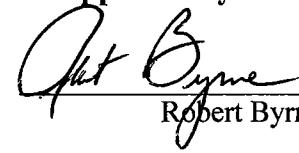


The action taken by the municipal council at the Regular Meeting held on May 26, 2010 at 6:00 p.m. is listed below. The minutes, as recorded in the minute book, are available for perusal and approval. Unless council advises the City Clerk to the contrary, these minutes will be considered approved by 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, May 26, 2010 at 6:00 p.m.

Please Note: The next caucus meeting of Council is scheduled for Monday, June 7, 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, June 9, 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. seven (7) members were present. Councilpersons Fulop and Vega: absent.
At 6:18 p.m. eight (8) members were present. Councilperson: Fulop absent.
At 6:36 p.m. nine (9) 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, May 20, 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-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 |
| 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 |
| 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. 55:16-1</u> 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 |
| 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 |
| 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 |
| 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 |
| Withdrawn | g. | Ordinance supplementing Chapter A351 (Executive Orders and Ordinances) of the Jersey City Code. | Ord. 10-077 |
| Introduced-9-0- | h. | 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 |

*4.

ORDINANCE HEARING

SECOND READING

**CITY CLERK
FILE**

Defeated-0-9-

- a. Ordinance abolishing the Ellis Island Commission, Human Rights Commission, The Municipal Drug & Alcohol Abuse Alliance and The Tourist Commission.

Ord. 10-069
Intro. 05/12/10

Adopted-9-0-

- b. An ordinance supplementing Chapter 26 (Vehicles and Traffic) amending Article V (Parking Meters) designating metered parking on the south side of Grand Street between River Street (Private Roadway) and Tidewater Street (Private Roadway) from 9:00 a.m. to 9:00 p.m., Monday through Friday and 9:00 a.m. to 5:00 p.m. on Saturday, except holidays; amending Article X(Schedules) Schedule 17(No Stopping or Standing) repealing the No Stopping or Standing Prohibition on the south side of Grand Street between River Street (Private Roadway) and Tidewater Street (Private Roadway) and amend Schedule 4(No Parking Daily, Except Sundays and Holidays) designating No Parking 7:00 a.m. to 9:00 a.m. Monday through Friday on the south side of Grand Street between River Street (Private Roadway) and Tidewater Street (Private Roadway).

Ord. 10-070
Intro. 05/12/10

05/26/10

**** 5.**

PUBLIC REQUEST FOR HEARING

- | | |
|---------------|---|
| Spoke | 1. William Dorrity, 3060 Kennedy Boulevard, Jersey City |
| Did not speak | 2. Notra Porter, Jersey City |
| Did not speak | 3. Jeff Kaplowitz, Jersey City |
| Did not speak | 4. William Connell, Jersey City |
| Did not speak | 5. Irfama Amiroddin, Jersey City |
| Did not speak | 6. Jayson Burg, Jersey City |
| Spoke | 7. Yvonne Balcer, Jersey City |
| Spoke | 8. Frank Scalcione, Jersey City |
| Did not speak | 9. Austin Harrold, Jersey City |
| Did not speak | 10. Philip Carrington Jersey City |
| Did not speak | 11. Steve Hyman, New York |
| Spoke | 12. Joseph Krajnik, Jersey City |

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

****6. PETITIONS AND COMMUNICATIONS**

- a. Letter dated May 11, 2010 from Joseph J. Nowak, Supervisor, Bureau of Industrial Site Remediation, State of New Jersey, Department of Environmental Protection to Lazer Mechlovich, 95-97 Montgomery Street, LLC. Re: Approval Letter, 95-97 Montgomery Street, Jersey City.
- b. Minutes of the Employees' Retirement System of Jersey City meeting held April 21, 2010.
- c. Agenda of the Regular Meeting of the Employee's Retirement System of Jersey City to be held on May 19, 2010.
- d. Application 10-030 dated May 11, 2010 from Nicholas Jayme, Jersey City to Robert Byrne, City Clerk re: Municipal Public Service.
- e. Letter dated May 12, 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 Jessica Nieves, Director, The Children's Center at Goldman Sachs, re: NJDEP Child Care Facility Approval Letter, 30 Hudson Street, Jersey City.
- f. Letter dated May 13, 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 Mandouth Boutros, Kidz Inn Daycare & Learning Center, re: NJDEP Child Care Facility Approval Letter, 73 Congress Street, Jersey City.
- g. Application 10-031 dated May 5, 2010 from Eldad S. Tarmu, Jersey City to Robert Byrne, City Clerk re: Municipal Public Service.
- h. Agenda from Peter Soriero, Risk Manager, Jersey City Insurance Fund Commission meeting to be held on Wednesday, May 19, 2010 at 10:00 a.m., in Room B-6, City Hall.
- i. Letter dated May 13, 2010 from Yacoub E. Yacoub, Bureau Chief for the State of New Jersey Department of Environmental Protection to Keith Vennard, K.L. Marine Corp re: Notice of Approval of Extension request, 1590 Kennedy Boulevard, Jersey City.
- j. Letter dated May 11, 2010 from w. Michael McCabe, Site Administrator, Chromium Cleanup Partnership to Robert Byrne, City Clerk re: Meeting to be held on May 20, 2010, at 6:30 p.m. in the Mary McLeod Bethune Life Center, 140 Martin Luther King Drive, Jersey City.

