

CITY OF JERSEY CITY

280 Grove Street
Jersey City, New Jersey 07302

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



Peter M. Brennan, Council President
Kalimah H. Ahmad, Councilperson-at-Large
Radames Velazquez, Jr., Councilperson-at-Large
Michael J. Sottolano, Councilperson, Ward A
David P. Donnelly, Councilperson, Ward B
Nidia R. Lopez, Councilperson, Ward C
William A. Gaughan, Councilperson, Ward D
Steve Fulop, Councilperson, Ward E
Viola Richardson, Councilperson, Ward F

Agenda Regular Meeting of the Municipal Council Wednesday, October 12, 2011 at 6:00 p.m.

Please note: The next caucus meeting of Council is scheduled for Monday, October 24, 2011 at **5:30 p.m.** in the Efrain Rosario Memorial Caucus Room, City Hall.

The next regular meeting of Council is scheduled for Wednesday, October 26, 2011 at **6:00 p.m.** in the Anna Cucci Memorial Council Chambers, City Hall. A pre-meeting caucus may be held in the Efrain Rosario Memorial Caucus Room, City Hall.

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

City Clerk Robert Byrne stated on behalf of Peter M. Brennan, Council President. "In accordance with the New Jersey P.L. 1975, Chapter 231 of the Open Public Meetings Act (Sunshine Law), adequate notice of this meeting was provided by mail and/or fax to The Jersey Journal and The Reporter. Additionally, the **annual notice** was posted on the bulletin board, first floor of City Hall and filed in the Office of the City Clerk on Tuesday, November 23, 2010, indicating the schedule of Meetings and Caucuses of the Jersey City Municipal Council for the calendar year 2011.

The Agenda of this meeting was disseminated on **Thursday, October 6, 2011 at 4:00 p.m.** to the Municipal Council, Mayor and Business Administrator of Jersey City. It was similarly disseminated to The Jersey City Reporter and The Jersey Journal.

2. **Bid Reception: None**

****CONSENT AGENDA**

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

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

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

***3.**

ORDINANCE HEARING

FIRST READING

**CITY CLERK
FILE**

- a. An ordinance of the City of Jersey City, in the County of Hudson, New Jersey, providing for a special emergency appropriation of \$9,500,000 for the payment of contractually required severance liabilities resulting from the layoff or retirement of city employees. Ord. 11-124
- b. An ordinance amending Chapter 319 (Towers and Towing) to permit private towers to provide tow pound services to the City of Jersey City. Ord. 11-125

*4.

ORDINANCE HEARING

SECOND READING

**CITY CLERK
FILE**

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|-----------------|--|--------------------------------|
| Introduced-9-0- | a. Ordinance of the Municipal Council of the City of Jersey City adopting the McGinley Square East Redevelopment Plan. | Ord. 11-089
Intro. 09/27/11 |
| Introduced-9-0- | b. Ordinance amending and supplementing Chapter 53 (Personnel) Article I (Conditions of Municipal Employment) of the Jersey City Municipal Code to establish vacation benefits and workplace regulations and use of motor vehicles for employees whose salary and compensation are required to be fixed by ordinance requiring a city decal on motor vehicles. | Ord. 11-117
Intro. 09/27/11 |
| Introduced-9-0- | c. Ordinance supplementing Chapter A351 (Executive Orders and Ordinances) of the Jersey City Code. (Claims Examiner Worker Compensation, Typing) | Ord. 11-119
Intro. 09/27/11 |
| Introduced-9-0- | d. Ordinance supplementing Chapter A351 (Executive Orders and Ordinances) of the Jersey City Code. (Supervising Health Insurance Benefits Clerk) | Ord. 11-120
Intro. 09/27/11 |
| Introduced-9-0- | e. A franchise ordinance granting permission to 15-16 Realty Corp., its successors and assigns, to use a portion of the air space and the sidewalk area of the Bergen Avenue public right of way located adjacent to 896-898 Bergen Avenue, Jersey City, New Jersey. | Ord. 11-121
Intro. 09/27/11 |
| Introduced-9-0- | f. Ordinance authorizing the execution of an agreement with the Port Authority of New York and New Jersey pertaining to a marine terminal on the Port Jersey Boulevard, pursuant to <u>N.J.S.A.32:1-35.31</u> and <u>N.J.S.A 32:1-144</u> . | Ord. 11-122
Intro. 09/27/11 |
| Introduced-9-0- | g. An ordinance vacating a portion of Port Jersey Boulevard located east of Pulaski Lane in the City of Bayonne to the most eastern end of Port Jersey Boulevard. | Ord. 11-123
Intro. 09/27/11 |

