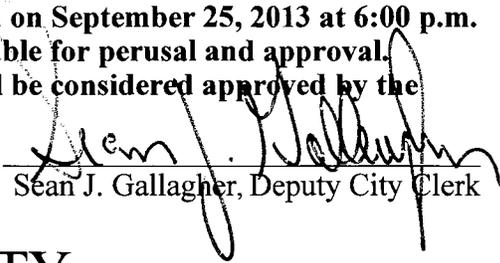


The action taken by the Municipal Council at the Regular Meeting held on September 25, 2013 at 6:00 p.m. is listed below. The minutes, as recorded in the minute book, are available for perusal and approval. Unless council advises the City Clerk to the contrary, these minutes will be considered approved by the Municipal Council.

  
Sean J. Gallagher, Deputy 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



Rolando R. Lavarro, Jr., Council President  
Daniel Rivera, Councilperson-at-Large  
Joyce E. Watterman, Councilperson-at-Large  
Frank Gajewski, Councilperson, Ward A  
Khemraj "Chico" Ramchal, Councilperson, Ward B  
Richard Boggiano, Councilperson, Ward C  
Michael Yun, Councilperson, Ward D  
Candice Osborne, Councilperson, Ward E  
Diane Coleman, Councilperson, Ward F

### Minutes of the Regular Meeting of the Municipal Council Wednesday, October 9, 2013 at 6:00 p.m.

**Please Note:** The next caucus meeting of Council is scheduled for Monday, October 21, 2013 at **5:30 p.m.** in the Efrain Rosario Memorial Caucus Room, City Hall.

A next regular meeting of Council is scheduled for Wednesday, October 23, 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: 6:24 p.m.**

1. (a) **INVOCATION:**
- (b) **ROLL CALL:** At 6:24 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 Rolando R. Lavarro, Jr., 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 20, 2012, indicating the schedule of Meetings and Caucuses of the Jersey City Municipal Council for the calendar year 2013.

The Agenda of this meeting was disseminated on **Thursday, October 3, 2013 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-9-0-  | a. | Ordinance amending Chapter 1 (General Provisions) Article III (Enforcement; Penalties) of the Jersey City Municipal Code.   | Ord. 13.113 |
| Introduced-9-0-  | b. | An ordinance supplementing Chapter 332 (Vehicles and Traffic) of the Jersey City Code Article VIII (Permit Parking) amending 332-57 on-street permit parking zones repealing Warren Street from Montgomery Street to Morgan Street from the on-street parking zones and amending Section 332-58 of the Jersey City Traffic Code extending Zone 4 residential permit parking to include Warren Street from Montgomery Street to Morgan Street. | Ord. 13.114 |
| <b>Withdrawn</b> | c. | Ordinance amending and supplementing Chapter A351 of the Jersey City Code (Council Salaries).   | Ord. 13.115 |
| Introduced-9-0-  | d. | Ordinance implementing Chapter 5 requiring permits for filming and the taking of photographs for profit in the City of Jersey City and amending Chapter 160 (Fees & Charges) of the Jersey City Municipal Code.   | Ord. 13.116 |
| Introduced-9-0-  | e. | Ordinance of the Municipal Council of the City of Jersey City adopting amendments to the Powerhouse Arts District Redevelopment Plan to assist in the rehabilitation of the landmark Butler Brothers Warehouse.   | Ord. 13.117 |

