

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



Mariano Vega, Jr., Council President
Peter M. Brennan, Councilperson-at-Large
Willie L. Flood, Councilperson-at-Large
Michael J. Sottolano, Councilperson, Ward A
Mary F. Spinello, Councilperson, Ward B
Steve Lipski, Councilperson, Ward C
William A. Gaughan, Councilperson, Ward D
Steve Fulop, Councilperson, Ward E
Viola Richardson, Councilperson, Ward F

Agenda

Regular Meeting of the Municipal Council

Tuesday, October 7, 2008 at 6:00 p.m.

P.S. #4 Auditorium, Frank R. Conwell Middle School

107 Bright Street, Jersey City

Please note: The next caucus meeting of Council is scheduled for Monday, October 20, 2008 at **5:30 p.m.** in the Efrain Rosario Memorial Caucus Room, City Hall.

The next regular meeting of Council is scheduled for Wednesday, October 22, 2008 at **6:00 p.m.** in the Auditorium of P.S. #4, Frank R. Conwell Middle School, 107 Bright Street, Jersey City.

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 Council President Mariano Vega, Jr. "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, 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 Wednesday, November 28, 2007, indicating the schedule of Meetings and Caucuses of the Jersey City Municipal Council for the calendar year 2008.

The Agenda of this meeting was disseminated on **Thursday, October 2, 2008 at 4:00 p.m.** to the municipal council, mayor and business administrator of Jersey City. It was similarly disseminated to the The Jersey City Reporter and The Jersey Journal.

2. **Bid Reception: None**

****CONSENT AGENDA**

All items listed on the meeting calendar with 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. Ordinance of the Municipal Council of the City of Jersey City amending the Liberty Harbor Redevelopment Plan to prohibit monopole towers. Ord. 08-145
- b. An ordinance supplementing Chapter 26 (Vehicles and Traffic) Article X (Schedules) Schedule 23 (Traffic Control Signals) of the Jersey City Code and providing for the installation and operation of a traffic control signal at the intersections of Marin Boulevard and Morgan Street and Montgomery Street and Center Street/Merseles Street. Ord. 08-146
- c. Ordinance honoring the memory of Michael Pane by dedicating that the Northeast Corner of Wallis Avenue and Broadway also be known as Michael Pane Way. Ord. 08-147
- d. An ordinance of the City of Jersey City, in the County of Hudson, New Jersey, providing for various capital improvements for the City of Jersey City and appropriating \$41,925,000 therefor, and providing for the issuance of \$39,928,555 in general improvement bonds or notes of the City of Jersey City to finance the same. Ord. 08-148

10/07/08

***4.**

ORDINANCE HEARING

SECOND READING

**CITY CLERK
FILE**

- | | | | |
|-----------------|----|---|--------------------------------|
| Introduced-9-0- | a. | Ordinance authorizing the execution of an easement agreement among the City of Jersey City, Honeywell International, Inc. and Bayfront Redevelopment LLC, permitting Honeywell to install and maintain an underground pipeline on city owned property known as Block 1751, Lot 11 and city leased property known as Block 1290.1, Lot 2E. | Ord. 08-141
Intro. 09/24/08 |
| Introduced-9-0- | b. | Ordinance of the Municipal Council of the City of Jersey City adopting the Danforth Avenue Transit Village Redevelopment Plan. | Ord. 08-142
Intro. 09/24/08 |
| Introduced-9-0- | c. | An ordinance granting permission to FTD Newark, LLC, its successors and assigns, to make private improvements in the public right of way adjacent to the property located at 209-217 Newark Avenue, Jersey City, New Jersey, also known on the tax maps of the City of Jersey City as Block 311, Lot 68. | Ord. 08-143
Intro. 09/24/08 |
| Introduced-9-0- | d. | Ordinance of the Municipal Council of the City of Jersey City designating Saint John's Episcopal Church and Rectory as a municipal landmark. | Ord. 08-144
Intro. 09/24/08 |

**** 5.**

PUBLIC REQUEST FOR HEARING

1. Telissa Dowling, Jersey City
2. Ann Wallace, 409 Ogden Avenue, Jersey City
3. Leon Yost, 225 St. Pauls Avenue, Jersey City
4. Lavern Washington, Jersey City
5. Justin Frohwirth, Jersey City
6. Erasmia Voukelatos, Jersey City
7. Yvonne Balcer, Jersey City
8. Ulana Zakalak, Jersey City
9. Dennis Doran, 91 Summit Avenue, Jersey City
10. Robert Castle, 915 Meade Hill Road, Holland, VT.
11. Iraida Perez, 16 Virginia Avenue, Jersey City
12. Catherine Grimm, Jersey City

