

Resolution of the City of Jersey City, N.J.

City Clerk File No. Res. 10-077

Agenda No. 10.A

Approved: _____

TITLE:



RESOLUTION AUTHORIZING AN EMERGENCY TEMPORARY APPROPRIATION

COUNCIL

offered and moved

adoption of the following resolution:

WHEREAS, it is necessary to provide an additional appropriation in the Fiscal Year 2010 temporary budget to make available the money necessary for the continuance of City services during the temporary budget period, and

WHEREAS, no adequate provision has been made in the Fiscal Year 2010 temporary budget for the aforesaid purpose, and N.J.S.A. 40A:4-20 provides for the creation of an emergency temporary appropriation for the purpose mentioned above, and

WHEREAS, the total temporary budget resolutions adopted in Fiscal Year 2010 pursuant to the provisions of N.J.S.A. 40A:4-19,20, including this resolution, totals \$434,457,140.

NOW THEREFORE, BE IT RESOLVED by the Municipal Council of the City of Jersey City (not less than two thirds of all members thereof affirmatively concurring) that in accordance with the aforementioned statutes;

1. An emergency temporary appropriation is hereby created for:

	FROM	TO
BUSINESS ADMINISTRATOR OE	40,000	55,000
LAW OE	550,000	750,000
RECREATION OE	220,000	276,000
HEDC DIRECTOR OE	15,675	21,675
CONSTRUCTION CODE OE	76,500	109,000
TENANT LANDLORD RELATIONS OE	10,050	10,550
COMMUNITY DEVELOPMENT OE	2,750	4,050
COMMERCE OE	21,125	33,125
ECONOMIC DEVELOPMENT OE	4,350	4,850
DIVISION OF SENIORS AFFAIRS	67,475	83,475
HHS DIRECTORS OFFICE	24,325	36,325
CITY PLANNING OE	8,150	10,650
HOUSING CODE ENFORCEMENT OE	28,898	41,623
PLANNING BOARD	61,650	72,300
BOARD OF ADJUSTMENT	48,135	68,785
ZONING OFFICER OE	11,550	15,150
CELEBRATION OF PUBLIC EVENTS	5,000	9,500
MUNICIPAL RENT	2,450,000	3,195,000
ETHICAL STANDARDS BOARD	10,000	15,000
ROID-(Recreational Opportunity Individual Disability)	0	24,000
NJDOT-(Newark Ave Roadway Improvements)	0	4,311,708
PORSCHE	195,000	201,900
SENIOR NUTRITION PROGRAM	0	57,823
SENIOR NUTRITION PROGRAM- ARRA	0	130,169
SENIOR AFFAIRS	0	65,000

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TITLE:

RESOLUTION AUTHORIZING AN EMERGENCY TEMPORARY APPROPRIATION

2. Said emergency temporary appropriation will be provided for in the Fiscal Year 2010 Municipal Budget.

APPROVED: _____

APPROVED AS TO LEGAL FORM

APPROVED:  _____

Business Administrator

 _____

Corporation Counsel

Certification Required

Not Required

APPROVED

RECORD OF COUNCIL VOTE ON FINAL PASSAGE											
2/10/10											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO				GAUGHAN				VEGA			
DONNELLY				FULOP				FLOOD			
LOPEZ				RICHARDSON				BRENNAN, PRES			

✓ Indicates Vote

N.V.-Not Voting (Abstain)

Adopted at a meeting of the Municipal Council of the City of Jersey City N.J.

Peter M. Brennan, President of Council

Robert Byrne, City Clerk

Resolution of the City of Jersey City, N.J.

