

The action taken by the municipal council at the Regular Meeting held on January 27, 2010 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
Willie L. Flood, Councilperson-at-Large
Mariano Vega Jr., Councilperson-at-Large
Michael J. Sottolano, Councilperson, Ward A
David P. Donnelly, Councilperson, Ward B
Nidia R. Lopez, Councilperson, Ward C
William A. Gaughan, Councilperson, Ward D
Steve Fulop, Councilperson, Ward E
Viola Richardson, Councilperson, Ward F

Minutes of the Regular Meeting of the Municipal Council Wednesday, January 27, 2010 at 6:00 p.m.

Please Note: The next caucus meeting of Council is scheduled for Monday, February 8, 2010 at 5:30 p.m. in the Efrain Rosario Memorial Caucus Room, City Hall.

The next regular meeting of Council is scheduled for Wednesday, February 10, 2010 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: 6:21 p.m.

1. (a) **INVOCATION:**
(b) **ROLL CALL:** At 6:21 p.m. eight (8) members were present. Councilperson Vega: absent.

(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 Wednesday, December 16, 2009, indicating the schedule of Meetings and Caucuses of the Jersey City Municipal Council for the calendar year 2010.

The Agenda of this meeting was disseminated on **Thursday, January 21, 2010 at 4:00 p.m.** to the Municipal Council, Mayor and Business Administrator of Jersey City. It was similarly disseminated to The Jersey Journal, The Jersey City Reporter.

2. **Reception Bid: 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**

Introduced-8-0-
Vega: absent

- a. A franchise ordinance granting permission to One LLC, its successors and assigns, to make private improvements to a portion of lands within the sidewalk area of the Bowers Street public right of way located adjacent to 3438 Kennedy Boulevard, Jersey City, New Jersey.

Ord. 10-009

Introduced-6-1-1-
Richardson: nay;
Brennan:
abstained; Vega:
absent

- b. Ordinance amending and supplementing Chapter 84 (Alcoholic Beverages) Article I (Plenary Retail Consumption and Distribution Licenses) of the Jersey City Code. (Redevelopment Area Distance Reduction)

Ord. 10-010

Introduced-8-0-
Vega: absent

- c. An ordinance supplementing Chapter 332 (Vehicles and Traffic) Article XI (Schedules) Schedule 25 (Parking for the Disabled) of the Jersey City Code designating a Reserved Parking Space at 24 Eastern Parkway; 361 Liberty Avenue; 82 Poplar Street; 77 Prospect Street; 300 Stegman Parkway; 332 Webster Avenue; 224-222 Wilkinson Avenue and Amend the Reserved Parking Space at 7 Apollo Street and 103 Poplar Street and Repeal the Reserved Parking Space at 11 Apollo Street; 222 Wilkinson Avenue and 228 Wilkinson Avenue.

Ord. 10-011

*4.

ORDINANCE HEARING

SECOND READING

CITY CLERK
FILE

Adopted-8-0-
Vega: absent

- a. Ordinance of the Municipal Council of the City of Jersey City accepting a dedication of certain land and improvements located within the Powerhouse Arts District Redevelopment Area.

Ord. 10-001
Intro. 01/13/10

**Tabled-6-2-
prior to the
close of the
public hearing
on a motion by
Gaughan,
seconded by
Sottolano;
Fulop and
Richardson:
nay; Vega:
absent**

- b. 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.

Ord. 10-002
Intro. 01/13/10

Adopted-8-0-
Vega: absent

- c. Ordinance of the Municipal Council of the City of Jersey City adopting the second set of amendments to the New Jersey City University West Campus Redevelopment Plan.

Ord. 10-004
Intro. 01/13/10

Adopted-8-0-
Vega: absent

- d. An ordinance vacating the paper street known as Dudley Street from its intersection with Greene Street and extending easterly.

Ord. 10-005
Intro. 01/13/10

Adopted-8-0-
Vega: absent

- e. Ordinance supplementing Chapter 257 (Property Transfers and Leases) of the Jersey City Code.(Disclosure of Zone Parking).

Ord. 10-006
Intro. 01/13/10

Adopted-8-0-
Vega: absent

- f. Ordinance of the Municipal Council of the City of Jersey City adopting amendments to Article I (Definitions), Article III (Procedures and Checklists), and Article V (Supplemental Zoning Regulations). (Art Murals)

Ord. 10-007
Intro. 01/13/10

Adopted-5-3-
Lopez, Fulop and
Richardson: nay;
Vega: absent

- g. Ordinance to exceed the Municipal Budget appropriation limits and to establish a Cap Bank (N.J.S.A.40A:4-45.14).

