

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

City Clerk File No. Res. 10-203

Agenda No. 10.A

Approved: APR 14 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 \$446,670,004 .

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:

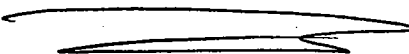
	FROM	TO
20-140 INFORMATION TECHNOLOGY OE	1,113,050	1,193,050
26-290 PUBLIC WORKS DIRECTOR'S OFFICE OE	49,200	54,200
28-375 PARK MAINTENANCE OE	423,075	456,075
26-291 BUILDING & STREET MAINTENANCE OE	1,163,425	1,217,925
26-315 AUTOMOTIVE SERVICES OE	2,124,325	2,347,825
28-370 RECREATION OE	276,000	285,216
27-330 HHS DIRECTOR'S OFFICE OE	36,325	52,325
27-331 HEALTH OE	466,600	499,600
27-335 DIV OF SENIOR AFFAIRS OE	83,475	84,475
25-240 POLICE OE	1,784,850	2,159,850
31-435 COMMUNICATIONS	684,500	899,500
26-305 JERSEY CITY INCINERATOR AUTHORITY	22,000,000	24,000,000
43-495 PUBLIC DEFENDER OE	171,000	221,000
36-470 CONTR PERS O/S CAP	914,395	914,396
46-885 TAX APPEALS PRINCIPAL	7,643,797	0

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: 
Business Administrator

APPROVED AS TO LEGAL FORM

Corporation Counsel

Certification Required
Not Required

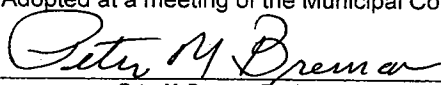
APPROVED 8-1
4/14/10

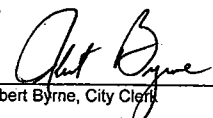
RECORD OF COUNCIL VOTE ON FINAL PASSAGE											
				4/14/10							
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			VEGA	✓		
DONNELLY	✓			FULOP		✓		FLOOD	✓		
LOPEZ	✓			RICHARDSON	✓			BRENNAN, PRES	✓		

✓ 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

GENERAL REVENUES	FROM	TO
SECTION F: PUBLIC & PRIVATE REVENUES OFFSET WITH APPROPRIATIONS		
RECREATIONAL OPPORTUNITES FOR INDIVIDUALS WITH DISABILITIE	0	20,000
NJDOT - NEWARK AVENUE ROADWAY IMPROVEMENT	0	4,311,708
CHILD HEALTH - PORSCHE	195,000	201,900
SENIOR CITIZEN SERVICES	0	65,000
URBAN AREA SECURITY INITIATIVE GRANT - FIRE	0	1,978,970
SAMHSA - TOWN HALL MEETINGS	0	500
ENERGY EFFICIENCY & CONSERVATION BLOCK GRANT	0	2,329,500
NJDOT - NEWARK AVENUE PHASE 3 SIDE STREETS	0	1,020,000
HUD - SPECIAL PROJECT SUPPORT	0	237,500
PUBLIC HEALTH PRIORITY FUNDING	0	150,082
SENIOR NUTRITION	0	1,111,323
NJDOT - SIP AVENUE RESURFACING	0	208,659
SENIOR NUTRITION - ARRA	0	130,169
SENIOR FARMER'S MARKET	3,000	6,000
EMERGENCY MANAGEMENT ASSISTANCE - OEM	0	20,000
HCOS - PERSHING FIELD HISTORIC ARCH PRESERVATION	0	25,000
TOTAL SECTION F:PUBLIC & PRIVATE REVENUES OFFSET WITH APPROPRIATIONS	198,000	11,816,311
SECTION G: SPECIAL REVENUE ITEMS PAYMENTS IN LIEU OF TAXES (P.I.L.O.T):		
ATHENA JC UR	1,636,330	1,879,434
GROVE POINT CONDO URBAN RENEWAL	431,401	454,683
ERIE- TENTH URBAN RENEWAL	332,533	337,369
GREENE STREET UR, LLC	170,201	240,463
LIBERTY HARBOR NORTH, UR (METRO HOMES) (GULLS COVE)	1,316,355	1,431,240
LIBERTY HARBOR NORTH CONDO UR 4 LLC	525,478	602,793
LIBERTY HARBOR NORTH BROWNSTRONES	446,720	472,521
159 SECOND ST UR, LLC (WALDO LOFTS)	587,469	657,632
CENTEX HOMES (475 CLAREMONT LOFTS)	420,894	593,643
NEWPORT SHORE CLUB SOUTH	1,919,782	2,112,577
MONTGOMERY GREENE UR, LLC	730,919	773,137
K. HOVNIANIAN	593,802	621,270
BLOCK 284 NORTH U.R. LLC AKA ST FRANCIS	107,310	117,174
VECTOR U.R. ASSOC. I (HARBORSPRIE I)	1,732,686	1,837,961
475 CLAREMONT LOFTS	220,184	233,094
PORT LIBERTE'	2,163,237	2,245,173
RIALTO CAPITAL UR, LLC	950,725	1,005,425
PORTOFINO TOWERS / PORTOFINO WATERFRONT U.R.	2,247,600	2,377,135
SUGAR HOUSE	674,727	686,960
T.C.R. PIER URBAN RENEWAL	671,442	695,231
JAMES MONROE	2,057,384	2,130,019
TOWN COVE SOUTH URBAN RENEWAL (PINNACLE TOWERS)	1,773,713	1,412,860
LIBERTY WATERFRONT	1,341,864	1,420,530
PORTE LIBERTE II	3,613,519	3,756,668
RAINE COURT URBAN RENEWAL	139,748	144,862
FULTON'S LANDING (PULTEHOMES UR, LLC)	699,295	721,690
MAJESTIC THEATRE	228,955	237,259
140 BAY STREET	380,482	394,765
700 GROVE STREET	1,838,885	1,948,360
LIBERTY POINT	183,128	202,360
HENDERSON LOFTS	649,926	687,733
K. HOVNIANIAN AT 77 HUDSON ST., UR, CO. LLC	69,912	189,125
SHORE CLUB NORTH UR LLC	1,432,850	1,514,376
ACC TOWER 1A (AMERICAN CAN)	161,118	197,761
TOTAL P.I.L.O.T.	32,450,574	34,333,283
SALE OF MUNICIPAL PROP - LAND SALES	7,200,000	5,800,000
TOTAL SECTION G: SPECIAL REVENUE ITEMS	39,650,574	40,133,283
SUMMARY OF REVENUES		
SECTION F:SPECIAL ITEMS PUBLIC & PRIVATE REVENUES	198,000	11,816,311
SECTION G: SPECIAL ITEMS - OTHER SPECIAL ITEMS	39,650,574	40,133,283
TOTAL MISCELLANEOUS REVENUES	292,502,797	304,643,816
SUBTOTAL GENERAL REVENUES	305,162,951	317,303,970
AMOUNT TO RAISED BY TAXES FOR SUPPORT OF MUNICIPAL BUDGET:		
(a) LOCAL TAX INCL. RESERVE FOR UNCOLLECTED TAXES	195,195,586	185,058,594
TOTAL AMOUNT TO BE RAISED BY TAXES	202,702,504	192,565,512
TOTAL GENERAL REVENUES	507,865,455	509,869,483
GENERAL APPROPRIATIONS OPERATIONS WITHIN "CAPS"		
MAYOR'S OFFICE - SALARY & WAGES	1,166,000	1,030,000

