


The action taken by the municipal council at the Regular Meeting held on April 28, 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, April 28, 2010 at 6:00 p.m.

**Please Note:** The next caucus meeting of Council is scheduled for Monday, May 10, 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, May 12, 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: 6:07 p.m.

1. (a) **INVOCATION:**
- (b) **ROLL CALL:** At 6:07 p.m. eight (8) members were present. Councilperson Richardson: 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, April 22, 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-<br>Richardson:<br>absent | a. | Ordinance amending and supplementing Chapter A350 (Council Rules of Order) Rule V, Section 6 (Agenda - Consent Agenda).  | Ord. 10-063 |
| Introduced-8-0-<br>Richardson:<br>absent | b. | Ordinance of the Municipal Council of the City of Jersey City adopting amendments to the Morris Canal Redevelopment Plan to create Transit Oriented Development (TOD) Subdistricts.  | Ord. 10-064 |
| Introduced-8-0-<br>Richardson:<br>absent | c. | Ordinance amending City Ordinance 04-004 adopted on February 11, 2004 authorizing a forty-five (45) year lease of 235 Jersey City Boulevard to Liberty Humane Society, Inc., a Non-Profit Corporation, for a public purpose.   | Ord. 10-065 |
| <b>Withdrawn</b>                         | d. | Ordinance authorizing the City of Jersey City to execute a five (5) year lease with Rand Parking, Inc., for parking spaces located at Journal Square Plaza II.   | Ord. 10-066 |
| Introduced-8-0-<br>Richardson:<br>absent | e. | An ordinance supplementing Chapter 26 (Vehicles and Traffic) Article X (Schedules) of the Jersey City Code amending Schedule 13A (Multi Way Stop Intersections) designating Monmouth Street and Bright Street as a multi way stop.   | Ord. 10-067 |
| Introduced-8-0-<br>Richardson:<br>absent | f. | 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 289 Claremont Avenue; 61 Clarke Avenue; 202 Clendenny Avenue; 97A Congress Street; 182 Congress Street; 219 Grant Avenue; 207 Linden Avenue; 127 Myrtle Avenue; 98 North Street; 146 Prospect Street; 55 Randolph Avenue; 152 Seaview Avenue; 164 Seaview Avenue; opposite 14 Smith Street; 21 Stevens Avenue; 95 Stevens Avenue; 147 Terrace Avenue and 158 Van Reipen Avenue and amend the reserved parking space at 169 Armstrong Avenue; 311 Cator Avenue; 190 Clendenny Avenue; 130 Congress Street; 64 Sherman Place; 248 Stegman Street and 161 Van Horne Street and repeal the reserved parking space at 112 Bergen Avenue and 52-50 Nelson Avenue | Ord. 10-068 |

**\*4.**

**ORDINANCE HEARING**

**SECOND READING**

**CITY CLERK  
FILE**

Adopted-8-0-  
Richardson:  
absent

- a. Ordinance establishing public television programming guidelines and coverage of public meetings.

Ord. 10-052  
Intro. 04/14/10

Adopted-8-0-  
Richardson:  
absent

- b. Ordinance of the Municipal Council of the City of Jersey City adopting amendments to the Tidewater Basin Redevelopment Plan-Grand and Marin subdistrict, for height, bulk and use.

Ord. 10-053  
Intro. 04/14/10

Adopted-8-0-  
Richardson:  
absent

- c. Ordinance of the Municipal Council of the City of Jersey City adopting amendments to the Land Development Ordinance expanding the R-1A Zoning District.

Ord. 10-054  
Intro. 04/14/10

Adopted-7-0-  
Fulop and  
Richardson:  
absent

- d. Ordinance authorizing the conveyance of certain properties to the Jersey City Redevelopment Agency and rescinding Ordinance 08-018.

Ord. 10-055  
Intro. 04/14/10

Adopted-7-0-  
Fulop and  
Richardson:  
absent

- e. An ordinance supplementing Chapter 26 (Vehicles and Traffic) Article X (Schedules) of the Jersey City Code amending Schedule 13 (Multi Way Stop Intersections) designating Erie Street and Tenth Street as a multi way stop intersection and amending Schedule 13 (Stop Intersections) repealing Erie and Tenth Streets as a stop intersection.