Ord. 10-008
Intro. 01/13/10

**** 5.**

PUBLIC REQUEST FOR HEARING

- | | |
|---------------|---|
| Spoke | 1. Maureen Castellon, Jersey City |
| Spoke | 2. William Dorrity, 3060 Kennedy Boulevard, Apt 4D, Jersey City |
| Did not speak | 3. Zorinah Molina, 228 Neptune Avenue, Jersey City |
| Spoke | 4. Shelley Skinner, 286 Pavonia Avenue, Jersey City |
| Did not speak | 5. Ronnie Greco, 36 Duncan Avenue, Jersey City |
| Spoke | 6. Sangeeta Ranade, Jersey City |
| Spoke | 7. Severn Willis, Jersey City |
| Spoke | 8. Joyce Willis, Jersey City |
| Spoke | 9. Esther Wintner, Jersey City |
| Spoke | 10. Jayson Burg, Jersey City |
| Spoke | 11. Yvonne Balcer, Jersey City |
| Spoke | 12. Omar Dyer, Jersey City |
| Spoke | 13. Ellen Wright, Jersey City |
| Spoke | 14. John Seborowski, Jersey City |
| Spoke | 15. Catherine Grimm, Jersey City |
| Did not speak | 16. Shirley Cheddie, 24 Terhune Avenue, Jersey City |
| Spoke | 17. Frank Scalcione, 318 3 rd Street, Jersey City |
| Did not speak | 18. Felicia Collis, Jersey City |
| Spoke | 19. Daniel Levin, 228 ½ 3 rd Street, Jersey City |
| Did not speak | 20. Lawrence Marcus, Jersey City |
| Did not speak | 21. Teresa Patterson, Jersey City |
| Did not speak | 22. Barbara Betro, Jersey City |
| Spoke | 23. Paul Bellan-Boyer, Jersey City |
| Spoke | 24. Amy Ertel, Jersey City |
| Did not speak | 25. Sheila Kirven, 205 10 th Street, Jersey City |
| Spoke | 26. Candice Osborne, 134 Morris Street, Jersey City |
| Did not speak | 27. Jeff Kaplowitz, Jersey City |

**** 5.**

PUBLIC REQUEST FOR HEARING

- | | | |
|---------------|-----|---|
| Spoke | 28. | Andrew Hubsch, Jersey City |
| Did not speak | 29. | Eric Fleming, Jersey City |
| Did not speak | 30. | Maureen Crowley, Jersey City |
| Did not speak | 31. | Bethany Wall, Jersey City |
| Did not speak | 32. | Stephen Gucciardo, 302 Pavonia Avenue, Jersey City |
| Did not speak | 33. | Christina Donnelly, 250 5 th Street, Jersey City |
| Did not speak | 34. | Peter Delman, 263 5 th Street, Jersey City |
| Spoke | 35. | Phillip Carrington, 455 Martin Luther King Drive, Jersey City |
| Did not speak | 36. | Hubert Josien, Jersey City |
| Spoke | 37. | John Thieroff, Jersey City |
| Did not speak | 38. | James Rice, 167 Coles Street, Jersey City |
| Spoke | 39. | Emmanuel Baynosa, Jersey City |
| Spoke | 40. | Gloria Bethea, Jersey City |
| Spoke | 41. | Lidya Radin, Jersey City |
| Did not speak | 42. | Bob McLaughlin, Jersey City |

