

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



Rolando R. Lavarro, Jr., Councilperson-at-Large
Daniel Rivera, Councilperson-at-Large
Joyce E. Watterman, Councilperson-at-Large
Frank Gajewski, Councilperson, Ward A
Khemraj "Chico" Ramchal, Councilperson, Ward B
Richard Boggiano, Councilperson, Ward C
Michael Yun, Councilperson, Ward D
Candice Osborne, Councilperson, Ward E
Diane Coleman, Councilperson, Ward F

Agenda Regular Meeting of the Municipal Council THURSDAY, September 24, 2015 at 6:00 p.m.

Please note: The next caucus meeting of Council is scheduled for **TUESDAY**, October 13, 2015 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 14, 2015 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 the Municipal Council. "In accordance with the New Jersey P.L. 1975, Chapter 231 of the Open Public Meetings Act (Sunshine Law), adequate notice of this meeting was provided by mail and/or fax to The Jersey Journal and The Reporter. Additionally, the **annual notice** was posted on the bulletin board, first floor of City Hall and filed in the Office of the City Clerk on Wednesday, November 26, 2014, indicating the schedule of Meetings and Caucuses of the Jersey City Municipal Council for the calendar year 2015.

The Agenda of this meeting was disseminated on **Thursday, September 17, 2015 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.	Ordinance of the Municipal Council of the City of Jersey City adopting amendments for the addition of an art gallery use to Chapter 345 Article I, (Definitions) and Article V, Section 60 - Supplementary Zoning.		Ord. 15.132
b.	Ordinance amending and supplementing Chapter 3 (Administration of Government), Article XI (Department of Public Safety), Sub-Article I (Division of Police) of the Jersey City Municipal Code. (Off-Duty Employment)		Ord. 15.133
c.	Ordinance of the Municipal Council of the City of Jersey City adopting the Scatter Site Redevelopment Plan.		Ord. 15.134
d.	An ordinance amending and supplementing Chapter 4 (Paid Sick Time) of the Jersey City Municipal Code.		Ord. 15.135

***4. ORDINANCE HEARING SECOND READING CITY CLERK
FILE**

- | | | | |
|---|----|---|-------------------------------|
| Introduced-8-0-
Gajewski: absent | a. | An ordinance approving a five (5) year tax exemption pursuant to the provisions of <u>N.J.S.A.</u> 40A:21-1, et seq., and Section 304-12 of the Municipal Code for property designated as Block 14301, Lot 13, on the city's tax map and more commonly known by the street address of 102 York Street. | Ord. 15.122
Intro. 9.09.15 |
| Introduced-8-0-
Gajewski: absent | b. | An ordinance supplementing Chapter 332 (Vehicles and Traffic) Article II (Traffic Regulations) amending Section 332-5 (One-Way Streets) of the Jersey City Code designating Brooks Place from Huron Avenue to Kennedy Boulevard as a one way west and designating Huron Avenue from St. Pauls Avenue to Brooks Place as a one way south. | Ord. 15.123
Intro. 9.09.15 |
| Introduced-8-0-
Gajewski: absent | c. | Ordinance authorizing the execution of a rights-of-way use agreement between the City of Jersey City and Mobilitie, LLC d/b/a NYFI to permit the installation of antennas and related communications equipment on existing utility poles and if necessary to install utility poles within certain public rights-of-way for purposes of providing telecommunication services. | Ord. 15.124
Intro. 9.09.15 |
| Introduced-8-0-
Gajewski: absent | d. | An ordinance of the City of Jersey City, in the County of Hudson, New Jersey, amending Ordinance No. 10-085 of the City finally adopted July 14, 2010, providing for the acquisition by the city of real property in the city and the construction of various improvements thereto and appropriating \$7,700,000, therefor, and providing for the issuance of \$7,333,300 in General Improvement Bonds or Notes of the City of Jersey City to finance the same. | Ord. 15.125
Intro. 9.09.15 |
| Introduced-8-0-
Gajewski: absent | e. | Ordinance amending and supplementing Chapter 3 (Administration of Government) Article III (Mayor) of the Jersey City Municipal Code. | Ord. 15.126
Intro. 9.09.15 |
| Introduced-7-1-
Boggiano: nay;
Gajewski: absent | f. | An ordinance amending Chapter 81, (Advertising Materials) Article I (Handbills and Signs) of the Jersey City Municipal Code to impose a minimum fine for the illegal distribution of handbills. | Ord. 15.127
Intro. 9.09.15 |
| Introduced-6-1-1-
Lavarro: nay;
Boggiano:
abstained;
Gajewski: absent | g. | An ordinance amending Chapter 157 (Entertainment Licenses) of the Municipal Code to add Section 12 (Joseph Connors Senior Center) establishing usage regulations for the center. | Ord. 15.128
Intro. 9.09.15 |
| Introduced-8-0-
Gajewski: absent | h. | An ordinance dedicating that Spruce Street to the dead end along Liberty Avenue also be known as Frank Brazicki Way. | Ord. 15.129
Intro. 9.09.15 |

