

The action taken by the municipal council at the Regular Meeting held on November 28, 2012 at 6:00 p.m. is listed below. The minutes, as recorded in the minute book, are available for perusal and approval. Unless council advises the City Clerk to the contrary, these minutes will be considered approved by the municipal council.


Robert Byrne, City Clerk

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
Rolando Lavarro, Jr., Councilperson-at-Large
Viola Richardson, 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
Diane Coleman, Councilperson, Ward F

Minutes of the Regular Meeting of the Municipal Council Wednesday, November 28, 2012 at 6:00 p.m.

Please Note: The next caucus meeting of Council is tentatively scheduled for Monday, January 7, 2013 at 5:30 p.m. in the Efrain Rosario Memorial Caucus Room, City Hall.

The next regular meeting of Council is tentatively scheduled for Wednesday, January 9, 2013 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.

REGULAR MEETING STARTED: 6:18 p.m.

1. (a) **INVOCATION:**
- (b) **ROLL CALL:** At 6:18 p.m. all nine (9) members were present.
- (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 Jersey City 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 Thursday, December 15, 2011, indicating the schedule of Meetings and Caucuses of the Jersey City Municipal Council for the calendar year 2012.

The Agenda of this meeting was disseminated on **Thursday, November 21, 2012 at 4:00 p.m.** to the Municipal Council, Mayor and Business Administrator of Jersey City. It was similarly disseminated to The Jersey Journal and The Jersey City Reporter.

2. **Reception Bid: 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**

Introduced-6-3-
Sottolano,
Gaughan and
Brennan: nay

- a. Ordinance amending and supplementing Chapter A350 (Council Rules of Order) Rule V (Agenda-Consent Agenda) of the Jersey City Municipal Code.

Ord. 12-155

Introduced-9-0-

- b. An ordinance supplementing Chapter 332 (Vehicles and Traffic) Article VIII (Permit Parking) amending Section 332-66 (On-Street Resident Only Permit Parking) of the Jersey City Code extending Zone 8 on street resident only permit parking for the streets surrounding New Jersey City University to include Fulton Avenue between J.F. Kennedy Boulevard and Bergen Avenue, Monday, through Friday, 3:00 p.m. to 9:00 p.m. and amend the Zone 8 limits for Kennedy Boulevard.

Ord. 12-156

Introduced-5-4-
Sottolano,
Gaughan,
Richardson and
Brennan: nay

- c. An ordinance amending Chapter 3 (Administration and Government) Article VI (Contractors Pay-to-Play Reform Ordinance) adding additional prohibited donations to certain committees and certain contractors doing business with the Jersey City School District.

Ord. 12-157

Introduced-5-4-
Sottolano,
Gaughan,
Richardson and
Brennan: nay

- d. An ordinance amending Chapter 3 (Administration and Government) Article VI (Contractors Pay-to-Play Reform Ordinance) adding additional prohibited donations to certain committees and certain contractors doing business with the Jersey City School District.

Ord. 12-158

*4.

ORDINANCE HEARING

SECOND READING

**CITY CLERK
FILE**

**Defeated-5-3-1-
Donnelly, Fulop
and Lavarro:
nay; Coleman:
abstained**

- a. An ordinance of the City of Jersey City, in the County of Hudson, New Jersey, providing for a Special Emergency Appropriation of \$9,500,000 for the payment of contractually required severance liabilities resulting from the retirement of city employees.

Ord. 12-140
Intro. 10/24/12

Adopted-5-3-1-
Donnelly, Fulop
and Lavarro: nay;
Coleman:
abstained

- b. Ordinance of the Municipal Council of the City of Jersey City adopting amendments to the Journal Square 2060 Redevelopment Plan.

Ord. 12-141
Intro. 10/24/12

Adopted-9-0-

- c. Ordinance of the Municipal Council of the City of Jersey City adopting amendments to the Exchange Place North Redevelopment Plan to codify the Planning Board approvals granted 70-90 Columbus Drive.

Ord. 12-142
Intro. 10/24/12

Adopted-9-0-

- d. Ordinance of the Municipal Council of the City of Jersey City adopting an amendment to the definition of Work/Live Unit in the Morgan/Grove/Marin (MGM) Redevelopment Plan.

Ord. 12-143
Intro. 10/24/12

Adopted-6-2-
Fulop and
Lavarro: nay;
Donnelly: absent

- e. Ordinance approving a 10 year tax exemption for a market rate mixed use rental project to be constructed by 148 First Street Urban Renewal, LLC, an Urban Renewal entity, pursuant to the Long Term Tax Exemption Law N.J.S.A. 40A:20-1 et seq.

Ord. 12-144
Intro. 10/24/12

Adopted-9-0-

- f. Ordinance authorizing the assignment NUNC PRO TUNC of the financial and repayment agreements from the Criterion Urban Renewal Company, LLC, to BR Criterion Urban Renewal Company, LLC.

Ord. 12-145
Intro. 10/24/12

Adopted-9-0-

- g. Ordinance authorizing the assignment NUNC PRO TUNC of the financial and repayment agreements from the Hague Urban Renewal Company, LLC, to BR Hague Urban Renewal Company, LLC.

