

# 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

## Agenda Regular Meeting of the Municipal Council Wednesday, June 9, 2010 at 6:00 p.m.

**Please note:** The next caucus meeting of the Municipal Council is scheduled for Monday, June 21, 2010, at 5:30 p.m. in the Efrain Rosario Memorial Caucus Room, City Hall.

The next regular meeting of the Municipal Council is scheduled for Wednesday, June 23, 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.

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

City Clerk Robert Byrne stated on behalf of Peter M. Brennan, Council President. "In accordance with the New Jersey P.L. 1975, Chapter 231 of the Open Public Meetings Act (Sunshine Law), adequate notice of this meeting was provided by mail and/or fax to The Jersey Journal and The Reporter. Additionally, the **annual notice** was posted on the bulletin board, first floor of City Hall and filed in the Office of the City Clerk on 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, June 3, 2010 at 4:00 p.m.** to the Municipal Council, Mayor and Business Administrator of Jersey City. It was similarly disseminated to The Jersey City Reporter and The Jersey Journal.

2. **Bid Reception: None**

**\*\*CONSENT AGENDA\*\***

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

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

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

**\*3.**

**ORDINANCE HEARING**

**FIRST READING**

**CITY CLERK  
FILE**

- a. An ordinance supplementing Chapter 26 (Vehicles and Traffic) Article X (Schedules) of the Jersey City Code amending Schedule 3 (No Parking Any Time) repealing the (No Parking Any Time) prohibition on certain sections of both the east and the west side of Grove Street between 18<sup>th</sup> Street and the Hoboken City Line and amending Schedule 5 (Stopping or Standing Prohibited during certain hours, daily except Saturdays, Sundays and Holidays) designating sections on both the east and west side of Grove Street between 18<sup>th</sup> Street and the Hoboken City Line as No Stopping or Standing, daily except Saturdays, Sundays and Holidays from 7:00 a.m. to 6:00 p.m. Ord. 10-079
- b. Ordinance authorizing the execution of an easement agreement between the City of Jersey City (City) and Honeywell International, Inc., (Honeywell) permitting Honeywell to enter onto underwater property owned by the City to perform remediation work. Ord. 10-080
- c. An ordinance of the City of Jersey City, in the County of Hudson, New Jersey, providing for the construction of a new facility for use by the City's Department of Public Works and the Jersey City Incinerator Authority and appropriating \$66,915,000 therefor, and providing for the issuance of \$66,915,000 in general improvement bonds or notes of the City of Jersey City to finance the same. Ord. 10-081

06/09/10

**\*4.**

**ORDINANCE HEARING**

**SECOND READING**

**CITY CLERK  
FILE**

- |                 |    |   |                                |
|-----------------|----|---|--------------------------------|
| Introduced-9-0- | a. | Ordinance naming the path between the Babe Ruth Field and Cal Ripken Field at Pershing Field Charlie Straub Way.  | Ord. 10-071<br>Intro. 05/26/10 |
| Introduced-9-0- | b. | Ordinance amending Chapter 3 (Administration of Government) Article VI (Department of Administration) and Article IX (Department of Public Works) of the Jersey City Code transferring the Division of Architecture and the Division of Engineering Traffic and Transportation from the Department of Administration to the Department of Public Works. | Ord. 10-072<br>Intro. 05/26/10 |
| Introduced-9-0- | c. | Ordinance approving an amendment to a long term tax exemption with Jones Hall Associates, pursuant to the Limited Dividend Non-Profit Housing Corporation Law, <u>N.J.S.A.</u> 55:16-1 to 1) Extend the term for up to 20 years and 2) Increase the annual service charge from a 6.28% to 8%.   | Ord. 10-073<br>Intro. 05/26/10 |
| Introduced-9-0- | d. | Ordinance of the Municipal Council City of Jersey City amending Article V, Chapter 345-60 (Supplementary Zoning Regulations) of the Land Development Ordinance (Zoning Ordinance) amending regulations for wireless communication antennas.   | Ord. 10-074<br>Intro. 05/26/10 |
| Introduced-9-0- | e. | Ordinance of the Municipal Council of the City of Jersey City amending Section 345-58.E of the Land Development Ordinance conditional uses permitted in the Paulus Hook Historic District Development Ordinance.  | Ord. 10-075<br>Intro. 05/26/10 |
| Introduced-9-0- | f. | Ordinance of the Municipal Council of the City of Jersey City adopting amendments to the HUB Subdistrict of the Martin Luther King Drive Redevelopment Plan.  | Ord. 10-076<br>Intro. 05/26/10 |
| Introduced-9-0- | g. | Ordinance amending Chapter 53 (Personnel) establishing vacation and benefits and workplace regulations for employees whose salary and compensation are required by law to be fixed by ordinance.  | Ord. 10-078<br>Intro. 05/26/10 |