**\*4.**

**ORDINANCE HEARING**

**SECOND READING**

**CITY CLERK  
FILE**

- |   |    |   |                                |
|---|----|---|--------------------------------|
| Adopted-9-0-                            | a. | Ordinance reappropriating \$784,600 proceeds of obligations not needed for their original purposes in order to provide for various capital improvements in and by the City of Jersey City, in the County of Hudson, New Jersey.   | Ord. 13.100<br>Intro. 09.25.13 |
| Adopted-8-0-1<br>Boggiano:<br>abstained | b. | An ordinance amending Chapter 307, Article I (Taxicabs), of the Jersey City Municipal Code increasing the number of Taxi Cab licenses and offering the licenses for sale at public auction.   | Ord. 13.101<br>Intro. 09.25.13 |
| Adopted-9-0-                            | c. | Ordinance of Municipal Council of the City of Jersey City adopting amendments to the Liberty Harbor North Redevelopment Plan to add dog and cat daycare and overnight boarding as a permitted use with specific restrictions.   | Ord. 13.102<br>Intro. 09.25.13 |
| Adopted-9-0-                            | d. | Ordinance of the Municipal Council of the City of Jersey City adopting amendments to the Morris Canal Redevelopment Plan to prohibit liquor stores.   | Ord. 13.103<br>Intro. 09.25.13 |
| Adopted-9-0-                            | e. | An ordinance supplementing Chapter 332(Vehicles and Traffic) Article III (Parking, Standing and Stopping) of the Jersey City Code amending Section 332-24 (Parking Prohibited Certain Hours) designating No Parking 7:00 a.m. to 9:00 a.m. and 2:00 p.m. to 4:00 p.m., school days, on the south side of York Street in the vicinity of the entrance to Our Lady of Czestochowa Grammar School. | Ord. 13.104<br>Intro. 09.25.13 |
| Adopted-9-0-                            | f. | Ordinance amending Ordinance 12.124 authorizing a fourth amendment to the city's lease with Journal Square Plaza Urban Renewal Associates for One Journal Square Plaza, Block 586.5, Lot Plot B to amend the construction costs of improvements to include the architect fees by the landlord.  | Ord. 13.106<br>Intro. 09.25.13 |
| Adopted-9-0-                            | g. | An ordinance authorizing the execution of a deed of easement agreement with Public Service Electric and Gas Company for no consideration to permit the installation, use, maintenance and repair of a gas line to service the Linden Avenue Municipal Complex.  | Ord. 13.107<br>Intro. 09.25.13 |
| Adopted-9-0-                            | h. | Ordinance amending Chapter 239 (Parks) of the Jersey City Code to modify the City's Recreational and Open Space Inventory to include the new block and lot designations of the properties.  | Ord. 13.108<br>Intro. 09.25.13 |

\*4.

**ORDINANCE HEARING**

**SECOND READING**

**CITY CLERK  
FILE**

- |                          |    |  |                                |
|--------------------------|----|--|--------------------------------|
| Adopted-9-0-             | i. | Ordinance authorizing the City of Jersey City to execute a lease agreement with Harwood Corporation for parking spaces located at 2854 Kennedy Boulevard.  | Ord. 13.109<br>Intro. 09.25.13 |
| Adopted-9-0-             | j. | Ordinance amending Chapter 182 (Health and Sanitation), Article IV (Smoking) of the Jersey City Code to prohibit smoking in City Parks.  | Ord. 13.110<br>Intro. 09.25.13 |
| Adopted-9-0-             | k. | Ordinance approving 1) The sale of the project from Salem-Lafayette Community Development Corporation to Salem Lafayette Urban Renewal, LP; and 2) A 30 year tax exemption for new improvements to be constructed by Salem Lafayette Urban Renewal, LP an urban renewal entity, pursuant to the Long Term Tax Exemption Law <u>N.J.S.A. 40A:20-1 et seq</u> ; and 3) Rescinding the tax exemption approval by resolution adopted on October 5, 1976. | Ord. 13.111<br>Intro. 09.25.13 |
| Adopted-8-1-<br>Yun: nay | l. | Ordinance consenting to the sale and assignment of Master Condominium 1 and the assignment in part of a tax exemption and financial agreement from ACC Towers 1A Urban Renewal, LLC to Mana Contemporary Tribeca West Urban Renewal, LLC pursuant to Section 9.1 of the financial agreement and the Long Term Tax Exemption Law <u>N.J.S.A. 40A:20-1 et seq</u> .  | Ord. 13.112<br>Intro. 09.25.13 |

**\*\* 5.**

**PUBLIC REQUEST FOR HEARING**

- |               |   |
|---------------|---|
| Spoke         | 1. Nortia Porter, Jersey City                           |
| Spoke         | 2. William Dorrity, 3060 Kennedy Boulevard, Jersey City |
| Did not speak | 3. Mohamad Aboshueeb, Jersey City                       |
| Did not speak | 4. Jaime Vazquez, Jersey City                           |
| Did not speak | 5. Viola Richardson, Jersey City                        |
| Did not speak | 6. Denise May   |
| Spoke         | 7. Monya Reydi-boym                                     |
| Did not speak | 8. Denise Bajkowski                                     |
| Did not speak | 9. Sandra Cunningham, Jersey City                       |
| Spoke         | 10. Nabil Youssef                                       |
| Did not speak | 11. Bill Girgis   |
| Did not speak | 12. Raphael Moas  |
| Spoke         | 13. Yvonne Balcer                                       |
| Spoke         | 14. Jayson Burg   |
| Did not speak | 15. Dwayne Baskerville                                  |
| Did not speak | 16. John V. Seborowski, Sr.                             |
| Spoke         | 17. Pauline Roman, Jersey City                          |
| Did not speak | 18. Mootaz Ahmed  |
| Did not speak | 19. Mikhail Abdelmalek                                  |
| Did not speak | 20. Laura Skolar  |
| Spoke         | 21. Kabili Tayari                                       |
| Did not speak | 22. Eric Kwless, Jersey City                            |
| Spoke         | 23. Philip Carrington, Jersey City                      |
| Spoke         | 24. Nancy Laroche                                       |
| Did not speak | 25. Mary Ann Andrews, Jersey City                       |
| Did not speak | 26. Wajie Elqumos                                       |
| Did not speak | 27. Markos Elqumos                                      |

