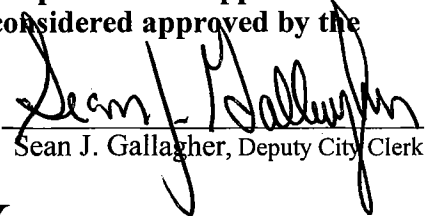


The action taken by the municipal council at the Regular Meeting held on September 15, 2010 at 6:00 p.m. is listed below. The minutes, as recorded in the minute book, are available for perusal and approval. Unless council advises the City Clerk to the contrary, these minutes will be considered approved by the municipal council.


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



Peter M. Brennan, Council President
Willie L. Flood, 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, September 15, 2010 at 6:00 p.m.

Please Note: The next caucus meeting of Council is scheduled for Monday, September 27, 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 29, 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.
- (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, September 9, 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- | a. | Ordinance of the Municipal Council of the City of Jersey City adopting amendments to the Morris Canal Redevelopment Plan to revise fees for plan amendments. | Ord. 10-115 |
| Introduced-8-0- | b. | Ordinance authorizing the execution of a right of way use agreement between the City of Jersey City and NextG Networks of NY , Inc. for the installation, use and maintenance of telecommunications facilities within certain public rights of way for the purpose of providing telecommunications services. | Ord.10-116 |
| Introduced-8-0- | c. | An ordinance authorizing the transfer of city owned property within the Martin Luther King Drive Redevelopment area to the Jersey City Redevelopment Agency.(292 Martin Luther King Drive) | Ord. 10-117 |
| Introduced-8-0- | d. | An ordinance authorizing the transfer of city owned property within the Martin Luther King Drive Redevelopment area to the Jersey City Redevelopment Agency. (15.5 Oak Street) | Ord. 10-118 |
| Introduced-8-0- | e. | An ordinance authorizing the execution of a developer's agreement and the transfer of 34 Van Nostrand Avenue, 36 Van Nostrand Avenue, 38 Van Nostrand Avenue, and 40 Van Nostrand Avenue pursuant to N.J.S.A.40A:12-21 (j) to the Jersey City Episcopal Community Development Corp., a Non-Profit Housing Corporation. | Ord. 10-119 |

09/15/10

*4.

ORDINANCE HEARING

SECOND READING

**CITY CLERK
FILE**

- | | | | |
|--------------|----|--|--------------------------------|
| Adopted-8-0- | a. | Ordinance of the City of Jersey City adopting amendments to the land development ordinance dealing with Historic Preservation procedures and applications. | Ord. 10-106
Intro. 08/04/10 |
| Adopted-8-0- | b. | An Ordinance dedicating that Eighth Street between Manila Avenue and Marin Boulevard be also known as "Bob Hurley Sr. Way". | Ord. 10-112
Intro. 08/25/10 |
| Adopted-8-0- | c. | 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
Intro. 08/25/10 |
| Adopted-8-0- | d. | 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
Intro. 08/25/10 |

**** 5.**

PUBLIC REQUEST FOR HEARING

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| Spoke | 1. William Dorrity, 3060 Kennedy Boulevard, Jersey City |
| Spoke | 2. John Seborowski, Sr, Jersey City |
| Spoke | 3. Stephen Musgrave, 247 2 nd Street, Jersey City |
| Spoke | 4. Dale Hardman, 235 3 rd Street, Jersey City |
| Spoke | 5. Steven Pinkney, Jersey City |
| Spoke | 6. Jayson H. Burg, Jersey City |
| Spoke | 7. Richard Williams, 232 7 th Street, Jersey City |
| Did not speak | 8. Loretta Miller, 86A Virginia Avenue, Jersey City |
| Spoke | 9. Yvonne Balcer, Jersey City |
| Spoke | 10. Joe Harkins, Jersey City |
| Spoke | 11. Daniel Levin, Jersey City |
| Spoke | 12. Omar Dyer, Jersey City |
| Did not speak | 13. Anthony Cucci, Jersey City |
| Spoke | 14. Kwame Robert Daughtry, Jersey City |
| Spoke | 15. Daoud Williams, Jersey City |
| Spoke | 16. Catherine Grimm, Jersey City |
| Spoke | 17. Jayanta Banerjee, 35 River Drive South, Jersey City |
| Spoke | 18. Rimli Roy, 35 River Drive South, Jersey City |
| Spoke | 19. Riaz Wahid, 160 Tonnele Avenue, Jersey City |
| Spoke | 20. Wolfgang Emden, 100 Montgomery Street, Jersey City |
| Spoke | 21. Felicia Collis, Jersey City |
| Did not speak | 22. Teresa Patterson, Jersey City |
| Spoke | 23. Howard Trueger, Jersey City |
| Did not speak | 24. Kirsten Greene, 306 9 th Street, Jersey City |
| Spoke | 25. Andrew Hubsch, Jersey City |
| Spoke | 26. Jamie Rudolph, 69 Linden Avenue, Jersey City |
| Spoke | 27. Rolando Lavarro, 333 Van Nostrand Avenue, Jersey City |

