

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

City Clerk File No. Res. 09-771

Agenda No. 10.A

Approved: SEP 23 2009

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 \$271,702,428.

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	299,000	599,000
20-110	MAYOR'S OFFICE OE	19,500	29,500
20-120	CITY CLERK SW	232,854	457,854
20-123	MUNICIPAL COUNCIL SW	155,275	332,275
20-100	BUSINESS ADMINISTRATOR SW	659,375	1,309,375
20-112	ARCHITECTURE SW	136,700	282,700
20-101	MANAGEMENT & BUDGET SW	62,000	133,000
20-113	ENGINEERING SW	530,250	1,115,250
20-102	PURCHASING SW	191,675	386,675
20-102	PURCHASING OE	21,500	26,500
20-103	REAL ESTATE SW	48,900	106,900
20-104	MAYOR'S ACTION BUREAU SW	146,500	290,500
20-106	COMMUNICATIONS SW	128,550	258,550
20-105	PERSONNEL SW	127,000	272,000
20-108	ECONOMIC OPPORTUNITY SW	121,000	241,000
20-107	UTILITY MANAGEMENT	153,000	318,000
20-109	RISK MANAGEMENT SW	72,000	152,000
20-140	INFORMATION TECHNOLOGY SW	287,000	557,000
20-145	TAX COLLECTOR SW	205,940	425,940
20-146	ABATEMENT MANAGEMENT SW	63,750	136,750
20-131	TREASURY & DEBT MANAGEMENT SW	131,500	271,500

City Clerk File No. Res. 09-771Agenda No. 10.ATITLE: SEP 23 2009

**RESOLUTION AUTHORIZING AN EMERGENCY TEMPORARY
APPROPRIATION**

		FROM	TO
20-133	PAYROLL SW	138,500	258,500
20-136	PENSION SW	56,750	116,750
20-134	ACCOUNTS & CONTROL SW	160,000	325,000
20-147	INTERNAL AUDIT SW	44,250	93,250
20-150	TAX ASSESSOR SW	254,900	519,900
20-155	LAW SW	784,125	1,574,125
26-290	PUBLIC WORKS DIRECTOR'S OFFICE SW	143,170	290,170
28-375	PARK MAINTENANCE SW	693,034	1,414,034
26-291	BUILDING & STREET MAINTENANCE SW	674,300	1,402,300
26-315	AUTOMOTIVE SERVICES SW	249,225	494,225
20-175	NEIGHBORHOOD IMPROVEMENT SW	184,025	368,025
28-370	RECREATION SW	1,500,000	2,200,000
27-330	HHS DIRECTOR'S OFFICE SW	226,125	443,125
27-331	HEALTH SW	624,050	1,264,050
27-332	CULTURAL AFFAIRS SW	165,000	415,000
27-335	DIV OF SENIOR AFFAIRS SW	95,325	140,325
25-265	FIRE SW	21,000,000	40,000,000
25-240	POLICE SW	29,000,000	56,500,000
25-240	POLICE OE	644,850	1,284,850
20-170	HEDC DIRECTOR SW	146,360	326,360
20-170	HEDC DIRECTOR OE	6,725	10,225
22-195	CONSTRUCTION CODE SW	572,075	1,122,075
22-195	CONSTRUCTION CODE OE	36,500	50,000
22-196	TENANT LANDLORD RELATIONS SW	19,950	39,950
22-196	TENANT LANDLORD RELATIONS OE	3,400	7,400
22-197	COMMERCE SW	230,875	455,875
22-171	ECONOMIC DEVELOPMENT SW	100,850	210,850
21-180	CITY PLANNING SW	198,825	444,825
22-198	HOUSING CODE ENFORCEMENT SW	248,925	489,925
21-186	ZONING OFFICER SW	104,500	214,500
23-220	EMPLOYEE GROUP HEALTH INSURANCE	17,275,000	32,275,000
30-410	MUNICIPAL PUBLICITY	16,000	28,000
30-416	JERSEY CITY MUSEUM	325,000	375,000
30-418	ETHICAL STANDARDS BOARD	5,000	10,000
36-473	SOCIAL SECURITY	1,086,250	2,086,250
36-478	JC EMPLOYEES RETIREMENT SYSTEM	1,413,985	3,013,985
43-490	MUNICIPAL COURT SW	1,099,250	2,159,250
43-495	PUBLIC DEFENDER SW	22,890	44,890
	PARIS GRANT	0	173,700

SEP 23 2009

TITLE:

RESOLUTION AUTHORIZING AN EMERGENCY TEMPORARY APPROPRIATION

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

APPROVED: Kathleen D. Dewley

APPROVED AS TO LEGAL FORM

APPROVED: [Signature]

Business Administrator

Corporation Counsel

Certification Required

Not Required

APPROVED 8-0

RECORD OF COUNCIL VOTE ON FINAL PASSAGE 9/23/09											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	ABSENT			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.

[Signature]
Mariano Vega, Jr., President of Council

[Signature]
Robert Byrne, City Clerk

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

City Clerk File No. Res. 09-772
 Agenda No. 10.B
 Approved: SEP 23 2009
 TITLE:



RESOLUTION AUTHORIZING FISCAL YEAR 2009 APPROPRIATION RESERVE TRANSFERS.

COUNCIL
adoption of the following resolution:

offered and moved

RESOLVED, by the Municipal Council of the City of Jersey City that the Comptroller is hereby authorized to make the following FY 2009 budgetary appropriation reserve transfers in accordance with N.J.S.A. 40A:4-59, two thirds of the full membership of the Municipal Council concurring:

		FROM	TO
20-100	Administrator's Office SW	40,000	
20-155	Law Department OE		40,000
27-332	Cultural Affairs OE	15,000	
27-335	Senior Affairs OE		15,000
20-102	Purchasing SW	10,000	
20-140	Information Technology OE		10,000
20-104	Mayor's Action Bureau SW	15,000	
20-110	Mayor's Office OE		15,000
Total		80,000	80,000

APPROVED: Kathleen D. Duly

APPROVED AS TO LEGAL FORM

APPROVED: Steve Miller
 Business Administrator

Royal Ralston
 Atty. Corporation Counsel

Certification Required

Not Required

APPROVED 8-0

RECORD OF COUNCIL VOTE ON FINAL PASSAGE 9/23/09											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	ABSENT			BRENNAN	✓		
SPINELLO	✓			FULOP	✓			FLOOD	✓		
LIPSKI	✓			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. 09-773
 Agenda No. 10.C
 Approved: SEP 23 2009
 TITLE:



Resolution Authorizing the Waiver of the Twenty (20) Day Waiting Period for Ordinance 09-098. An ordinance supplementing Chapter 332 (Vehicles and Traffic) Article XI (Schedules) Schedule 25 (Parking for the Disabled) of the Jersey City Code designating a reserved parking space 169 Arlington Avenue; 71 Atlantic Street; 230 Bartholdi Avenue; 65 Bayview Avenue; 821 Bergen Avenue; 49 Bidwell Avenue; 480 Bramhall Avenue; 140 Franklin Street; 67 Grant Avenue; 2 Hampton Court Terrace; 54-56 Linden Avenue; 133 Sherman Place and 275 Webster Avenue and amend the reserved parking space at 304 Eighth Street; 131 Kensington Avenue; 267 Manhattan Avenue; 243 South Street and 324 Terrace Avenue and repeal the reserved parking space at 6 Poplar Street and 358 Stegman Parkway.

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

Whereas, at its meeting of September 23, 2009 at 6:00 P.M., the Municipal Council adopted Ordinance 09-098; and

Whereas, N.J.S.A. 40:69A-181(b) provides for the twenty (20) day period prior to the effective date of an ordinance after adoption unless the Municipal Council by resolution, declares an emergency; and

Whereas, it is necessary that this ordinance become effective immediately because a backlog exists in the processing of applications and any further delay in enacting the ordinance would cause undue pain and suffering to the applicant.

Now, Therefore, Be it Resolved, by the Municipal Council of the City of Jersey City that:

- (1) an emergency is hereby declared for the reason set forth herein; and
- (2) pursuant to N.J.S.A. 40:69A-181(b) the twenty (20) day waiting period prior to the effective date of Ordinance 09-098 is hereby waived so that this Ordinance is effective immediately.

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

APPROVED AS TO LEGAL FORM

[Signature]
 Ass't Corporation Counsel

Certification Required
 Not Required

APPROVED 8-0

RECORD OF COUNCIL VOTE ON FINAL PASSAGE 9/23/09											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	<i>ABSENT</i>			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. 09-774
 Agenda No. 10.D
 Approved: SEP 23 2009
 TITLE: _____



RESOLUTION AUTHORIZING THE CITY TO ENTER INTO AN AGREEMENT OF INDEMNIFICATION AND AUTHORIZING THE RISK MANAGER TO ISSUE A LETTER OF INSURANCE TO LIBERTY STATE PARK

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

WHEREAS, on October 4, 2009 the Jersey City Fire Department is holding it's Family Day Picnic, and

WHEREAS, the Jersey City Fire Department presents fire prevention literature and applications for Recruitment, as well as family day activities, and

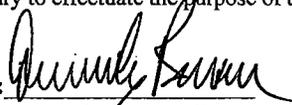
WHEREAS, Liberty State Park/Camp Liberty have the necessary facilities to accommodate the needs of the Fire Department, and

WHEREAS, Liberty State Park/Camp Liberty require indemnification and letters of insurance from the City, and

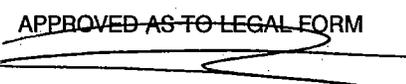
WHEREAS, the agreement will specify the City's responsibilities to the owners of the facilities, including an indemnification and hold harmless clause in which the owner cannot be held liable for injuries received by participants in these programs or for damage to the facilities, so

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

1. The Mayor or Business Administrator be authorized to execute an agreement hereto indemnifying Liberty State Park/Camp Liberty for the use of their facilities by the Department of Fire and Emergency Services on October 4, 2009.
2. The Risk Manager is authorized to issue a Letter of Insurance to Liberty State Park/Camp Liberty to cover these activities.
3. The Mayor or Business Administrator is authorized to execute such other documents that may be necessary to effectuate the purpose of the Resolution.