Ord. 12-146
Intro. 10/24/12

**Tabled-9-0-
after the close of
the public
hearing on a
motion by
Richardson,
seconded by
Sottolano**

- h. Ordinance 1) Approving a 15 year tax exemption for BR Beacon Commerce Urban Renewal Company, LLC, for a commercial parking garage project; 2) Assigning the prepayment and affordable housing contribution credits due the Beacon Commerce Urban Renewal Company, LLC, under its prepayment agreement and financial agreement, to BR Beacon Commerce Urban Renewal Company, LLC; and 3) Repealing Ordinance 05-093.

Ord. 12-147
Intro. 10/24/12

*4.

ORDINANCE HEARING

SECOND READING

**CITY CLERK
FILE**

**Tabled-8-0-
after the close of
the public
hearing on a
motion by
Sottolano,
seconded by
Brennan;
Donnelly:
absent**

- i. Ordinance 1) Approving a 15 year tax exemption for BR Beacon Parking Urban Renewal Company, LLC, for a commercial parking garage project; 2) Assigning the prepayment and affordable housing contribution credits due the Beacon Parking Urban Renewal Company, LLC, under its prepayment agreement and financial agreement, to BR Beacon Parking Urban Renewal Company, LLC; and 3) Repealing Ordinance 05-094.

Ord. 12-148
Intro. 10/24/12

Adopted-8-0-
Donnelly: absent

- j. Ordinance 1) Approving a 15 year tax exemption for BR Mercury Urban Renewal Company, LLC, for a market rate residential rental project; and 2) Repealing Ordinance 06-158.

Ord. 12-149
Intro. 10/24/12

Adopted-8-0-
Donnelly: absent

- k. Ordinance 1) Approving a 15 year tax exemption for BR Orpheum Urban Renewal Company, LLC, for a market rate residential rental project; and 2) Repealing Ordinance 06-159.

Ord. 12-150
Intro. 10/24/12

Adopted-8-0-
Donnelly: absent

- l. Ordinance 1) Approving a 15 year tax exemption for BR Paramount Urban Renewal Company, LLC, for a market rate residential rental project; and 2) Repealing Ordinance 06-160.

Ord. 12-151
Intro. 10/24/12

Adopted-8-0-
Donnelly: absent

- m. Ordinance 1) Approving a 15 year tax exemption for BR Tower Urban Renewal Company, LLC, for a market rate residential rental project; and 2) Repealing Ordinance 06-161.

Ord. 12-152
Intro. 10/24/12

**Tabled-9-0-
after the close of
the public
hearing on a
motion by
Fulop, seconded
by Donnelly**

- n. An ordinance establishing that a business entity which makes political contributions to municipal candidates and municipal and county political parties in excess of certain thresholds shall be limited in its ability to receive public contracts from the City of Jersey City to add every candidate and candidate committee for the Jersey City Board of Education (Contracts Pay-to Play Reform Ordinance).

Ord. 12-153
Intro. 10/24/12

Adopted-9-0-

- o. Refunding bond ordinance of the City of Jersey City, in the County of Hudson, New Jersey, providing for the refunding of all or a portion of various series of city bonds, appropriating an amount not exceeding \$40,000,000 therefor and authorizing the issuance of not to exceed \$40,000,000 general obligation refunding bonds of the City of Jersey City for financing the cost thereof.

Ord. 12-123
Intro. 09/27/12

**** 5.**

PUBLIC REQUEST FOR HEARING

- | | |
|---------------|---|
| Spoke | 1. William Dorrity, 3060 Kennedy Boulevard, Jersey City |
| Did not speak | 2. Michael Grant |
| Did not speak | 3. John V. Seborowski, Sr. Jersey City |
| Did not speak | 4. Yvonne Balcer, Jersey City |
| Did not speak | 5. Lauren Washington, Jersey City |
| Spoke | 6. Brian Dear |
| Did not speak | 7. Julia Shives-Muse |
| Did not speak | 8. Antoinette Chess |
| Did not speak | 9. Gilbert Moore |
| Did not speak | 10. Isabella Mederi, Jersey City |
| Did not speak | 11. Carol Valleau, Jersey City |
| Did not speak | 12. Isabella Nederi |
| Did not speak | 13. Alfredo Dinnocenzo |
| Spoke | 14. Azaldeen Abdalaziz, Jersey City |
| Spoke | 15. Aneesah Abdullah |
| Spoke | 16. Hassan Abdullah |
| Spoke | 17. Jason Burg, Jersey City |
| Did not speak | 18. Daniel Levin |
| Spoke | 19. Paul Byrd, Jersey City |
| Spoke | 20. Lorenzo Richardson, Jersey City |
| Spoke | 21. Monique Andrews, Jersey City |
| Spoke | 22. Riaz Wahid, Jersey City |
| Spoke | 23. Josephine Paige, Jersey City |
| Did not speak | 24. Frances Jackson, Jersey City |
| Did not speak | 25. Marvin Davis, Jersey City |