TOTAL OFFICE OF THE MAYOR	1,166,001	1,030,001
OFFICE OF THE CITY CLERK - SALARY & WAGES	889,600	733,000
MUNICIPAL COUNCIL - SALARIES & WAGES	613,300	573,440
TOTAL CITY CLERK & COUNCIL	1,502,900	1,306,440
ADMINISTRATOR'S OFFICE - SALARY & WAGES	2,524,800	2,262,250
ARCHITECTURE - SALARIES & WAGES	546,800	527,000
PURCHASING & CENTRAL SERVICES - SALARIES & WAGES	731,698	670,200
REAL ESTATE - SALARIES & WAGES	190,300	194,500
COMMUNICATIONS - SALARIES & WAGES	497,600	467,500
ECONOMIC OPPORTUNITY - SALARIES & WAGES	477,400	451,000
INFORMATION TECHNOLOGY - SALARIES & WAGES	1,101,300	1,026,000
INFORMATION TECHNOLOGY - OTHER EXPENSES	1,452,200	1,557,200
MUNICIPAL COURT - SALARIES & WAGES	4,222,000	4,000,000
COLLECTIONS - SALARIES & WAGES	790,260	775,640
ABATEMENT MANAGEMENT - SALARIES & WAGES	246,000	220,000
ACCOUNTS & CONTROLS - SALARIES & WAGES	617,000	567,000
INTERNAL AUDIT - SALARIES & WAGES	173,200	160,000
INTERNAL AUDIT - OTHER EXPENSES	6,900	3,100
TOTAL - DEPARTMENT OF ADMINISTRATION	13,577,458	12,881,390
LAW DEPARTMENT - SALARIES & WAGES	3,030,880	2,730,500
LAW DEPARTMENT - OTHER EXPENSES	1,021,500	946,800
TOTAL - DEPARTMENT OF LAW	4,052,380	3,677,300
DIRECTOR'S OFFICE - SALARIES & WAGES	553,300	545,595
PARKS MAINTENANCE - SALARIES & WAGES	2,739,800	2,464,800
BUILDING & STREET MAINTENANCE - SALARIES & WAGES	2,705,275	2,582,725
BUILDING & STREET MAINTENANCE - OTHER EXPENSES	1,611,800	1,176,060
AUTOMOTIVE SERVICES - SALARIES & WAGES	921,100	905,100
AUTOMOTIVE SERVICES - OTHER EXPENSES	2,452,700	2,302,700
NEIGHBORHOOD IMPROVEMENT SALARIES & WAGES	688,200	625,200
TOTAL DEPARTMENT OF PUBLIC WORKS	11,672,175	10,602,180
DIRECTOR'S OFFICE - SALARIES & WAGES	3,385,000	2,945,000
DIRECTOR'S OFFICE - OTHER EXPENSES	501,635	352,235
TOTAL - DEPARTMENT OF RECREATION	3,886,635	3,297,235
DIRECTOR'S OFFICE - SALARIES & WAGES	868,500	816,500
DIRECTOR'S OFFICE - OTHER EXPENSES	501,635	71,300
HEALTH - SALARIES & WAGES	2,276,700	2,209,325
HEALTH - OTHER EXPENSES	666,091	656,066
CULTURAL AFFAIRS - SALARIES & WAGES	671,900	641,000
CULTURAL AFFAIRS - OTHER EXPENSES	419,100	176,700
CLINICAL SERVICES - SALARIES & WAGES	189,000	154,094
CLINICAL SERVICES - OTHER EXPENSES	68,000	46,270
SENIOR CITIZEN AFFAIRS - SALARIES & WAGES	330,700	234,500
SENIOR CITIZEN AFFAIRS - OTHER EXPENSES	242,525	73,275
TOTAL - HEALTH & HUMAN SERVICES	6,234,151	5,079,030
POLICE - SALARIES & WAGES	95,864,000	93,390,240
POLICE - OTHER EXPENSES	2,589,400	2,522,750
TOTAL - POLICE DEPARTMENT	98,453,400	95,912,990
CONSTRUCTION CODE OFFICIAL - SALARIES & WAGES	2,119,500	1,999,900
COMMERCE - SALARIES & WAGES	928,600	911,600
HOUSING CODE ENFORCEMENT - SALARIES & WAGES	995,700	924,000
TOTAL HOUSING, ECONOMIC DEVELOPMENT & COMMERCE	4,043,800	3,835,500
UNCLASSIFIED COSTS:		
INSURANCE ALL DEPARTMENTS	9,390,500	6,390,500
ELECTRICITY	3,365,000	3,000,000
STREET LIGHTING	3,525,000	3,000,000
GASOLINE	1,600,000	1,100,000
OFFICE SERVICES	1,641,200	1,361,200
TOTAL - UNCLASSIFIED	19,521,700	14,851,700
ACCUMULATED ABSENCES	7,000,000	8,404,000
TOTAL OPERATIONS WITHIN CAPS	350,763,804	340,842,805
TOTAL OPERATIONS INCL. CONTINGENT WITHIN CAPS	350,813,804	340,892,805
DETAIL:		
SALARIES & WAGES	213,363,699	209,349,895
OTHER EXPENSES (Incl. Contingent)	137,450,105	131,542,910
DEFERRED CHARGES & STATUTORY EXPENDITURES WITHIN "CAPS"		
PRIOR YEARS BILLS	13,711	15,469
SUBTOTAL DEFERRED CHARGES	13,711	15,469
TOTAL DEFERRED CHARGES & STATUTORY EXPENDITURES -		

MUNICIPAL within CAPS	27,635,529	27,637,287
(H-1) TOTAL GENERAL APPROPRIATIONS WITHIN CAPS	378,449,333	368,530,092
GENERAL APPROPRIATIONS - OPERATIONS		
EXCLUDED FROM "CAPS"		
PUBLIC EMPLOYEES' RETIREMENT SYSTEM (PERS)	914,395	914,396
SUBTOTAL OTHER OPERATIONS EXCLUDED FROM "CAP"	34,336,178	34,336,179
PUBLIC & PRIVATE PROGRAMS OFFSET BY REVENUES:		
PUBLIC HEALTH PRIORITY FUNDING	0	150,082
CHILD HEALTH - PORSCHE	195,000	201,900
SENIOR CITIZEN SERVICES	0	65,000
SENIOR NUTRITION	0	1,374,698
SENIOR FARMER'S MARKET	3,000	6,000
URBAN AREA SECURITY INITIATIVE GRANT - FIRE	0	1,978,970
CCTV MAINTENANCE	749,027	762,732
HUD - SPECIAL PROJECT SUPPORT	0	237,500
ENERGY EFFICIENCY & CONSERVATION BLOCK GRANT	0	2,329,500
NJDOT - SIP AVENUE RESURFACING	0	208,659
HCOS - PERSHING FIELD HISTORIC ARCH PRESERVATION	0	25,000
RECREATIONAL OPPORTUNITIES FOR INDIVIDUALS WITH DISABILITIES	0	24,000
NJDOT - NEWARK AVENUE ROADWAY IMPROVEMENT	0	4,311,708
SENIOR NUTRITION - ARRA	0	130,169
SAMHSA - TOWN HALL MEETINGS	0	500
NJDOT - NEWARK AVENUE PHASE 3 SIDE STREETS	0	1,020,000
EMERGENCY MANAGEMENT ASSISTANCE - OEM	0	40,000
TOTAL - PUBLIC & PRIVATE PROGRAMS	947,027	12,866,418
TOTAL OPERATIONS - EXCLUDED "CAPS"	67,563,374	79,532,766
DETAIL:		
OTHER EXPENSES	67,563,374	79,532,766
(H-2) TOTAL GENERAL APPROPRIATIONS EXCLUDED FROM "CAPS"	11,757,410	123,726,802
(O) TOTAL GENERAL APPROPRIATIONS EXCLUDED FROM "CAPS"	127,677,954	139,647,346
SUBTOTAL GENERAL APPROPRIATIONS (H1) & (O)	506,127,287	508,177,438
RESERVE FOR UNCOLLECTED TAXES	1,738,168	1,692,045
TOTAL GENERAL APPROPRIATIONS	507,865,455	509,869,483
SUMMARY OF APPROPRIATIONS		
OPERATIONS WITHIN CAPS, INCLUDING CONTINGENT	350,813,804	340,892,805
OTHER OPERATIONS	34,336,178	34,336,179
PUBLIC & PRIVATE REVENUES OFFSET BY APPROPRIATIONS	33,227,196	45,196,587
OPERATIONS EXCLUDED FROM CAPS	67,563,374	79,532,766
TOTAL DEFERRED CHARGES	313,711	315,469
RESERVE FOR UNCOLLECTED TAXES	1,738,168	1,692,045
TOTAL GENERAL APPROPRIATIONS	507,865,455	509,869,483

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

City Clerk File No. Res. 10-205
 Agenda No. 10.C
 Approved: APR 14 2010
 TITLE:



RESOLUTION OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY CANCELLING AN EXCESS REFUNDING BOND AUTHORIZATION

WHEREAS, on March 10, 2010, the Municipal Council of the City of Jersey City, in the County of Hudson, New Jersey (the "City") finally adopted Ordinance No. 10-031 (the "Refunding Ordinance"), authorizing the issuance of up to \$7,893,797 in aggregate principal amount of tax appeal refunding obligations thereunder; and

WHEREAS, in approving the Refunding Ordinance, the New Jersey Local Finance Board limited the issuance of tax appeal refunding obligations thereunder to the aggregate principal amount of \$7,201,450; and

WHEREAS, the City has sold, and intends to issue on April 21, 2010, its refunding notes in the aggregate principal amount of \$7,201,450 pursuant to the Refunding Ordinance; and

WHEREAS, in accordance with the aforementioned Local Finance Board approval, and the City now desires to cancel the unused authorization for the remaining \$692,347 of tax appeal refunding obligations authorized by the Refunding Ordinance;

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the City of Jersey City, in the County of Hudson, New Jersey, that the following excess refunding bond authorizations are hereby cancelled:

<u>Ordinance</u>	<u>Amt. Authorized</u>	<u>Amt. to be Issued</u>	<u>Amt. to be Cancelled</u>
10-031	\$ 7,893,797	\$ 7,201,450	\$ 692,347

This resolution shall take effect immediately.

APPROVED: *Donna Meyer, CFO*
 APPROVED: *B. O'Keilly*
Business Administrator

APPROVED AS TO LEGAL FORM

Corporation Counsel

Certification Required
 Not Required

APPROVED 9-0
4/14/10

RECORD OF COUNCIL VOTE ON FINAL PASSAGE											
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

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

City Clerk File No. Res. 10-206

Agenda No. 10.D

Approved: APR 14 2010



TITLE: **RESOLUTION CERTIFYING COMPLIANCE WITH N.J.S.A. 40A:5-4 REQUIRING GOVERNING BODY OF EVERY LOCAL UNIT TO HAVE MADE AN ANNUAL AUDIT OF BOOKS, ACCOUNTS AND FINANCIAL TRANSACTIONS**

COUNCIL OFFERED AND MOVE ADOPTION OF THE FOLLOWING RESOLUTIONS:

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the Financial Statements for the years ended June 30, 2009 and 2008 have been filed by Frederick J. Tomkins of Donohue, Girona & Doria, a Registered Municipal Accountant, with Robert Byrne, the Municipal Clerk of the City of Jersey City, in accordance with the requirements of N.J.S.A. 40A:5-4 and a copy has been received by each member of the governing body; and

WHEREAS, the Local Finance Board of the State of new Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52:27BB-34; and

WHEREAS, the Local Finance Board has promulgated a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, at a minimum, the sections of the annual audit entitled:

General Comments
Recommendations; and

WHEREAS, the members of the governing body have personally reviewed at a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled:

General Comments
Recommendations, as evidenced by the group affidavit form of the governing body; and

WHEREAS, such resolution of certification shall be adopted by the governing body no later than forty-five days after receipt of the annual audit, as per the regulations of the Local Finance Board; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the penalty provisions of R.S. 52:27BB-52 - to wit:

R. 52:27BB-52 - "A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and upon conviction, may be fined not more than one thousand (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office."