APPROVED: 
 Armando Roman, Director
 Fire & Emergency Services

APPROVED: _____
 Business Administrator

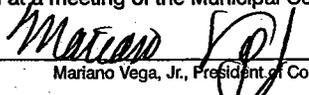
APPROVED AS TO LEGAL FORM

 Corporation Counsel

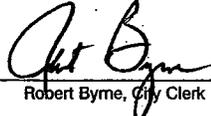
Certification Required
 Not Required **APPROVED 8-0**

RECORD OF COUNCIL VOTE ON FINAL PASSAGE											
				9/23/09							
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	ABSENT			BRENNAN	✓		
SPINELLO	✓			FULOP	✓			FLOOD	✓		
LIPSKI	✓			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., President of Council


 Robert Byrne, City Clerk

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

City Clerk File No. Res. 09-775
 Agenda No. 10.E
 Approved: SEP 23 2009



TITLE:

RESOLUTION AUTHORIZING THE CITY OF JERSEY CITY TO ENTER INTO AN AGREEMENT INDEMNIFICATION WITH DE MAXIMIS, INC. AND AUTHORIZING THE RISK MANAGER TO ISSUE A LETTER OF INSURANCE

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

WHEREAS, the Jersey City Fire Department is interested in training its personnel in search rope and rescue, and steel door cutting procedures, and

WHEREAS, De Maximis, Inc. has a facility large enough to accommodate said training at 60 Kellogg Street, in Jersey City, and

WHEREAS, De Maximis, Inc. has agreed that there will be no cost to the City or Fire Department for use of their facility, and

WHEREAS, the Fire Department will use the facility September 21 through September 27, 2009, and

WHEREAS, De Maximis, Inc. requires indemnification and a letter of insurance from the City, and

WHEREAS, the agreement will specify the City's responsibilities to the owners of the facility, including an indemnification and hold harmless clause in which the owner cannot be held liable for injuries received by participants in this training, and

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

1. The Mayor and/or Business Administrator be authorized to execute an agreement hereto indemnifying De Maximis, Inc. use of their facility by the Fire Department for training;
2. The Risk Manager is authorized to issue a letter of insurance to De Maximis, Inc. to cover this training;
3. The Mayor and/or Business Administrator is authorized to execute such other documents that may be necessary to effectuate the purpose of this Resolution.

APPROVED: Armando Roman
 Armando Roman, Director
 Fire & Emergency Services

APPROVED: [Signature]
 Business Administrator

APPROVED AS TO LEGAL FORM

[Signature]
 Asst. Corporation Counsel

Certification Required

Not Required

APPROVED 8-0

RECORD OF COUNCIL VOTE ON FINAL PASSAGE											
9/23/09											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	ABSENT			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.

[Signature]
 Mariano Vega, Jr., President of Council

[Signature]
 Robert Byrne, City Clerk

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

City Clerk File No. _____ Res. 09-776

Agenda No. _____ 10.F

Approved: _____ SEP 23 2009

TITLE:



RESOLUTION AUTHORIZING THE AWARD OF CONTRACT TO DELL MARKETING L.P. FOR SOFTWARE LICENSE, MAINTENANCE SUPPORT & RELATED SERVICES FOR THE DEPARTMENT OF INFORMATION TECHNOLOGY UNDER STATE CONTRACT WITHOUT PUBLIC BIDDING

COUNCIL

OFFERED AND MOVED ADOPTION OF THE FOLLOWING RESOLUTION:

WHEREAS, there exists a need to purchase Software License, Maintenance Support & Related Services for the Department of Information Technology; and

WHEREAS, pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-12 allowing municipalities to use state contract without public bidding; and

WHEREAS, Dell Marketing L.P., ASAP Software Express P.O. Box 643561, Pittsburgh, Pa. 15284 being in possession of State Contract A72727, will Furnish and Deliver Software Products and Maintenance to the Department of Information Technology in the total amount of Two Hundred Thirty Thousand, Nine Hundred Twenty Seven Dollars (\$230,927.16) and Six Teen Cents; and

WHEREAS, the Acting City Purchasing Director has certified that he considers said quotation to be fair and reasonable; and

WHEREAS, this amount is available in the present budget for this expenditure in accordance with requirements of the Local Budget Law, N.J.S.A. 40A:4-1 et. seq.

Administration/Information Technology

Acct. No. 01-201-20-140-304

P.O. No. 97627

Amount \$230,927.16

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the City of Jersey City that the said quotation of the aforementioned Dell Marketing LP, be accepted and that a contract be awarded to said company in the above amount and the Acting City Purchasing Director is directed to have such a contract drawn up and executed; and be it further

RESOLVED, that upon certification by an official or employee of the City authorized to receive the material pursuant to the contract met, then payment to the contractor shall be made in accordance with the provisions of the Local Fiscal Affairs Law, N.J.S.A. 40A:5-1 et. seq; and be it further

(Continued on page 2)

SEP 23 2009

TITLE:

RESOLUTION AUTHORIZING THE AWARD OF CONTRACT TO DELL MARKETING CORPORATION, FOR PURCHASE OF SOFTWARE LICENSE, MAINTENANCE, & RELATED SERVICES FOR THE DEPARTMENT OF INFORMATION TECHNOLOGY UNDER STATE CONTRACT WITHOUT PUBLIC BIDDING

RESOLVED, this contract shall be subject to the condition that the vendor/contractor provide satisfactory evidence of compliance with the Affirmative Action Amendments to the Law Against Discrimination, N.J.S.A. 10:5-31 et. seq. and be it further

RESOLVED, that the Mayor or Business Administrator is hereby authorized to execute a contract on behalf of the City of Jersey City.

I, Donna Mauer Donna Mauer, Chief Financial Officer, certify that there are sufficient funds available for payment of this above resolution in the Account No. 01-201-20-140-304

Administration Department/Information Technology

Acct. No. 01-201-20-140-304 P.O. No. 97627 Amount \$230,927.16

Peter Folgado, Acting Purchasing Director

APPROVED: _____
 APPROVED: B O'Reilly
 Business Administrator

APPROVED AS TO LEGAL FORM
Raymond Radtke
 Asst. Corporation Counsel

Certification Required
 Not Required

APPROVED 8-0

RECORD OF COUNCIL VOTE ON FINAL PASSAGE 9/23/09											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	ABSENT			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



STATE OF NEW JERSEY BUSINESS REGISTRATION CERTIFICATE

Taxpayer Name: DELL MARKETING L P
Trade Name:
Address: 1 DELL WAY
ROUND ROCK, TX 78682
Certificate Number: 0095191
Effective Date: February 27, 1992
Date of Issuance: July 15, 2009

For Office Use Only:
20090715173339794

C. 271 POLITICAL CONTRIBUTION DISCLOSURE FORM

Public Agency Instructions

This page provides guidance to public agencies entering into contracts with business entities that are required to file Political Contribution Disclosure forms with the agency. **It is not intended to be provided to contractors.** What follows are instructions on the use of form local units can provide to contractors that are required to disclose political contributions pursuant to N.J.S.A. 19:44A-20.26 (P.L. 2005, c. 271, s.2). Additional information on the process is available in Local Finance Notice 2006-1 (www.nj.gov/dca/lgs/lfns/lfnmenu.shtml).

1. The disclosure is required for all contracts in excess of \$17,500 that are not awarded pursuant to a "fair and open" process (N.J.S.A. 19:44A-20.7).
2. Due to the potential length of some contractor submissions, the public agency should consider allowing data to be submitted in electronic form (i.e., spreadsheet, pdf file, etc.). Submissions must be kept with the contract documents or in an appropriate computer file and be available for public access. The form is worded to accept this alternate submission. The text should be amended if electronic submission will not be allowed.
3. The submission must be received from the contractor and on file at least 10 days prior to award of the contract. Resolutions of award should reflect that the disclosure has been received and is on file.
4. The contractor must disclose contributions made to candidate and party committees covering a wide range of public agencies, including all public agencies that have elected officials in the county of the public agency, state legislative positions, and various state entities. The Division of Local Government Services recommends that contractors be provided a list of the affected agencies. This will assist contractors in determining the campaign and political committees of the officials and candidates affected by the disclosure.
 - a. The Division has prepared model disclosure forms for each county. They can be downloaded from the "County PCD Forms" link on the Pay-to-Play web site at www.nj.gov/dca/lgs/p2p. They will be updated from time-to-time as necessary.
 - b. A public agency using these forms should edit them to properly reflect the correct legislative district(s). As the forms are county-based, they list all legislative districts in each county. Districts that do not represent the public agency should be removed from the lists.
 - c. Some contractors may find it easier to provide a single list that covers all contributions, regardless of the county. These submissions are appropriate and should be accepted.
 - d. The form may be used "as-is", subject to edits as described herein.
 - e. The "Contractor Instructions" sheet is intended to be provided with the form. It is recommended that the Instructions and the form be printed on the same piece of paper. The form notes that the Instructions are printed on the back of the form; where that is not the case, the text should be edited accordingly.
 - f. The form is a Word document and can be edited to meet local needs, and posted for download on web sites, used as an e-mail attachment, or provided as a printed document.
5. It is recommended that the contractor also complete a "Stockholder Disclosure Certification." This will assist the local unit in its obligation to ensure that contractor did not make any prohibited contributions to the committees listed on the Business Entity Disclosure Certification in the 12 months prior to the contract. (See Local Finance Notice 2006-1 for additional information on this obligation) A sample Certification form is part of this package and the instruction to complete it is included in the Contractor Instructions.

C. 271 POLITICAL CONTRIBUTION DISCLOSURE FORM

Contractor Instructions

Business entities (contractors) receiving contracts from a public agency that are NOT awarded pursuant to a "fair and open" process (defined at N.J.S.A. 19:44A-20.7) are subject to the provisions of P.L. 2005, c. 271, s.2 (N.J.S.A. 19:44A-20.26). This law provides that 10 days prior to the award of such a contract, the contractor shall disclose contributions to:

- any State, county, or municipal committee of a political party
- any legislative leadership committee
- any continuing political committee (a.k.a., political action committee)
- any candidate committee of a candidate for, or holder of, an elective office:
 - of the public entity awarding the contract
 - of that county in which that public entity is located
 - of another public entity within that county
 - or of a legislative district in which that public entity is located or, when the public entity is a county, of any legislative district which includes all or part of the county

The disclosure must list reportable contributions to any of the committees that exceed \$300 per election cycle that were made during the 12 months prior to award of the contract. See N.J.S.A. 19:44A-8 and 19:44A-16 for more details on reportable contributions.

N.J.S.A. 52:34-25(b) itemizes the parties from whom contributions must be disclosed when a business entity is not a natural person. This includes the following:

- individuals with an "interest" ownership or control of more than 10% of the profits or assets of a business entity or 10% of the stock in the case of a business entity that is a corporation for profit
- all principals, partners, officers, or directors of the business entity or their spouses
- any subsidiaries directly or indirectly controlled by the business entity
- IRS Code Section 527 New Jersey based organizations, directly or indirectly controlled by the business entity and filing as continuing political committees, (PACs).

When the business entity is a natural person, "a contribution by that person's spouse or child, residing therewith, shall be deemed to be a contribution by the business entity." [N.J.S.A. 19:44A-20.26(b)] The contributor must be listed on the disclosure.

Any business entity that fails to comply with the disclosure provisions shall be subject to a fine imposed by ELEC in an amount to be determined by the Commission which may be based upon the amount that the business entity failed to report.

The enclosed list of agencies is provided to assist the contractor in identifying those public agencies whose elected official and/or candidate campaign committees are affected by the disclosure requirement. It is the contractor's responsibility to identify the specific committees to which contributions may have been made and need to be disclosed. The disclosed information may exceed the minimum requirement.