**** 5.**

PUBLIC REQUEST FOR HEARING

- | | | |
|---------------|-----|---|
| Spoke | 28. | Paul Bellan-Boyer, Jersey City |
| Did not speak | 29. | Carolyn Oliver-Fair, Jersey City |
| Did not speak | 30. | Christie Freeman, 339 9 th Street, Jersey City |
| Did not speak | 31. | Steve Lanset, Jersey City |
| Did not speak | 32. | Ed Vergara, Jersey City |

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

****6. PETITIONS AND COMMUNICATIONS**

- a. Letter dated August 17, 2010 from Omar Dyer, Coaches 101 to Jerramiah T. Healy, Mayor re: Recreation programs.
- b. Agenda from Peter Soriero, Risk Manager, for the Jersey City Insurance Fund Commission meeting to be held on Wednesday, August 25, 2010 at 4:00 p.m., in Room B-6, City Hall.
- c. Letter dated August 31, 2010 from Jersey City Incinerator Authority to Jerramiah T. Healy, Mayor re: Consolidation of the Jersey City Incinerator Authority & Department Public Works.
- d. Fax dated August 26, 2010 from Molly B. Adams, Government Affairs Manager, Comcast to Mayor and members of the Municipal Council re: Channel lineup and service changes.
- e. Fax dated August 25, 2010 from Joseph W. Krajnik, President, Local 1066 to Judy Locorriere, Editor, Jersey Journal re: Replacement of Fire Chief.
- f. Rockaway Valley Regional Sewerage Authority minutes of a board meeting held July 8, 2010.
- g. Letter dated August 23, 2010 from Mark J. Pedersen, Bureau Chief, Bureau of Industrial Site Remediation, State of New Jersey, Department of Environmental Protection to Kathryn Zeigler, St. Louis, re: Tyco A & E Products Group, 49 Fisk Street, Jersey City.
- h. Letter dated August 19, 2010 from Kenneth Kloo, Administrator, Office of Brownfield Reuse for the State of New Jersey, Department of Environmental Protection to Roman Lahostski, Jersey City re: One 550 gallon #2 heating oil underground storage tank system, 81 Lake Street, Jersey City.
- i. Permit dated August 17, 2010 from Chingwah Liang, Project Manager, State of New Jersey, Department of Environmental Protection to Honeywell International, Inc., re: Flood Hazard, Lots 5 and 6D of Block 1286; Lots 1 & 2 of Block 1286.5; and Lot E of Block 1289.5, Jersey City.
- j. Notice of public hearing from PSE&G Co., to Robert Byrne, City Clerk re: Notice of filing and public hearings for Basic Generation Service Charges (BGS) procured by PSE&G on behalf of its Basic Generation Service Customers and Notice of proposed recovery through its BGS charges of costs resulting from statewide auction for Basic Generation Service hearing scheduled for September 15, 201 at 1:00 p.m. Middlesex County Administration Building, New Brunswick, N.J.