***4. ORDINANCE HEARING SECOND READING CITY CLERK
FILE**

Introduced-7-1-
Yun: nay;
Gajewski: absent

i. An ordinance amending Chapter 304 (Taxation) Article VI (Long Term and Five Year Tax Exemptions; affordable Housing Trust Fund) of the Jersey City Municipal Code.

Ord. 15.130
Intro. 9.09.15

Introduced-8-0-
Gajewski: absent

j. An ordinance 1) Approving five (5) year tax exemption pursuant to the provisions of N.J.S.A. 40A:21-1, et seq., and Section 304-12 of the Municipal Code for property designated as Block 10004, Lot 2.01, on the City's tax map and more commonly known by the street address of 5-19 Rt. Msgr. Leroy McWilliams Place and 141-151 Erie Street; and 2) Rescinding Ordinance 06-119, which authorized a 30 year tax exemption for the property.

Ord. 15.131
Intro. 9.09.15

**** 5.**

PUBLIC REQUEST FOR HEARING

1. LaVern Washington
2. William Dorrity
3. Yvonne Balcer
4. Steve Hyman

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

****6. PETITIONS AND COMMUNICATIONS**

- a. Letter dated September 5, 2015 from William Dorrity, Jersey City to Steven M. Fulop, Mayor re: 24/7 security guard ordinance at Grandview.
- b. Letter dated August 20, 2015 from Christopher Jones, Manager, Bureau of Urban Growth and Redevelopment, Division of Land Use Regulation to Marc Helman, Port Authority of NY&NJ & Robert Lee, U.S. Department of Homeland Security re: Federal Consistency Determination and a Water Quality Certificate, Jersey City.
- c. Letter dated September 2, 2015 from Stephen Olivers, to Robert Caulfield, 207 Van Vorst Street Realty Co., LLC, Hoboken, NJ re: Flood Hazard Area Individual Permit, Flood Hazard Area Verification.
- d. Letter dated September 2, 2015 from Yacoub Yacoub, Unregulated Heating Oil Tank Program to Annette Berger, Jersey City re: One 550 gallon #2 heating oil underground storage tank system,40 Jefferson Avenue, Jersey City.
- e. Letter dated September 8, 2015 from Joseph S. Aboyoun, Aboyoun & Heller, LLC., Counsellors at Law to Dominique Bobe, Brilliant Environmental Services, LLC re: Tonley Enterprises, LLC, Public Notification Letter, 2388-2392 Kennedy Boulevard, Jersey City.
- f. Letter dated September 9, 2015 from Gary Centifonti, Acting Program Manager, PEOSH Program to Robert Byrne, City Clerk re: Inspection for the Jersey City Free Public Library.
- g. Letter dated September 3, 3015 from Veronica Freaney, Supervisor, Verizon to Robert Byrne, City Clerk re: Pole License Application, Ege Avenue, Bergen Avenue, Atlantic Street, Jersey City.
- h. Minutes of the Employees Retirement System of Jersey City dated August 19, 2015.
- i. Agenda for the Employees Retirement System of Jersey City held September 16, 2015.
- j. Letter dated September 10, 2015 from Yacoub Yacoub, Unregulated Heating Oil Tank Program to Fernando Alfonso, NES Realty, LLC, Littleneck, NJ re: One 550 gallon #2 heating oil underground storage tank system, 642 Montgomery Street, Jersey City.

