

The action taken by the municipal council at the Regular Meeting held on September 29, 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
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 29, 2010 at 6:00 p.m.

Please Note: The next caucus meeting of Council is scheduled for **TUESDAY**, October 12, 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, October 13, 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: 6:22 p.m.

1. (a) **INVOCATION:**
- (b) **ROLL CALL:** At 6:22 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 23, 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. | An ordinance dedicating that Sussex Street between Washington Street and Warren Street be also known as “Our Lady of Czestochowa Roman Catholic Parish Way”. | Ord. 10-120 |
| Introduced-8-0- | b. | Ordinance supplementing Chapter 151 (Drug-Free School Zones) Article I, of the Jersey City Municipal Code. (Adoption of New Maps) | Ord. 10-121 |
| Introduced-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 262 Bergen Avenue; 239 Grant Avenue; 158-160 Leonard Street; 540-542 Liberty Avenue; 338 Palisade Avenue; 19 Sanford Place; 147 Van Horne Street and 9-9a-11 Van Wagenen Avenue. | Ord. 10-122 |
| Introduced-8-0- | d. | Ordinance supplementing Chapter 3 (Administrative Code) 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. | Ord. 10-123 |
| Introduced-8-0- | e. | Ordinance of the Municipal Council of the City of Jersey City adopting amendments to the Liberty Harbor Redevelopment Plan. | Ord. 10-124 |
| Introduced-8-0- | f. | Ordinance of the Municipal Council of the City of Jersey City amending Ordinance 10-013 to include text amendments to the Land Development Ordinance that appears not to have been attached to that ordinance at the time Municipal Council voted to adopt. | Ord. 10-125 |

Public Hearing on the Transition Year 2010 Municipal Budget

1. Yvonne Balcer
2. Riaz Wahid
3. John Seborowski, Sr.
4. Esther Wintner
5. Omar Dyer
6. Dan Levin

A motion was made by Councilperson Sottolano and seconded by Councilperson Gaughan to close the public hearing on the TY 2010 Budget. Approved-6-0- Councilpersons Donnelly and Richardson: absent.

**Public Hearing on the
Historic Downtown Special Improvement District
Budget and Assessment Roll**

NONE

A motion was made by Councilperson Brennan and seconded by Councilperson Sottolano to close the public hearing on the Historic Downtown Special Improvement District Budget and Assessment Roll. Approved-8-0-.

***4.**

ORDINANCE HEARING

SECOND READING

**CITY CLERK
FILE**

- | | | | |
|--------------|----|--|--------------------------------|
| Adopted-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
Intro. 09/15/10 |
| Adopted-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
Intro. 09/15/10 |
| Adopted-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
Intro. 09/15/10 |
| Adopted-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
Intro. 09/15/10 |
| Adopted-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
Intro. 09/15/10 |

**** 5.**

PUBLIC REQUEST FOR HEARING

- | | |
|---------------|--|
| Spoke | 1. William Dorrity, 3060 Kennedy Boulevard, Jersey City |
| Spoke | 2. John Seborowski, Sr, Jersey City |
| Did not speak | 3. Stephen Musgrave, 247 2 nd Street, Jersey City |
| Spoke | 4. Steve Pinkney, 29 Wade Street, Jersey City |
| Did not speak | 5. Ruth Carpenter, 151 Sip Avenue, Jersey City |
| Spoke | 6. Claire Greco, 320 Avenue A, Bayonne |
| Spoke | 7. Omar Dyer, Jersey City |
| Did not speak | 8. Jayson Burg, Jersey City |
| Spoke | 9. Lycel Villanueva, Jersey City |
| Did not speak | 10. Daniel Aguilar, Jersey City |
| Spoke | 11. Yvonne Balcer, Jersey City |
| Did not speak | 12. Jerry DeCicco, Jersey City |
| Spoke | 13. Nartiso Catillo, 168 New York Avenue, Jersey City |
| Spoke | 14. Brian Durham, Jersey City |
| Spoke | 15. Catherine Grimm, Jersey City |
| Spoke | 16. Andrea Flippines, 264 Van Horne Street, Jersey City |
| Spoke | 17. Kwame Robert Daughtry, Jersey City |
| Spoke | 18. Daoud David Williams, Jersey City |
| Did not speak | 19. Eric Anders Nilsson, Jersey City |
| Did not speak | 20. Ed Vergara, 128 Randolph Avenue, Jersey City |
| Did not speak | 21. Severn Willis, 191 Randolph Avenue, Jersey City |
| Spoke | 22. Riaz Wahid, 160 Kennedy Boulevard, Jersey City |
| Did not speak | 23. Bill O'Dea, Jersey City |
| Did not speak | 24. Wayne Roberson, Jersey City |

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

****6. PETITIONS AND COMMUNICATIONS**

- a. Letter dated September 9, 2010 from Maria Kaouris, Remediation Manager, Honeywell International, Inc., to Robert Byrne, City Clerk re: Study Area 3, NJDEP Site No. 071 Communipaw Jug Site Notification of groundwater Classification Exception Area, Jersey City.
- b. Letter dated September 13, 2010 from Alberto G. Santos, Clerk, Board of Chosen Freeholders, Hudson County, New Jersey to Robert Byrne, City Clerk re: Ordinance adopted by the Board of Chosen Freeholders on September 8, 2010.

