

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

City Clerk File No. Res. 09-001  
Agenda No. 10.A  
Approved: JAN 14 2009  
TITLE:



## RESOLUTION AUTHORIZING AN EMERGENCY TEMPORARY APPROPRIATION

**COUNCIL**

**offered and moved**

**adoption of the following resolution:**

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 \$332,528,093.

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
20-106 COMMUNICATIONS OE	12,500	17,500
22-196 TENANT LANDLORD RELATIONS OE	6,500	9,500
23-220 EMPLOYEE GROUP INSURANCE	30,000,000	38,000,000
31-432 MUNICIPAL RENT	1,891,000	1,891,100
30-416 JERSEY CITY MUSEUM	500,000	600,000
20-110 MAYOR'S OFFICE OE	48,000	56,000
RECYCLING TONNAGE GRANT	0	348,564
HCOS-BOYD MCGUINESS PARK	0	150,000
COMMUNITY SERVICE BLOCK GRANT	0	228,989
PUBLIC HEALTH PRIORITY FUND	0	149,972
CHEMICAL BUFFER ZONE PROTECTION PROGRAM	0	62,600
HOMELAND sECURITY & PREPAREDNESS GRANT	0	50,000

JAN 14 2009

TITLE:

**RESOLUTION AUTHORIZING AN EMERGENCY TEMPORARY APPROPRIATION**

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

APPROVED: *[Signature]*

APPROVED AS TO LEGAL FORM

APPROVED: *B. O'Reilly*  
Business Administrator

*[Signature]*  
Corporation Counsel

Certification Required

Not Required

APPROVED **7-1**

RECORD OF COUNCIL VOTE ON FINAL PASSAGE 1/14/09											
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. 09-002  
 Agenda No. 10.B  
 Approved: JAN 14 2009  
 TITLE: \_\_\_\_\_



## RESOLUTION CONFIRMING THE RE-APPOINTMENT OF DONNA MAUER AS CHIEF FINANCIAL OFFICER OF THE CITY OF JERSEY CITY

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

**WHEREAS**, N.J.S.A. 40A:9-140.1 et seq., requires that every municipality shall have a Chief Financial Officer appointed by the Mayor with the advice and consent of Council; and

**WHEREAS**, the Chief Financial Officer is responsible for the proper financial administration of the municipality under the Local Government Supervision Act of 1947, the Local Bond Law, the Local Budget Law, the Local Fiscal Affairs Law and other regulations governing municipal affairs; and

**WHEREAS**, pursuant to N.J.S.A. 40A:9-140.2 one appointed to the position of Chief Financial Officer must possess a certificate issued by the Division of Local Government Services; and

**WHEREAS**, pursuant to N.J.S.A. 40A:9-140.8, any person who has served as the certified financial officer of a municipality for four consecutive years and who is then re-appointed, shall acquire tenure upon notification to the New Jersey Division of Local Government Services; and

**WHEREAS**, Donna Mauer served as the Chief Financial Officer for four consecutive years, since January 1, 2005 and possesses the necessary certificate and is well qualified to hold and acquire tenure in this office; and

**WHEREAS**, Mayor Jerramiah T. Healy has now re-appointed Donna Mauer as Chief Financial Officer.

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

1. The re-appointment of Donna Mauer as Chief Financial Officer of the City of Jersey City is approved; and
2. This resolution shall supercede any prior resolution concerning the re-appointment of Donna Mauer; and
3. Upon notice of this re-appointment to the Division of Local Governmental Services, pursuant to N.J.S.A. 40A:9-140.8, which notice shall occur forthwith, Donna Mauer shall acquire tenure as Chief Financial Officer, effective January 1, 2009.

JM/he  
1/07/09

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

APPROVED AS TO LEGAL FORM

APPROVED: B O'Keilly  
Business Administrator

Joanne Monahan  
1st Asst Corporation Counsel

Certification Required

Not Required

2008333

APPROVED 8-0

RECORD OF COUNCIL VOTE ON FINAL PASSAGE 1/14/09											
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. 09-003  
 Agenda No. 10.C  
 Approved: JAN 14 2009  
 TITLE: \_\_\_\_\_



## RESOLUTION RE-APPOINTING KELLY AUSTIN AS A FULL-TIME JUDGE IN THE JERSEY CITY MUNICIPAL COURT

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

**WHEREAS**, Kelly Austin was appointed as a full-time Judge of the Municipal Court for a term that will expire on February 10, 2009; and

**WHEREAS**, pursuant to N.J.S.A. 2B:12-4(b), the Honorable Jerramiah T. Healy, Mayor of the City of Jersey City, has advised the Municipal Council that he has re-appointed Kelly Austin as a full-time Judge of the Municipal Court; and

**WHEREAS**, pursuant to N.J.S.A. 2B:12-4(b), each judge serves for a term of three years from the date of appointment; and

**WHEREAS**, Kelly Austin's term shall commence on February 11, 2009 and expire three (3) years thereafter; and

**WHEREAS**, Kelly Austin is well qualified to serve as a full-time Judge in the Jersey City Municipal Court; and

**WHEREAS**, the appointment requires the advice and consent of the Municipal Council.

**NOW, THEREFORE, BE IT RESOLVED** by the Municipal Council of the City of Jersey City that the re-appointment of Kelly Austin as a full-time Judge of the Municipal Court of the City of Jersey City for a full three (3) year term to commence on February 11, 2009 and expire three (3) years thereafter.

JM/pm

APPROVED: \_\_\_\_\_  
 APPROVED: B. O'Reilly  
 Business Administrator

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

№ 2008323

Certification Required

Not Required  **APPROVED 8-0**

RECORD OF COUNCIL VOTE ON FINAL PASSAGE											
1/14/09											
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. 09-004

Agenda No. 10.D

Approved: JAN 14 2009

TITLE:



**Resolution Authorizing the Waiver of the Twenty (20) Day Waiting Period for Ordinance 08-178.** 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 7 Apollo Street; 165 Cator Avenue; 9-11 Crossgate Road; 315 Pearsall Avenue; 119 Sterling Avenue and 32 Wright Avenue and amend the reserved parking space at 23 Bayview Avenue.

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

**Whereas**, at its meeting of January 14, 2009 at 6:00 P.M., the Municipal Council adopted Ordinance 08-178; 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 08-178 is hereby waived so that this Ordinance is effective immediately.

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

APPROVED: B. O'Reilly  
Business Administrator

APPROVED AS TO LEGAL FORM

Joanne Monahan  
1st Asst Corporation Counsel

Certification Required

Not Required

**APPROVED 8-0**

RECORD OF COUNCIL VOTE ON FINAL PASSAGE 1/14/09											
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. 09-005

Agenda No. 10.E

Approved: JAN 14 2009

TITLE:



## HONORING MAURICE FITZGIBBONS FOR 15 YEARS OF SERVICE AS A HUDSON COUNTY FREEHOLDER

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

**WHEREAS, Maurice Fitzgibbons**, a Hudson County Freeholder for 15 years, developed a path of strong relationships, dynamic contacts and a history of community involvement for 30 years; and

**WHEREAS, Maurice Fitzgibbons**, began his political career serving as Chairman of the Hoboken Democratic Party between 1985 and 1994 and served as New Jersey State Democratic Committeeman in 1990; and

**WHEREAS, Maurice Fitzgibbons** was first elected to the Hudson County Board of Chosen Freeholders in 1994 and over the years has served his constituents, residents of Jersey City and Hudson County with honor, distinction and an abiding interest in their welfare; and

**WHEREAS, Maurice Fitzgibbons'** extensive public service includes serving as: Administrator of Hudson County Cultural and Heritage Affairs, New Jersey State Director of Ethnic Affairs in the New Jersey Department of State, Cultural Affairs Coordinator for the Hoboken Model Cities Program and as the first proponent of establishment of the Hudson County High School for the Performing Arts; and

**WHEREAS, Maurice Fitzgibbons** served as Chairman of the Hudson County Board of Chosen Freeholders in 1997; President of the New Jersey Association of Counties in 2001; and as a member or Chairman of most Freeholder Committees during his 15 years of service; and

**WHEREAS, Maurice Fitzgibbons**, following his service as Public Relations Director of Historic Waterloo Village, opened his own public relations and marketing agency in 1995, since catering to an eclectic client base, including the municipalities of Asbury Park, Bayonne, Elizabeth, Lakewood, Paterson, Union City, Weehawken and West New York; and

**WHEREAS, Maurice Fitzgibbons**, is a member of St. Ann's Roman Catholic Church in Hoboken and has been named Hoboken Lions Club Man of the Year in 1992, Hoboken Elks Lodge 74 Man of the Year, 1999 Irishman of the Year, Hoboken St. Patrick's Day Parade Grand Marshal in 2002 and received the New Jersey Association of Counties (NJAC) President's Award for 2007.

**NOW, THEREFORE, BE IT RESOLVED**, that the Municipal Council of the City of Jersey City does hereby honor **Maurice Fitzgibbons** for his outstanding dedication to public service, as Hudson County Freeholder for 15 years and wishes him health, happiness and success in all of his future endeavors.

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

APPROVED AS TO LEGAL FORM

APPROVED: B. O'Keilly  
Business Administrator

Joanne Monahan  
1st Asst Corporation Counsel

G:\WPDOCS\IRENE\Resos\Honoring\Fitzgibbons, Maurice.wpd

Certification Required

Not Required

APPROVED 8-0

RECORD OF COUNCIL VOTE ON FINAL PASSAGE 1/14/09											
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. 09-006  
 Agenda No. 10.F  
 Approved: JAN 14 2009  
 TITLE:



## RESOLUTION HONORING ECUADORIAN LIONS CLUB DISTRICT 16-A HONOREE JOSE ANTONIO DELGADO-MACIAS

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

**WHEREAS**, on Friday, December 19, 2008, the Ecuadorian Lions Club District 16-A, will host its Annual Holiday Gala and Swearing-in Ceremony at the Nile Club Restaurant in North Bergen, N.J. The organization will honor two exceptional Lions Club members for their commitment and dedication to the Club and to the Ecuadorian community. Their "Lionistic" drive and enthusiasm have helped motivate many others. **Jose Antonio Delgado-Macias** will be honored at this distinguished event; and

**WHEREAS**, **Jose Antonio Delgado-Macias** is a native of Manabi, Ecuador. Jose married and raised his family in New Jersey and currently lives in West New York; and

**WHEREAS**, **Jose Antonio Delgado-Macias** is the only oldest members of the Ecuadorian Lions Club of District 16-A. In 2007, King Lion Jose Delgado was bestowed the highest honor within the club, Life-membership and perpetual Honorary President. During the 17 year history of the Club, Mr. Delgado served for four consecutive terms in various titles, from Secretary to President; and

**WHEREAS**, **Jose Delgado** is a well-recognized civic leader within the Ecuadorian Community in New Jersey and within the Hispanic-American Community in Hudson County. Has received many honors and accolades for his dedication and commitment to the community; and

**WHEREAS**, **Jose Delgado** has been a member of many organization, including, Ecuadorian Civic Community, Hispanic State Parade, Association de Manabitas Ecuatorianos de New Jersey and last year was part of the Board of the Ecuadorian State Parade of New Jersey and Ecuadorian State Festival of New Jersey which attracted over 50,000 people to the streets along Bergenline Avenue.

**NOW, THEREFORE, BE IT RESOLVED**, that the Municipal Council of the City of Jersey City does hereby honor Ecuadorian Lions Club District 16-A honoree **Jose Antonio Delgado-Macias**.

G:\WPDOC\STOLONDAIRES\OSE\Ecuadorian Lions Club District 16A.wpd

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

APPROVED AS TO LEGAL FORM  
Joanne Monahan  
 Corporation Counsel

Certification Required   
 Not Required

APPROVED 8-0

RECORD OF COUNCIL VOTE ON FINAL PASSAGE											
1/14/09											
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. 09-007

Agenda No. \_\_\_\_\_ 10.G

Approved: \_\_\_\_\_ JAN 14 2009

TITLE:



## RESOLUTION HONORING ECUADORIAN LIONS CLUB DISTRICT 16-A HONOREE GINA JARAMILLO

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

**WHEREAS**, on Friday, December 19, 2008, the Ecuadorian Lions Club District 16-A, will host its Annual Holiday Gala and Swearing-in Ceremony at the Nile Club Restaurant in North Bergen, N.J. The organization will honor two exceptional Lions Club members for their commitment and dedication to the Club and to the Ecuadorian community. Their "Lionistic" drive and enthusiasm have helped motivate many others. **Gina Jaramillo** will be honored at this distinguished event; and

**WHEREAS**, **Gina Jaramillo** is the proud daughter of a hard-working single parent who immigrated to the United States in 1963, leaving her and her brother as infants. In June of 1972 Gina became the last member of her family to leave Ecuador to join her mother, aunts and uncles in the United States; and

**WHEREAS**, **Gina Jaramillo** attended Our Lady of Good Counsel in Newark, New Jersey. She continued her studies and earned her certification as a Computer Programmer and earned a Certificate as a Public Manager from the State of New Jersey; and

**WHEREAS**, **Gina Jaramillo** worked as an intern at the office of Congressman, Robert Menendez. It was during this internship program that fate took her side and she was offered the opportunity to work directly for Congressman Menendez as his Assistant and Scheduler. Mrs. Jaramillo currently works for Hudson County as Director of the Department of Parks, Engineering and Planning where she serves as the Executive Assistant for Mariano Vega, Jr.; and

**WHEREAS**, **Gina Jaramillo**, a well-recognized civic activist and community leader within the tri-state Hispanic-American community, has for the past four years been a diligent Board Member of prestigious Hispanic State Parade Committee of N.J., for which she became the sworn-in President this past April. She is also an active civic leader within the Ecuadorian community. She has been an active Lions Club member for many years. She served two successful terms as President of the Ecuadorian Lions Club of District 16-A. In August of 2005, under her own initiative, she engineered, directed and coordinated the First Ecuadorian Civic Committee Parade. In 2008, Gina founded the Ecuadorian State Parade and Festival of N.J. Mrs. Jaramillo was invited by the former President of Ecuador to be a guest at its Annual Women in Politics Convention; and

**WHEREAS**, **Gina Jaramillo** has been an active member of many organizations including, Vision 2001; House of the Ecuadorian Culture Benjamin Carrion N.J. Chapter; New Jersey State Heritage Ball Committee; Ecuadorian-American Foundation; Harrison Beautification and Environmental Committee; Harrisonfest Committee; Ecuadorian Civic Committee of N.J.; Hispanic State Parade of N.J.; the Ecuadorian State Parade of N.J. She was invited to Chair the Immigration Policy Committee for Newark Mayor Cory Booker's Transition Team. In September 2008, Mrs. Jaramillo was also asked to organize and lead the Surveillance and Inspection Committee for Ecuador's Elections for the New Constitution of 2008 of New Jersey and Pennsylvania; and

**WHEREAS**, **Gina Jaramillo** is the proud mother of four sons, Carlos, Daniel, Ramon and Xavier in Hudson County. Mrs. Jaramillo is also the proud grandmother of four beautiful grandchildren. She raised her children in Hudson County and currently resides in Newark with her partner, Diego Munoz.

**NOW, THEREFORE, BE IT RESOLVED**, that the Municipal Council of the City of Jersey City does hereby honor Ecuadorian Lions Club District 16-A honoree **Gina Jaramillo**.

G:\WP\DOC\TOLONDA\RESOS\Ecuadorian Lions Club District 16A.wpd

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

APPROVED AS TO LEGAL FORM

APPROVED: B. O'Keefe  
Business Administrator

Joanne Monahan  
1st Asst Corporation Counsel

Certification Required

Not Required

APPROVED 8-0

RECORD OF COUNCIL VOTE ON FINAL PASSAGE											
1/14/09											
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 Byrte  
Robert Byrte, City Clerk

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

City Clerk File No. Res. 09-008

Agenda No. 10.H

Approved: JAN 14 2009

TITLE:



## RESOLUTION HONORING NANCY TORRES

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

**WHEREAS**, Nancy Torres Cepero, was born in an ambulance on the way to Margaret Hague Hospital in Jersey City on February 17, 1955; and

**WHEREAS**, Nancy Torres is a lifelong resident of Jersey City who attended Public School #5, James J. Ferris High School and Saint Peter's College. The Torres family has lived in the Downtown section for more than 50 years and most family members live within walking distance from each other; and

**WHEREAS**, Nancy Torres has one of the most optimistic personalities that anyone can encounter. Her smile is contagious and so is her energy. Nancy has many talents, one is creating folkloric artifacts with everyday items. She is currently one of the members for the folkloric group *La Segunda Quimbamba*; and

**WHEREAS**, Nancy Torres loves her family and is the loving mother of two adult children, Michael and Manuel; and

**WHEREAS**, Nancy Torres' family has a history of breast cancer. Her older sister, Martha passed away from breast cancer. Martha's daughters and grandchildren know Nancy as a surrogate mother and grandmother; and

**WHEREAS**, Nancy Torres is a survivor of breast cancer. In 1999, she was diagnosed with breast cancer. She has fought and continues to fight this deadly disease with determination. Cancer is a serious, aggressive disease. It can be treated and you can survive. In America alone, there are approximately 10.8 million people living with a history of cancer. Knowledge, hope and inspiration can help beat cancer.

**NOW, THEREFORE, BE IT RESOLVED**, that the Municipal Council of the City of Jersey City does hereby honor Nancy Torres for her perseverance and her dedication to her family. We wish her continued health and happiness in the future.

