

CITY OF JERSEY CITY

280 Grove Street
Jersey City, New Jersey 07302

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



Peter M. Brennan, Council President
Willie L. Flood, Councilperson-at-Large
Mariano Vega, Jr., Councilperson-at-Large
Michael J. Sottolano, Councilperson, Ward A
David P. Donnelly, Councilperson, Ward B
Nidia R. Lopez, Councilperson, Ward C
William A. Gaughan, Councilperson, Ward D
Steve Fulop, Councilperson, Ward E
Viola Richardson, Councilperson, Ward F

Agenda Regular Meeting of the Municipal Council TUESDAY, November 10, 2009 at 6:00 p.m.

Please note: The next caucus meeting of the Municipal Council is scheduled for Monday, November 23, 2009, at 5:30 p.m. in the Efrain Rosario Memorial Caucus Room, City Hall.

The next regular meeting of the Municipal Council is scheduled for **TUESDAY**, November 24, 2009 at 6:00 p.m. in the Anna Cucci Memorial Council Chambers, City Hall. A pre-meeting caucus may be held in the Efrain Rosario Memorial Caucus Room, City Hall.

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

City Clerk Robert Byrne stated on behalf of Peter M. Brennan, Council President. "In accordance with the New Jersey P.L. 1975, Chapter 231 of the Open Public Meetings Act (Sunshine Law), adequate notice of this meeting was provided by mail and/or fax to The Jersey Journal and The Reporter. Additionally, the **annual notice** was posted on the bulletin board, first floor of City Hall and filed in the Office of the City Clerk on Wednesday, November 25, 2008, indicating the schedule of Meetings and Caucuses of the Jersey City Municipal Council for the calendar year 2009.

The Agenda of this meeting was disseminated on **Thursday, November 5, 2009 at 4:00 p.m.** to the Municipal Council, Mayor and Business Administrator of Jersey City. It was similarly disseminated to The Jersey City Reporter and The Jersey Journal.

2. **Bid Reception: None**

****CONSENT AGENDA**

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

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

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

***3.**

ORDINANCE HEARING

FIRST READING

**CITY CLERK
FILE**

- a. Ordinance of the Municipal Council of the City of Jersey City adopting amendments to Article I (Definitions) Article III (Procedures and Checklists) and Article V-CBD of the Land Development Ordinance.(Stilted Buildings, minimum building height in central business district) Ord. 09-116
- b. Ordinance of the Municipal Council of the City of Jersey City to adopt the Cambridge and North Redevelopment Plan. Ord. 09-117
- c. Ordinance establishing a conservation restriction affecting properties owned by the City of Jersey City known as Block 1627, Lots 1.P, 2.A, 3.B, 5.1 and Block 1639, Lots 1.C, 3, 4, 4.C, 6.A, and 7. Ord. 09-118
- d. Ordinance redesignating "Gregory Park Plaza" to "Marin Boulevard" also known as "Metropolis Towers Plaza". Res. 09-119

*4.

ORDINANCE HEARING

SECOND READING

**CITY CLERK
FILE**

- | | | | |
|---------------------------------|----|---|--------------------------------|
| Introduced-8-0- | a. | An ordinance of the City of Jersey City, in the County of Hudson, New Jersey, providing for the financing of the acquisition by the Parking Authority of the City of Jersey City of real property in the city and appropriating \$4,600,000 therefore, and providing for the issuance \$4,380,950 in general improvements bonds or notes of the City of Jersey City to finance the same. | Ord. 09-109
Intro. 10/14/09 |
| Introduced-8-0-
Vega: absent | b. | Ordinance supplementing Chapter A351 (Executive Orders and Ordinances) of the Jersey City Code. (Technology Assistant 3) | Ord. 09-113
Intro. 10/28/09 |
| Introduced-8-0-
Vega: absent | c. | An ordinance supplementing Chapter 332 (Vehicles and Traffic) Article XI (Schedules) Schedule 25 (Parking for the Disabled) of the Jersey City Code designating a reserved parking space at 188 Bartholdi Avenue; 158 Boyd Avenue; 644-646 Bergen Avenue; 93 Fairview Avenue; 101 Hague Street; 254-252 Hancock Avenue; 46 Hopkins Avenue; 19 Kensington Avenue; 68 Lafayette Street; 230 McAdoo Avenue; 192 Mallory Avenue; 28-30 Sherman Avenue; 390-392 Union Street and 432 Wayne Street. | Ord. 09-114
Intro. 10/28/09 |
| Introduced-8-0-
Vega: absent | d. | An ordinance supplementing Chapter 332 (Vehicles and Traffic) Article XI (Schedules) amending Schedule 14(Parking Prohibited at All Times) of the Jersey City Code repealing the No Parking Any Time prohibition on the west side of Sullivan Drive from Lembeck Avenue to Bartholdi Avenue and amending Schedule 21(Parking Restrictions for Street Clean Purposes) designating No Parking for Street Cleaning purposes on the West Side of Sullivan Drive from Lembeck Avenue to Bartholdi Avenue on Thursday 3:00 p.m. to 5:00 p.m. and extend the No Parking for Street Cleaning purposes on the east side of Sullivan Drive from (Danforth Avenue to Lembeck Avenue) to (Danforth Avenue to Bartholdi Avenue), Monday and Thursday, 3:00 p.m. to 5:00 p.m. | Ord. 09-115
Intro. 10/28/09 |