An ordinance amending the Hudson County District Solid Waste Management Plan-Amending the plan by permitting Veolia ES Solid Waste of New Jersey, 266 Broadway, Jersey City, NJ to increase its daily capacity to receive to, recycle and transfer solid waste types ID 10, 13, 13C, 23 and 27 from 375 tons to 900 tons per day.

- c. Letter dated September 14, 2010 from Michael H. Stieber, Stieber & Veloric, LLC Attorneys at Law to Robert Byrne, City Clerk re: Avner Nette's objection to Journal Square Redevelopment Plan.
- d. Letter dated September 13, 2010 from Gary Greulich, Section Chief, Bureau of Northern Field Operations, State of New Jersey, Department of Environmental Protection to Anthony Insana re: Notice of Deficiency, Remedial Action Report (RAR) for 88-90 Irving Street, Jersey City.
- e. Letter dated September 9, 2010 from Thomas P. Lavin, P.E., Acting Section Leader Highways, Modjeski and Masters to Robert Byrne, City Clerk re: PN2990, Norfolk Southern Bridge ND-2.63 Over Penhorn Creek, Secaucus/Jersey City, NJ.
- f. Letter dated September 15, 2010 from Joseph W. Krajnik, President, Local 1066 to Jerramiah T. Healy, Mayor re: Preliminary risk analysis findings of the Jersey City Fire Department.
- g. Letter dated September 15, 2010 from Ronald T. Corcoran, Assistant Director, Enforcement & Assignment Element, State of New Jersey, Department of Environmental Protection to Joyce Hardy, Jersey City re: NJDEP Child Care Facility Approval Letter, Little Queens and Kings Daycare-Proposed, 118 Old Bergen Road, Jersey City.

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****6. PETITIONS AND COMMUNICATIONS**

- h. Letter dated September 15, 2010 from Ronald T. Corcory, Assistant Director, Enforcement & Assignment Element, State of New Jersey, Department of Environmental Protection to Joyce Watterman, Continuous Flow Christian Center re: NJDEP Child Care Facility Approval Letter, Continuous Flow Christian Center, 168 Monticello Avenue, Jersey City.
- i. Letter dated September 13, 2010 from Paul W. Mackey, Attorney at Law to John "Jack" Kelly, Business Administrator re: Labor Contract Grievance- Local 246. (Employees Parking)
- j. Fax dated September 17, 2010 from Molly B. Adams. Government and Regulatory Affairs Manager, Comcast to Mayor and Members of the Municipal Council re: World of More Channel Additions.
- k. Email dated September 17, 2010 from Daniel Levin, Jersey City to Municipal Council re: Councilperson at Large position.
- l. Letter dated September 15, 2010 from Omar Dyer, Jersey City to Municipal Council re: Councilperson at Large position.
- m. 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.
- n. Letter dated September 15, 2010 from Yacoub E. Yacoub, Bureau Chief for the State of New Jersey Department of Environmental Protection to Robert Charowsky, Jersey City re: Notice of Intent to Terminate, 347-349 3rd Street, Jersey City.
- o. Minutes of the regular meeting of the Board of Commissioners of the Jersey City Redevelopment Agency held on July 20, 2010.
- p. Minutes of the regular meeting of the Board of Commissioners of the Jersey City Redevelopment Agency held on August 17, 2010.
- q. Letter dated September 20, 2010 from Sarah L. Farley, Architectural Historian, EBI, Consulting to Robert Byrne, City Clerk re: 251-253 Beacon Avenue, Jersey City.
- r. Rockaway Valley Regional Sewerage Authority minutes of a board meeting held August 12, 2010.

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****6. PETITIONS AND COMMUNICATIONS**