NOW, THEREFORE, BE IT RESOLVED, that the governing body of the City of Jersey City, hereby states that it has complied with the promulgation of the Local Finance Board of the State of New Jersey dated July 30, 1968 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

APPROVED: _____

APPROVED AS TO LEGAL FORM

APPROVED: B. O'Keefe
Business Administrator

Corporation Counsel

Certification Required

Not Required

APPROVED 9-0

RECORD OF COUNCIL VOTE ON FINAL PASSAGE											
4/14/10											
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

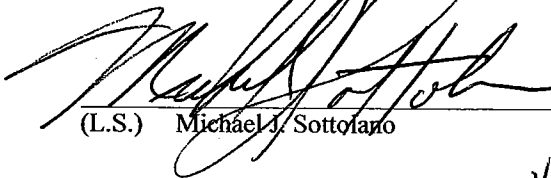
Robert Byrne
Robert Byrne, City Clerk


**CERTIFICATION OF GOVERNING BODY OF THE ANNUAL AUDIT
GROUP AFFIDAVIT FORM
NO PHOTO COPIES OF SIGNATURES**

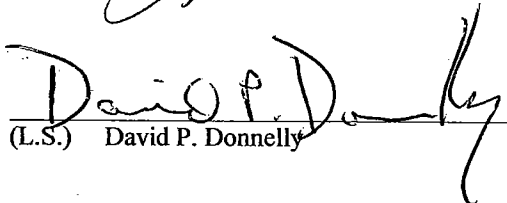
STATE OF NEW JERSEY
COUNTY OF HUDSON

We, members of the governing body of the City of Jersey City, in the County of Hudson, being duly sworn according to law, upon our oath depose and say:

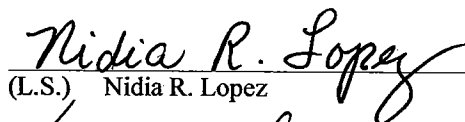
1. We are duly elected members of the Municipal Council of the City of Jersey City in the County of Hudson;
2. In the performance of our duties, and pursuant to N.J.A.C. 5:30-6.5, we have familiarized ourselves with the contents of the Annual Municipal Audit filed with the Clerk pursuant to N.J.S.A. 40A:5-6 for the year 2007;
3. We certify that we have personally reviewed and are familiar with, as a minimum, the sections of the Annual Report of Audit entitled "Comments and Recommendations."

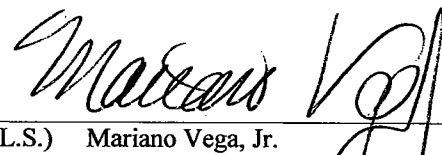

(L.S.) Michael J. Sottorano

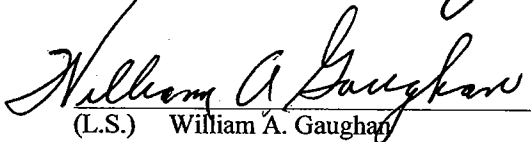

(L.S.) Viola S. Richardson

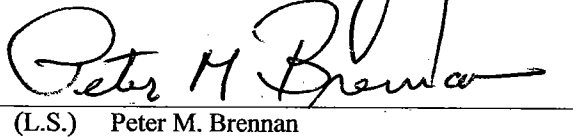

(L.S.) David P. Donnelly

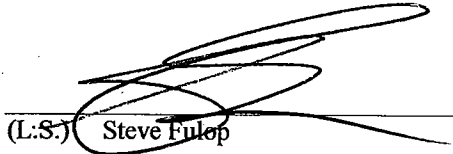

(L.S.) Willie L. Flood


(L.S.) Nidia R. Lopez

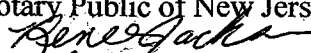

(L.S.) Mariano Vega, Jr.

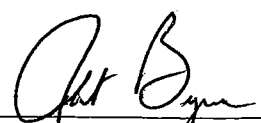

(L.S.) William A. Gaughan


(L.S.) Peter M. Brennan


(L.S.) Steve Fulop

Sworn to and subscribed before me this
15th day of APRIL

Notary Public of New Jersey

RENÉE MICHELE JACKSON
NOTARY PUBLIC OF NEW JERSEY
Commission Expires 7/23/14


Robert Byrne, City Clerk

The Municipal Clerk (or Clerk of the Board of Chosen Freeholders as the case may be) shall set forth the reason for the absence of signature of any members of the governing body.
IMPORTANT: This certificate must be sent to the Bureau of Financial Regulation and Assistance, Division of Local Government Services, P.O. Box 803, Trenton, New Jersey 08625.

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

City Clerk File No. Res. 10-207
 Agenda No. 10.E
 Approved: APR 14 2010



TITLE: **RESOLUTION CONFIRMING THE SALE OF CITY OWNED PROPERTY NOT NEEDED FOR PUBLIC USE, HELD ON Tuesday, March 30, 2010.**

COUNCIL offered and moved adoption of the following resolution:

WHEREAS, on March 10, 2010, the Municipal Council of the City of Jersey City passed and adopted a resolution authorizing the sale of certain public lands not needed for public use, by public sale to the highest bidder in accordance with N.J.S.A. 40A:12-13; and,

WHEREAS, notice of said sale was duly published as required by Law; and,

WHEREAS, in pursuance to said resolution such public sale was held in the Assembly Chamber, City Hall, 280 Grove Street, Jersey City, New Jersey on Tuesday, March 30, 2010 at ten o'clock in the forenoon, local time; and,

NOW THEREFORE BE IT RESOLVED, by the Municipal Council of the City of Jersey City that the said sale of the following property is ratified, subject to any conditions or terms effecting the sale or reversionary deed, as the case may be,

BE IT FURTHER RESOLVED, that the said contract of sale, and deed may be executed by the authorized officials of the City of Jersey City.

BLOCK	LOT(S)	LOCATION	PURCHASER	PRICE
1927	35, 37	120-122 Monticello Ave.	Monticello 120, LLC 317 Grove Street #6 Jersey City, New Jersey 07302	\$140,000.00
574	B	666 Summit Avenue	Jersey City Firemen FCU 666 Summit Avenue Jersey City, New Jersey 07306	\$275,000.00
726	1	218 Central Avenue	Medici Associates 650 Montgomery Street #101 Jersey City, New Jersey 07306	\$290,000.00
1794	H.4	106 Boyd Avenue	Paul Schaetzle 289 Union Street Jersey City, New Jersey	\$175,000.00

APPROVED: Ann Marie Miller APPROVED AS TO LEGAL FORM
 Ann Marie Miller, Real Estate Manager
 APPROVED: B. O'Keefe
 Business Administrator Corporation Counsel

2010035

Certification Required
 Not Required

APPROVED 9-0

RECORD OF COUNCIL VOTE ON FINAL PASSAGE											
4/14/10											
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

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

City Clerk File No. Res. 10-208
 Agenda No. 10.F
 Approved: APR 14 2010
 TITLE:



AUTHORIZING REPLACEMENT OF LOST THIRD PARTY TAX SALE CERTIFICATE # 200472 FOR JD RE & TSC HOLDING LLC

**COUNCIL OFFERED, AND MOVED
 ADOPTION OF THE FOLLOWING RESOLUTION:**

WHEREAS, the City of Jersey City sold a tax sale certificate on 225 St. Paul's Avenue for Block 593.A Lot PLC.1P, Certificate 200472 on November 2, 1995 to **FUNB-CUST FOR D.H. TRUSTEE**; and

WHEREAS, **FUNB-CUST FOR D.H. TRUSTEE** sold certificate # 200472 by assignment to **JD RE & TSC HOLDING LLC** on September 28, 2006; and

WHEREAS, **JD RE & TSC HOLDING LLC** the third party lienholder for Certificate 200472 lost the original certificate issued on November 2, 1995; and

WHEREAS, the Tax Collector would like to issue a duplicate tax sale certificates to **JD RE & TSC HOLDING LLC** under chapter 99 the P.L. of 1997.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the City of Jersey City, that **JD RE & TSC HOLDING LLC** be issued a duplicate tax sale certificate.

APPROVED: [Signature]
 APPROVED: [Signature]
 Business Administrator

APPROVED AS TO LEGAL FORM
[Signature]
 Corporation Counsel

Certification Required
 Not Required

**APPROVED 9-0
 4/14/10**

RECORD OF COUNCIL VOTE ON FINAL PASSAGE											
				4/14/10							
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.

[Signature]
 Peter M. Brennan, President of Council

[Signature]
 Robert Byrne, City Clerk

Affidavit of Lost Tax sale Certificate 2000472

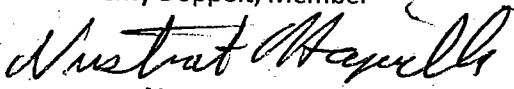
I hereby certify that the original of tax sale certificate 200472 which is a lien on 225 St. Paul's Avenue, Unit 1F, has been misplaced. I hereby certify that the certificate has not been assigned.

I am executing this Affidavit in order to induce the Jersey City Tax Collector to issue a duplicate original certificate for this tax sale certificate.

JD RE & TSC Holdings LLC



BY: Jeremy Doppelt, Member



Notary Public
State of New Jersey
Nustret Hajrulla
My Commission Expires Oct 10, 2010

ASSIGNMENT OF TAX SALE CERTIFICATES

KNOW ALL MEN BY THESE PRESENTS that Wachovia Bank N.A. f/k/a First Union/DH Trustee C.T. Dept. in consideration of the sum of \$1.00 and other good and valuable consideration paid by, JD RE & TSC Holding LLC whose address is c/o Jeremy Doppelt Realty Management, 2600 Kennedy Blvd, Suite 1J, Jersey City, NJ 07306 this September 28th, 2006, the receipt of which is hereby acknowledged, has granted, sold, bargained, transferred, assigned and set over unto the said JD RE & TSC Holding LLC all of its right, title and interest, property and estate in and to the following tax sale certificates made by the Tax Collector of The City of Jersey City, County of Hudson, New Jersey and more particularly described as follows:

1. Tax Sale Certificate #95-200472 issued by the tax collector of the City of Jersey City to Wachovia Bank N.A. F/K/A FUNB/DH Trustee, recorded on 02/13/1996 at BK5853 PG011.