05/26/10

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

****6. PETITIONS AND COMMUNICATIONS**

- k. Letter dated May 11, 2010 from Gary Greulich, Section Chief, Bureau of Northern Field Operations, State of New Jersey, Department of Environmental Protection to Yasmina Rahal, ERP Operating Limited Partnership re: Technical Comment Letter, 100-150 Warren Street & 155 Washington Street, Jersey City.
- l. Letter dated October 9, 2009 from David J. Koury, Project Manager, Site Remediation for PSE&G to Anthony Cinque, Case Manager, NJDEP re: Transmittal of recorded deed notice and request for No Further Action and Covenant Not to Sue, West End Gas Plant, Parcel 3, Jersey City.
- m. Letter dated May 11, 2010 from John A. Anton, CPG., Senior Geologist for Hudson Environmental Services, Inc. to Donald Kakas, NJDEP re: Century Bay Realty (a.k.a W. Y Industries.), 115 Amity Street, Jersey City.
- n. Letter dated May 17, 2010 from Allen J. Magrini, Senior Vice President, Hartz to Stephen Skrocki, Office of Abatement re: PHM Urban Renewal Associates, LLC, Annual Financial Reports.
- o. Letter dated May 13, 2010 from Kenneth Kloo, Administrator, Office of Brownfield Reuse for the State of New Jersey, Department of Environmental Protection to Pura Franco-Lane, Jersey City re: One 1,000 gallon #2 heating oil underground storage tank system, 277 York Street, Jersey City.
- p. Faxed dated May 11, 2010 from Lysel Villanueva, Jersey City to Robert Byrne, City Clerk re: Letter to Planning Board-TOD South Amendments to the Morris Canal Redevelopment Plan.
- q. Letter dated May 21, 2010 from Andy Caltagirone, Manager of Industrial & Pollution Control, Passaic Valley Sewerage Commissioners to Robert Byrne, City Clerk re: Sewer use permit.
- r. Rockaway Valley Regional Sewerage Authority minutes of a board meeting April 8, 2010.
- s. Letter dated May 20, 2010 from John F. King, Supervising Environmental Services, Bureau of Urban Growth and Redevelopment, State of New Jersey, Department of Environmental Protection to David R. Draper, Potomac-Hudson Environmental re: Waterfront Development Permit Modification, Liberty National Golf Course.
- t. Letter dated May 11, 2010 from Oren K. Dabney Sr., Chief Executive Officer, Jersey City Incinerator Authority to Council President Peter M. Brennan re: Fiscal Year ending 2010 Budget Appropriation Reduction.

05/26/10

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

****6. PETITIONS AND COMMUNICATIONS**

- u. Minutes of the regular session of the Jersey City Municipal Utilities Authority held April 29, 2010.
- v. Employees Retirement System of Jersey City, Report of the Actuary as of January 1, 2010.
- w. Application 10-032 dated May 25, 2010 from Cynthia Cartagena, Jersey City to Robert Byrne, City Clerk re: Municipal Public Service.
- x. Application 10-033 dated May 5, 2010 from Edwina Franklin, Jersey City to Robert Byrne, City Clerk re: Municipal Public Service.
- y. Notice dated May 2010 for Replacement of the 14th Street viaduct over Conrail and local streets Hoboken and Union City, Hudson County, NJ.
- z. Minutes of the regular board meeting of the Jersey City Incinerator Authority Commissioners held on Tuesday, April 27, 2010.

