
- (3). Prior to commencement of work, to request that the local construction trade union refer minority and women workers to fill job openings; provided the contractor or subcontractor has a referral agreement or arrangement with a union for the construction trade;
- (4). To leave standing requests for additional referral to minority and women workers with the local construction trade union, provided the contractor or subcontractor has a referral agreement or arrangement with a union for the construction trade, the State Training and Employment Service and other approved referral sources in the area;
- (5). If it is necessary to lay off some of the workers in a given trade on the construction site, layoffs shall be conducted in compliance with the equal employment opportunity and non-discrimination standards set forth in this regulation, as well as with applicable Federal and State court decisions;

EXHIBIT B (Cont)

(6). To adhere to the following procedure when minority and women workers apply or are referred to the contractor or subcontractor:

(i) If said individuals have never previously received any document or certification signifying a level of qualification lower than that required in order to perform the work of the construction trade, the contractor or subcontractor shall in good faith determine the qualifications of such individuals. The contractor or subcontractor shall hire or schedule those individuals who satisfy appropriate qualification standards in conformity with the employment opportunity and non-discrimination principles set forth in this chapter. However, a contractor or subcontractor shall determine that the individual at least possesses the requisite skills, and experience recognized by a union, apprentice program or a referral agency, provided the referral agency is acceptable to the Division. If necessary, the contractor or subcontractor shall hire or schedule minority and women workers who qualify as trainees pursuant to these rules. All of the requirements, however, are limited by the provisions of (C) below.

(ii). The name of any interested women or minority individual shall be maintained on a waiting list, and shall be considered for employment as described in paragraph (i) above, whenever vacancies occur. At the request of the Division, the contractor or subcontractor shall provide evidence of its good faith efforts to employ women and minorities from the list to fill vacancies.

(iii). If, for any reason, said contractor or subcontractor determines that a minority individual or a woman is not qualified or if the individual qualifies as an advanced trainee or apprentice, the contractor or subcontractor shall inform the individual in writing of the reasons for the determination, maintain a copy of the determination in its files, and send a copy to the public agency compliance officer and to the Division.

(7). To keep a complete and accurate record of all requests made for the referral of workers in any trade covered by the contract, on forms made available by the Division and submitted promptly to the Division upon request.

(C). The contractor or subcontractor agrees that nothing contained in (B) above shall preclude the contractor or subcontractor from complying with the union hiring hall or apprenticeship policies in any applicable collective bargaining agreement or union hiring hall arrangement, and, where required by custom or agreement, it shall send journeymen and trainees to the union for referral, or to the apprenticeship program for admission, pursuant to such agreement or arrangement. However, where the practices of a union or apprenticeship program will result in the exclusion of minorities and women or the failure to refer minorities and women consistent with the targeted count employment goal, the contractor or subcontractor shall consider for employment persons referred pursuant to (B) above without regard to such agreement or arrangement; provided further, however, that the contractor or subcontractor shall not be required to employ women and minority advanced trainees and trainees in numbers which result in the employment of advanced trainees and trainees as a percentage of the total workforce for the construction trade, which percentage significantly exceeds the apprentice to journey worker ratio specified in the applicable collective bargaining agreement, or in the absence of a collective bargaining agreement, exceeds the ratio established by practice in the area for said construction trade. Also, the contractor or subcontractor agrees that,

EXHIBIT B (Cont)

.....
in implementing the procedures of (B) above it shall, where applicable, employ minority and women workers residing within the geographical jurisdiction of the union.

After notification of award, but prior to signing a construction contract, the contractor shall submit to the public agency compliance officer and the Division an initial project workforce report (Form AA 201) provided to the public agency by the Division for distribution to and completion by the contractor, in accordance with N.J.A.C. 17:27-7. The contractor also agrees to submit a copy of the Monthly Project Workforce Report once a month thereafter for the duration of this contract to the Division and to the public agency compliance officer.

The contractor agrees to cooperate with the public agency in the payment of budgeted funds, as is necessary, for on-the-job and/or off-the-job programs for outreach and training of minorities and women.

(D) The contractor and its subcontractors shall furnish such reports or other documents to the Division of Public Contracts Equal Employment Opportunity Compliance as may be requested by the Division from time to time in order to carry out the purposes of these regulations, and public agencies shall furnish such information as may be requested by the Division of Public Contracts Equal Employment Opportunity Compliance for conducting a compliance investigation pursuant to Subchapter 10 of the Administrative Code at N.J.A.C. 17:27.

The undersigned vendor certifies on their company's receipt, knowledge and commitment to comply with:

**EXHIBIT B
N.J.S.A. 10:5-31 and N.J.A.C. 17:27
MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE
Construction Contracts
(Mandatory Affirmative Action Language)**

The undersigned vendor further agrees to furnish the required forms of evidence and understands that their contract/company's bid shall be rejected as non-responsive if said contractor fails to comply with the requirements of N.J.S.A. 10:5-31 and N.J.A.C. 17:27.

Representative's Name/Title (Print):

GEORGE COLSETTI

Representative's Signature:

Name of Company: THE SEASON LANDSCAPING

Tel. No.: 908-322-9095 Date: 7/12/10

APPENDIX A
AMERICANS WITH DISABILITIES ACT OF 1990
Equal Opportunity for Individuals with Disability

The contractor and the Firm of THI SEASON LANDSCAPING (hereafter "owner") do hereby agree that the provisions of Title 11 of the Americans With Disabilities Act of 1990 (the "Act") (42 U.S.C. 5121 01 et seq.), which prohibits discrimination on the basis of disability by public entities in all services, programs, and activities provided or made available by public entities, and the rules and regulations promulgated pursuant there unto, are made a part of this contract. In providing any aid, benefit, or service on behalf of the owner pursuant to this contract, the contractor agrees that the performance shall be in strict compliance with the Act. In the event that the contractor, its agents, servants, employees, or subcontractors violate or are alleged to have violated the Act during the performance of this contract, the contractor shall defend the owner in any action or administrative proceeding commenced pursuant to this Act. The contractor shall indemnify, protect, and save harmless the owner, its agents, servants, and employees from and against any and all suits, claims, losses, demands, or damages, of whatever kind or nature arising out of or claimed to arise out of the alleged violation. The contractor shall, at its own expense, appear, defend, and pay any and all charges for legal services and any and all costs and other expenses arising from such action or administrative proceeding or incurred in connection therewith. In any and all complaints brought pursuant to the owner's grievance procedure, the contractor agrees to abide by any decision of the owner which is rendered pursuant to said grievance procedure. If any action or administrative proceeding results in an award of damages against the owner, or if the owner incurs any expense to cure a violation of the ADA which has been brought pursuant to its grievance procedure, the contractor shall satisfy and discharge the same at its own expense.

The owner shall, as soon as practicable after a claim has been made against it, give written notice thereof to the contractor along with full and complete particulars of the claim. If any action or administrative proceeding is brought against the owner or any of its agents, servants, and employees, the owner shall expeditiously forward or have forwarded to the contractor every demand, complaint, notice, summons, pleading, or other process received by the owner or its representatives.

It is expressly agreed and understood that any approval by the owner of the services provided by the contractor pursuant to this contract will not relieve the contractor of the obligation to comply with the Act and to defend, indemnify, protect, and save harmless the owner pursuant to this paragraph.

It is further agreed and understood that the owner assumes no obligation to indemnify or save harmless the contractor, its agents, servants, employees and subcontractors for any claim which may arise out of their performance of this Agreement. Furthermore, the contractor expressly understands and agrees that the provisions of this indemnification clause shall in no way limit the contractor's obligations assumed in this Agreement, nor shall they be construed to relieve the contractor from any liability, nor preclude the owner from taking any other actions available to it under any other provisions of the Agreement or otherwise at law.

Representative's Name/Title Print): GORAY COLETTI VICE PRESIDENT
Representative's Signature: [Signature]
Name of Company: THI SEASON LANDSCAPING
Tel. No.: 908-322-9495 Date: 7/12/0

STATE OF NEW JERSEY
DIVISION OF CONTRACT COMPLIANCE
EQUAL EMPLOYMENT OPPORTUNITY IN PUBLIC CONTRACTS

Official Use Only

Assignment

Code

FORM AA-201
 Revised 10/03

INITIAL PROJECT WORKFORCE REPORT CONSTRUCTION

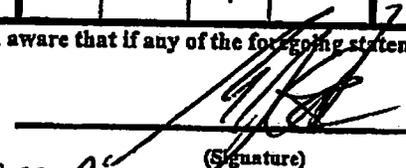
READ INSTRUCTIONS ON THE BACK CAREFULLY BEFORE THE COMPLETION AND DISTRIBUTION OF THIS FORM.
 PLEASE TYPE OR PRINT IN BLACK OR BLUE INK.