**** 5.**

PUBLIC REQUEST FOR HEARING

1. Pat Patel, Jersey City
2. William Dorrity, 3060 Kennedy Boulevard, Jersey City
3. Annette Joyner, Jersey City
4. Debbie Walker, 22 Oak Street, Jersey City
5. Steve Pinkney, Jersey City
6. Jeffrey D. Vanacore, 25 River Drive South, Jersey City
7. John Seborowski, Sr. Jersey City
8. Tonda Fair, 83 Lafayette Street, Jersey City

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

****6. PETITIONS AND COMMUNICATIONS**

- a. Local Finance Board meeting dated September 14, 2011 New Jersey Environmental Infrastructure Trust schedule for Jersey City Municipal Utilities Authority.
- b. Letter dated September 23, 2011 from Alfred Moffit, CPG, Director, EWMA to Bureau of Case Assignment & Initial Notice re: Receptor Evaluation, Delco Levco Venture, 321 Rt. 440, Jersey City.
- c. New Jersey Meadowlands Commission public hearing is scheduled for Wednesday, September 28, 2011 at 10:00 a.m., in the Office of the Commission, One DeKorte Park Plaza, Lyndhurst, NJ.
- d. Letter dated September 27, 2011 from 99 Montgomery Street Condominium Assoc. to Maurice Migliarino, Department of Environmental Protection re: Former Brentwood Optical Corp., 95-97 Montgomery Street, Industrial Site Recovery Act. Petroleum odors after heavy rains.
- e. Letter dated September 20, 2011 from Gary Greulich, Section Chief, Bureau of Northern Field Operations, State of New Jersey, Department of Environmental Protection to James Caulfield, Jr., Hoboken, NJ re: Notice of Deficiency, V&S Realty, 126-142 Morgan Street, Jersey City.
- f. New Jersey Department of Environmental Protection Site Remediation Program, GPMI Service Station #90188, Former Mobil Service Station #15-KG2, 14th & Grove Streets, Jersey City.
- g. Letter dated September 20, 2011 from Lori Grifa, Commissioner, State of New Jersey, to Jerramiah T. Healy, Mayor re: Review of area in need of rehabilitation designations. (Housing authority Study Area)
- h. Minutes of the regular board meeting of the Jersey City Incinerator Authority board of commissioners held Tuesday, July 26, 2011.
- i. Letter from Yacoub E. Yacoub, Bureau Chief for the State of New Jersey Department of Environmental Protection to Gerald Steiglitz, 362 Summit Associates, LLC re: Reservoir Site #3, 113-163 Central Avenue, Jersey City. Site remediation and retention of a licensed site remediation professional.
- j. New Jersey's Water Infrastructure public hearing is scheduled for Wednesday, November 30, 2011 at 9:00 a.m. - 1:00 p.m., 401 East State Street, Trenton, NJ.