G:\WPDOCS\TOLONDA\RESOS\HONORING\Nancy Torres.wpd

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

APPROVED AS TO LEGAL FORM

APPROVED: B. O'Keefe  
Business Administrator

Joanne Monahan  
1st asst Corporation Counsel

Certification Required

Not Required

APPROVED 8-0

RECORD OF COUNCIL VOTE ON FINAL PASSAGE											
1/14/09											
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. 09-009

Agenda No. 10.I

Approved: JAN 14 2009



TITLE: RESOLUTION AUTHORIZING AN ESTIMATED FIRST QUARTER 2009 TAX BILL.

COUNCIL ADOPTION OF THE FOLLOWING RESOLUTION:

OFFERED, AND MOVED

WHEREAS, ON JULY 14, 1994, THE PUBLIC LAWS OF 1994, CHAPTER 72 OF THE STATE OF NEW JERSEY WERE ENACTED; AND

WHEREAS, THE LAW, WHICH IS AN ACT CONCERNING THE DELIVERY AND PAYMENT OF REAL PROPERTY TAX BILLS, REQUIRES THAT THE GOVERNING BODY OF EACH MUNICIPALITY OPERATING UNDER THE STATE FISCAL YEAR, SHALL AUTHORIZE THE CITY COLLECTOR IF NECESSARY TO ISSUE AN ESTIMATED TAX BILL; AND

WHEREAS, THE AMOUNT OF THE PRELIMINARY NON-MUNICIPAL TAX LEVY SHALL BE CALCULATED ACCORDING TO LAW USING 50 PERCENT OF THE TOTAL 2008 BILLING; AND

WHEREAS, THE MUNICIPAL LEVY SHALL BE CALCULATED FOR THE FIRST QUARTER 2009 USING AN ESTIMATED AMOUNT OF \$151,199,997.00 AND

WHEREAS, THE SECOND QUARTER 2009 WILL REFLECT THE BALANCE DUE ON THE MUNICIPAL PORTION ONCE THE BUDGET IS PASSED; AND

WHEREAS, I HAVE DISCUSSED THIS BILLING WITH THE BUDGET OFFICER, BUSINESS ADMINISTRATOR, AND CHIEF FINANCIAL OFFICER AS TO THE AMOUNT TO BILL;

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the City of Jersey City, IN ACCORDANCE WITH PUBLIC LAWS OF 1994, CHAPTER 72; HEREBY CERTIFIES THE TAX COLLECTOR TO MAIL AN ESTIMATED FIRST QUARTER 2009 TAX BILL.

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 1/14/09											
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.

[Signature]  
 Mariano Vega, Jr., President of Council

[Signature]  
 Robert Byrne, City Clerk

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

City Clerk File No. Res.09-010

Agenda No. 10.J

Approved: JAN 14 2009

TITLE:



## CANCELLATION OF PARTIAL 2008 ADDED ASSESSMENT TAXES ON BLOCK 1748 LOT 20, ALSO KNOWN AS 150 LEXINGTON 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 1748 Lot 20 had an error in valuation; and

**WHEREAS**, the Jersey City Tax Assessor would like to cancel a portion of the added assessment which equals \$2,114.39; and

**NOW THEREFORE, BE IT RESOLVED**, by the Municipal Council of the City of Jersey City, that the real estate tax balance on Block 1748 Lot 20 also known as 150 Lexington Ave, Jersey City, New Jersey, is hereby canceled in the amount of \$ 2,114.39.

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

Certification Required   
 Not Required

APPROVED 8-0

RECORD OF COUNCIL VOTE ON FINAL PASSAGE 1/14/09											
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.

[Signature]  
 Mariano Vega, Jr., President of Council

[Signature]  
 Robert Byrne, City Clerk

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

City Clerk File No. Res. 09-011  
 Agenda No. 10.K  
 Approved: JAN 14 2009  
 TITLE:



## RESOLUTION AUTHORIZING A REFUND/CREDIT OF \$657,231.95 AND A REDUCTION IN ASSESSMENT TO SETTLE TAX APPEALS FILED BY THE OWNERS OF VARIOUS PROPERTIES.

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

**WHEREAS**, complaints were filed in the Tax Court of New Jersey challenging real estate tax assessments as indicated below; and

**WHEREAS**, the Office of the Tax Collector has reviewed these settlements and computed the amount of refund or credit that will result from the implementation of these settlements; and

**WHEREAS**, both the taxpayer and the City agree that all interest payments on any such refund shall be waived by the taxpayer if such refund shall be made by the City within sixty (60) days of the Tax Court judgment pursuant to N.J.S.A. 54:3-27.2; and

**WHEREAS**, after consulting with the Office of the Tax Assessor and reviewing appraisal reports prepared by the owners and by certified real estate appraisers engaged by the City, the Corporation Counsel has recommended that the complaints be settled at the assessments specified below; and

**WHEREAS**, these settlements will reduce the assessment to reflect the actual fair assessable value of the property(ies) consistent with assessing practices generally applicable in the City of Jersey City, as required by law; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Municipal Council of the City of Jersey City that the following complaints be settled for the assessments listed on the attached schedule.

These settlements will result in a refund and/or credit in the amount of \$657,231.95

MAM/mw  
1-5-09

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

APPROVED: B. O'Keilly  
Business Administrator

[Signature]  
Corporation Counsel

2008327

Certification Required   
 Not Required

**APPROVED 8-0**

RECORD OF COUNCIL VOTE ON FINAL PASSAGE											
				1/14/09							
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. 09-012  
 Agenda No. 10.L  
 Approved: JAN 14 2009  
 TITLE: \_\_\_\_\_



## RESOLUTION AUTHORIZING THE BUSINESS ADMINISTRATOR TO EXECUTE A DISCHARGE OF MORTGAGE AFFECTING 15 BAYSIDE PLACE A/K/A.BLOCK 1471.C, LOT.17

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

**WHEREAS**, on January 11, 2008, Eula Smith (Borrower) executed a mortgage in favor of the City of Jersey City (City) to secure the City's loan to her in the amount of \$7,150.00 made under the SHORP Program; and

**WHEREAS**, the loan was made for the purpose of making home improvements for a low or moderate income family and it self-amortizes over five (5) years provided the homeowner resides in the property and does not sell the property; and

**WHEREAS**, the SHORP program allows a homeowner to pay off the mortgage prior to the expiration of the five (5) years; and

**WHEREAS**, the mortgage affects property known as 15 Bayside Place, Jersey City, also known as Lot 17 in Block 1471.C; and

**WHEREAS**, according to the Division of Community Development, the Borrower has paid the City the sum of \$7,150.00 which is the loan pay off amount; and

**WHEREAS**, the City is obligated to execute a Discharge of Mortgage to remove the mortgage from the public record.

**NOW, THEREFORE, BE IT RESOLVED**, that the Business Administrator is authorized to execute a Discharge of the Mortgage of Eula Smith dated January 11, 2008 in the sum of \$7,150.00 affecting 15 Bayside Place, Jersey City, also known as Lot 17 in Block 1471.C.

IW/mw  
12-11-08

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

APPROVED: B. O'Keefe  
Business Administrator

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

Jan 20 08 3 26

Certification Required

Not Required

**APPROVED 8-0**

RECORD OF COUNCIL VOTE ON FINAL PASSAGE <span style="float: right;">1/14/09</span>											
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. 09-013

Agenda No. 10.M

Approved: JAN 14 2009

TITLE:



## RESOLUTION AUTHORIZING DISPOSAL OF SURPLUS PERSONAL PROPERTY VIA PUBLIC AUCTION

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

**WHEREAS**, the City has a need to sell surplus personal property at public auction; and

**WHEREAS**, pursuant to Local Public Contracts Law N.J.S.A. 40A:11-36, the estimated fair value of the property exceeds 15% of the bid threshold; and

**WHEREAS**, the surplus property will be sold in an "as is" condition without express or implied warranties,

**WHEREAS**, the City desires to conduct the public auction through GovDeals, Inc. pursuant to State Contract A-70967/T2581 in accordance with the terms and conditions of the State Contract;

**WHEREAS**, the City will pay GovDeals, Inc. a fee of 7.5% for sales of less than \$100,000; and

**WHEREAS**, per Local Finance Notice LFN 2008-9, for local units to hold online auctions through any of these four vendors without prior approval of the Division. In addition, as provided in P.L. 2001, c. 30, local units are not required to seek bids or requests for proposals from these vendors to use their services

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

1. The sale of the surplus property shall be conducted through GovDeals pursuant to State Contract A-70967/T2581 in accordance with the terms and conditions of the State Contract
2. The sale will be conducted online and the address of the auction site is govdeals.com
3. The terms and conditions of the agreement entered into with GovDeals is available online at govdeals.com and also available from the Division of Purchasing
4. The surplus property as identified shall be sold in an "as-is" condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property
5. A list of the surplus property to be sold is as follows:

TITLE: JAN 1 4 2009

**RESOLUTION AUTHORIZING DISPOSAL OF SURPLUS PERSONAL PROPERTY VIA PUBLIC AUCTION**

NUM	ID	COLOR	YEAR/MAKE	TYPE	VIN
1	2848	BAW	2000 FORD CROWN VIC	4DR	2FAPP71WOYX179421
2	2645	BAW	2000 FORD CROWN VIC	4DR	2FAPP71WOYX179486
3	2824	WHITE	2000 FORD CROWN VIC	4DR	2FAPP71W1YX110155
4	2875	BLACK	1999 FORD TAURUS	4DR	1FAFP53UOXA248065
5	2811	WHITE	2000 FORD CROWN VIC	4DR	2FAPP71W1YX110172
6	2795	BLUE	1997 CHEVY MALIBU	4DR	1G1ND52T6VY111376
7	2898	GREY	1999 GMC SUBURBAN	SDR	3GKFK16ROXG523819
8	2893	GREEN	1995 DODGE INTREPID	4DR	2B3HD46TOSH647174
9	2750	GREY	1988 BMW	4DR	WBAGB4316J3209535
10	2816	WHITE	2000 FORD CROWN VIC	4DR	2FAPP71W8YX110296
11	2785	WHITE	2000 FORD CROWN VIC	4DR	2FAPP71W6XX151539
12	2810	WHITE	2000 FORD CROWN VIC	4DR	2FAPP71W9YX110114
13	1486	BLUE	1993 NISSAN ALTIMA	4DR	1N4BU31F9PC143268
14	2834	WHITE	2000 FORD CROWN VIC	4DR	2FAPP71W2YX179243
15	1589	BLUE	1996 CHEVY CAPRICE	4DR	1G1BL52P6TR133149
16	2822	WHITE	2000 FORD CROWN VIC	4DR	2FAPP71W6YX110166
17	0001	BLACK	1989 BUICK ELEC	4DR	1G4CW54C7K1629275
18	4293	RED	1 995 GMC JIMMY	4DR	1GKDT13W2SK535115
19	2847	WHITE	2000 FORD CROWN VIC	4DR	2FAPP71 W9YX179367
20	4289	RED	1995 GMC JIMMY	4DR	1GKDT13WXSX533368
21	2961	BAW	2004 FORD CROWN VIC	4DR	2FAPP71W94X133886
22	2813	WHITE	2000 FORD CROWN VIC	4DR	2FAPP71W9YX110193
23	2472	BROWN	1992 DODGE CARAVAN	4DR	2B4FK21KJ3R603546
24	9436	GREEN	1996 INTERNATIONAL	2DR	1HTSCABM6TH389483
25	9409	GREY	1992 CHEVY CAPRICE	4DR	1G1BL53E8NW151024
26	2958	BAW	2004 FORD CROWN VIC	4DR	2FAPP71WX4X133881
27	9272	BLUE	1989 GMC DUMP	4DR	4GDP8C1Y9KV801667
28	9212	BLUE	1988 GMC DUMP	4DR	1GDP8C1Y1JV602886
29	9380	WHITE	1992 GMC DUMP	2DR	1GDP7H1J6NJ520247
30	9387	BLACK	1992 GMC SIERRA	SDR	1GTGC24KONE552072
31	9404	BLUE	1993 JEEP CHEROKEE	4DR	1J4FJ28SOPL645162
32	2825	WHITE	2000 FORD CROWN VIC	4DR	2FAPP71 WXYX11 0252
33	2861	WHITE	2001 CHEVY BLAZER	4DR	1GNDT13W71K203155
34	1428	RED	1992 DODGE SPIRIT	4DR	1B3XA4637NF184895
35	1308	WHITE	1994 FORD EXPLORER	4DR	1FMDU34X5RUB52663
36	0002	SILVER	1998 MERCURY SABLE	4DR	1MEFM53S8WG65246
37	0003	BLACK	1992 CHEVY VAN	5DR	2GCEG2521P4110878
38	0664	WHITE	2001 CUSHMAN	3 WHEEL	1CHMH66661L000284
39	0679	WHITE	2001 CUSHMAN	3 WHEEL	1CHMH77751L000373
40	0663	WHITE	2001 CUSHMAN	3 WHEEL	1CHMH66641L000283
41	9559	SILVER	2002 FORD EXPLORER	4DR	1FMDU73E52UA14022
42	2746	GRAY	1994 MAZDA MPV	4DR	JM3LV5224R0616105
43	9378	BLACK	1992 GMC WRECKER	2DR	1GDKC34FONJ522026
44	9382	WHITE	1992 GMC WRECKER	2DR	1GDKC34F6NJ522399
45	0005	BLACK	1 999 DODGE INTREPID	4DR	2B3HD56J6XH665609

APPROVED: \_\_\_\_\_  
 APPROVED: B. O'Keefe  
 Business Administrator

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

Certification Required   
 Not Required

APPROVED

RECORD OF COUNCIL VOTE ON FINAL PASSAGE								1/14/09			
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. 09-014

Agenda No. 10.N

Approved: JAN 14 2009

TITLE:



## RESOLUTION AUTHORIZING THE DEPARTMENT OF HEALTH & HUMAN SERVICES CHILDHOOD LEAD POISONING PREVENTION PROGRAM, TO APPLY FOR FUNDS FROM THE STATE OF NEW JERSEY'S LEAD IDENTIFICATION AND FIELD TRAINING (LIFT) PROGRAM.

COUNCIL  
of the following resolution:

offered and moved adoption

**WHEREAS**, the City of Jersey City is one (1) of thirteen (13) Childhood Lead Poisoning Prevention Programs funded by State of New Jersey Division of Health and Human Services grants; and

**WHEREAS**, the program provides services for children from 9 months to 6 years of age who have been identified as lead poisoned with services such as, case management by a public health nurse and intervention by a certified lead inspector/ risk assessor; and

**WHEREAS**, the City of Jersey City is currently managing 45 active cases of lead poisoning in children whose levels are 15mcg/dl meter or greater. All children who test less then the state implemented level of 15mcg/dl meter are mailed an informational packet with brochures on lead prevention; and

**WHEREAS**, the Lead Identification and Field Training (LIFT) Program will provide Lead Hazard Control Assistance Funds to purchase lead analysis and information technology equipment; and

**WHEREAS**, effectively help digitize, store and transmit residential inspection information to maintain accurate and organized records of findings; and

**WHEREAS**, the two (2) lead analyzers the City currently possesses are approximately between seven (7) and fifteen (15) years of age and do not have the capabilities of detecting lead-base paint in homes as effective as newer equipment; and

**WHEREAS**, the equipment purchased through the Lead Identification and Field Training (LIFT) Program will provide agencies with the ability to identify immediately onsite lead in dust, soil, building surfaces and components coated with lead-based paint.

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

- 1) The City of Jersey City authorizes the submission of an application to the State of New Jersey for the Lead Identification and Field Testing (LIFT) Program grant;
- 2) That these funds will be used by Department of Health and Human Services Childhood Lead Poisoning Prevention Program to implement a more effective Lead Poisoning Program.

TITLE: **RESOLUTION AUTHORIZING THE DEPARTMENT OF HEALTH & HUMAN SERVICES CHILDHOOD LEAD POISONING PREVENTION PROGRAM, TO APPLY FOR FUNDS FROM THE STATE OF NEW JERSEY'S LEAD IDENTIFICATION AND FIELD TRAINING (LIFT) PROGRAM.**

APPROVED: \_\_\_\_\_  
APPROVED: B. O'Reilly  
Business Administrator

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

Certification Required:

Not Required

APPROVED 7-0

RECORD OF COUNCIL VOTE ON FINAL PASSAGE											
				1/14/09							
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
SPINELLO	✓			FULOP	ABSENT			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. 09-015  
 Agenda No. 10. 0  
 Approved: JAN 14 2009  
 TITLE:



**RESOLUTION AUTHORIZING THE ACCEPTANCE OF A GRANT AWARD FROM THE STATE OF NEW JERSEY, OFFICE OF HOMELAND SECURITY AND PREPAREDNESS FY06 VIA THE COUNTY OF HUDSON**

**WHEREAS**, the State of New Jersey, Office of Homeland Security and Preparedness wishes to award the Jersey City Fire Department \$50,000.00; and

**WHEREAS**, those funds will support the goal of maintaining the cities readiness within the Jersey City Police Department.

**WHEREAS**, the Jersey City Office of Emergency Management desires to accept the funding to address major initiatives regarding homeland security and public safety issues; and

**WHEREAS**, this project will commence on January 1, 2009

**NOW, THEREFORE BE IT RESOLVED**, by the Municipal Council of the City of Jersey City that the Office of Emergency Management is hereby authorized to execute a contract with the State of New Jersey, Office of Homeland Security and Preparedness.