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

****6. PETITIONS AND COMMUNICATIONS**

- a. The New Jersey Planner dated December 2009/January 2010.
- b. Chromium Cleanup Partnership Workshop to be held January 21, 2010 at 6:30 p.m. in the Mary McLeod Bethune Life Center, 140 Martin Luther King Drive, Jersey City.
- c. Letter dated January 8, 2010 from Rob Silverstein, SJP Properties to Robert Byrne, City Clerk re: Disclosure Statement for 74 Grand Street, Jersey City.
- d. Letter dated January 8, 2010 from Alphonse Inserra, Case Manager, Child Care/Educational Facility Unit, Department of Environmental Protection to Patricia Carrington, Family Collective Day Care Center re: Remedial Investigation, Family Collective Day Care Center, 453 Martin Luther King Drive, Jersey City.
- e. Public notice for Hudson County Planning Board meeting to be held Wednesday, January 20, 2010 at 6:30 p.m., in the Hudson County Plaza, 257 Cornelison Avenue, Jersey City.
- f. Letter dated January 12, 2010 from Joseph M. Vigliotto, Winne, Banta, Hetherington, Basralian & Kahn, P.C., Counsellors at Law to Robert Byrne, City Clerk re: Notice of Intention to Convert pursuant to Tenants Protection Act of 1992, 325 Baldwin Avenue, Jersey City.
- g. Board of Commissioners of the Jersey City Redevelopment Agency to be held January 19, 2010 at 6:00 p.m., in the 14th floor conference room 14th floor at 30 Montgomery Street.
- h. Email dated January 14, 2010 from Lysel Villanueva, Jersey City to Robert Byrne, City Clerk re: 183 Pine Street.
- i. Letter dated January 14, 2010 from Yacoub E. Yacoub, Bureau Chief for the State of New Jersey Department of Environmental Protection to Alfred Ramey, Executive Assistant to the President, New Jersey City University re: Notice of Intent to Terminate, Carbon Place Rail Road Site, Jersey City.
- j. Letter dated January 8, 2010 from Stephen D. Marks, Planning Director for Meadowlands Campus Building 1, Fl 2 Secaucus to Jerramiah T. Healy, Mayor re: Hudson County Open Space Trust Fund Application mandatory pre-submission conference to be held January 20, 2010 at 10:00 a.m. - 12:00 noon, in the Lincoln Park Administration Building, Jersey City.

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- k. Letter dated January 11, 2010 from Kenneth Kloo, Administrator, Office of Brownfield Reuse for the State of New Jersey, Department of Environmental Protection to Larry Sharpe, re: One 550 gallon #2 heating oil underground storage tanks system, Block 1474, Lot 63, Jersey City.
- l. Letter dated January 14, 2010 from Donald Cramer, Acting Section Chief, State of New Jersey, Department of Environmental Protection to Rich Rodack, ExxonMobil Environmental Services Co. Re: Notice of Approval of Extensions Request, Exxon Service Station #3-2433, 1026 Summit Avenue, Jersey City.
- m. Letter dated January 14, 2010 from Robert K. Beretsky, Responsible Party Investigations Unit, Department of Environmental Protection to Jersey City Redevelopment Agency re: Ocean Bayview Homes, Myrtle Avenue, Ocean Avenue and Grant Avenue, Jersey City.
- n. Letter dated January 15, 2010 from David Diaz, District Manager for Central Avenue Special Improvement District to Robert Byrne, City Clerk re: CASID Annual Audit Report year end June 30, 2009.
- o. Biennial Certification Monitoring Report for a Classification Exception Area Report, dated December 2009 from Pioneer Environmental Group, LLC., for Broadway Diesel and Gas, 154 Broadway, Jersey City.
- p. Notice to dated January 15, 2010 from Paul A. Taubler, Regulatory Affairs Manager, Department of Environmental Protection to Robert Byrne, City Clerk re: 86 North Hackensack Avenue, Kearny.
- q. Application 10-001 dated January 20, 2010 from John R. Hanussak, Jersey City to Robert Byrne, City Clerk re: Municipal Public Service.
- r. Application 10-002 dated January 19, 2010 from William Chopek, Jr., Jersey City to Robert Byrne, City Clerk re: Municipal Public Service.
- s. Application 10-003 dated January 19, 2010 from Michael J. Malloy, Jersey City to Robert Byrne, City Clerk re: Municipal Public Service.
- t. Letter dated January 14, 2010 from Ronald K. Chen, Public Advocate, State of New Jersey to Jerramiah T. Healy, Mayor re: Lead poisoning response and prevention systems.

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- u. Letter dated January 8, 2010 from Ronald T. Corcory, Assistant Director for the State of New Jersey Department of Environmental Protection, Enforcement & Assignment Element Child Care/Educational Facility Unit to Ivette Vigo, Director, Kiddee Corner Child Care Center re: NJDEP Child Care Facility Approval for Kiddee Corner Child Care Center located at 304-306 Martin Luther King Drive , Jersey City.
- v. Letter dated January 19, 2010 from Cesar M. Sammaniego, Senior Hydrogeologist for AccuTech Environmental Services, Inc. to Robert Byrne, City Clerk re: 225 St. Paul's Condominium Association, Jersey City.
- w. Letter dated January 19, 2010 from Fred Worstell, Principal for Dresdner Robin, Engineering, Environmental Planning Surveying & Landscape Architecture to Robert Byrne, City Clerk re: Waterfront Development Permit Application, 2 2nd Street, Jersey City.
- x. Application 10-004 dated January 21, 2010 from Tuesday Umphries, Jersey City to Robert Byrne, City Clerk re: Municipal Public Service.
- y. Letter dated January 20, 2010 from Andy Caltagirone, Manager of Industrial & Pollution Control, Passaic Valley Sewerage Commissioners to Robert Byrne, City Clerk re: Newly revised and adopted PVSC Rules & Regulations.
- z. Letter dated January 6, 2010 from Suzanne U. Dietrick, Chief, for State of New Jersey, Department of Environmental Protection to Donald Stevens, PE, The Louis Berger Group, Inc. re: Waterfront Development Permit/Water Quality Certificate Lincoln Park Wetlands Restoration, Jersey City.
- z1. Letter dated January 11, 2010 from Elisa A. Kruger, Senior Project Manager, GES Groundwater & Environmental Services, Inc. to Robert Byrne, City Clerk re: Public notification, former Exxon Service Station #3-2433, 1026 Summit Avenue, Jersey City.
- z2. Memo dated January 11, 2010 from Nina Mitchell Wells, Esq., State of New Jersey, Department of State to Robert Byrne, City Clerk re: 2010 Campaign Contribution Notice.
- z3. Notice from Verizon, to Robert Byrne, City Clerk re: ION Workshop Networks.