City Clerk File No. Res. 10-078

Agenda No. 10.B

Approved: _____



TITLE: **RESOLUTION AUTHORIZING THE EXTENSION OF TERM OF A LICENSE AGREEMENT WITH RAV GROUP, LLC FOR THE USE OF CITY OWNED PROPERTY LOCATED AT BLOCK 1471.D LOT 1.C LOCATION 446-448 OCEAN AVENUE**

COUNCIL offered and moved adoption of the following resolution:

WHEREAS, the City of Jersey City is the owner of Block 1471.D Lot 1.C Address 446-448 Ocean Avenue; and

WHEREAS, Rav Group, LLC has been utilizing said properties for the purpose of repairing 450 Ocean Avenue which is owned by Rav Group, LLC since November 7, 2007; and

WHEREAS, as per the attached letter from Rav Group, LLC they are requesting another extension for an additional two months; and

WHEREAS, Rav Group, LLC will fully indemnify and defend the City and insure the City for any damages or injuries arising from its use of the Property; and

WHEREAS, the term of the License shall be from Monday thru Friday 8:00 A.M. to 5:00 P.M. for two (2) months expiring on April 2, 2010.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the City of Jersey City that the Mayor or Business Administrator be authorized to:

1. Execute an Amended License Agreement granting permission to Rav Group, LLC to enter onto Property owned by the City of Jersey City from Monday thru Friday from 8:00 A.M. to 5:00 P.M. for two (2) months expiring on April 2, 2010.
2. The Amended License Agreement shall be in substantially the form attached, subject to such modification or additional terms and conditions as the Business Administrator and Corporation Counsel deem necessary and appropriate; and
3. Take such other actions as may be necessary to effectuate the purposes of the agreement.

APPROVED: *Ann Marie Miller*
Ann Marie Miller, Real Estate Manager

APPROVED AS TO LEGAL FORM

APPROVED: *[Signature]*
Business Administrator

[Signature]
Corporation Counsel

Certification Required

Not Required

2010005

APPROVED

RECORD OF COUNCIL VOTE ON FINAL PASSAGE											
2/10/10											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO				GAUGHAN				FLOOD			
DONNELLY				FULOP				VEGA			
LOPEZ				RICHARDSON				BRENNAN, PRES			

✓ Indicates Vote

N.V.-Not Voting (Abstain)

Adopted at a meeting of the Municipal Council of the City of Jersey City N.J.

Rav Group, LLC

81-83 Vesey Street, Newark, NJ 07105
Office: 973-491-0403 & Fax: 973-491-0432

Sent via fax: 201-547-5711
Attention: Ms. Ann Marie Miller

January 25, 2010

Ms. Ann Marie Miller
Real Estate Manager
City of Jersey City
Real Estate Office
280 Grove Street
Jersey City, NJ 07302

RE: Block 1471.D Lot 1.C
Address: 446-448 Ocean Avenue

Ms. Miller:

Please accept this letter as our request to extend the license agreement along with the key to the gate for the above reference city-owned properties for approximately two (2) months.

Sincerely,

A handwritten signature in black ink, appearing to read 'Colleen Pires', with a long horizontal stroke extending to the right.

Colleen Pires
Rav Group, LLC

AMENDED LICENSE AGREEMENT

This **AGREEMENT** is made this _____ day of _____, 2010 between the **CITY OF JERSEY CITY**, a Municipal Corporation of the State of the New Jersey, with offices at City Hall, 280 Grove Street, Jersey City, New Jersey 07302, and **RAV GROUP, LLC** 81-83 Vessey Street, Newark, New Jersey 07105.