Assessed owner: Frances B. Elliccia, Property known as Block 593.A Lot PLC.1P Condo 0.3888 on the Official Tax Map of The City of Jersey City, County of Hudson in the State of New Jersey.

IN WITNESS WHEREOF, the party of the first part has hereunto set his/her hand and seal the 28th day of September, 2006.

Wachovia Bank, N/A.
F/K/A First Union National Bank
N.A. Caramanico
By: Nicholas A. Caramanico, Its Vice-President

COMMONWEALTH OF PENNSYLVANIA:
COUNTY PHILADELPHIA:

Be it remembered that on this 28th day of September in the year 2006 before me, the subscriber, personally appeared, Nicholas A. Caramanico, Vice-President of Wachovia Bank, N.A. F/K/A First Union National Bank., Who I am satisfied is the person who signed the within instrument and he/she acknowledged that he/she signed, delivered the same as such officer aforesaid and that the within instrument is the voluntary act and deed of such corporation.

Courtney Dean Fisher Notary
My Commission Expires:

Prepared by: Pasquale J. Guliano

PropSkey # 715348

Notarial Seal
Courtney Dean Fisher, Notary Public
Philadelphia County-Comm. of PA
My Commission Expires Nov. 23, 2008

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

City Clerk File No. Res. 10-209

Agenda No. 10.6

Approved: APR 14 2010

TITLE:



CANCELLATION OF 2009 ADDED ASSESSMENT CHARGES ON BLOCK 577 LOT 47, ALSO KNOWN AS 127 LAIDLAW AVENUE

COUNCIL OFFERED, AND MOVED ADOPTION OF THE FOLLOWING RESOLUTION:

WHEREAS, the Tax Assessor billed an added assessment on Block 577 Lot 47 in the amount of \$ 1,848.31 on November 1, 2009; and

WHEREAS, the Tax Assessor advised the Tax Collector that the property was erroneously assessed for an added assessment in the amount of \$ 1,848.31; and

WHEREAS, the Tax Collector would like to cancel the charges on Block 577 Lot 47 in the amount of \$1,848.31; and

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the City of Jersey City, that the added assessment charges on Block 577 Lot 47 in the amount of \$ 1,848.31 be canceled

APPROVED: [Signature]

APPROVED AS TO LEGAL FORM

APPROVED: [Signature]

Business Administrator

Corporation Counsel

Certification Required

Not Required

APPROVED 9-0
4/14/10

RECORD OF COUNCIL VOTE ON FINAL PASSAGE											
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)

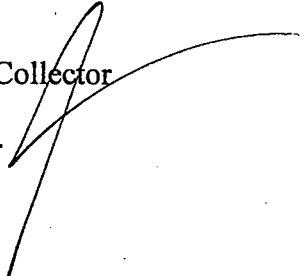
Adopted at a meeting of the Municipal Council of the City of Jersey City N.J.

[Signature]
Peter M. Brennan, President of Council

[Signature]
Robert Byrne, City Clerk

INTERDEPARTMENTAL MEMORANDUM
OFFICE OF THE ASSESSOR
(201) 547-5131

DATE: March 17, 2010
TO: Maureen Cosgrove, Collector
FROM: Ed Toloza, Assessor
SUBJECT: **Block 577 Lot 47**
127 Laidlaw Ave.



Please be advised that, a review of the assessments on the above captioned property indicate that it is not subject to an added assessment for the taxing year 2009. However, this Office has erroneously assessed the same for 2009 in the amount of \$1,848.31.

Would you please cancel this taxes billed in error.

If you have any question on this matter, please don't hesitate to give me a call.

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

City Clerk File No. Res. 10-210

Agenda No. 10.H

Approved: APR 14 2010

TITLE:



CANCELLATION OF 2004-2009 REAL ESTATE TAXES ON BLOCK 501 LOTS 8.B & 11.B, OWNED BY PORT AUTHORITY TRANS-HUDSON CORP.

COUNCIL OFFERED, AND MOVED ADOPTION
OF THE FOLLOWING RESOLUTION:

WHEREAS, the properties located at Block 501 Lot 8.B & 11.B owned by Port Authority Trans-Hudson were inadvertently assessed for the 2004-2009 tax years; and

WHEREAS, the properties were sold at tax sale on June 23, 2005 & June 26, 2008; and

WHEREAS, the Tax Collector's would like to cancel the liens on each property; and

NOW THEREFORE, BE IT RESOLVED, by the Municipal Council of the City of Jersey City, that the tax liens on Block 501 Lots 8.B & 11.B are hereby canceled.

APPROVED: [Signature] APPROVED AS TO LEGAL FORM
 APPROVED: [Signature] [Signature]
 Business Administrator Corporation Counsel

Certification Required
 Not Required

APPROVED 9-0

RECORD OF COUNCIL VOTE ON FINAL PASSAGE											
4/14/10											
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.

[Signature]
 Peter M. Brennan, President of Council

[Signature]
 Robert Byrne, City Clerk

INTERDEPARTMENTAL MEMORANDUM
OFFICE OF THE ASSESSOR
(201) 547-5131

DATE: March 24, 2010
TO: Maureen Cosgrove, Collector
FROM: Ed Toloza, Assessor
SUBJECT: **Block 501 Lot 11/B, 8.B**
Merseles St.

Please be advised that the above subjected properties had the Consolidated Rail as the owner of record and when this Office found out that these haven't been used for railroad purposes, they went back into the tax rolls. Records indicate that assessments began in the 2004 taxing year.

The property taxes were sold to a third-party and in the course of enforcing such certificate of which the City is a defendant, it was found out that the subject properties were actually owned by the Port Authority of NY & NY since June 30 of 1987.

This Office was advised by the Law Department that due to precedents that will be used to prosecute this case, we were advised to cancel the liens and refund the lien holder together with the statutory interest.

If you have any question on this matter, please don't hesitate to give me a call.

cc: Judith O'Donnell, Asst. Corp. Counsel

INTERDEPARTMENTAL MEMORANDUM

OFFICE OF THE ASSESSOR

(201) 547-5131

DATE: March 24, 2010
TO: Maureen Cosgrove, Collector
FROM: Ed Toloza, Assessor
SUBJECT: **Block 501 Lot 11.B**

Please be advised that the above subjected property had the Consolidated Rail as the owner of record and when this Office found out that it has not been used for railroad purposes it went back into the tax rolls. Records indicate that we assessment began in the 2004 taxing year.

The property taxes were sold to a third-party and in the course of enforcing such certificate, it was found out that the subject property is actually owned by the Port Authority of NY & NY since June 30 of 1987.

This Office was advised by the Law Department that due to precedents that will be used to prosecute this case, we were advised to cancel the liens and refund the lien holder together with the statutory interest.

If you have any question on this matter, please don't hesitate to give me a call.

cc: Judith O'Donnell, Asst. Corp. Counsel

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

City Clerk File No. Res. 10-211

Agenda No. 10.1

Approved: APR 14 2010

TITLE:



RESOLUTION AUTHORIZING THE BUSINESS ADMINISTRATOR TO EXECUTE A DISCHARGE OF MORTGAGE AFFECTING 138 WESTSIDE AVENUE A/K/A BLOCK 1280.D, LOT 5

COUNCIL
resolution:

offered and moved adoption of the following

WHEREAS, on September 10, 2004, Edward and Sally Moore (Borrowers) executed a mortgage in favor of the City of Jersey City (City) to secure the City's loan to them in the amount of \$5,097.00 made under the HORP Program; and

WHEREAS, the loan was made for the purpose of making home improvements for a low or moderate income family and it self-amortizes over five (5) years provided the homeowners reside in the property and do not sell the property; and

WHEREAS, the mortgage affects property known as 138 Westside Avenue, Jersey City, also known as Lot 5 in Block 1280.D; and

WHEREAS, five (5) years have passed since the loan was made and the City is obligated to execute a Discharge of Mortgage to remove the mortgage from the public record.

NOW, THEREFORE, BE IT RESOLVED, that the Business Administrator is authorized to execute a Discharge of the Mortgage of Edward and Sally Moore dated September 10, 2004 in the sum of \$5,097.00 affecting 138 Westside Avenue, Jersey City, also known as Lot 5 in Block 1280.D.

IW/kn
3-30-10

APPROVED: _____

APPROVED AS TO LEGAL FORM

APPROVED: B. O'Reilly
Business Administrator

Corporation Counsel

Certification Required

Not Required

10034

APPROVED 9-0
4/14/10

RECORD OF COUNCIL VOTE ON FINAL PASSAGE											
				4/14/10							
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 Byrnes
Robert Byrnes, City Clerk

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

City Clerk File No. Res. 10-212

Agenda No. 10.J

Approved: APR 14 2010

TITLE:



RESOLUTION AUTHORIZING THE BUSINESS ADMINISTRATOR TO EXECUTE A DISCHARGE OF MORTGAGE AFFECTING 42 SOUTH STREET A/K/A BLOCK 785, LOT F

COUNCIL
resolution:

offered and moved adoption of the following

WHEREAS, on August 25, 2000, Bernadette O'Brian (Borrower) executed a mortgage in favor of the City of Jersey City (City) to secure the City's loan to her in the amount of \$6,000.00 made under the HORP Program; and

WHEREAS, the loan was made for the purpose of making home improvements for a low or moderate income family and it self-amortizes over five (5) years provided the homeowner resides in the property and does not sell the property; and

WHEREAS, the mortgage affects property known as 42 South Street, also known as Lot F in Block 785; and

WHEREAS, five (5) years have passed since the loan was made and the City is obligated to execute a Discharge of Mortgage to remove the mortgage from the public record.