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

****6. PETITIONS AND COMMUNICATIONS**

- k. Letter dated September 10, 2015 from James P. Gibson, Senior Project Manager, Brinkerhoff, Environmental Services, Inc., to Robert Byrne, City Clerk re: Phase I Environmental Site Assessment proposed Multi-Family Apartment Bldgs, Jersey City.
- l. Letter dated September 14, 2015 from Shawn Braiting, Land Acquisition Manager, Toll Brother & John Jakominich, VP, Land Acquisition, Toll Brothers, to Planning Board Secretary re: Affordable Housing Sites.
- m. Memo dated September 14, 2015 from Alberto G. Santos, Clerk, Board of Chosen Freeholders to Robert Byrne, City Clerk re: Ordinances adopted by the Board of Chosen Freeholders of the County of Hudson on September 10, 2015.
 - 1. Ordinance amending Chapter 200, Article 8.11 of the Administrative Code to establish a reserved handicap parking space of John F. Kennedy, Boulevard, Bayonne for Michael C. Agro.
 - 2. Ordinance amending Chapter 200, Article 8.5 of the Administrative Code to regulate parking time limited on certain streets: meters on a portion of John F. Kennedy Boulevard East in Guttenberg from the south limits of John F. Kennedy Boulevard East to the north limits of the Town of Guttenberg.
 - 3. Ordinance amending Chapter 200, Article 27 of the Administrative Code to establish traffic calming devices (Do Not Block Intersection Markings) on Secaucus Road in the Township of North Bergen and the City of Jersey City, a County owned roadway.
 - 4. Ordinance amending Chapter 200, Article 18 of the Administrative Code to regulate bus stops on Secaucus Road in the Township of North Bergen and the City of Jersey City, a County owned roadway.
 - 5. Ordinance rescinding Ordinance No. 424-9-2008 and amending Chapter 200, Article 8.11 of the Administrative Code to eliminate a reserved handicap parking space at 1991 John F. Kennedy Boulevard in the City of Jersey City for Lloyd A. Crawford.
- n. Acknowledgment of Notification of Hazardous Waste Activity dated September 11, 2015 from Department of Environmental Protection to Robert Byrne, City Clerk re: Warren & Bays Streets, Jersey City.

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

****6. PETITIONS AND COMMUNICATIONS**

- o. Minutes of the regular meeting of the Board of Commissioners of the Jersey City Redevelopment Agency held July 21, 2015.

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

****6. PETITIONS AND COMMUNICATIONS**

- o. Minutes of the regular meeting of the Board of Commissioners of the Jersey City Redevelopment Agency held July 21, 2015.

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

****7. OFFICERS COMMUNICATIONS**

- a. Letter dated September 10, 2015 from Joao D'Souza, Director of Traffic & Transportation to Robert Byrne, City Clerk re: Street Closing Regulations- 15-068 Howie Fink Way 5:00 p.m. - 9:00 p.m., Friday, September 11, 2015 for Wild Jazz Adventure in Jersey City Reservoir #3.
- b. Letter dated September 10, 2015 from Joao D'Souza, Director of Traffic & Transportation to Robert Byrne, City Clerk re: Street Closing Regulations- 15-069 Carteret Avenue from Pacific Avenue to Halladay Street, Forrest Street from Pacific Avenue to Halladay Street, Pacific Avenue from Caven Point Road to Bramhall Avenue 10:00 a.m. - 6:00 p.m., Sunday, September 13, 2015 for Childhood Cancer Awareness Month.
- c. Letter dated September 10, 2015 from Joao D'Souza, Director of Traffic & Transportation to Robert Byrne, City Clerk re: Street Closing Regulations- 15-070 Sherman Place from Summit Avenue to Sanford Place 4:00 p.m. - 10:00 p.m., Saturday, September 19, 2015 fro block party.
- d. Letter dated September 10, 2015 from Joao D'Souza, Director of Traffic & Transportation to Robert Byrne, City Clerk re: Street Closing Regulations- 15-071 Wegman Parkway from Garfield Avenue to Ocean Avenue 11:00 a.m., 3:00 p.m., Saturday, September 19, 2015 for health fair.
- e. Letter dated September 10, 2015 from Joao D'Souza, Director of Traffic & Transportation to Robert Byrne, City Clerk re: Street Closing Regulations- 15-072 Town Square Place, Ring Road, 5:00 a.m., - 3:00 p.m., Sunday, September 20, 2015 for Newport Liberty Half Marathon.
- f. Letter dated September 10, 2015 from Joao D'Souza, Director of Traffic & Transportation to Robert Byrne, City Clerk re: Street Closing Regulations- 15-073 Monmouth Street from Grand Street to Bright Street 9:00 a.m. - 2:00 p.m., Saturday, October 17, 2015 for Conwell Kidz Car Wash.
- g. Letter dated September 10, 2015 from Joao D'Souza, Director of Traffic & Transportation to Robert Byrne, City Clerk re: Street Closing Regulations- 15-074 Herbert Place, Newark Avenue from Kennedy Boulevard to Tonnele Avenue, Liberty Avenue from Newark Avenue to Van Winkle Avenue 3:00 p.m., Saturday, October 31 through 2:00 a.m., Sunday, November 1, 2015.