The enclosed form, a content-consistent facsimile, or an electronic data file containing the required details (along with a signed cover sheet) may be used as the contractor's submission and is disclosable to the public under the Open Public Records Act.

The contractor must also complete the attached Stockholder Disclosure Certification. This will assist the agency in meeting its obligations under the law.

"N.J.S.A. 19:44A-3(s): "The term "legislative leadership committee" means a committee established, authorized to be established, or designated by the President of the Senate, the Minority Leader of the Senate, the Speaker of the General Assembly or the Minority Leader of the General Assembly pursuant to section 16 of P.L.1993, c.65 (C.19:44A-10.1) for the purpose of receiving contributions and making expenditures."

BUSINESS ENTITY DISCLOSURE CERTIFICATION
FOR NON-FAIR AND OPEN CONTRACTS
 Required Pursuant To N.J.S.A. 19:44A-20.8
 <NAME OF CONTRACTING AGENCY>

The following is statutory text related to the terms and citations used in the Business Entity Disclosure Certification form.

"Local Unit Pay-To-Play Law" (P.L. 2004, c.19, as amended by P.L. 2005, c.51)

19:44A-20.6 Certain contributions deemed as contributions by business entity.

5. When a business entity is a natural person, a contribution by that person's spouse or child, residing therewith, shall be deemed to be a contribution by the business entity. When a business entity is other than a natural person, a contribution by any person or other business entity having an interest therein shall be deemed to be a contribution by the business entity.

19:44A-20.7 Definitions relative to certain campaign contributions.

6. As used in sections 2 through 12 of this act

"business entity" means any natural or legal person, business corporation, professional services corporation, limited liability company, partnership, limited partnership, business trust, association or any other legal commercial entity organized under the laws of this State or of any other state or foreign jurisdiction;

"interest" means the ownership or control of more than 10% of the profits or assets of a business entity or 10% of the stock in the case of a business entity that is a corporation for profit, as appropriate;