1. FID NUMBER	2. CONTRACTOR ID NUMBER	5. NAME AND ADDRESS OF PUBLIC AGENCY AWARDED CONTRACT DEPARTMENT OF PUBLIC WORKS DIVISION OF PARK MAINTENANCE CITY OF JERSEY CITY 575 ROUTE 440 JERSEY CITY N.J.
3. NAME AND ADDRESS OF PRIME CONTRACTOR TRU SEASON LANDSCAPING (Name) 2560 VSTING 22 #345 (Street Address) SCOTCH PLAINS N.J. 07076 (City) (State) (Zip Code)		CONTRACT NUMBER _____ DATE OF AWARD _____ DOLLAR AMOUNT OF AWARD _____

4. IS THIS COMPANY MINORITY OWNED [] OR WOMAN OWNED []	6. NAME AND ADDRESS OF PROJECT CITY OF JERSEY CITY FALL TREE PLANTING COUNTY HUDSON	7. PROJECT NUMBER
9. TRADE OR CRAFT	8. IS THIS PROJECT COVERED BY A LABOR AGREEMENT (PLA)? <input type="checkbox"/> YES	

	PROJECTED TOTAL EMPLOYEES				PROJECTED MINORITY EMPLOYEES				PROJECTED PHASE - IN DATE	PROJECT COMPLETION DATE
	MALE		FEMALE		MALE		FEMALE			
	J	AP	J	AP	J	AP	J	AP		
1. ASBESTOS WORKER										
2. BRICKLAYER OR MASON										
3. CARPENTER										
4. ELECTRICIAN										
5. GLAZIER										
6. HVAC MECHANIC										
7. IRONWORKER										
8. OPERATING ENGINEER										
9. PAINTER										
10. PLUMBER										
11. ROOFER										
12. SHEET METAL WORKER										
13. SPRINKLER FITTER										
14. STEAMFITTER										
15. SURVEYOR										
16. TILER										
17. TRUCK DRIVER										
18. LABORER		10				9				
19. OTHER		2								
20. OTHER										

I hereby certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements are willfully false, I am subject to punishment.


 (Signature)
 VICE PRESIDENT
 (Title)

10. (Please Print Your Name)
 908-322-9495
 (Area Code) (Telephone Number) (Ext.)

7/12/06
 (Date)

**Minority/Woman Business Enterprise (MWBE)
Questionnaire for Bidders**

Jersey City Ordinance C-829 establishes a goal of awarding 20% of the dollar amount of total city procurement to minority and woman owned business enterprises.

To assist us in monitoring our achievement of this goal, please indicate below whether your company is or is not a minority owned and/or woman owned business, and return this form with your bid proposal.

Business Name : TR1 SEASON LANDSCAPING
Address : 2560 US Hwy 22 # 345 SCOTCH PLAINS NJ 07076
Telephone No. : 908-322-9445
Contact Name : CORAY COLETTI

Please check applicable category :

Minority Owned Business (MBE) Minority & Woman Owned Business (MWBE)
 Woman Owned business (WBE) Neither

Definitions

Minority Business Enterprise

Minority Business Enterprise means a business which is a sole proprietorship, partnership or corporation at least 51% of which is owned and controlled by persons who are African American, Hispanic, Asian American, American Indian or Alaskan native, defined as follows:

African American: a person having origins in any of the black racial groups of Africa

Hispanic: a person of Mexican, Puerto Rican, Central or South American or other non-European Spanish culture or origin regardless of race.

Asian: a person having origins in any of the original peoples of the Far East, South East Asia, Indian subcontinent, Hawaii or the Pacific Islands.

American Indian or Alaskan Native: a person having origins in any of the original peoples of North America and who maintains cultural identification through tribal affiliation or community recognition.

Woman Business Enterprise

Woman Business Enterprise means a business which is a sole proprietorship, partnership or corporation at least 51% of which is owned and controlled by a woman or women.

**Minority/Woman Business Enterprise (MWBE)
Questionnaire for Bidders**

Jersey City Ordinance C-829 establishes a goal of awarding 20% of the dollar amount of total city procurement to minority and woman owned business enterprises.

To assist us in monitoring our achievement of this goal, please indicate below whether your company is or is not a minority owned and/or woman owned business, and return this form with your bid proposal.

Business Name : TRU SEASON LANDSCAPING
Address : 2560 US Hwy 22 #345 Scotch Plains N.J. 07076
Telephone No. : 908-322-9495
Contact Name : Corroy Coletti

Please check applicable category :

Minority Owned Business (MBE)

Minority & Woman Owned Business (MWBE)

Woman Owned business (WBE)

Neither

Definitions

Minority Business Enterprise

Minority Business Enterprise means a business which is a sole proprietorship, partnership or corporation at least 51% of which is owned and controlled by persons who are African American, Hispanic, Asian American, American Indian or Alaskan native, defined as follows:

African American: a person having origins in any of the black racial groups of Africa

Hispanic: a person of Mexican, Puerto Rican, Central or South American or other non-European Spanish culture or origin regardless of race.

Asian: a person having origins in any of the original peoples of the Far East, South East Asia, Indian subcontinent, Hawaii or the Pacific Islands.

American Indian or Alaskan Native: a person having origins in any of the original peoples of North America and who maintains cultural identification through tribal affiliation or community recognition.

Woman Business Enterprise

Woman Business Enterprise means a business which is a sole proprietorship, partnership or corporation at least 51% of which is owned and controlled by a woman or women.

Form MWB-3 Contractor's compliance plan to be submitted with bid document
CONTRACTOR: PROVIDE TWO (2) COMPLETED COPIES OF THIS FORM WITH YOUR PROPOSAL (or within 24 hours thereafter)

**City of Jersey City
 Department of Administration / Division of Equal Opportunity
 Division of Equal Opportunity**

Project: FALL TREE PLANTING # _____

Contractor: FALL SEASON LANDSCAPING Bid Amt. \$ 23,000

Please list what portions of the work, if any, you intend to sublet, the approximate value of same, and whether you anticipate subletting it to a minority or woman owned contractor, or neither.

Trade	Approx. \$ value	To minority or woman Business? check appropriate column		
		Minority	Wom-an	Neither
XXXXXXXXXXXXXXXXXXXXXXXXXXXX				

Receipt of this report by the City does not constitute acceptance by the City of minority business participation goals less than 20% or women business participation goals less than 5% unless specifically agreed to by the Division of Equal Opportunity

CONTINUED ON NEXT PAGE

Form MWB-3 Contractor's compliance plan to be submitted with bid document
CONTRACTOR: PROVIDE TWO (2) COMPLETED COPIES OF THIS FORM WITH YOUR PROPOSAL (or within 24 hours thereafter)

**City of Jersey City
 Department of Administration / Division of Equal Opportunity
 Division of Equal Opportunity**

Project: FALL TREE PLANTING # _____

Contractor: FALL SEASON LANDSCAPING Bid Amt. \$ 23,000

Please list what portions of the work, if any, you intend to sublet, the approximate value of same, and whether you anticipate subletting it to a minority or woman owned contractor, or neither.

Trade	Approx. \$ value	To minority or woman Business? check appropriate column		
		Minority	Woman	Neither
XXXXXXXXXXXXXXXXXXXXXXXXXXXX				

Receipt of this report by the City does not constitute acceptance by the City of minority business participation goals less than 20% or women business participation goals less than 5% unless specifically agreed to by the Division of Equal Opportunity

CONTINUED ON NEXT PAGE

MWB3 page 2 - Project City wide tree planting

2. As to subcontracted trades mandated to be included in proposal pursuant to NJSA 40A:11-16, please list name of proposed subcontractor, trade, and whether minority, woman, or not

Trade	Contractor name & address	Approx \$ value	To minority or woman Business? check appropriate column		
			Min.	Wom.	Neither
XXXXXXXXXXXXXXXXXXXXXXXXXXXX					

3. What is your policy and practice with respect to outreach and consideration of minority and woman owned vendors/contractors as contractors and/or suppliers?

Name of Contractor: TRI-SEASON LANDSCAPING

by: Signature: [Signature]

Type or print name/title: GURDY COLETTI VICE PRESIDENT

Tel: No. 908-322-9495 Date: 7/12/10

.....
For City use:

Acceptable M/W business participation levels for this project: _____

by _____ Date: _____

2. As to subcontracted trades mandated to be included in proposal pursuant to NJSA 40A:11-16, please list name of proposed subcontractor, trade, and whether minority, woman, or not

Trade	Contractor name & address	Approx \$ value	To minority or woman Business? check appropriate column		
			Min.	Wom.	Neither
XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX					

3. What is your policy and practice with respect to outreach and consideration of minority and woman owned vendors/contractors as contractors and/or suppliers?