Ord. 10-056  
Intro. 04/14/10

**\*4.**

**ORDINANCE HEARING**

**SECOND READING**

**CITY CLERK  
FILE**

Adopted-8-0-  
Richardson:  
absent

- f. An Ordinance Supplementing Chapter 26 (Vehicles and Traffic) amending Article V (Parking Meters) designating an on-street permit Parking Zone on both sides of Douglas and Arthur Skinner Memorial Drive (FKA: Jersey Avenue) between Grand Street and the Southern Terminus from 7:00 a.m. to 3:00 p.m., Monday through Friday; designate metered parking on both sides of Douglas and Arthur Skinner Memorial Drive between Grand Street and the Southern Terminus from 3:00 a.m. to 8:00 p.m., Monday through Friday and 9:00 a.m. to 8:00 p.m. on Saturday, except holidays; amending Article X(Schedules) Schedule 2 (Angle Parking) designating thirty-seven (37) parking spaces on the east side of Douglas and Arthur Skinner Memorial Drive between Grand Street and the Southern Terminus at 60 degree angle parking; amending Schedule 3 (No Parking Any Time) designating four hundred two (402) feet on the east side of Douglas and Arthur Skinner Memorial Drive between Grand Street and the Southern Terminus as No Parking Any Time; amending Schedule 6 (Parking Restrictions for Street Cleaning Purposes) designate both sides of Douglas and Arthur Skinner Memorial Drive between Grand Street and the Southern Terminus as No Parking for Street Cleaning purposes, Monday and Thursday, 6:00 a.m. to 7:00 a.m. and amend Chapter 160 (Fees and Charges) of the Jersey City Code, designating the fee for the on-street permit parking zone and the fee for the parking meter zones on Douglas and Arthur Skinner Memorial Drive between Grand Street and the Southern Terminus.

Ord. 10-058  
Intro. 04/14/10

Adopted-7-0-  
Lopez and  
Richardson:  
absent

- g. An ordinance supplementing Chapter 26 (Vehicles and Traffic) Article X (Schedules) of the Jersey City Code amending Schedule 1 (One Way Streets) repealing the one way southbound on Colgate Street between Montgomery Street and the Brunswick Estate Driveway; amending Schedule 3 (No Parking Any Time) designating both sides of Colgate Street between Montgomery Street and York Street as No Parking Any Time and amending Schedule 8 (Right-Turn Prohibited) prohibiting the right turn for traffic exiting westbound at the Brunswick Estates Driveway to northbound on Colgate Street.

Ord. 10-059  
Intro. 04/14/10

Adopted-8-0-  
Richardson:  
absent

- h. Ordinance authorizing the execution of an agreement between the City of Jersey City and Light Tower Fiber Long Island, LLC., to permit the installation, use and maintenance of telecommunications facilities within certain public rights-of-way for purposes of providing telecommunication services.

Ord. 10-060  
Intro. 04/14/10

**\*4.**

**ORDINANCE HEARING**

**SECOND READING**

**CITY CLERK  
FILE**

Adopted-8-0-  
Richardson:  
absent

- i. Ordinance naming the Ice Skating Rink at Pershing Field The Charlie Heger Ice Skating Rink.

Ord. 10-062  
Intro. 04/14/10

Removed-5-3-  
from the tabled  
agenda on a  
motion by  
Gaughan,  
seconded by  
Vega; Donnelly,  
Lopez and Fulop:  
nay; Richardson:  
absent.

- j. Ordinance approving 1) An \$8,000,000 loan to the City of Jersey City to be guaranteed by the United States Department of Housing and Urban Development pursuant to §108 of the Housing and Community Development Act of 1974, as amended, and 2) A re-loaning of the proceeds to Statue of Liberty Harbor North Redevelopment Urban Renewal, LLC.