Temporary and Executing

12. Nothing contained in this act shall be construed as affecting the eligibility of any business entity to perform a public contract because that entity made a contribution to any committee during the one-year period immediately preceding the effective date of this act.

~~~~~  
**The New Jersey Campaign Contributions and Expenditures Reporting Act (N.J.S.A. 19:44A-1 et seq.)**

**19:44A-3 Definitions.** In pertinent part...

p. The term "political party committee" means the State committee of a political party, as organized pursuant to R.S.19:5-4, any county committee of a political party, as organized pursuant to R.S.19:5-3, or any municipal committee of a political party, as organized pursuant to R.S.19:5-2.

q. The term "candidate committee" means a committee established pursuant to subsection a. of section 9 of P.L.1973, c.83 (C.19:44A-9) for the purpose of receiving contributions and making expenditures.

r. the term "joint candidates committee" means a committee established pursuant to subsection a. of section 9 of P.L.1973, c.83 (C.19:44A-9) by at least two candidates for the same elective public offices in the same election in a legislative district, county, municipality or school district, but not more candidates than the total number of the same elective public offices to be filled in that election, for the purpose of receiving contributions and making expenditures. For the purpose of this subsection: ...; the offices of member of the board of chosen freeholders and county executive shall be deemed to be the same elective public offices in a county; and the offices of mayor and member of the municipal governing body shall be deemed to be the same elective public offices in a municipality.

**19:44A-8 and 16 Contributions, expenditures, reports, requirements.**

*While the provisions of this section are too extensive to reprint here, the following is deemed to be the pertinent part affecting amounts of contributions:*

"The \$300 limit established in this subsection shall remain as stated in this subsection without further adjustment by the commission in the manner prescribed by section 22 of P.L.1993, c.65 (C.19:44A-7.2)

**BUSINESS ENTITY DISCLOSURE CERTIFICATION FOR  
NON-FAIR AND OPEN CONTRACTS  
Required Pursuant To N.J.S.A. 19:44A-20.8  
CITY OF JERSEY CITY**

**Part I - Vendor Affirmation**

The undersigned, being authorized and knowledgeable of the circumstances, does hereby certify that the *Dell Marketing, L.P.* has not made and will not make any reportable contributions pursuant to N.J.S.A. 19:44A-1 et seq. that, pursuant to P.L. 2004, c. 19 would bar the award of this contract in the one year period preceding (*TBD*) to any of the following named candidate committee, joint candidates committee; or political party committee representing the elected officials of the <See Below> as deemed pursuant to N.J.S.A. 19:44A-3 and r.

Mariano Ve a, r. Election Fund Friends of  
Peter Brennan Election Fund Comm  
Elect Willie Flood Friends of Michael  
Sottolano  
Friends of Phil Kenny  
Friends of Nidia R. Lo ez

Gau han Election Fund  
Fulo 2009 Inc.  
Friends of Viola Richardson for Ward F  
  
Healy for Mayor 2009

**Part II - Ownership Disclosure Certification**

I certify that the list below contains the names and home addresses of all owners holding 10% or more of the issued and outstanding stock of the undersigned.

Check the box that represents the type of business entity:

- Partnership       Corporation       Sole Proprietorship       Subchapter S Corporation  
 Limited Partnership       Limited Liability Corporation       Limited Liability Partnership

Name of Stock or Shareholder      Home Address

*DELL IS A PUBLICALLY TRADED COMPANY AND AS SUCH  
OWNERSHIP FLUCTUATES BASED ON THE MARKET.*

**Part 3 - Signature and Attestation:**

The undersigned is fully aware that if Dell Marketing, L.P. misrepresented in whole or part this affirmation and certification, the business entity, will be liable for any penalty permitted under law.

Name of Business Entity: *Dell Marketing, L.P.*  
Signed: *[Signature]* Title: *Advisor-Contracts \**  
Print Name: *Kevin Bromley* Date: *09/11/09*

\*To the best of my knowledge and belief.

Subscribed and sworn before me this 11 day of Sept, 2009

My Commission expires: *5-22-2010*

*Norma A. Morgan*  
(Affiant)

(print name & title of affiant) (Corporate Seal)



# AFFIRMATIVE ACTION EMPLOYEE INFORMATION REPORT

**IMPORTANT: READ INSTRUCTIONS ON BACK OF FORM CAREFULLY BEFORE COMPLETING FORM. TYPE OR PRINT IN SHARP BALL POINT PEN. FAILURE TO PROPERLY COMPLETE THE ENTIRE FORM MAY DELAY ISSUANCE OF YOUR CERTIFICATE**

## SECTION A - COMPANY IDENTIFICATION

|                                                                                                                                                       |                                                                                                                                                                                                                      |                                              |                    |                          |
|-------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------|--------------------|--------------------------|
| 1. FID. NO OR SOCIAL SECURITY<br><b>74-2616805</b>                                                                                                    | 2. TYPE OF BUSINESS<br><input checked="" type="checkbox"/> 1. MFG. <input type="checkbox"/> 2. SERVICE <input type="checkbox"/> 3. WHOLESALE<br><input type="checkbox"/> 4. RETAIL <input type="checkbox"/> 5. OTHER | 3. TOTAL NO. EMPLOYEES IN THE ENTIRE COMPANY |                    |                          |
| 4. COMPANY NAME<br><b>Dell Marketing, L.P.</b>                                                                                                        |                                                                                                                                                                                                                      |                                              |                    |                          |
| 5. STREET<br><b>One Dell Way,</b>                                                                                                                     | CITY<br><b>Round Rock,</b>                                                                                                                                                                                           | COUNTY<br><b>Williamson</b>                  | STATE<br><b>TX</b> | ZIP CODE<br><b>78682</b> |
| 6. NAME OF PARENT OR AFFILIATED COMPANY (IF NONE, SO INDICATE)<br><b>Dell Inc. One Dell Way,</b>                                                      |                                                                                                                                                                                                                      | CITY<br><b>Round Rock</b>                    | STATE<br><b>TX</b> | ZIP CODE<br><b>78682</b> |
| 7. DOES THE ENTIRE COMPANY HAVE A TOTAL OF AT LEAST 50 EMPLOYEES?    YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>              |                                                                                                                                                                                                                      |                                              |                    |                          |
| 8. CHECK ONE: IS THE COMPANY: <input type="checkbox"/> SINGLE-ESTABLISHMENT EMPLOYER <input checked="" type="checkbox"/> MULTI-ESTABLISHMENT EMPLOYER |                                                                                                                                                                                                                      |                                              |                    |                          |
| 9. IF MULTI-ESTABLISHMENT EMPLOYER, STATE THE NUMBER OF ESTABLISHMENTS IN N.J. <input type="text"/> <b>None</b>                                       |                                                                                                                                                                                                                      |                                              |                    |                          |
| 10. TOTAL NUMBER OF EMPLOYEES AT ESTABLISHMENT WHICH HAS BEEN AWARDED THE CONTRACT <input type="text"/> <b>N/A</b>                                    |                                                                                                                                                                                                                      |                                              |                    |                          |
| 11. PUBLIC AGENCY AWARDED CONTRACT                                                                                                                    |                                                                                                                                                                                                                      | CITY                                         | STATE              | ZIP CODE                 |

## OFFICIAL USE ONLY

|                         |                               |
|-------------------------|-------------------------------|
| DATE RECEIVED-MO/DAY/YR | ASSIGNED CERTIFICATION NUMBER |
|                         |                               |

## SECTION B - EMPLOYMENT DATA

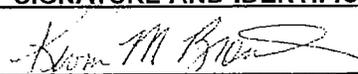
12. Report all permanent, temporary and part-time employees ON YOUR OWN PAYROLL. Enter the appropriate figures on all lines and in all columns. Where there are no employees in a particular category, enter a zero. Include ALL employees, not just those in minority categories, in columns 1, 2 & 3.

| JOB CATEGORIES                                 | ALL EMPLOYEES                  |                |                  | MINORITY GROUP EMPLOYEES (Permanent)                                   |          |                 |       |        |          |                 |       |  |  |
|------------------------------------------------|--------------------------------|----------------|------------------|------------------------------------------------------------------------|----------|-----------------|-------|--------|----------|-----------------|-------|--|--|
|                                                | Col. 1<br>TOTAL<br>(Cols. 2&3) | Col. 2<br>MALE | Col. 3<br>FEMALE | MALE                                                                   |          |                 |       | FEMALE |          |                 |       |  |  |
|                                                |                                |                |                  | BLACK                                                                  | HISPANIC | AMERICAN INDIAN | ASIAN | BLACK  | HISPANIC | AMERICAN INDIAN | ASIAN |  |  |
| Officials and Managers                         |                                |                |                  |                                                                        |          |                 |       |        |          |                 |       |  |  |
| Professionals                                  |                                |                |                  |                                                                        |          |                 |       |        |          |                 |       |  |  |
| Technicians                                    |                                |                |                  |                                                                        |          |                 |       |        |          |                 |       |  |  |
| Sales Workers                                  |                                |                |                  | ***Please see Dell's EEO1 Report immediately following these pages.*** |          |                 |       |        |          |                 |       |  |  |