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

****6. PETITIONS AND COMMUNICATIONS**

- k. Letter dated August 10, 2010 from Kenneth Kloo, Administrator, Office of Brownfield Reuse for the State of New Jersey, Department of Environmental Protection to Christine Cooper, Jersey City re: One 550 gallon #2 heating oil underground storage tank system, 12 Dwight Street, Jersey City.
- l. Letter dated August 18, 2010 from Kenneth Kloo, Administrator, Office of Brownfield Reuse for the State of New Jersey, Department of Environmental Protection to Michael Maresca, Bayonne re: One 550 gallon #2 heating oil underground storage tank system, 213 Custer Avenue, Jersey City.
- m. Email dated August 27, 2010 from Department of Community Affairs to Robert Byrne, City Clerk re: Best Practices Tool Kit. (Copy to Rosemary McFadden, Deputy Mayor)
- n. Letter dated August 25, 2010 from Richard L. Tomer, Chief, Regulatory Branch, US Army Corps, to Robert Byrne, City Clerk re: Hackensack River, Jersey City.
- o. Letter dated August 25, 2010 from Terry Pilawski, Chief Bureau of Watershed Regulation, State of New Jersey, Department of Environmental Protection to Michael Pucci, Chester, Ploussas, Lisowsky Partnership, LLC re: Van Leer Place North, Jersey City.
- p. Letter dated August 20, 2010 from Stephen W. Lesko, Managing Agent, Norman Ostrow, Inc. to William Dorrity, Jersey City re: Grandview security concerns.
- q. Letter dated August 20, 2010 from Christopher Schmitt, Haley & Aldrich to June Wyatt-Krause, New Jersey Department of Environmental Protection re: Biennial Certification Monitoring Report form for a Deed Notice & Engineering Control.
- r. Letter dated August 27, 2010 from Laura N. George, Senior Manager, ENVIRON, to Ms. Suzanne Dietrick, Chief Office of Dredging and Sediment Technology re: Application for Individual Waterfront Development Permit, SA-7 Sediment Remedy, Jersey City. (Honeywell)
- s. Notice of change of date of public meeting for Hudson Regional Health Commission from September 14, 2010 to September 30, 2010 at 10:00 a.m. at the Hudson Regional Health Commission, 585 County Avenue Building, Secaucus, NJ.

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

****6. PETITIONS AND COMMUNICATIONS**

- t. Letter dated August 30, 2010 from Mark J. Pedersen, Bureau Chief, Bureau of Industrial Site Remediation, State of New Jersey, Department of Environmental Protection to Janitschek Adolph, Jr., Jersey City re: New Jersey Art Foundry, 435 Tonnele Avenue, Jersey City.
- u. Letter dated August 25, 201 from Michael J. Novak, Licensed Site Remediation Professional #505558, Atlantic Environmental Solutions, Inc. to Mr. Philip Carrington, Jersey City re: Response action Outcome, Family Collective Day Care Center proposed, 450 Martin Luther King Drive, Jersey City.
- v. Letter dated August 30, 2010 from Catherine Starghill, Esq. Executive Director, State of New Jersey, Government Records Council to Robert Byrne, City Clerk re: Steve Hyman v. City of Jersey City.
- w. Letter dated August 20, 2010 from Elizabeth Pente, Associate Environmental Scientist, (GES), Groundwater & Environmental Services, Inc. to Armando Roman, Fire & Emergency Services Director re: GPMI Site #90188, 14th Street, Jersey City.
- x. Minutes of the Employees' Retirement System of Jersey City meeting held August 18, 2010.
- y. Letter dated August 31, 2010 from Melanie O. Rozacbi, Project Manager, for Brinkerhoff, Environmental Services to Robert Byrne, City Clerk re: Proposed Hudson Montessori School.
- z. Letter dated September 2, 2010 from Ronald T. Corcory, Assistant Director, Enforcement & Assignment Element, State of New Jersey, Department of Environmental Protection to Latoya Cain, Jersey City re: NJDEP Child Care Facility Approval Letter, Academy of Learning Preschool - Proposed, 257 Central Avenue, Jersey City.
- z1. Letter dated September 1, 2010 from Suzanne U. Dietrick, Chief, for State of New Jersey, Department of Environmental Protection to Kenneth Klim, Global Terminal Container Services, Inc. re: Waterfront Development Permit/Water Quality Certificate Wharf Extension at Global Terminal, Jersey City.
- z2. Letter dated September 2, 2010 from Yacoub E. Yacoub, Bureau Chief for the State of New Jersey Department of Environmental Protection to Ponciano Aguirre, Jamandre, LLC re: No Further Action Letter Two (2) 550 gallon #2 fuel oil underground storage tanks, 815-819 Westside Avenue, Jersey City.