NOW, THEREFORE, BE IT RESOLVED, that the Business Administrator is authorized to execute a Discharge of the Mortgage of Bernadette O'Brian dated August 25, 2000 in the sum of \$6,000.00 affecting 42 South Street, Jersey City, also known as Lot F in Block 785.

IW/kn
3-29-10

APPROVED: _____

APPROVED AS TO LEGAL FORM

APPROVED: B. O'Reilly

Business Administrator

Corporation Counsel

2010033

Certification Required

Not Required

APPROVED 9-0

RECORD OF COUNCIL VOTE ON FINAL PASSAGE											
4/14/10											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
KENNY	✓			FULOP	✓			FLOOD	✓		
LOPEZ	✓			RICHARDSON	✓			VEGA, PRES.	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

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

Mariano Vega, Jr.

Mariano Vega, Jr., President of Council

Robert Byrne

Robert Byrne, City Clerk

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

City Clerk File No. Res. 10-213

Agenda No. 10.K

Approved: APR 14 2010



TITLE:

RESOLUTION OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY AUTHORIZING THE PLANNING BOARD TO CONDUCT A PRELIMINARY INVESTIGATION OF CONDITIONS WITHIN THE BRIGHT AND VARICK STUDY AREA TO DETERMINE IF SUCH AREA SHOULD BE DECLARED AN AREA IN NEED OF REDEVELOPMENT AND/OR AN AREA IN NEED OF REHABILITATION

WHEREAS, pursuant to NJSA 40A:12A-6a, the Municipal Council, by Resolution, may authorize the Planning Board to undertake a preliminary investigation to determine whether an area is, or is not an "area in need of redevelopment," as defined in N.J.S.A. 40A:12-3; and

WHEREAS, pursuant to NJSA 40A:12A-14 a delineated area may be declared to be in need of rehabilitation if it meets the criteria contained in the referenced section of the statute; and

WHEREAS, pursuant to NJSA 40A: 12A-6a such a determination shall be made after public notice and public hearing of the Planning Board as provided by N.J.S.A. 40A:12A-6b; and

WHEREAS, pursuant to NJSA 40A:12A-7f. Municipal Council may direct the Planning Board to prepare a redevelopment plan for adoption by the Council; and

WHEREAS, the area to be investigated shall consist of a study area within the area at the southwest corner of block 305, inclusive of lots B1, C1, D1, and E1 as depicted on the attached Bright and Varick Study Area Boundary Map, dated April 5, 2010, which map will supersede the above verbal delineation of the Study Area boundary in the event of any discrepancies.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the City of Jersey City, that the Planning Board be and hereby is authorized to conduct a preliminary investigation into conditions of the property identified with the Bright and Varick Study Area to determine if said area qualifies as an "area in need of redevelopment" and/or "an area in need of rehabilitation" to review and recommend to the Municipal Council a proposed redevelopment plan for said area.

Robert D. Cotter

Robert D. Cotter, PP, AICP
Director of City Planning

APPROVED: *[Signature]*
APPROVED: *[Signature]*
Business Administrator

APPROVED AS TO LEGAL FORM
[Signature]
Corporation Counsel

Certification Required
Not Required

APPROVED 9-0

RECORD OF COUNCIL VOTE ON FINAL PASSAGE											
4/14/10											
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

RESOLUTION FACT SHEET

1. Full Title of Resolution:

RESOLUTION OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY AUTHORIZING THE PLANNING BOARD TO CONDUCT A PRELIMINARY INVESTIGATION OF CONDITIONS WITHIN THE BRIGHT & VARICK STUDY AREA TO DETERMINE IF SUCH AREA SHOULD BE DECLARED AN AREA IN NEED OF REDEVELOPMENT AND/OR AN AREA IN NEED OF REHABILITATION

2. Name and Title of Person Initiating the Resolution, etc.:

Carl Czaplicki, Director, Department of HEDC

3. Concise Description of the Program, Project or Plan Proposed in the Ordinance/Resolution:

Authorizes the Planning Board to undertake a study to determine whether the Study Area meets the statutory criteria to be declared an "area in need of redevelopment" and/or "an area in need of rehabilitation," thus warranting the adoption of a redevelopment plan.

4. Reasons for the Proposed Program, Project, etc.:

In order to determine whether the area in question qualifies for redevelopment, the Municipal Council must first authorize the Planning Board to conduct a preliminary investigation of conditions in the area.

5. Anticipated Benefits to the Community:

If the area is determined to be in need of redevelopment and/or in need of rehabilitation, resulting improvement and redevelopment would eliminate the conditions that led to the declaration of need and improve the health, safety, and welfare of the community.

6. Cost of Proposed Program, Project, etc.:

Cost: \$0.00; work to be done in-house

7. Date Proposed Program or Project will commence:

As soon as possible after adoption of this Resolution.

8. Anticipated Completion Date: N/A

9. Person Responsible for Coordinating Proposed Program, Project, etc.:

Robert D. Cotter, Director, City Planning 547-5050

10. Additional Comments: None

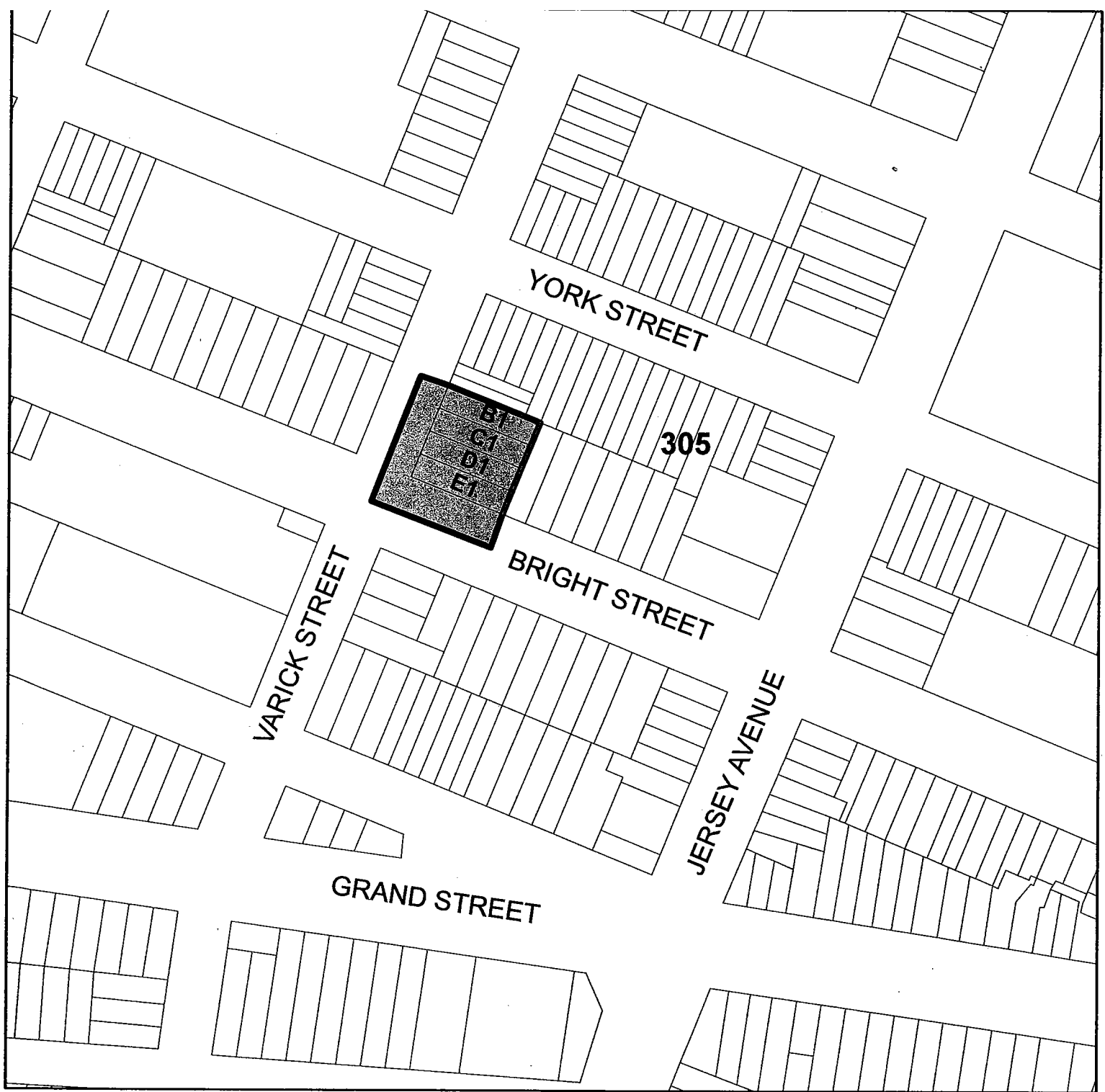
I Certify that all the Facts Presented Herein are Accurate.