Name of Contractor THE SEASON LANDSCAPING

by: Signature [Signature]

Type or print name/title: GARY COLETTI VICE PRESIDENT

Tel: No. 908-322-9495

Date: 7/12/10

.....
For City use:

Acceptable M/W business participation levels for this project: _____

by _____

Date: _____

**STATE OF NEW JERSEY
DIVISION OF CONTRACT COMPLIANCE**

FORM AA202

FORM AA202		STATE OF NEW JERSEY		DIVISION OF CONTRACT COMPLIANCE	
PROJECT NO.		65-1170917			
MONTH OF WORK FORCE REPORT CONSTRUCTION					
YEAR INSTRUCTIONS ON BACKWARDLY BEFORE COMPLETION					
THIS FORM IS FOR USE BY CONTRACTORS ONLY					
CONTRACTOR NAME		CITY OF JERSEY CITY		PROJECT CODE	
CONTRACT NO.		1821			
CONTRACT VALUE					
CONTRACT TYPE					
CONTRACT STATUS					
CONTRACT DESCRIPTION					
CONTRACT LOCATION					
CONTRACT DATE					
CONTRACT END DATE					
CONTRACT START DATE					
CONTRACT COMPLETE DATE					
CONTRACT CANCELLED DATE					
CONTRACT MODIFIED DATE					
CONTRACT AMENDMENT NO.					
CONTRACT AMENDMENT DATE					
CONTRACT AMENDMENT DESCRIPTION					
CONTRACT AMENDMENT VALUE					
CONTRACT AMENDMENT STATUS					
CONTRACT AMENDMENT TYPE					
CONTRACT AMENDMENT REASON					
CONTRACT AMENDMENT COMMENTS					

IF COMPLETED BY CONTRACTOR, CONTRACTOR'S SIGNATURE AND TITLE ARE REQUIRED. IF THE FOREGOING STATEMENTS ARE TRUE, CONTRACTOR'S SIGNATURE AND TITLE ARE REQUIRED. IF ANY OF THESE STATEMENTS ARE WILLFULLY FALSE, CONTRACTOR IS SUBJECT TO PUNISHMENT.

CONTRACTOR SIGNATURE: George Castelli TITLE: V.P.
 CONTRACTOR SIGNATURE: ... TITLE: ...
 CONTRACTOR SIGNATURE: ... TITLE: ...
 CONTRACTOR SIGNATURE: ... TITLE: ...

Certificate Number
621233

Registration Date: 11/13/2009
Expiration Date: 11/12/2010



State of New Jersey

Department of Labor and Workforce Development Division of Wage and Hour Compliance

Public Works Contractor Registration Act

Pursuant to N.J.S.A. 34:11-56.48, et seq. of the Public Works Contractor Registration Act, this certificate of registration is issued for purposes of bidding on any contract for public work or for engaging in the performance of any public work to:

Responsible Representative(s):
Anthony Leone, President

A handwritten signature in cursive script, appearing to read "David J. Socolow".

David J. Socolow, Commissioner
Department of Labor and Workforce Development

Tri-Season Landscaping & Construction Inc.

Responsible Representative(s):
Gordon Coletti, Vice-President

NON TRANSFERABLE

This certificate may not be transferred or assigned
and may be revoked for cause by the Commissioner
of Labor and Workforce Development.



STATE OF NEW JERSEY BUSINESS REGISTRATION CERTIFICATE

Taxpayer Name: TRI-SEASON LANDSCAPING & CONSTRUCTION INC.
Trade Name:
Address: 2260 SUNRISE COURT
SCOTCH PLAINS, NJ 07076
Certificate Number: 0978158
Effective Date: March 27, 2003
Date of Issuance: October 28, 2009

For Office Use Only:

20091028124645464

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

City Clerk File No. Res. 10-717

Agenda No. 10.S

Approved: OCT 13 2010



TITLE:

RESOLUTION AUTHORIZING A PROFESSIONAL SERVICE AGREEMENT WITH CHASAN, LEYNER & LAMPARELLO AND TO REPRESENT MICHAEL RAZZOLI IN THE MATTER OF 172 RESTAURANT LLC D/B/A ATOMIC WINGS v. CITY OF JERSEY CITY AND MICHAEL RAZZOLI

WHEREAS, the City of Jersey City and Michael Razzoli was named in a complaint alleging discrimination by Construction Code Official Michael Razzoli in delaying approval in the permit process; and

WHEREAS, the Corporation Counsel has recommended the appointment of outside counsel to represent Michael Razzoli in this matter; and

WHEREAS, the City is acquiring these services directly and openly as a statutorily permitted contract pursuant to the provisions of N.J.S.A. 19:44A-20.5 (Pay-to-Play Law); and

WHEREAS, Chasan, Leyner & Lamparello, possesses the skills and expertise to perform these services; and

WHEREAS, special counsel agreed to provide these services at an hourly rate of \$125.00 per hour, including expenses, for a total amount not to exceed \$35,000; and

WHEREAS, this contract is made in accordance with the "fair and open process" of the Pay-to-Play Law; and

WHEREAS, the law firm of Chasan, Leyner & Lamparello has completed and submitted a Business Entity Disclosure Certification which certifies that he has not made any reportable contributions to the political or candidate committees listed in the Business Entity Disclosure Certification in the previous one year, and that the contract will prohibit Chasan, Leyner & Lamparello from making any reportable contributions during the term of the contract; and

WHEREAS, Chasan, Leyner & Lamparello has submitted a Chapter 271 Political Contribution Disclosure Certification at least 10 days prior to the award of this contract; and

WHEREAS, Chasan, Leyner & Lamparello 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, funds are available for the cost of these services in Account No.: 11-14-298-56-000-856.

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

1. An agreement is awarded to Chasan, Leyner & Lamparello to represent Michael Razzoli in this matter, for a total amount of \$35,000, including expenses.

TITLE:

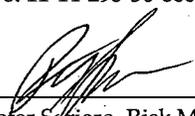
RESOLUTION AUTHORIZING A PROFESSIONAL SERVICE AGREEMENT WITH CHASAN, LEYNER & LAMPARELLO TO REPRESENT MICHAEL RAZZOLI IN THE MATTER OF 172 RESTAURANT LLC D/B/A ATOMIC WINGS v. CITY OF JERSEY CITY AND MICHAEL RAZZOLI

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

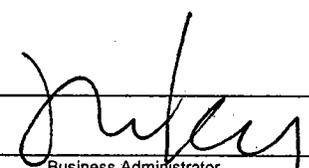
3. The Mayor or Business Administrator is hereby authorized to execute an agreement in substantially the form attached subject to such modification as the Corporation Counsel deems appropriate or necessary.

4. A copy of this resolution will 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 the resolution.

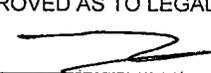
I hereby certify that funds are available in Account No. 11-14-298-56-000-856.



Peter Soriero, Risk Manager

APPROVED: 

Business Administrator

APPROVED AS TO LEGAL FORM


Corporation Counsel

Certification Required

Not Required

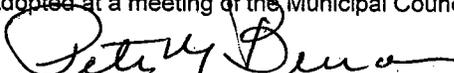
APPROVED 8-0

RECORD OF COUNCIL VOTE ON FINAL PASSAGE											
10/13/10											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			VELAZQUEZ	✓		
DONNELLY	✓			FULOP	✓			FLOOD		ABSENT	
LOPEZ	✓			RICHARDSON	✓			BRENNAN, PRES	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

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



Peter M. Brennan, President of Council



Robert Byrne, City Clerk

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

City Clerk File No. R&s. 10-718

Agenda No. 10.T

Approved: OCT 13 2010



TITLE:

Resolution Honoring Phillip E. Holmes ON THE OCCASION OF HIS RETIREMENT

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

WHEREAS, Phillip E. Holmes, was born on August 27, 1945 in Houston Texas to Nellie Holmes, a school teacher and Wilber Holmes a dedicated Amtrak employee (67 years); and

WHEREAS, Phillip E. Holmes, affectionately referred to as "Phil," served our country for three years in the United States Army. He also worked as a computer operator in Houston, Texas prior to relocating to the City of Jersey City; and

WHEREAS, Phil Holmes began his career with the City of Jersey City on April 7, 1987, in the Department of Health and Human Services (formerly, the Department of Human Resources) as a Field Representative for Senior Citizen Programs. Phil worked with various community programs including the Summer Bus Program, Summer Food Program and Camp Sunshine; and

WHEREAS, Phil Holmes transferred to the Department of Housing, Economic Development and Commerce under the auspices of the Division of Community Development (formerly, Office of Grants Administration and Compliance) in 1994. He has diligently spent the remainder of his tenure working in the Division of Community Development serving as Program Monitor for the Community Services Block Grant (CSBG), Community Development Block Grant (CDBG) and Emergency Shelter Grant (ESG) programs; and

WHEREAS, Phil Holmes cares about his community and has always volunteered for various causes. He has a particular affinity for homeless causes and faithfully served as Homeless Coordinator for the City of Jersey City; and

WHEREAS, Phil Holmes retired on September 1, 2010 after twenty-three (23) years of dedicated service to the City of Jersey City. His dedication and work ethic will be greatly missed; and

WHEREAS, Phil Holmes will now have more time for his family. Phil married Ada Holmes in 1976. They are the loving parents of Adrienne and Joseph Holmes. Phil and Ada recently became the grandparents of a one (1) year old girl and 3 week old boy.

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the City of Jersey City do hereby honor Phillip E. Holmes, a dedicated public servant, on the occasion of his retirement. We wish him continued good health and happiness in the future.