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- k. Letter dated September 26, 2011 from Gary Greulich, Section Chief, Bureau of Northern Field Operations, State of New Jersey, Department of Environmental Protection to Keith Vennard, KL Marine Corp. Notice of Deficiency, King Lincoln Mercury, Inc., 1590 Kennedy Boulevard, Jersey City.
- l. Letter dated September 28, 2011 from James S. Simpson, Commissioner, State of New Jersey, Department of Transportation to Robert Byrne, City Clerk re: FY 20112 New Jersey Department of Transportation's Federal-Aid Safe Routes to School Program (SRTS).
- m. Letter dated August 30, 2011 from Jeffrey W. Anderson, License Site Remediation, Atlantic Environmental Solutions, Inc. to Ms. Sarbu, Jersey City re: Response Action Outcome, 159 Second Street, Jersey City.
- n. Letter dated September 29, 2011 from Patricia Giordan, President, Friends of Loew's, Inc. to Robert Byrne, City Clerk re: 2010 Audit Report.
- o. Application for Freshwater Wetland General Permit 12, Geotechnical Boring Program prepared by Texas eastern Transmission, LP.
- p. Letter dated September 23, 2011 from Jalpa Vyas, Project Manager, Dresdner Robin to NJ Department of Environmental Protection re: 325 West Side Avenue, Jersey City.
- q. Letter dated September 28, 2011 from Mary Wynn Seiter, Buckalew Frizzell & Crevina, LLP Attorneys at Law to Robert Byrne, City Clerk re: Crystal Point Condominium Association, Inc.
- r. Letter dated September 21, 2011 from Yacoub E. Yacoub, Bureau Chief for the State of New Jersey Department of Environmental Protection to Margaret Cook-Levy, Habitat for Humanity of Hudson County re: Notice on Intent to Terminate, 476-478 Ocean Avenue, Jersey City.
- s. Letter dated September 21, 2011 from Yacoub E. Yacoub, Bureau Chief for the State of New Jersey Department of Environmental Protection to Elmer Herrmann, Jr., Newark, NJ re: Notice of Intent to Terminate, 177 Roosevelt Avenue, Jersey City. (Former New Jersey Division of Motor Vehicle Inspector Station)

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****6. PETITIONS AND COMMUNICATIONS**

- t. Letter dated September 21, 2011 from Gary Greulich, Section Chief, Bureau of Northern Field Operations, State of New Jersey, Department of Environmental Protection to Murray Kushner, S/K Thomas McGovern Associates, LLC. re: Soil Remedial Action Workplan Approval, 79 Thomas McGovern Drive, Jersey City.
- u. Letter dated September 27, 2011 from Stephen D. Marks, Planning Director, Hudson County, Department of Parks & Community Services to Jerramiah T. Healy, Mayor re: Planning Board hearing on the Comprehensive Economic Development Strategy 2011 Annual Update is scheduled for 6:30 p.m. on Wednesday, October 19, 2011 Hudson County Freeholders Chambers, 567 Pavonia Avenue, Jersey City.
- v. Letter dated September 30, 2011 from Christopher Garlin, Dr. Lena Edwards Academic Charter School to Robert Byrne, City Clerk re: Public meeting for Dr. Lena Edwards Academic Charter School Board of Trustees is scheduled for Tuesday, October 11, 2011 at 5:30 p.m., 509 Bramhall Avenue, Jersey City.
- w. Letter dated September 28, 2011 from Burton Turner, PE, PG, BETTS Environmental Services Corp., to Robert Byrne, City Clerk re: KNP Realty, Corp., 12 Coles Street, Jersey City.
- x. Letter dated September 26, 2011 from Williams Gas Pipeline to Robert Byrne, City Clerk re: NJDEP application submitted by Transcontinental Gas Pipe Line Co.
- y. Letter dated October 3, 2011 from Jerry S. Casser, Attorney at Law to Robert Byrne, City Clerk re: Discontinuing bus services for the Local #4 and #99S effective November 6, 2011.
- z. Public notice from the Hudson County Planning Board meeting scheduled for Wednesday, October 5, 2011 at 6:30 p.m. @ Hudson County Freeholders Chambers, 567 Pavonia Avenue, Jersey City.
- z1. Letter dated October 3, 2011 from Birdsall Services Group, Engineering & Consultants to Robert Byrne, City Clerk re: Notification, NJDEP Coastal General Permit #4, Kearny, NJ.
- z2. Letter dated September 21, 2011 from Louis J. Verde, Verde, Steinberg & Pontell, LLC Attorneys at Law to Robert Byrne, City Clerk re: Madison on the Park Condominium Conversion of 277 York Street, Jersey City.
- z3. Application 11-023 dated October 4, 2011 from Owen Henry, Jersey City to Robert Byrne, City Clerk re: Municipal Public Service.