**** 5.**

PUBLIC REQUEST FOR HEARING

- | | | |
|---------------|-----|------------------------------|
| Did not speak | 26. | Laura Skolar, Jersey City |
| Did not speak | 27. | Imtiaz Syed, Jersey City |
| Did not speak | 28. | Gary Nye |
| Spoke | 29. | Esther Wintner, Jersey City |
| Did not speak | 30. | Lauren Fasano, Jersey City |
| Did not speak | 31. | Crystal Potts, Jersey City |
| Did not speak | 32. | Marianne Walkstein |
| Did not speak | 33. | Malae Maeng |
| Did not speak | 34. | Sang Thul Maeng |
| Did not speak | 35. | Francisco Ingrian |
| Did not speak | 36. | Sally Reyes, Jersey City |
| Spoke | 37. | Elizabeth Perry, Jersey City |
| Spoke | 38. | Diana Jeffrey |

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

****6. PETITIONS AND COMMUNICATIONS**

- a. Minutes of the regular board meeting of the Jersey City Incinerator Authority Board of Commissioners held September 25, 2012.
- b. New Jersey Meadowlands Commission public hearing is scheduled for Wednesday, October 24, 2012 at 10:00 a.m., in the Office of the Commission, One DeKorte Park Plaza, Lyndhurst, NJ.
- c. Rockaway Valley Regional Sewerage Authority minutes of a Board meeting of September 13, 2012.
- d. New Jersey Department of Environmental Protection from Judith Hahn, to Eastern of New Jersey, 261 Custer Avenue, Jersey City.
- e. Letter dated October 19, 2012 from Fred Brody, Business Development, CrossRiver Fiber to Robert Byrne, City Clerk re: Request for Municipal consent.
- f. Letter dated October 24, 2012 from Edie Kormorek, Project Manger, Environmental Strategies & Applications, Inc. to NJ Turnpike Authority re: Public outreach and Notification , former, Burma road Development, 97 Burma Road, Jersey City.
- g. Letter dated October 18, 2012 from George King, Unregulated Heating Oil Tank Program, Department of Environmental Protection to William Vasil, Jersey City re: One 550 gallon #2 heating oil underground storage tank system, 197 Neptune Avenue, Jersey City.
- h. Letter dated October 17, 2012 from Thomas J. Cozzi, Assistant Director, NJDEP Site Remediation Program to Brian G. McGuire, P.E., PPG Industries, Inc., re: Discharge Approval and Monitoring Requirements Associated, former Halladay Street Gas Work, Jersey City.
- i. Letter dated October 24, 2012 from Tasweer M. Syed, Principal Consultant, TRC Solutions to Robert Byrne, City Clerk re: Modification of Industrial Treatment Works Approval Permit, Texas Eastern, LP NJ-NY expansion Project.
- j. Letter dated October 24, 2012 from Eileen Schack, Supervising Engineer, Bureau of Local Aid-Newark, Department of Transportation to John Mucha, PE, Engineer re: Award approval, various streets-2011, Jersey City.

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****6. PETITIONS AND COMMUNICATIONS**

- k. Letter dated October 23, 2012 from Chie Fuchiyama-Lalicato, Project Scientist, Whitman to New Jersey Department of Environmental Protection re: Public Notification , 261 Custer Avenue, Jersey City.
- l. Letter dated November 8, 2012 from Gino Nicaretta, Project Manager, Dresdner Robin to Robert Byrne, City Clerk re: Public Notification, 380 Newark Avenue, Jersey City.
- m. Prepared by Honeywell, Preliminary Assessment/Site Investigation and Receptor Evaluation Site 094, Eighteenth Street Sewer, Jersey City.
- n. Letter dated October 26, 2012 from Suzanne U. Dietrick, Chief, for State of New Jersey, Department of Environmental Protection to Michael Nevis, Langan Engineering & Environmental Services re: Freshwater Wetlands General Permit #2 & #4, Jersey City.
- o. Letter dated November 6, 2012 from Stephanie Graham, Administrative Assistant, Honeywell International to Honorable Robert G. Torricelli, Office of the Special Master re: SA-6 North Work Plan for In-Situ Treatment of Chromium Impacted Soils, Jersey City.
- p. Letter dated October 31, 2012 from Michael B. Adams, Staff Scientist, Whitman, Co. to Robert Byrne, City Clerk re: Environmental Site Assessment, 109 Christopher Columbus Drive, Jersey City.
- q. Letter dated October 18, 2012 from David Morris, Tectonic to Benham Torrei & Robert Chaworski, Jersey City re: One 2000 gallon gasoline underground storage tank, One 1000 gallon, One 550 gallon gasoline, 347-349 3rd Street, Jersey City.
- r. Letter dated November 9, 2012 from Joseph M. Sorge, LSRP, President, JM Sorge, Inc. Environmental Consultants to New Jersey Department of Environmental Protection re: Public Notification , J.C. MacElroy, Co. Inc., 417 Communipaw Avenue, Jersey City.
- s. New Jersey Department of Environmental Protection, Site Remediation Program to Joseph Panepinto, Sr., re: Henderson Yards, 70-90 Columbus Towers, Jersey City.