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

****7. OFFICERS COMMUNICATIONS**

- h. Letter dated September 10, 2015 from Joao D'Souza, Director of Traffic & Transportation to Robert Byrne, City Clerk re: Street Closing Regulations- 15-075 Storms Avenue from Monticello Avenue to Howard Place 9:00 a.m., - 7:00 p.m., Sunday, September 20, 2015 for homecoming celebration & block party.

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

****8. REPORT OF DIRECTORS**

- a. Letter dated September 15, 2015 from Steven M. Fulop, Mayor to Council President and Members of the Municipal Council re: Appointing Sullivan C. Johnson, III, Jersey City, to serve as a member of the Jersey City Rent Leveling Board, replacing Glenis P. Rodriguez, whose term has expired. Mr. Johnson's term will expire on January 20, 2018.
- b. Letter dated September 15, 2015 from Steven M. Fulop, Mayor to Council President and Members of the Municipal Council re: Appointing Dana Scott Eisenberg, of Jersey City, to serve as a Alternate Member #1 of the Jersey City Planning Board, replacing Saqib Mushtaq, whose term has expired. Mr. Eisenberg's term will expire on December 31, 2016.
- c. Letter dated September 15, 2015 from Steven M. Fulop, Mayor to Council President and Members of the Municipal Council re: Appointing Joseph Soranno (Plumber), of Carlstadt, NJ to serve as a member of the Construction Board of Appeals, replacing John Brajczewski, whose term has expired. Mr. Soranno's term will expire on July 31, 2019.

****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 Human Resources
- G. Department of Public Safety
- H. Department of Public Works
- I. Department of Recreation

****10. RESOLUTIONS**

**CITY CLERK
FILE #**

- a. Resolution authorizing the insertion of Special Items of Revenues and Appropriations in the CY 2015 Municipal Budget, pursuant to N.J.S.A.40A:4-87. Res. 15.669
- b. Resolution authorizing the cancellation of Special Items of Revenues and Appropriation in the CY 2015 Municipal Budget. Res. 15.670
- c. A resolution of the Municipal Council of the City of Jersey City directing the Planning Board to consider amendments to the Powerhouse Arts District Redevelopment Plan. Res. 15.671
- d. Resolution authorizing the City of Jersey City to enter into an agreement indemnification with Hudson County School of Technology to use the facility for training of prospective fire fighters and authorizing the Risk Manager to issue a letter of insurance. Res. 15.672
- e. Resolution authorizing a license agreement with Saint Peter's University (Licensor) allowing the City of Jersey City to enter property owned by the licensor to use space in the licensor's buildings in connection with the Jersey City Art and Studio Tour on October 3 and 4, 2015. Res. 15.673
- f. Resolution authorizing the extension of a license agreement with White Castle Systems, Inc., allowing the City of Jersey City to enter property owned by White Castle Systems, Inc., to paint a mural on the side of a building adjacent to 2995 Kennedy Boulevard, Jersey City. Res. 15.674
- g. Resolution to grant 2015 Senior Citizen deductions on various properties. Res. 15.675
- h. Resolution to grant 2015 Veterans deductions on various properties. Res. 15.676
- i. Resolution authorizing the third amendment to the Solar Power Energy Services agreement. Res. 15.677
- j. Resolution of the Municipal Council of the City of Jersey City to reprogram remaining FY 2008 Emergency Shelter Grant (ESG) Funds. Res. 15.678
- k. Amending Resolution 15.169; an agreement with Telecom Integrity Group. Res. 15.679
- l. Resolution authorizing a negotiated contract pursuant to N.J.S.A.40:A11-5(3) with Liberty Landing Marina for the supply of Marine Diesel and Gasoline for the Department of Public Safety, Division of Fire. Res. 15.680