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****7. OFFICERS COMMUNICATIONS**

NONE

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****8. REPORT OF DIRECTORS**

NONE

****9. CLAIMS**

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

****10. RESOLUTIONS****CITY CLERK
FILE #**

- a. Resolution authorizing the insertion of special items of revenues and appropriations in the CY 2011 municipal budget, pursuant to N.J.S.A.40A:4-87. Res. 11-686
- b. Resolution of the Municipal Council of the City of Jersey City declaring the month of October as "Community Planning Month". Res. 11-687
- c. Resolution honoring Minster Thyson Thyquel Halley on the occasion of his ordination as an Elder of Chosen Generation Ministries. Res. 11-688
- d. Recognition of October 22, 2011 as Make A Difference Day in Jersey City. Res. 11-689
- e. Resolution honoring retired Jersey City Police Chief Frank Gajewski on the occasion of his induction into the Policing Hall of Fame at the Center for Evidence-Based Crime Policy at George Mason University. Res. 11-690
- f. Resolution to apply for and accept CHOICE Subsidy for West Side Manor. Res. 11-691
- g. Resolution of the City of Jersey City consenting to the undertaking of certain capital projects by the Jersey City Municipal Utilities Authority. Res. 11-692
- h. Resolution confirming the sale of city owned property not needed for public use, held on Wednesday, October 5, 2011. Res. 11-693
- i. Resolution authorizing the sale of city owned property not needed for public use. (249 Arlington Avenue) Res. 11-694
- j. Resolution authorizing the extension of time to close title on property sold at a public auction, Block 1975, Lot 3 location: 465 Martin Luther King Drive. Res. 1-695
- k. Resolution of the Municipal Council of the City of Jersey City authorizing the Business Administrator to execute a partial release of the Blanket Mortgage for City Lines Properties, LLC and substitute an individual mortgage for certain affordable housing units affecting property known as 1201-1207 Summit Avenue. Res. 11-696
- l. Resolution authorizing the Business Administrator to execute a discharge of mortgage affecting 301 Claremont Avenue, Jersey City a/k/a Block 1780, Lot 37. Res. 11-697

****10. RESOLUTIONS****CITY CLERK
FILE #**

- m. Resolution authorizing the Business Administrator to execute a discharge of mortgage affecting 244 Columbia Avenue, Jersey City a/k/a Block 907, Lot 4. Res. 11-698
- n. Resolution authorizing the Business Administrator to execute a discharge of mortgage affecting 95.5 Orient Avenue, Jersey City a/k/a Block 1984, Lot W.69. Res. 11-699
- o. Resolution authorizing the Business Administrator to execute a discharge of mortgage affecting 83 Union Street, Jersey City a//k/a Block 1970, Lot H. Res. 11-700
- p. Resolution authorizing the city to enter into an agreement of indemnification and authorizing the Risk Manager to issue a letter of insurance.(National Fire Prevention Week, Newport and Hudson Malls) Res. 11-701
- q. Resolution authorizing the extension of time to close title on property sold at public auction, Block 1924, Lot 41 location: 29 Astor Place. Res.11-702
- r. Resolution to authorize submission of an application to the U. S. Department of Transportation 2011 National Infrastructure Investments (Tiger III Discretionary Grant Program) and urge the U.S. Department of Transportation to fund the Jersey Avenue Extension Project in the City of Jersey City, County of Hudson, State of New Jersey. Res. 11-703
- s. Resolution authorizing the award of contract to HBC Company, Inc. for the Summit, Pavonia & Central Avenue intersection improvements Project No. 10-016 for the Department of Public Works, Division of Engineering, Traffic and Transportation. Res. 11-704
- t. Resolution authorizing the award of contract to Generator Exchange Company for the supply and delivering of light automotive parts for the Department of Public Works, Division of Automotive Maintenance. Res. 11-705
- u. Resolution authorizing the award of contract to Gold Type Business Machines, Inc. for providing CCTV equipment and services to the Jersey City Police Department as an emergency without public bidding. Res. 11-706
- v. Resolution authorizing the renewal of a contract with Tri Season Landscaping for fall tree planting citywide for the Department of Public Works, Division of Parks Maintenance. Res. 11-707

****10. RESOLUTIONS**

**CITY CLERK
FILE #**

- w. Resolution authorizing an extension of a contract on a month-to-month basis with Finch Fuel Oil Co. for the furnishing and delivering of unleaded mid-grade gasoline and diesel fuel to various locations. Res. 11-708
- x. Resolution authorizing the City of Jersey City to settle the foreclosure matters under Docket Nos. F-45068-09 and F-51672-09 for \$66,000 and discharge the mortgage and affordability controls affecting property at 464-466 Pacific Avenue. Res. 11-709
- y. Resolution authorizing the City of Jersey City to settle the foreclosure matters under Docket Nos. F-33356-10 for \$61,661.92 and discharge the mortgage and affordability controls affecting property at 452-452A Pacific Avenue. Res. 11-710