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

****6. PETITIONS AND COMMUNICATIONS**

- t. Letter dated November 7, 2012 from Alberto G. Santos, Clerk, Board of Chosen Freeholders to Robert Byrne, City Clerk re: Resolution adopted by the Board of Chosen Freeholders of Hudson County held October 25, 2012.
 - 1. Resolution authorizing the use of a portion of Lincoln Park in Jersey City adjacent to the running track to celebrate the Holiday EID, Friday, October 26, 2012 from 6:00 a.m. to 12:00 p.m.
- u. Minutes of the Employees Retirement System of Jersey City held October 17, 2012.
- v. Agenda of the Employees Retirement System of Jersey City held Monday November 19, 2012.
- w. Letter dated November 13, 2012 from Donna J. McCormack, Project Manager, Birdsall Services Group to Robert Byrne, City Clerk re: Flood Hazard Area Permit Application -Hardship Exception Request, Columbus Towers, Jersey City.
- x. Letter dated November 1, 2012 from Wayne C. Howitz, Assistant Director Remediation Oversight Element to Robert Inane, Goya 75th Acquisition Co., LLC re: Soil Remedial Action Permit, former Clipper Trucking, 390 New County Road, Jersey City.
- y. Letter dated November 7, 2012 from Paul V. Schatz, Assistant Vice President, EWMA to Robert Byrne, City Clerk re: Classification Exception Area, (Historic Fill), Block 24304, Lot 8, Jersey City.
- z. Letter dated November 14, 2012 from Charles L. Smith, Director of Government and Regulatory Affairs, Comcast to Robert Byrne, City Clerk re: Price Changes.
- z1. Application 12-016 dated November 13, 2012 from Dakota DeMartino, Jersey City to Robert Byrne, City Clerk re: Municipal Public Service.
- z2. Email dated November 14, 2012 from Angelo Stracquatano, Jersey City to Sean Gallagher, Deputy City Clerk re: Gas Stations.
- z3. Letter dated November 7, 2012 from Atul Shah, PE, ANS Consultants, Inc. to Robert Byrne, City Clerk re: Receptor Evaluation Report, 390 New County Road, Jersey City.

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

****6. PETITIONS AND COMMUNICATIONS**

- z4. Letter dated November 16, 2012 from William Silveri, Senior Project Manager, Athenica Environmental Services, Inc. to Robert Byrne, City Clerk re: Former Tunnel Diner, 182-184 14th Street, Jersey City.
- z5. Letter dated November 14, 2012 from James Pontoriero, Supervisor, Bureau of Construction and Connection Permits, Department of Environmental Protection to PSE&G Co., Newark, NJ re: Treatment Works Approval #12-0223, former west end Gas Plant, Jersey City.
- z6. Letter dated October 24, 2012 from Susan C. Gieser, Waters, McPherson, McNeill, Attorneys at Law to Raj Patel, RPDP, LLC re: Second notice for access for indoor Air Sampling Vapor Intrusion Testing at 331 West Side Avenue, Jersey City.
- z7. Letter dated October 18, 2012 from Mark Crescendo, President Jersey State Controls Co. to Robert Byrne, City Clerk re: Notice of delivery of supplies for New Municipal Complex.
- z8. Letter dated November 15, 2012 from Richard Osborne, Code Enforcement Officer, Town of Boonton to Robert Byrne, City Clerk re: Summons, Block 79, Lot 17 & 18, Town of Boonton for failure to maintain slope on Jersey City owned property in Boonton, NJ.
- z9. Minutes of the regular session of the Jersey City Municipal Utilities Authority held October 25, 2012.
- z10. Rockaway Valley Regional Sewerage Authority Minutes of a Board meeting held October 11, 2012.
- z11. Letter dated November 14, 2012 from Francesca Giarratana, Assistant Planner, Hudson County, Department of Parks & Community Services to Planning Board Members re: Meeting to be held Wednesday, November 28, 2012 at 6:30 p.m. in the Chosen Freeholders Chambers, 567 Pavonia Avenue, Jersey City. (Proposed updates to the Hudson County Green Acres Recreation & Open Space Inventory (ROSI))
- z12. Letter dated November 14, 2012 from Dave Oster, Bureau of Northern Field Operation, Department of Environmental Protection to Michael Greenberg, Equality Housing Ltd re: Remedial Action Work Plan Approval, Lexington Manor Apartments, 16-20 Lexington Avenue, Jersey City.

