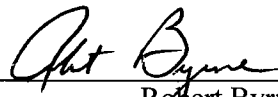


The action taken by the municipal council at the Regular Meeting held on August 25, 2010 at 10:00 a.m. is listed below. The minutes, as recorded in the minute book, are available for perusal and approval. Unless council advises the City Clerk to the contrary, these minutes will be considered approved 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, August 25, 2010 at 10:00 a.m.

**Please Note:** The next caucus meeting of Council is scheduled for Monday, September 13, 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, September 15, 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: 10:25 a.m.

1. (a) **INVOCATION:**

(b) **ROLL CALL:**

At 10:25 a.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, August 19, 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 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-8-0-  
Vega: absent

- a. An Ordinance dedicating that Eighth Street between Manila Avenue and Marin Boulevard be also known as "Bob Hurley Sr. Way".

Ord. 10-112

Introduced-8-0-  
Vega: absent

- b. An Ordinance supplementing Chapter 26 (Vehicles and Traffic) Article X (Schedules) Schedule 22 (Parking for the Disabled) of the Jersey City Code designating a reserved parking space at 88A Arlington Avenue; 333-375 Armstrong Avenue; 167 Beacon Avenue; 59 Bidwell Avenue; 474 Bramhall Avenue; 58 Clarke Avenue; 139A Dwight Street; 333 Fairmount Avenue; 84 Fulton Avenue; 124A Grant Avenue; 99 Irving Street; 430 Manila Avenue; 282 New York Avenue; 58 ½ Oak Street; 14 Skyline Drive and 365 Van Nostrand Avenue and amend the reserved parking space at 291 Monticello Avenue and 76 Newkirk Street.

Ord. 10-113

Introduced-8-0-  
Vega: absent

- c. Ordinance adopting and codifying Chapter 332, Vehicles and Traffic, of the Jersey City Municipal Code and repealing Chapter 26, Vehicles and Traffic.

Ord. 10-114

**Public Hearing on the  
Central Avenue Special Improvement District  
Budget and Assessment Roll**

1. David Diaz

A motion was made by Councilperson Sottolano and seconded by Councilperson Brennan to close the public hearing on the Central Avenue Special Improvement District Budget and Assessment Roll. Approved-8-0- Councilperson Vega: absent.

\*4.

**ORDINANCE HEARING**

**SECOND READING**

**CITY CLERK  
FILE**

- |  |    |  |                                |
|--|----|--|--------------------------------|
| Adopted-8-0-<br>Vega: absent   | a. | Ordinance of the Municipal Council of the City of Jersey City adopting the Journal Square 2060 Redevelopment Plan.   | Ord. 10-103<br>Intro. 08/04/10 |
| Adopted-8-0-<br>Vega: absent   | b. | Ordinance of the Municipal Council of the City of Jersey City adopting amendments to the Morris Canal Redevelopment Plan to permit assisted and independent living uses.   | Ord. 10-104<br>Intro. 08/04/10 |
| Adopted-8-0-<br>Vega: absent   | c. | Ordinance of the Municipal Council of the City of Jersey City adopting amendments to the Martin Luther King Drive Redevelopment Plan permitting five stories near light rail transit.  | Ord. 10-105<br>Intro. 08/04/10 |
| Motion to<br>continue the<br>public hearing on<br>09/15/10 by<br>Richardson,<br>seconded by<br>Lopez<br>8-0- Vega:<br>Absent | d. | Ordinance of the City of Jersey City adopting amendments to the land development ordinance dealing with Historic Preservation procedures and applications.   | Ord. 10-106<br>Intro. 08/04/10 |
| Adopted-8-0-<br>Vega: absent   | e. | Ordinance of Municipal Council of the City of Jersey City regarding refuse containers and dumpsters.   | Ord. 10-107<br>Intro. 08/04/10 |
| Adopted-8-0-<br>Vega: absent   | f. | Ordinance of the Municipal Council of the City of Jersey City regarding private storm drain inlets.  | Ord. 10-108<br>Intro. 08/04/10 |
| Adopted-8-0-<br>Vega: absent   | g. | Ordinance amending a 30 year tax exemption with Fred W. Martin Apartments Urban Renewal, L.P., to 1) Correct property description to specifically limit the tax exemption to the residential unit only and 2) Terminate the tax exemption as to the remaining units. | Ord. 10-109<br>Intro. 08/04/10 |
| Adopted-8-0-<br>Vega: absent   | h. | An ordinance dedicating that Summit Avenue between Pavonia Avenue and Newark Avenue also be known as Dante Alighieri Way.  | Ord. 10-111<br>Intro. 08/04/10 |