**\*\* 5.**

**PUBLIC REQUEST FOR HEARING**

Did not speak 28. Tarek Attia

Did not speak 29. Magdy Nakhla

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

**\*\*6. PETITIONS AND COMMUNICATIONS**

- a. Letter from Erik Weber, Case Manager, GES Groundwater & Environmental Services, Inc. to Robert Byrne, City Clerk re: Public Notification, Exxon Service Station #3-2549, 1737 Kennedy Boulevard, Jersey City.
- b. Letter from Michael Nahmias, Case Manager, GES Groundwater & Environmental Services, Inc. to Robert Byrne, City Clerk re: Public Notification, Exxon Service Station #3-5500, 12<sup>th</sup> Street & Jersey Avenue, Jersey City.
- c. Minutes of the regular meeting of the Board of Commissioners of the Jersey City Redevelopment Agency held August 20, 2013.
- d. Fax dated October 1, 2013 from Molly B. Adams, Government Affairs Manager, Comcast to Robert Byrne, City Clerk re: Channel and Bill Changes.
- e. State of New Jersey, Department of Environmental Protection to Robert Byrne, City Clerk re: Goya 75<sup>th</sup> Acquisition Co., LLC, Secaucus, NJ.
- f. Letter dated September 24, 2013 from Brooke Ann Briganti, Project Manager, EWMA Environmental Consulting & Remediation Firm to Robert Byrne, City Clerk re: Public Notification, former Getty Service Station #56872, 39-41 Central Avenue, Jersey City.
- g. Minutes of the rescheduled regular board meeting of the Jersey City Incinerator Authority Board of Commissioners held June 20, 2013.
- h. Minutes of the regular board meeting of the Jersey City Incinerator Authority Board of Commissioners held July 23, 2013.
- i. The Quill Newsletter dated October 2013.
- j. Letter dated September 19, 2013 from Heidi Gahnz, Project Manager, RCC Environmental to Bureau of Case Assignment & Initial Notice Site Remediation Program re: Classification Exception Area/Well Restriction Area (CEA/WRA)., former Hudson Bus Co., 437 Tonnele Avenue, Jersey City.

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

**\*\*6. PETITIONS AND COMMUNICATIONS**

- k. Letter dated September 24, 2013 from Wayne C. Howitz, Assistant Director, Remediation Oversight Element to Roger Thomas, Executive VP & General Counsel re: Soil Remedial Action Permit, Harborside Financial Center Plaza VIII & IX, 10 2nd Street, Jersey City.
- l. Letter dated September 24, 2013 from Wayne C. Howitz, Assistant Director, Remediation Oversight Element to Dan Metzger, Vice President, Asset Management re: Soil Remedial Action Permit, Harborside Financial Center Plaza, X 3 2nd Street, Jersey City.
- m. Letter dated September 26, 2013 from Wayne C. Howitz, Assistant Director, Remediation Oversight Element to Sanford Weiss, Managing Member re: Soil Remedial Action Permit, Brass Works Urban Renewal, 100 Patterson Plank Road, Jersey City.
- n. Letter dated September 27, 2013 from Anthony Fontana, Chief, Bureau of Transfer Stations and Recycling Facilities to Robert Byrne, City Clerk re: Draft Solid Waste Facility Permit for a Solid Waste Transfer Station, Solid Waste of New Jersey, Inc., Jersey City.
- o. New Jersey Meadowlands Commission public hearing is scheduled for Tuesday, October 29, 2013 at 10:00 a.m., in the Office of the Commission, One DeKorte Park Plaza, Lyndhurst, NJ.
- p. Letter dated September 30, 2013 from William E. Schachat, JP Morgan Chase Bank to Robert Byrne, City Clerk re: Urban Renewal Entity: Marbella Tower Urban Renewal Associates South, LLC, 401 Washington Boulevard, Jersey City.
- q. Letter dated October 1, 2013 from Michael A. Coyne, Enforcement Coordinator, Division of Epidemiology, Environmental and Occupational Health, State of New Jersey, to Robert Byrne, City Clerk re: Jersey City Housing Authority.