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

****6. PETITIONS AND COMMUNICATIONS**

- z13. Letter dated November 13, 2012 from George King, Chief, Bureau of Southern Field Operations, to Carlos Hernandez, Jersey City re: One 550 gallon #2 heating oil underground storage tank system, 315 Varick Street, Jersey City.
- z14. Letter dated November 13, 2012 from George King, Chief, Bureau of Southern Field Operations, to Lucy DiLorenzo, c/o Sharon Lewis Kish, POA, Lyndhurst, NJ re: One 550 gallon #2 heating oil underground storage tank system, 367 3rd Street, Jersey City.
- z15. Letter dated November 14, 2012 from Dave Oster, Bureau of Northern Field Operation, Department of Environmental Protection to Michael Greenberg, Equality Housing Ltd re: Remedial Action Work Plan Approval, Lexington Manor Apartments, 451 Bergen Avenue, Jersey City.
- z16. Letter dated November 20, 2012 from Alberto G. Santos, Clerk, Board of Chosen Freeholders to Robert Byrne, City Clerk re: Resolution adopted by the Board of Chosen Freeholders of Hudson County held November 20, 2012.
 - 1. Finance and Administration -Bond ordinance providing for various 2012 Capital Improvements to various buildings and other public property damaged by Hurricane Sandy, by and in the County of Hudson, State of New Jersey; appropriating \$7,000,000 thereof and authorizing the issuance of \$6,666,000 bonds or notes to finance part of the cost thereof.
- z17. Letter from William Silveri, Senior Project Manager, Athenica Environmental Services, Inc. to Robert Byrne, City Clerk re: Ongoing Environmental Activities at the former Tunnel Diner, 182-184 14th Street, Jersey City.
- z18. New Jersey Department of Transportation public meeting notice for Tuesday, December 4, 2012 from 4-7 p.m., at McKinley School at 3110 Liberty Avenue, North Bergen.
- z19. Letter dated November 13, 2012 from Alex Saltzman, Staff Scientist, EnviroTrac to Robert Byrne, City Clerk re: Notice of intent to discharge treated groundwater under the NJ Pollution Discharge Elimination System (NJDES) general permit.
- z20. Letter dated November 26, 2012 from Robert M. Byra, P.E., Stonefield to Robert Byrne, City Clerk re: Flood Hazard Area Individual Permit Application , 550 Grand Street, Jersey City.

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

****6. PETITIONS AND COMMUNICATIONS**

- z21. Letter dated November 20, 2012 from Charles L. Smith, Director of Government and Regulatory Affairs, Comcast to Robert Byrne, City Clerk re: Programing Contract Renewals.
- z22. Agenda for New Jersey Meadowlands Commission, public hearing is scheduled for Wednesday November 28, 2012 at 10:00 a.m., in the Office of the Commission, One DeKorte Park Plaza, Lyndhurst, NJ.
- z23. Letter dated November 26, 2012 from J. David Ramsey, Becker & Poliakoff, LLP to Jersey City re: Tax Abatement 12-127 through Ordinance 12-133; Beacon Redevelopment, LLC.
- z24. Letter dated November 26, 2012 from Christine F. Li, Greenbaum Rowe, Smith & Davis, LLP to Robert Byrne, City Clerk re: Beacon Redevelopment, LLC.
- z25. Letter dated November 9, 2012 from Suzanne U. Dietrick, Chief, for State of New Jersey, Department of Environmental Protection to Tony Barroqueiro, Weston Solutions, Inc. re: Waterfront Development Permit, PSE&G, former West End Gas Plant, Jersey City.
- z26. Letter dated November 19, 2012 from Bruce W. MacNeal, Secretary, Rockaway Valley Regional Sewerage Authority to Robert Byrne, City Clerk re: Upgrade of the Wastewater Treatment System.
- z27. Letter dated November 21, 2012 from John F. Tregidgo, Senior Project Manager, Dresdner Robin to Jerramiah T. Healy, Mayor re: Unrestricted Use Response Action Outcome, One 3000 gallon #2 fuel oil tank, 344 Pacific Avenue, Jersey City.

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

****7. OFFICERS COMMUNICATIONS**

- a. Letter dated October 23, 2012 from, Lee D. Klein, P.E., PTOE Assistant City Engineer to Robert Byrne, City Clerk re: Street Closing Regulations- 12-083 Fourth Street from Jersey Avenue to Coles Street, Noon to 7:00 p.m., Sunday, October 28, 2012 (rain date Sunday, November 4), 2012.
- b. Letter dated November 26, 2012 from Donna L. Mauer, Chief Financial Officer to Thomas H. Neff, Director, Local Government Services re: Supplemental Debt Statement.

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

****8. REPORT OF DIRECTORS**

- a. From Mayor Jerramiah T. Healy, Proclamation of Local Disaster/Emergency, City of Jersey City.

****9. CLAIMS 1&2 & ADDENDUM #1**

- 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

Council as a whole approved all Claims 1&2 and Addendum #1; 8-0-1-
Councilperson Donnelly: abstained with the exception of Voucher
105370, page 22 in the amount of \$236,376.00 payee: APS, -7-0-1-,
Councilperson Donnelly: abstained; Councilperson Sottolano: absent.

Grand Total of Claims 1:	\$3,097,866.35
Grand Total of Claims 2:	\$20,756,641.88
Grand Total of Addendum #1	\$33,061,516.78

