

CITY OF JERSEY CITY

280 Grove Street
Jersey City, New Jersey 07302



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



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

Agenda Regular Meeting of the Municipal Council TUESDAY, November 22, 2011 at 6:00 p.m.

Please note: The next caucus meeting of Council is scheduled for Monday, December 12, 2011 at 5:30 p.m. in the Efrain Rosario Memorial Caucus Room, City Hall.

The next regular meeting of Council is scheduled for Wednesday, December 14, 2011 at 6:00 p.m. in the Anna Cucci Memorial Council Chambers, City Hall. A pre-meeting caucus may be held in the Efrain Rosario Memorial Caucus Room, City Hall.

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

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

The Agenda of this meeting was disseminated on **Thursday, November 17, 2011 at 4:00 p.m.** to the Municipal Council, Mayor and Business Administrator of Jersey City. It was similarly disseminated to The Jersey City Reporter and The Jersey Journal.

2. **Bid Reception: None**

****CONSENT AGENDA**

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

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

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

***3.**

ORDINANCE HEARING

FIRST READING

**CITY CLERK
FILE**

- a. An ordinance supplementing Chapter 332 (Vehicles and Traffic) Article III (Parking, Standing and Stopping) amending Section 332-22 (Parking Prohibited At All Times) of the Jersey City Code designating no parking any time on the south side of Bishop Street between Grand Street and Cornelison Avenue and on the north side of State Street between Grand Street and Cornelison Avenue for the Support Services Bureau at the Bishop Street Facility. Ord. 11-145
- b. Ordinance authorizing the conveyance of city-owned property within the Ocean Bayview Redevelopment Area to the Jersey City Redevelopment Agency. (405, 407 Ocean Avenue) Ord. 11-146
- c. Ordinance of the Municipal Council of the City of Jersey City adopting the Ninth and Brunswick Redevelopment Plan. Ord. 11-147
- d. Ordinance of the Municipal Council of the City of Jersey City adopting amendments to Article III (Procedures and Checklists) of the Land Development Ordinance. Ord. 11-148
- e. Ordinance of the Municipal Council of the City of Jersey City adopting amendments to the Land Development Ordinance expanding the R-1A Zoning District in Ward C. Ord. 11-149
- f. Ordinance of the Municipal Council of the City of Jersey City adopting amendments to the Land Development Ordinance pertaining to supplementary regulations-Fire Escapes. Ord. 11-150
- g. Ordinance amending Chapter 175 (Food Handling Establishments) Article II (Itinerant Eating and Drinking Establishments) Section 8 (Itinerant Establishments) and Chapter 160 (Fees and Charges) of the Jersey City Municipal Code. Ord. 11-151
- h. An ordinance creating The Jackson Hill Main Street Improvement District and designation of The Jackson Hill Management Corporation within the City of Jersey City. Ord. 11-152
- i. An ordinance supplementing Chapter 332 (Vehicles and Traffic) of the Jersey City Code amending Article VII (Metered Parking) Section 332-48 (Designation of Parking Spaces) designating both sides of Hudson Street from the Light Rail Crossing to Second Street as metered parking . Ord. 11-153

***4.**

ORDINANCE HEARING

SECOND READING

**CITY CLERK
FILE**

- | | | |
|-----------------|---|--------------------------------|
| Introduced-9-0- | a. An Ordinance amending Chapter 319 (Towers and Towing) to permit private towers to provide tow pound services to the City of Jersey City. | Ord. 11-142
Intro. 11/09/11 |
| Introduced-9-0- | b. An ordinance supplementing Chapter 332 (Vehicles and Traffic) of the Jersey City Code Article VII (Metered Parking) amending the designation of parking spaces and supplementing the on-street parking meter zones to include the east side of Warren Street between Christopher Columbus Drive and Morgan Street. | Ord. 11-143
Intro. 11/09/11 |
| Introduced-9-0- | c. Ordinance authorizing the execution of an agreement to lease certain property located at 392-394 Central Avenue from the Jersey City Parking Authority. | Ord. 11-144
Intro. 11/09/11 |

**** 5.**

PUBLIC REQUEST FOR HEARING

1. William Dorrity, 3060 Kennedy Boulevard, Jersey City
2. Pearl Blocker, Jersey City
3. Patrice Felts, Jersey City
4. Noel Garriga, Jersey City
5. Jeremy Garriga, Jersey City
6. Leslie Greenidge, Jersey City
7. Stephen Greenidge, Jersey City
8. Debbie Walker, 22 Oak Street, Jersey City