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

APPROVED: B. O'Keefe  
 Business Administrator

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

Certification Required

Not Required

**APPROVED 7-0**

RECORD OF COUNCIL VOTE ON FINAL PASSAGE											
1/14/09											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
SPINELLO	✓			FULOP	ABSENT			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. 09-016

Agenda No. 10.P

Approved: JAN 14 2009

TITLE:



**RESOLUTION AUTHORIZING THE JERSEY CITY POLICE DEPARTMENT/ALCOHOL BEVERAGE CONTROL UNIT TO APPLY FOR FUNDS FROM THE OFFICE OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION (OJJDP) IN CONJUNCTION WITH THE STATE OF NEW JERSEY DIVISION OF ALCOHOLIC BEVERAGE CONTROL PROGRAM**

**COUNCIL**  
of the following resolution.

Offered and moved adoption

**WHEREAS**, the need to enforce underage drinking laws are important to all residents of and visitors to the City of Jersey City; and

**WHEREAS**, the Office of Juvenile Justice and Delinquency Prevention (OJJDP) has recognized this need; and

**WHEREAS**, the Division of Alcoholic Beverage Control is responsible for administering the Office of Juvenile Justice and Delinquency Prevention State Block Grant Program Enforcing the Underage Drinking Laws; and

**WHEREAS**, the Jersey City Police Department, ABC Unit wishes to apply for these funds in connection with a project entitled *COPS IN SHOPS and UNDERCOVER OPERATIONS*; and

**WHEREAS**, the Jersey City Police Department would like to apply for funding which will later be determined by the Division of Alcoholic Beverage Control upon receipt of the awards,

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

1. The City of Jersey City authorizes the submission of this grant application for funding; and
2. These funds will be used to enforce the Underage Drinking Laws in the City of Jersey City for COPS in SHOPS and UNDERCOVER OPERATIONS programs.

APPROVED: Samuel Jefferson

APPROVED AS TO LEGAL FORM

APPROVED: B. O'Reilly  
Business Administrator

[Signature]  
Corporation Counsel

Certification Required

Not Required

**APPROVED 7-0**

RECORD OF COUNCIL VOTE ON FINAL PASSAGE											
1/14/09											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
SPINELLO	✓			FULOP	ABSENT			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. 09-017

Agenda No. 10.0

Approved: JAN 14 2009

TITLE:



## RESOLUTION AUTHORIZING THE EXECUTION OF AN INTERIM REDEVELOPMENT AGREEMENT BETWEEN THE CITY OF JERSEY CITY, IMPACT-JC LLC, AND THE JERSEY CITY REDEVELOPMENT AGENCY REGARDING THE PROPOSED OFFICE, GARAGE, AND RETAIL REDEVELOPMENT PROJECT

**WHEREAS**, the City of Jersey City, in the County of Hudson, New Jersey (the "City") is the owner of the property located off of Skinner Memorial Drive (the "Land") and designated as Block 60, Lots 54 and 55 on the Tax Map of the City; and

**WHEREAS**, the City desires that the Land be developed for the City's primary use, which will include (i) the construction of approximately 120,000 square feet of office space (the "Office Project"), (ii) the construction of an approximately 1,200 stall parking garage (the "Garage Project"), and (iii) the construction of approximately 50,000 square feet of retail space (the "Retail Project") and (iv) the construction and implementation of certain infrastructure accessory and necessary thereto (the "Infrastructure Project" and, collectively with the Office Project, the Garage Project and the Retail Project, the "Projects"); and

**WHEREAS**, it is anticipated that upon completion the Office Project will be used by the City for certain of its administrative offices; and

**WHEREAS**, it is anticipated that upon completion separate portions of the Garage Project will be used by (i) the City for staff parking related to the Office Project, (ii) the Jersey City Medical Center, a nonprofit corporation organized and existing under the laws of the State of New Jersey and an organization described in Section 501(c)(3) of the Internal Revenue Code of 1986, as amended ("JCMC"), (iii) the Board of Education of the City of Jersey City, in the County of Hudson, New Jersey, a Type II school district organized and existing under the laws of the State of New Jersey (the "BOE"), and (iv) the general public as a public parking facility; and

**WHEREAS**, it is anticipated that upon completion the Retail Project will be made available to the Jersey City Redevelopment Agency, a body corporate and politic of the State of New Jersey (the "JCRA"), whereupon separate portions of the Retail Project will be leased by the JCRA to individual tenants for commercial and retail purposes pursuant to separate leases and/or license agreements; and

**WHEREAS**, by resolutions adopted by the Municipal Council of the City, a portion of the City (including the Land) has been designated as the "Grand Jersey Redevelopment Plan Area", such portion presently constituting an "area in need of redevelopment" (the "Redevelopment Area") pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the "LRHL"); and

**WHEREAS**, by Ordinance No. 93-029 finally adopted by the Municipal Council of the City on March 24, 1993, the Municipal Council of the City adopted a redevelopment plan for the Redevelopment Area, which redevelopment plan was subsequently amended by Ordinance No. 02-110 finally adopted by the Municipal Council of the City on September 25, 2002 and by Ordinance No. 08-159 finally adopted by the Municipal Council of the City on November 25, 2008 (such redevelopment plan, as so amended, is hereinafter referred to as the "Redevelopment Plan"); and

**WHEREAS**, the Redevelopment Plan contemplates and permits the construction of the Projects; and

JAN 14 2009

TITLE:

**WHEREAS**, the Authority has the responsibility of acquiring various properties within the Redevelopment Area to effectuate the rehabilitation, redevelopment and revitalization of the area, and, by this resolution, the City hereby ratifies and confirms its designation of the JCRA as the "redevelopment entity" for the Projects pursuant to N.J.S.A. 40A:12A-4(c); and

**WHEREAS**, by resolution adopted on November 20, 2007, the JCRA has heretofore designated Impact-JC, LLC, a New Jersey limited liability company (the "Redeveloper"), as the "redeveloper" for the Projects pursuant to the LRHL, on the basis of the qualifications and financial resources of the Redeveloper as theretofore presented to the JCRA and the City; and

**WHEREAS**, the parties presently contemplate that the costs of constructing, furnishing and equipping the Projects, including payment or reimbursement of expenses relating to pre-development activities, will be financed through the issuance of revenue bonds, certificates of participation or other instruments, the payment of which shall be secured, directly or indirectly, by payments to be made from time to time by the City pursuant to an applicable security agreement (collectively, the "Project Financing"), which Project Financing may be undertaken in multiple tranches; and

**WHEREAS**, the parties have determined that certain preliminary work is necessary prior to the execution of a definitive redevelopment agreement and the consummation of the Project Financing in order to ascertain the feasibility of the Projects; and

**WHEREAS**, pursuant to N.J.S.A. 40A:12A-8(f), the JCRA may contract with the Redeveloper for the undertaking of such pre-development activities; and

**WHEREAS**, pursuant to N.J.S.A. 40A:12A-8(e), the JCRA may also prepare or arrange for the provision of professional services and the preparation of plans by registered architects, licensed professional engineers or planners, or other consultants in connection with such pre-development activities; and

**WHEREAS**, pursuant to N.J.S.A. 40A:12A-41, the City may agree to donate money or make capital grants or periodic subsidies to the JCRA; and

**WHEREAS**, the Redeveloper is willing to undertake certain pre-development activities upon the mutual undertakings of the JCRA and the City to reimburse the Redeveloper, subject to the terms and conditions specified in the hereinafter-defined Interim Redevelopment Agreement, for the costs thereof in the event a definitive redevelopment agreement is not entered into and the Project Financing is not consummated; and

**WHEREAS**, the Redeveloper has represented that it intends to finance all or a portion of the costs it will incur to undertake such pre-development activities through a bank loan or other financial transaction (the "Redeveloper Financing"), the repayment of which shall be secured, in whole or in part, by an assignment of amounts reimbursable to the Redeveloper under this Agreement; and

**WHEREAS**, it is anticipated that the Redeveloper Financing will mature on or about the time of closing of the Project Financing (or such tranche thereof as is intended to reimburse the costs hereunder), by which time it is anticipated that the JCRA will have entered into a definitive redevelopment agreement in respect of the Projects; and

TITLE: JAN 14 2009

WHEREAS, the JCRA is also willing to arrange for the provision of certain professional services in connection with such pre-development activities upon the understanding that the City will reimburse the JCRA for the costs thereof in the event a definitive redevelopment agreement is not entered into and the Project Financing is not consummated; and

WHEREAS, the City hereby finds and determines that the Projects (including the pre-development activities relating thereto) would not be undertaken in their intended scope but for the provision of financial assistance as provided in the proposed Interim Redevelopment Agreement, and that therefore financial assistance is necessary and appropriate pursuant to the terms set forth in the LRHL; and

WHEREAS, the Mayor has negotiated the terms of the proposed Interim Redevelopment Agreement on behalf of the City;

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

Section 1. The form of Interim Redevelopment Agreement presented to this meeting, to be entered into with the JCRA and the Redeveloper (the "Interim Redevelopment Agreement"), is hereby approved. The Mayor, the Business Administrator and/or the Chief Financial Officer (each, an "Authorized Officer") are each hereby execute and deliver, on behalf of the City, an Interim Redevelopment Agreement in substantially such form, with such alterations, changes, insertions and deletions as may be approved by the Authorized Officer executing same, such approval to be conclusively evidenced by such Authorized Officer's execution thereof.

Section 2. The Authorized Officers, the City's Corporation Counsel and Bond Counsel, the Municipal Clerk and such other officers, employees and representatives of the City as are required, are hereby authorized and directed to execute and deliver such other documents (all of which shall be deemed to have been presented by the Mayor), to execute and deliver such opinions and to take such other actions as they determine to be necessary or appropriate in order to effectuate the actions contemplated by the Interim Redevelopment Agreement.

Section 3. The prior designation by the City of the Authority as the "redevelopment entity" for purposes of implementing the Redevelopment Plan in respect of the Projects, pursuant to N.J.S.A. 40A:12A-4(c), is hereby ratified and confirmed.

Section 4. This resolution shall take effect immediately.

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

*B. O'Reilly*  
Business Administrator

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

*[Signature]*  
Corporation Counsel

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

Certification Required

Not Required

APPROVED 7-0

RECORD OF COUNCIL VOTE ON FINAL PASSAGE											
				1/14/09							
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
SPINELLO	✓			FUJOP	ABSENT			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. 09-018

Agenda No. 10.R

Approved: JAN 14 2009

TITLE: RESOLUTION AUTHORIZING A LICENSE AGREEMENT WITH PUBLIC SERVICE ELECTRIC & GAS COMPANY TO ENTER ONTO THE CITY-OWNED PROPERTY LOCATED IN MORRIS COUNTY KNOWN AS #PPL-264 BLOCK 31001, LOT 12, #PPL-266 BLOCK 50001, LOT 1, AND #SPPL-277 BLOCK 50003, LOT 19



COUNCIL offered and moved adoption of the following resolution:

WHEREAS, the City of Jersey City (City) owns real property located in Morris County known as #PPL-264 Block 31001, Lot 12, #PPL-266 Block 50001, Lot 1, and #SPPL-277 Block 50003, Lot 19 (Property); and

WHEREAS, Public Service Electric & Gas Company (PSE&G) requests the City's permission to enter the Property for the purpose of performing survey investigations that will include shovel tests, soil borings, and other investigative activities; and

WHEREAS, PSE&G agrees to execute the license agreement attached hereto to.

NOW, THEREFORE, Be It Resolved by the Municipal Council of the City of Jersey City that:

- 1) PSE&G, its contractors, and agents are authorized to enter onto the Property for the purpose of performing the activities described in the license agreement attached hereto; and
- 2) Subject to such modifications as may be deemed necessary or appropriate by Corporation Counsel, the Mayor or Business Administrator is authorized to execute the license agreement attached hereto; and
- 3) the term of this license agreement shall be for one (1) year, effective as of the date the City officials execute the license agreement.

RR  
1-6-09

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

APPROVED: B. O'Keefe  
Business Administrator

Jeanne Monahan  
Corporation Counsel

#2008332

Certification Required

Not Required

APPROVED 7-0

RECORD OF COUNCIL VOTE ON FINAL PASSAGE											
1/14/09											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
SPINELLO	✓			FULOP	ABSENT			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. 09-019

Agenda No. 10.5

Approved: JAN 14 2009

TITLE:



**RESOLUTION AUTHORIZING THE EXECUTION OF A LICENSE AGREEMENT WITH OCEAN TOWERS, GRANTING ACCESS TO CITY OWNED PROPERTY LOCATED ON BLOCK 1332, LOT 20.99, AND MORE COMMONLY KNOWN BY THE STREET ADDRESS OF 451-457 OCEAN AVENUE, FOR USE AS A PARKING LOT**

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

**WHEREAS**, Ocean Towers is a senior citizen residential building located at 421-433 Ocean Avenue, in Block 1333, Lot 4A; and

**WHEREAS**, Ocean Towers needs to undertake certain construction activities on the site that will render the parking lot temporarily unuseable; and

**WHEREAS**, Ocean Towers has requested access to 451-457 Ocean Avenue, City-owned property known on the official Tax Assessor's map as Lot 20.99 in Block 1332 [the Property] for use as a temporary parking lot for the elderly residents of Ocean Towers; and

**WHEREAS**, Ocean Towers agrees to obtain liability insurance covering its use of the Property and will execute the license agreement attached hereto.

**WHEREAS**, Ocean Towers estimates that it will need access to the Property for a period not to exceed three (3) months, commencing upon execution of the attached license agreement by the appropriate City Officials.

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

1. Ocean Towers is authorized to use Lot 20.99 in Block 1332 for the above stated purposes for a period not to exceed three (3) months commencing upon the execution of the license agreement by the City.
2. Subject to such modifications as may be deemed necessary or appropriate by the Corporation Counsel, the Mayor or Business Administrator is authorized to execute the license agreement in the form attached hereto.

JM/he  
12-23-08

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

APPROVED: B. O'Keefe  
Business Administrator

APPROVED AS TO LEGAL FORM

Joanne Monahan  
1st Deputy Corporation Counsel

20 8324

Certification Required

Not Required

**APPROVED 7-0**

RECORD OF COUNCIL VOTE ON FINAL PASSAGE 1/14/09											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
SPINELLO	✓			FULOP	ABSENT			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. 09-020

Agenda No. 10.T

Approved: JAN 14 2009

TITLE:



## RESOLUTION AUTHORIZING THE HUDSON REGIONAL HEALTH COMMISSION TO ENFORCE LOCAL HEALTH ORDINANCE IN JERSEY CITY PURSUANT TO THE COUNTY ENVIRONMENTAL HEALTH ACT, N.J.S.A. 26:3a2-21 ET SEQ.

### COUNCIL AS A WHOLE, OFFERED AND MOVED ADOPTION OF THE FOLLOWING RESOLUTION:

**WHEREAS**, in 1970 Jersey City and eleven other municipalities in Hudson County formed the Hudson Regional Health Commission (HRHC) to control air-pollution within Hudson County; and

**WHEREAS**, the HRHC has filed a proposal with the Jersey City Health Officer to expand its services to include a broad range of environmental health services; and

**WHEREAS**, these services conform to regulations issued by the New Jersey Department of Environmental Protection under the authority of the County Environmental Health Act, N.J.S.A. 26:3A2-21 et seq.; and

**WHEREAS**, the Jersey City Health Officer recommends that the City of Jersey City approve the HRHC's proposal to provide additional environmental health services in Jersey City for calendar year 2009 in the amount of eighty-seven thousand nine hundred forty-four (\$87,944.00) dollars; and

**WHEREAS**, the sum of five thousand (\$5,000.00) is available in account #01-201-27-331-314 and the remaining eighty-two thousand nine hundred forty-four (\$82,944.00) will be made available in the 2009-2010 temporary and/or permanent budgets; and

**NOW, THEREFORE, BE IT RESOLVED**, that the HRHC be authorized to

1. Provide environmental health services in Jersey City in accordance with a proposal filed with the Jersey City Health Officer; provided, however, that HRHC shall not provide any services in Jersey City unless.
  - (a) the Jersey City Health Office approves the provision of such service; and
  - (b) the City Council appropriates the necessary funds to pay for the cost of such service; and
2. Adopt, amend and enforce appropriate environmental regulations in Jersey City; and
3. Prepare an annual budget proposal and distribute residual program costs among municipalities; and

TITLE: JAN 14 2009

**RESOLUTION AUTHORIZING THE HUDSON REGIONAL HEALTH COMMISSION TO ENFORCE LOCAL HEALTH ORDINANCE IN THE JERSEY CITY PURSUANT TO THE COUNTY ENVIRONMENTAL HEALTH ACT, N.J.S.A. 26:3A2-21 ET SEQ.**

**WHEREAS**, Hudson Regional Health Commission does provide the following services and activities for the City of Jersey city:

I. Air Pollution Control

Includes enforcement of state and local codes and response to citizen complaint and air emergencies.

II. Noise Control Program

Includes enforcement of the state model noise control code.

III. Hazardous Substance Control/ Emergency -Response Program

Includes field investigation and inspection of underground tank systems.

IV. Water Pollution Control

Includes inspection of solid waste facilities, investigation of complaints of waste spillage and illegal disposal activity or dumping.

V. Solid Waste Control

Includes inspection of solid waste facilities, investigation of complaints of waste spillage and illegal disposal activity or dumping.

VI. Right-To-Know Program

Enforces County Right-To-Know Program for industrial buildings in Jersey City.

JAN 14 2009

TITLE:

**RESOLUTION AUTHORIZING THE HUDSON REGIONAL HEALTH COMMISSION TO ENFORCE LOCAL HEALTH ORDINANCE IN THE JERSEY CITY PURSUANT TO THE COUNTY ENVIRONMENTAL HEALTH ACT, N.J.S.A. 26:3A2-21 ET SEQ.**

- 4. The City of Jersey City may withdraw its approval of the program authorized by this resolution upon one year's notice to the commission delivered ninety days prior to the commencement of the fiscal year of the commission.