****10. RESOLUTIONS**

**CITY CLERK
FILE #**

- m. Resolution authorizing the award of contract to Temco Building Maintenance to provide janitorial services for the Department of Public Works, Division of Building and Street Maintenance. Res. 15.681
- n. Resolution authorizing a professional service agreement with Netchert Dineen & Hillmann for the investigation of the Municipal Services Complex and West District Police Precinct Projects and the representation of the City in the matters related thereto. Res. 15.682
- o. Resolution of the City of Jersey City authorizing an intergovernmental agreement with the County of Hudson for the implementation of the 2015 Edward Byrne Justice Assistance Grant Program. Res. 15.683
- p. Resolution authorizing the execution of a license agreement with the Jersey City Public Library allowing for the use of various rooms in City Hall by the Jersey City Literacy Program. Res. 15.684
- q. Resolution honoring Sonia Araujo. Res. 15.685
- r. Resolution authorizing the Waiver of the Twenty (20) Day Waiting Period for Ordinance 15.129. (An ordinance dedicating that Spruce Street to the dead end along Liberty Avenue also be known as Frank Brazicki Way.) Res. 15.686
- s. Resolution appointing Sullivan C. Johnson, III as a member of the Jersey City Rent Leveling Board. Res. 15.687

11. DEFERRED OR TABLED AGENDA AS OF SEPTEMBER 24, 2015

- a. Ordinance# 14.025 Ordinance amending and supplementing Chapter 122 (Circuses, Carnivals and Public Assemblages) of the City of Jersey City Municipal Code. Tabled-8-0- prior to the close of the public hearing at the 03.12.14 meeting on motion by Councilperson Ramchal, seconded by Councilperson Yun, Councilperson Watterman: absent.
- b. Ordinance# 14.083 Ordinance amending and supplementing Chapter 3 (Administration of Government) Article XI (Department of Public Safety) of the Jersey City Municipal Code. Tabled-9-0- prior to the close of the public hearing at the 07.16.14 meeting on motion by Councilperson Coleman seconded by Councilperson Ramchal.
- c. Ordinance# 14.084 Ordinance amending and supplementing Chapter 3 (Administration of Government) Article XI (Department of Public Safety) Sub-Article I (Division of Police) of the Jersey City Municipal Code establishing a Table of Organization. Tabled-9-0- prior to the close of the public hearing at the 07.16.14 meeting on a motion by Councilperson Coleman seconded by Councilperson Ramchal.
- d. Ordinance# 14.099 Ordinance authorizing the City of Jersey City to enter into a lease agreement as lessee with Jersey City Municipal, LLC as lessor for office space to be constructed at the HUB on an approximately 0.556 acre portion of Lot 17, Block 21201 intersection of Kearney Avenue and Martin Luther King Drive. Tabled-9-0- prior to the close of the public hearing at the 09.10.14 meeting on a motion by Councilperson Coleman seconded by Councilperson Osborne.
- e. Ordinance# 14.109 Ordinance of the Municipal Council of the City of Jersey City adopting amendments to the Land Development Ordinance - supplementary zoning as it pertains to height exceptions for rooftop appurtenance. Tabled-9-0- prior to the close of the public hearing at the 09.23.14 meeting on a motion by Councilperson Osborne seconded by Councilperson Lavarro.
- f. Ordinance# 14.110 Ordinance of the Municipal Council of the City of Jersey City adopting amendments to the Tidewater Basin Redevelopment Plan to create a mixed use district. Tabled-9-0- prior to the close of the public hearing at the 09.23.14 meeting on a motion by Councilperson Lavarro seconded by Councilperson Ramchal.
- g. Ordinance# 14.170 An ordinance supplementing Chapter 332 (Vehicles and Traffic) Article III (Parking, Standing and Stopping) amending Section 332-27 (Angle Parking) of the Jersey City Code designating 30 degree angle parking on the north side of First Street, Marin Boulevard to Provost Street (Back In Parking Only). Tabled-9-0- after the close of the public hearing at the 1.14.15 meeting on a motion by Councilperson Osborne, seconded by Councilperson Coleman.

11. DEFERRED OR TABLED AGENDA AS OF SEPTEMBER 24, 2015

- h. Ordinance# 15.104 An ordinance amending and supplementing Chapter 12 (Authorities, Municipal) Article II (Incinerator Authority) of the Jersey City Municipal Code, dissolving the Jersey City Incinerator Authority, and amending and supplementing Chapter 3 (Administration of Government) Article IX (Department of Public Works) of the Jersey City Municipal Code, to consolidate and assume the functions of the Incinerator Authority with the Jersey City Department of Public Works. Tabled-9-0- after the close of the public hearing at the 8.19.15 meeting on a motion by Councilperson Lavarro, seconded by Councilperson Osborne.