G:\WPDOCS\TOLONDA\RESOS\RETIRE\Phillip Holmes.DOCX

APPROVED: _____ APPROVED AS TO LEGAL FORM _____
Julie *Judith D. O'Donnell*
 Business Administrator Asst. Corporation Counsel
 Certification Required

Not Required APPROVED 8-0

RECORD OF COUNCIL VOTE ON FINAL PASSAGE											
10/13/10											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			FLOOD		ABSENT	
DONNELLY	✓			FULOP	✓			VELAZQUEZ	✓		
LOPEZ	✓			RICHARDSON	✓			BRENNAN, PRES	✓		

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

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

 Peter M. Brennan, President of Council

 Robert Byrne, City Clerk

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

City Clerk File No. Res. 10-719

Agenda No. 10.U

Approved: OCT 13 2010



TITLE:

Resolution Commending Perfecto Oyola On the Occasion and Celebration of Hispanic Heritage Month

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

WHEREAS, Hispanics have overcome great obstacles to persevere and flourish in every sector of our society. Hispanics represent a wide range of nationalities and backgrounds. During National Hispanic Heritage Month, we pause to celebrate the immeasurable contributions Hispanics have made to our city and our nation; and

WHEREAS, Perfecto Oyola was born in Aguas Buenas, Puerto Rico. He joined the United States military in 1948 and was stationed in Puerto Rico, Panama and Germany. Perfecto relocated to the United States in 1956, where Jersey City became his new home; and

WHEREAS, Perfecto Oyola is the founder of the Jersey City Hispanic Merchants and the founder and organizer of Puertorriqueños Asociados for Community Organization (P.A.C.O.). Perfecto also served as President of the Puerto Rican Lutheran Housing Corporation which was responsible for the establishment of both the Villa Borinquen complex and Paulus Hook Towers Community Housing in Jersey City; and

WHEREAS, Perfecto Oyola's dedication to the community was recognized when the Perfecto Oyola Biblioteca Criolla and Cultural Center, the Jersey City Spanish-language branch library opened in honor of the community activist on April 19, 1997.

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the City of Jersey City joins the nation in celebrating Hispanic Heritage Month from September 15 thru October 15, 2010.

BE IT FURTHER RESOLVED, that the Municipal Council of the City of Jersey City does hereby commend Perfecto Oyola on the occasion and celebration of Hispanic Heritage Month.

G:\WPDOCS\TOLONDA\RESOS\MONTH\Hispanic Heritage Month.wpd

APPROVED: _____
 APPROVED: _____
Business Administrator

APPROVED AS TO LEGAL FORM

Assistant Corporation Counsel

Certification Required

Not Required

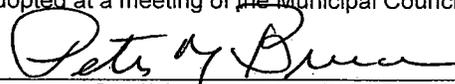
APPROVED 8-0

RECORD OF COUNCIL VOTE ON FINAL PASSAGE											
10/13/10											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			FLOOD		ABSENT	
DONNELLY	✓			FULOP	✓			VELAZQUEZ	✓		
LOPEZ	✓			RICHARDSON	✓			BRENNAN, PRES	✓		

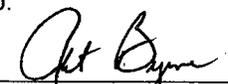
✓ Indicates Vote

N.V.-Not Voting (Abstain)

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



Peter M. Brennan, President of Council



Robert Byrne, City Clerk

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

City Clerk File No. Res. 10-720
 Agenda No. 10.V
 Approved: OCT 13 2010



TITLE:

Resolution Commending Nicolas J. Padin On the Occasion and Celebration of Hispanic Heritage Month

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

WHEREAS, Hispanics have overcome great obstacles to persevere and flourish in every sector of our society. Hispanics represent a wide range of nationalities and backgrounds. During National Hispanic Heritage Month, we pause to celebrate the immeasurable contributions Hispanics have made to our city and our nation; and

WHEREAS, Nicolas J. Padin was born in Quebradilla, Puerto Rico on September 1935. He relocated to the United States in 1948. Nicolas was hard-working at a young age. He worked after school delivering groceries and stocking items at the delicatessen in the Bronx where he lived with his family; and

WHEREAS, Nicolas J. Padin moved to Hoboken, N.J. when he was 17 and worked at a factory in Rutherford, N.J. Nicolas also sold medical and life insurance. At night, he attended Dickinson High School. Nicolas furthered his education at Rutgers College in Newark, N.J. and received his Insurance Broker's License from the State of New Jersey; and

WHEREAS, Nicolas J. Padin was the proprietor of an insurance and bail bond business in Jersey City for approximately eight years prior to his ownership of Padin Travel & Insurance located at 169 Christopher Columbus Drive in the downtown section of Jersey City. He is also the owner of the building; and

WHEREAS, Nicolas J. Padin has been in the insurance business for 50 years; and

WHEREAS, Nicolas J. Padin is 74 years old. He is the husband of Hilda Padin and the proud father of Nicolas, Evelyn, Joel, Jennifer and Linda Padin.

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the City of Jersey City joins the nation in celebrating Hispanic Heritage Month from September 15 thru October 15, 2010.

BE IT FURTHER RESOLVED, that the Municipal Council of the City of Jersey City does hereby commend Nicolas J. Padin on the occasion and celebration of Hispanic Heritage Month.

G:\WPDOCS\TOLONDA\RESOS\MONTH\Hispanic Heritage Month.wpd

APPROVED: _____
 APPROVED: _____
 Business Administrator

APPROVED AS TO LEGAL FORM

 Assistant Corporation Counsel

Certification Required
 Not Required

APPROVED 8-0

RECORD OF COUNCIL VOTE ON FINAL PASSAGE											
				10/13/10							
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			FLOOD		ABSENT	
DONNELLY	✓			FULOP	✓			VELAZQUEZ	✓		
LOPEZ	✓			RICHARDSON	✓			BRENNAN, PRES	✓		

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

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

 Peter M. Brennan, President of Council

 Robert Byrne, City Clerk

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

City Clerk File No. Res. 10-721
 Agenda No. 10.W
 Approved: OCT 13 2010



TITLE:

Resolution Commending Angel Luis Rivera On the Occasion and Celebration of Hispanic Heritage Month

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

WHEREAS, Hispanics have overcome great obstacles to persevere and flourish in every sector of our society. Hispanics represent a wide range of nationalities and backgrounds. During National Hispanic Heritage Month, we pause to celebrate the immeasurable contributions Hispanics have made to our city and our nation; and

WHEREAS, Angel Luis Rivera was born on February 4, 1939, in Pasto Viejo, Cayey, Puerto Rico. He relocated to Jersey City in 1955 at the age of fifteen; and

WHEREAS, Angel Luis Rivera was employed by Jacob's Brothers Company for 27 years. In June 1990, he began his employment with the Department of Health and Human Resources in the City of Jersey City as a messenger. He currently serves as the Supervisor of messengers and guards; and

WHEREAS, Angel Luis Rivera has a passion for softball. He was involved with Jersey City softball for many years from the Catholic Softball League to organizing the Borinquen Softball League. Angel served as President, Team Official and Team Sponsor of the Marco Lluveras Softball League; and

WHEREAS, Angel Luis Rivera has been the recipient of many community awards. In recognition of his community contributions, Angel Rivera was selected Man of the Year in 1999 by the Puerto Rican Parade Committee. He has participated in the planning and realization of the parade for more than 40 years and served as Treasurer of the organization during the years 2005, 2006 and 2007; and

WHEREAS, Angel Luis Rivera and his brother opened Rivera's Lounge in 1974. Their establishment became a favorite local hangout. The neighborhood landmark still thrives today although the ownership has changed; and

WHEREAS, Angel Luis Rivera is the proud father of Linda, Angel, Hector, Jessica, Eric, Samantha and Maria.

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the City of Jersey City joins the nation in celebrating Hispanic Heritage Month from September 15 thru October 15, 2010.

BE IT FURTHER RESOLVED, that the Municipal Council of the City of Jersey City does hereby commend Angel Luis Rivera on the occasion and celebration of Hispanic Heritage Month.

G:\WPDOCS\TOLONDA\RESOS\MONTH\Hispanic Heritage Month.wpd

APPROVED: _____
 APPROVED: _____
 Business Administrator

APPROVED AS TO LEGAL FORM

 Assistant Corporation Counsel

Certification Required
 Not Required

APPROVED 8-0

RECORD OF COUNCIL VOTE ON FINAL PASSAGE 10/13/10											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			FLOOD		ABSENT	
DONNELLY	✓			FULOP	✓			VELAZQUEZ	✓		
LOPEZ	✓			RICHARDSON	✓			BRENNAN, PRES	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

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

 Peter M. Brennan, President of Council

 Robert Byrne, City Clerk

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

City Clerk File No. Res. 10-722
 Agenda No. 10.X
 Approved: OCT 13 2010
 TITLE:



Resolution Commending Puertorriqueños Asociados for Community Organization (PACO) On the Occasion and Celebration of Hispanic Heritage Month

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

WHEREAS, Hispanics have overcome great obstacles to persevere and flourish in every sector of our society. Hispanics represent a wide range of nationalities and backgrounds. During National Hispanic Heritage Month, we pause to celebrate the immeasurable contributions Hispanics have made to our city and our nation; and

WHEREAS, Puertorriqueños Asociados for Community Organization (PACO), founded on June 30, 1970, is a bilingual/bi-cultural non-profit 501(c)(3) community based organization. Since its inception, PACO has been in the forefront advocating for the rights and benefits of the Puerto Rican community; and

WHEREAS, PACO, has throughout the years, contracted and negotiated with governmental agencies in an effort to provide comprehensive services to its ever growing clientele. PACO was one of the first social service agencies in the State of New Jersey to offer GED and ESL classes for community residents. The organization also provides clients with housing information and apartment search assistance; and

WHEREAS, PACO conducts health clinics fairs, family planning, first-time home buyers seminars, college admission fairs, summer youth programs, senior programs and computer literacy classes. PACO's most recent accomplishment was establishing and opening the Liberty Academy Charter School; and

WHEREAS, PACO is one of the oldest and most powerful Hispanic organizations in the State of New Jersey. Hudson County, especially Jersey City, has grown to include a myriad of people from across the world and is now known for its multi-cultural diversity. PACO is eminent in servicing the new expanding multi-cultural community.