| Office and Clerical                            |                                |                |                  |                                                                        |          |                 |       |        |          |                 |       |  |  |
| Craftworkers (Skilled)                         |                                |                |                  |                                                                        |          |                 |       |        |          |                 |       |  |  |
| Operatives (Semi-skilled)                      |                                |                |                  |                                                                        |          |                 |       |        |          |                 |       |  |  |
| Laborers (Unskilled)                           |                                |                |                  |                                                                        |          |                 |       |        |          |                 |       |  |  |
| Service Workers                                |                                |                |                  |                                                                        |          |                 |       |        |          |                 |       |  |  |
| <b>TOTAL</b>                                   |                                |                |                  |                                                                        |          |                 |       |        |          |                 |       |  |  |
| Total employment from Previous Report (If any) |                                |                |                  |                                                                        |          |                 |       |        |          |                 |       |  |  |

The data below shall NOT be included in the figures for the appropriate categories above.

|                                                                                                                                                                                                                             |  |  |  |                                                                                                                                                    |  |  |                                                                |  |  |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|--|----------------------------------------------------------------------------------------------------------------------------------------------------|--|--|----------------------------------------------------------------|--|--|
| Temporary and Part-time Employees                                                                                                                                                                                           |  |  |  |                                                                                                                                                    |  |  |                                                                |  |  |
| 13. HOW WAS INFORMATION AS TO RACE OR ETHNIC GROUP IN SECTION B OBTAINED?<br><input type="checkbox"/> 1. VISUAL SURVEY <input checked="" type="checkbox"/> 2. EMPLOYMENT RECORD <input type="checkbox"/> 3. OTHER (Specify) |  |  |  | 15. IS THIS THE FIRST EMPLOYEE INFORMATION REPORT (AA-302) SUBMITTED?<br>1. YES <input type="checkbox"/> 2. NO <input checked="" type="checkbox"/> |  |  | 16. IF NO, DATE OF LAST REPORT SUBMITTED<br>MO.    DAY    YEAR |  |  |
| 14. DATES OF PAYROLL PERIOD USED<br>FROM: <b>08-15-08</b> TO: <b>08-31-08</b>                                                                                                                                               |  |  |  |                                                                                                                                                    |  |  |                                                                |  |  |

## SECTION C - SIGNATURE AND IDENTIFICATION

|                                                                                                                                                       |                                                                                      |                                                            |                                                     |
|-------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------|------------------------------------------------------------|-----------------------------------------------------|
| 17. NAME OF PERSON COMPLETING FORM (Print or Type)<br>(CONTRACTOR EEO OFFICER)<br><b>Kevin Bromley</b> <i>To the best of my knowledge and belief.</i> |  | TITLE<br><b>Advisor-Contracts</b>                          | DATE<br>MO.    DAY    YEAR<br><b>09    10    09</b> |
| 18. ADDRESS (NO. & STREET) (City) (State) (Zip Code)<br><b>One Dell Way, Round Rock, TX 78682</b>                                                     |                                                                                      | Phone (Area Code, No., Extension)<br><b>(800) 879-3355</b> |                                                     |

Affirmative Action Office     Public Agency     Contractor

## INSTRUCTIONS FOR COMPLETING THE AFFIRMATIVE ACTION EMPLOYEE INFORMATION REPORT (FORMAA302)

**IMPORTANT:** READ THE FOLLOWING INSTRUCTIONS CAREFULLY BEFORE COMPLETING THE FORM. PRINT OR TYPE ALL INFORMATION. FAILURE TO PROPERLY COMPLETE THE ENTIRE FORM MAY DELAY ISSUANCE OF YOUR CERTIFICATE.

**ITEM 1** - Enter the Federal Identification Number assigned to the contractor or vendor by the Internal Revenue Service, or if a Federal Employer Identification Number has been applied for, but not yet issued, write the words "applied for",

or

If your business is such that you have not, or will not receive a Federal Employer Identification Number, enter the Social Security Number assigned to the single owner or to a partner, in case of a partnership.

**ITEM 2** - Check the box appropriate to your TYPE OF BUSINESS. If you are engaged in more than one type of business check the predominate one. If you are a manufacturer deriving more than 50% of your receipts from your own retail outlets, check "Retail".

**ITEM 3** - Enter the total "number" of employees in the entire company, including part-time employees. This number shall include all facilities in the entire firm or corporation.

**ITEM 4** - Enter the name by which the company is identified. If there is more than one company name, enter the predominate one.

**ITEM 5** - Enter the physical location of the company. Include City, County, State and Zip Code.

**ITEM 6** - Enter the name of any parent or affiliated company including the City, State and Zip Code. If there is none, so indicate by entering "None" or N/A.

**ITEM 7** - Check the appropriate box for the total number of employees in the entire company. "Entire Company" shall include all facilities in the entire firm or corporation, including part-time employee, not just those employees at the facility being awarded the contract.

**ITEM 8** - Check the box appropriate to your type of company establishment. Single-establishment Employer shall include an employer whose business is conducted at only one physical location. Multi-establishment Employer shall include an employer whose business is conducted at more than one location.

**ITEM 9** - If multi-establishment was entered in item 8, enter the number of establishments within the State of New Jersey.

**ITEM 10** - Enter the total number of employees at the establishment being awarded the contract.

**ITEM 11** - Enter the name of the Public Agency awarding the contract. Include City, State and Zip Code.

**ITEM 12** - Enter the appropriate figures on all lines and in all columns. THIS SHALL ONLY INCLUDE EMPLOYMENT DATA FROM THE FACILITY THAT IS BEING AWARDED THE CONTRACT. DO NOT list the same employee in more than one job category.

**Racial/Ethnic Groups will be defined:**

**Black:** Not of Hispanic origin. Persons having origin in any of the Black racial groups of Africa

**Hispanic:** Persons of Mexican, Puerto Rican, Cuban, or Central or South American or other Spanish culture or origin, regardless of race.

**American Indian or Alaskan Native:** Persons having origins in any of the original peoples of North America, and who maintain cultural identification through tribal affiliation or community recognition.

**Asian or Pacific Islander:** Persons having origin in any of the original peoples of the Far East, Southeast Asia, the Indian Subcontinent or the Pacific Islands. This area includes for example, China, Japan, Korea, the Phillipine Islands and Samoa.

**ITEM 13** - Check the appropriate box. If the race or ethnic group information was not obtained by 1 or 2, specify by what other means this was done in 3.

**ITEM 14** - Enter the dates of the payroll period used to prepare the employment data presented in Item 12.

**ITEM 15** - If this is the first time an Employee Information Report has been submitted for this company, check block "Yes".

**ITEM 16** - If the answer to Item 15 is "No", enter the date when the last Employee Information Report was submitted by this company.

**ITEM 17** - Print or type the name of the person completing the form. Include the signature, title and date.

**ITEM 18** - Enter the physical location where the form is being completed. Include City, State, Zip Code and Phone Number.

*TYPE OR PRINT IN SHARP BALL POINT PEN*

**THE CONTRACTOR IS TO COMPLETE THE EMPLOYEE INFORMATION REPORT RENEWAL FORM (AA302) AND RETAIN ONE (1) COPY FOR THE CONTRACTOR'S OWN FILES. FORWARD TWO (2) COPIES TO:**

**Affirmative Action Office  
Department of the Treasury  
State House  
P.O. Box 209  
Trenton, New Jersey 08625-0209  
Telephone No. (609) 292-5475**

CO= K068232  
 U= K068232

EQUAL EMPLOYMENT OPPORTUNITY  
 2008 EMPLOYER INFORMATION REPORT  
 CONSOLIDATED REPORT - TYPE 2

SECTION B - COMPANY IDENTIFICATION

1. DELL INCORPORATED  
 ONE DELL WAY  
 ROUND ROCK, TX 78682

SECTION C - TEST FOR FILING REQUIREMENT

2.a. DELL INCORPORATED  
 ONE DELL WAY  
 ROUND ROCK, TX 78682  
 1-Y-2-Y 3-Y DUNS NO.:114315195

SECTION E - ESTABLISHMENT INFORMATION

NAICS:

c. Y

SECTION D - EMPLOYMENT DATA

| JOB CATEGORIES                | HISPANIC OR LATINO |        | NOT-HISPANIC OR LATINO |                           |                                     |       |                                   |                   |                  |                           |                                     |       |                                   |                   | OVERALL TOTALS |   |     |
|-------------------------------|--------------------|--------|------------------------|---------------------------|-------------------------------------|-------|-----------------------------------|-------------------|------------------|---------------------------|-------------------------------------|-------|-----------------------------------|-------------------|----------------|---|-----|
|                               | MALE               | FEMALE | *****MALE*****         |                           |                                     |       |                                   |                   | *****FEMALE***** |                           |                                     |       |                                   |                   |                |   |     |
|                               |                    |        | WHITE                  | BLACK OR AFRICAN AMERICAN | NATIVE HAWAIIAN OR PACIFIC ISLANDER | ASIAN | AMERICAN INDIAN OR ALASKAN NATIVE | TWO OR MORE RACES | WHITE            | BLACK OR AFRICAN AMERICAN | NATIVE HAWAIIAN OR PACIFIC ISLANDER | ASIAN | AMERICAN INDIAN OR ALASKAN NATIVE | TWO OR MORE RACES |                |   |     |
| EXECUTIVE/SR OFFICIALS & MGRS | 8                  | 1      | 82                     | 3                         | 0                                   | 7     | 0                                 | 0                 | 0                | 24                        | 1                                   | 0     | 0                                 | 0                 | 0              | 0 | 126 |