Division Director

APRIL 7, 2010
Date

Deary 
Department Director Signature

APRIL 7, 2010
Date



**BRIGHT AND VARICK STUDY AREA
BOUNDARY MAP**

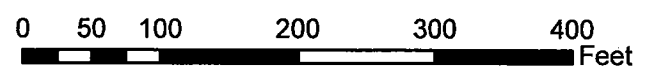
APRIL 5, 2010



Legend

 STUDY AREA BOUNDARY

1 inch = 140 feet



**Jersey City
Planning Division**
30 Montgomery Street Suite 1400
Jersey City, NJ 07302-3821
Phone: 201.547.5010
Fax: 201.547.4323

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

City Clerk File No. Res. 10-214

Agenda No. 10.L

Approved: APR 14 2010

TITLE:



RESOLUTION TO APPLY FOR AND ACCEPT CHOICE SUBSIDY FOR PARKVIEW MANOR

WHEREAS, the City of Jersey City desires to approve the development of sixteen (16) units of housing as outlined in Exhibit A for the development known as Parkview Manor to be funded under New Jersey Housing and Mortgage Finance Agency's (the "Agency") Choices in Home Ownership Incentives Created For Everyone ("CHOICE") program; and

WHEREAS, the City of Jersey City recognizes that an affordable housing grant from the Agency for an amount not to exceed the maximum amount allowed in accordance with the CHOICE Subsidy is for the purpose of subsidizing the construction of home ownership; and

WHEREAS, the CHOICE Subsidy will, when applicable, benefit home buyers of the affordable units that will be restricted by the Agency using Uniform Housing Affordability Controls (UHAC) type restrictions with funds to be repaid solely to the Agency at the first unrestricted sale; and

WHEREAS, the CHOICE Subsidy will, when applicable, benefit home buyers of the market units that will be restricted by the Agency using the CHOICE program and Subsidy restrictions, with funds to be repaid solely to the Agency at the first sale; and

WHEREAS, the City of Jersey City recognizes Parkview Manor Development, LLC as the developer/sponsor for this development.

BE IT THEREFORE RESOLVED that the City of Jersey City does hereby support the developer/sponsor's application for such grants from the Agency and acknowledges that the processing and expenditure of funds shall be in accordance with the terms of the CHOICE program and the Subsidy.

BE IT FURTHER RESOLVED that the City of Jersey City has committed to this project \$700,000 from HOME funds.

BE IT FURTHER RESOLVED that the persons whose names, title and signatures appear below are authorized by the City of Jersey City to implement this Resolution and that they or their successors in said titles are authorized to sign any documents necessary in connection therewith:

City Clerk File No. Res. 10-214

Agenda No. 10.1

TITLE: APR 14 2010

RESOLUTION TO APPLY FOR AND ACCEPT CHOICE SUBSIDY FOR PARKVIEW MANOR

Unit Type	Homeowner	Total
Low-Income*	1	1
Moderate Income*	3	3
Middle Income		
Emerging Market Unit	12	12
Unsubsidized/Unrestricted Market		
TOTAL	16	16

* These units will be designated as affordable units and will carry UHAC type income and resale restrictions

APPROVED: *Carl Spicic* APPROVED AS TO LEGAL FORM

APPROVED: *B O'Keefe* Business Administrator *[Signature]* Corporation Counsel

Certification Required

Not Required

APPROVED **9-0**

RECORD OF COUNCIL VOTE ON FINAL PASSAGE											
4/14/10											
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. 10-215

Agenda No. 10.M

Approved: APR 14 2010

TITLE:



RESOLUTION OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY RESTATING THE CITY OF JERSEY CITY'S SUPPORT FOR THE JERSEY CITY COMMUNITY HOUSING CORPORATION'S APPLICATION FOR BALANCED HOUSING FUNDS FOR DEVELOPMENT OF AFFORDABLE HOUSING AT 299-301 BERGEN AVENUE AND 108 STORMS AVENUE

WHEREAS, Resolution 06-270 approved on April 12, 2006 stated that the City of Jersey City (City) supported the Jersey City Community Housing Corporation (Sponsor/Developer) application to the New Jersey Department of Community Affairs for Balanced Housing Funds to be used for the rehabilitation for 299-301 Bergen Avenue and 108 Storms Avenue as affordable housing; and

WHEREAS, the New Jersey Department of Community Affairs advised the Sponsor/Developer that it requires a more recent resolution from the City indicating that it continues to support the application; and

WHEREAS, the Sponsor/Developer desires to apply for and obtain funds from the New Jersey Department of Community Affairs, Neighborhood Preservation Balanced Housing Program for an amount not to exceed the maximum amount allowed in accordance with N.J.A.C. 5:43-1 et seq. for the purpose of constructing eighteen (18) affordable housing units at 299-301 Bergen Avenue and 108 Storms Avenue, Jersey City.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the City of Jersey City, that the City of Jersey City does hereby support the Jersey City Community Housing Corporation's application for such funds to the New Jersey Department of Community Affairs, Neighborhood Preservation Balanced Housing Program and acknowledges that the City of Jersey City is an eligible municipality in accordance with N.J.A.C. 5:43-1.3; and

BE IT FURTHER RESOLVED, that the City of Jersey City requests that a waiver of N.J.A.C. 5:43-1.3(a)(1) as permitted under N.J.A.C. 5:43-1.6 be granted to allow Jersey City Community Housing Corporation, as permitted under N.J.A.C. 5:43-3.1(a)(1), to contract directly with the Department of Community Affairs only for this project.

RR/cw
4-7-10

APPROVED: _____

APPROVED AS TO LEGAL FORM

APPROVED: B. O'Keefe
Business Administrator

Corporation Counsel

Certification Required

Not Required

2010058

APPROVED 9-0

RECORD OF COUNCIL VOTE ON FINAL PASSAGE											
4/14/10											
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

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

City Clerk File No. Res. 10-216

Agenda No. 10.N

Approved: APR 14 2010

TITLE:



RESOLUTION DECLARING MAY 1ST AS SILVER STAR BANNER DAY

COUNCIL AS A WHOLE, offered and moved adoption of the following resolution:

WHEREAS, the City of Jersey City has always honored the sacrifice of men and women in the Armed Forces; and

WHEREAS, the Silver Star Families of America was formed to make sure we remember the blood sacrifice of our wounded and ill by designing and manufacturing a Silver Star Banner and Flag; and

WHEREAS, to date The Silver Star Families of America has freely given thousands of **Silver Star Banners** to the wounded and their families; and

WHEREAS, the members of The Silver Star Families of America have worked tirelessly to provide the wounded of this City and Country with **Silver Star Banners**, Flags and care packages; and

WHEREAS, The Silver Star Families of America's sole mission is that every time someone sees a **Silver Star Banner** in a window or a **Silver Star Flag** flying, that people remember the sacrifices for this City, State and Nation; and

WHEREAS, the citizens and Municipal Council of the City of Jersey City wish that the sacrifice of so many in our Armed Forces never be forgotten.

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the City of Jersey City honors the commitment of The Silver Star Families of America to our wounded Armed Forces members.

BE IT FURTHER RESOLVED, that the Municipal Council of the City of Jersey City hereby declares May 1st as: "**SILVER STAR BANNER DAY**", the permanent and official day to honor our wounded and ill Soldiers.

APPROVED: _____

APPROVED: B. O'Keilly
Business Administrator

APPROVED AS TO LEGAL FORM

Corporation Counsel

Certification Required

Not Required

APPROVED 9-0

4/14/10

RECORD OF COUNCIL VOTE ON FINAL PASSAGE											
				4/14/10							
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

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

City Clerk File No. Res. 10-217
 Agenda No. 10.0
 Approved: APR 14 2010
 TITLE:



RESOLUTION HONORING ROBERT WARD, SR. ON THE OCCASION OF HIS 100TH BIRTHDAY

Council as a whole, offered and moved adoption of the following resolution:

WHEREAS, Robert Ward, Sr. was born on March 25, 1910 in Franklinton, North Carolina. He is the youngest of five children born to Betsy and Percy Ward. Robert and his four siblings Percy (Albert), Lil (Sport), Annie Lou and Emily were educated in the public school system; and

WHEREAS, Robert Ward, Sr. worked as an auto mechanic for many years. It was his passion. You could always find "Jack" which he was affectionately called, working on any type of vehicle; and

WHEREAS, Robert Ward, Sr. began his employment with a New York taxicab company in 1959, where he rebuilt motors. He had a wonderful work ethic. Robert rarely vacationed or missed a day of work until his retirement at the age of 80; and

WHEREAS, Robert Ward, Sr. enjoys cooking, watching westerns, baseball games and good movies on television. He also loves to listen to gospel music on the radio and traveling on the highway watching trucks; and

WHEREAS, Robert Ward, Sr. met and married the love of his life, Cora Belle Lewis. That union was blessed with five children, Ella, Robert Jr., Charles, James and Mozelle. Family means the world to him. Robert has grandchildren, great-grandchildren and great-great grandchildren, one son-in-law, four daughters-in law, seven sisters-in law, five brothers-in law and a host of nieces and nephews. He has a rich legacy. He is the only living child of Betsy and Percy Ward; and

WHEREAS, Robert Ward, Sr. will celebrate his 100th birthday this year. The centenarian will be honored by friends and family on Saturday, March 27, 2010 at the Porter Memorial Church of God in Christ in Jersey City.

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the City of Jersey City does hereby honor Robert Ward Sr. on the occasion of his 100th birthday. We wish him many more years of health and happiness.

APPROVED: _____

APPROVED AS TO LEGAL FORM

APPROVED: B O'Keilly
 Business Administrator

 Corporation Counsel

Certification Required

Not Required

APPROVED 9-0

RECORD OF COUNCIL VOTE ON FINAL PASSAGE											
4/14/10											
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

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

City Clerk File No. Res. 10-218

Agenda No. 10.P

Approved: APR 14 2010

TITLE:



Resolution Honoring Alex Lalaoui and Melinda Vickerman-Lalaoui On the Occasion and Celebration of The 2nd Annual Moroccan Flag Raising Ceremony

Council as a whole, offered and moved adoption of the following resolution:

WHEREAS, many of the quarter-million people who reside in Jersey City are of Arab descent, including a community of Moroccan born citizens; and

WHEREAS, Abdelali "Alex" Lalaoui was born in Maarif, in Casablanca, Morocco. He is better known as "Coach Alex" to his students at The Soccer Learning Center, the largest, private indoor soccer academy in Hudson County. Alex and his wife Melinda started the academy eight years ago. Alex possesses several high-level coaching credentials on a state and national level, including the United States Soccer Federation's B license. Alex will be a USSF A license candidate in the summer of 2010; and

WHEREAS, Alex Lalaoui is an active community member and has organized charitable initiatives raising tens of thousands of dollars for several worthwhile causes over the years. In 2009, he raised \$25,000 for families in need; and

WHEREAS, Melinda Vickerman-Lalaoui is a New York native whose professional background includes almost two decades as an award-winning marketing professional with the last ten years spent as a freelance copywriter. Melinda has worked as a senior level writer for top corporations including AT&T, American Express, MasterCard, Visa, Columbia House Records, and The Vitamin Shoppe. She is a past editor and currently authors a parenting column in The Jersey Journal newspaper; and

WHEREAS, with a keen interest in health and medicine, Melinda Vickerman-Lalaoui has contributed to efforts to help educate the public about nutrition, weight management, holistic healing, cancer, epilepsy, and patient advocacy; and

WHEREAS, in 2009, Alex and Melinda worked diligently with city officials to establish an annual Moroccan flag raising ceremony; and

WHEREAS, in 2010, Alex and Melinda founded **Young Morocco** to celebrate, support and enlighten Moroccan families in the United States with the hope that all Moroccan-American children and their families will continue to support their heritage and great culture while preserving their Moroccan language, cuisine, religion, artistry and traditions; and

WHEREAS, Alex and Melinda are the loving parents to Reyhan and Moulay Sharif. They are role models who lead by example. Family, culture and community is important to them.