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the City of Jersey City joins the nation in celebrating Hispanic Heritage Month from September 15 thru October 15, 2010.

BE IT FURTHER RESOLVED, that the Municipal Council of the City of Jersey City does hereby commend Puertorriqueños Asociados for Community Organization (PACO) on the occasion and celebration of Hispanic Heritage Month.

G:\WPDOCS\TOLONDA\RESOS\MONTH\Hispanic Heritage Month.wpd

APPROVED: _____ APPROVED AS TO LEGAL FORM _____
 (Signature: *J. W. Kelly*) (Signature: *Judith D. O'Donnell*)
 Business Administrator Corporation Counsel
 Certification Required
 Not Required **APPROVED 8-0**

RECORD OF COUNCIL VOTE ON FINAL PASSAGE											
10/13/10											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			FLOOD		ABSENT	
DONNELLY	✓			FULOP	✓			VELAZQUEZ	✓		
LOPEZ	✓			RICHARDSON	✓			BRENNAN, PRES	✓		

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

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

 Peter M. Brennan, President of Council Robert Byrne, City Clerk

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

City Clerk File No. Res. 10-723
 Agenda No. 10.Y
 Approved: OCT 13 2010



TITLE:

RESOLUTION CONGRATULATING THE BOYS AND GIRLS CLUB UNDER 11 BOYS BASKETBALL TEAM ON THEIR SUCCESS IN AAU COMPETITION

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

WHEREAS, the City of Jersey City is proud to recognize the outstanding accomplishments of the Boys & Girls Club of Hudson County and its Basketball Travel Team for their outstanding accomplishments in AAU competition; and;

WHEREAS, members of the travel team program reached their full potential, not only as players, but as productive, caring and responsible citizens; and

WHEREAS, they have developed a healthy self concept, a strong belief in their own self-worth and a sense of hope about their future. They have become adept at setting and attaining goals, confidently making the necessary decisions to achieve on and off the basketball court; and

WHEREAS, they have learned to work closely with their teammates to achieve the greater good and the use of sound judgment about personal safety, nutrition and avoidance of alcohol and drugs; and

WHEREAS, their accomplishments include first place and second place finishes in highly competitive tournament play. One tournament afforded the team the opportunity to compete in the championship game at Madison Square Garden on July 16, 2010, a game they lost by just one point; and

WHEREAS, Coach Tyler Brown and assistant coaches John Keller and Quadel Robertson should be acknowledged for their hard work and dedication. The players on the team, Tyler Brown Jr., Ryan Keller, Nasir Salaam, Jarod Goodson, Isaiah Smalls, Paul Mulcahy, Drew Singleton, Tyler Friday, Jason Lee and Chad Steward. should also be acknowledged for a job well done; and

NOW, THEREFORE BE IT RESOLVED, that the Municipal Council of the City of Jersey City does hereby congratulate the Boy and Girls Club of Hudson County, their Travel Basketball Team and wishes them continued success in the future.

APPROVED: _____
 APPROVED: *[Signature]*
 Business Administrator

APPROVED AS TO LEGAL FORM
[Signature]
 Asst Corporation Counsel

Certification Required

Not Required

G:\WPDOCS\UANET\RESOLUTION\CONGRATS\OY AND GIRL'S BASKETBALL TEAM.wpd

APPROVED 8-0

RECORD OF COUNCIL VOTE ON FINAL PASSAGE											
10/13/10											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			FLOOD		ABSENT	
DONNELLY	✓			FULOP	✓			VELAZQUEZ	✓		
LOPEZ	✓			RICHARDSON	✓			BRENNAN, 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]
 Peter M. Brennan, President of Council

[Signature]
 Robert Byrne, City Clerk

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

City Clerk File No. Res. 10-724
 Agenda No. 102Z
 Approved: OCT 13 2010
 TITLE:



RESOLUTION AUTHORIZING THE RECOGNITION OF OCTOBER 23, 2010 AS MAKE A DIFFERENCE DAY

COUNCIL AS A WHOLE MOVED THE ADOPTION OF THE FOLLOWING RESOLUTION:

WHEREAS, the City of Jersey City and the Municipal Council is proud to support Make A Difference Day, celebrated nationally on Saturday, October 23, 2010, and

WHEREAS, first started by USA WEEKEND Magazine, Make A Difference Day is celebrated on the fourth Saturday of every October. In cooperation with mayors across the country, and sponsored in partnership with the Hands On Network, Make A Difference Day is the nation's largest annual day of volunteering, mobilizing millions of people nationwide. In 2009, three million people participated in the completion of thousands of projects in communities throughout the United States; and

WHEREAS, on Make A Difference Day, and every day, people are encouraged to offer assistance to those around them in need of aid. Whether old or young, a group or individual, the idea that everyone is able to make a difference is vital in creating a cohesive community.

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

1. October 23, 2010 be recognized as Make A Difference Day in Jersey City;
2. All the residents are strongly urged to honor the spirit of this day by supporting their communities and neighbors through active volunteer work.

APPROVED: _____
 APPROVED: [Signature]
 Business Administrator

APPROVED AS TO LEGAL FORM
[Signature]
 Asst. Corporation Counsel

Certification Required

Not Required

APPROVED 8-0

RECORD OF COUNCIL VOTE ON FINAL PASSAGE											
10/13/10											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			FLOOD		ABSENT	
DONNELLY	✓			FULOP	✓			VELAZQUEZ	✓		
LOPEZ	✓			RICHARDSON	✓			BRENNAN, 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]
 Peter M. Brennan, President of Council

[Signature]
 Robert Byrne, City Clerk

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

City Clerk File No. Res. 10-725

Agenda No. 10.Z.1

Approved: OCT 13 2010



TITLE: **RESOLUTION CHANGING THE DATE OF
THE OCTOBER 25, 2010 CAUCUS
TO OCTOBER 26, 2010 AT 5:30 P.M.**

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

WHEREAS, the Caucus for the October 27, 2010, Regular Council Meeting is scheduled to be held on Monday, October 25, 2010 at 5:30 P.M.; and

WHEREAS, the Municipal Council wishes to change the date of the Caucus to **TUESDAY, October 26, 2010 at 5:30 P.M.** in the Efrain Rosario Memorial Caucus Room, City Hall; and

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

1. The Caucus for the Regular Meeting will be held on **TUESDAY, October 26, 2010 at 5:30 P.M.**
2. A Regular Meeting will be held on Wednesday, October 27, 2010 at 6:00 P.M. as scheduled.

BE IT FURTHER RESOLVED, that the City Clerk shall give due and timely notice to the public and to all officials concerned of the Caucus to be held on **TUESDAY, October 26, 2010 at 5:30 P.M.** Such notice shall be given in accordance with the "Open Public Meetings Act," N.J.S.A. 10:4-6 et. seq.

CHANGE- Caucus 10-26-10.wpd

APPROVED: _____

APPROVED: *[Signature]*
Business Administrator

APPROVED AS TO LEGAL FORM

[Signature]
Asst. Corporation Counsel

Certification Required

Not Required

APPROVED **8-0**

RECORD OF COUNCIL VOTE ON FINAL PASSAGE											
10/13/10											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			FLOOD		ABSENT	
DONNELLY	✓			FULOP	✓			VELAZQUEZ	✓		
LOPEZ	✓			RICHARDSON	✓			BRENNAN, 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]
Peter M. Brennan, President of Council

[Signature]
Robert Byrne, City Clerk

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

City Clerk File No. Res. 10-726
Agenda No. 10.Z.2
Approved: _____
TITLE: _____



WITHDRAWN

RESOLUTION CONFIRMING THE PROVISION OF HEALTH INSURANCE TO RETIRED EMPLOYEES PURSUANT TO N.J.S.A. 40A:10-23, BUT LIMITING THE BENEFIT ONLY TO EMPLOYEES WHO HAVE BEEN IN THE EMPLOY OF THE CITY OF JERSEY CITY FOR AT LEAST 25 YEARS AT THE TIME OF RETIREMENT

**COUNCIL
THE FOLLOWING RESOLUTION:**

OFFERED AND MOVED ADOPTION OF

WHEREAS, New Jersey statutes authorizes local governments such as the City of Jersey City, to pay the cost of medical and health insurance coverage for eligible retired employees as defined therein; and

WHEREAS, the statutory authorization to pay for such coverage extends both to municipalities which are members of the New Jersey State Health Benefits Commission, pursuant to N.J.S.A. 52:14-17.38 and to those that are not members, pursuant to N.J.S.A. 40A:10-23; and