I, Donna Mauer, Chief Financial Officer, hereby certify that funds in the amount of \$5,000.00 are available in Account No.01-201-27-331-314. #0.# 94802

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

APPROVED AS TO LEGAL FORM  
[Signature]  
 Corporation Counsel

Certification Required   
 Not Required

APPROVED 7-0

RECORD OF COUNCIL VOTE ON FINAL PASSAGE 1/14/09											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
SPINELLO	✓			FULOP	ABSENT			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.

[Signature]  
 Mariano Vega, Jr., President of Council

[Signature]  
 Robert Byrne, City Clerk

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

City Clerk File No. Res. 09-021

Agenda No. 10.U

Approved: JAN 14 2009

TITLE:



## RESOLUTION REJECTING ALL BIDS RECEIVED BY THE CITY OF JERSEY CITY ON OCTOBER 16, 2008 FOR A CONTRACT TO SUPPLY BEAM CLAY BASEBALL DIAMOND MIX

**WHEREAS**, the Purchasing Agent acting within his authority and conformity with N.J.S.A. 40A:11-1 et seq., publically advertised for bids for a contract to supply the City with beam clay baseball diamond mix; and

**WHEREAS**, on October 16, 2008, the City of Jersey City (City) received a total of three bids and only two of the bidders submitted bids for the product described in the bid specifications:

Pabco Industries, LLC. \$107,190.00  
Andy Matt, Inc.....\$125,100.00; and

**WHEREAS**, the bid submitted by Pabco Industries, LLC was non-responsive to the bid specifications because it took an exception to a provision in the bid specifications that provided the City with an option to renew the contract for one (1) additional year pursuant to N.J.S.A. 40A:11-15; and

**WHEREAS**, the bid submitted by Andy Matt, Inc. exceeded the City's prebid estimate by 28 percent; and

**WHEREAS**, if the City exercised the contract renewal option the contractor is entitled to a price increase based on the Index Rate defined under the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

**WHEREAS**, the City intends to revise the bid specifications to include the definition of the Index Rate; and

**WHEREAS**, N.J.S.A. 40A:11.13.2(a) and (d) authorize the rejection of all bids when a low bid substantially exceeds the prebid estimate, or the City desires to substantially revise the bid specifications.

# 2008331

JAN 14 2009

TITLE:

**RESOLUTION REJECTING ALL BIDS RECEIVED BY THE CITY OF JERSEY CITY ON OCTOBER 16, 2008 FOR A CONTRACT TO SUPPLY BEAM CLAY BASEBALL DIAMOND MIX**

NOW, THEREFORE BE IT RESOLVED, by the Municipal Council of the City of Jersey City that because of the reasons stated above which are incorporated herein, all bids received by the City on October 16, 2008 for the contract to provide the City with Beam Clay Baseball Diamond Mix are rejected and the Purchasing Agent is authorized to rebid the contract with revised bid specifications that include the definition of Index Rate.

RR/cw  
1-6-09

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

APPROVED AS TO LEGAL FORM

APPROVED: B O'Keilly  
Business Administrator

Joanne Monahan  
City Clerk  
Corporation Counsel

Certification Required:

No. 2008331

Not Required

APPROVED 7-0

RECORD OF COUNCIL VOTE ON FINAL PASSAGE 1/14/09											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
SPINELLO	✓			FULOP	ABSENT			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 Byme  
Robert Byme, City Clerk

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

City Clerk File No. \_\_\_\_\_ Res. 09-022 \_\_\_\_\_

Agenda No. \_\_\_\_\_ 10.V \_\_\_\_\_

Approved: \_\_\_\_\_ JAN 14 2009 \_\_\_\_\_

TITLE:



**RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT TO JOGI CONSTRUCTION, INC. FOR NEWARK AVENUE STREETScape IMPROVEMENTS PHASE 1&2 PROJECT NO. 06-023 FOR THE DEPARTMENT OF ADMINISTRATION, DIVISION OF ENGINEERING, TRAFFIC AND TRANSPORTATION.**

**COUNCIL AS A WHOLE  
FOLLOWING RESOLUTION:**

**OFFERED AND MOVED ADOPTION THE**

**WHEREAS**, the City Purchasing Agent acting within his authority and in conformity with N.J.S.A. 40A:11-1 et seq. has publicly advertised for bids for Newark Avenue Streetscape Improvements Phase 1 & 2 (Grove Street to Coles Street), Project No. 06-023 for the Department of Administration, Division of Engineering, Traffic and Transportation pursuant to construction plans and specifications and bids thereon; and

**WHEREAS**, pursuant to public advertisement, the City of Jersey City has received the seventeen (17) below listed bids, the lowest being that of **Jogi Construction, Inc.**, 29 Wood Avenue, Edison, New Jersey 08820, in the total base bid amount plus alternates A and B of One Million Five Hundred Thirty Three Thousand, Two Hundred Forty Six Dollars and Twenty Seven Cents (1,533,246.27); and

**BIDDER**

**TOTAL BID AMOUNT  
PLUS ALTERNATES A AND B**

1. Jogi Construction, Inc. Edison, New Jersey	\$1,533,246.27
2. New Prince Concrete Construction Co, Inc. Hackensack, New Jersey	\$1,629,625.00
3. Granada Construction Corporation Newark, New Jersey	\$1,748,026.75*
4. S. Batata Construction, Inc. South River, New Jersey	\$1,795,633.75
5. A&J Contractors Group, Inc. Monroe Township, New Jersey	\$1,866,432.00
6. Zuccaro & Sons, Inc. Garfield, New Jersey	\$1,877,476.00
7. Joseph M. Sanzari, Inc. Hackensack, New Jersey	\$1,945,280.35
8. Power Concrete Co., Inc. Newark, New Jersey	\$2,020,148.00
9. Daidone Electric, Inc. Newark, New Jersey	\$2,054,000.00
10. Persistent Construction, Inc. Fairview, New Jersey	\$2,065,888.80

City Clerk File No. Res. 09-022Agenda No. 10.VTITLE: JAN 14 2009

**RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT TO JOGI CONSTRUCTION, INC. FOR NEWARK AVENUE STREETScape IMPROVEMENTS PHASE 1&2 PROJECT NO. 06-023 FOR THE DEPARTMENT OF ADMINISTRATION, DIVISION OF ENGINEERING, TRAFFIC AND TRANSPORTATION.**

<u>BIDDER</u>	<u>TOTAL BID AMOUNT PLUS ALTERNATES A AND B</u>
11. English Paving Co., Inc. Ridgefield, New Jersey	\$2,094,808.60
12. Al Neto Contractors, Inc. Concrete Contractors Bridgewater, New Jersey	\$2,120,706.00
13. Nova Crete, Inc. South Amboy, New Jersey	\$2,135,950.00*
14. Concrete Construction Corp. South Hackensack, New Jersey	\$2,153,896.25
15. Tec-Con Contractors, Inc. East Orange, New Jersey	\$2,393,500.00
16. Flanagan's Contracting Group, Inc. Hillsborough, New Jersey	\$2,455,802.25
17. Berto Construction, Inc. Rahway, New Jersey	\$2,739,370.77

\*Corrected Bid Amount

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

**WHEREAS**, funds for this project are being provided by the State of New Jersey Urban Enterprise Zone Authority, the New Jersey Department of Transportation, Bureau of Local Aid and City Capital Funds; and

**WHEREAS**, these funds are available for this expenditure in the amounts shown below in accordance with requirements of the Local Budget Law N.J.S.A. 40A:4-1 et. seq.; and

Account No. 02-213-40-909-314	P.O. # 94875	\$ 614,861.92
Account No. 04-215-55-842-990	P.O. # 94876	\$ 119,771.62
Account No. 02-213-40-709-314	P.O. # 94874	<u>\$ 798,612.73</u>

**Total Base Bid + Alternates A&B = \$1,533,246.27**

Account No. 02-213-40-709-314 (20% Contingency)	P.O. # 94877	<u>\$ 306,649.25</u>
--	--------------	----------------------

**Total Encumbrance = \$ 1,839,895.52**

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

- The said bid of the aforementioned **Jogi Construction, Inc.**, be accepted and that a contract be awarded to said company in the above amount and the City Purchasing Agent is directed to have such a contract drawn up and executed; and

City Clerk File No. Res. 09-022

Agenda No. 10. VB JAN 14 2009

TITLE:

**RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT TO JOGI CONSTRUCTION, INC. FOR NEWARK AVENUE STREETScape IMPROVEMENTS PHASE 1&2 PROJECT NO. 06-023 FOR THE DEPARTMENT OF ADMINISTRATION, DIVISION OF ENGINEERING, TRAFFIC AND TRANSPORTATION.**

2. That upon certification by an official or employee of the City authorized to attest that the contract has complied with the construction plans and specifications in all respects, and 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:5-1 et. seq. and

3. The award of this contract shall be subject to the condition that the contractor provides satisfactory evidence of compliance with the Jersey City Affirmative Action Amendments to the Law Against Discrimination, N.J.S.A. 10:5-31 et. seq.; and

4. The award of this contract shall be subject to the approval of the New Jersey Department of Transportation, Bureau of Local Aid- Newark; and

5. The Mayor or Business Administrator is hereby authorized to execute a contract on behalf of the City of Jersey City.

Donna Mauer, Donna Mauer as Chief Financial Officer hereby certify that these funds are available for this expenditure in accordance with the Local Budget Law N.J.S.A.40A:4-1 et. seq.

Department of Administration, Division of Engineering, Traffic & Transportation

Account No. 02-213-40-909-314	P.O. #	<u>94875</u>	\$ 614,861.92
Account No. 04-215-55-842-990	P.O. #	<u>94876</u>	\$ 119,771.62
Account No. 02-213-40-709-314	P.O. #	<u>94874</u>	\$ 798,612.73
<b>Total Base Bid + Alternates A &amp; B =</b>			<b>\$ 1,533,246.27</b>

Account No. 02-213-40-709-314 (20% Contingency)	P.O. #	<u>94977</u>	\$ 306,649.25
<b>Total Encumbrance =</b>			<b>\$ 1,839,895.52</b>

Approved: [Signature]  
William R. Goble, P.E., City Engineer

Approved: \_\_\_\_\_  
Peter Folgado, Acting Director, Purchasing

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

APPROVED AS TO LEGAL FORM  
[Signature]  
Corporation Counsel

Certification Required   
Not Required

APPROVED **7-0**

RECORD OF COUNCIL VOTE ON FINAL PASSAGE											
1/14/09											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
SPINELLO	✓			FULOP	ABSENT			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.

[Signature]  
Mariano Vega, Jr., President of Council

[Signature]  
Robert Byrne, City Clerk

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

City Clerk File No. Res. 09-023

Agenda No. 10.W

Approved: JAN 14 2009

TITLE:



## **RESOLUTION AUTHORIZING THE AWARD OF CONTRACT TO MAR-VEL INTERNATIONAL, INC. FOR ONE (1) SIDE SCAN SONAR AND ONE (1) DEEP DIVE WING TO THE DEPARTMENT OF FIRE**

### **COUNCIL**

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

**WHEREAS**, the Acting Purchasing Director acting within his authority and in conformity with N.J.S.A. 40A:11-1 et. seq. has publicly advertised for bids for One (1) Side Scan Sonar and One (1) Deep Dive Wing for **Department of Fire** pursuant to specifications and bids thereon; and

**WHEREAS**, pursuant to public advertisement the City of Jersey City has received **One (1) Bid**, the sole bid being that from **Mar-vel International, Inc.**, 7115 Airport Highway, Pennsauken, New Jersey 08109 in the total bid amount of **Twenty Three Thousand, Four Hundred Eighty Five (\$23,485.00) Dollars**; and

**WHEREAS**, the Acting 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.

#### **Department of Fire**

**Acct. No. 02-213-40-764-314**

**P.O. NO. 94749**

**Amount \$23,485.00**

**NOW, THEREFORE, BE IT RESOLVED**, by the Municipal Council of the City of Jersey City that the said quotation of the aforementioned **Mar-vel International, Inc.** be accepted and that a contract be awarded to said company in the above amount and the Acting 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:5-1 et. seq; and be it further

(Continued on page 2)

City Clerk File No. Res. 09-023

Agenda No. 10.W

TITLE: JAN 14 2009

**RESOLUTION AUTHORIZING THE AWARD OF CONTRACT TO MAR-VEL INTERNATIONAL, INC. FOR ONE (1) SIDE SCAN SONAR AND ONE (1) DEEP DIVE WING TO THE DEPARTMENT OF FIRE**

**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 Account No. 02-213-40-764-314

Department of Fire

Acct. No. 02-213-40-764-314

P.O. NO. 94749

Amount \$23,485.00

**APPROVED**  
Peter Folgado, Acting Director, Purchasing

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

APPROVED: B. O'Reilly  
Business Administrator

APPROVED AS TO LEGAL FORM

Joanne Monahan  
Corporation Counsel

Certification Required

Not Required

**APPROVED 7-0**

RECORD OF COUNCIL VOTE ON FINAL PASSAGE											
				1/14/09							
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
SPINELLO	✓			FULOP	ABSENT			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. 09-024

Agenda No. 10.X

Approved: JAN 14 2009



TITLE:

## RESOLUTION AUTHORIZING THE RENEWAL OF A CONTRACT WITH TRI SEASON LANDSCAPING FOR TREE PLANTING CITY WIDE FOR THE DEPARTMENT OF PUBLIC WORKS / PARKS AND FORESTRY

COUNCIL  
THE FOLLOWING RESOLUTION:

OFFERED AND MOVED ADOPTION OF

**WHEREAS**, Resolution No. 07-921 approved on December 19, 2007 awarded a one year contract in the amount of \$69,000.00 to Tri Season Landscaping for Fall Tree Planting City Wide; and

**WHEREAS**, the bid specifications provided the City of Jersey City (City) with an option to renew the contract for a one-year period with the renewal contract price being the preceding year's contract price as adjusted according to the Federal Consumer Price Index published by the Bureau of Labor Statistics in the months of November 2007 to November 2008; and

**WHEREAS**, the contractor has been performing the services in an effective and efficient manner; and

**WHEREAS**, pursuant to N.J.S.A. 40A:11-15, the City desires to exercise the option and renew the contract for an additional one-year period effective as of December 20, 2008 and ending December 19, 2009; and

**WHEREAS**, the total cost of the contract renewal is \$70,518.00; and

**WHEREAS**, the funds in the amount of \$15,000.00 are available in Account No. 09-01-201-28-375-314.

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

- 1) The Mayor or Business Administrator is authorized to renew the agreement with Tri Season Landscaping for Fall Tree Planting City Wide;
- 2) The renewal contract is for a one-year period effective as of December 20, 2008. The total cost of the contract shall not exceed \$70,518.00;
- 3) Pursuant to N.J.A.C. 5:30-5.5(a), the continuation of the contract after the expenditure of funds encumbered in the 2009 fiscal year temporary budget, shall be subject to the availability and appropriation of sufficient funds in the 2009 fiscal year permanent budget and in the subsequent fiscal year budget; and
- 4) This contract award shall be subject to the condition that the contractor provides satisfactory evidence of compliance with the Affirmative Action Amendments to the Law Against Discrimination, N.J.S.A. 10-5-31 et seq.

(Continued on Page 2)

City Clerk File No. Res. 09-024

Agenda No. 10.X

TITLE: JAN 14 2009

**RESOLUTION AUTHORIZING THE RENEWAL OF A CONTRACT WITH TRI SEASON LANDSCAPING FOR TREE PLANTING CITY WIDE FOR THE DEPARTMENT OF PUBLIC WORKS / PARKS AND FORESTRY**

I, Donna Mauer Donna Mauer, as Chief Financial Officer, hereby certify that these funds of \$15,000.00 are available for this expenditure in Account No. 09-01-201-28-375-314 for payment of the above resolution.

Requisition # 0143630

Purchase Order # 94873

Temp. Encumbrance \$15,000.00

JMY/sb  
January 05, 2009

Approved \_\_\_\_\_  
Peter Folgado, Acting Director Purchasing

APPROVED: JMY/sb APPROVED AS TO LEGAL FORM \_\_\_\_\_  
John M. Folgado Director, Department of Public Works  
APPROVED: B. Orrell \_\_\_\_\_  
Business Administrator Corporation Counsel

Certification Required

Not Required  **APPROVED 7-0**

RECORD OF COUNCIL VOTE ON FINAL PASSAGE											
1/14/09											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
SPINELLO	✓			FULOP	ABSENT			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. 09-025  
Agenda No. 10.Y  
Approved: JAN 14 2009



TITLE: **RESOLUTION AUTHORIZING THE AWARD OF CONTRACT TO ZOLAND CORPORATION FOR TRANSMISSION REPAIRS UNDER STATE CONTRACT WITHOUT PUBLIC BIDDING FOR THE DIVISION OF AUTOMOTIVE SERVICES**

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

**WHEREAS**, transmission repairs are needed to keep the City of Jersey City's (City) vehicle fleet operational; and

**WHEREAS**, N.J.S.A. 40A:11-12 of the Local Public Contracts Law authorizes municipalities to use a State contract without public bidding and N.J.A.C. 5:34-7.29(c) requires City Council authorization for contracts exceeding \$21,000.00; and

**WHEREAS**, Zoland Corporation, 1742 Kennedy Boulevard, Jersey City, New Jersey 07305, being in possession of State contract A 70597, submitted a proposal for transmission repairs for various vehicles; and

**WHEREAS**, the contract term is for six (6) months beginning on January 1, 2009 and the total cost of the contract shall not exceed \$120,000.00; and

**WHEREAS**, funds in the amount of \$20,000.00 are available in Account No. 09-01-201-26-315-310.

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

- 1) A contract is awarded to Zoland Corporation for transmission repairs for various City Vehicles;
- 2) The contract term is for six (6) months effective as of January 1, 2009, and the total cost of the contract shall not exceed \$120,000.00;
- 3) This contract is awarded without public bidding pursuant to N.J.S.A. 40A:11-12;
- 4) Pursuant to N.J.A.C. 5:30-5.5(a), the continuation of the contract after the expenditure of funds encumbered in the 2009 fiscal year temporary budget shall be subject to the availability and appropriation of sufficient funds in the 2009 fiscal year permanent budget;
- 5) 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 have been 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
- 6) This contract award 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.