Ord. 10-022  
Intro. 02/24/10

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

**\*\* 5.**

**PUBLIC REQUEST FOR HEARING**

- |               |   |
|---------------|---|
| Spoke         | 1. Daniel Sicardi, 91 Kensington Avenue, Jersey City    |
| Spoke         | 2. William Dorrity, 3060 Kennedy Boulevard, Jersey City |
| Did not speak | 3. Bernice Davis, Jersey City                           |
| Did not speak | 4. Pete Mele, Jersey City                               |
| Did not speak | 5. Telissa Dowling, Jersey City                         |
| Spoke         | 6. Clinton Frazier, 826 Grand Street, Jersey City       |
| Did not speak | 7. Ed Hussey, 3060 Kennedy Boulevard, Jersey City       |
| Spoke         | 8. Yvonne Balcer, Jersey City                           |
| Spoke         | 9. William O'Dea, 143 Mallory Avenue, Jersey City       |
| Spoke         | 10. Jayson Burg, Jersey City                            |
| Spoke         | 11. Catherine Grimm, Jersey City                        |
| Spoke         | 12. Lito Tarnate, 446 Westside Avenue, Jersey City      |
| Spoke         | 13. Greg Racelis, 471 Westside Avenue, Jersey City      |
| Did not speak | 14. Henry Racelis, 1 Boyd Court, Jersey City            |
| Did not speak | 15. Shelley Skinner, Jersey City                        |
| Spoke         | 16. June Jones, Jersey City                             |

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

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

- a. Application 10-014 dated April 12, 2010 from Anthony Catanio, Jersey City to Robert Byrne, City Clerk re: Municipal Public Service.
- b. Application 10-015 dated March 24, 2010 from Lou Guarini, Jersey City to Robert Byrne, City Clerk re: Municipal Public Service.
- c. Application 10-016 dated March 24, 2010 from Dario Quintana, Jersey City to Robert Byrne, City Clerk re: Municipal Public Service.
- d. Application 10-017 dated March 24, 2010 from Francis J. Pizzutz, Jersey City to Robert Byrne, City Clerk re: Municipal Public Service.
- e. Application 10-018 dated April 5, 2010 from George J. Johns, Jersey City to Robert Byrne, City Clerk re: Municipal Public Service.
- f. Application 10-019 dated March 24, 2010 from John P. Cicchetti, Jersey City to Robert Byrne, City Clerk re: Municipal Public Service.
- g. Application 10-020 dated March 24, 2010 from Nicholas Sorrentino, Jersey City to Robert Byrne, City Clerk re: Municipal Public Service.
- h. Application 10-021 dated March 24, 2010 from Wayne Harmon, Jersey City to Robert Byrne, City Clerk re: Municipal Public Service.
- i. Application 10-022 dated March 16, 2010 from Peter J. Gargiulo, Jersey City to Robert Byrne, City Clerk re: Municipal Public Service.
- j. Application 10-023 dated March 17, 2010 from Joseph Sorranno, Jersey City to Robert Byrne, City Clerk re: Municipal Public Service.
- k. Application 10-024 dated April 10, 2010 from Nerissa Weiner, Jersey City to Robert Byrne, City Clerk re: Municipal Public Service.
- l. Letter dated April 6, 2010 from Kevin Kratina, Chief, Bureau of Underground Storage Tanks, State of New Jersey, Department of Environmental Protection to Mr. & Mrs. Moylan, Jersey City re: Air Sampling, 651 Palisade Avenue, Jersey City.