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

****7. OFFICERS COMMUNICATIONS**

- a. Letter dated May 14, 2010 from Joao D'Souza, Director of Traffic and Transportation to Robert Byrne, City Clerk re: Street Closing Regulation - 10-014 Broadway from Westside Avenue to Wales Avenue & Giles Avenue from Marion Place to Broadway will be closed for the preservation of public safety, health & welfare 6:00 p.m. to 11:00 p.m., Thursday-Sunday, July 8- 11 & Wednesday- Saturday, July 14-17, 2010 for annual family festival.
- b. Letter dated May 14, 2010 from Joao D'Souza, Director of Traffic and Transportation to Robert Byrne, City Clerk re: Street Closing Regulation -10-015 Brunswick Street from Seventh Street to Fifth Street & Sixth Street from Monmouth Street to Division Street will be closed for the preservation of public safety, health & welfare 9:00 a.m., Monday, August 9 thru 5:00 p.m. Monday, August 16, 2010 for Italian street festival.
- c. Letter dated May 14, 2010 from Joao D'Souza, Director of Traffic and Transportation to Robert Byrne, City Clerk re: Street Closing Regulation -10-016 Exchange Place & Montgomery Street from Hudson Street to Washington Street (with Greene Street kept open) will be closed for the preservation of public safety, health & welfare Noon to 8:00 p.m., Saturday, August 28, 2010.
- d. Letter dated May 14, 2010 from Joao D'Souza, Director of Traffic and Transportation to Robert Byrne, City Clerk re: Street Closing Regulation -10-017 Grand Street from Greene Street to Washington Street will be closed for the preservation of public safety, health & welfare Noon to 5:00 p.m., Saturday, June 12, (rain date Sunday, June 13), 2010 for park neighborhood event-fundraiser.
- e. Letter dated May 14, 2010 from Joao D'Souza, Director of Traffic and Transportation to Robert Byrne, City Clerk re: Street Closing Regulation -10-018 Jersey Avenue from Wayne Street to Columbus Drive will be closed for the preservation of public safety, health & welfare Noon to 8:00 p.m., Saturday, May 29 (rain dated Sunday, May 30), 2010 for Ahymm annual gospel celebration anniversary.
- f. Letter dated May 14, 2010 from Joao D'Souza, Director of Traffic and Transportation to Robert Byrne, City Clerk re: Street Closing Regulation -10-019 McWilliams Place will be closed for the preservation of public safety, health & welfare 10:00 a.m. to 6:00 p.m., Saturday, June 5 (rain dated Sunday, June 6), 2010 for Learning Community Center Charter School annual street fair.

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

****7. OFFICERS COMMUNICATIONS**

- g. Letter dated May 24, 2010 from Al Cameron, Deputy Director, HEDC to Jerramiah T. Healy, Mayor & President and Members of the Municipal Council re: Tax Abatement Committee Meeting held May 14, 2010 approving Jones Hall application.
- h. Memo dated may 12, 2010 from Kevin Lyons, Aide to the Mayor to Robert Byrne, City Clerk re: Spectra Energy Pipeline.
- i. Memo dated May 25, 2010 from Darice Toon. Director-Division of Community Development to Jerramiah T. Healy, Mayor re: Community Services Block Grant (CSBG) Tripartite Board Appointees.
- j. Letter dated May 25, 2010 from Carl S. Czaplicki, Director of HEDC to Robert Byrne, City Clerk re: Al Cameron will serve as Mr. Czaplicki's designee for the Tax Exemption Committee.

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

****8. REPORT OF DIRECTORS**

- a. Letter dated May 19, 2010 from Rodney W. Hadley, Department Director of Public Works to Council President Peter Brennan re: Architecture and Engineering, Traffic Transfer to Division of Public Works.
- b. Letter dated May 6, 2010 from Jerramiah T. Healy, Mayor to President and Members of the Municipal Council re: Reappointing Christine Goodman, of Jersey City, to serve as a member of the Cultural Arts Commission. Ms. Goodman's term will expire on August 16, 2014.

****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

Council as a whole approved all Claims & Addendum #1; -9-0-; with the exception that Councilman Donnelly abstained on Voucher 97879, page 32, payee: United Way of Hudson County, in the amount of \$28,961.67, that claim was approved-8-0-1-.

Grand Total of Claims	\$6,887,801.86
Grand Total of Addendum #1	\$5,688,280.47