08/25/10

**\*\* 5.**

**PUBLIC REQUEST FOR HEARING**

- |               |  |
|---------------|--|
| Spoke         | 1. William Dorrity, 3060 Kennedy Boulevard, Jersey City          |
| Did not speak | 2. William Doyle Franks, 304 6 <sup>th</sup> Street, Jersey City |
| Did not speak | 3. Palak Patel, Jersey City                                      |
| Did not speak | 4. Mansi Gamni, Jersey City                                      |
| Spoke         | 5. John Seborowski, Sr, Jersey City                              |
| Spoke         | 6. Edwin Perez   |
| Did not speak | 7. Carol Valentino, 137 Charles Street, Jersey City              |
| Spoke         | 8. Mary Quinn, Jersey City                                       |
| Spoke         | 9. Darnelle Richardson   |
| Spoke         | 10. Catherine Grimm  |
| Spoke         | 11. Kwame R. Daughtry  |
| Spoke         | 12. Daoud D. Williams, Jersey City                               |
| Spoke         | 13. Terry DeHere   |
| Did not speak | 14. Tony Perkins   |
| Did not speak | 15. Mark Wilson  |
| Did not speak | 16. Veronica Sutton  |
| Spoke         | 17. Yvonne Balcer, 283 York Street, Jersey City                  |
| Spoke         | 18. Stephen Musgrave, Jersey City                                |
| Did not speak | 19. William Connell, Jersey City, New Jersey                     |
| Spoke         | 20. Kathy Mazzouccolo, 16 W. 30th Street, Bayonne, New Jersey    |
| Spoke         | 21. Dale Hardman, 235 3rd Street, Jersey City                    |
| Spoke         | 22. Esther Wintner, Jersey City                                  |
| Spoke         | 23. Jean Hartzog   |
| Spoke         | 24. Paul Valleau   |
| Spoke         | 25. Julia Scanlon  |
| Did not speak | 26. Richard Meyer  |

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

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

- a. Letter dated July 28, 2010 from Gary Greulich, Section Chief, Bureau of Northern Field Operations, State of New Jersey, Department of Environmental Protection to Auto Zone Inc., re: Remedial Action Report approval, Auto Zone, Communipaw Avenue, Jersey City.
- b. Letter dated July 30, 2010 from Stephen E. Maybury, Bureau Chief, Bureau of Case Management, State of New Jersey, Department of Environmental Protection to Randy Brosseau, Metro Area President, K. Hovnanian at Jersey City IV, LLC & Robert P. Antonicello, Jersey City Redevelopment Agency re: Conditional No Further Action Letter w/requirement for Biennial Certification, Droyers Point, 175 Kellogg Street, Jersey City.
- c. Letter dated July 30, 2010 from Donna Mauer, Chief Financial Officer to Marc Pfeiffer, Division of Local Government Services re: SFY 2010 Annual Debt Statement.
- d. Letter dated August 2, 2010 from William Dorrity, Grandview Tenants Association, Jersey City to Robert Byrne, City Clerk re: Security Service & Security Cameras.
- e. Letter dated August 23, 2010 from Sana Qureshi, Community Relations Coordinator, State of New Jersey, Department of Environmental Protection to Robert Byrne, City Clerk re: PJP Landfill Superfund Site, 400 Sip Avenue, Jersey City.
- f. Letter dated July 27, 2010 from Yacoub E. Yacoub, Bureau Chief for the State of New Jersey Department of Environmental Protection to Jeffrey Zak, Liberty Harbor Holding, LLC, re: No Further Action Letter w/Requirement for Biennial Certification, Marin Boulevard & Jersey Avenue, Block 60, Lot 5.01.
- g. Letter dated July 27, 2010 from Yacoub E. Yacoub, Bureau Chief for the State of New Jersey Department of Environmental Protection to Jeffrey Zak, Liberty Harbor Holding, LLC, re: No Further Action Letter w/Requirement for Biennial Certification, Marin Boulevard & Jersey Avenue, Block 60, Lot 5.02.
- h. Letter dated July 27, 2010 from Yacoub E. Yacoub, Bureau Chief for the State of New Jersey Department of Environmental Protection to Jeffrey Zak, Liberty Harbor Holding, LLC, re: No Further Action Letter w/Requirement for Biennial Certification, Marin Boulevard & Jersey Avenue, Block 60, Lot 5.03.

