

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

City Clerk File No. Res. 10-001

Agenda No. 10.A

Approved: JAN 13 2010

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 \$372,101,566.

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
20-110 MAYOR'S OFFICE SW	599,000	826,000
20-120 CITY CLERK OE	50,000	60,000
20-123 MUNICIPAL COUNCIL SW	332,275	492,275
20-100 BUSINESS ADMINISTRATOR SW	1,309,375	1,932,375
20-100 BUSINESS ADMINISTRATOR OE	37,000	40,000
20-101 MANAGEMENT & BUDGET SW	133,000	187,000
20-101 MANAGEMENT & BUDGET OE	225,700	273,700
20-104 MAYOR'S ACTION BUREAU SW	290,500	410,500
20-106 COMMUNICATIONS SW	388,600	408,600
20-105 PERSONNEL SW	272,000	405,000
20-113 ENGINEERING OE	321,050	342,750
20-109 RISK MANAGEMENT SW	152,000	229,000
20-140 INFORMATION TECHNOLOGY OE	963,050	1,113,050
20-146 ABATEMENT MANAGEMENT SW	136,750	206,750
20-131 TREASURY & DEBT MANAGEMENT SW	271,500	411,500
20-136 PENSION SW	116,750	172,750
20-134 ACCOUNTS & CONTROL SW	325,000	486,000
20-150 TAX ASSESSOR OE	73,175	76,175
20-147 INTERNAL AUDIT SW	93,250	142,250
26-290 PUBLIC WORKS DIRECTOR'S OFFICE SW	290,170	430,170
28-375 PARK MAINTENANCE SW	1,414,034	2,087,034
20-175 NEIGHBORHOOD IMPROVEMENT SW	368,025	548,025
28-370 RECREATION SW	2,200,000	2,580,000
27-331 HEALTH DIVISION OE	316,600	466,600

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**RESOLUTION AUTHORIZING AN EMERGENCY TEMPORARY
APPROPRIATION**

	FROM	TO
27-332 CULTURAL AFFAIRS SW	415,000	515,000
27-333 CLINICAL SERVICES SW	47,250	127,250
25-265 FIRE SW	40,000,000	53,000,000
25-265 FIRE OE	786,000	1,061,700
25-240 POLICE SW	56,500,000	80,500,000
20-170 HEDC DIRECTOR SW	326,360	480,360
22-195 CONSTRUCTION CODE SW	1,122,075	1,582,075
22-171 ECONOMIC DEVELOPMENT SW	210,850	330,850
21-180 CITY PLANNING SW	444,825	606,825
30-413 PROFESSIONAL AFFILIATIONS	6,000	16,000
29-390 FREE PUBLIC LIBRARY	5,000,000	6,000,000
31-432 MUNICIPAL RENT	1,950,000	2,450,000
31-433 OFFICES SERVICES	818,050	1,068,050
31-434 GASOLINE	700,000	950,000
26-315 AUTOMOTIVE SERVICES SW	494,225	742,225
26-305 JERSEY CITY INCINERATOR AUTHORITY	16,000,000	18,700,000
43-490 MUNICIPAL COURT OE	190,465	243,715
43-495 PUBLIC DEFENDER SW	51,000	72,000
43-495 PUBLIC DEFENDER OE	101,000	171,000
46-885 TAX APPEALS PRINCIPAL	4,000,000	5,000,000
CCTV- MAINTENANCE	749,027	762,732
HUD- SPECIAL PROJECT GRANT	0	237,500
PUBLIC HEALTH PRIORITY FUNDING	0	150,082
ENERGY EFFICIENCY & CONSERVATION BLOCK GRANT	0	2,329,500

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RESOLUTION AUTHORIZING AN EMERGENCY TEMPORARY APPROPRIATION

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

APPROVED: *Harold D. Dealy*
APPROVED: *B O'Reilly*
Business Administrator

APPROVED AS TO LEGAL FORM
[Signature]
Corporation Counsel

Certification Required

Not Required

APPROVED 9-0

RECORD OF COUNCIL VOTE ON FINAL PASSAGE											
1/13/10											
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
Peter M. Brennan, President of Council

Robert Byrne
Robert Byrne, City Clerk

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

City Clerk File No. Res. 10-002

Agenda No. 10.B

Approved: JAN 13 2010

TITLE:



RESOLUTION AUTHORIZING THE ACCEPTANCE OF A BID FOR THE SALE BY ASSIGNMENT OF CERTIFICATES OF TAX SALE INCLUDING SUBSEQUENT MUNICIPAL LIENS PURSUANT TO N.J.S.A. 54:5-114.2(B)

COUNCIL OFFERED, AND MOVED ADOPTION OF THE FOLLOWING RESOLUTION:

WHEREAS, N.J.S.A. 54:5-114.2(b) PROVIDES THAT THE GOVERNING BODY MAY FROM TIME TO TIME DETERMINE BY RESOLUTION TO SELL CERTIFICATES OF TAX SALE INCLUDING ALL SUBSEQUENT LIENS FOR AN AMOUNT LOWER THAN THE TOTAL AMOUNT DUE, TOGETHER WITH INTEREST AND COSTS ON THE CERTIFICATES OF SALE; and

WHEREAS, THE CITY IS THE OWNER OF THE TAX SALE CERTIFICATE IDENTIFIED IN (EXHIBIT "A"); and

WHEREAS, THE TOTAL AMOUNT DUE ON THE CERTIFICATE INCLUDING SUBSEQUENT LIENS IS (SEE EXHIBIT A); and

WHEREAS, THE CITY SHALL OFFER THE CERTIFICATE FOR SALE FOR A MINIMUM BID OF (SEE EXHIBIT A); and

WHEREAS, N.J.S.A. 54:5-114.2(B) AUTHORIZES THE GOVERNING BODY TO DETERMINE AN AMOUNT THAT THE MUNICIPALITY WILL ACCEPT THAT IS LOWER THAN THE TOTAL AMOUNT DUE AND TO ACCEPT BIDS EQUAL TO OR LARGER THAN THAT AMOUNT; and

WHEREAS, IT IS IN THE BEST INTEREST OF THE CITY TO OFFER THE CERTIFICATE (SEE EXHIBIT A) FOR SALE AT AN AMOUNT LESS THAN THE TOTAL AMOUNT DUE; and

WHEREAS, THE SALE SHALL BE CONDUCTED PURSUANT TO THE REQUIREMENTS SET FORTH UNDER N.J.S.A. 54:5-114.2(B)

10-002

EXHIBIT A

JAN 13 2010

BLOCK	LOT	LOCATION	OWNER	CERT #	AMOUNT	BID
763	17	110 Cambridge Ave.	Calvary Assembly of God	2009-0461	\$9,685.69	\$1,000.00
TOTAL					\$9685.69	\$1000.00

City Clerk File No. Res. 10-002

Agenda No. 10.B

TITLE: JAN 13 2010

NOW, THEREFORE, BE IT RESOLVED THAT:

- 1.) PURSUANT TO N.J.S.A. 54:5-114(2B) THE TAX COLLECTOR IS AUTHORIZED TO ACCEPT BIDS FOR THE SALE OF THE CERTIFICATE LISTED IN EXHIBIT "A" ATTACHED HERETO.
- 2.) THE MINIMUM BID SHALL BE (SEE EXHIBIT A):
- 3.) THE SEALED BIDS SHALL BE DELIVERED TO THE TAX COLLECTOR BEFORE THE CLOSE OF THE BUSINESS DAY ON JANUARY 15 2010.
- 4.) AT THE COUNCIL MEETING ON JANUARY 27,2010 THE COUNCIL MAY ACCEPT OR REJECT BIDS RECEIVED ON THE BID RECEPTION DATE OF JANUARY 15, 2010 OR THE COUNCIL MAY ACCEPT OR REJECT ANY HIGHER BID WHICH MAY BE MADE BY ANY PERSON AT THE COUNCIL MEETING.
- 5.) THE CITY RESERVES THE RIGHT TO REJECT ALL BIDS IF THE GOVERNING BODY FEELS THAT THIS IS IN THE BEST INTEREST OF THE CITY; BECAUSE THE CERTIFICATE IS BEING SOLD AT A DISCOUNT PURSUANT TO N.J.S.A. 54:5-114.2(B); **ANY BIDS SUBMITTED BY THE OWNERS WILL BE REJECTED;**
- 6.) IN THE EVENT A BID IS ACCEPTED, THE CLOSING OF THE SALE SHALL OCCUR ON OR BEFORE JANUARY 29, 2010;
- 7.) THE TAX COLLECTOR IS AUTHORIZED TO TAKE SUCH OTHER ACTIONS AS MAY BE NECESSARY TO ACCOMPLISH THE PURPOSE OF THIS RESOLUTION;
- 8.) UPON PAYMENT OF CONSIDERATION FOR THE CERTIFICATES, THE TAX COLLECTOR SHALL EXECUTE AN ASSIGNMENT OF THE CERTIFICATE ON THE ATTACHED LIST.