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

Approved-9-0-	a.	Resolution authorizing CY 2012 appropriation transfers.	Res. 12-794
Withdrawn	b.	Resolution providing for the financing of a Special Emergency Appropriation of the City of Jersey City, in the County of Hudson, New Jersey by the issuance of Special Emergency Notes of the City.	Res. 12-795
Approved-9-0-	c.	Resolution authorizing the insertion of special items of revenue and appropriations in the CY 2012 Municipal Budget, pursuant to <u>N.J.S.A. 40A:4-87</u> .	Res. 12-796
Approved-9-0-	d.	Resolution approving the waiver of Uniform Construction Code Fees for the repair of uninsured, owner-occupied 1-4 family residential buildings damaged by Hurricane Sandy.	Res. 12-797
Approved-8-1- Richardson: nay	e.	Resolution establishing the election of members of the Jersey City Board of Education as the Tuesday, after the first Monday in November.	Res. 12-798
Approved-9-0-	f.	Resolution approving the assignment of a prepayment to BR Criterion Urban Renewal Company, LLC and authorizing the execution of a prepayment agreement.	Res. 12-799
Approved-9-0-	g.	Resolution approving the assignment of prepayment to BR Hague Urban Renewal Company, LLC and authorizing the execution of a prepayment agreement.	Res. 12-800
Withdrawn	h.	Resolution approving the assignment of prepayment to BR Beacon Commerce Urban Renewal Company, LLC and authorizing the execution of a prepayment agreement.	Res. 12-801
Withdrawn	i.	Resolution approving the assignment of prepayment to BR Beacon Parking Urban Renewal Company, LLC and authorizing the execution of a prepayment agreement.	Res. 12-802
Approved-9-0-	j.	Resolution approving the assignment of prepayment to BR Mercury Urban Renewal Company, LLC and authorizing the execution of a prepayment agreement.	Res. 12-803
Approved-9-0-	k.	Resolution approving the assignment of prepayment to BR Orpheus Urban Renewal Company, LLC and authorizing the execution of a prepayment agreement.	Res. 12-804
Approved-9-0-	l.	Resolution approving the assignment of prepayment to BR Paramount Urban Renewal Company, LLC and authorizing the execution of a prepayment agreement.	Res. 12-805

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

- | | | |
|---------------|---|-------------|
| Approved-9-0- | m. Resolution approving the assignment of prepayment to BR Tower Parking Urban Renewal Company, LLC and authorizing the execution of a prepayment agreement. | Res. 12-806 |
| Approved-9-0- | n. 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 on the Police Department to purchase body armor 2012 Body Armor Replacement Fund. | Res. 12-807 |
| Approved-9-0- | o. Resolution authorizing the acceptance of grants funds from The New Jersey Department of Law and Public Safety, Division of Highway Traffic Safety for the Jersey City Comprehensive Traffic Safety Program (2013). | Res. 12-808 |
| Approved-9-0- | p. Resolution authorizing the City of Jersey City to accept funds from the U.S. Department of Justice, Bullet-Proof Vest Partnership Program (2012) to purchase body armor for the Jersey City Police Department. | Res. 12-809 |
| Approved-9-0- | q. Resolution authorizing the Business Administrator to execute a discharge of mortgage affecting 102 Kearney Avenue a/k/a Block 22501, Lot 45. (December 17, 2004, \$6,000.00) | Res. 12-810 |
| Approved-9-0- | r. Resolution authorizing the Business Administrator to execute a discharge of mortgage affecting 102 Kearney Avenue a/k/a Block 22501, Lot 45. (January 15, 2009, \$13,000.00) | Res. 12-811 |
| Approved-9-0- | s. Resolution removing a restriction from the deed of conveyance that affects Block 767, Lot 47 location: 451 Palisade Avenue. | Res. 12-812 |
| Approved-9-0- | t. Resolution authorizing the extension of time to complete the conditions of sale affecting Block 574, Lot B location: 666 Summit Avenue. | Res.12-813 |
| Approved-9-0- | u. Resolution authorizing a refund/credit of \$25,168.00 and reduction in assessment to settle tax appeals filed by the owners of various properties. | Res. 12-814 |
| Approved-9-0- | v. Cancellation of partial assessment on Block 11205, Lot 13, also known as 235 5 th Street. | Res. 12-815 |
| Approved-9-0- | w. A resolution supplementing the manual of bus stop designations of the City of Jersey City designating an eastbound, near-side bus stop on Grand Street at Garfield Avenue, All Times and repeal an eastbound, far-side bus stop on Grand Street at Communipaw Avenue, All Times. | Res. 12-816 |

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

Approved-9-0-	x.	Resolution declaring Schtiller and Levy, Inc. in default of its contract with the City of Jersey City for the Van Wagenen Apple Tree House, Phase II Project No. 2007-027, and authorizing the execution of a takeover agreement with Liberty Mutual Insurance Company.	Res. 12-817
Approved-9-0-	y.	Amending Resolution 12-194, an agreement with Telecom Integrity Group.	Res. 12-818
Approved-9-0-	z.	Resolution authorizing a professional services agreement with Donahue, Gironda and Doria Certified Public Accountants to conduct the Annual Audit of Financial Statements and State Grant Program for Calendar Year 2012.	Res. 12-819
Approved-9-0-	z1.	Resolution authorizing the execution of agreement and the rental of facilities at the Jersey City Armory between the City of Jersey City and the New Jersey State Department of Military and Veterans Affairs.	Res. 12-820
Approved-9-0-	z2.	Resolution honoring Reverend Alonso Perry, Sr. on the occasion of his 15 th Pastoral Anniversary of New Hope Missionary Baptist Church.	Res. 12-821
Approved-9-0-	z3.	Resolution honoring Dr. Gloria Baseman, Ph.D., R.N.	Res. 12-822
Approved-9-0-	z4.	Resolution honoring James "Jim-Jim" Deveney.	Res. 12-823
Approved-9-0-	z5.	Resolution authorizing a license agreement with Public Service Electric & Gas Company to enter onto city owned property located in Morris County known as Block 31001, Lot 12 and Block 50003, Lot 10 on the tax map of the Township of Rockaway for the purpose of constructing and using a temporary access road.	Res.12-824
Approved-9-0-	z6.	Resolution authorizing the award of contract to American Boat School for providing Marine Training for Fire Boat Operations for Jersey City Department of Fire and Emergency Services.	Res. 12-825
Approved-9-0-	z7.	Resolution awarding an open-end contract to Tilcon New York, Inc. for furnishing and delivering asphalt materials to Department of Public Works, Division of Building and Street Maintenance.	Res. 12-826
Approved-9-0-	z8.	Resolution awarding an open-end contract to City Electric Supply for the furnishing and delivering of material procurement electrical supplies for the Department of Public Works, Division of Building and Street Maintenance.	Res. 12-827