| FIRST /MID OFFICIALS & MGRS   | 156                | 76     | 1684                   | 121                       | 1                                   | 112   | 4                                 | 6                 | 502              | 48                        | 0                                   | 40    | 2                                 | 1                 | 2753           |   |     |
| PROFESSIONALS                 | 719                | 399    | 4976                   | 338                       | 4                                   | 1158  | 37                                | 16                | 2149             | 211                       | 2                                   | 479   | 15                                | 5                 | 10508          |   |     |
| TECHNICIANS                   | 382                | 67     | 1896                   | 235                       | 2                                   | 141   | 30                                | 15                | 275              | 69                        | 0                                   | 30    | 8                                 | 1                 | 3151           |   |     |
| SALES WORKERS                 | 310                | 115    | 3693                   | 318                       | 4                                   | 146   | 21                                | 33                | 1146             | 138                       | 0                                   | 53    | 10                                | 19                | 6006           |   |     |
| ADMINISTRATIVE SUPPORT        | 329                | 333    | 649                    | 292                       | 1                                   | 52    | 8                                 | 1                 | 907              | 278                       | 0                                   | 57    | 13                                | 12                | 2932           |   |     |
| CRAFT WORKERS                 | 3                  | 0      | 23                     | 2                         | 0                                   | 0     | 0                                 | 0                 | 0                | 1                         | 0                                   | 0     | 0                                 | 0                 | 29             |   |     |
| OPERATIVES                    | 174                | 142    | 325                    | 355                       | 1                                   | 72    | 6                                 | 4                 | 289              | 374                       | 0                                   | 53    | 1                                 | 6                 | 1802           |   |     |
| LABORERS & HELPERS            | 1                  | 0      | 0                      | 0                         | 0                                   | 0     | 0                                 | 0                 | 0                | 0                         | 0                                   | 0     | 0                                 | 0                 | 1              |   |     |
| SERVICE WORKERS               | 5                  | 1      | 11                     | 3                         | 0                                   | 0     | 0                                 | 0                 | 4                | 0                         | 0                                   | 0     | 0                                 | 0                 | 24             |   |     |
| TOTAL                         | 2087               | 1134   | 13339                  | 1667                      | 13                                  | 1688  | 106                               | 75                | 5296             | 1120                      | 2                                   | 712   | 49                                | 44                | 27332          |   |     |
| PREVIOUS REPORT TOTAL         | 2313               | 1192   | 14059                  | 1960                      | 1                                   | 1745  | 138                               | 26                | 5472             | 1221                      | 1                                   | 735   | 64                                | 11                | 28938          |   |     |

SECTION F - REMARKS

DATES OF PAYROLL PERIOD: 08/15/2008 THRU 08/31/2008  
 CERTIFICATION

CERTIFYING OFFICIAL: JACKIE KOSTREBA  
 EEO-1 REPORT CONTACT PERSON: JACKIE KOSTREBA  
 EMAIL: JACKIE\_KOSTREBA@DELL.COM

TITLE: HUMAN RESOURCES METRICS & REPORTING  
 TITLE: HUMAN RESOURCES METRICS & REPORTING  
 TELEPHONE NO: 5127284630

**REQUIRED EVIDENCE  
AFFIRMATIVE ACTION REGULATIONS  
P.L. 1975, C. 127 (N.J.A.C. 17:27)**

If awarded a contract, all procurement and service contractors will be required to comply with the requirements of P.L. 1975, C. 127, (N.J.A.C. 17:27). Within seven (7) days after receipt of the notification of intent to award the contract or receipt of the contract, whichever is sooner, the contractor should present one of the following to the Purchasing Agent:

1. A photocopy of a valid letter from the U.S. Department of Labor that the contractor has an existing federally-approved or sanctioned Affirmative Action Plan (good for one year from the date of the letter).

OR

2. **A photocopy of approved Certificate of Employee Information Report.**

OR

3. An Affirmative Action Employee Information Report (Form AA302)

OR

4. **All successful construction contractors must submit within three days of the signing of the contract an Initial Project Manning Report (AA201) for any contract award that meets or exceeds the Public Agency bidding threshold (available upon request).**

**NO FIRM MAY BE ISSUED A CONTRACT UNLESS IT COMPLIES WITH THE AFFIRMATIVE ACTION REGULATIONS OF P.L. 1975, C. 127.**

---

The following questions must be answered by all bidders:

1. **Do you have a federally-approved or sanctioned Affirmative Action Program?**

YES  NO

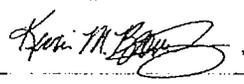
2. **Do you have a Certificate of Employee Information Report Approved?**

YES  NO  \*\*AA302 Enclosed\*\*

If yes, please submit a copy of such certificate.

The undersigned contractor certifies that he is aware of the commitment to comply with the requirements of P.L. 1975, C. 127 and agrees to furnish the required documentation pursuant to the law.

COMPANY: Dell Marketing L.P.

SIGNATURE: 

\*To the best of my knowledge and belief.

TITLE: Advisor-Contracts

Note: A contractor's bid must be rejected a non-responsive if a contractor fails to comply with requirements of P.L. 1975, C. 127, within the time frame.

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

City Clerk File No. Res. 09-777  
 Agenda No. 10.6  
 Approved: SEP 23 2009  
 TITLE: \_\_\_\_\_



**RESOLUTION AUTHORIZING THE CLOSING OF A MUNICIPAL STREET(S),  
 EXCHANGE PLACE BEGINNING 10:00 A.M. AND ENDING 7:00 P.M.,  
 SUNDAY, SEPTEMBER 27, 2009 AT THE REQUEST OF THE AFRICAN  
 AMERICAN IN ACTION FOR THE PURPOSE OF A FESTIVAL**

**WHEREAS**, the Division of Engineering, Traffic and Transportation has received an application from the African American in Action to close Exchange Place beginning 10:00 a.m. and ending 7:00 p.m. Sunday, September 27, 2009 for the purpose of a festival; and

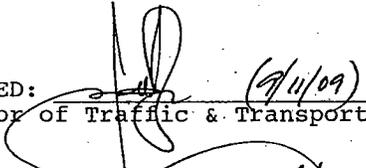
**WHEREAS**, in accordance with the provisions of Section 296-71 and 296-72, a street may be temporarily closed for a block party or any recreational event to be conducted within an area not exceeding one city block under certain conditions;

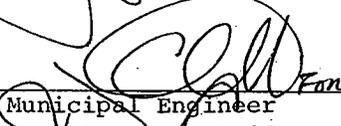
**WHEREAS**, when one or more of the required conditions for a street closing are not met, in accordance with Sections 296-74 (B) the Traffic Engineer may recommend to the City Council that one or more of the requirements of Sections 296-71, 296-72 and 296-73 be waived; and

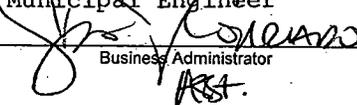
**WHEREAS**, the request to close Exchange Place, does not meet one or more of the requirements set forth in Section 296-71(A)(B)(C)(D), 296-72(B)(2)(8) and Section 296.73 (D) because Exchange Place is a commercial street and the start and end time are outside the times that are permitted; and

**WHEREAS**, the closing of Exchange Place will not affect public safety or convenience, and in accordance with the provision of Section 296-74 (B) and the applicant has made a request to the City Council that one or more of the requirements set forth in Section 296-72 and 296.73 be waived.

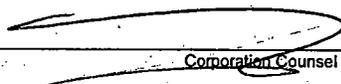
**NOW THEREFORE BE IT RESOLVED**, that the Municipal Council via adoption of this resolution authorizes the closing of Exchange Place beginning 10:00 a.m. and ending 7:00 p.m., Sunday, September 27, 2009.

APPROVED:  (9/11/09)  
 Director of Traffic & Transportation

APPROVED:  9/11/09  
 Municipal Engineer

APPROVED:   
 Business Administrator

APPROVED AS TO LEGAL FORM

  
 Corporation Counsel

JDS:pc1  
 (09.11.09)

Certification Required   
 Not Required

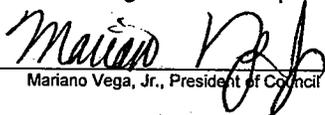
**APPROVED 8-0**

| RECORD OF COUNCIL VOTE ON FINAL PASSAGE 9/23/09 |     |     |      |               |        |     |      |               |     |     |      |
|-------------------------------------------------|-----|-----|------|---------------|--------|-----|------|---------------|-----|-----|------|
| COUNCILPERSON                                   | AYE | NAY | N.V. | COUNCILPERSON | AYE    | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| SOTTOLANO                                       | ✓   |     |      | GAUGHAN       | ABSENT |     |      | 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., President of Council

  
 Robert Byrne, City Clerk

This summary sheet is to be attached to the front of any ordinance, resolution, cooperation agreement or contract that is submitted for Council consideration. Incomplete or sketchy summary sheets will be returned with the resolution or ordinance. The Department, Division or Agency responsible for the overall implementation of the proposed project or program should provide a concise and accurate statement of facts.

**1. Full title of ordinance/ resolution/cooperation agreement:**

A resolution authorizing the closing of a municipal street(s) Exchange Place beginning 10:00 a.m. and ending 7:00 p.m., Sunday, September 27, 2009 at the request of the African American In Action for the purpose of festival.

**2. Name and title of person initiating ordinance/resolution, etc.:**

Joao D'Souza, Director of Traffic & Transportation, Division of Engineering, Traffic and Transportation

**3. Concise description of program, project or plan proposed in the ordinance/resolution:**

Authorize the closing of Exchange Place beginning 10:00 a.m. and ending 7:00 p.m., Sunday, September 27, 2009

**4. Reasons (need) for the proposed program, project, ET**

Festival

**5. Anticipated benefits to the community:**

Community Affair

**6. Cost of proposed program, project, etc. (Indicate the dollar amount of City, State and Federal funds to be used, as well as match and in-kind contribution:**

No Cost to the City

**7. Date proposed program or project will commence:**

10:00 a.m., Sunday, September 27, 2009

**8. Anticipated completion date:**

7:00 p.m., Sunday, September 27, 2009

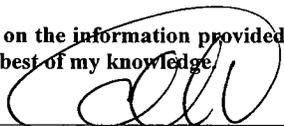
**9. Person responsible for coordinating proposed program, project, etc.:**

Monte Zucker, Supervising Planner, Division of Traffic and Transportation, ex. 4469

**10. Additional comments:**

Resolution proposed at the request of Angela Huggins on behalf of African American In Action, 90 Neptune Avenue, JCNJ 201.519.2200

Based on the information provided to me, I certify that all the facts presented herein are accurate, to the best of my knowledge.

  
\_\_\_\_\_  
William R. Göble, P.E., Municipal Engineer

Signature of Department Director

7/11/09  
\_\_\_\_\_  
Date

Date

# **APPLICATION FOR RECREATIONAL EVENT ST CLOSURE**

**BLOCK: EXCHANGE PL**

**PURPOSE OF EVENT:** festival

**BEGINS: 10AM ENDS: 7PM Sunday, Sept 27, 2009**

**APPLICANT:** Angela Huggins

**ORGANIZATION:** African American In Action

**STREET ADDRESS:** 90 Neptune Av

**CITY, STATE, ZIP:** Jersey City NJ 07305

**PHONE #:** 201.519.2200

**BEING WAIVED:** commercial street, start & end times



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

City Clerk File No. Res. 09-778

Agenda No. 10.H

Approved: SEP 23 2009

TITLE:



**RESOLUTION OF SUPPORT FOR THE JERSEY CITY ECONOMIC DEVELOPMENT CORPORATION FOR A PATHWAY OUT OF POVERTY GRANT FROM THE UNITED STATES DEPARTMENT OF LABOR AMERICAN RECOVERY AND REINVESTMENT ACT FUND.**

**COUNCIL**  
**of the following resolution:**

**offered and moved adoption**

**WHEREAS**, the Jersey City Economic Development Corporation (JCEDC) is a private 501 (c)3 non-profit organization; and

**WHEREAS**, the JCEDC promotes, encourages and assists the industrial, commercial and economic development of the City of Jersey City helping to create greater employment opportunities, and

**WHEREAS**, the JCEDC will be partnering with the Jersey City One Stop, New Jersey City University, Hudson County Community College, Hudson County School of Technology, Hudson County Workforce Investment Board and other partners; and

**WHEREAS**, the Department of Labor through the American Recovery and Reinvestment Act (ARRA) funding allocations, Pathways out of Poverty Program, provide grants to broad based government partnerships for assistance with educating, training and placing the jobless into the GREEN industry; and

**WHEREAS**, the JCEDC desires to further the public interest by participating in a grant of \$4,000,000 from the Federal Department of Labor to fund the following project(s): Pathways out of Poverty: A Comprehensive Regional Green Jobs Training and Placement Program; and

**WHEREAS**, the Department of Labor shall determine if the application is complete and in conformance with the scope and intent of the Program, and notify the applicant of the amount of the funding award; and

**WHEREAS**, the applicant is willing to use the Federal Government funds in accordance with such rules, regulations and applicable statutes, and willing to enter into an agreement with the broad based partnership for the above named project; and

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

1. That the Municipal Council of the City of Jersey City hereby supports the application of the Jersey City Economic Development Corporation to the Department of Labor for the Pathway out of Poverty: A Comprehensive Regional Green Jobs Training and Placement Program; and
2. That the applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project; and
3. That this resolution shall take effect immediately.

SEP 23 2009

TITLE:

**RESOLUTION OF SUPPORT FOR THE JERSEY CITY ECONOMIC DEVELOPMENT CORPORATION FOR A PATHWAY OUT OF POVERTY GRANT FROM THE UNITED STATES DEPARTMENT OF LABOR AMERICAN RECOVERY AND REINVESTMENT ACT FUND**

APPROVED: Donna Mauer, CFO

APPROVED AS TO LEGAL FORM

APPROVED: Steve Miller  
Business Administrator

Raymond Redington  
Corporation Counsel

Certification Required

Not Required

APPROVED 8-0

| RECORD OF COUNCIL VOTE ON FINAL PASSAGE 9/23/09 |     |     |      |               |        |     |      |               |     |     |      |
|-------------------------------------------------|-----|-----|------|---------------|--------|-----|------|---------------|-----|-----|------|
| COUNCILPERSON                                   | AYE | NAY | N.V. | COUNCILPERSON | AYE    | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| SOTTOLANO                                       | ✓   |     |      | GAUGHAN       | ABSENT |     |      | 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. 09-779

Agenda No. 10.1

Approved: SEP 23 2009

TITLE:



**RESOLUTION TO SUBMIT AN APPLICATION TO THE U.S. DEPARTMENT OF TRANSPORTATION (USDOT) FOR THE TIGER DISCRETIONARY GRANT PROGRAM FOR FUNDING THE JERSEY AVENUE EXTENSION PROJECT FOR THE DEPARTMENT OF ADMINISTRATION, DIVISION OF ENGINEERING, TRAFFIC AND TRANSPORTATION**

**COUNCIL AS A WHOLE  
FOLLOWING RESOLUTION:**

**OFFERED AND MOVED ADOPTION THE**

**WHEREAS**, the American Recovery and Reinvestment Act of 2009 (the Recovery Act), appropriated \$1.5 billion of supplementary grant funds for Transportation Investment Generating Economic Recovery called TIGER Discretionary Grants to be awarded by the United States Department of Transportation (USDOT) through state and local governments for capital investments in surface transportation infrastructure; and

**WHEREAS**, the City of Jersey City (City), Department of Administration, Division of Engineering, Traffic and Transportation has prepared an application to fund the Jersey Avenue Extension project over Mill Creek for critical transportation access; and

**WHEREAS**, the application seeks financial assistance to improve surface transportation and affected infrastructure at Jersey Avenue such as improvements to the combine sewer outfalls and environmental conditions at Mill Creek; and

**WHEREAS**, the project will meet its purpose for long-term benefits in job creation and promoting economic recovery by supporting the impressive national and worldwide interest in tourist destinations such as Liberty State Park, the Statue of Liberty, Ellis Island, and Liberty Science Center; and

**WHEREAS**, this transportation surface improvement project must meet federal requirements on planning, design, construction and financial reporting; and

**WHEREAS**, the City agrees to assume a commitment for maintenance of the project after construction is completed; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Municipal Council of the City of Jersey City formally approves the grant application for the above stated project; and

**BE IT FURTHER RESOLVED**, that the Mayor and/or Business Administrator, and Clerk of the City of Jersey City, County of Hudson, State of New Jersey, are hereby authorized to submit an electronic grant application identified as USDOT-TIGER Discretionary Grant-Jersey Avenue Extension, Jersey City, New Jersey to the United States Department of Transportation on behalf of the City of Jersey City.

TITLE: SEP 23 2009

**RESOLUTION TO SUBMIT AN APPLICATION TO THE U.S. DEPARTMENT OF TRANSPORTATION (USDOT) FOR THE TIGER DISCRETIONARY GRANT PROGRAM FOR FUNDING THE JERSEY AVENUE EXTENSION PROJECT FOR THE DEPARTMENT OF ADMINISTRATION, DIVISION OF ENGINEERING, TRAFFIC AND TRANSPORTATION**

**BE IT FURTHER RESOLVED**, that the Mayor and/or Business Administrator, and Clerk of the City of Jersey City, County of Hudson, State of New Jersey are hereby authorized to sign the grant agreement on behalf of the City of Jersey City and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement and establish an account for the grant.

Certified as a true copy of the Resolution adopted by Council,  
 On this \_\_\_\_\_ day of \_\_\_\_\_, 2009

\_\_\_\_\_  
 City Clerk

My signature and the Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

ATTEST and AFFIX SEAL

\_\_\_\_\_  
 City Clerk  
 Robert Byrne

\_\_\_\_\_  
 Presiding Officer  
 Jerramiah T. Healy, Mayor of Jersey City

APPROVED: William P. Hoyle 9-15-09

APPROVED AS TO LEGAL FORM

APPROVED: [Signature]  
 Business Administrator

\_\_\_\_\_  
 Corporation Counsel

Certification Required

Not Required

APPROVED **8-0**

| RECORD OF COUNCIL VOTE ON FINAL PASSAGE 9/23/09 |     |     |      |               |        |     |      |               |     |     |      |
|-------------------------------------------------|-----|-----|------|---------------|--------|-----|------|---------------|-----|-----|------|
| COUNCILPERSON                                   | AYE | NAY | N.V. | COUNCILPERSON | AYE    | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| SOTTOLANO                                       | ✓   |     |      | GAUGHAN       | ABSENT |     |      | 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

[Signature]  
 Robert Byrne, City Clerk





**United States  
Department of Transportation  
Transportation Investment Generating  
Economic Recovery  
TIGER**

**JERSEY AVENUE  
EXTENSION**

**CITY OF JERSEY CITY,  
HUDSON COUNTY,  
NEW JERSEY**

**September 2009**



**USDOT  
TIGER**

## Table of Contents

|                                            |           |
|--------------------------------------------|-----------|
| <b>Applicant Information</b>               | <b>1</b>  |
| <b>Introduction</b>                        | <b>2</b>  |
| <b>Liberty State Park Access Route Map</b> | <b>3</b>  |
| <b>History and Venues</b>                  | <b>4</b>  |
| <b>Project Location Venue Map</b>          | <b>13</b> |
| <b>Tourism in the Region</b>               | <b>14</b> |
| <b>Job Creation and Economic Stimulus</b>  | <b>14</b> |
| <b>Existing Conditions</b>                 | <b>15</b> |
| <b>Liberty State Park Routing Map</b>      | <b>17</b> |
| <b>Scope of Work</b>                       | <b>18</b> |
| <b>Permits</b>                             | <b>20</b> |
| <b>Project Benefits</b>                    | <b>21</b> |
| <b>Cost Estimate</b>                       | <b>22</b> |
| <b>Conclusion</b>                          | <b>23</b> |



## **Project Title**

Jersey Avenue Extension  
From: Audrey Zapp Drive/Johnston Avenue  
To: Grand Street

## **Applicant**

City of Jersey City,  
Hudson County,  
New Jersey

## **Applicant Address**

City Hall  
280 Grove Street  
Jersey City, NJ 07302

## **Chief Executive Officer**

Name Jerramiah Healy  
Title Mayor, City of Jersey City  
Address 280 Grove Street  
Jersey City, NJ 07302  
Phone 201-547-5200  
Fax 201-547-4288  
e-mail MayorHealy@jcnj.org

## **Contact Person**

Name William Goble, PE  
Title City Engineer  
Address 575 Route 440  
Jersey City, NJ 07305  
Phone 201-547-4413  
Fax 201-547-4497  
e-mail goblew@jcnj.org

## **Introduction**

September 11, 2001, the day that changed America forever. The day of realization that access into and out of Liberty State Park was very limited. Even before that tragic day, those who saw park access limited, restricted and unattractive had envisioned the extension of Jersey Avenue over Mill Creek and into Liberty State Park. To have tourists from all over the world come and visit the nation's most treasured possession, the Statue of Liberty, and not be welcomed by an enhanced gateway has become unacceptable. Providing an appropriate gateway to "Our Lady" is of utmost national importance.

### **Jersey Avenue Extension and Bridge over Mill Creek**

The City of Jersey City's downtown neighborhoods, located in proximity to Liberty State Park, the City's and State's largest and most frequently visited recreational facility are separated from the park by the Tidewater Basin and Mill Creek also know as the Morris Canal Big Basin. This body of water inhibits access to the park.

Residents of Jersey City' and tourists not using the New Jersey Turnpike must travel circuitous routes to reach Liberty State Park.

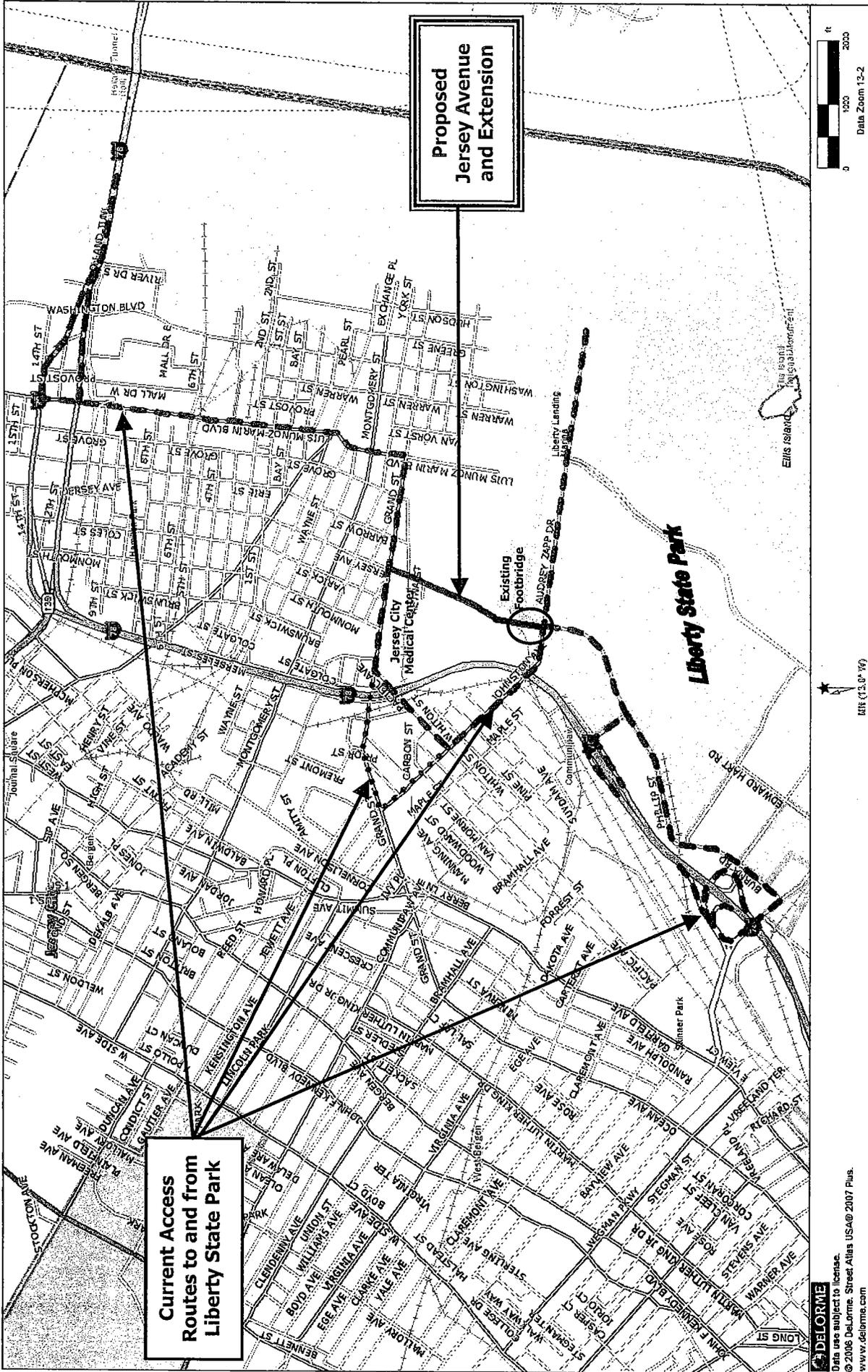
Conversely, commuters traveling to employment destinations on the Hudson River waterfront must divert around the peripheral roads to the park because there is no direct access across the Tidewater Basin and Mill Creek.

This condition is primarily the result of a missing link in the City's local road network where Jersey Avenue terminates at the water's edge. This is best shown on the Liberty State Park Access Route Map on the next page. The extension of Jersey Avenue is necessary in order to eliminate this missing link and improve local circulation while increasing access to Liberty State Park.

Careful consideration must be given to the design, capacity and alignment of the extension in order to preserve the character of the historic neighborhoods located just north of Liberty State Park and to promote pedestrian and bicyclist access to the park. Any extension will give priority to local circulation over regional access so that traffic volumes and design speed do not approach those of state highways.

Not only will the extension of Jersey Avenue provide a direct and attractive gateway into Liberty State Park but also the Jersey City Historic Trilogy of the Statue of Liberty, Ellis Island and the Central Railroad of New Jersey Terminal will become the premier destination for visitor from all over the world.

This TIGER Discretionary Grant may give the City of Jersey City its only opportunity to see the extension a Jersey Avenue a reality. Therefore, a request for \$72 million is hereby requested to cover the costs of the Jersey Avenue Extension and the Mill Creek Bridge.



## Jersey Avenue – Jersey City – Liberty State Park Access Route Map

In order to best understand the importance of extending Jersey Avenue over Mill Creek, there must be an understanding of the History of the area and Venues (shown on the enclosed Project Location Venue Map) within proximity to the Jersey Avenue project. Some of the venues that will be accessed by the extension of Jersey Avenue are not only known nationally but are worldwide.