WHEREAS, by resolution adopted in 1986, as amended thereafter, pursuant to N.J.S.A. 52:14-17.38, the City of Jersey City, then a member of the New Jersey State Health Benefits Commission, committed itself to paying the cost of such coverage for eligible retirees; and

WHEREAS, at that time, N.J.S.A. 52:14-17.38 required that all 25 years of service to be "with the employer at the time of retirement"; and

WHEREAS, in 2001, N.J.S.A. 52:14-17.38 was amended to allow a municipality to provide such coverage for employees who had aggregated 25 years of service in one or more State or locally administered retirement systems, unless the municipality adopted a resolution requiring that all or a portion of up to 25 years of service, be with the City; and

WHEREAS, the City of Jersey City did not adopt a resolution restricting service to Jersey City, thus allowing the aggregation of service credit from other State or locally administered retirement systems to become a legal presumption for the City in determining eligibility for such coverage; and

WHEREAS, the City of Jersey City withdrew from the New Jersey State Health Benefits Commission in 2007, and the City Council by resolution authorized a contract to provide medical and health insurance coverage to both current employees and eligible retirees through Horizon Blue Cross/Blue Shield of New Jersey pursuant to N.J.S.A. 40A:10-23; and

WHEREAS, N.J.S.A. 40A:10-23 contains a similar provision to N.J.S.A. 52:14-17.38, enabling the provisions of such coverage for employees who have "retired after 25 or more years of service...and a period of up to 25 years with the [City] at the time of retirement, such period of service to be determined by the [City] and set forth in [the] resolution", but the City did not limit aggregation at that time; and

WHEREAS, since the cost of providing medical and health care has become increasingly prohibitive, the City now desires to prohibit the aggregation of service and require all 25 years of service to be with the City; and

WHEREAS, the City Council reaffirms its commitment to providing medical and health insurance coverage to eligible retired employees with 25 years of service, but now determines, to limit such benefits only to those eligible employees who have at least 25 years of actual service to the City at the time of retirement, thereby prohibiting the aggregation of service from any other state or locally administered retirement system, for all employees, except those who have already retired.

TITLE:

WITHDRAWN

RESOLUTION CONFIRMING THE PROVISION OF HEALTH INSURANCE TO RETIRED EMPLOYEES PURSUANT TO N.J.S.A. 40A:10-23, BUT LIMITING THE BENEFIT ONLY TO EMPLOYEES WHO HAVE BEEN IN THE EMPLOY OF THE CITY OF JERSEY CITY FOR AT LEAST 25 YEARS AT THE TIME OF RETIREMENT

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

1. The City of Jersey City hereby reaffirms its commitment to pay the premium charges for eligible retirees for medical and health insurance coverage under the authority of N.J.S.A. 40A:10-23.
2. An "eligible retiree" means a retired employee of the City of Jersey City, with all 25 years of credited service with the City of Jersey City; it being the determination of the City to prohibit any aggregation of service from any other State or locally administered system.
3. This resolution shall only apply to all employees, including existing employees who have not yet retired.

10/6/10

WITHDRAWN

APPROVED: _____

APPROVED AS TO LEGAL FORM

APPROVED: _____

Business Administrator

Corporation Counsel

Certification Required

Not Required

APPROVED

RECORD OF COUNCIL VOTE ON FINAL PASSAGE											
10/13/10											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO				GAUGHAN				FLOOD			
DONNELLY				FULOP				VELAZQUEZ			
LOPEZ				RICHARDSON				BRENNAN, PRES			

✓ Indicates Vote

N.V.-Not Voting (Abstain)

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

Peter M. Brennan, President of Council

Robert Byrne, City Clerk

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

City Clerk File No. Res. 10-727
Agenda No. 10.Z.3
Approved: OCT 13 2010
TITLE:



RESOLUTION AUTHORIZING AN AGREEMENT WITH O.R. COLAN ASSOCIATES, LLC AS AN EXTRAORDINARY UNSPECIFIABLE SERVICE WITHOUT PUBLIC BIDDING TO PROVIDE COMMERCIAL RELOCATION ASSISTANT SERVICES IN CONNECTION WITH THE CITY'S ACQUISITION OF 13-15 LINDEN AVENUE EAST

WHEREAS, the City of Jersey City (City) will be constructing a new Department of Public Works facility at 13-15 Linden Avenue East; and

WHEREAS, Liberty Warehouse located on Lot X.1 and Liberty Storage located on Lot Y of 13-15 Linden Avenue East are two commercial businesses that need to be relocated from the City's property at 13-15 Linden Avenue East; and

WHEREAS, it is necessary for the City to hire a consultant to provide the City with commercial relocation assistance services; and

WHEREAS, the City informally solicited for proposals from two commercial relocation assistant services consultants; and

WHEREAS, O.R. Colan Associates, LLC (ORC) submitted a proposal to the City indicating that it will prepare a Workable Relocation Assistance Plan (WRAP) for a lump sum fee of \$5,500.00; and

WHEREAS, ORC will provide other relocation assistance services for the following rates:

- Principal - \$160.00 per hour
- Project Manager - \$135.00 per hour
- Relocation Specialist - \$117.00 per hour
- Administrative Assistant - \$67.00 per hour

WHEREAS, the total of the amount of the contract shall not exceed the sum of \$30,000.00; and

WHEREAS, the Director of the Department of Public Works Director has certified that these services qualify as Extraordinary, Unspecifiable Services (EUS) under the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, the resolution authorizing the award of the contract and the contract itself must be available for public inspection; and

WHEREAS, the City is acquiring these services directly and openly as a statutorily permitted contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 et seq., Pay-to-Play Law; and

WHEREAS, the City's Director of the Department of Public Works has determined and certified in writing that the value of the contract will exceed \$17,500.00; and

WHEREAS, ORC has completed and submitted a Business Entity Disclosure Certification which certifies that ORC has not made any reportable contributions to the political candidate committees listed in the Business Entity Disclosure Certification in the previous one (1) year; and that the contract will prohibit ORC from making any reportable contributions during the term of the contract; and

City Clerk File No. Res. 10-727Agenda No. 10.Z.3 OCT 13 2010

TITLE:

RESOLUTION AUTHORIZING AN AGREEMENT WITH O.R. COLAN ASSOCIATES, LLC AS AN EXTRAORDINARY UNSPECIFIABLE SERVICE WITHOUT PUBLIC BIDDING TO PROVIDE COMMERCIAL RELOCATION ASSISTANT SERVICES IN CONNECTION WITH THE CITY'S ACQUISITION OF 13-15 LINDEN AVENUE EAST

WHEREAS, ORC has submitted a Chapter 271 Political Contribution Disclosure Certification prior to the award of this contract; and

WHEREAS, ORC 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, funds in the amount of \$ 30,000.⁰⁰ are available in the temporary budget in Account No. 04-226-55-000-029.

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

1. Subject to such modifications as may be deemed necessary or appropriate by Corporation Counsel, the Mayor or Business Administrator is hereby authorized to execute the attached contract with O.R. Colan Associates to provide commercial relocation assistance services;
2. The maximum contract amount shall not exceed the sum of \$30,000.00, and the term of the contract shall be for one (1) year effective upon the execution of the agreement by the City's Business Administrator;
3. This contract is awarded without public bidding as an Extraordinary, Unspecifiable Service (EUS) in accordance with N.J.S.A. 40A:11-5(1)(a)(ii) of the Local Public Contracts Law because of the reasons stated in the EUS Certification attached hereto;
4. A notice of this contract award shall be published in a newspaper of general circulation in Jersey City within ten (10) days of the award;
5. The resolution authorizing the award of this contract and the contract itself shall be available for public inspection;
6. The total cost of this contract shall not exceed the sum of \$30,000.00, \$ 30,000.⁰⁰ of which shall be charged against the temporary budget. In accordance with N.J.A.C. 5:30-5.5, the continuation of this contract after the expenditure of funds certified in the fiscal year 2011 temporary budget shall be subject to the appropriation of sufficient funds in the fiscal year 2011 permanent budget and in the subsequent fiscal year budget;
7. This agreement shall be subject to the condition that the Consultant 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

J.A.
7/29/10

City Clerk File No. Res. 10-727

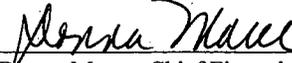
Agenda No. 10.2.3 OCT 13 2010

TITLE:

RESOLUTION AUTHORIZING AN AGREEMENT WITH O.R. COLAN ASSOCIATES, LLC AS AN EXTRAORDINARY UNSPECIFIABLE SERVICE WITHOUT PUBLIC BIDDING TO PROVIDE COMMERCIAL RELOCATION ASSISTANT SERVICES IN CONNECTION WITH THE CITY'S ACQUISITION OF 13-15 LINDEN AVENUE EAST

- 8. The Business Entity Disclosure Certification, Chapter 271 Political Contribution Disclosure Certification, Certification of Compliance with the City's Contractor Pay-to-Play Reform Ordinance, and a Determination of Value Certification attached hereto shall be placed on file with this resolution.