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

****6. PETITIONS AND COMMUNICATIONS**

- a. Agenda of the Regular Meeting of the Employee's Retirement System of Jersey City held on November 14, 2011.
- b. Minutes of the Employees' Retirement System of Jersey City meeting held October 19, 2011.
- c. Letter dated November 1, 2011 from Melinda K. Strahle, Senior Project Manger, EnviroTrac, Environmental Services to Robert Byrne, City Clerk re: Biennial Certification Exception Area, Hess Station #30503, 590 Marin Boulevard, Jersey City.
- d. Letter dated November 3, 2011 from Edward K. P. Ho, PE, Executive Director, Rockaway Valley Regional Sewerage Authority to Robert Byrne, City Clerk re: Rescheduled meeting for Thursday, November 10, 2011 at 7:00 p.m., 99 Greenbank Road, Parsippany, NJ.
- e. Letter dated October 31, 2011 from Doug Harm, P.G., Brinkerhoff Environmental Services to Ronald Fulciniti, Sixth Boro Realty, 550 Grand Street, Jersey City.
- f. Letter dated November 9, 2011 from Jeff Worden, Worden Public Relations to Robert Byrne, City Clerk re: Public notification for PPG Industries, 90 and 98 Forrest Street, Jersey City.
- g. Letter dated November 10, 2011 from William J. D'Eletto, Environmental Consultant to Robert Byrne, City Clerk re: Biennial Certification Monitoring Report, 680 Garfeild Avenue, Jersey City.
- h. Letter dated November 9, 2011 from Steven J. Dalton, Giordano, Halleran & Ciesla, Attorneys at Law to Bureau of Case Assignment & Initial Notice re: 200 Theodore Conrad Drive, Jersey City.
- i. Minutes of the regular session of the Jersey City Municipal Utilities Authority held October 27, 2011.
- j. Letter dated November 3, 2011 from Kenneth Kloof, Administrator, Office of Brownfield Reuse for the State of New Jersey, Department of Environmental Protection to Jerry Wesley, Fords, NJ re: One 550 gallon #2 heating oil underground storage tank system, 227 8th Street, Jersey City.
- k. Letter dated November 14, 2011 from Passaic Valley Sewerage Commissioners to Robert Byrne, City Clerk re: Honeywell International permit #31630007, NNJCU West Campus, Jersey City.

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****6. PETITIONS AND COMMUNICATIONS**

- l. Letter dated November 14, 2011 from Michael L. Stoltzfus, P.W.S., Project Manager, TRC Solutions to Kimberly Kerkuska, Department of Environmental Protection re: Responses to the NJDEP request additional information, NJ-NY Expansion Project.
- m. Letter dated November 3, 2011 from Edward K. P. Ho, PE, Executive Director, Rockaway Valley Regional Sewerage Authority to Robert Byrne, City Clerk re: Rescheduled meeting for Thursday, November 17, 2011 at 7:00 p.m., 99 Greenbank Road, Parsippany, NJ.
- n. Letter dated November 14, 2011 from John Tregidgo, Senior Project Manager, Environmental Services, Dresdner Robin to Robert Byrne, City Clerk re: Initial Receptor Evaluation and Public Notification and Outreach Form, Ocean Green, LLC, 742-748 Ocean Avenue, Jersey City.
- o. Letter dated November 9, 2011 from Verizon to Robert Byrne, City Clerk re: FCC with FEMA will be conducting a Emergency Alert System (EAS) on November 9, 2011 at 2:00 p.m.

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

****7. OFFICERS COMMUNICATIONS**

NONE

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

****8. REPORT OF DIRECTORS**

- a. Letter dated November 17, 2011 from Donna Mauer, Chief Financial Officer to Jerramiah T. Healy, Mayor re: TY2010 Annual Report of Audit.