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

- m. Letter dated April 6, 2010 from Kevin Kratina, Chief, Bureau of Underground Storage Tanks, State of New Jersey, Department of Environmental Protection to Mr. & Mrs. Robalina, Jersey City re: Air Sampling, 438 New York Avenue, Jersey City.
- n. Letter dated April 6, 2010 from Kevin Kratina, Chief, Bureau of Underground Storage Tanks, State of New Jersey, Department of Environmental Protection to Ms. Gloria Diaz, Jersey City re: Air Sampling, 653 Palisade Avenue, Jersey City.
- o. Letter dated April 6, 2010 from Kevin Kratina, Chief, Bureau of Underground Storage Tanks, State of New Jersey, Department of Environmental Protection to Mr. George E. Riddle, Jersey City re: Air Sampling, 657 Palisade Avenue, Jersey City.
- p. Letter dated April 6, 2010 from Kevin Kratina, Chief, Bureau of Underground Storage Tanks, State of New Jersey, Department of Environmental Protection to Mr. Fujioka & B. Granger, Jersey City re: Air Sampling, 661 Palisade Avenue, Jersey City.
- q. Letter dated April 6, 2010 from Kevin Kratina, Chief, Bureau of Underground Storage Tanks, State of New Jersey, Department of Environmental Protection to Mr. & Mrs. Lizon, Jersey City re: Air Sampling, 659 Palisade Avenue, Jersey City.
- r. Letter dated April 6, 2010 from Kevin Kratina, Chief, Bureau of Underground Storage Tanks, State of New Jersey, Department of Environmental Protection to Mr. & Mrs. Peluso, Jersey City re: Air Sampling, 655 Palisade Avenue, Jersey City.
- s. Rockaway Valley Regional Sewerage Authority Minutes of a board meeting, March 11, 2010.
- t. Letter dated April 12, 2010 from Gary Greulich, Section Chief, Bureau of Northern Field Operations, State of New Jersey, Department of Environmental Protection to Denise Ford, Montclair, NJ re: Notice of Deficiency, 278 4<sup>th</sup> Street, Jersey City.
- u. Letter dated April 14, 2010 from Jacqueline Ulrich, Project Manager, Hudson Environmental Services, Inc., to Robert Byrne, City Clerk re: Groundwater Classification Exception Area Biennial Certification, Deed Notice & Engineering Control Biennial Certification, 115 Amity Street, Jersey City.

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

- v. Letter dated April 14, 2010 from Jacqueline Ulrich, Project Manager, Hudson Environmental Services, Inc., to Robert Byrne, City Clerk re: Remedial Action Work Plan Approval, 833 Jersey Avenue, Jersey City.
- w. Letter dated April 15, 2010 from Stephanie Graham, Administrative Assistant, MACTEC, c/o Honeywell to Office of Special Master, Honorable Robert G. Torricelli, Lambertville, NJ re: Chromium Remedy 100%, design submittal-SA-6 North, Sites 087 & 088.
- x. Letter dated April 5, 2010 from Hue Quan, P.E., Project Engineer, AECOM, to Robert Byrne, City Clerk re: Endorsement Treatment Works Approval Application, PPG Site 114, 880-900 Garfield Avenue, Jersey City.
- y. Letter dated April 16, 2010 from Michael J. Morris, Langan Engineering & Environmental Services to Judy Bayard, New Jersey Department of Environmental Protection re: Notification of ongoing environmental activities at 40 Journal Square, Jersey City.
- z. Letter dated April 16, 2010 from Andy Caltagirone, Manager of Industrial & Pollution Control, Passaic Valley Sewerage Commissioners to Robert Byrne, City Clerk re: Permit #31220014, Hoboken, Rail Yard, 115 Observer Highway, Hoboken, NJ.
- z1. Letter dated April 15, 2010 from Gary Greulich, Section Chief, Bureau of Northern Field Operations, State of New Jersey, Department of Environmental Protection to Joel J. Steiger, Levco Assoc., re: K-Mart 3459 aka former Kellex Suite, Rte 440 & Kellogg Street, Jersey City.
- z2. Letter dated April 19, 2010 from Rebecca K. Hollender, CPG, Project Director, TRC Solutions, Inc., to Robert Soboleski, Bureau Chief, New Jersey Department of Environmental Protection re: Biennial CEA Monitoring Report, 475 Claremont Avenue, Jersey City.
- z3. Letter dated March 24, 2010 from Howard C. Birdsall, President & Chief Executive Officer, Birdsall Services Group to Jersey City Division of Architecture re: Birdsall Services Group purchase of CMX, Inc.
- z4. Certificate of Liability Insurance dated April 1, 2010 from Willis of New Jersey, Inc., Cranford, NJ to Mack-Cali Realty Corp, Edison, NJ.