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

**\*\*7. OFFICERS COMMUNICATIONS**

- a. Memo dated September 30, 2013 from Joao D'Souza, Director of Traffic & Transportation to Robert Byrne, Clerk re: Street Closing Regulation-13-058 Fourth Street from Newark Avenue to Merseles Street 4:00 a.m. - 11:00 p.m. Saturday, October 5 (rain date Sunday, October 6), 2013 for Art & Music Festival.
- b. Memo dated September 30, 2013 from Joao D'Souza, Director of Traffic & Transportation to Robert Byrne, Clerk re: Street Closing Regulation- 13-059 Pavonia Avenue from Monmouth Street to Brunswick Street Noon - 8:00 p.m. Saturday, October 12 (rain date Saturday, October 19), 2013 for block party-Fall Festival.

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

**\*\*8. REPORT OF DIRECTORS**

- a. Letter dated September 25, 2013 from Steven M. Fulop, Mayor to Council President and Members of the Municipal Council re: Appointing Michelle E. Richardson, of Jersey City to serve as a member of the Jersey City Employment & Training Committee, replacing Kevin T. Lyons, who has resigned. Ms. Richardson's term will expire on June 30, 2014.

**\*\*9. CLAIMS & 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 & Addendum #1; -9-0-. Please note that Councilwoman Coleman abstained on Voucher 109493, page 21 in the amounts of \$8,634.50 & \$477.69 payee: Building An Empire.

Grand Total of Claims                      \$4,952,462.13

Grand Total of Addendum #1              \$6,702,265.69

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

Approved-9-0-	a. Resolution to grant 2013 Senior Citizen deductions on various properties.	Res. 13.680
Approved-9-0-	b. Resolution to grant 2013 Veteran deductions on various properties.	Res. 13.681
Approved-9-0-	c. Resolution authorizing the Business Administrator execute a discharge of mortgage affecting 194 Union Street, Block 19402, Lot 21 f/k/a Block 1958, Lot F.	Res. 13.682
Approved-9-0-	d. Resolution authorizing the Business Administrator to execute a discharge of mortgage affecting 112-116 Wegman Parkway a/k/a Block 24002, Lot 67 f/k/a Block 1322, Lot 174.	Res. 13.683
Approved-9-0-	e. Resolution authorizing the Business Administrator to execute a discharge of mortgage affecting 373-375 Whiton Street a/k/a Block 19001, Lot 7 f/k/a Block 2075, Lot 24.	Res. 13.684
Approved-9-0-	f. Resolution authorizing the City of Jersey City to enter into an agreement indemnification with RT 90 Hudson, LLC Hulfish Management and CBRE and authorizing the Risk Manager to issue a letter of insurance (Training for Fire Fighter & Fire Officers)	Res. 13.685
Approved-9-0-	g. Resolution recognizing Filipino-American History Month in October 2013.	Res. 13.686
Approved-9-0-	h. Resolution honoring Sally Mae Scott Holliday on the occasion and celebration of her 80 <sup>th</sup> Birthday.	Res. 13.687
Approved-8-1- Osborne: nay	i. Resolution authorizing the payment of a claim submitted by Liberty Landing Marina/SWC Operating Co., II, LLC Services, Inc, for providing fuel to the Fire Department Marine Vessels.	Res. 13.688
Approved-8-1- Boggiano: nay	j. Resolution authorizing the City of Jersey City to enter into a City of Jersey City Mural Project property owner agreement with Five Star Investment Group, LLC, in connection with the City of Jersey City Mural Project.	Res. 13.689
Approved-9-0-	k. Resolution ratifying an emergency contract award to NJK Contractors, Inc. to provide roof replacements at Engine Co.#15, 200 Sip Avenue and Engine Co.#17, 255 Kearny Avenue, Jersey City, New Jersey, Project No. 2013.022, for the Department of Public Works, Division of Architecture.	Res. 13.690