NOW, THEREFORE BE IT RESOLVED, that the Municipal Council of the City of Jersey City does hereby honor **Alex Lalaoui** and **Melinda Vickerman-Lalaoui** on the occasion and celebration of the 2nd Annual Moroccan Flag Raising Ceremony.

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											
4/14/10											
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

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

City Clerk File No. Res. 10-219

Agenda No. 10-Q

Approved: APR 14 2010

TITLE:



Resolution Honoring Mt. Pisgah African Methodist Episcopal Church Charter Sisters With Active Family Members in 2010

Council as a whole, offered and moved adoption of the following resolution:

Whereas, Mt. Pisgah African Methodist Episcopal Church was founded in 1931. The church has since continued to flourish and grow under several dedicated spiritual leaders; and

Whereas, March is nationally recognized as Women's History Month. As part of tradition, Mount Pisgah A.M.E. Church celebrates Women's Day during March; and

Whereas, this year as part of Women's Day, a celebration of women whose 1931 contributions laid the foundation for their family members' service will be held. The following Charter Sisters will be honored.

*Marie Brown
Louise Bryan
Dorothy Cauley
Beatrice W. Jett
Grace Kelly
Sadie Kennerly*

*Victoria Lathrope
Dora Mallette
Beatrice Maner
Hazel McCants
Elizabeth Palms
Ciola Thompson-Nichols*

*Ida Thompson Palm
Mary Saunders
Lillian Seymour
Sara Ramsey (Living Charter)
Lula Thomas
Pernetha Thompson*

Now, Therefore Be it Resolved, that the Municipal Council of the City of Jersey City does hereby extend our recognition and greatest sense of appreciation to the founding members of Mount Pisgah A.M.E. Church for their vision, time, energy and finances used in the purchase of a stable on Forrest Street and converting it into a place of worship under the direction and guidance of Rev. Samuel T. Boyd.

Be it Further Resolved, that the Municipal Council does hereby applaud Pastor Reginald McRae, Bro. Samuel J. Rose and Bro. Willie Haggan for offering valuable programs and spiritual guidance to our community. We hereby join in the Women's Day celebration during Women's History Month and honor the Charter Sisters of Mount Pisgah A.M.E. Church.

G:\WPDOCS\TOLONDA\RESOS\CHURCHES\Mount Pisgah AME Church - Women's Day.wpd

APPROVED: _____

APPROVED: *B. O'Keilly*
Business Administrator

APPROVED AS TO LEGAL FORM

Corporation Counsel

Certification Required

Not Required

APPROVED 9-0
4/14/10

RECORD OF COUNCIL VOTE ON FINAL PASSAGE											
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

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

City Clerk File No. Res. 10-220
Agenda No. 10.R
Approved: APR 14 2010
TITLE:



RESOLUTION APPROVING CONDEMNATION SETTLEMENT FOR THE ACQUISITION OF REAL PROPERTY LOCATED AT TRUCK ROUTE 1 & 9 AND SIP AVENUE, BLOCK 1627, LOTS 1.P., 2.A, 3.B & 5.A, AND BLOCK 1639.A, LOTS 1.C, 3, 4, 4.C, 6.A & 7, AND AS MORE FULLY DESCRIBED IN THE ATTACHED PERIMETER METES AND BOUNDS DESCRIPTION

COUNCIL offered and moved adoption of the following Resolution:

WHEREAS, by Ordinance 09-038 the Municipal Council of the City of Jersey City ordained to acquire the real property commonly known by the street address of Truck Route 1 & 9 and Sip Avenue and also known as Block 1627, Lots 1.P, 2.A, 3.B & 5.A, and Block 1639.A, Lots 1.C, 3, 4, 4.C, 6.A & 7, which is more fully described in the attached metes and bounds description; and

WHEREAS, the acquisition of the foregoing property for the public purpose of use as open space and a park is to be accomplished by purchase or condemnation; and

WHEREAS, by Resolution No. 09-932 the Municipal Council of the City of Jersey City approved the appraisal report dated December 12, 2008, prepared by Paul T. Beisser, CRE, MAI, determining that the fair market value of the property as of November 1, 2008 was \$12,682,000., authorized an offer in the amount of the appraised value subject to negotiation of a price reduction and other terms by reason of the property's environmental condition, and authorizing the negotiation of an agreement for acquisition of the property by condemnation for a fixed price of \$12,400,000 subject to approval of a Memorandum of Understanding with the New Jersey Department of Environmental Protection and certain responsible parties as to the environmental remediation of the property; and

WHEREAS, a proposed Title Transfer Settlement Agreement (a copy of which is attached to this Resolution) has been negotiated with the owners of the property providing for the City's acquisition of title by consent judgment and/or declaration of taking, fixing the award of just compensation in the amount of \$12,400,000, providing for payment of the just compensation award in three installments over a period of two years, and providing for the settlement of other claims arising out of the condemnation and future use of the property; and

WHEREAS, funds in an amount up to \$8,080,000 are available in capital account# 04-215-55-882-990; and

WHEREAS, funds in an amount up to \$1,000,000 are available in grant account# 02-213-40-095-314; and

WHEREAS, funds in an amount up to \$4,000,000 are available from a grant from the Port Authority of New York and New Jersey under a signed Memorandum of Agreement.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the City of Jersey City:

1. The proposed Title Transfer Settlement Agreement between the City and the owners of the property is approved.
2. The Corporation Counsel and the Business Administrator are authorized and directed, either directly or through Special Counsel, to commence a condemnation action for the acquisition of the property and to enter into a Final Judgment with the consent of the property owners and on notice to all parties having an interest in the property substantially in the form attached to the Title Transfer Settlement Agreement.

City Clerk File No. Res. 10-220

Agenda No. 10.R

TITLE: APR 14 2010

RESOLUTION APPROVING CONDEMNATION SETTLEMENT FOR THE ACQUISITION OF REAL PROPERTY LOCATED AT TRUCK ROUTE 1 & 9 AND SIP AVENUE, BLOCK 1627, LOTS 1.P., 2.A, 3.B & 5.A, AND BLOCK 1639.A, LOTS 1.C, 3, 4, 4.C, 6.A & 7, AND AS MORE FULLY DESCRIBED IN THE ATTACHED PERIMETER METES AND BOUNDS DESCRIPTION

3. The Corporation Counsel and the Business Administrator shall have the discretion to abandon the condemnation action at any time until the vesting of an indefeasible fee title to the property in the City of Jersey City in the event that it appears that the objectives sought to be achieved by the City of Jersey City with respect to the environmental condition of the property and its future use will not be accomplished or in the event that the anticipated funding sources for the acquisition of the property are not available in a timely manner as contemplated by the Title Transfer Settlement Agreement.

4. The Corporation Counsel and the Business Administrator are authorized and directed, either directly or through Special Counsel, to take such actions as may be required to carry out the Title Transfer Settlement Agreement.

APPROVED: _____

Business Administrator

APPROVED AS TO LEGAL FORM

Corporation Counsel

Certification Required

Not Required

APPROVED **9-0**

RECORD OF COUNCIL VOTE ON FINAL PASSAGE											
4/14/10											
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



CITY OF JERSEY CITY
Office of the Corporation Counsel

280 Grove Street
Jersey City, New Jersey 07302
Telephone: (201) 547-4667
Fax: (201) 547-5230

Jerramiah Healy, Mayor
Brian O'Reilly, Business Administrator

Bill Matsikoudis, Corporation Counsel

April 14, 2010

President and Members of the Municipal Council
City Hall-280 Grove Street
Jersey City, NJ 07302

Re: Settlement of Condemnation Action 10R

Dear President and Members of the Municipal Council:

I apologize for submitting a replacement resolution for the above referenced matter, but this resolution needs a modest addition to bring it in accordance with the Local Budget Law and its regulations. These require that any council action that requires the appropriation of funds indicate the source of the funds. N.J.S.A. 40A:4-57 and N.J.A.C. 5:30-5.3.

The attached agreement and exhibits were only changed to include an updated list of the month to month tenants and small changes in the agreement to reflect this. While these changes were small, I am submitting a revised agreement and exhibits to the clerk to ensure that the final correct official is on record.

Very truly yours,



WILLIAM MATSIKOUDIS
CORPORATION COUNSEL

WM/igp

Enclosures

c: Brian O'Reilly, Business Administrator
Robert Byrne, City Clerk
Jack Curley, Esq.
Donna Mauer, CFO
Phil Morrin, Esq

TITLE TRANSFER SETTLEMENT AGREEMENT

THIS AGREEMENT made on _____, 2010, between the CITY OF JERSEY CITY (“City”), a municipal corporation of the State of New Jersey, having its principal address at City Hall, 280 Grove Street, Jersey City, NJ 07302, and EDWIN L. SIEGEL, EDLIN LTD., a New Jersey limited partnership, and TOOLEY ENTERPRISES, a New Jersey limited partnership (collectively, the “Owner”), having their principal place of business at 11 Charlene Drive, Clifton, NJ 07011.