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- z4. Letter dated January 25, 2010 from John T. Sullivan, Attorney, Jersey City Ethical Standards Board to John Chicetti, Jersey City re: Jersey City Ethical Standards Board vs. John Chicetti.
- z5. Agenda from Peter Soriero, Risk Manager, Jersey City Insurance Fund Commission meeting to be held on Wednesday, January 27, 2010 at 4:00 p.m., in Room B-6, City Hall.
- z6. Letter dated January 20, 2010 from Elisa A. Kruger, Project Environmental Scientists, GES Groundwater & Environmental Services, Inc. to Robert Byrne, City Clerk re: Public notification, former Exxon Service Station #3-5500, 12th Street, Jersey City.
- z7. Agenda for the Jersey City Employment & Training Program, Inc., Regular Board Meeting to be held on January 28, 2010 at 10:00 a.m.
- z8. Letter dated January 20, 2010 from Wade E. Miller, P.E., Planning and Design Manager for PES&G to Robert Byrne, City Clerk re: 2010 Construction Plan.
- z9. Rockaway Valley Regional Sewerage Authority Minutes of a Board meeting held December 10, 2009.
- z10. Letter dated January 14, 2010 from Kevin F. Kratina, Chief, Bureau of Underground Storage Tanks, State of New Jersey, to Wagieh and Ihab Botros, Jersey City re: Indoor air sampling analyese for 1030 Summit Avenue, Jersey City. (former Exxon Service Station #3-2433, 1026 Summit Avenue, Jersey City.)
- z11. Letter dated January 21, 2010 from John H. Moyle, P.E., Manager, Bureau of Dam Safety and Flood Control for the State of New Jersey, Department of Environmental Protection to Daniel Becht, Esq., Executive Director, Jersey City Municipal Utilities Authority re: split Rock Pond Dam (NJDEP) Rockaway Township, Morris Co.
- z12. New Jersey Meadowlands Commission public hearing is scheduled for Wednesday, January 27, 2010 at 10:00 a.m., in the Office of the Commission, One DeKorte Park Plaza, Lyndhurst, NJ.

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****6. PETITIONS AND COMMUNICATIONS**

- z13. Letter dated January 23, 2010 from Ronald T. Corcory, Assistant Director for the State of New Jersey Department of Environmental Protection, Enforcement & Assignment Element Child Care/Educational Facility Unit to Gary Greenberg, Boys & Girls Clubs of Hudson County re: NJDEP Child Care Facility Approval for Boys & Girls Clubs of Hudson County, 1 Canal Street, Jersey City.
- z14. Minutes of the regular meeting of the board of Commissioners of the Jersey City Redevelopment Agency held November 24, 2009.
- z15. Notice of Cancellation or Non-renewal of Bond issued by Great American Insurance Company for 272 Winfield Avenue, Jersey City.
- z16. Senate Bill, No. 395, State of New Jersey, submitted by William Dorrity.
- z17. Jersey City Energy Production Authority (JCEPA) proposal submitted by Jayson Burg.
- z18. Letter dated January 27, 2010 from Jayson Burg, Jersey City to President and Members of the Municipal Council re: Budget.
- z19. Fax dated January 27, 2010 from Barbara Betro to President and Members of the Municipal Council re: Dudley Street vacation ordinance.
- z20. Letter dated December 16, 2009 from Emmanuel C. Baynosa, Jersey City to President and Members of the Municipal Council re: Hardship letter from a Gulf War Veteran.
- z21. Letter from Liyda Radin, Jersey City to President and Members of the Municipal Council re: Complaint letter.