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

****6. PETITIONS AND COMMUNICATIONS**

- a. Letter dated September 24, 2008 from Dave Oster, Section Chief , Bureau of Northern Field Operations for State of New Jersey, Department of Environmental Protection to Joe Panepinto, PKG Associates, LLC re: Notice of Deficiency, Henderson Yards, Marin Blvd, Jersey City.
- b. Letter dated September 24, 2008 from Yacoub E. Yacoub, Bureau Chief, Bureau of Northern Field Operation for the State of New Jersey, Department of Environmental Protection to Arthur Goldberg, Barrow Street Housing Corp, LLC., re: No Further Action Letter and Covenant Not to Sue, one (1) 1,000 gallon #2 heating oil underground storage tank.
- c. Letter dated September 24, 2008 from Yacoub E. Yacoub, Bureau Chief, Bureau of Northern Field Operation for the State of New Jersey, Department of Environmental Protection to Shelia Kapteyn, Jersey City re: No Further Action Letter and Covenant Not to Sue, one (1) 1,000 gallon #2 heating oil underground storage tank.
- d. Letter dated September 24, 2008 from Yacoub E. Yacoub, Bureau Chief, Bureau of Northern Field Operation for the State of New Jersey, Department of Environmental Protection to Arthur Goldberg, Barrow Street Housing Corp, LLC., re: No Further Action Letter and Covenant Not to Sue, one (1) 550 gallon #2 heating oil underground storage tank.
- e. Permit notice dated September 24, 2008 from John F. King, Supervising Environmental Specialists, Bureau of Urban Growth and Redevelopment for the State of New Jersey, Department of Environmental Protection to Verizon-New Jersey re: Geotechnical Survey, Block ROW, Lot ROW.
- f. New Jersey Meadowlands Commission Meeting to be held Thursday, October 2, 2008 at 10:00 a.m., Lyndhurst, NJ.
- g. Letter dated September 25, 2008 from Migdalia Sanchez, Verizon New Jersey, Robert Byrne, City Clerk re: Joint Use License Agreement.
- h. Letter dated October 1, 2008 from Eugene T. Paolino, for Schumann Hanlon, LLC, Attorneys at Law to Robert Byrne, City Clerk re: Saint John's Episcopal Church, Jersey City.(Ord. 08-144)
- i. Letter dated September 29, 2008 from Maria Kaouris, Remediation Manager for Honeywell to Robert Byrne, City Clerk re: Flood Hazard Area Permit Application Notice , 801 Route 440, Jersey City.

10/07/08

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****6. PETITIONS AND COMMUNICATIONS**

- j. Letter dated September 25, 2008 from Yacoub E. Yacoub, Bureau Chief, Bureau of Northern Field Operation for the State of New Jersey, Department of Environmental Protection to Virender Labroo, Remy Realty Corp. re: No Further Action Letter and Covenant Not to Sue, one (1) 1,000 gallon #2 heating oil underground storage tank.
- k. Notice to Public Sewer Electric and Gas Co., Electric and Gas Customer to Robert Byrne, City Clerk re: Carbon Abatement Program and Associated Cost Recovery Mechanism.
- l. Notice to Public Sewer Electric and Gas Co., Electric and Gas Customer to Robert Byrne, City Clerk re: Demand Response Program and Associated Cost Recovery Mechanism.
- m. Letter dated October 2, 2008 from Eric E. Nathanson, Principal Environmental Scientist for T & M Associates to Robert Byrne, City Clerk re: NJDEP Freshwater Wetlands Letter of Interpretation (LOI) Application, Block 835, Lot 1.
- n. Permit dated July 21, 2008 from Chingwah Liang, Department of Environmental Protection, State of New Jersey, to David Ahdout, Department of Transportation re: Flood Hazard Area, Waterfront Development Freshwater Wetlands.
- o. Letter dated October 1, 2008 from John H. Moyle, P.E., Manager, Bureau of Dam Safety and Flood Control for State of New Jersey, Department of Environmental Protection to Jersey City Municipal Utilities Authority re: Inspection Reports, Boonton Dam.
- p. Letter dated September 26, 2008 from Glenn Savary, Chief Manager, Bureau of Case Management for State of New Jersey, to Anne L. Binger, Landmark Healthcare Facilities re: Remedial Action Workplan Approval for Jersey City Medical Office Building, Jersey Avenue & Grand Street.
- q. Letter dated September 30, 2008 from Kevin Troutmanm, Project Environmental Scientist for Groundwater & Environmental Services, Inc. to Robert Byrne, City Clerk re: Request for Water Supply Information, ExxonMobil Service Station, 12th Street and Jersey Avenue, Jersey City.