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

- i. Letter dated July 27, 2010 from Yacoub E. Yacoub, Bureau Chief for the State of New Jersey Department of Environmental Protection to Jeffrey Zak, Liberty Harbor Holding, LLC, re: No Further Action Letter w/Requirement for Biennial Certification, Marin Boulevard & Jersey Avenue, Block 60, Lot 5.04.
- j. Letter dated July 27, 2010 from Yacoub E. Yacoub, Bureau Chief for the State of New Jersey Department of Environmental Protection to Jeffrey Zak, Liberty Harbor Holding, LLC, re: No Further Action Letter w/Requirement for Biennial Certification, Marin Boulevard & Jersey Avenue, Block 60, Lot 5.05.
- k. Letter dated July 27, 2010 from Yacoub E. Yacoub, Bureau Chief for the State of New Jersey Department of Environmental Protection to Jeffrey Zak, Liberty Harbor Holding, LLC, re: No Further Action Letter w/Requirement for Biennial Certification, Marin Boulevard & Jersey Avenue, Block 60, Lot 5.06.
- l. Letter dated July 27, 2010 from Yacoub E. Yacoub, Bureau Chief for the State of New Jersey Department of Environmental Protection to Jeffrey Zak, Liberty Harbor Holding, LLC, re: No Further Action Letter w/Requirement for Biennial Certification, Marin Boulevard & Jersey Avenue, Block 60, Lot 5.
- m. Letter dated July 27, 2010 from Yacoub E. Yacoub, Bureau Chief for the State of New Jersey Department of Environmental Protection to Jeffrey Zak, Liberty Harbor Holding, LLC, re: No Further Action Letter w/Requirement for Biennial Certification, Marin Boulevard & Jersey Avenue, Block 60.10, Lot 1.
- n. Letter dated July 27, 2010 from Yacoub E. Yacoub, Bureau Chief for the State of New Jersey Department of Environmental Protection to Jeffrey Zak, Liberty Harbor Holding, LLC, re: No Further Action Letter w/Requirement for Biennial Certification, Marin Boulevard & Jersey Avenue, Block 60.03, Lot 8.
- o. Letter dated July 27, 2010 from Yacoub E. Yacoub, Bureau Chief for the State of New Jersey Department of Environmental Protection to Jeffrey Zak, Liberty Harbor Holding, LLC, re: No Further Action Letter w/Requirement for Biennial Certification, Marin Boulevard & Jersey Avenue, Block 60.03, Lot 16.

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

- p. Letter dated July 27, 2010 from Yacoub E. Yacoub, Bureau Chief for the State of New Jersey Department of Environmental Protection to Jeffrey Zak, Liberty Harbor Holding, LLC, re: No Further Action Letter w/Requirement for Biennial Certification, Marin Boulevard & Jersey Avenue, Block 60.02, Lot 24.
- q. Notice dated August 3, 2010 from Donna Mauer, Chief Financial Officer, City of Jersey City to Robert Byrne, City Clerk re: Site Preparation Escrow Account resolutions for Curly & Florio Attorneys at Law.
- r. Letter dated August 4, 2010 from Jay A. Jaffe, Farer Fersko, Attorneys at Law to Robert Byrne, City Clerk re: Deed notice for Harborside Financial Center, Jersey City.
- s. Letter dated August 4, 2010 from David R. Draper, Potomac-Hudson Environmental Inc., to Robert Byrne, City Clerk re: Notification of request for classification exception area, WA Residential Urban Renewal Co., LLC, Jersey City.
- t. Letter dated July 30, 2010 from Donna Mauer, Chief Financial Officer to Marc Pfeiffer, Division of Local Government Services re: SFY 2010 Annual Debt Statement (unaudited).
- u. Letter dated July 29, 2010 from Ronald T. Corcory, Assistant Director, Enforcement & Assignment Element, State of New Jersey, Department of Environmental Protection to Silvia Acebedo, Viaquenti Preschool, Jersey City re: Child Care Facility Approval Letter, Viaquenti Preschool, 285 Newark Avenue, Jersey City.
- v. Letter dated July 28, 2010 from Oren K. Dabney, Sr., Chief Executive Officer, Jersey City Incinerator Authority to Robert Byrne, City Clerk re: Escrow Account Request.
- w. Memo dated August 4, 201 from Mary F. Paretti, CEO Jersey City Parking Authority to Robert Byrne, City Clerk re: Increasing citywide meter rates.
- x. Notice of public hearing from PSE&G Co., to Robert Byrne, City Clerk re: 2010-2011 Annual Compliance Filing for Statewide Electric and Gas Permanent Universal Service Fund Program at various location.
- y. Letter dated August 4, 2010 from Kevin F. Kratina, Chief, Bureau of Underground Storage Tanks, State of New Jersey, Department of Environmental Protection to DePren Realty, Co re: No Further Action Letter w/requirement for Biennial Certification, 232 Dey Street, Jersey City.