**** 5.**

PUBLIC REQUEST FOR HEARING

1. William Dorrity, 3060 Kennedy Boulevard, 3F, Jersey City
2. Dwayne Baskerville. 80 Fremont Street, Jersey City
3. Lisa Perkins, 309-311 Newark Avenue, Jersey City
4. Ibelice Smith, 309-311 Newark Avenue, Jersey City

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

****6. PETITIONS AND COMMUNICATIONS**

- a. Notice dated September 18, 2009 from Donna Mauer, Chief Financial Officer, City of Jersey City to Robert Byrne, City Clerk re: Site Preparation Escrow Account.
- b. Notice dated September 18, 2009 from Donna Mauer, Chief Financial Officer, City of Jersey City to Robert Byrne, City Clerk re: Community & Environmental Escrow Account.
- c. Letter dated September 21, 2009 from A. Paul Stofa, Deputy Attorney General, State of New Jersey, to Robert Byrne, City Clerk re: NJDEP v. Novartis, et al.
- d. The New Jersey Planner Newsletter dated September/October, 2009.
- e. Letter dated October 13, 2009 from Kevin J. Carr, RPPO, QPA, Purchasing Agent for Jersey City Municipal Utilities Authority to Robert Byrne, City Clerk re: Supplemental Resolution.
- f. Minutes of the Employees' Retirement System of Jersey City Meeting held September 16, 2009.
- g. Agenda of the Employees' Retirement System of Jersey City Meeting on held October 28, 2009 at Business Administrator Conference Room, 280 Grove Street, Jersey City, City Hall.
- h. Minutes of the regular meeting of the Board of Commissioners of the Jersey City Redevelopment Agency held on September 15, 2009.
- i. Advertisement information submitted by William Dorrity, Jersey City to Robert Byrne, City Clerk re: Grandview Terrace, 3060 Kennedy Boulevard, Jersey City.
- j. Letter dated October 27, 2009 from Jeffrey A. Petit, McCarter & English Attorneys at Law to Kara A. Kaczynski, Esq., Scarinci Hollenbeck re: Redevelopment agreement dated June 23, 2005 by and between Jersey City Redevelopment Agency.

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****6. PETITIONS AND COMMUNICATIONS**

- k. Memo dated October 26, 2009 from Albert G. Santos, Esq., Clerk Hudson County Board of Chosen Freeholders to Robert Byrne, City Clerk re: Ordinances introduced by the Board of Chosen Freeholders on October 22, 2009.
 - 1. Amending Chapter 200, Article 8.11 of the Administrative Code which established a reserved handicap parking space on 722 John F. Kennedy Boulevard, Bayonne for Jose M. Lago for the sole purpose of changing his New Jersey license plate number.
 - 2. Amending Chapter 200, Article 8.11 of the Administrative Code which established a reserved handicap parking space on 2701 John F. Kennedy Boulevard, Jersey City for Hosni W. Awad.
- l. Letter dated October 28, 2009 from Ronald T. Corcory, Assistant Director for the State of New Jersey Department of Environmental Protection to Carolyn Dawkins, Executive Director, Salem Child Development Center re: NJDEP Child Care Facility Approval Letter, 50 Clinton Avenue, Jersey City.
- m. Letter dated October 28, 2009 from Sheila Migliarino, Case Manager, Bureau of Underground Storage Tanks, State of New Jersey, Department of Environmental Protection to Dale Holden, Regional Engineer, Getty Petroleum Marketing, Inc. re: Notice of Deficiency, former Getty Service Station, 921 Montgomery Street, Jersey City.
- n. State of New Jersey, Department of Treasury, Division of Taxation re: Certification of the Table of Equalized Valuations Year 2009.
- o. State of New Jersey, Department of Treasury, Division of Taxation re: Certification of the 2009 Average Ratios and Common Level ranges for use in the Tax Year 2010.
- p. Fax dated 10/13/09 from Daniel Horgan, Jersey City to President and Members of the Municipal Council re: 212 Marin, LLC v. City of Jersey City. (Sixth Street Enbankment)
- q. Letter dated October 28, 2009 from Joseph J. Hochreiter, CGWP, Principal Scientist, Senior Environmental Consulting, LLC to Robert Byrne, City Clerk re: 180 12th Street, Jersey City,(former Holland Hotel).