****10. RESOLUTIONS**

**CITY CLERK
FILE #**

Approved-9-0-	z9. Resolution authorizing award of a contract to Extel Communications Inc. for the replacing of PC Network Cabling Systems under state contract for the Department of Administration/Division of Information Technology.	Res. 12-828
Approved-9-0-	z10. Resolution authorizing award of a contract to High Point Solutions Inc. for the delivery and supply of Cisco Network Equipment under state contract for the Department of Administration/Division of Information Technology.	Res. 12-829
Approved-9-0-	z11. Resolution honoring Thomas McCann on the occasion of his retirement.	Res. 12-830
Approved-9-0-	z12. Resolution of the City of Jersey City opposing the closing of the Woodbridge Development Center and the North Jersey Development Center.	Res. 12-831
Approved-9-0-	z13. Resolution authorizing a closed caucus of the Municipal Council on Wednesday, November 28, 2012 to discuss possible litigation and settlement regarding the construction of the New West Precinct.	Res. 12-832
Approved-9-0-	z14. Resolution commending Jersey City Sandy Recovery.	Res. 12-833
Approved-9-0-	z15. Resolution waiving the twenty day waiting period otherwise required to effectuate City Ordinances # 12-145, 12-146, 12-149, 12-150, 12-151 and 12-152.	Res. 12-834
Approved-9-0-	z16. Resolution urging the Federal Government to require 1) FEMA to allow the legal occupants of basement level residences to receive disaster aid in parity with residential residents of higher floors and 2) Flood insurers to regard a basement occupied as a legal residence to be a covered permanent dwelling or an extension thereof.	Res. 12-835

11. DEFERRED OR TABLED AGENDA AS OF NOVEMBER 28, 2012

- 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, 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, 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 28, 2012

- 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; 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 at the 11/09/11 meeting 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 at the 11/09/11 meeting on a motion by Sottolano, seconded by Fulop.
- m. Ordinance #11-142 An Ordinance amending Chapter 319 (Towers and Towing) to permit private towers to provide tow pound services to the City of Jersey City. Tabled-8-0- prior to the close of the public hearing at the 11/22/11 meeting on a motion by Richardson, seconded by Brennan.
- n. Ordinance #11-151 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-8-0- prior to the close of the public hearing at the 12/14/11 meeting on a motion by Richardson, seconded by Donnelly.
- o. Ordinance #12-038 Ordinance of the Municipal Council of the City of Jersey City amending Chapter 345, Article VII (Enforcement, Violations and Penalties) and Chapter 160 (Fees and Charges) to require a Zoning Certificate of Compliance to be obtained upon change of use or ownership of real property within the city. Tabled-7-0- prior to the close of the public hearing at the 03/28/12 meeting on a motion by Donnelly, seconded by Sottolano; Fulop and Massey absent.

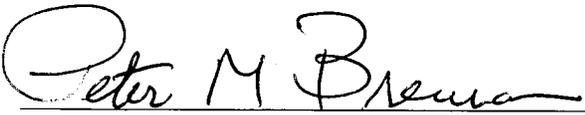
11. DEFERRED OR TABLED AGENDA AS OF NOVEMBER 28, 2012