WITNESSETH that:

1. The City is the owner of certain property located at Block 1471.D Lot 1.C
Location 446-448 Ocean Avenue .
2. Licensee has a temporary need for use of the City Property for the following purposes and no other purpose whatsoever: to enter onto City Property to repair the property located at 450 Ocean Avenue.
3. This License is from Monday thru Friday 8:00 A.M. to 5:00 P.M. for two months expiring on April 2, 2010.
4. The City agrees to permit Licensee or its duly designated agents, servants, employees, contractors or invitees, to enter onto the City Property for the purposes set forth above of and for no other purpose whatsoever.
5. No permanent improvements are permitted on the City Property.
6. Licensee shall defend, indemnify, save and hold harmless the City from any and all accidents, losses, damages, claims, demands, suits, judgments, liens, expenses or damages whatsoever including but not limited to any environmental damage or claims caused or exacerbated by the use of the Property, arising by reason of this Agreement or the use of the Property by Licensee or any of its agents, servants, employees, contractors or invitees, in, or on

11. All Notices between the parties hereto shall be address and delivered to the following:

City: City of Jersey City
Office of Real Estate
Room B10 City Hall
280 Grove Street
Jersey City, New Jersey 07302

Licensee: Rav Group, LLC
81-83 Vessey Street
Newark, New Jersey 07105

12. The City reserves unto itself for any and all purposes, all rights of entry and possession, including but not limited to the inspection, repair and maintenance of any City utilities and for any public purpose.

13. Licensee shall at its own cost and expense, restore the property to the same condition it was in prior to the commencement date of this License to the reasonable satisfaction of the City .

14. The parties intend only to create a temporary license and not to convey a lease, easement or any other interest or estate in or running with the land. It is specifically agreed and understood that Licensee will not acquire any prescriptive interest or rights whatsoever to the City Property under this License.

15. Licensee shall not assign this Agreement, or any part thereof, or occupy the Property for any other reasons or reasons then herein stipulated in this Agreement, under penalty of damages and forfeiture.

16. The City reserves the right to terminate the License at any time during the term hereof with or without cause, including but not limited to any violation of any applicable land use or construction code regulations, or to advance or effectuate any public purpose or policy, upon (10) days prior written notice to Licensee.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals as of the date above written.

ATTEST:

CITY OF JERSEY CITY

Robert Byrne
City Clerk

Brian O' Reilly
Business Administrator

WITNESS:

RAV GROUP, LLC

Jack Pires
Managing Member

Resolution of the City of Jersey City, N.J.

City Clerk File No. Res. 10-079

Agenda No. 10.C

Approved: _____

TITLE:

RESOLUTION AUTHORIZING THE RENEWAL OF A LEASE AGREEMENT BETWEEN THE CITY OF JERSEY CITY AS LESSEE AND 18 ASH STREET REALTY, LLC., AS LESSOR, FOR FIRE AND EMERGENCY STORAGE SPACE IN THE PREMISES AT LOCATED AT 46 STATE STREET, JERSEY CITY, NEW JERSEY



THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY DOES ORDAIN:

WHEREAS, the City of Jersey City ("City") has and continues to have need of storage space for equipment used by the City's Fire and Emergency Services; and

WHEREAS, 18 Ash Street Realty, LLC, as lessor, entered into a one-year lease (the "Lease") with the City, as lessee, for 6,000 square feet of storage space at 46 State Street, Jersey City, New Jersey (the "Premises") under the authority of Ordinance 06-033, another one-year renewal lease (the "First Renewal Lease") under the authority of Ordinance 07-051, a second one-year renewal lease (the "Second Renewal Lease"), under the authority of Ordinance 07-181 and a third one-year renewal lease (the "Third Renewal Lease") under the authority of Ordinance 08-149; and

WHEREAS, the Third Renewal Lease ended on December 31, 2009, but, at paragraph 2, permits the City to enter into a fourth renewal of the Lease for the time period between January 1, 2010 and December 31, 2010 under the same terms, provisions, covenants and conditions as set forth in the Third Renewal Lease, except for the amount of rent which shall be increased by five percent (5%) over the \$4,190 per month payable under the Third Renewal Lease; and

WHEREAS, the City will, therefore, pay to the lessor the monthly base rent of \$4,400.00, which is \$52,800.00, annually; and

WHEREAS, N.J.S.A. 40A:12-5 provides that a municipality may by ordinance, acquire property by lease; and

WHEREAS, funds in the amount of \$52,800.00 are available in Account No. 09-17-289-56-0009-002.