MC/ae

APPROVED: 
 APPROVED: 
 Business Administrator

APPROVED AS TO LEGAL FORM

 Corporation Counsel

Certification Required
 Not Required

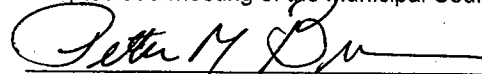
APPROVED 9-0

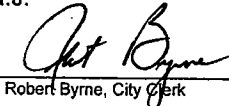
RECORD OF COUNCIL VOTE ON FINAL PASSAGE											
								1/13/10			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			VEGA	✓		
DONNELLY	✓			FULOP	✓			FLOOD	✓		
LOPEZ	✓			RICHARDSON	✓			BRENNAN, PRES	✓		

✓ 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

280 GROVE ST.
JERSEY CITY, NJ
07302

MUNICIPAL LIEN REDEMPTION STATEMENT

Owner: CALVARY ASSEMBLY OF GOD
PO BOX 17300
JERSEY CITY, NJ. 07307

Property Location: 110 CAMBRIDGE AV

Block: 00763

Lot: 00017

Qual:

Account #: 93880

Certificate #: 2009-0461

Date of Sale: 07/07/2009 Redemption Date: 01/13/2010

CERTIFICATE AMOUNT

Principal: 3,167.01 Tax Sale Interest: 77.01 Cost of Sale: 64.88 Certificate Amount: 3,308.90
Interest on Certificate is 18.0000 % 307.72

ORIGINAL CERTIFICATE DETAILS

Bill Type:	Year	Qtr.	Due Date	Principal	Interest	Total
TAXES BILL	2009	2	07/07/2009	3,167.01	294.53	3,461.54
COST OF SALE BILL	2009	4	07/07/2009	64.88	6.03	70.91
TAXSALE INT. BILL	2009	4	07/07/2009	77.01	7.16	84.17
Subtotals :				3,308.90	307.72	3,616.62

REDEMPTION FEES, SUBSEQUENT CHARGES, CURRENT TAXES

Bill Type:	Year	Qtr.	Due Date	Principal	Interest	Total
STAT. PENALTY BILL	2009	4	01/13/2010	66.18	.00	66.18
RECORDING FEE BILL	2009	4	07/21/2009	3.00	.00	3.00
TAXES BILL	2009	3	08/01/2009	2,834.15	229.57	3,063.72
TAXES BILL	2009	4	11/01/2009	2,834.14	102.03	2,936.17
WATER BILL	2009	4	07/21/2009	.00	.00	.00
WATER BILL	2009	4	07/21/2009	.00	.00	.00
Subtotals :				5,737.47	331.60	6,069.07
Total Redemption Amount:				9,046.37	639.32	9,685.69
Redemption Good Thru:				01/13/2010		
Interest Calculated Thru:						

** The Above Quote is Subject To Change If Lien Holder Pays Subsequent Delinquent Charges **

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

City Clerk File No. Res. 10-003

Agenda No. 10.C

Approved: JAN 13 2010

TITLE:



RESOLUTION AUTHORIZING A REFUND/CREDIT OF \$653,388.11 AND A REDUCTION IN ASSESSMENT TO SETTLE TAX APPEALS FILED BY THE OWNERS OF VARIOUS PROPERTIES.

COUNCIL OFFERED AND MOVED ADOPTION OF THE FOLLOWING

RESOLUTION:

WHEREAS, complaints were filed in the Tax Court of New Jersey challenging real estate tax assessments as on the attached spreadsheet; and

WHEREAS, the Office of the Tax Collector has reviewed these settlements and computed the amount of refund or credit that will result from the implementation of these settlements; and

WHEREAS, both the taxpayer and the City agree that all interest payments on any such refund shall be waived by the taxpayer if such refund shall be made by the City within sixty (60) days of the Tax Court judgment pursuant to N.J.S.A. 54:3-27.2; and

WHEREAS, after consulting with the Office of the Tax Assessor and Special Tax Counsel the Corporation Counsel has recommended that the complaints be settled at the assessments specified below; and

WHEREAS, these settlements will reduce the assessments to reflect the actual fair assessable value of the property(ies) consistent with assessing practices generally applicable in the City of Jersey City, as required by law; and

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the City of Jersey City that the following complaints be settled for the assessments listed on the attached schedule.

These settlements will result in a refund and/or credit in the amount of \$653,388.11.