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****6. PETITIONS AND COMMUNICATIONS**

- r. Fax dated October 31, 2009 from Jayson H. Burg, Jersey City to Joao D'Souza, Director of Traffic and Transportation re: Installing "No Parking Anytime" on first island circle on Stegman Place and enforcing state administration code law via parking code.
- s. Letter dated November 1, 2009 from Melinda K. Strahle, Project Manager for EnviroTrac Environmental Services to Robert Byrne, City Clerk re: Biennial Certification Monitoring Report for a groundwater Classification Exception Area, Hess Station #30503, 590 Luis Munoz Marin Boulevard. Jersey City.

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

****7. OFFICERS COMMUNICATIONS**

- a. Letter dated October 15, 2009 from Joao D'Souza, Director of Traffic and Transportation to Robert Byrne, City Clerk re: Street Closing Regulation - 09-081 Herbert Place, Liberty Avenue from Newark Avenue to Van Winkle Avenue Newark Avenue from Kennedy Boulevard to Tonnele Avenue will be closed for the preservation of public safety, health & welfare 5:00 p.m., Saturday, October 17, 2009 through 2:00 a.m., Sunday, October 18, 2009 for celebration of Diwali.
- b. Letter dated October 29, 2009 from Joao D'Souza, Director of Traffic and Transportation to Robert Byrne, City Clerk re: Street Closing Regulation - 09-082 Grand Street from Greene Street to Washington Street will be closed for the preservation of public safety, health & welfare 10:00 a.m to 8:00 p.m., Saturday, October 31 (rain date Sunday, November 1, 2009) for street market/fundraiser.
- c. Letter dated October 29, 2009 from Joao D'Souza, Director of Traffic and Transportation to Robert Byrne, City Clerk re: Street Closing Regulation - 09-083 Fleet Street from Oakland Avenue to Baldwin Avenue will be closed for the preservation of public safety, health & welfare 9:00 a.m to 9:00 p.m. on Tuesday, November 3, 2009 to accommodate overflow at campaign headquarters.
- d. Memo dated October 28, 2009 from Jonique Mosley, Program Analyst, Division of Community Development to President and Members of the Municipal Council re: Jersey City's Homelessness Prevention and Rapid Re-Housing Program.
- e. Memo dated October 30, 2009 from Naomi Hsu, AICP, Senior Planner to Robert Byrne, City Clerk re: Proposed amendment to the circulation element of the Jersey City Master Plan.

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

****8. REPORT OF DIRECTORS**

- a. Letter dated October 28, 2009 from Jerramiah T. Healy, Mayor to President and Members of the Municipal Council re: Appointing Benjamin Lopez, Sr., of Jersey City, to serve as a member of the Jersey City Employment and Training Committee replacing Bernard Gordon, who has resigned. Mr. Lopez's term will expire on June 30, 2010.
- b. Letter dated October 26, 2009 from Jerramiah T. Healy, Mayor to Ms. Mary Kay Murphy, North Jersey Transportation Planning Authority re: Attending the New Jersey League of Municipalities Ethics Training Seminar,
- c. Memo dated October 28, 2009 from John M. Yurchak, Director, Department of Public Works to Jerramiah T. Healy, Mayor re: Vacationing Thursday, October 29 thru Friday, November 6, 2009 in his absence John McGrath will serve as Acting Director.
- d. Letter dated October 28, 2009 from William Matsikoudis, Corporation Counsel to President and Members of the Municipal Council re: Hudson Regional Health Commission.
- e. Fax dated October 30, 2009 from Jerramiah T. Healy, Mayor to H.K. "Chuck" Carol, President, Local 246 re: Mandatory furloughs for Municipal Workers.
- f. Fax dated November 4, 2009 from Jerramiah T. Healy, Mayor to All Department & Directors re: Vacation Thursday, November 5, 2009 thru Wednesday, November 11, 2009 in his absence Fire Director Armando Roman will serve as Acting Mayor.
- g. Letter dated November 5, 2009 from William Matsikoudis, Corporation Counsel to Council President and Members of the Municipal Council re: Conversion of Siegel Portion of PJP Landfill into the Marion Greenway Park.