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****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 September 30, 2008 from Jerramiah T. Healy, Mayor to President and Members of the Municipal Council re: Reappointing Leona M. Beldini, of Jersey City to serve as a member of the Jersey City Economic Development Corporation. Ms. Beldini's term will expire on October 14, 2010.
- b. Letter dated October 3, 2008 from Jerramiah T. Healy, Mayor to President and Members of the Municipal Council re: Reappointing Gail Ellerson, of Jersey City to serve as a member of the Jersey City Development Corporation. Ms. Ellerson's term will expire on September 30, 2011.
- c. Letter dated October 3, 2008 from Jerramiah T. Healy, Mayor to President and Members of the Municipal Council re: Reappointing Gary Nye, of Jersey City to serve as a member of the Jersey City Development Corporation. Mr Nye's term will expire on September 30, 2011.
- d. Letter dated October 3, 2008 from Jerramiah T. Healy, Mayor to President and Members of the Municipal Council re: Reappointing Carmelo Sanchez, of Jersey City to serve as a member of the Jersey City Development Corporation. Mr. Sanchez's term will expire on September 30, 2011.
- e. Letter dated October 3, 2008 from Jerramiah T. Healy, Mayor to President and Members of the Municipal Council re: Reappointing Sonia Hernandez Schulman, of Jersey City to serve as a member of the Jersey City Development Corporation. Mrs Schulman's term will expire on September 30, 2011.
- f. Letter dated September 30, 2008 from Brian O'Reilly, Business Administrator to Members of the Municipal Council re: Bus Shelter Locations.

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

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

****10. RESOLUTIONS**

**CITY CLERK
FILE #**

- a. Resolution authorizing the execution of a mortgage subordination agreement affecting the property known as 19 Astor Place a/k/a Block 1924, Lot H.1. Res. 08-772
- b. Resolution authorizing the Business Administrator to execute a discharge of mortgage affecting 229 Lembeck Avenue a/k/a Block 1372, Lot 38.D. Res. 08-773
- c. Resolution authorizing the execution of a mortgage subordination agreement affecting the property known as 393 Virginia Avenue Block 1766, Lot 58. Res. 08-774
- d. Cancellation of partial 2008 real estate taxes on various Blocks and Lots, under N.J.S.A.54:4-3.30 Disabled Veterans exemption. Res. 08-775
- e. Resolution of the Municipal Council of the City of Jersey City authorizing an Affordable Housing Trust Fund (AHTF) agreement with Whiton Street Associates, LLC for Monticello Project. Res. 08-776
- f. Resolution of the Municipal Council of the City of Jersey City authorizing the Planning Board to conduct a preliminary investigation of conditions of the Ninth and Brunswick Study Area for determination as an area in need of redevelopment. Res. 08-777
- g. Resolution of the Municipal Council of the City of Jersey City authorizing the Planning Board to conduct a preliminary investigation of conditions within the Monticello Avenue Study Area extension to include Block 1910, Lot A3, 4 Fairview Avenue, to determine if such area should be declared an area in need of redevelopment. Res. 08-778
- h. Resolution of the Jersey City Municipal Council in support of an application to the North Jersey Transportation Planning Authority for the Fiscal Years 2010-2011 Subregional Study Program. Res. 08-779
- i. 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. Res. 08-780
- j. Resolution authorizing the acceptance of a grant award from the State of New Jersey, Office of Homeland Security and Preparedness FY08 Urban Areas Security Initiative Grant Program. (UASI) Res. 08-781