08/25/10

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

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

- z. Letter dated July 21, 2010 from Kenneth Kloo, Administrator, Office of Brownfield Reuse for the State of New Jersey, Department of Environmental Protection to Phillip Woznicki, Jersey City re: Four 3000 gallon diesel underground storage tank system, 315 Grant Avenue, Jersey City.
- z1. Letter dated August 5, 2010 from Kevin F. Kratina, Chief, Bureau of Underground Storage Tanks, State of New Jersey, Department of Environmental Protection to Elizabeth Pfeiffer, BMW of North America, LLC re: No Further Action Letter w/requirement for Biennial Certification, One 550 gallon waste oil underground storage tank, 30 Colony Road, Jersey City.
- z2. Letter dated July 29, 2010 from Jason Wiener, Wetlands Scientist, Langan Engineering & Environmental Services to Robert Byrne, City Clerk re: New Picnic Area- Liberty State Park, multi-permit application.
- z3. Letter dated August 5, 2010 from Michael S. Roscoe, PG, LEED AP, Schnabel Engineering to Robert Byrne, City Clerk re: Waterfront Development permit for proposed dredge material processing facility, Weeks Marine, Inc., Greenville Yard Facility, Jersey City.
- z4. Letter dated July 29, 2010 from Jason Wiener, Wetlands Scientist, Langan Engineering & Environmental Services to Robert Byrne, City Clerk re: Notice of application.
- z5. Fax dated August 8, 2010 from Steven Pinkney, to Jerramiah T. Healy, Mayor re: (CAS) Community Awareness Series.
- z6. Public notice dated August 5, 201 from Barbara Amato, Secretary to the Jersey City Redevelopment Agency to Robert Byrne, City Clerk re: Regular meeting for Board of Commissioners to be held on Tuesday, August 17, 2010 at 6:00 p.m., in the conference room on the 14<sup>th</sup> Fl., 30 Montgomery Street, Jersey City.
- z7. Federal Communications Commission, Information Notice of Section 106 Filing.
- z8. Letter dated August 7, 2010 from William Doyle Franks, Jersey City to Robert Byrne, City Clerk re: Resolution requesting the Governor and the Commissioner of Education to accept their ability to reverse an illegal vote that circumvented the public's involvement when a two year contract extension for the Superintendent of the Jersey City Public School System was Granted.

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

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

- z9. Letter dated August 10, 2010 from William Dorrity, Jersey City to Robert Byrne, City Clerk; re: Bedbug Ordinance.
- z10. Letter dated August 6, 2010 from Patricia Logan, Supervising Traffic Investigator to Robert Byrne, City Clerk re: Chapter 332-Vehicles and Traffic, Section 332-13-Truck Routes and Section 332-14-Trucks Prohibited or Restricted.
- z11. Letter dated August 11, 2010 from Charles L. Smith, III, Director of Government Affairs, Comcast to Jerramiah T. Healy, Mayor re: Enhancing Network.
- z12. Minutes of the Employees' Retirement System of Jersey City meeting held July 16, 2010.
- z13. Agenda of the Regular Meeting of the Employee's Retirement System of Jersey City to be held on August 18, 2010.
- z14. Letter dated August 6, 2010 from Lawrence Petrillo, State Fire Marshall, Director, Division of Fire Safety, State of New Jersey, to Robert Byrne, City Clerk re: Fire Official Vacancy.
- z15. Notice of public hearing from PSE&G Co., to Robert Byrne, City Clerk re: Changes in its Electric Solar Pilot Recovery Charge (SPRC) for its Solar Loan Program.
- z16. Letter dated August 4, 2010 from Kenneth Kloo, Administrator, Office of Brownfield Reuse for the State of New Jersey, Department of Environmental Protection to Marie Grompone, re: One 550 gallon #2 heating oil underground storage tank system, 328 Ege Avenue, Jersey City.
- z17. Notice of public hearing from PSE&G Co., to Robert Byrne, City Clerk re: 2010-2011 Annual BGSS commodity charge filing for its residential gas customers under its periodic pricing mechanism and for changes in the tariff for gas services.
- z18. Letter dated August 10, 2010 from Ronald T. Corcory, Assistant Director, Enforcement & Assignment Element, State of New Jersey, Department of Environmental Protection to Richard Kresch, The River School, Jersey City re: Child Care Facility Approval Letter, 251 Warren Street, Jersey City.
- z19. Minutes of the regular session of the Jersey City Municipal Utilities Authority held July 29, 2010.