APPROVED: _____

APPROVED AS TO LEGAL FORM

APPROVED: B. O'Reilly

Business Administrator

Corporation Counsel

Certification Required

Not Required

APPROVED 9-0

RECORD OF COUNCIL VOTE ON FINAL PASSAGE											
1/13/10											
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
Peter M. Brennan, President of Council

Robert Byrne
Robert Byrne, City Clerk

SCHEDULE A - LIBERTY NATIONAL TAX APPEAL

MEETING:

TAX YEAR	BLOCK	LOT	ADDRESS	ORIG. ASSESSMENT	ASSESSMENT REDUCTION	NEW ASSESSMENT	TAX RATE	REFUND
2004	1497	2.5	60 Caven Point Rd.	\$750,000	558,300	191,700	0.04606	\$25,715.30
All other complaints for tax year 2004 to be withdrawn								
2007	1500	43	Caven Point Road	\$5,583,600	3,217,600	2,366,000	0.05549	\$178,544.62
	1500	35	Ft. of Chapel Ave.	893,100	837,200	55,900	0.05549	\$46,456.23
All other complaints for tax year 2007 to be withdrawn								
2008	1500	43	Caven Point Road	\$5,583,600	3,215,400	2,368,200	0.05552	\$178,519.01
	1500	35	Ft. of Chapel Ave.	893,100	837,200	55,900	0.05552	\$46,481.34
All other complaints for tax year 2008 to be withdrawn								
2009	1500	27	Beachfront	711,000	682,400	28,600	0.06001	\$40,950.82
	1500	34	Canal	974,000	874,000	100,000	0.06001	\$52,448.74
	1500	53	Beachfront	786,000	766,700	19,300	0.06001	\$46,009.67
	1500	47	Chapel Avenue	205,000	201,000	4,000	0.06001	\$12,062.01
	1500	48	Chapel Avenue	451,000	436,600	14,400	0.06001	\$26,200.37
All other complaints for tax year 2009 to be withdrawn								
								\$653,388.11

NOWELL AMOROSO KLEIN BIERMAN, P.A.

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HENRY J. AMOROSO
HERBERT C. KLEIN
WILLIAM D. BIEMAN †
VICTOR J. HERLINSKY, JR.
ANTHONY PANTANO *
DAVID EDELBERG *
LINDA DUNNE
MICHAEL J. PALMA*✓
MICHAEL J. NOONAN
WILLIAM C. SOUKAS *
BRADLEY M. WILSON †
JOHN R. LLOYD ✓
THOMAS C. MARTIN

RICK A. STEINBERG*✓
JOSEPH S. SHERMAN
RICHARD J. SIMEONE, JR.*
COUNSEL

COUNSELLORS AT LAW

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YANA CHECHELITSKY *
LORI E. KOLIN*
LISA J. JURICK
MICHELLE E. RADIN*

ARTHUR MINUSKIN
ANTHONY J. FRESE
KAREN A. PASSARO
JOHN G. HUDAK
OF COUNSEL

* Also admitted in NY
† Also admitted in the Federal
Courts in NY
✓ Also admitted in PA

MEMORANDUM

TO: Brian O'Reilly, Business Administrator

FROM: John R. Lloyd, Esq. – Special Tax Counsel

DATED: December 8, 2009

RE: **Liberty National DC LLC, New Liberty Residential,
Liberty Nat'l Dev. Co., New Liberty Res. Urban v. Jersey City**
**Docket Nos.: 004579-04, 004812-04, 004836-04, 005369-04,
005786-04, 00467-04, 004568-04, 004818-04, 004824-04,
004827-04, 004587-04, 004590-04, 004582-04, 005103-07
005070-07, 000099-08, 000094-08**

The attached Resolution requests the Jersey City Council to authorize settlement agreements, negotiated between Jersey City, through its City Office of the Tax Assessor and Special Tax Counsel, and the owners of the properties listed on the attached pages. The refunds result from agreements that the assessments of various parcels which fell outside the range permitted for the 2004-2009 tax years. The total tax dollar refund for these appeals is \$653,388.11.

The assessment reductions all involve properties which are part of the Golf Course. The identity of the ownership of the course over the years under appeal has been in various names. Over the years in question the property has been in the name of Liberty National, WA Golf, New Liberty Residential Urban Renewal LLC and WA Residential and Liberty National Development Company LLC. Prior to being developed as a golf course, the entire property consisted of commercial and industrial property, tank farms and an oil refinery. Properties were acquired from the JCRA and various individual owners. There was extensive environmental remediation and the resulting golf course has some residential components, some having been developed while others have development approvals but no construction to date.

Memo to Brian O'Reilley, Business Administrator
December 8, 2009
Page Two

The proposed settlement needed to be carefully crafted to reflect the evolution of this development, with different values existing on different assessment dates. We met several times with representatives of the property owners and conducted exhaustive settlement discussions. While a few parcels are to be reduced through the settlement of the tax appeals, many more are to be withdrawn. We believe the resulting proposed revised assessments and related refunds represent a very positive result for the City when weighed against the potential exposure at trial and exceedingly high cost of legal and appraisal fees a trial would generate.

JOHN R. LLOYD

JRL/mr
Enclosures