****10. RESOLUTIONS**

**CITY CLERK
FILE #**

- k. Resolution authorizing a license agreement with RAV Group, LLC for the use of city owned property located at Block 1471, Lot 1.C location: 446-448 Ocean Avenue. Res. 08-782
- l. Resolution authorizing Mast Construction Services, Inc. to represent the City and to provide construction management services for the development of the New City Hall Annex and Parking Deck. Res. 08-783
- m. Resolution awarding a contract to Telecom Integrity Group, LLC for performance of a telecommunications audit. Res. 08-784
- n. Resolution authorizing the award of contract to Dimension Data for furnishing and delivering Cisco Network Equipment under state contract without public bidding to the Division of Information Technology. Res. 08-785
- o. Resolution authorizing the award of contract to Gold Type Business Machine for maintenance renewal network infrastructure, Disaster Recovery Annual Maintenance contract to the Department of Police under state contract without public bidding. Res. 08-786
- p. Resolution authorizing the award of contract to Verizon Select Services Inc., for a maintenance contract for the PBX for the Communications Center under state contract without bidding for the Department of Police. Res. 08-787
- q. Resolution authorizing the award of contract to Fairfield Maintenance for gas pump repairs under state contract without public bidding for the Division of Automotive Services, Department of Public Works. Res. 08-788
- r. Resolution authorizing the renewal of a contract with Starlite Electric, LLC to provide sports lighting and scoreboard maintenance at numerous ballfields, Project No. 2007-029 for the Department of Public Works, Division of Parks and Forestry. Res. 08-789
- s. Resolution authorizing an agreement with JVS Corporation Services as an extraordinary unspecifiable service without public bidding to provide mandatory training of municipal employees on prevention of unlawful discrimination, harassment or hostile work environment. Res. 08-790

****10. RESOLUTIONS**

**CITY CLERK
FILE #**

- t. Resolution authorizing award of a professional service contract to Dresdner Robin Environmental Engineering Consultants in connection with Phase II, geotechnical/environmental investigation of Block 2078A, Lot J4, for the New Lafayette Pool, Project No. 2006-018 for the Department of Administration, Division of Architecture. Res. 08-791
- u. Resolution authorizing award of a professional service contract to the RBA Group Inc., in connection with the New Synthetic Turf at Cochrane Field, Caven Point, Project No. 2008-024 for the Department of Administration, Division of Architecture. Res. 08-792
- v. Resolution authorizing award of a professional service contract to Birdsall Engineering Inc., in connection with the design of Mechanical, Electrical and Plumbing (MEP) Systems for the New Field House at Bayside Park, Project No. 2009-006 for the Department of Administration, Division of Architecture. Res. 08-793
- w. Resolution celebrating the 5th Annual Citywide Domino Tournament. Res. 08-794
- x. Resolution authorizing the award of contract to Starlite Inc. to provide a afterschool program for the Department of Recreation. Res. 08-795
- y. Resolution calling on the New Jersey State Senate to pass Senate Bill No.1774 which proposes a statewide ban on purchasing more than one handgun per month. Res. 08-796
- z. Resolution authorizing the City of Jersey City to enter into an agreement with Hudson Mall for the Department of Health and Human Services. (Senior Citizens Health Fair) Res. 08-797
- z1. Resolution adopting the National Incident Management System in Jersey City, Hudson County , New Jersey. Res. 08-798
- z2. Resolution authorizing an emergency temporary appropriation. Res. 08-799
- z3. Resolution of the City of Jersey City, in the County of Hudson, New Jersey making application to the Local Finance Board pursuant N.J.S.A. 40A:A:3-4 ©). Res. 08-800
- z4. Resolution authorizing the award of a contract to Nagi Construction Co., Inc. for the Jersey City Police Pistol Range Paving and Site Improvements, Project No. 07-031 for the Department of Administration, Division of Engineering, Traffic and Transportation. Res. 08-801