****9. CLAIMS**

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

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

- a. Resolution authorizing the City of Jersey City to accept funds from the New Jersey Department of Law and Public Safety, Division of Criminal Justice on behalf of the Police Department to purchase body armor 2011 Body Armor Replacement Fund. Res. 11-779
- b. Resolution of the Municipal Council of the City of Jersey City authorizing the execution of a grant agreement with the Hudson County Department of Health and Human Services. Res. 11-780
- c. Resolution authorizing the insertion of special items of revenues and appropriations in the CY 2011 Municipal Budget, pursuant to N.J.S.A.40A:4-87. Res. 11-781
- d. Resolution fixing the dates and times for the caucuses and regular meetings of the Municipal Council for the Year 2012. Res. 11-782
- e. Resolution celebrating Global Entrepreneurship Week. Res. 11-783
- f. Resolution honoring The NAACP Jersey City Branch #2086 on the occasion of their 92nd Annual Freedom Fund Banquet. Res. 11-784
- g. Cancellation of partial 2011 real estate taxes on Block 249, Lot 12 QUAL C002L also known as 208 7th Street. Res. 11-785
- h. Resolution authorizing a refund/credit of \$612,843.37 and a reduction in assessment to settle tax appeals filed by the owners of various properties. Res. 11-786
- i. Resolution authorizing a refund/credit of \$167,032.61 and a reduction in assessment to settle tax appeals filed by the owners of various properties. Res. 11-787
- j. Resolution authorizing settlement of suit of James Legette against the City of Jersey City, Docket No. HUD-L-3604-09. Res. 11-788
- k. Resolution authorizing the award of contract to Biltone Inc., for maintenance, repair and vessel painting of the CBRNE Fire Fighting Vessel (LOVERO) for the Jersey City Department of Fire and Emergency Service. Res. 11-789
- l. Resolution authorizing the award of contract to Finch Fuel Oil Co. for furnishing and delivering unleaded mid grade gasoline and diesel fuel to various locations for the Department of Administration/Administrative Services. Res. 11-790
- m. Resolution authorizing the award of contract to Gold Type Business Machines for furnishing, supplying and installing of high voltage electric box under state contract for the Department of Police. Res. 11-791

****10. RESOLUTIONS**

**CITY CLERK
FILE #**

- n. Resolution authorizing the award of contract to Gold Type Business Machines for supply, delivery and support agreement of Mapping Client Editor under state contract for the Department of Police. Res. 11-792
- o. Resolution awarding a professional services contract to Birdsall Services Group, Inc. to provide engineering services in connection with a claim by PSE&G Company in connection with the Greene Street South Project. Res. 11-793
- p. Resolution reauthorizing a professional services agreement with the law firm of Nee, Beacham and Gantner to represent the City of Jersey City and Mayor Jerramiah T. Healy in the matter entitled Astriab v. City of Jersey City, et al. Res. 11-794
- q. Resolution awarding a professional services agreement to McEnerney, Brady and Company, LLC, Certified Public Accountants. Res. 11-795
- r. Resolution awarding a professional services agreement to Helena Ruman Architects to serve as an expert in the litigation of the City of Jersey City v. 362 Summit Associates, LLC, et al. Res. 11-796
- s. Resolution authorizing the award of contract to the various Little Leagues of Jersey City for providing services in connection with Baseball Recreation Programs as an extraordinary unspecifiable services (EUS). Res. 11-797

11. DEFERRED OR TABLED AGENDA AS OF NOVEMBER 22, 2011

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

11. DEFERRED OR TABLED AGENDA AS OF NOVEMBER 22, 2011

- h. Ordinance #11-055 Ordinance of the Municipal Council of the City of Jersey City adopting amendments to the Jersey Avenue Tenth Street Redevelopment Plan to amend the Boundary Map. Tabled-8-0- after the close of the public hearing at the 05/11/11 meeting on a motion by Brennan seconded by Donnelly; Velazquez: absent.
- i. Ordinance #11-080 Ordinance dedicating that the waterfront walkway between Sussex Street and the Southern Terminus also be known as "Spc. Marlon P. Jackson Walk". Tabled-7-0- prior to the close of the public hearing at the 08/10/11 meeting on a motion by Brennan seconded by Donnelly; and Gaughan and Ahmad: absent.
- j. Ordinance #11-125 An ordinance amending Chapter 319 (Towers and Towing) to permit private towers to provide tow pound services to the City of Jersey City. Tabled-9-0- prior to the close of the public hearing at the 10/26/11 meeting on a motion by Richardson seconded by Gaughan.
- k. Ordinance #11-136 Ordinance amending Chapter 175 (Food Handling Establishments) Article II (Itinerant Eating and Drinking Establishments) Section 8 (Itinerant Establishments) and Chapter 160 (Fees and Charges) of the Jersey City Municipal Code. Tabled-9-0- prior to the close of the public hearing on a motion by Sottolano seconded by Fulop.
- l. Ordinance #11-137 An ordinance supplementing Chapter 332 (Vehicles and Traffic) Article VII (Metered Parking) amending Section 332-57 (On-Street Permit Parking Zones) designating on-street permit parking for Itinerant vendor trucks, on the north side of Columbus Drive beginning 35 feet east of Marin Boulevard and extending 40 feet easterly and on the east side of Hudson Street beginning at the Light Rail Crossing and extending north to Second Street 6:00 a.m. to 9:00 p.m., Monday through Friday, except holidays. Tabled-9-0- prior to the close of the public hearing on a motion by Sottolano seconded by Fulop.