11. DEFERRED OR TABLED AGENDA AS OF OCTOBER 12, 2011

- a. Ordinance #09-119 Ordinance redesignating "Gregory Park Plaza" to "Marin Boulevard" also known as "Metropolis Towers Plaza". Tabled-9-0- after the close of the public hearing at the 11/24/09 meeting on motion by Councilperson Fulop and seconded by Councilperson Donnelly.
- b. Ordinance #10-002 An ordinance supplementing Chapter 332 (Vehicles and Traffic) of the Jersey City Code Article VII (Metered Parking) amending the hours for the monthly permit parking zone from (6:00 a.m. to 7:00 p.m.) to (6:00 a.m. to 5:00 p.m.) and supplementing Article VIII (Permit Parking Zones) establishing a Four (4) hour residential parking permit for city residents; establishing 500 feet as the minimum distance a vehicle must be moved to reactivate the Two (2) hour parking provision; provide for the City Clerk to administer daily visitors parking permits; establish guidelines for the placement of the Vehicle Immobilization Device (Boot) and establish guidelines as to when the fee for the Vehicle Immobilization Device (Boot) shall be refunded by the Jersey City Parking Authority. Tabled-8-0- prior to the close of the public hearing at the 01/27/10 meeting on motion by Councilperson Gaughan and seconded by Councilperson Sottolano; Councilperson Vega: absent.
- c. Ordinance #10-140 Ordinance amending the Jersey City Code to: 1) Require the use of compostable plastic, recyclable paper and/or reusable checkout bags by stores located in the City of Jersey City; and 2) Provide penalties for violations. Tabled-8-0- after the close of the public hearing at the 11/10/10 meeting on a motion by Brennan seconded by Gaughan; Donnelly: absent.
- d. Ordinance #10-157 An ordinance to 1) Transfer the Division of Architecture and Engineering (Including Traffic and Transportation) from the Department of Public Works to the Department of Administration; 2) Repeal Chapter 3 (Administration of Government) Article IX (Department of Public Works) of the Jersey City Municipal Code; and 3) Authorize an agreement with the Jersey City Incinerator Authority (JCIA), whereby the JCIA will assume the duties of the Department of Public Works. Tabled-8-0- prior to the public hearing at the 11/23/10 meeting on a motion by Brennan seconded by Richardson; Flood: absent.
- e. Ordinance #11-028 An ordinance authorizing the City to lease on-street parking spaces in the Christopher Columbus Drive permit parking zone from the Jersey City Parking Authority. Tabled-9-0- after the close of the public hearing at the 03/23/11 meeting on a motion by Brennan seconded by Velazquez.
- f. Ordinance # 11-038 Ordinance of the Municipal Council adopting amendments to the Summit and Fairmount Redevelopment Plan adding an acquisition list. Tabled-9-0- after the close of the public hearing at the 04/13/11 meeting on a motion by Richardson seconded by Sottolano.
- g. Ordinance #11-050 Ordinance amending Chapter 175 (Food Handling Establishments) Article II (Itinerant Eating and Drinking Establishments) Section 8 (Itinerant Establishments) and Chapter 160 (Fees and Charges) of the Jersey City Municipal Code. Tabled-8-1- after the close of the public hearing at the 05/11/11 meeting on a motion by Fulop seconded by Richardson; Brennan: nay.

11. DEFERRED OR TABLED AGENDA AS OF OCTOBER 12, 2011

- h. Ordinance #11-055 Ordinance of the Municipal Council of the City of Jersey City adopting amendments to the Jersey Avenue Tenth Street Redevelopment Plan to amend the Boundary Map. Tabled-8-0- after the close of the public hearing at the 05/11/11 meeting on a motion by Brennan seconded by Donnelly; Velazquez: absent.
- i. Ordinance #11-080 Ordinance dedicating that the waterfront walkway between Sussex Street and the Southern Terminus also be known as "Spc. Marlon P. Jackson Walk". Tabled-7-0- prior to the close of the public hearing at the 08/10/11 meeting on a motion by Brennan seconded by Donnelly; and Gaughan and Ahmad: absent.