05/26/10

**\*\* 5.**

**PUBLIC REQUEST FOR HEARING**

1. William Dorrity, 3060 Kennedy Boulevard, Jersey City
2. John Seborowski, Sr., Jersey City
3. William Connell, 142 Central Avenue, Jersey City
4. Maureen Walliser, 780 Montgomery Street, Jersey City
5. Yvonne Balcer, Jersey City
6. Frank Scalcione, Jersey City
7. Eric Mason, 149 Grant Avenue, Jersey City
8. Gregory Sanders, Jersey City
9. Rufus Senec, Jersey City
10. Erik Nelson, Jersey City
11. Raiz Wahid, Jersey City
12. Philip Carrington, Jersey City

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

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

- a. Permit notice dated May 25, 2010 from Kimberly Kerkuska, Senior Geologist, State of New Jersey, Department of Environmental Protection, Division of Land Use Regulation to NJ Division of Parks & Forestry, Jersey City re: Freshwater Wetlands, Block 2154, Lots 22, 48, 2048 & portions of 64, Jersey City.
- b. Fax dated May 25, 2010 from James C. McCann, Esq., on behalf of the firm, Connell Foley, LLP, Attorneys at Law to Robert Byrne, City Clerk re: Lobbyist Representation Registration for Jones Hall Associates, LP, 591 Montgomery Street, Jersey City.
- c. Letter dated May 22, 2010 from William Dorrity, Jersey City to William Matsikoudis, Corporation Counsel re: Bedbugs Ordinance.
- d. Letter dated May 25, 2010 from Kenneth Kloo, Administrator, Office of Brownfield Reuse for the State of New Jersey, Department of Environmental Protection to Maria Ramos, Jersey City re: One 550 gallon #2 heating oil underground storage tank system, 305 Chapel Avenue, Jersey City.
- e. Letter dated May 20, 2010 from Kevin F. Kratina, Chief, Bureau of Underground Storage Tanks, State of New Jersey, Department of Environmental Protection to Cooper Electric, Jersey City re: Air Sampling Analyses, 134 Pamrapo Avenue, Jersey City.
- f. Letter dated May 20, 2010 from Kevin F. Kratina, Chief, Bureau of Underground Storage Tanks, State of New Jersey, Department of Environmental Protection to Noel Bautista, Jersey City re: Air Sampling Analyses, 133 Pamrapo Avenue, Jersey City.
- g. Letter dated May 26, 2010 from Aron Krasnopoler, Geosyntec Consultants to Robert Byrne, City Clerk re: PJP Landfill, Ground Water Classification Exception Area (CEA).
- h. Letter dated June 1, 2010 from Laura N. George, Senior Manager, Environ to Robert Byrne, City Clerk re: Notification of Waterfront Development General Permit #14 Application Repair of Bulkhead, 200 Kellogg Street, Jersey City.
- i. Letter dated May 25, 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 Dolores Perry, Director, Monumental Head Start, re: NJDEP Child Care Facility Approval Letter, 110 Lafayette Street, Jersey City.