(Continued on page 2)

City Clerk File No. Res. 09-025

Agenda No. 10.Y JAN 14 2009

TITLE: **RESOLUTION AUTHORIZING THE AWARD OF CONTRACT TO ZOLAND CORPORATION FOR TRANSMISSION REPAIRS UNDER STATE CONTRACT WITHOUT PUBLIC BIDDING FOR THE DIVISION OF AUTOMOTIVE SERVICES**

I, Donna Mauer, Donna Mauer, Chief Financial Officer, certify that funds in the amount of \$20,000.00 are available in Account No. 09-01-201-26-315-310.

**Requisition #**  
0143699

**Purchase Order #**  
94878

**State Contract #**  
A 70597

Approved: \_\_\_\_\_  
Peter Folgado, Acting Purchasing Director

JMY/sb  
January 6, 2009

APPROVED: [Signature]  
John M. Yurchak, Director, Department of Public Works  
APPROVED: [Signature]  
Business Administrator

APPROVED AS TO LEGAL FORM  
[Signature]  
Joanne Monahan  
1st Assistant Corporation Counsel

Certification Required

Not Required

**APPROVED 7-0**

RECORD OF COUNCIL VOTE ON FINAL PASSAGE											
											1/14/09
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.

[Signature]  
Mariano Vega, Jr., President of Council

[Signature]  
Robert Byrne, City Clerk

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

City Clerk File No. Res. 09-026

Agenda No. 10.7

Approved: JAN 14 2009

TITLE:



**RESOLUTION DECLARING THE EXISTENCE OF AN EMERGENCY IN CONNECTION WITH HVAC REPLACEMENT FOR BOTH THE TELEPHONE ROOM AND THE COMPUTER ROOM AT THE MUNICIPAL COURT, PROJECT NO. 2009-025, FOR THE DEPARTMENT OF ADMINISTRATION, DIVISION OF ARCHITECTURE**

**COUNCIL  
RESOLUTION:**

**OFFERED AND MOVED ADOPTION OF THE FOLLOWING**

**WHEREAS**, on December 12, 2008, John McGrath and the Division of Architecture were notified by the Business Administrator's Office and the Division of Information Technology that temperatures in the Computer & Telephone Rooms at the Municipal Court were intolerable, and that equipment in these rooms were in danger of being destroyed if supplemental air conditioning was not installed quickly; and

**WHEREAS**, Efforts by the maintenance vendor to increase the volume of air flow to affected rooms has proved to be insufficient to overcome the heat load of equipment installed since the construction of the building; and

**WHEREAS**, the aforementioned situation endangered the computer and voice/data equipment hence cost to replace it would have been extreme; and

**WHEREAS**, because of the aforementioned emergency, time did not permit the formal advertisement for and reception of bids for the necessary repairs; and

**WHEREAS**, the Division of Architecture did solicit a proposal for the above-mentioned work from Amber Air Inc. in the amount of \$15,900.00; and

**WHEREAS**, Amber Air, Inc. has the capability of making the necessary repairs regarding the aforementioned emergency; and

**WHEREAS**, these funds are available for this expenditure in accordance with the requirements of the Local Budget Law, N.J.S.A. 40 A:4-1 et. seq.

Department of Administration; Division of Architecture

Account No. 04-215-55-210-990      \$15,900.00      P.O. # **94824**

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

1. An emergency situation did exist demanding immediate corrective action with respect to the telephone and computer rooms at the Municipal Court, 365 Summit Avenue, Jersey City, New Jersey.

TITLE:

**RESOLUTION DECLARING THE EXISTENCE OF AN EMERGENCY IN CONNECTION WITH HVAC REPLACEMENT FOR BOTH THE TELEPHONE ROOM AND THE COMPUTER ROOM AT THE MUNICIPAL COURT, FOR THE DEPARTMENT OF ADMINISTRATION, DIVISION OF ARCHITECTURE**

2. The City Purchasing Agent is directed to have the necessary documents drawn up and executed, as may be required.
3. The Mayor or Business Administrator is hereby authorized to execute a contract on behalf of the City of Jersey City.
4. The award of this agreement shall be subject to the condition that 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.

*O.A. 12/23/08*

I, Donna Mauer (Donna Mauer), Acting Chief Financial Officer, hereby certify that these funds are available for this expenditure in accordance with the Local Budget Law, N.J.S.A. 40A:4-1 et. seq. PO 94824

ab  
December 18, 2008

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

APPROVED AS TO LEGAL FORM

APPROVED: B. O'Keilly  
Business Administrator

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

Certification Required

Not Required

APPROVED 7-0

RECORD OF COUNCIL VOTE ON FINAL PASSAGE											
				1/14/09							
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
SPINELLO	✓			FULOP	ABSENT			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. 09-027

Agenda No. 10.Z.1

Approved: JAN 14 2009



TITLE:

RESOLUTION AMENDING THE RESOLUTION AWARDING PROFESSIONAL SERVICES AGREEMENTS TO ATTORNEYS-AT-LAW OF THE STATE OF JERSEY TO SERVE AS PUBLIC DEFENDERS IN THE JERSEY CITY MUNICIPAL COURT FOR THE 2009 FISCAL YEAR

COUNCIL  
Resolution:

offered and moved adoption of the following

WHEREAS, the City of Jersey City established a Public Defender Program to represent indigent individuals in the Jersey City Municipal Court by executing professional services agreements with private attorneys; and

WHEREAS, on November 12, 2008 the City authorized professional services agreements with attorneys named on the list attached to the; and

WHEREAS, there is a need to add public defenders; and

WHEREAS, the attorney will enter into a professional services agreement with the City of Jersey City to serve as a Public Defender for a period not to exceed one year effective as of July 1, 2008; and

WHEREAS, the professional services agreement for any of the participating attorneys may be cancelled at any time during the 2009 Fiscal Year; and

WHEREAS, these services, qualifying as professional services which under the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. may be authorized without public bidding; and

WHEREAS, the cost of the contracts has been estimated at Sixty-Eight Thousand (\$68,000) Dollars and has already been encumbered in the temporary budget Account No.: 09-01-201-43-495-312; and

WHEREAS, the continuation of the contracts after the expenditure of funds from the temporary budget is contingent upon the availability of funds in the permanent budget.

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

1. The Business Administrator is authorized to execute an agreement with each of the attorneys named on the amended list attached hereto, to serve as a Public Defender in Jersey City Municipal Court for a period not to exceed one year commencing retroactively as of July 1, 2008 subject to the following terms and conditions.
  - (a) Each attorney shall be compensated in the sum of Two-Hundred (\$200.00) Dollars per session, with an additional sum of Seventy-Five (\$75.00) Dollars per session paid in those cases where a trial extends beyond one session;
  - (b) In a case where more than one defendant is eligible for a Public Defender, an attorney may be required to represent one of the co-defendants for the sum of Seventy-Five (\$75.00) Dollars.

JAN 14 2009

TITLE:

RESOLUTION AMENDING THE 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 2009 FISCAL YEAR

- (c) An attorney will be required to prosecute an appeal of any case tried by him or her to its conclusion for a fee of Seventy-Five (\$75.00) Dollars.
  - (D) All attorneys will be required to prepare notices suitable for filing with the Clerk of the Superior Court stating defense costs for each person represented and will otherwise cooperate with the City in its efforts to seek reimbursement of such fees from the defendants.
2. The agreement with each attorney shall be in substantially the form attached, subject to such modification as the Business Administrator or Corporation Counsel deems appropriate or necessary.
  3. A copy of this Resolution shall be printed in a newspaper of general circulation.

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

APPROVED AS TO LEGAL FORM

APPROVED: B. O'Keilly

Business Administrator

[Signature]  
Corporation Counsel

Certification Required

Not Required

APPROVED 7-0

RECORD OF COUNCIL VOTE ON FINAL PASSAGE 1/14/09											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
SPINELLO	✓			FULOP	ABSENT			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.

[Signature]  
Mariano Vega, Jr., President of Council

[Signature]  
Robert Byrne, City Clerk

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

City Clerk File No. Res. 09-028  
Agenda No. 10.7.2  
Approved: JAN 14 2009  
TITLE:



## RESOLUTION AWARDING A PROFESSIONAL SERVICES AGREEMENT TO MIDTOWN OCCUPATIONAL MEDICINE, LLC TO CONDUCT MEDICAL EXAMINATIONS OF CIVILIAN AND UNIFORMED EMPLOYEES AND OF APPLICANTS FOR EMPLOYMENT

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

**WHEREAS**, the City of Jersey City requires the services of physicians to conduct medical examinations of civilian and uniformed employees and of applicants for employment; and

**WHEREAS**, Midtown Occupational Medicine, LLC, 550 Newark Ave, Jersey City, New Jersey, has licensed physicians capable of providing such services and submitted a proposal in response to the City's Request for Proposals dated 11/13/08 indicating that it will provide the services for the sum of \$160,000.00; and

**WHEREAS**, these services qualify as professional services exempt from public bidding under the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

**WHEREAS**, the City is awarding this contract pursuant to the fair and open provisions of the Pay-to-Play Law, N.J.S.A. 19:44A-20.4 et seq.; and

**WHEREAS**, Midtown Occupational Medicine, LLC 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**, the maximum amount of the contract in question is \$160,000.00, of which \$50,000.00 will be available in Temporary Budget Account No. 09-01-201-20-105-312; and

**WHEREAS**, the resolution authorizing the award and the contract itself must be available for public inspection.

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

1. Subject to such modification as may be deemed necessary and appropriate by Corporation Counsel, the Mayor or Business Administrator is hereby authorized to execute the attached contract with Midtown Occupational Medicine to conduct medical examinations of employees and of applicants for employment;

2. The maximum contract amount shall not exceed \$160,000.00. The term of the contract shall be for one year effective as of January 1, 2009 at 12:01 a.m.;

**JAN 14 2009**

**TITLE:**

**RESOLUTION AWARDING A PROFESSIONAL SERVICES AGREEMENT TO MIDTOWN OCCUPATIONAL MEDICINE, LLC TO CONDUCT MEDICAL EXAMINATIONS OF CIVILIAN AND UNIFORMED EMPLOYEES AND OF APPLICANTS FOR EMPLOYMENT**

3. This agreement is awarded without competitive bidding as a professional services agreement under the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a)(I);

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;

5. Pursuant to N.J.A.C. 5:30-5.5(a), the continuation of the contract after the expenditure of funds encumbered in the 2009 fiscal year temporary budget shall be subject to the availability and appropriation of sufficient funds in the 2009 fiscal year permanent budget and in the subsequent fiscal year budget;

6. The award of this contract shall be subject to the condition that Midtown Occupational Medicine provides satisfactory evidence of compliance with the Affirmative Action Amendments to the Law Against Discrimination, N.J.S.A. 10:5-31 et seq.; and

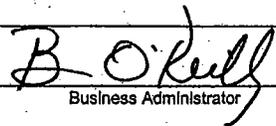
7. The Certification of Compliance with the City's Contractor Pay-to-Play Reform Ordinance 08-128 adopted on September 3, 2008, attached hereto and incorporated herein by reference, shall be placed on file with this resolution.

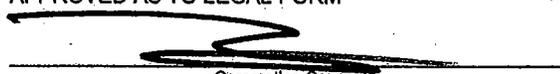
I hereby certify that funds in the amount of \$50,000.00 are available in Account No 09-01-201-20-105-312. P.O. No. 94879 Temporary Encumbrancy.

  
Donna Mauer  
Chief Financial Officer

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

APPROVED AS TO LEGAL FORM

APPROVED:  \_\_\_\_\_  
Business Administrator

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

Certification Required

Not Required

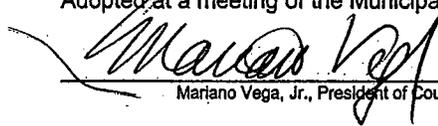
**APPROVED 7-0**

RECORD OF COUNCIL VOTE ON FINAL PASSAGE 1/14/09											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
SPINELLO	✓			FULOP	ABSENT			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. 09-029

Agenda No. 10.Z.3

Approved: JAN 14 2009

TITLE:



**RESOLUTION RESCINDING RESOLUTION 08-868 APPROVED ON NOVEMBER 12, 2008 AND AUTHORIZING AN AGREEMENT WITH NMG ASSOCIATES, LLC AS AN EXTRAORDINARY UNSPECIFIABLE SERVICE WITHOUT PUBLIC BIDDING TO PROVIDE SOLID WASTE AND RECYCLING CONSULTING SERVICES**

**WHEREAS**, the City of Jersey City (City) recently amended Chapter 287 of the Municipal Code, Solid Waste, to conform with State mandated recycling regulations; and

**WHEREAS**, to comply with the State's recycling regulations, the City needs the services of a consultant who is knowledgeable in the areas of multi-family and commercial development construction, renovation and demolition debris recovery; and

**WHEREAS**, Resolution 08-868 approved on November 12, 2008 had awarded a contract to NMG Associates, LLC to provide these services; and

**WHEREAS**, due to a technical issue involving the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., it is necessary to rescind Resolution 08-868 and re-award the contract as an Extraordinary Unspecifiable Service (EUS) contract; and

**WHEREAS**, the City posted on its website a Request for Qualifications (RFQ) for solid waste/recycling consulting services and received three (3) proposals on October 2, 2008; and

**WHEREAS**, NMG Associates, LLC (NMG) was one of the three firms that submitted a proposal and agrees to provide its services to the City at an hourly rate of \$125.00; and

**WHEREAS**, the Business Administrator 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 term of the contract shall be for one (1) year for a total contract amount not to exceed \$25,000.00; and

**WHEREAS**, funds in the amount of \$10,000.00 are available in Account No. 09-01-201-20-113-312; and

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

**WHEREAS**, the City is awarding this contract pursuant to the fair and open provisions of the Pay-to-Play Law, N.J.S.A. 19:44A-20.4 et seq.; and

**WHEREAS**, NMG has submitted its Certification of Compliance with the City's Contractor Pay to Play Reform Ordinance 08-128 adopted on September 3, 2008.

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

1. Resolution No. 08-868 approved on November 12, 2008 is hereby rescinded;
2. Subject to such modifications as may be deemed necessary and appropriate by Corporation Counsel, the Mayor or Business Administrator is hereby authorized to execute the attached contract with NMG Associates, LLC to provide the City with solid waste and recycling consulting services;

City Clerk File No. Res. 09-029

Agenda No. 10.7.3

TITLE: JAN 14 2009

**RESOLUTION RESCINDING RESOLUTION 08-868 APPROVED ON NOVEMBER 12, 2008 AND AUTHORIZING AN AGREEMENT WITH NMG ASSOCIATES, LLC AS AN EXTRAORDINARY UNSPECIFIABLE SERVICE WITHOUT PUBLIC BIDDING TO PROVIDE SOLID WASTE AND RECYCLING CONSULTING SERVICES**

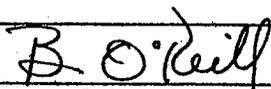
3. NMG Associates shall be compensated at the rate of \$125.00 per hour for a total contract amount not to exceed \$25,000.00. The term of the contract shall be for twelve (12) months commencing on the date the contract is executed by the City's Business Administrator;
4. This contract is awarded without competitive 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;
5. 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;
6. The resolution authorizing the award of contract and the contract itself shall be available for public inspection;
7. The award of contract shall be subject to the condition that NMG Associates provides satisfactory evidence of compliance with the Affirmative Action Amendments to the Law Against Discrimination, N.J.S.A. 10:5-31 et seq.;
8. Pursuant to N.J.A.C. 5:30-5.5(a), the continuation of the contract after the expenditure of funds encumbered in the 2009 fiscal year temporary budget shall be subject to the availability and appropriation of sufficient funds in the 2009 permanent budget and in the subsequent fiscal year budget; and
9. The Certification of Compliance with the City's Contractor Pay to Play Reform Ordinance, attached hereto and incorporated herein by reference shall be placed in the file with this resolution.