WHEREAS, EDLIN LTD. is the owner of certain real property located in Jersey City, New Jersey and commonly known as Block 1627, Lots 3B, 4B and 5A (the “Edlin Parcel”) and more fully described on the attached Exhibit A; and

WHEREAS, EDWIN L. SIEGEL is the owner of certain real property located in Jersey City, New Jersey and commonly known as Block 1639.1, Lots 1C, 2A, 3, 4C and 7 and Block 1627, Lots 6A and 1P (the “Siegel Parcel”) and more fully described on the attached Exhibit B; and

WHEREAS, TOOLEY ENTERPRISES is the owner of certain real property located in Jersey City, New Jersey and commonly known as Block 1627, Lot 2A (the “Tooley Parcel”) and more fully described on the attached Exhibit C; and

WHEREAS, the Edlin Parcel, Siegel Parcel and Tooley Parcel (collectively, the “Property”) are within the perimeter description set forth in the attached Exhibit D; and

WHEREAS, by Ordinance 09-038 adopted on April 8, 2009, the City ordained to acquire the Property by purchase pursuant to the Eminent Domain Act, N.J.S.A. 20:3-6, or by condemnation for use as open space and a park; and

WHEREAS, the City and the Owner wish to enter into this Agreement in lieu of a contested condemnation case and in settlement of the Condemnation Action.

WHEREAS, the Property is subject to a Consent Order filed June 27, 2000, Superior Court of New Jersey, Law Division-Hudson County, Docket No. L-3519-92 (the "Consent Order") and a Settlement Agreement, Guarantee, Release and Covenant Not to Sue dated as of June 27, 2000 (the "Release/Covenant Not to Sue") in the matter of PJP Landfill Superfund Site NJD980505648; and

WHEREAS, in implementation of the Consent Order, parties other than Owner have executed an Administrative Consent Order dated June 15, 2000, as amended by Amendment dated July 15, 2000, Second Amendment dated March 3, 2008, as well as an anticipated Third Amendment (collectively, the "ACO"), by which the New Jersey Department of Environmental Protection ("DEP") has assumed oversight over certain environmental cleanup and remediation activities at the Property; and

WHEREAS, at the time of the transfer of ownership of the Property to the City pursuant to this Agreement, the City desires to enter into (i) that certain agreement (the "Assumption Agreement") with Waste Management of New Jersey, Inc. and CWM Chemical Services, L.L.C. (collectively, "CCS"); and (ii) a certain Memorandum of Understanding with the DEP (the "MOU"), whereby the City will become the assignee of certain obligations of CCS under the Consent Decree and the ACO; and

WHEREAS, a portion of the Property (the "Operating Area") is occupied by certain commercial tenants; and

NOW, THEREFORE, in consideration of the mutual promises of the parties, it is agreed as follows:

A. Condemnation.

1. Waiver of Negotiations. Owner waives the protections of N.J.S.A. 20:3-6 including, without limitation, the right to accompany the City's appraiser on his appraisal inspection, the right to receive a written offer and a copy of the appraisal report obtained by the City, and the right to engage in good faith negotiations in an attempt to transfer title to the Property voluntarily and without the need for the filing of a condemnation action.

2. Filing of Condemnation Action. The City will file a condemnation action (the "Condemnation Action") against the Property using the perimeter description set forth in Exhibit D and will name all parties who have an interest in the Property as defendants in the Condemnation Action.

3. Consent Judgment. The City and the Owner will enter into a Consent Judgment (the "Condemnation Consent Judgment") in which the Owner will not oppose or challenge the City's authority to condemn and in which the parties shall agree that the award of just compensation is to be in the amount of \$12,400,000.00 which is to be inclusive of all interests in the Property. The proposed Condemnation Consent Judgment shall (to the extent practical) be substantially as set forth in Exhibit E.

4. Payment of Just Compensation. The City will make an initial deposit with the Superior Court of New Jersey in the amount of \$5,000,000.00 (the "First Installment") on or before the date that title vests in the City. The City will make an additional deposit with the Superior Court of New Jersey in the amount of \$4,200,000.00 (the "Second Installment") on the first anniversary date of the vesting of title. The City will make a final deposit with the Superior Court of New Jersey in the amount of \$3,200,000.00 (the "Third Installment") on the second anniversary date of the vesting of title. The First Installment, Second Installment and

Third Installment are sometimes collectively called the "Installments." The deposit of the Installments with the Superior Court of New Jersey shall constitute full payment of the award of just compensation due for the taking of the Property. The Owner may withdraw any funds placed on deposit with the Superior Court by motion on notice to the City and all other parties named and remaining as defendants in the condemnation case. The City shall not oppose any such motion provided it is not inconsistent with this Agreement and the City does not have a lawful claim against the funds held by the Superior Court of New Jersey.

5. Vesting of Title. The Condemnation Consent Judgment shall provide for the vesting of title in the City upon its recordation in the records of the Hudson County Register and/or shall permit the City to take title by Declaration of Taking without its having deposited any sum in excess of the First Installment.

B. Commercial Tenants.

1. Written Leases. The Owner represents that the following attached written leases are true copies of the only written leases that encumber the Property:

- (a) Lease dated May 1, 2004 between Edlin, Ltd. (as Landlord) and Igal Delta Gas, Inc. (as Tenant) attached hereto as Exhibit F;
- (b) Lease dated July 30, 1999 between Edlin, Ltd. (as Landlord) and 144 Enterprises, L.L.C. (as Tenant) attached hereto as Exhibit G.

The owner further represents that the foregoing leases have not been amended or modified; and that the Owner will not agree to any amendment or modification while this Agreement is in force. Owner further represents that it has not received notice of renewal from either of the above tenants under its respective lease, although Owner has accepted rent beyond the initial term of each lease in the amount otherwise payable under the renewal provisions of such lease.

Owner is authorized to negotiate with each tenant to execute an instrument to provide that its occupancy will terminate no sooner than 12 months after the vesting of title to the Property by the City in exchange for a release of any rights to relocation costs; and in such event, the provisions of Paragraph B(5) shall not be applicable to any lease covered by such written instrument.

2. Oral Leases. The owner represents that the month-to-month tenants set forth and identified on Exhibit H attached hereto occupy the Property without any written lease agreement and are obligated to pay rent as indicated therein.

3. The Owner further represents that it will not enter into any additional agreements creating any new tenancies during the term of this Agreement and that there are no other occupants in addition to the ones set forth in the attached Exhibits F, G and H.

4. The Owner will be solely responsible for the return of any security deposits or advance rent payments of any kind made by the tenants prior to the transfer and ownership of the Property to the City pursuant to this Agreement.

5. The City and the Owner will each contribute one-half of any tenant relocation benefits that may be imposed by law. The City will pay all administrative costs with respect to the processing of relocation claims.

C. Environmental.

1. The City does not assume any responsibility for the environmental condition of the Property and reserves all its remedies against potential responsible parties (including the Owner) except as otherwise set forth in the Assumption Agreement and MOU to be entered into by the City with CCS and the DEP, respectively, at the time of the transfer of ownership of the Property to the City pursuant to this Agreement.

2. The Owner does not admit or assume any responsibility for the environmental condition of the Property by virtue of this Agreement.

3. With respect to the First Installment and the Second Installment, the City hereby waives any reservation for environmental cost recovery under Housing Auth. of New Brunswick vs. Suydam, 177 N.J. 2 (2003). The City's potential environmental cost recovery claim is limited to issues relating to contamination, hazardous materials or solid waste, existing as of the filing of the Condemnation Complaint ("Operating Area Contamination"), which has been or may be found on or beneath the portion of the property outlined on Exhibit I attached hereto (the "Operating Area").

4. With respect to the Third Installment, in the event the City has not, at the time of deposit, satisfied its burden of proof under Suydam regarding an estimate of transactional costs associated with environmental conditions on or beneath the Operating Area, it will not object to the withdrawal of such funds with regard to an environmental reservation.

D. Effective Date.

1. This Agreement shall become effective upon due execution by the parties and approval by the Municipal Council of the City of Jersey City.

2. In the event an indefeasible fee title to the Property does not vest in the City within ninety (90) days from the effective date of this Agreement, either party may terminate this Agreement by written notice to the other whereupon all funds paid into court by the City shall be returned to the City without delay.

E. Conditions to City's Performance.

1. The City's performance of this Agreement is conditioned upon the actions of certain third parties without which the City would either (a) fail to achieve its goals and

objectives in entering into this Agreement, or (b) be unable to perform its payment obligations under this Agreement.

2. The City shall be the sole judge as to whether the conditions to its performance of this Agreement are satisfied. In the event the City obtains an indefeasible fee title to the property, all conditions to the City's performance of this Agreement shall be deemed to be either satisfied or waived whereupon the City shall become unconditionally bound to perform this Agreement subject only to such modifications as may be set forth in any Condemnation Consent Judgment or any other consent order entered in the condemnation action by which title is intended to be transferred.

F. Notices.

1. All notices required to be given under this Agreement shall be in writing, sent by certified mail or by overnight courier to the Party to whom the notice is directed, at the addresses stated below, and shall be deemed to have been given when received by the Party

For the City:
City Clerk
City Hall
280 Grove Street
Jersey City, NJ 07302

with copy to:
Corporation Counsel
City Hall
280 Grove Street
Jersey City, NJ 07302

For the Owner:
11 Charlene Drive
Clifton, NJ 07011

with copy to:
Kevin J. Bruno, Esquire
Blank Rome LLP
301 Carnegie Center 3rd Floor