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

- |               |    |   |             |
|---------------|----|---|-------------|
| Approved-9-0- | l. | Resolution authorizing a sixth amendment to a professional services contract with the Goldstein Partnership in connection with the design and construction administration of a New West District Police Precinct, Project No. 2007.002 for the Department of Public Works, Division of Architecture.  | Res. 13.691 |
| Approved-9-0- | m. | Resolution ratifying an emergency contract award to Dresdner Robin & Associates for damage assessment reports of City Hall and Grundy Pier damaged by Hurricane Sandy on October 29 & 30, 2012.   | Res. 13.692 |
| Approved-9-0- | n. | Resolution authorizing the award of a contract to Diaz Nursery, LLC. to supply and deliver various trees for the Department of Public Works, Division of Park Maintenance.  | Res. 13.693 |
| Approved-9-0- | o. | Resolution authorizing the award of contract to Firematic Supply Company, Inc. under General Sales Administration (GSA) for a rescue Brush Rapid Attack Truck (B.R.A.T.) for the Department of Public Safety (Fire) under the PANYNJ Port Security Grant Calendar Year 2013 Funding.  | Res. 13.694 |
| Approved-9-0- | p. | Resolution authorizing the award of contract to Blue Water Divers, Inc. for providing scuba equipment for the Department of Public Safety (Police).   | Res. 13.695 |
| Approved-9-0- | q. | Resolution authorizing the use of informal quotations to award a concession contract for the provision of a Jukebox at Pershing Field Ice Rink.   | Res. 13.696 |
| Approved-9-0- | r. | Resolution authorizing the use of competitive contracting to award a contract for consulting services: Energy Aggregation Program.  | Res. 13.697 |
| Approved-9-0- | s. | Cancellation of 2013 real estate taxes on Block 18604, Lot 21 also known as 45 Madison Avenue.  | Res. 13.698 |
| Approved-9-0- | t. | Resolution authorizing the execution of a license agreement with Public Health Solutions, for the use of a portion of Block 12901, Lot 5, or Block 9403, Lot 14, more commonly known as 115 Christopher Columbus Drive or 1 Journal Square Plaza, respectively.   | Res. 13.699 |
| Approved-9-0- | u. | Resolution authorizing the execution of a one year agreement with the centers for Medicare/Medicaid Services, an agency of the United States Department of Health and Human Services, to designate the City of Jersey City as a marketplace and to train city employees as counselors to provide city citizens concerning the Federal Affordable Health Care Act. | Res. 13.700 |

**\*\*10. RESOLUTIONS**

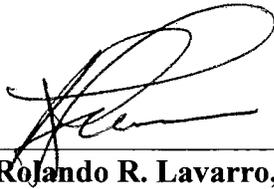
**CITY CLERK  
FILE #**

- |               |  |             |
|---------------|--|-------------|
| Approved-9-0- | v. Resolution urging the State Legislature to enact the proposed law entitled "Opportunity to Compete Act" to remove obstacles to employment for people with prior criminal records.   | Res. 13.701 |
| Approved-9-0- | w. Resolution authorizing a professional services agreement with Hardin, Kundla, McKeon & Poletto to represent the City of Jersey City in the matters entitled Liberty Storage, LLC v. City of Jersey City, et al and Sterling Capital , LLC v. City of Jersey City et al. | Res. 13.702 |
| Approved-9-0- | x. Resolution celebrating Hispanic Heritage Month from September 15 - October 15, 2013.  | Res. 13.703 |

**11. DEFERRED OR TABLED AGENDA AS OF OCTOBER 9, 2013**

**NONE**

A motion to adjourn at 10:29 p.m. was made by Councilperson Ramchal and seconded by Councilperson Coleman and Approved-9-0-.

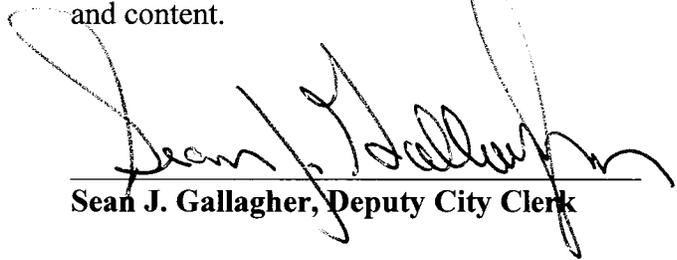


**Rolando R. Lavarro, Jr., Council President**



**Renee Jackson, City Clerk**

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



**Sean J. Gallagher, Deputy City Clerk**

**Note:** The meeting was stenographically and digitally recorded.

10.09.13