I, Donna Mauer, Chief Financial Officer, hereby certify there are funds in the amount of \$10,000.00 are available in Account No. 09-01-201-20-113-~~32~~ 94386

  
Donna Mauer, Chief Financial Officer

APPROVED BY  
1-5-09

APPROVED:

  
Business Administrator

APPROVED AS TO LEGAL FORM

  
Corporation Counsel

Certification Required

Not Required

APPROVED 7-0

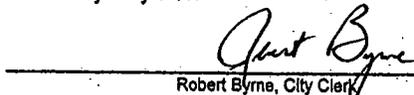
RECORD OF COUNCIL VOTE ON FINAL PASSAGE											
				1/14/09							
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
SPINELLO	✓			FULOP	ABSENT			FLOOD	✓		
LIPSKI	ABSENT			RICHARDSON	✓			VEGA, PRES.	✓		

✓ 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. 09-030

Agenda No. \_\_\_\_\_ 10.7.4

Approved: \_\_\_\_\_ JAN 14 2009

TITLE:



## RESOLUTION REJECTING ALL BIDS RECEIVED BY THE CITY OF JERSEY CITY ON DECEMBER 2, 2008 FOR A CONTRACT KNOWN AS HAMILTON PARK RENOVATION, PROJECT NO. 2007-007

COUNCIL  
resolution:

offered and moved adoption of the following

**WHEREAS**, the Purchasing Agent acting within his authority and in conformance with N.J.S.A. 40A:11-1 et seq. publically advertised for bids for a contract known as Hamilton Park Renovation, Project No. 2007-007 (Project); and

**WHEREAS**, the City of Jersey City (City) received a total of fifteen (15) bids on December 2, 2008; and

**WHEREAS**, the three lowest bidders based on their base bid price quotations were:

Contract Logistics, Inc....	\$3,037,800.00
Green Construction, Inc.....	\$3,355,800.00
Tomco Construction.....	\$3,515,350.00

**WHEREAS**, on December 5, 2008, Green Construction, Inc. filed a bid protest letter indicating that the City should reject Contract Logistics's bid proposal because it did not include a copy of a Public Works Contractor Registration (PWCR) Certificate with its bid documents; and

**WHEREAS**, Contract Logistics included with its proposal a copy of an application for a PWCR Certificate dated August 6, 2008; and

**WHEREAS**, Section 7 of Information to Bidders of the bid specifications stated that the bid documents were to include a, "Certificate of Contractor's Registration issued by the State of N.J. Department of Labor pursuant to L. 1999, c. 238 or copy of registration application submitted to the Department of Labor (required for work within public buildings)"; and

**WHEREAS**, Section GC-57 of the General Conditions of the bid specifications stated that bidders were required to submit a, "Certificate of Contractor's State of N.J. Department of Labor Registration or Application"; and

**WHEREAS**, page P-2 of the Bid Proposal, the Bid Proposal Check List, stated that bidders were to include a, "Certificate of Contractor's State of N.J. Department of Labor Registration or Application"; and

**WHEREAS**, when the Public Works Contractor Registration Act (PWCR Act), N.J.S.A. 34:11-56.48 et seq., was enacted in 1999, it permitted a bidder to submit either a copy of its PWCR Certificate or a copy of its application for a PWCR Certificate; and

**WHEREAS**, an amendment to N.J.S.A. 34:11-56.55 in 2003 rewrote the section of the Act that referred to an application; and

**WHEREAS**, the State Division of Local Government Services, Local Finance Notice 2004-9 issued on April 28, 2004, provided clarifications with respect to the 2003 amendments to the PWCR Act and advised that a bidder had to possess a valid PWCR Certificate at the time bid proposals were received and that a bidder not registered at that time must have its proposal rejected as being non-responsive; and

**JAN 14 2009**

TITLE:

**RESOLUTION REJECTING ALL BIDS RECEIVED BY THE CITY OF JERSEY CITY ON DECEMBER 2, 2008 FOR A CONTRACT KNOWN AS HAMILTON PARK RENOVATION, PROJECT NO. 2007-007**

WHEREAS, the bid specifications contained erroneous information about the requirements of the PWCR Act in three different sections; and

WHEREAS, the erroneous information concerned a material bid document that causes the disqualification of a bidder; and

WHEREAS, the sections of the bid specifications pertaining to the PWCR Act need to be corrected; and

WHEREAS, N.J.S.A 40A:11-13.2(d) authorizes the rejection of all bids when the City desires to substantially revise bid specifications.

NOW, THEREFORE, Be it Resolved by the Municipal Council of the City of Jersey City that because of the reasons stated above which are incorporated herein, all bids received by the City on December 2, 2008 for a contract known as Hamilton Park Renovation, Project No. 2007-007 are rejected and the Purchasing Agent is authorized to rebid the contract using revised bid specifications.

RR  
1-6-09

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

APPROVED AS TO LEGAL FORM

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

Business Administrator

Corporation Counsel

Certification Required

Not Required

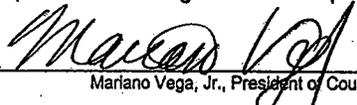
APPROVED **7-0**

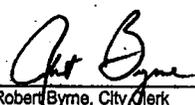
RECORD OF COUNCIL VOTE ON FINAL PASSAGE											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
SPINELLO	✓			FULOP	ABSENT			FLOOD	✓		
LIPSKI	ABSENT			RICHARDSON	✓			VEGA, PRES.	✓		

✓ 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. 09-031

Agenda No. 10.Z.5

Approved: JAN 14 2009

TITLE:



**RESOLUTION AUTHORIZING THE EXTENSION OF A LICENSE AGREEMENT WITH THE HABITAT FOR HUMANITY GREATER JERSEY CITY AREA, INC.**

COUNCIL offered and moved adoption of the following resolution:

**WHEREAS**, the City of Jersey City is the owner of property located in Block 1335, Lot 35.A and Block 1335, Lot 33, more commonly known as 124 Woodlawn Avenue and 128 Woodlawn Avenue; and

**WHEREAS**, the Habitat For Humanity Greater Jersey City Area, Inc. of the State of New Jersey, needs to enter on the City's property to evaluate the property and perform feasibility analysis of the property for use as affordable housing; and

**WHEREAS**, the Habitat For Humanity Greater Jersey City Area, Inc. will fully defend and insure the City for any damages or injuries arising from its use of property; and

**WHEREAS**, it is in the best interest of the City of Jersey City to permit the Habitat For Humanity Greater Jersey City Area, Inc. access to the property, subject to the terms and conditions set forth in the License Agreement attached.

**NOW, THEREFORE, BE IT RESOLVED** by the Municipal Council of the City of Jersey City that the Mayor and/or Business Administrator are hereby authorized to;

1. Extend a License Agreement granting permission to the Habitat For Humanity Greater Jersey City Area, Inc. to enter onto Block 1335, Lot35.A and Block 1335, Lot 33, more commonly known as 124 Woodlawn Avenue and 128 Woodlawn Avenue for a period not to exceed 180 days commencing on the date the agreement is signed.
2. The License Agreement shall be in substantially the form attached, subject to such modification or additional terms and conditions as the Business Administrator and Corporation Counsel deem necessary and appropriate.
3. Take such other actions as may be necessary to effectuate the purposes of the agreement.

APPROVED: Paul Capella  
 APPROVED: B. O'Keilly  
 Business Administrator

APPROVED AS TO LEGAL FORM  
[Signature]  
 Corporation Counsel

Certification Required   
 Not Required  **APPROVED 7-0**

RECORD OF COUNCIL VOTE ON FINAL PASSAGE											
1/14/09											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
SPINELLO	✓			FULOP	ABSENT			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. 09-032

Agenda No. 10.Z.6

Approved: JAN 14 2009

TITLE: **RESOLUTION AUTHORIZING AN AGREEMENT  
WITH NOVACOAST, INC. FOR THE SUPPORT OF  
PROPRIETARY COMPUTER SOFTWARE**



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

**WHEREAS**, funds must be allocated for the continued support of the City's email archiving computer software systems; and

**WHEREAS**, NOVACOAST, INC. has agreed to provide these services in the manner specified by the Division of Information Technology; and

**WHEREAS**, the City of Jersey City has received a proposal from NOVACOAST, INC. in the total amount for a one year period of **\$23,760.00**; and

**WHEREAS**, the City Purchasing Agent has certified that he considers said proposal to be fair and reasonable; and

**Administration/Division of Information Technology**  
**Acct. No. 01-201-20-140-314** **AMT. \$23,760.00**

**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**, NOVACOAST, INC. has completed and submitted a Business Entity Disclosure Certification which certifies that NOVACOAST, INC. has not made any reportable contributions to the political or candidate committees listed in the Business Entity Disclosure Certification in the previous one year (2005 contributions are exempt), and that the contract will prohibit NOVACOAST, INC. from making any reportable contributions during the term of the contract; and

**WHEREAS**, NOVACOAST, INC. has submitted a Chapter 271 Political Contribution Disclosure Certification at least 10 days prior to the award of this contract; and

**WHEREAS**, NOVACOAST, INC. 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**, N.J.S.A. 40A:11-5(1) (dd) authorizes the City to award a contract without public advertising if said contract is for goods or services to support or maintain proprietary computer hardware and software already owned by the City; 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).

**TITLE: RESOLUTION AUTHORIZING AN AGREEMENT WITH NOVACOAST, INC. FOR THE SUPPORT OF PROPRIETARY COMPUTER SOFTWARE**

**NOW, THEREFORE, BE IT RESOLVED**, by the Municipal Council of the City of Jersey City that the said proposal of the aforementioned **NOVACOAST, INC.** be accepted and that a contract be awarded to said company in the above amount, and the City's Purchasing Agent is directed to have such a contract drawn up and executed; and be it further

**RESOLVED**, that upon certification by an official of employee of the City authorized to receive the material pursuant to the contact, 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:5-1 et. seq

**RESOLVED**, the Business Entity Disclosure Certification, Chapter 271 Political Contribution Disclosure Certification, and the Determination of Value Certification attached hereto and incorporated herein by reference shall be placed on file with this resolution.

**RESOLVED**, this contract is awarded without competitive bidding in accordance with N.J.S.A 40A:11-5 (1) (dd).

**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.**

I, Donna Mauer (Donna Mauer), as Chief Financial Officer, hereby certify that these funds are available for this expenditure in Account Number: **01-201-20-140-314** for payment of the above Resolution.

Requisition No. \_\_\_\_\_

Purchase Order No. 94790

EEO/AA Review \_\_\_\_\_

APPROVED: Robert Blum APPROVED AS TO LEGAL FORM  
APPROVED: B. O'Keefe Business Administrator Jeanne Monahan Corporation Counsel

Certification Required   
Not Required

**APPROVED 7-0**

RECORD OF COUNCIL VOTE ON FINAL PASSAGE 1/14/09											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
SPINELLO	✓			FULOP	ABSENT			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 Blum  
Robert Blum, City Clerk

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

City Clerk File No. Res. 09-033

Agenda No. 10.Z.7

Approved: JAN 14 2009

TITLE:



## RESOLUTION OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES AGREEMENT TO PEDIATRIC CONSULTANT, DR. SOLOMON OWUSU.

### COUNCIL AS A WHOLE, OFFERED AND MOVED ADOPTION OF THE FOLLOWING RESOLUTION:

**WHEREAS**, the City of Jersey City (City) requires the services of a pediatric consultant to provide services in connection with various health programs administered by the Department of Health and Human Services (Department); and

**WHEREAS**, Dr. Solomon Owusu, License #MA5988100, is a licensed pediatrician and is qualified to perform the required services; and

**WHEREAS**, Dr. Owusu agrees to provide the necessary services for one year at the rate of Fifty-Five (\$55.00) dollars per hour; and

**WHEREAS**, the contract period is from January 1, 2009 through December 31, 2009; and

**WHEREAS**, the total amount of this contract is Fifty-Six Thousand Three Hundred-Twenty (\$56,320.00) Dollars; and

**WHEREAS**, these services qualify as professional services exempt from public bidding under the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; 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 Director of Department of Health and Human Services has determined and certified in writing that the value of the contract exceeds \$17,500; and

**WHEREAS**, pursuant to N.J.S.A. 19:44A-20.4 et seq., Dr. Owusu has completed and submitted a Business Entity Disclosure Certification which certifies that Dr. Owusu has not made any reportable contributions to a political or candidate committee listed on the Business Entity Disclosure Certification in the previous one year, and that the contract will prohibit Dr. Owusu from making any reportable contributions through the term of the contract; and

**WHEREAS**, Dr. Owusu has submitted a Chapter 271 Political Contribution Disclosure Certification at least 10 days prior to the award of this contract; and

**WHEREAS**, Dr. Owusu has submitted his Certification of Compliance with the City's Contractor Pay-to-Play Reform Ordinance 08-128 adopted on September 3, 2008; and

City Clerk File No. Res. 09-033Agenda No. 10.Z.7

TITLE:

JAN 14 2009

**RESOLUTION OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES AGREEMENT TO PEDIATRIC CONSULTANT, DR. SOLOMON OWUSU.**

**WHEREAS**, the funds in the amount of \$5,000.00 are available in Account No.1-201-27-333-312; and

**WHEREAS**, an additional amount of \$51,320.00, state and local participation, will have to be budgeted either in the FY 09 or FY 10 temporary or final budgets in Account 01-201-27-333-312; and

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

1. The Mayor and/or Business Administrator is authorized to execute a professional services agreement with Dr. Solomon Owusu, in substantially the form attached, for providing pediatric services in connection with various health programs provided by the Department of Health and Human Services;
2. Dr Owusu shall be compensated at the rate of \$55.00 per hour and the total amount of the contract shall not exceed Fifty-six Thousand Three Hundred Twenty (\$56,320.00) Dollars;
3. The term of the contract shall be one year effective as of January 1, 2009 and ending on December 31, 2009;
4. This contract is awarded without competitive bidding as a professional services agreement under the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.;
5. A copy of this Resolution will be published in a newspaper of general circulation as required by law within ten (10) days of its passage;
6. A copy of this Resolution shall be placed on file and be available for inspection in the Office of the City Clerk;
7. Pursuant to N.J.A.C. 5:30-5.5(a), the continuation of the contract after the expenditure of funds encumbered in the 2009 fiscal year temporary budget, shall be subject to the availability and appropriation of sufficient funds in the 2009 fiscal year permanent budget and in the subsequent fiscal year budget;
8. The award of this contract shall be subject to the condition that the 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

City Clerk File No. Res. 09-033

Agenda No. 10.Z.7

JAN 14 2009

TITLE:

**RESOLUTION OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES AGREEMENT TO PEDIATRIC CONSULTANT, DR. SOLOMON OWUSU.**

- 9. 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 the Determination of Value Certification attached hereto and incorporated herein by reference shall be placed on file with this resolution.

I, Donna Mauer, Donna Mauer, Chief Financial Officer, hereby certify that funds in the amount of \$5,000.00 are available in Account No. 1-201-27-333-312. PO 94684

APPROVED: [Signature] APPROVED AS TO LEGAL FORM  
 APPROVED: B. O'Reilly [Signature]  
 Business Administrator Corporation Counsel

Certification Required   
 Not Required

APPROVED 7-0

RECORD OF COUNCIL VOTE ON FINAL PASSAGE 1/14/09											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
SPINELLO	✓			FULOP	ABSENT			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.

[Signature]  
 Mariano Vega, Jr., President of Council

[Signature]  
 Robert Byrne, City Clerk

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

City Clerk File No. Res. 09-034  
 Agenda No. 10.7.8  
 Approved: JAN 14 2009  
 TITLE: \_\_\_\_\_



## RESOLUTION AUTHORIZING THE BUSINESS ADMINISTRATOR TO EXECUTE A DISCHARGE OF MORTGAGE AFFECTING 6 EAST VIEW COURT A/K/A BLOCK 1469.B, LOT 41.A

**COUNCIL**  
 resolution:

offered and moved adoption of the following

**WHEREAS**, on October 20, 2006, Elloise Francis (Borrower) executed a mortgage in favor of the City of Jersey City (City) to secure the City's loan to her in the amount of \$3,290.00 made under the SHORP Program; and

**WHEREAS**, the loan was made for the purpose of making home improvements for a low or moderate income family and it self-amortizes over five (5) years provided the homeowner resides in the property and does not sell the property; and

**WHEREAS**, the SHORP program allows a homeowner to pay off the mortgage prior to the expiration of the five (5) years; and

**WHEREAS**, the mortgage affects property known as 6 East View Court, Jersey City, also known as Lot 41.A in Block 1469.B; and

**WHEREAS**, according to the Division of Community Development, the Borrower has paid the City the sum of \$1,974.00 which is the loan pay off amount; and

**WHEREAS**, the City is obligated to execute a Discharge of Mortgage to remove the mortgage from the public record.

**NOW, THEREFORE, BE IT RESOLVED**, that the Business Administrator is authorized to execute a Discharge of the Mortgage of Elloise Francis dated October 20, 2006 in the sum of \$3,290.00 affecting 6 East View Court, Jersey City, also known as Lot 41.A in Block 1469.B.

IW/mw  
 1-05-09

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

APPROVED: *B. O'Keefe*  
 Business Administrator

*[Signature]*  
 Corporation Counsel

10 2 0 0 8 3 2 9

Certification Required

Not Required

**APPROVED 7-0**

RECORD OF COUNCIL VOTE ON FINAL PASSAGE											
1/14/09											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
SPINELLO	✓			FULOP	ABSENT			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. 09-035  
 Agenda No. 10.709  
 Approved: JAN 14 2009  
 TITLE:



**RESOLUTION AUTHORIZING THE EXECUTION OF A MORTGAGE SUBORDINATION AGREEMENT AFFECTING THE PROPERTY KNOWN AS 111-113 MAPLE STREET A/K/A BLOCK 2067, LOT 36**

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

**WHEREAS**, Marlene Walters, owner of Block 2067, Lot 36 a/k/a 111-113 Maple Street, participated in the City of Jersey City's (City) HOME Program; and

**WHEREAS**, the owner received from the City a \$52,000.00 loan on January 29, 1993 for the purpose of financing the purchase of a two family residential unit and the loan self-amortizes provided that the homeowner resides in the property and the property remains affordable to low and moderate income households during the restricted period of twenty (20) years; and

**WHEREAS**, the City's loan was recorded as a second mortgage on the property; and

**WHEREAS**, the owner now desires to refinance the first mortgage in order to obtain lower monthly mortgage payments and additional loan funds; and

**WHEREAS**, the new lender, PNC Mortgage, LLC, and/or the Secretary of Housing and Urban Development, its successors and/or assigns requires that the City's mortgage be made subordinate to its loan; and

**WHEREAS**, the amount of the new first mortgage is \$142,450.00, and the City's lien will remain in second lien position; and

**WHEREAS**, the City by its Division of Community Development has reviewed the appraisal report and calculated the maximum allowable refinance amount for the property and has determined that the value of the property supports the new loan and the City's mortgage and has further reviewed the title commitment and determined that there are no other judgements or loans affecting the property.