11. DEFERRED OR TABLED AGENDA AS OF OCTOBER 7, 2008

- a. Ordinance #05-133 An ordinance supplementing Chapter 332 (Vehicles and Traffic) Article XI (Schedules) Schedule XV (No Stopping or Standing Certain Hours) of the Jersey City Code amending the parking prohibition on both sides of Washington Boulevard between Thomas Gangemi Drive and 14th Street. Tabled-7-0- after the close of the public hearing at the 4/12/06 meeting on motion by Councilperson Gaughan and seconded by Councilperson Lipski; Councilperson Fulop and Councilperson Richardson: absent.
- b. Ordinance #05-134 An ordinance supplementing Chapter 332 (Vehicles and Traffic) Article V (Parking Meters) Sec. 332-18 (Parking Meter Zones) and Sec. 332-30 (Parking Meter Time Limits) of the Jersey City Code designating metered parking spaces on both sides of Washington Boulevard between Thomas Gangemi Drive and 14th Street. Tabled-7-0- after the close of the public hearing at the 4/12/06 meeting on motion by Councilperson Gaughan and seconded by Councilperson Lipski; Councilperson Fulop and Councilperson Richardson: absent.
- c. Ordinance #06-152 An ordinance supplementing Chapter 332 (Vehicles and Traffic) Article XI (Schedules) of the Jersey City Code Schedule XVI (Parking prohibited during certain hours daily except Saturday, Sundays and Holidays) prohibiting parking on the west side of Marin Boulevard between 2nd Street and 1st Street, Monday through Friday, 9:30 a.m. to 3:30 p.m. Tabled -7-0- after the close of the public hearing at the 12/13/06 meeting on motion by Councilperson Fulop and seconded by Councilperson Richardson and Councilperson Lipski and Councilperson Flood: absent.
- d. Ordinance #07-083 An ordinance supplementing Schedule 8, Chapter 26 (Vehicles and Traffic) of the Jersey City Code prohibiting the left turn eastbound on Newark Avenue turning northbound into the driveway for 550 Newark Avenue. Tabled-8-0- after the close of the public hearing at the 05/09/07 meeting on a motion by Councilperson Lipski and seconded by Councilperson Vega and Councilperson Richardson: absent.
- e. Ordinance # 07-176 An ordinance supplementing Chapter 26 (Vehicles and Traffic) Article X (Schedules) Schedule 1 (One Way Streets) of the Jersey City Code designating Monitor Street between Communipaw Avenue and Johnston Avenue as a one way north and designating parking on the east side of the street. Tabled -8-0- after the close of the public hearing at the 11/28/07 meeting on a motion by Councilperson Richardson and seconded by Councilperson Spinello and Councilperson Lipski: absent.
- f. Ordinance #07-005 An ordinance supplementing, Chapter 26 (Vehicles and Traffic) Schedules VII (Traffic) Article X (Schedules) amending Schedule 17 (No Stopping or Standing) of the Jersey City Code repealing the no stopping or standing on the south side of Columbus Drive from Marin Boulevard to a point 184 feet west. Tabled-7-0- after the close off the public hearing at the 02/13/08 meeting on a motion by Council President Vega and seconded by Councilperson Fulop and Councilpersons Lipski and Councilperson Richardson: absent.

11. DEFERRED OR TABLED AGENDA AS OF OCTOBER 7, 2008

- g. Ordinance #08-037 An ordinance supplementing Schedule 14 (Through Streets) Schedule 13A (Multi Way Stop Intersections) and Schedule 13 (Stop Intersections) Chapter 26 (Vehicles and Traffic) of the Jersey City Code repealing Erie Street as a through Street; designating a multi way stop intersection at Erie Street and 1st Street, 2nd Street, 3rd Street, 4th Street, 5th Street and 7th Street and repeal the multi way stop intersection at Erie Street and 6th Street and 9th Street and designate a stop intersection at Erie Street and Bay Street, Pavonia Avenue, 15th Street and 16th Street. Tabled-9-0- after the close of the public hearing at the 03/26/08 meeting on a motion by Councilperson Gaughan and seconded by Councilperson Fulop.
- h. Ordinance #08-108 Ordinance supplementing Chapter 3 (Administration of Government) Article XI (Department of Police) of the City of Jersey City establishing the procedure and fees for providing Off-Duty Police Officers for special detail assignments. Tabled-8-0- after the close of the public hearing at the 08/20/08 meeting on a motion by Richardson, seconded by Vega; Flood: absent.
- i. Ordinance #08-117 Ordinance terminating the financial agreement and prepayment agreement between the City of Jersey City and Laidlaw Properties Urban Renewal, LLC. Tabled-9-0- after the close of the public hearing at the 08/20/08 meeting on a motion by Lipski, seconded by Vega.
- j. Ordinance #08-129 Ordinance of the Municipal Council of the City of Jersey City adopting amendments to Article V of the Land Development Ordinance (Chapter 345). Tabled -9-0- after the close of the public hearing at the 09/24/08 meeting on a motion by Vega, seconded by Brennan.
- k. Ordinance #08-130 Ordinance amending Chapter 157 (Entertainment and Dance Licenses) of the Jersey City Code. Tabled -9-0- after the close of the public hearing at the 09/24/08 meeting on a motion by Gaughan, seconded by Lipski.