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

****6. PETITIONS AND COMMUNICATIONS**

- z3. Letter dated August 30, 2010 from Patricia K. Palmer, Senior Consultant, GaiaTech to Robert Byrne, City Clerk re: Biennial Certification Submittals for CEA & Deed Notice Engineering Control Program 100 Burma Road, Jersey City.
- z4. Letter dated September 2, 2010 from Kevin F. Kratina, Chief, Bureau of Underground Storage Tanks, State of New Jersey, Department of Environmental Protection to Brian Balahadia, Operator, Exxon Service Station, Jersey City re: Air Sampling Analyses at Exxon Station Convenience Store, 2379 Kennedy Boulevard, Jersey City.
- z5. Letter dated September 8, 2010 from Charles L. Smith, Director of Government Affairs, Comcast to Mayor & Members of the Municipal Council re: Expanded Basic and Limited Basic Lineup Changes.
- z6. Letter from Charmaine Buchanan, Timber System to Robert Byrne, City Clerk re: Construction Lien Claim.
- z7. Letter dated September 3, 2010 from Sanford J. Becker, Esq., Pluese, Becker & Saltzman, LLC Attorneys at Law to Robert Byrne, City Clerk re: New Jersey Housing and Mortgage Finance Agency v. Daniel Godfrey, et al.
- z8. Letter dated September 3, 2010 from Gary Greulich, Section Chief, Bureau of Northern Field Operations, State of New Jersey, Department of Environmental Protection to 29 Bentley Realty, LLC re: Notice of Deficiency, 31 Bentley Avenue, Jersey City.
- z9. Letter dated September 10, 2010 from Joseph Delaney, President PSOA to Peter M. Brennan, Council President re: Promotions in Police Superior ranks.
- z10. Letter dated August 23, 2010 from Gregory S. Miller, Operations Project Manager, Atlantic Richfield Company to Renee Wright, New Jersey Department of Environmental Protection re: Remedial Action Progress Report, Former Service Station #0433, 235 12th Street, Jersey City.
- z11. Agenda from Peter Soriero, Risk Manager, for the Jersey City Insurance Fund Commission meeting to be held on Wednesday, September 22, 2010 at 4:00 p.m., in Room B-6, City Hall.

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

****6. PETITIONS AND COMMUNICATIONS**

- z12. Letter dated September 8, 2010 from Haiyesh Shah, State of New Jersey, Department of Environmental Protection to David Moreira, Waste Management re: Notice of Deficiency, May 12, 2010 Annual Monitoring Report for 2009, Biennial Certification for Groundwater Classification Exception Area & Well Restriction Area, 400 Sip Avenue, Jersey City.
- z13. Letter dated September 7, 2010 from Sara Shatz, Shaw, GBB, LLC to Robert Byrne, City Clerk re: North East Auto Marine Terminal, 403 Port Jersey Boulevard, Jersey City.
- z14. Application 10-051 dated September 14, 2010 from Margaret Weber, Jersey City to Robert Byrne, City Clerk re: Municipal Public Service.
- z15. Application 10-052 dated September 14, 2010 from Mary Jean Guadadiello, Jersey City to Robert Byrne, City Clerk re: Municipal Public Service.
- z16. Letter dated September 14, 2010 from Lennart Erik-Anders Nilsson, Jersey City to Jerramiah T. Healy, Mayor & Municipal Council re: Council at Large position.
- z17. Letter dated September 14, 2010 from Adela Rohena, Jersey City to Jerramiah T. Healy, Mayor & Municipal Council re: Council at Large position.
- z18. Letter dated September 14, 2010 from Michele R. Donato, Attorney at Law to Jerramiah T. Healy, Mayor re: In opposition to Ordinance 10-106, adopting amendments to the land development ordinance dealing with Historic Preservation procedures and applications.
- z19. Fax dated September 15, 2010 from Raju Patel, Jersey City to Robert Byrne, City Clerk re: Council at Large position.
- z20. Letter dated September 15, 2010 from Joe Harkins, Jersey City to Municipal Council re: Complaint against a Jersey City Taxi Cab.
- z21. Letter dated September 14, 2010 from Catherine Grimm, Jersey City to Municipal Council re: United States Security Policy.
- z22. Letter submitted by Daoud Williams to Municipal Council re: Jersey City Free Public Library's Community Awareness Series.