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- j. Letter dated May 26, 2010 from Yacoub E. Yacoub, Bureau Chief for the State of New Jersey Department of Environmental Protection to Wallace Scruggs, Whitlocks Mill, LP re: Notice of Approval of Extension request, 160 Lafayette Street, Jersey City.
- k. Letter dated May 26, 2010 from Judy Baynard Case Manager, Bureau of Underground Storage Tanks, Department of Environmental Protection to Shaffer Tannu, President, S&S Auto Repair re: Notice of Deficiency, 227 Monticello Avenue, Jersey City.
- l. Letter dated May 25, 2010 from Rebecca S. Markert, Staff Attorney, Freedom From Religion Foundation to Peter Brennan, Council President re: Jersey City Human Rights Office.
- m. Letter dated June 2, 2010 from Duda Penteado, to Jerramiah T. Healy, Mayor re: Resignation from the Artist Certification Board.
- n. Letter dated June 1, 2010 from William Dorrity, Jersey City to Councilman Steve Fulop re: Grandview Terrace.
- o. Letter dated June 1, 2010 from Joseph P. Novelli, P.E., LSRP, Brockerhoff Environmental Services, LLC., to Robert Byrne, City Clerk re: Response Action Outcome, Little P's Small World Daycare 2, Inc., 462 Central Avenue, Jersey City.
- p. Letter dated June 2, 2010 from Catherine Starghill, Esq., Executive Director, Government Records Council to Robert Byrne, City Clerk re: Steve Hyman v. City of Jersey City.
- q. Fax dated June 3, 2010 from Molly B. Adams, Government Affairs Manager, Comcast to Mayor and Members of the Municipal Council re: Channel Changes.
- r. Letter dated June 2, 2010 from Don Kenny, Tax Administrator, Hudson County Board of Taxation to Robert Byrne, City Clerk re: Approved order for the revaluation of the City of Jersey City.
- s. Letter dated June 1, 2010 from John F. King, Supervising Environmental Services, Bureau of Urban Growth and Redevelopment, State of New Jersey, Department of Environmental Protection to Michael Stoltzfus, TRC re: Coastal General Permit No. 27 Modification, Arthur Kill, Kill Van Kull and Hudson River.

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- t. Letter dated May 27, 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 Shelcy Kulangara, Saint Elizabeth Child Care Center re: NJDEP Child Care Facility Approval Letter, 129 Garrison Avenue, Jersey City.
- u. Notice of a public hearing by the City of Hoboken Zoning Board of Adjustment on a development application to be held June 15, 2010 at 7:00 p.m. at 94 Washington Street, Hoboken.
- v. Letter dated May 28, 2010 from Gary Greulich, Section Chief, Bureau of Northern Field Operations, State of New Jersey, Department of Environmental Protection to Paul Hennessy, 20 Aquarium Drive, LLC re: Approval, Intermodal Truck Terminal, 2525 Secaucus Road, Jersey City.
- w. Letter dated May 28, 2010 from Yacoub E. Yacoub, Bureau Chief for the State of New Jersey Department of Environmental Protection to Roger W. Thomas, Mack-Cali Realty Corp., re: No Further Action letter w/Requirements for Biennial Certifications, 34 Exchange Place- formerly 95 Christopher Columbus Drive, Jersey City.
- x. Application 10-034 dated April 30, 2010 from Kevin Lyons, Jersey City to Robert Byrne, City Clerk re: Municipal Public Service.
- y. Fax dated May 28, 2010 from Charles L. Smith, Director of Government Affairs, Comcast to Mayor and Members of the Municipal Council re: Changes to cable television in Jersey City.
- z. Minutes of the regular meeting of the Board of Commissioners of the Jersey City Redevelopment Agency held April 20, 2010.
- z1. New Jersey Meadowlands Commission Meeting to be held Tuesday, June 29, 2010 at 10:00 a.m., Lyndhurst, NJ.
- z2. Letter dated June 2, 2010 from John K. Fiorilla, Capehart Scatchard, Attorney at Law to Pat Carabellese, President, President and Members of the Investors re: Norfolk Southern Railroad Company-Class II Taxes.
- z3. Letter dated June 7, 2010 from Lori Grifa, Commissioner, State of New Jersey, Department of Community Affairs to Jerramiah T. Healy, Mayor re: Constitutional amendment to cap property tax increases.

