

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

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



## RESOLUTION AUTHORIZING AN EMERGENCY TEMPORARY APPROPRIATION

**COUNCIL**  
**adoption of the following resolution:**

**offered and moved**

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

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

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

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

1. An emergency temporary appropriation is hereby created for:

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

TITLE:

**RESOLUTION AUTHORIZING AN EMERGENCY TEMPORARY APPROPRIATION**

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

APPROVED: Kathleen D. Deely

APPROVED AS TO LEGAL FORM

APPROVED: B. O'Reilly  
Business Administrator

[Signature]  
Corporation Counsel

Certification Required

Not Required

**APPROVED 8-0**

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

✓ Indicates Vote

N.V.-Not Voting (Abstain)

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

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

Robert Byrne  
Robert Byrne, City Clerk

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

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



**Resolution Authorizing the Waiver of the Twenty (20) Day Waiting Period for Ordinance 09-010.** An ordinance supplementing Chapter 332 (Vehicles and Traffic) Article XI (Schedules) Schedule 25 (Parking for the Disabled) of the Jersey City Code designating a reserved parking space at 85 Arlington Avenue; 86-88 Arlington Avenue; 90 Duncan Avenue; 100 Grant Avenue; 283 Stegman Parkway and 20 Stevens Avenue and repeal the reserved parking space at 122 Fowler Avenue and 217-219 Winfield Avenue.

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

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

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

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

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

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

APPROVED: \_\_\_\_\_  
 APPROVED: B O'Keilly  
 Business Administrator

APPROVED AS TO LEGAL FORM  
 \_\_\_\_\_  
 Corporation Counsel

Certification Required

Not Required

**APPROVED 8-0**

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

✓ Indicates Vote

N.V.-Not Voting (Abstain)

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

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

Robert Byrne  
 Robert Byrne, City Clerk

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

City Clerk File No. Res. 09-075

Agenda No. 10.C

Approved: FEB 11 2009

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



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

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

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

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

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

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

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

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

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

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

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

APPROVED: \_\_\_\_\_

APPROVED AS TO LEGAL FORM

APPROVED: B. O'Keilly

Business Administrator

\_\_\_\_\_  
Corporation Counsel

Certification Required

Not Required

APPROVED **8-0**

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

✓ Indicates Vote

N.V.-Not Voting (Abstain)

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

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

Robert Byrne  
Robert Byrne, City Clerk

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

City Clerk File No. Res. 09-076

Agenda No. 10.D

Approved: FEB 11 2009

TITLE:



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

**COUNCIL  
Resolution:**

**offered the moved adoption of the following**

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

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

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

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

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

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

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

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

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

TITLE:

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

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

APPROVED: \_\_\_\_\_

APPROVED AS TO LEGAL FORM \_\_\_\_\_

APPROVED: B O'Keilly

Business Administrator

\_\_\_\_\_

Corporation Counsel

Certification Required

Not Required

APPROVED **8-0**

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

✓ Indicates Vote

N.V.-Not Voting (Abstain)

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

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

Robert Byrne  
Robert Byrne, City Clerk

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

City Clerk File No. Res. 09-077

Agenda No. 10. E

Approved: FEB 11 2009

TITLE:



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

**COUNCIL**  
following resolution.

Offered and moved adoption of the

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

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

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

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

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

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

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

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

APPROVED:

APPROVED AS TO LEGAL FORM

APPROVED:

Business Administrator

Corporation Counsel

Certification Required

Not Required

APPROVED 8-0

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

✓ Indicates Vote

N.V.-Not Voting (Abstain)

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

Mariano Vega, Jr., President of Council

Robert Byrne, City Clerk

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

City Clerk File No. Res. 09-078

Agenda No. 10.F

Approved: FEB 11 2009



TITLE:

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

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

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

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

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

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

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

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

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

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

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

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

JM/he  
1/26/09

APPROVED: \_\_\_\_\_

APPROVED: B O'Keefe  
Business Administrator

APPROVED AS TO LEGAL FORM

\_\_\_\_\_  
Corporation Counsel

Certification Required

Not Required

**APPROVED 8-0**

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

✓ Indicates Vote

N.V.-Not Voting (Abstain)

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

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

Robert Byrne  
Robert Byrne, City Clerk

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

City Clerk File No. Res. 09-079

Agenda No. 10.G

Approved: FEB 11 2009

TITLE:



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

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

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

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

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

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

TITLE:

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

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

APPROVED: *Alanna Naves, CFO*

APPROVED AS TO LEGAL FORM

APPROVED: *B. O'Reilly*  
Business Administrator

*[Signature]*  
Corporation Counsel

Certification Required

Not Required

APPROVED **8-0**

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

✓ Indicates Vote

N.V.-Not Voting (Abstain)

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

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

*Robert Byrne*  
Robert Byrne, City Clerk