****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 #**

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|----|---|-------------|
| a. | Resolution authorizing an Emergency Temporary Appropriation. | Res. 09-914 |
| b. | Resolution honoring Jimmy Dupree on the occasion of his retirement. | Res. 09-915 |
| c. | Resolution celebrating the 80 th Anniversary of Saint John's Baptist Church. | Res. 09-916 |
| d. | Resolution celebrating the 20 th Anniversary of the Cathedral Arts Festival at Grace Church Van Vorst. | Res. 09-917 |
| e. | Resolution in support of Organ and Tissue Donation. | Res. 09-918 |
| f. | Resolution of support for the County of Hudson to submit an application to the State of New Jersey, Green Acres Program for the acquisition of 801 Route 440, Jersey City, (Block 1746, Lot E.2) to expand Lincoln Park and the recreational opportunities for all residents. | Res. 09-919 |
| g. | Resolution of the Municipal Council of the City of Jersey City designating Block 792, Lot 242 as an area in need of rehabilitation. (Cambridge and North Redevelopment Plan Area) | Res. 09-920 |
| h. | Resolution authorizing the award of a professional engineering services contract to T&M Associates in connection with the Hackensack River Waterfront Park Project. | Res. 09-921 |
| i. | Resolution of the Municipal Council of the City of Jersey City authorizing the award of a professional services agreement to Midpoint Health Care Services, Inc. | Res. 09-922 |
| j. | Resolution of the Municipal Council of the City of Jersey City authorizing the award of a professional services agreement to Progressive Nursing Staffers of New Jersey, Inc. | Res. 09-923 |
| k. | Resolution awarding professional services agreements to Attorneys-at-Law of the State of New Jersey to serve as Public Defenders in the Jersey City Municipal Court for the 2010 Fiscal Year. | Res. 09-924 |
| l. | Resolution authorizing a second amendment to a professional services contract to CMX Incorporated, in connection with the design and construction administration for the renovation of Bayside Park, Project No. 2005-020 for the Department of Administration, Division of Architecture. | Res. 09-925 |

****10. RESOLUTIONS**

**CITY CLERK
FILE #**

- m. Resolution authorizing the award of contract to Dell Marketing for Dell Logic PS6000E SAN for E-Mail archiving GIS & Document Digitization for the Department of Information Technology under state contract without public bidding. Res. 09-926
- n. Resolution authorizing the renewal of a contract with Diaz Nursery to supply and deliver various trees and shrubs for the Department of Public Works, Division of Park Maintenance. Res. 09-927
- o. Resolution authorizing the award of contract to Certified Products Co., Inc., to furnish and deliver various fluids and lubricants to the Department of Public Works, Division of Automotive Maintenance. Res. 09-928
- p. Resolution authorizing the City of Jersey City to accept 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 Which Intoxicated. Res. 09-929
- q. Resolution authorizing the execution of an Escrow Agreement among the City of Jersey City, Waste Management of New Jersey, Inc., CWM Chemical Services, LLP in connection with property that will be developed as the Marion Greenway Park. Res. 09-930
- r. Resolution awarding a professional services agreement to Andrew C. Abrams, Esq. Attorney at Law of the State of New Jersey, to serve as Chief Municipal Public Defender in the Jersey City Municipal Court in addition to performing his duties as a Public Defender for the 2010 Fiscal Year. Res. 09-931
- s. Resolution approving appraisal and authorizing offer for the acquisition of real property located at Truck Route 1&9 and Sip Avenue, Block 1627, Lots 1.P, 2.A, 3.B & 5.A, and Block 1629.A, Lots 1.C, 3, 4, 4.C, 6.A & 7, by purchase or condemnation. Res. 09-932
- t. Resolution authorizing the execution of a memorandum of understanding with the New Jersey Department of Environmental Protection in connection with the Marion Greenway Park. Res. 09-933
- u. Resolution authorizing the execution of a transfer of liability agreement with Waste Management of New Jersey, Inc. and Chemical Services, LLC., in connection with the Marion Greenway Park. Res. 09-934

****10. RESOLUTIONS**

**CITY CLERK
FILE #**

- v. Resolution authorizing month on month extensions not to exceed two (2) months effective as of November 1, 2009 of contracts with Chuk's Professional Cleaning Inc., Maverick Building Services Inc., and Statewide Sanitation Services Corp, for providing janitorial services for the Department of Public Works, Division of Buildings and Streets Maintenance. Res. 09-935

- w. Resolution authorizing month on month extensions not to exceed two months commencing November 1, 2009 of contracts with Statewide Sanitation Services Inc. for providing janitorial services for the Department of Public Works, Division of Buildings and Streets Maintenance. Res. 09-936