- p. Ordinance # 12-050 Ordinance amending and supplementing Chapter 12 (Authorities, Municipal) Article II (Incinerator Authority), of the Jersey City Municipal Code to dissolve the Jersey City Incinerator Authority and amending and supplementing Chapter 3 (Administration of Government), Article IX (Department of Public Works), to consolidate the former functions of the Jersey City Incinerator Authority thereunder. Tabled-9-0-prior to the close of the public hearing at the 04/25/12 meeting on a motion by Richardson, seconded by Fulop.
- q. Ordinance #12-081 Ordinance of the Municipal Council of the City of Jersey City adopting amendments to the Land Development Ordinance to require bicycle parking. Tabled-9-0- after the close of the public hearing at the 06/27/12 meeting on a motion by Brennan, seconded by Fulop.
- r. Ordinance #12-087 Ordinance amending Chapter 304 (Taxation) Article VI (Long Term Tax Exemption Affordable Housing Trust Fund) of the Jersey City Municipal Code. Tabled-9-0- after the close of the public hearing at the 06/27/12 meeting on a motion by Fulop, seconded by Richardson.
- s. Ordinance #12-127 Ordinance authorizing the assignment NUNC PRO TUNC of the financial and repayment agreements from the Criterion Urban Renewal Company, LLC, to BR Criterion Urban Renewal Company, LLC. Tabled-8-0- prior to the close of the public hearing at the 10/10/12 meeting on a motion by Gaughan, seconded by Brennan; Fulop: absent.
- t. Ordinance #12-128 Ordinance authorizing the assignment NUNC PRO TUNC of the financial and repayment agreements from the Hague Urban Renewal Company, LLC, to BR Hague Urban Renewal Company, LLC. Tabled-8-0- prior to the close of the public hearing at the 10/10/12 meeting on a motion by Gaughan, seconded by Brennan; Fulop: absent.
- u. Ordinance #12-129 Ordinance 1) Approving a 15 year tax exemption for BR Beacon Commerce Urban Renewal Company, LLC, for a commercial parking garage project; 2) Assigning the prepayment and affordable housing contribution credits due the Beacon Commerce Urban Renewal Company, LLC, under its prepayment agreement and financial agreement, to BR Beacon Commerce Urban Renewal Company, LLC; and 3) Repealing Ordinance 05-093. Tabled-8-0- prior to the close of the public hearing at the 10/10/12 meeting on a motion by Gaughan, seconded by Brennan; Fulop: absent.
- v. Ordinance #12-130 Ordinance 1) Approving a 15 year tax exemption for BR Beacon Parking Urban Renewal Company, LLC, for a commercial parking garage project; 2) Assigning the prepayment and affordable housing contribution credits due the Beacon Parking Urban Renewal Company, LLC, under its prepayment agreement and financial agreement, to BR Beacon Parking Urban Renewal Company, LLC; and 3) Repealing Ordinance 05-094. Tabled-8-0- prior to the close of the public hearing at the 10/10/12 meeting on a motion by Gaughan, seconded by Brennan; Fulop: absent.

11. DEFERRED OR TABLED AGENDA AS OF NOVEMBER 28, 2012

- w. Ordinance #12-131 Ordinance 1) Approving a 15 year tax exemption for BR Mercury Urban Renewal Company, LLC, for a market rate residential rental project; 2) Assigning the prepayment credits due the Mercury Urban Renewal Company, LLC, under its prepayment agreement to BR Mercury Urban Renewal Company, LLC; and 3) Repealing Ordinance 06-158. Tabled-8-0- prior to the close of the public hearing at the 10/10/12 meeting on a motion by Gaughan, seconded by Brennan; Fulop: absent.
- x. Ordinance #12-132 Ordinance 1) Approving a 15 year tax exemption for BR Orpheum Urban Renewal Company, LLC, for a market rate residential rental project; 2) Assigning the prepayment credits due the Orpheum Urban Renewal Company, LLC, under its prepayment agreement to BR Orpheum Urban Renewal Company, LLC; and 3) Repealing Ordinance 06-159. Tabled-8-0- prior to the close of the public hearing at the 10/10/12 meeting on a motion by Gaughan, seconded by Brennan; Fulop: absent.
- y. Ordinance #12-133 Ordinance 1) Approving a 15 year tax exemption for BR Paramount Urban Renewal Company, LLC, for a market rate residential rental project; 2) Assigning the prepayment credits due the Paramount Urban Renewal Company, LLC, under its prepayment agreement to BR Paramount Urban Renewal Company, LLC; and 3) Repealing Ordinance 06-160. Tabled-8-0- prior to the close of the public hearing at the 10/10/12 meeting on a motion by Gaughan, seconded by Brennan; Fulop: absent.
- z. Ordinance #12-134 Ordinance 1) Approving a 15 year tax exemption for BR Tower Urban Renewal Company, LLC, for a market rate residential rental project; 2) Assigning the prepayment credits due the Tower Urban Renewal Company, LLC, under its prepayment agreement to BR Tower Urban Renewal Company, LLC; and 3) Repealing Ordinance 06-161. Tabled-8-0- prior to the close of the public hearing at the 10/10/12 meeting on a motion by Gaughan, seconded by Brennan; Fulop: absent.
- z1. Ordinance #12-138 Refunding bond ordinance providing for payment on amounts owing to others for taxes levied in and by the City of Jersey City, in the County of Hudson, New Jersey, appropriating \$4,700,000 therefor and authorizing the issuance of \$4,700,000 bonds or notes of the City of Jersey City for financing the cost thereof. Tabled-9-0- prior to the close of the public hearing at the 10/24/12 meeting on a motion by Sottolano, seconded by Donnelly.

A motion to adjourn at 3:35 a.m. was made by Councilperson Brennan and seconded by Councilperson Lopez and Approved-7-0-. Councilpersons Sottolano and Donnelly: absent.


Peter M. Brennan, Council President


Renee Jackson, City Clerk

Reviewed and found to be correct as to text and content.


Robert Byrne, City Clerk

Note: The meeting was stenographically and digitally recorded.

11/28/12