NOW, THEREFORE, BE IT ORDAINED by the City Council of Jersey City that:

1. Subject to such modifications as may be deemed necessary or appropriate by Corporation Counsel, the Mayor or Business Administrator is authorized to execute the attached Lease Agreement with 18 Ash St, LLC for storage space for equipment used by the City's Fire and Emergency Services located at 46 State Street, Jersey City, New Jersey.
 2. The term of the Lease shall be one (1) year commencing on January 1, 2010 and ending on December 31, 2010.
 3. The total rental fee shall not exceed \$52,800 and shall be payable in 12 equal installments of \$4,400.00 per month, payable on the first day of each month.
 4. Funds in the amount of \$ 52,800.00 are available in Account No.09-17-289-56-0009-002.
- A. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- B. This Ordinance shall be a part of the Jersey City Code as though codified and fully set forth therein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.

City Clerk File No. Res. 10-079

Agenda No. 10.C

TITLE:

RESOLUTION AUTHORIZING THE RENEWAL OF A LEASE AGREEMENT BETWEEN THE CITY OF JERSEY CITY AS LESSEE AND 18 ASH STREET REALTY, LLC., AS LESSOR, FOR FIRE AND EMERGENCY STORAGE SPACE IN THE PREMISES LOCATED AT LOCATED AT 46 STATE STREET, JERSEY CITY, NEW JERSEY

- C. This ordinance shall take effect at the time and in the manner as provided by law.
- D. The City Clerk and the Corporation Counsel be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.

NOTE: All material is new; therefore, underlining has been omitted. For purposes of advertising only, new matter is indicated by **bold face** and repealed matter by *italic*.

I, _____ Donna Mauer, Chief Financial Officer, certify that funds in the amount of \$52,800.00 are available in Account No.09-17-289-56-0009-002.

JD/cw
1/25/10
No. 2010016

APPROVED: _____

APPROVED AS TO LEGAL FORM

APPROVED: _____
Business Administrator

Corporation Counsel

Certification Required

Not Required

APPROVED

RECORD OF COUNCIL VOTE ON FINAL PASSAGE											
2/10/10											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO				GAUGHAN				VEGA			
DONNELLY				FULOP				FLOOD			
LOPEZ				RICHARDSON				BRENNAN, PRES			

✓ Indicates Vote

N.V.-Not Voting (Abstain)

Adopted at a meeting of the Municipal Council of the City of Jersey City N.J.

FOURTH RENEWAL LEASE

WHEREAS, on January 1, 2006, *the City of Jersey City*, 280 Grove St., Jersey City, New Jersey 07302, as Lessee (the "City"), and *18 Ash Street Realty, LLC*, having an office at 44 State Street, Jersey City, New Jersey 07304, as Lessor, entered into an Agreement of Lease (the "Lease Agreement") wherein the City rented 1,000 sq. ft. of space located at 46 State Street, Jersey City, New Jersey (the "Premises"), for the term of one-year at the base rent of \$45,600.00 (the "Base Rent"), the Lease Agreement being a "net lease" with taxes and other costs paid directly by the City; and

WHEREAS, the Premises have been used for storage space for the City's Fire and Emergency Services;

WHEREAS, the Lease Agreement was authorized by City Council Ordinance 06-033; and

WHEREAS, the Lease Agreement was thereafter renewed three times and approved by the City Council as Ordinance 07-051, Ordinance 07-181 and Ordinance 08-149, respectively; and

WHEREAS, the Third Renewal Lease provided for an increase in the Fourth Renewal Lease of five percent (5%) in the rent payable to the Lessor

WHEREAS, the City has determined that it is in its best interests to again renew the Lease Agreement on the terms and provisions heretofore approved, with the five percent (5%) increase in rent provided for in the Third Renewal Lease as approved by Ordinance 08-149.