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

- z4. Letter dated June 3, 2010 from June 3, 2010 from Bruce Riegel, Project Manager, New Jersey Department of Transportation to Robert Byrne, City Clerk re: NJDEP application for Individual Freshwater Wetlands and Waterfront Development Permits for Route 7, Wittpenn Bridge replacement over Hackensack River and Fish House Road realignment, Town of Kearny & City of Jersey City.
- z5. Email dated June 7, 2010 from Ernest Schapiro to Sean Gallagher, Deputy City Clerk re: Glass-Steagall Resolution.
- z6. Letter dated May 28, 2010 from David S. Rubin, Supervising Environmental Specialist, Bureau of Underground Storage Tanks, to Elizabeth Pheiffer, BMW of North America, LLC re: Notice of Deficiency, 20 Colony Road, Jersey City.

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

**NONE**

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

- a. Executive Order 2010-002 dated May 26, 2010 from Jerramiah T. Healy, Mayor of the City of Jersey City re: Establishing a one-time benefits for the Police Chief.
- b. Memorandum dated June 3, 2010 from Williams Matsikoudis, Corporation Counsel to President and Members of the Municipal Council re: Resolution approving the audit of tax exemptions for 1) Plaza X Urban renewal Associates, LLC; 2) Cal Harbor So Pier Urban Renewal Associates, LP; 3) Cal Harbor V Urban Renewal Associates, LP; and 4) Cal Harbor VII Urban Renewal Associates, LP.
- c. Letter dated June 7, 2010 from Jerramiah T. Healy, Mayor to President and Members of the Municipal Council re: Appointing Cynthia Cartagena, of Jersey City, to serve as a member of the Jersey City Public Library, replacing David Donnelly, who has resigned. Ms. Cartagena's term will expire on December 31, 2013.

**\*\*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

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

- a. Resolution authorizing Fiscal Year 2010 appropriation transfers. Res. 10-363
- b. Resolution authorizing the cancellation of unexpended budget appropriation balances. ( Summer Food Program) Res. 10-364
- c. Resolution authorizing the cancellation of unexpended budget appropriation balances. (CCTV) Res. 10-365
- d. Resolution authorizing the insertion of Special Items of Revenue and Appropriations in the FY 2010 Municipal Budget, pursuant to N.J.S.A. 40A:4-87. Res. 10-366
- e. Resolution of the City of Jersey City, in the County of Hudson, New Jersey making application to the Local Finance Board pursuant to N.J.S.A. 40A:2-11(c), N.J.S.A. 40A:2-7(d) and 40A:3-4(c). (Ord. 10-081) Res. 10-367
- f. Resolution of the City of Jersey City, in the County of Hudson, State of New Jersey, (The "Local Unit") authorizing the Local Unit's participation in the Pooled Note Financing Program Res. 10-368
- g. Resolution authorizing the execution of an agreement between the City of Jersey City and Jersey City Supervisors Association. Res. 10-369
- h. Resolution authorizing the extension of a license agreement with the J. C. Episcopal CDC, a Non-Profit Corporation. Res. 10-370
- i. A resolution authorizing the Closing of a Municipal Street(s), McWilliams Place beginning Noon and ending 8:00 p.m., Saturday, June 12, 2010 rain date: Sunday, June 13, 2010 at the request of the Hamilton Park Neighborhood Assn. for the purpose of the Hamilton Park Festival. Res. 10-371
- j. A resolution authorizing the Closing of a Municipal Street(s), York Street from Washington Street to Greene Street on June 11, 2010 beginning 4:00 p.m. and ending 8:00 p.m. at the request of the York Street Project for the purpose of the Kenmare Annual Dinner Event. Res. 10-372
- k. Resolution authorizing the Closing of a Municipal Street(s), Exchange Place and Montgomery Street from Hudson Street to Washington Street (With Greene Street Kept Open) beginning 8:00 a.m. and ending 10:00 p.m., Sunday, July 27, 2010 at the request of the Philippine American Friendship Committee for the purpose of a Philippine Independence Parade & Festival. Res. 10-373

**Withdrawn**