- s. Email dated September 22, 2010 from Raju Patel, Jersey City to Robert Byrne, City Clerk re: Councilperson at Large position.
- t. Email dated September 21, 2010 from Koby Ben, Jersey City to Robert Byrne, City Clerk re: Closing of Lafayette Branch Library.
- u. Email dated September 22, 201 from Miles Poindexter, Jersey City to Robert Byrne, City Clerk re: Dan Levin for Council at Large position.
- v. Email dated September 22, 2010 from Lysel Villanueva, Jersey City to Robert Byrne, City Clerk re: Closing of Lafayette Branch Library.
- w. Letter dated September 20, 2010 from Paul W. Mackey, Attorney at law for Local 246 to John Kelly, Business Administrator re: Jersey City Public Employees, Inc. Local 246.
- x. Minutes of the session and regular session of the Jersey City Municipal Utilities Authority Held August 26, 2010.
- y. Letter dated September 23, 2010 from William Dorrity, Grandview Tenants Association to Robert Byrne, City Clerk re: Bedbugs ordinance.
- z. Letter dated September 24, 2010 from Alejandra Reyes, Executive Assistant of Jersey City Employment & Training Program to Robert Byrne, City Clerk re: Jersey City Employment & Training Meeting is scheduled for Thursday, September 30, 2010 at 10:00 a.m., @ 895 Bergen Avenue, Jersey City.
- z1. Permit dated September 22, 2010 from Janet Fitipaldi, Manager, NJDOT to Robert Byrne, City Clerk re: Rt 7 Whitpenn Bridge (over Hackensack River), Town of Kearny and City of Jersey City.
- z2. Letter dated September 17, 2010 from Alan I. Gould, Professional Corporation to NJ Division of Alcoholic Beverage Control re: Deep Enterprises, Inc.
- z3. Letter dated September 20, 2010 from Paul V. Buono, Koch, Koch & Bennett, Attorneys at Law to Robert Byrne, City Clerk re: Medhen Abreha & Lemlem Ghebremarian and Roseville Deli, Inc., 294-296 Palisade Avenue, Jersey City.

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****6. PETITIONS AND COMMUNICATIONS**

- z4. Fax dated September 27, 2010 from Charles L Smith, Director of Government and Regulatory Affairs, Comcast, to Mayor and Member of the Municipal Council re: HD Technology fee.
- z5. Application 10-053 dated September 27, 2010 from Rolando R. Lavarro, Jr., Jersey City to Robert Byrne, City Clerk re: Municipal Public Service.(Councilperson at Large position)
- z6. Fax dated September 27, 2010 from Paul L. Kleinbaum, Zazzali, Fagella, Nowak, Kleinbaum & Friedman Attorneys at Law to Terri Keller, Esq. Assistant Corporation Counsel re: Uniformed Fire Fighters Association of Jersey City, Local 1066 Retiree Health Insurance.
- z7. Meeting Notice – Hudson County Open Space Advisory Board scheduled for Wednesday, September 29, 2010 at 12:00 noon in Lincoln Park Administration Building (nearest intersection Westside Ave. and Belmont Ave.) located in Lincoln Park, Jersey City from Hudson County Open Space Advisory Board, Department of Parks and Community Services, Division of Planning.
- z8. Letter dated September 24, 2010 from Susan C. Gieser, Waters, McPherson, McNeill, Attorneys at Law to New Jersey Department of Environmental Protection, Division of Remediation Management and Response re: Biennial Certification Monitoring Report for a Deed Notice and Engineering Control, 30 Hudson Street, Jersey City.
- z9. Letter dated September 24, 2010 from Susan C. Gieser, Waters, McPherson, McNeill, Attorneys at Law to New Jersey Department of Environmental Protection, Division of Remediation Management and Response re: Biennial Certification Monitoring Report for a Deed Notice and Engineering Control, Goldman Sachs Group, Inc., 55 Hudson Street, Jersey City.
- z10. Fax dated September 28, 2010 from Charles L Smith, Director of Government and Regulatory Affairs, Comcast to Mayor and Member of the Municipal Council re: Limited Basic lineup transmitted in digital format.
- z11. Fax dated September 28, 2010 from Frank Morris, to Robert Byrne, City Clerk re: Closure of Lafayette Library.
- z12. Submitted by Lycel Villanueva, a petition to keep the Lafayette Branch of the Jersey City Public Library open.

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****7. OFFICERS COMMUNICATIONS**

- a. Letter dated September 17, 2010 from Joao D'Souza, Director of Traffic and Transportation to Robert Byrne, City Clerk re: Street Closing Regulation- 10-059 Exchange Place Noon to 8:00 p.m. Sunday, September 26, 2010 for multi-cultural dance and music.
- b. Letter dated September 17, 2010 from Joao D'Souza, Director of Traffic and Transportation to Robert Byrne, City Clerk re: Street Closing Regulation- 10-060 Pine Street from Lafayette Street to Communipaw Avenue Noon to 5:00 p.m. Saturday, September 25 (rain date Sunday, September 26, 2010) for Nation's Day.
- c. Notice dated September 23, 2010 from Donna Mauer, Chief Financial Officer, City of Jersey City to Robert Byrne, City Clerk re: Site Preparation Escrow Account, Municipal Complex.
- d. Letter dated September 29, 2010 from Joao D'Souza, Director of Traffic and Transportation to Robert Byrne, City Clerk re: Street Closing Regulation- 10-049 Fourth Street from Newark Avenue to Merseles Street 8:00 a.m. to 10:00 p.m. Saturday, October 2 (rain date Sunday, October 3), 2010 for artists studio tour.**(Amendment)**