I, Donna Mauer, Chief Financial Officer, hereby certify that there are funds in the amount of \$ 30,000.00 available in Account No. 04-22655-000-029 . PO 101463


Donna Mauer, Chief Financial Officer

RR/cw

APPROVED: _____

APPROVED AS TO LEGAL FORM

APPROVED: _____
Business Administrator

Corporation Counsel

Certification Required

Not Required

2010095

APPROVED 8-0

RECORD OF COUNCIL VOTE ON FINAL PASSAGE											
				10/13/10							
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			VELAZQUEZ	✓		
DONNELLY	✓			FULOP	✓			FLOOD		ABSENT	
LOPEZ	✓			RICHARDSON	✓			BRENNAN, PRES	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

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


Peter M. Brennan, President of Council


Robert Byrne, City Clerk

CERTIFICATION OF RODNEY HADLEY, DIRECTOR OF THE DEPARTMENT OF PUBLIC WORKS IN SUPPORT OF AWARDDING A CONTRACT TO O.R. COLAN ASSOCIATES AS AN EXTRAORDINARY, UNSPECIFIABLE SERVICE

DATE: July 7, 2010
TO: Municipal Council
FROM: Rodney Hadley, Director, Department of Public Works
SUBJECT: Contract for providing commercial relocation assistance services in connection with 13-15 Linden Avenue East.

This is to request your approval of a resolution authorizing the execution of a contract as follows:

Firm: O.R. Colan Associates
Cost: Not to exceed \$30,000.00
Period: One year
Purpose: To prepare a workable relocation assistance plan and provide relocation assistance services for the relocation of two (2) commercial businesses known as Liberty Warehouse and Liberty Storage which are currently located on the property at 13-15 Linden Avenue East.

This is requested to be awarded without competitive bids as an Extraordinary, Unspecifiable Service (N.J.S.A. 40a:11-5(1)(a)(ii)). I do hereby certify as follows:

1. Provide a clear description of the work to be done.

The City will be constructing a new Department of Public Works facility at 13-15 Linden Avenue East. There are two (2) commercial businesses currently operating at the site. They are Liberty Warehouse on Lot X.1 and Liberty Storage on Lot Y. The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 requires that the City prepare a Workable Relocation Assistance Plan (WRAP) and provide relocation assistance services so that the two commercial businesses can be relocated to other sites.

2. Describe in detail why the contract meets the provisions of the statute and rules:

The preparation of a WRAP and the provision of relocation services require that the person providing these services have substantial experience and knowledge of the local commercial real estate market. The person performing these services must have a thorough understanding of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, 49 CFR. Part 24 of the Office of the Secretary of Transportation. The person performing these services must have a thorough understanding of all State and local laws and regulations that pertain to the relocation of a commercial business from property that will be used for a municipal purpose.

3. **The service is of such a specialized and qualitative nature that the performance of the service cannot be reasonably described by written specifications because:**

The services require substantial experience and knowledge of the local commercial real estate market. The services require a thorough understanding of Federal, State, and local laws and regulations that pertain to the relocation of commercial businesses from property that will be used for municipal purposes.

4. **Describe the informal solicitation of quotations:**

Two firms were contacted. They were:

1. O.R. Colan Associates: Preparation of WRAP for a lump sum fee of \$5,500.00. Rates for services as follows: Principal - \$160.00 per hour Project Manager- \$135.00 per hour, Relocation Specialist - \$117.00 per hour, Administrative Assistant - \$67.00 per hour.
 2. Phillips Preiss Shapiro Associates, Inc.: Preparation of WRAP for a lump sum fee of \$3,000.00. Rates for services as follows: Michael Jovishoff, AICP, PP-\$125.00, Staff-\$80 per hour.
5. I have reviewed the rules of the Division of Local Government Services pursuant to N.J.A.C. 5:34-2.1 et seq., and certify that the proposed contract may be considered an Extraordinary, Unspecifiable Service in accordance with the requirements thereof.

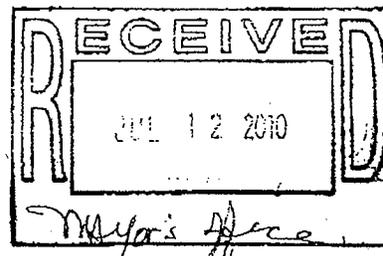
Respectfully,

Rodney Hadley, Director
Department of Public Works



U.S. Department of Housing and Urban Development
Newark Field Office - Region II
One Newark Center, 13th Floor
Newark, NJ 07102-5260
Telephone: (973) 622-7900

JUN 30 2010



Honorable Jerramiah T. Healy, Mayor
City of Jersey City
City Hall
280 Grove Street
Jersey City, NJ 07302

Dear Mayor Healy:

Subject: 2010 - 2014 Consolidated/ 2010 Action Plan Submittal Approval
City of Jersey City, New Jersey

I am pleased to transmit to you the approval of your Consolidated Plan submission for Fiscal Years 2010 - 2014, and your Action Plan for FY 2010. This continues the process by which segments of the community have come together to develop comprehensive approaches to address the jurisdiction's community development needs and priorities and should lead to the successful implementation of the Plan's strategies to address affordable housing, homelessness and economic opportunities for all citizens, particularly for very low income and low income persons. We note that the approval of your Plan does not include nor imply an approval of specific activities. The grant assistance that is being approved in the Plan is as follows:

Community Development Block Grant (CDBG) Grant No. B-10-MC-34-0108	\$7,105,628
HOME Investment Partnership Act (HOME) Grant No. M-10-MC-34-0205	\$3,258,765
Emergency Shelter Grant (ESG) Grant No. S-10-MC-34-0007	\$ 286,419
Housing Opportunities for Persons With AIDS (HOPWA) Grant No. NJH10F002	\$2,926,790
Total	\$13,577,602

490

ERT-1

07/11/08

Taxpayer Identification# 010-780-018/000

Dear Business Representative:

Congratulations! You are now registered with the New Jersey Division of Revenue.

Use the Taxpayer Identification Number listed above on all correspondence with the Divisions of Revenue and Taxation, as well as with the Department of Labor (if the business is subject to unemployment withholdings). Your tax returns and payments will be filed under this number, and you will be able to access information about your account by referencing it.

Additionally, please note that State law requires all contractors and subcontractors with Public agencies to provide proof of their registration with the Division of Revenue. The law also amended Section 82 of the Casino Control Act, which deals with the casino service industry.

We have attached a Proof of Registration Certificate for your use. To comply with the law, if you are currently under contract or entering into a contract with a State agency, you must provide a copy of the certificate to the contracting agency.

If you have any questions or require more information, feel free to call our Registration Hotline at (800)292-1730.

I wish you continued success in your business endeavors.

Sincerely,

James J. Fuscone
Director
New Jersey Division of Revenue

STATE OF NEW JERSEY
BUSINESS REGISTRATION CERTIFICATE

DEPARTMENT OF TREASURY/
DIVISION OF REVENUE
PO BOX 252
TRENTON, N J 08846-0252

TAXPAYER NAME:

O R COLAN GROUP LLC

TRADE NAME:

ADDRESS:

4651 CHARLOTTE PARK DR STE 440
CHARLOTTE NC 28217

SEQUENCE NUMBER:

1276880

EFFECTIVE DATE:

10/27/06

ISSUANCE DATE:

07/11/08

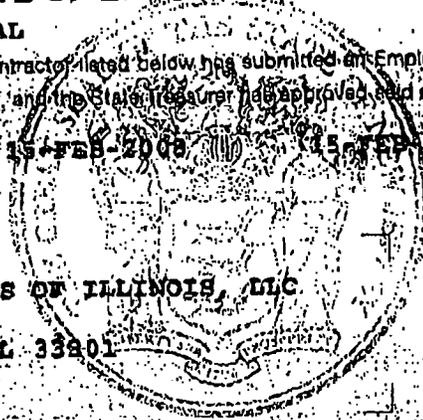
Director
New Jersey Division of Revenue

Certification 36443

CERTIFICATE OF EMPLOYEE INFORMATION REPORT

RENEWAL

This is to certify that the contractor listed below has submitted an Employee Information Report pursuant to N.J.A.C. 17:27-1.1 et seq. and the State Treasurer has approved said report. This approval will remain in effect for the period of **15 FEB 2008** to **15 FEB 2015**.



O.R. COLAN ASSOCIATES OF ILLINOIS, LLC
439 NE. 7TH AVENUE
FORT LAUDERDALE FL 33401

Acting State Treasurer

APPENDIX A
AMERICANS WITH DISABILITIES ACT OF 1990
Equal Opportunity for Individuals with Disability

The contractor and the City of Jersey City (hereafter "owner") do hereby agree that the provisions of Title 11 of the Americans With Disabilities Act of 1990 (the "Act") (42 U.S.C. 5121 01 et seq.), which prohibits discrimination on the basis of disability by public entities in all services, programs, and activities provided or made available by public entities, and the rules and regulations promulgated pursuant thereto, are made a part of this contract. In providing any and benefit, or service on behalf of the owner pursuant to this contract, the contractor agrees that the performance shall be in strict compliance with the Act. In the event that the contractor, its agents, servants, employees, or subcontractors violate or are alleged to have violated the Act during the performance of this contract, the contractor shall defend the owner in any action or administrative proceeding commenced pursuant to this Act. The contractor shall indemnify, protect, and save harmless the owner, its agents, servants, and employees from and against any and all suits, claims, losses, demands, or damages, of whatever kind or nature arising out of or claimed to arise out of the alleged violation. The contractor shall, at its own expense, appear, defend, and pay any and all charges for legal services and any and all costs and other expenses arising from such action or administrative proceeding or incurred in connection therewith. In any and all complaints brought pursuant to the owner's grievance procedure, the contractor agrees to abide by any decision of the owner which is rendered pursuant to said grievance procedure. If any action or administrative proceeding results in an award of damages against the owner, or if the owner incurs any expense to cure a violation of the ADA which has been brought pursuant to its grievance procedure, the contractor shall satisfy and discharge the same at its own expense.