NOW, THEREFORE, in consideration of the Premises, the rent payable hereunder, and other good and valuable consideration, the parties hereto agree as follows:

1. Commencing on January 1, 2010, the base rent payable to the landlord shall be \$52,800.00 per annum (the "Rent"), payable in twelve (12) equal monthly installments of \$4,400.00, with all other costs, including utilities and taxes paid by the Lessee to the Lessor.

2. The Lessor agrees to give the lessor a "Fourth Renewal Lease" for the next ensuing year, January 1, 2010 through December 31, 2010, again with a five percent (5%) increase in the Rent for the calendar year 2011, which shall be \$55,4400.00, payable in twelve (12) equal monthly installments of \$4,620.00.

3. All other terms, provisions, covenants, and conditions contained in the original Lease Agreement dated January 1, 2006 will remain in full force and effect.

LESSEE
CITY OF JERSEY CITY

By: _____
Mayor or Business Administrator

LESSOR:
18 ASH STREET REALTY, LLC

By: _____
Peter Gargiulo, Managing Member

ATTEST:

ATTEST:

Robert Byrne, City Clerk

, Member

Resolution of the City of Jersey City, N.J.

City Clerk File No. Res. 10-080

Agenda No. 10.D

Approved: _____

TITLE:



RESOLUTION REJECTING ALL BIDS RECEIVED BY THE CITY OF JERSEY CITY ON DECEMBER 29, 2009 FOR TEN (10) 2010 HARLEY DAVIDSON FLHP ELECTRA GLIDE SOLO CERTIFIED TRAFFIC LAW ENFORCEMENT MOTORCYCLES FOR THE POLICE AND DEPARTMENT OF PUBLIC WORKS / AUTOMOTIVE DIVISION

COUNCIL OFFERED AND MOVED
ADOPTION OF THE FOLLOWING RESOLUTION:

WHEREAS, the Purchasing Agent acting within his authority and in conformance with N.J.S.A. 40A:11-1 et seq. publicly advertised for bids for Harley Davidson Enforcement Motorcycles for the City of Jersey City (City); and

WHEREAS, the City accepted bids on December 29, 2009 from two bidders Highroads Harley Davidson and Barb's Harley Davidson; and

WHEREAS, Barb's Harley Davidson submitted the low bid of \$ 141,500.00; and

WHEREAS, various changes need to be made to the original bid specification to include model, year and additional options such as bigger engines, lights and sirens; and

WHEREAS, these changes are necessary for law enforcement officers when responding to emergency calls for their safety and the general public as a whole; and

WHEREAS, the City desires to reject all bids received on December 29, 2009; and

WHEREAS, N.J.S.A. 40A:11-13.2(d) authorizes the rejection of all bids when the City desires to substantially revise bid specifications; and

NOW, THEREFORE IT BE RESOLVED, by the Municipal Council of the City of Jersey City that because of the above stated reasons which are incorporated herein, all bids received on December 29, 2009 for Harley Davidson Enforcement Motorcycles are rejected and the Purchasing Agent is authorized to rebid the contract using revised bid specifications.

APPROVED: Rodney W. Harley
Rodney W. Harley, Director, Department of Public Works

APPROVED: [Signature]
Business Administrator

RWH/sb
February 03, 2010

APPROVED AS TO LEGAL FORM

[Signature]
Corporation Counsel

Certification Required
Not Required

APPROVED
2/10/10

RECORD OF COUNCIL VOTE ON FINAL PASSAGE											
				2/10/10							
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO				GAUGHAN				FLOOD			
DONNELLY				FULOP				VEGA			
LOPEZ				RICHARDSON				BRENNAN, PRES			

✓ Indicates Vote

N.V.-Not Voting (Abstain)

Adopted at a meeting of the Municipal Council of the City of Jersey City N.J.

Peter M. Brennan, President of Council

Robert Byrne, City Clerk