**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 a mortgage subordination agreement, in a form to be approved by Corporation Counsel, subordinating the City's lien affecting 111-113 Maple Street, Jersey City also known as Block 2067, Lot 36 to the interests of the new first mortgage of PNC Mortgage, LLC, and/or the Secretary of Housing and Urban Development.

IGW/mw  
12-26-08

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

APPROVED: B. O'Neil  
Business Administrator

APPROVED: \_\_\_\_\_  
Corporation Counsel

2008330

Certification Required   
 Not Required

**APPROVED 7-0**

RECORD OF COUNCIL VOTE ON FINAL PASSAGE										1/14/09		
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓			
SPINELLO	✓			FULOP	ABSENT			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. 09-036

Agenda No. \_\_\_\_\_ 10.7.10

Approved: \_\_\_\_\_ JAN 14 2009

TITLE:



## RESOLUTION AUTHORIZING THE BUSINESS ADMINISTRATOR TO EXECUTE A DISCHARGE OF MORTGAGE AFFECTING 16 MADISON AVENUE A/K/A BLOCK 1950, LOT D

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

**WHEREAS**, on December 3, 2002, Jeffrey Adams (Borrower) executed a second mortgage in favor of the City of Jersey City (City) to secure the City's loan to him in the amount of \$5,300.00 made under the HORP Program; and

**WHEREAS**, the loan was made for the purpose of making home improvements for a low and moderate income family and it self-amortizes over five (5) years provided the homeowner resides in the property and does not sell the property; and

**WHEREAS**, the mortgage affects the property known as 16 Madison Avenue, Jersey City, also known as Lot D in Block 1950; and

**WHEREAS**, five (5) years have passed since the loan was made and the City is obligated to execute a Discharge of Mortgage to remove the mortgage from the public record.

**NOW, THEREFORE, BE IT RESOLVED**, that the Business Administrator is authorized to execute a Discharge of the Mortgage of Jeffrey Adams dated December 3, 2002 in the sum of \$5,300.00 affecting 16 Madison Avenue, Jersey City, also known as Lot D in Block 1950.

IW/mw  
12-22-08

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

APPROVED: B. O'Keefe  
Business Administrator

APPROVED AS TO LEGAL FORM

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

# 2008328

Certification Required

Not Required

**APPROVED 7-0**

RECORD OF COUNCIL VOTE ON FINAL PASSAGE 1/14/09											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
SPINELLO	✓			FULOP	ABSENT			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. 09-037

Agenda No. 10.Z.11

Approved: JAN 14 2009



**TITLE: RESOLUTION AUTHORIZING AN AGREEMENT WITH PATTON BOGGS, LLP AS AN EXTRAORDINARY UNSPECIFIABLE SERVICES WITHOUT PUBLIC BIDDING TO ACT AS A CONSULTANT TO SECURE FEDERAL FUNDING FOR VARIOUS MUNICIPAL PROJECTS AND ADVOCATE VARIOUS MUNICIPAL POLICY ISSUES ON THE FEDERAL LEVEL**

**WHEREAS**, the City of Jersey City (City) is seeking the services of a consultant to represent the City's interests and pursue federal funding sources for various municipal projects and to advocate various municipal policy issues that will impact and advance the interests of the City and its residents; and

**WHEREAS**, the law firm of Patton Boggs, LLP, 2550 M Street, NW, Washington, DC 20037 possess the skills and expertise to perform these services for the City; and

**WHEREAS**, Patton Boggs, LLP. has agreed to provide these services for a term of six (6) months beginning on January 1, 2009 for a fee of \$15,000 per month for a total sum of \$90,000.00; and

**WHEREAS**, Patton Boggs, LLP will provide the City with a monthly report detailing the matters worked on and hours expended on behalf of the City of Jersey City under this agreement; and

**WHEREAS**, the Corporation Counsel has interviewed various vendors and has certified that these services qualify as Extraordinary Unspecifiable Services under the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

**WHEREAS**, Corporation Counsel has determined and certified in writing that the value of the contract will exceed \$17,500.00; and

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

**WHEREAS**, Patton Boggs, LLP has completed and submitted a Business Entity Disclosure Certification which certifies that Patton Boggs, LLP has not made any reportable contributions to the political or candidate committees listed in the Business Entity Disclosure Certification during the previous one-year, and that the contract will prohibit Patton Boggs, LLP from making any reportable contributions during the term of this contract; and

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

**WHEREAS**, Patton Boggs, LLP 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**, the City is awarding this contract pursuant of the fair and open provisions of the Pay to Play Law, NJSA, 19:44A-20.4 et seq.; and

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

**WHEREAS**, funds in the amount of \$45,000 are available in the 2009 fiscal year temporary budget in Account No. 09-01-201-20-155-32, with the balance subject to the adoption of the final budget.

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

1. An agreement is authorized with the law firm of Patton Boggs, LLP as an Extraordinary Unspecifiable Service, to provide the City with consultant services to represent the City's

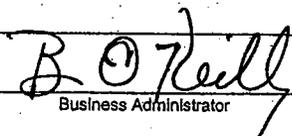
**TITLE: RESOLUTION AUTHORIZING AN AGREEMENT WITH PATTON BOGGS, LLP AS AN EXTRAORDINARY UNSPECIFIABLE SERVICES WITHOUT PUBLIC BIDDING TO ACT AS A CONSULTANT TO SECURE FEDERAL FUNDING FOR VARIOUS MUNICIPAL PROJECTS AND ADVOCATE VARIOUS MUNICIPAL POLICY ISSUES ON THE FEDERAL LEVEL**

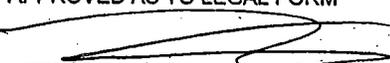
interests and pursue federal funding sources for various municipal projects and to advocate various municipal policy issues that will impact and advance the interests of the City and its residents;

2. The contract is for a term of six (6) months commencing on January 1, 2009. Compensation shall be in the amount of \$90,000.00 payable in six (6) equal monthly payments. Monthly reports must be submitted to the City of Jersey City detailing the matters worked on and hours expended during the prior month;
3. The agreement is awarded without competitive bidding as an Extraordinary Unspecifiable Service (EUS) pursuant to the Local Public Contracts Law, NJSA 40A:11-1 et seq. for the reasons set forth in the EUS certification attached hereto;
4. This contract award shall be subject to the condition that the law firm provide satisfactory evidence of compliance with the Affirmative Action Amendments to the Law Against Discrimination, NJSA 10:5-31 et seq.
5. The contract shall be substantially in the form attached, subject to such modifications as the Corporation Counsel or the Business Administrator deems necessary or appropriate;
6. A copy of this resolution and agreement will be available for public inspection;
7. Pursuant to NJAC 5:30-5.5(a), the continuation of the contract after the expenditure of funds encumbered in the 2009 fiscal year temporary budget shall be subject to the availability and appropriation of sufficient funds in the 2009 fiscal year permanent budget; and
8. The Business Entity Disclosure Certification, Chapter 271 Political Contribution Disclosure Certification, Determination of Value Certification, and Certification of Compliance with the City's Contractor Pay-to-Play Reform Ordinance are attached hereto and incorporated herein by reference and shall be placed on file with this resolution.

I certify that the funds in the amount of \$45,000 are available in Account No. 09-01-201-20-155-32 for payment of this resolution. **R.O.#94926**

  
Donna Mauer, Chief Financial Officer

APPROVED:   
Business Administrator

APPROVED AS TO LEGAL FORM  
  
Corporation Counsel

Certification Required   
Not Required

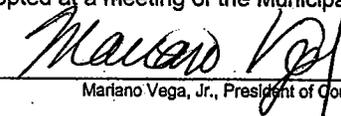
APPROVED 7-0

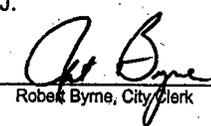
RECORD OF COUNCIL VOTE ON FINAL PASSAGE 1/14/09											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
SPINELLO	✓			FULOP	ABSENT			FLOOD	✓		
LIPSKI	ABSENT			RICHARDSON	✓			VEGA, PRES.	✓		

✓ 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. 09-038

Agenda No. 10.7.12

Approved: JAN 14 2009

TITLE:



**RESOLUTION DECLARING THE EXISTENCE OF AN EMERGENCY IN CONNECTION WITH LIGHT FIXTURE REPLACEMENT AT THE MUNICIPAL COURT, PROJECT NO. 2009-022, FOR THE DEPARTMENT OF ADMINISTRATION, DIVISION OF ARCHITECTURE**

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

**WHEREAS**, on November 21, 2008, John McGrath notified the Division of Architecture that efforts to make repairs on the existing recessed light fixtures in the Main Lobby were ineffective, due to the inability to access the fixture housing without removing large portions of the acoustic plaster ceiling; and

**WHEREAS**, such ceiling repair and replacement is a costly and time consuming project, which will impact operation of the Municipal Court for a protracted period of time; and

**WHEREAS**, further attempts to repair these fixtures are without merit, and at present, the 8 of the 12 fixtures are no longer operating, either due to a product defect, or due to excessive heat build-up above the ceiling; and

**WHEREAS**, continued decreased lighting levels in the Lobby pose a threat to public safety, which may result in tripping hazards and injury; and

**WHEREAS**, a proposal was solicited from D'Elia Electric, Inc. to replace recessed fixtures with pendant-mounted fixtures that will be easier to operate and maintain, and will not detract from the design integrity of the space, and

**WHEREAS**, the aforementioned situation endangered the welfare and safety of the building occupants; and

**WHEREAS**, because of the aforementioned emergency, time did not permit the formal advertisement for and reception of bids for the necessary repairs; and

**WHEREAS**, the Division of Architecture received a proposal for the above-mentioned work from D'Elia Electric, Inc. in the amount of \$26,500.00; and

**WHEREAS**, D'Elia Electric, Inc. has the capability of making the necessary repairs regarding the aforementioned emergency; and

**WHEREAS**, this constitutes an emergency contract as outlined in the Local Public Contracts Law, N.J.S.A. 40A:11-6 et. seq.; and

**WHEREAS**, these funds are available for this expenditure in accordance with the requirements of the Local Budget Law, N.J.S.A. 40 A:4-1 et. seq.

**Department of Administration; Division of Architecture**

Account No. 04-215-55-210-990      \$26,500.00      P.O. #94784

TITLE: **RESOLUTION DECLARING THE EXISTENCE OF AN EMERGENCY IN CONNECTION WITH LIGHT FIXTURE REPLACEMENT AT THE MUNICIPAL COURT, PROJECT NO. 2009-022, FOR THE DEPARTMENT OF ADMINISTRATION, DIVISION OF ARCHITECTURE**

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

1. An emergency situation did exist demanding immediate corrective action with respect to the lobby lights at the Municipal Court, 365 Summit Avenue, Jersey City, New Jersey.
2. The City Purchasing Agent is directed to have the necessary documents drawn up and executed, as may be required.
3. The Mayor or Business Administrator is hereby authorized to execute a contract on behalf of the City of Jersey City.
4. The award of this agreement shall be subject to the condition that 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.

I, Donna Mauer (Donna Mauer), Acting Chief Financial Officer, hereby certify that these funds are available for this expenditure in accordance with the Local Budget Law, N.J.S.A. 40A:4-1 et. seq.

ab

January 9, 2009

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

APPROVED: [Signature] \_\_\_\_\_ Corporation Counsel

Business Administrator

Certification Required

Not Required

**APPROVED 7-0**

RECORD OF COUNCIL VOTE ON FINAL PASSAGE 1/14/09											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
SPINELLO	✓			FULOP	ABSENT			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.

[Signature]  
Mariano Vega, Jr., President of Council

[Signature]  
Robert Byrne, City Clerk

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

City Clerk File No. Res. 09-039

Agenda No. 10.Z.13

Approved: JAN 14 2009



TITLE: **RESOLUTION CONFIRMING THE RE-APPOINTMENT OF JEANA FERNANDEZ-ABUAN AS THE PUBLIC AGENCY COMPLIANCE OFFICER FOR THE CITY OF JERSEY CITY**

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

**WHEREAS**, P.L. 1975, c.127 (N.J.A.C. 17:27) requires that the City of Jersey City (City) appoint an employee to serve as a Public Agency Compliance Officer (P.A.C.O.) appointed by the Mayor with the advice and consent of the Municipal Council; and

**WHEREAS**, the appointed Public Agency Compliance Officer's name, title, business address, telephone number and fax number shall be forwarded to the State of New Jersey, Department of Treasury, Division of Contract Compliance and Equal Employment Opportunity in Public Contracts by January 10, of each year; and

**WHEREAS**, the appointed P.A.C.O. will be the liaison officer for matters concerning P.L.1975, c. 127 (N.J.A.C. 17:27); and

**WHEREAS**, the appointed P.A.C.O. with the consent of the Law Department, shall have the authority to recommend the appropriate changes to the City's contracting procedures; and

**WHEREAS**, the Mayor has appointed Jeana Fernandez-Abuan as the City of Jersey City's P.A.C.O.; and

**WHEREAS**, Jeana Fernandez-Abuan is an employee of the Department of Administration, who for the past eight years has been acting as the liaison officer for matters concerning P.L. 1975, c.127 (N.J.A.C. 17:27) and construction contracts awarded by the City and is well qualified to be appointed to this position.

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

1. The appointment of Jeana Fernandez-Abuan as the City's Public Agency Compliance Officer is confirmed.
2. A copy of this resolution shall be provided to the Department of Treasury, Division of Contract Compliance and Equal Employment Opportunity Public Contracts, P.O. Box 209, Trenton, New Jersey, 08625-0209.

/jw

APPROVED: *B. Steel*  
Business Administrator

APPROVED AS TO LEGAL FORM *[Signature]*  
Corporation Counsel

Certification Required

Not Required  **APPROVED 7-0**

RECORD OF COUNCIL VOTE ON FINAL PASSAGE 1/14/09											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
SPINELLO	✓			FULOP	ABSENT			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. 09-040

Agenda No. 10.Z.14

Approved: JAN 14 2009

TITLE:



## RESOLUTION AUTHORIZING THE CITY OF JERSEY CITY TO ENTER INTO A PROGRAM CONTRACT UNDER THE FY 2009 COST SHARING PROGRAM WITH THE AMERICAN RED CROSS OF NORTHERN NJ

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

WHEREAS, the City of Jersey City (City), Department of Health and Human Services, Director's Office, has been designated as the office responsible for administering the City's Cost Sharing Program; and

WHEREAS, the City desires to continue in sharing the cost of emergency services benefitting displaced persons; and

WHEREAS, the City is authorized to enter into an agreement with the American Red Cross of Northern NJ pursuant to N.J.S.A. 40A:11-5(2); and

WHEREAS, the City agrees to provide funds for these services in the amount of \$75,000.00; and

WHEREAS, funds in the amount of ten thousand dollars (\$10,000.00) are available in the temporary budget account No. 01-201-27-330-314; and

WHEREAS, services will be provided by the American Red Cross of Northern NJ during the period of July 1, 2008 through June 30, 2009.

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

- 1) The City of Jersey City is hereby authorized to enter into a contract with the American Red Cross of Northern NJ under the Cost Sharing Program.
- 2) The Mayor or Business Administrator is authorized to execute the program services contract under the Cost Sharing Program with the American Red Cross of Northern NJ and take all steps necessary to effectuate the purposes of this resolution.
- 3) The term of the contract shall be one year effective as of July 1, 2008 and the total amount of the contract with the American Red Cross of Northern NJ shall not exceed the sum of \$75,000.00.
- 4) Pursuant to N.J.A.C. 5:30:5.5(a), the continuation of the contract after the expenditure of funds encumbered in the 2009 fiscal year temporary budget shall be subject to the availability and appropriation of sufficient funds in the 2009 fiscal year permanent budget.

JAN 14 2009

TITLE:

**RESOLUTION AUTHORIZING THE CITY OF JERSEY CITY TO ENTER INTO A PROGRAM CONTRACT UNDER THE FY 2009 COST SHARING PROGRAM WITH THE AMERICAN RED CROSS OF NORTHERN NJ**

*J.A.  
12/15/08*

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

I, *Donna Mauer*, Donna Mauer, Chief Financial Officer, hereby certify that there are sufficient funds available in the amount of \$10,000.00 in Account No. 01-201-27-330-314, PO# 94803.