The owner shall, as soon as practicable after a claim has been made against it, give written notice thereof to the contractor along with full and complete particulars of the claim. If any action or administrative proceeding is brought against the owner or any of its agents, servants, and employees, the owner shall expeditiously forward or have forwarded to the contractor every demand, complaint, notice, summons, pleading, or other process received by the owner or its representatives.

It is expressly agreed and understood that any approval by the owner of the services provided by the contractor pursuant to this contract will not relieve the contractor of the obligation to comply with the Act and to defend, indemnify, protect, and save harmless the owner pursuant to this paragraph.

It is further agreed and understood that the owner assumes no obligation to indemnify or save harmless the contractor, its agents, servants, employees and subcontractors for any claim which may arise out of their performance of this Agreement. Furthermore, the contractor expressly understands and agrees that the provisions of this indemnification clause shall in no way limit the contractor's obligations assumed in this Agreement, nor shall they be construed to relieve the contractor from any liability, nor preclude the owner from taking any other actions available to it under any other provisions of the Agreement or otherwise at law.

Representative's Name/Title Print: Stephen J. Toth Chief Operating Officer
Representative's Signature: Stephen J. Toth
Name of Company: O.R. Colan Associates - P. Ellinger, LLC
Tel. No.: (410) 827-6116 Date: 7/8/10

Minority/Woman Business Enterprise (MWBE) Questionnaire for Bidders

Jersey City Ordinance C-829 establishes a goal of awarding 20% of the dollar amount of total city procurement to minority and woman owned business enterprises.

To assist us in monitoring our achievement of this goal, please indicate below whether your company is or is not a minority owned and/or woman owned business, and return this form with your bid proposal.

Business Name : D.R. Colan Associates of Illinois, LLC

Address : 565 Green Lane, Union, NJ 07083

Telephone No. : 888-420-4090

Contact Name : Stephen J. Toth

Please check applicable category :

- | | |
|--|---|
| <input type="checkbox"/> Minority Owned Business (MBE) | <input type="checkbox"/> Minority & Woman Owned Business (MWBE) |
| <input checked="" type="checkbox"/> Woman Owned business (WBE) | <input type="checkbox"/> Neither |

Definitions

Minority Business Enterprise

Minority Business Enterprise means a business which is a sole proprietorship, partnership or corporation at least 51% of which is owned and controlled by persons who are African American, Hispanic, Asian American, American Indian or Alaska native, defined as follows:

African American: a person having origins in any of the black racial groups of Africa

Hispanic: a person of Mexican, Puerto Rican, Central or South American or other non-European Spanish culture or origin regardless of race.

Asian: a person having origins in any of the original peoples of the Far East, South East Asia, Indian subcontinent, Hawaii or the Pacific Islands.

American Indian or Alaska Native: a person having origins in any of the original peoples of North America and who maintains cultural identification through tribal affiliation or community recognition.

Woman Business Enterprise

Woman Business Enterprise means a business which is a sole proprietorship, partnership or corporation at least 51% of which is owned and controlled by a woman or women.

**CERTIFICATION OF COMPLIANCE WITH THE CITY OF JERSEY CITY
CONTRACTOR PAY-TO-PLAY REFORM ORDINANCE 08-128 ADOPTED
ON SEPTEMBER 3, 2008**

PART I - Vendor Affirmation

The undersigned, being authorized and knowledgeable of the circumstances, does hereby certify that O.R. Colan Associates (name of business entity) has not made any reportable contributions in the **one-year period preceding _____ (date City Council awards contract) that would be deemed to be violations of Section One of the City of Jersey City's Contractor Pay-to-Play Reform Ordinance 08-128 (attached hereto) and that would bar the award of this contract. I further certify that during the term of the contract O.R. Colan Associates (name of business entity) will not make any reportable contributions in violation of Ordinance 08-128.

PART II - Signature and Attestation:

The undersigned is fully aware that if I have misrepresented in whole or in part this affirmation and certification, I and/or the business entity, will be liable for any penalty permitted under law.

Name of Business Entity: O.R. Colan Associates

Signed: Stephen J. Toth Title: Chief Operating Officer

Print Name: Stephen J. Toth Date: 7/8/10

Subscribed and sworn before me
this 8 day of July, 2010.

My Commission expires: 11/26/2012

Jennifer D. KES
(Affirm)

JENNIFER D. KES Administrative Assistant
(Print name & title of affiant) (Corporate Seal)



Matthew A. Sterling
Matthew A. Sterling
Notary Public, State of Ohio
My Commission Expires 11/26/2012

**Pursuant to Section 2 of Ordinance 08-128, no contributions or solicitation of contributions made prior to the effective date Ordinance 08-128 (September 23, 2008) shall be deemed to be a violation of the Ordinance.

EXHIBIT A**MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE
N.J.S.A. 10:5-31 et seq., N.J.A.C. 17:27****GOODS, PROFESSIONAL SERVICES AND GENERAL SERVICE CONTRACTS**

During the performance of this contract, the contractor agrees as follows:

The contractor or subcontractor, where applicable, will not discriminate against any employee or applicant for employment because of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Except with respect to affectional or sexual orientation and gender identity or expression, the contractor will ensure that equal employment opportunity is afforded to such applicants in recruitment and employment, and that employees are treated during employment, without regard to their age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Such equal employment opportunity shall include, but not limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Public Agency Compliance Officer setting forth provisions of this nondiscrimination clause.

The contractor or subcontractor, where applicable will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex.

The contractor or subcontractor, where applicable, will send to each labor union or representative of workers with which it has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the agency contracting officer advising the labor union or workers' representative of the contractor's commitments under this act and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

The contractor or subcontractor where applicable, agrees to comply with any regulations promulgated by the Treasurer pursuant to N.J.S.A. 10:5-31 et seq. as amended and supplemented from time to time and the Americans with Disabilities Act.

The contractor or subcontractor agrees to make good faith efforts to afford equal employment opportunities to minority and women workers consistent with Good faith efforts to meet targeted county employment goals established in accordance with N.J.A.C. 17:27-5.2, or Good faith efforts to meet targeted county employment goals determined by the Division, pursuant to N.J.A.C. 17:27-5.2.

EXHIBIT A (Cont)

The contractor or subcontractor agrees to inform in writing its appropriate recruitment agencies including, but not limited to, employment agencies, placement bureaus, colleges, universities, labor unions, that it does not discriminate on the basis of age, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, and that it will discontinue the use of any recruitment agency which engages in direct or indirect discriminatory practices.

The contractor or subcontractor agrees to revise any of its testing procedures, if necessary, to assure that all personal testing conforms with the principles of job-related testing, as established by the statutes and court decisions of the State of New Jersey and as established by applicable Federal law and applicable Federal court decisions.

In conforming with the targeted employment goals, the contractor or subcontractor agrees to review all procedures relating to transfer, upgrading, downgrading and layoff to ensure that all such actions are taken without regard to age, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, consistent with the statutes and court decisions of the State of New Jersey, and applicable Federal law and applicable Federal court decisions.

The contractor shall submit to the public agency, after notification of award but prior to execution of a goods and services contract, one of the following three documents:

Letter of Federal Affirmative Action Plan Approval
Certificate of Employee Information Report
Employee Information Report Form AA302

The contractor and its subcontractor shall furnish such reports or other documents to the Division of Public Contracts Equal Employment Opportunity Compliance as may be requested by the Division from time to time in order to carry out the purposes of these regulations, and public agencies shall furnish such information as may be requested by the Division of Public Contracts Equal Employment Opportunity Compliance for conducting a compliance investigation pursuant to Subchapter 10 of the Administrative Code at N.J.A.C. 17:27

The undersigned vendor certifies on their company's receipt, knowledge and commitment to comply with:

EXHIBIT A

N.J.S.A. 10:5-31 and N.J.A.C. 17:27

MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE

Goods, Professional Services and General Service Contracts

(Mandatory Affirmative Action Language)

The undersigned vendor further agrees to furnish the required forms of evidence and understands that their contract/company's bid shall be rejected as non-responsive if said contractor fails to comply with the requirements of N.J.S.A. 10:5-31 and N.J.A.C. 17:27.

Representative's Name/Title (Print): Stephen J. Tath / Chief Operating Officer
Representative's Signature: Stephen J. Tath
Name of Company: O.R. Colan Associates of Illinois, LLC
Tel. No.: (440) 827-6116 Date: 7/8/2010