APPROVED: *[Signature]*  
APPROVED: *B. O'Kelly*  
Business Administrator

APPROVED AS TO LEGAL FORM  
*[Signature]*  
Corporation Counsel

Certification Required   
Not Required

APPROVED **7-0**

RECORD OF COUNCIL VOTE ON FINAL PASSAGE 1/14/09											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
SPINELLO	✓			FULOP	ABSENT			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. 09-041

Agenda No. 10.Z.15

Approved: JAN 14 2009

TITLE:



## RESOLUTION AUTHORIZING THE CITY OF JERSEY CITY TO ACCEPT RESPIRATORY PROTECTION FIT TESTING EQUIPMENT FROM THE STATE OF NEW JERSEY OFFICE OF HOMELAND SECURITY AND PREPAREDNESS UNDER THEIR SFY08 OHSP STATE AID GRANT

Council \_\_\_\_\_ offered and moved adoption of the following resolution:

**WHEREAS**, the City of Jersey City has been designated to receive specialized Respiratory Protection Fit Testing equipment valued at \$7,469.00 from OHSP State Aid fund for the purpose of training Police Officers at the Jersey City Police Academy; and

**WHEREAS**, the City will be responsible for the maintenance cost of approximately \$545.00 of this equipment once the initial two-year warranty period has been reached.

**WHEREAS**, the City cherishes its obligation to better protect the health, safety and welfare of its citizens; and

**WHEREAS**, upon accepting this equipment from the State of New Jersey, the City of Jersey City acknowledges its responsibility to provide excellent and high standard professional training to Police Officers; and

**WHEREAS**, the Jersey City Police Academy is duly qualified and certified law enforcement teaching facility under the New Jersey Police Training Commission, and staffed by experienced personnel with dedicated service to the statewide and local law enforcement community;

**NOW, THEREFORE, BE IT RESOLVED** by the Municipal council of the City of Jersey City, the Mayor and/or Business Administrator that:

1. The City of Jersey City is hereby authorized to accept equipment valued at \$7,469.00 from the State of New Jersey Office of Homeland Security and Preparedness and,
2. The Jersey City Police Academy will expressly utilize said equipment to provide professional training during their annual pistol shoot qualifications in-service training and prepare them to better serve and protect the public interest in counter-terrorism, intelligence, emergency management, domestic preparedness, HAZMAT topics, and any other NIMS or Domestic Security Preparedness Task Force training..

APPROVED: *Samuel J. Pappalardo*

APPROVED AS TO LEGAL FORM

APPROVED: *B. O'Reilly*  
Business Administrator

*[Signature]*  
Corporation Counsel

Certification Required   
Not Required

**APPROVED 7-0**

RECORD OF COUNCIL VOTE ON FINAL PASSAGE											
1/14/09											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
SPINELLO	✓			FULOP	ABSENT			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. 09-042  
Agenda No. 10.7.16  
Approved: JAN 14 2009  
TITLE:



**RESOLUTION OF THE CITY OF JERSEY CITY PROVIDING FOR AN ISSUE OF QUALIFIED GENERAL IMPROVEMENT BONDS; AUTHORIZING THE SALE OF \$39,928,000 PRINCIPAL AMOUNT OF QUALIFIED GENERAL IMPROVEMENT BONDS, SERIES 2009; AUTHORIZING ADVERTISEMENT OF A NOTICE OF SALE; AUTHORIZING THE CHIEF FINANCIAL OFFICER TO SELL AND AWARD THE BONDS; DETERMINING THE FORM AND OTHER DETAILS OF THE BONDS; AND AUTHORIZING OTHER MATTERS RELATING THERETO.**

WHEREAS, the City of Jersey City, in the County of Hudson, New Jersey (the "City") has adopted the Bond Ordinance listed on the attached Appendix A (the "Bond Ordinance") authorizing the issuance of obligations of the City for the purpose of financing the general improvements described in the Bond Ordinance; and

WHEREAS, the Municipal Council has determined to finance permanently a portion of the costs of the general improvement projects undertaken pursuant to the Bond Ordinance by the issuance of \$39,928,000 principal amount of qualified general improvement bonds of the City; and

WHEREAS, the Municipal Council has determined to proceed with the public sale of said bonds for the purposes authorized in the Bond Ordinance.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the City of Jersey City, in the County of Hudson, New Jersey, as follows:

**Section 1. Qualified General Improvement Bonds; Authorization of Sale.** The principal amount of qualified general improvement bonds authorized to be issued pursuant to the Bond Ordinance described in Appendix A hereto shall be issued as Qualified General Improvement Bonds, Series 2009, in the aggregate principal amount of \$39,928,000 (the "Bonds"), and are authorized to be sold in accordance with the terms of this Resolution.

The average period of usefulness for the general improvements financed by the Qualified General Improvement Bonds is 20.056 years.

**Section 2. Public Sale of Bonds.** The Bonds shall be issued and sold at public sale upon electronic bids in an open auction, in accordance with Section 8 hereof and the provisions of the Local Bond Law, constituting Chapter 169 of the Laws of 1960 of the State of New Jersey, as amended and supplemented.

**Section 3. Description of the Bonds.** The Bonds shall be dated the date of delivery, shall be in book-entry only form, 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 January 15 and July 15, commencing on July 15, 2009 and shall mature (unless aggregated into term bonds pursuant to Section 10 hereof), subject to prior redemption, on January 15 in the following years and amounts:

JAN 14 2009

TITLE:

QUALIFIED GENERAL IMPROVEMENT BONDS, SERIES 2009

<u>Year</u>	<u>Principal Amount</u>
2010	\$1,255,000
2011	1,310,000
2012	1,370,000
2013	1,435,000
2014	1,505,000
2015	1,575,000
2016	1,645,000
2017	1,725,000
2018	1,805,000
2019	1,885,000
2020	1,975,000
2021	2,065,000
2022	2,160,000
2023	2,260,000
2024	2,365,000
2025	2,475,000
2026	2,595,000
2027	2,715,000
2028	2,840,000
2029	2,968,000
TOTAL	\$39,928,000

The Bonds shall contain such other terms and conditions as are specified in the Notice of Sale, approved in Section 5 hereof (the "Notice of Sale"), and in the form of the Bonds, approved in Section 12 hereof.

**Section 4. Redemption.**

(A) The Bonds maturing prior to January 15, 2020 are not subject to optional redemption prior to maturity. The Bonds maturing on or after January 15, 2020 are subject to redemption prior to maturity at the option of the City, as a whole at any time or in part from time to time on or after January 15, 2019, in such order of maturity as decided by the City, at a redemption price equal to 100% of the principal amount to be redeemed, plus accrued interest thereon to the date fixed for redemption.

(B) In the event the winning bidder elects to aggregate consecutive principal maturities of Bonds into one or more term bonds, then each such term bond shall be subject to mandatory sinking fund redemption prior to maturity, in part, on the dates and in the amounts specified in the Notice of Sale for such aggregated consecutive principal maturities (other than the final such maturity), at a redemption price equal to 100% of the principal amount to be redeemed, plus accrued interest thereon to the date fixed for redemption.

(C) Any Bond subject to redemption as aforesaid may be called in part, provided that the portion not called for redemption shall be in the principal amount of \$5,000 or any integral multiple of \$1,000 in excess thereof. If less than all of the Bonds of a particular maturity are to be redeemed, Bonds of that maturity shall be selected by the Chief Financial Officer or the Chief Financial Officer (or by the Paying Agent) by lot.

When any Bonds are to be redeemed, the Chief Financial Officer or the Director Finance (or by the Paying Agent) shall give notice of the redemption of the Bonds by publishing such notice once a week for two (2) successive weeks in a newspaper of general circulation that carries financial news, is printed in the English language and is customarily published on each business day in the City of New York, State of New York, the first of such publications to be at least thirty (30) but not more than sixty (60) days before the date fixed for redemption. Notice of

JAN 14 2009

TITLE:

redemption also shall be mailed by first class mail in a sealed envelope postage prepaid, to the registered owners of any Bonds or portions thereof which are to be redeemed, at their respective addresses as they last appear on the registration books of the City. Such mailing shall not be a condition precedent to such redemption, and failure to so mail or to receive any such notice to any of such registered owners shall not affect the validity of the proceedings for the redemption of the Bonds. Notice of redemption having been given as aforesaid, the Bonds, or portions thereof so to be redeemed, shall, on the date fixed for redemption, become due and payable at the redemption price specified therein plus accrued interest to the redemption date and, upon presentation and surrender thereof at the place specified in such notice, such Bonds, or portions thereof, shall be paid at the redemption price, plus accrued interest to the redemption date. On and after the redemption date (unless the City shall default in the payment of the redemption price and accrued interest), such Bonds shall no longer be considered as outstanding.

During any period in which The Depository Trust Company (or any successor thereto) shall act as securities depository for the Bonds, the notices referred to above shall be given only to such depository and not to the beneficial owners of the Bonds. Any failure of such depository to advise any of its participants or any failure of any participant to notify any beneficial owner of any notice of redemption shall not affect the validity of the redemption proceedings.

**Section 5.** Approval of Notice of Sale. The 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 to this Resolution as Appendix B and made a part hereof.

**Section 6.** Approval of Summary Notice of Sale. 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 to this Resolution as Appendix C made a part hereof.

**Section 7.** Publication of Notice of Sale and Summary Notice of Sale. The Notice of Sale substantially in the form attached to this Resolution shall be published at least once in *The Jersey Journal*, a newspaper published in the County of Hudson and circulating in the City, and the Summary Notice of Sale substantially in the form attached to this Resolution shall be published at least once 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 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. The City Clerk, the Financial Officer and such other appropriate officials are hereby authorized and directed to publish the Notice of Sale and Summary Notice of Sale as aforesaid.

**Section 8.** Designation of Chief Financial Officer to Award Bonds. Electronic proposals for the purchase of the Bonds shall be received by the Chief Financial Officer on such date as shall be determined by the Chief Financial Officer and set forth in the Notice of Sale and the Summary Notice of Sale, or such later date as may be established by the Chief Financial Officer in accordance with Section 9 hereof. Electronic proposals will be received via Grant Street Group's MuniAuction website, a nationally recognized electronic securities bidding service approved by the Director of the Division of Local Government Services (the "Director") in the Department of Community Affairs, in an open auction. Such proposals shall be received and announced in accordance with the Notice of Sale authorized herein. The Mayor and Municipal Council hereby designate the Chief Financial Officer to sell and award the Bonds in accordance with this Resolution and the Notice of Sale. The Chief Financial Officer is hereby directed to report, in writing, to the City at its first meeting after the sale of the Bonds as to the principal amount, interest rate and maturities of the Bonds sold, the price obtained and the name of the purchaser.

JAN 14 2009

## TITLE:

**Section 9. 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 (to the extent practicable), 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 a revised Summary Notice of Sale to be prepared and published.

**Section 10. Term Bond Option.** As provided in the Notice of Sale, bidders may aggregate consecutive principal maturities of Bonds for which such bidder bid the same interest rate into one or more term bonds. 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 include such option in any revised Notice of Sale prepared pursuant to Section 9 hereof. In the event the winning bidder elects such option, the provisions of Section 4(B) hereof shall be applicable thereto, and the Paying Agent appointed under Section 14 hereof shall, from time to time and, without further direction by the City, give all notices of mandatory sinking fund redemption as may be required under Section 4 hereof in connection therewith.

**Section 11. Authorization for Official Statement.** The proper City officials and advisors are hereby authorized to prepare and distribute to the prospective purchasers (including through internet web posting or other electronic dissemination) of the Bonds a Preliminary Official Statement and a final Official Statement containing information relating to the City, its financial condition and the terms of the Bonds and other material facts customarily included in official statements for general obligation bonds in the State of New Jersey. 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.

**Section 12. Approval of Form of Bonds.** The form of the Bonds, substantially as set forth in Appendix D attached hereto and made a part hereof, is hereby approved. The Bonds shall be executed in the name of the City by the manual or facsimile signature of the Mayor and the Chief Financial Officer and the seal of the City, or a facsimile impression thereof, shall be affixed to the Bonds and attested by the manual signature of the City Clerk.

**Section 13. Appointment of Securities Depository.** The Depository Trust Company, New York, New York ("DTC"), shall act as securities depository for the Bonds. The ownership of one fully registered bond for each maturity of Bonds, each in the aggregate principal amount of such maturity, will be registered in the name of Cede & Co., as nominee for DTC.

Pursuant to the book-entry only system, any person for whom a DTC Participant acquires an interest in the Bonds (the "Beneficial Owner") will not receive certificated Bonds and will not be the registered owner thereof. Ownership interests in the Bonds may be purchased by or through DTC Participants. Each DTC Participant will receive a credit balance in the records of DTC in the amount of such DTC Participant's interest in the Bonds, which will be confirmed in accordance with DTC's standard procedures. Receipt by the Beneficial Owners (through any DTC Participant) of timely payment of principal, premium, if any, and interest on the Bonds, is subject to DTC making such payment to DTC Participants and such DTC Participants making payment to Beneficial Owners. Neither the City nor the Paying Agent will have any direct responsibility or obligation to such DTC Participants or the persons for whom they act as nominees for any failure of DTC to act or make any payment with respect to the Bonds.

The appropriate officers of the City are hereby authorized to execute a Letter of Representation to DTC and such other documents as may be necessary or desirable in connection with DTC's services as securities depository.

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DTC may determine to discontinue providing its services with respect to the Bonds at any time by giving notice to the City and discharging its responsibilities with respect thereto under applicable law. Under such circumstances, the City shall designate a successor securities depository or deliver certificates to the beneficial owners of the Bonds.

**Section 14. 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 15. Tax Covenant.** The City hereby covenants with the holders from time to time of the Bonds that it will make no investment or other use of the proceeds of such Bonds or take any further action (or refrain from taking such action) which would cause such Bonds to be "arbitrage bonds" within the meaning of the Internal Revenue Code of 1986, as amended, or under any similar statutory provision or any rule or regulation promulgated thereunder (the "Code"), or would cause interest on such Bonds not to be excludable from gross income for federal income tax purposes, and that it will comply with the requirements of the Code and said regulations throughout the term of such Bonds.

**Section 16. Pledge of City.** The full faith and credit of the City is hereby pledged for the payment of the principal, redemption premium, if any, and interest on the Bonds. The Bonds shall be direct obligations of the City, and the City shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the City for the payment of the principal of and interest on the Bonds without limitation as to rate or amount.

**Section 17. Continuing Disclosure.** The form of the Continuing Disclosure Certificate in substantially the form attached hereto as Appendix E is hereby approved, and the execution of the Continuing Disclosure Certificate by the Chief Financial Officer of the City is hereby authorized. The City hereby covenants and agrees that it will comply with and carry out all of the provisions of the Continuing Disclosure Certificate executed by the City and dated the date of issuance and delivery of the Bonds, as originally executed and as it may be amended from time to time in accordance with the terms thereof. Notwithstanding any other provision of this Resolution, failure of the City to comply with the Continuing Disclosure Certificate shall not be considered a default on the Bonds; however, any Bondholder may take such actions as may be necessary and appropriate, including seeking specific performance by court order, to cause the City to comply with its obligations under this Section.

**Section 18. 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 November 12, 2008 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.

City Clerk File No. Res. 09-042

Agenda No. 10.7.16

TITLE:

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**Section 19. Further Action.** The proper officers of the City are hereby authorized and directed to take all such action as may be necessary to affect the issuance and delivery of the Bonds.

**Section 20. Effective Date.** This Resolution shall take effect immediately.

APPROVED: *Alanna Traver, CFO*

APPROVED AS TO LEGAL FORM

APPROVED: *B. O'Reilly*  
Business Administrator

*[Signature]*  
Corporation Counsel

Certification Required

Not Required

APPROVED 7-0

RECORD OF COUNCIL VOTE ON FINAL PASSAGE											
1/14/09											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
SPINEELO	✓			FULOP	ABSENT			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. 09-043

Agenda No. \_\_\_\_\_ 10.Z.17

Approved: \_\_\_\_\_ JAN 14 2009



TITLE:

## RESOLUTION HONORING MARGARET PRAET ON THE OCCASION AND CELEBRATION OF HER 100<sup>TH</sup> BIRTHDAY

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

*WHEREAS, Margaret Praet was born in Jersey City, on January 8, 1909 and has remained during her long and wonderful life, a Jersey City resident; and*

*WHEREAS, Margaret Praet enjoyed a long and happy marriage to the late Arthur T. Praet and their marriage was blessed with one son, Arthur T. Praet, Jr.; and*

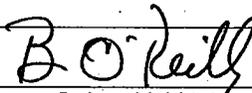
*WHEREAS, Margaret Praet had a forty-two year career with the Yardley Company in Union City before her retirement; and*

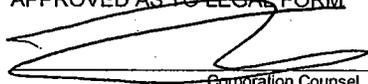
*WHEREAS, Margaret Praet, a resident of Muhlenberg Gardens for the last ten years, was long active and a volunteer in the Parishes of St. Joseph's and St. Paul's in Greenville for many years; and*

*WHEREAS, celebrating her 100<sup>th</sup> Birthday with her will be her grandsons Jon and Bobbie Lee and her three great-grandchildren, Alex T. Praet, Kevin W. Praet and Desiree Greene. Her good friend, Inger Davidson will also share in the celebration.*

**NOW, THEREFORE, BE IT RESOLVED**, that the Municipal Council of the City of Jersey City does hereby honor Margaret Praet on the occasion and celebration of her 100<sup>th</sup> Birthday and wishes her health and happiness in the future..

G:\WPDOCS\VANET\RESOLUTION\HONORING\MARGARET PRAET RES.wpd

APPROVED: \_\_\_\_\_  
  
 Business Administrator

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

Certification Required   
 Not Required

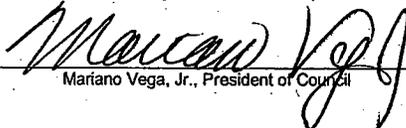
**APPROVED 7-0**

RECORD OF COUNCIL VOTE ON FINAL PASSAGE 1/14/09											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
SPINELLO	✓			FULOP	ABSENT			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