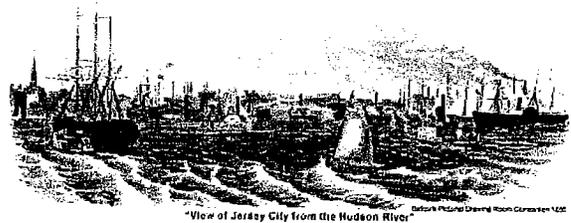
## History and Venues

### City of Jersey City – A Brief History

The history of the City of Jersey City is the history of the United States. The first settlement at Communipaw, the original Dutch name, was in 1609 when the Lenni-Lenape Indians greeted Henry Hudson as he explored the Hudson River. The original inhabitants called the area Gamoenipa. A village was laid out in 1660 and the Dutch settlers established a trading post in what is now lower Jersey City. During Dutch colonization (1630-1664), several settlements developed on the western shores of the Hudson River. They were Pavonia, Communipaw, Harsimus, Paulus Hook, and Bergen Township and were eventually incorporated into the municipality of Jersey City.

## JERSEY CITY

PAST AND PRESENT



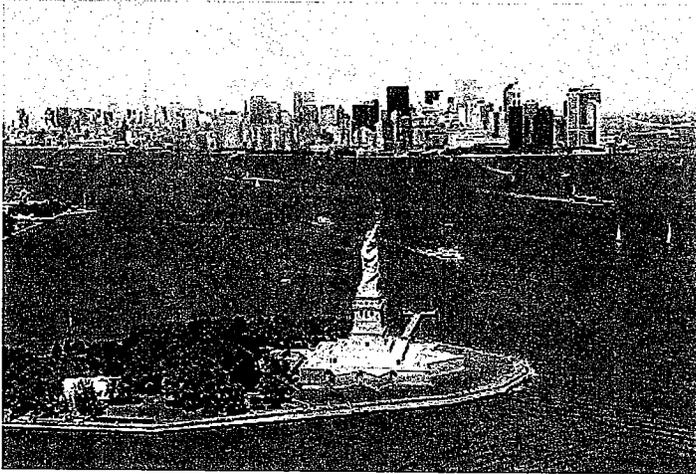
The area of Communipaw was a peninsula between Newark Bay and New York Bay that extended into the Hudson River. When the Dutch arrived, there was an Indian trail between present day Communipaw and Summit Avenues, which extended to Bergen. The Dutch built a house at Communipaw in 1633, one of the first two in the area under the control of the Dutch West India Company. This became South Cove, in the present day Lafayette section at Phillip Street. Over time the Dutch built houses on what was the shoreline that runs along present day Phillip Street. A ferry service ran between Communipaw and New Amsterdam, present day New York City.

The map to the left is a reproduction of an 1855 Map of Jersey City, Bergen, and Hoboken and showing the location of the Communipaw Village along the waterfront near Phillip Street and Communipaw Avenue.

In the 1660s, Communipaw was a fortified village with homes surrounded by a wooden fortress. Located on New York Bay, it was also a harbor facility used by the nearby settlers of Bergen Township on the heights. Dutch families built homes, farmed the land at Communipaw, and sold their goods in New York City, across the harbor, to the nineteenth century.

During the nineteenth century, the earlier shoreline of Communipaw was extended a mile into New York Bay with landfill. The Central Railroad of New Jersey and the Long Dock Company later filled in the New York Bay inlet, known as Communipaw Bay or South Cove. The City of Jersey City was incorporated in 1820.

## A - Statue of Liberty

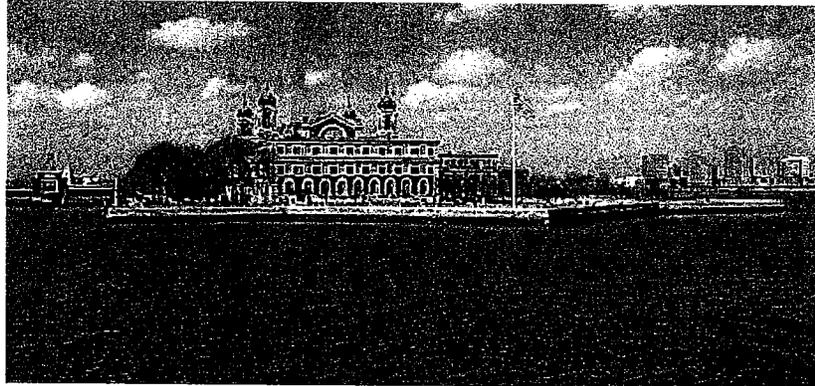


Standing on Liberty Island in New York Harbor, the Statue of Liberty welcomes visitors, immigrants, and returning Americans. The statue, which was dedicated on October 28, 1886, commemorates the centennial of the signing of the United States Declaration of Independence and was given to the United States by France to represent the friendship between the two countries established during the American Revolution. The statue is 151 feet tall, but with the pedestal and foundation, it is 305 feet tall.

Worldwide, the Statue of Liberty is one of the most recognizable icons of the United States and was, from 1886 until the jet age, often one of the first glimpses of the United States for millions of immigrants after ocean voyages from Europe. The statue is the central part of Statue of Liberty National Monument, administered by the National Park Service.

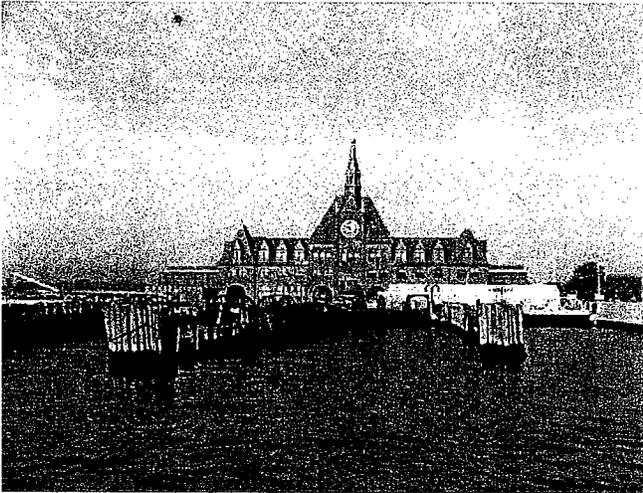
## B - Ellis Island

Ellis Island, located at the mouth of the Hudson River in New York Harbor, is the location of what was from January 1, 1892, until November 12, 1954 the main entry facility for immigrants entering the United States. It is owned by the Federal government and is now part of the Statue of Liberty National Monument, under the



jurisdiction of the US National Park Service. It is situated predominantly in Jersey City, New Jersey, although a small portion of its territory falls within neighboring New York City. Ellis Island is connected to Liberty State Park by a footbridge that is currently not open to the public.

### **C - Central Railroad of New Jersey Terminal**



Central Railroad of New Jersey Terminal, also known as the Communipaw Terminal, was the Central Railroad of New Jersey's waterfront passenger terminal on the Hudson River in Jersey City. It opened in 1864 and closed on April 30, 1967 due to the CNJ's bankruptcy.

The station was listed on the National Register of Historic Places on September 12, 1975. Today, the terminal remains as part of Liberty State Park. Ferries depart the terminal area to Ellis Island and the Statue of Liberty.

On September 11, 2001 the parking lot of the terminal was the staging area for dozens of ambulances that were mobilized to transport victims of the attack on the World Trade Center.

### **D - Liberty State Park**

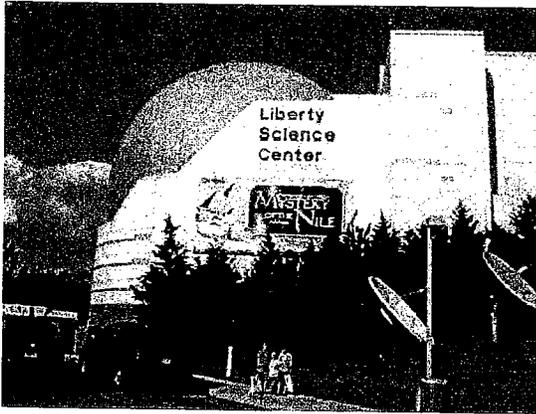
Liberty State Park is located on the Upper New York Bay opposite the Statue of Liberty and Ellis Island in Jersey City. The park opened in 1976 and is operated and maintained by the New Jersey Division of Parks and Forestry.

Liberty State Park is 1,212 acres in area, surrounded on three sides by water. The main part of the park is bordered to the north by the Morris Canal Big Basin also known as Mill Creek, to the south and east by the Upper New York Bay, and to the west by the New Jersey Turnpike Newark Bay Extension (I-78).



Liberty State Park is the home to the Ferries to the Statue of Liberty and Ellis Island, the Central Railroad of New Jersey Terminal, Liberty Science Center, the Hudson River Waterfront Walkway, Footbridge to Ellis Island, Liberty Landing Marina, the Liberty State Park Interpretative Center, the Richard J. Sullivan Natural Area, Liberty National Golf Club, and the Senator Frank S. Farley State Marina.

## **E - Liberty Science Center**



Liberty Science Center is an interactive science museum and learning center located in Liberty State Park in Jersey City. Liberty Science Center is one of New Jersey most popular attractions.

The center, which first opened in 1993 as New Jersey's first major state science museum, has science exhibits, the world's largest IMAX Dome theater, numerous educational resources, and the original Hoberman sphere, a silver, computer-driven engineering artwork.

## **E - Ferries to New York, Statue of Liberty and Ellis Island**

NY Waterway is a private ferry system that provides commuter service and tourist excursions in New York Harbor. The service connects several points in Manhattan and New Jersey, including lower Jersey City, Port Liberte', Liberty Harbor and the Hoboken Terminal. It was founded in 1986. Since then, NY Waterway has carried over 65 million passengers.



The September 11, 2001 attacks on the World Trade Center destroyed the NYNJ Port Authorth Trans-Hudson (PATH) terminal. To compensate, NY Waterway service was greatly expanded, adding new routes and increasing the frequency of service.

Statue Cruises is a privately owned ferry boat service and is the authorized concessionaire of the Department of the Interior, National Parks Service which operates the ferry service to the Statue of Liberty and Ellis Island. The ferry service is located in Liberty State Park in front of the Central Railroad of New Jersey Terminal.

## **G - Holland Tunnel**

The Holland Tunnel is a highway tunnel under the Hudson River connecting the island of Manhattan in New York City with Jersey City, New Jersey as Interstate 78. The tunnel was originally known as the Hudson River Vehicular Tunnel or the Canal Street Tunnel and, along with the Lincoln Tunnel, is one of two highway tunnels under the Hudson River.



Construction on the tunnel begun in 1920 and was completed in 1927. It is named after Clifford Milburn Holland (1883-1924), Chief Engineer on the project, who died before it was completed. The tunnel is one of the earliest examples of a ventilated design and was necessary due to the advent of the automobile.

The amount of traffic at the Holland Tunnel has remained steady in recent years, despite tight restrictions on eastbound traffic in response to the September 11

attacks. The tunnel is used by more than 35 million a year. The tunnel was designated a National Historic Landmark in 1993.

### **H - Hudson-Bergen Light Rail System**

The Hudson-Bergen Light Rail (HBLR) System is owned by New Jersey Transit and operated by the 21st Century Rail Corporation. The system connects the communities of Bayonne, Jersey City, Hoboken, Weehawken, Union City and North Bergen. The eventual length of the line, when complete, is planned to be 20.6 miles. The HBLR began operation on April 22, 2000.



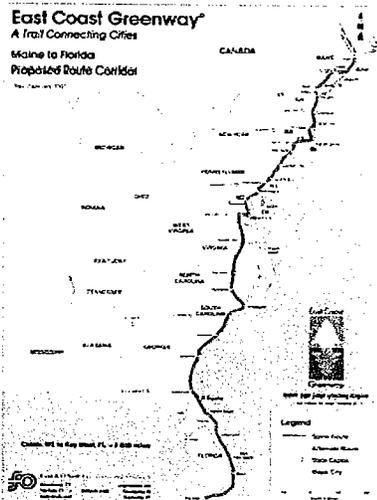
With an overall cost of approximately \$2.2 billion, the Hudson-Bergen Light Rail is one of the largest public works projects ever in New Jersey. The project is funded by state and federal funds. Expansion of the system into Bergen and Passaic Counties are in the planning stages.

Expansion of the system into Bergen and Passaic Counties are in the planning stages.

The system serves an average 38,200 customers per weekday, and is projected eventually to expand to 100,000 daily riders. Much of the additional ridership is expected to come from real estate developments that are being built around the Hudson-Bergen Light Rail stations on vacant brownfield land and underutilized properties. This includes the Grand Jersey Redevelopment project and Liberty Harbor North Redevelopment project both adjacent to Jersey Avenue.

As a result of September 11, 2001 attacks, the NYNJ Port Authority Trans-Hudson (PATH) system's Exchange Place station was closed due to damage in connection with the destruction of the World Trade Center. The HBLR was the only means of rail transit to other locations with connections into New York City.

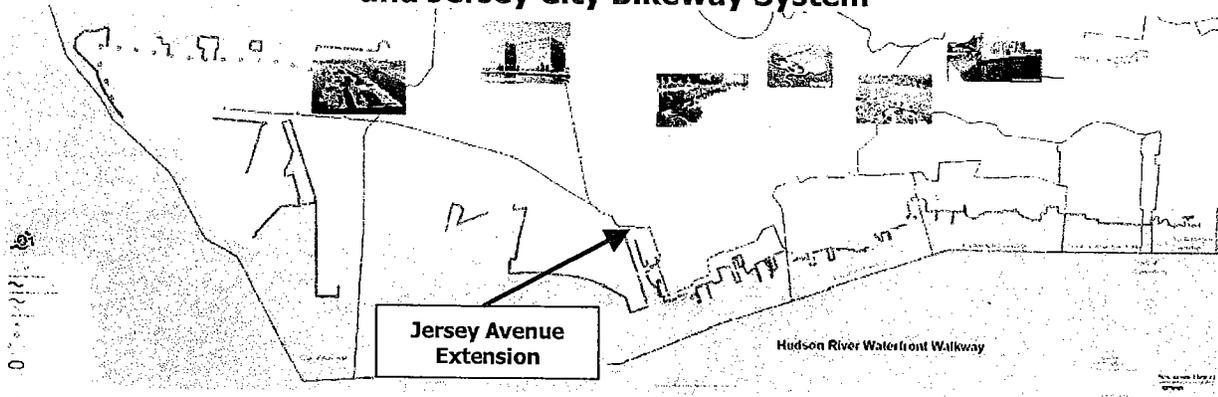
## I - East Coast Greenway



The East Coast Greenway, or ECG, is a project to create a nearly 3000-mile urban path linking the major cities along the Atlantic coast from Maine to Key West, Florida for non-motorized transportation. Work on ECG began in 1991. As of 2009, 21% of the trail is complete.

The proposed ECG through Jersey City will use 6<sup>th</sup> Street, an elevated abandoned railroad embankment. Jersey Avenue intersects the 6<sup>th</sup> Street ECG alignment. The extension of Jersey Avenue will give cyclists and hikers a direct link to Liberty State Park and the park venues. The proposed ECG access into Liberty State Park for a bicyclist is across a dilapidated wooden footbridge. The extension of Jersey Avenue will create a first class multi-modal transportation facility for both vehicular and bicycle traffic.

## J - Hudson River Waterfront Walkway/Bikeway (Liberty Walk) and Jersey City Bikeway System

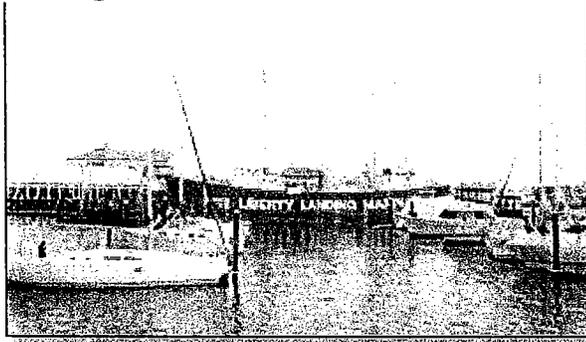


The Hudson River Waterfront Walkway, located on the western shore of Upper New York Bay and the Hudson River, was inspired by a New Jersey Master Plan to connect the municipalities from the Bayonne Bridge to the George Washington Bridge with an urban linear park and provide contiguous unhindered access to the water's edge. Large segments have been built or incorporated into it since its inception but the project is still incomplete. The southern end in Bayonne may eventually connect to the Hackensack RiverWalk, another proposed walkway along Newark Bay and Hackensack River on the west side of the Hudson County peninsula. Its northern end is in Palisades Interstate Park, allowing users to continue along river paths to the New Jersey/New York state line and beyond. The total project length will be 18.5 miles. To date 12 miles have been completed. A part of the East Coast Greenway will run parallel to the river walkway.

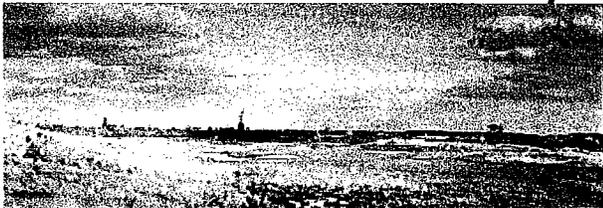
The Jersey City Bikeway System links to both the Hudson River Waterfront Walkway/Bikeway and the East Coast Greenway and provides links and access to venues located throughout Jersey City. The existing access into Liberty State Park for a bicyclist is across the dilapidated wooden Mill Creek Footbridge. Like with the ECG described above the Jersey Avenue Extension will create a first class transportation facility for bicycle traffic.

### **K - Liberty Landing Marina**

Liberty Landing Marina is located within Liberty State Park and just east of the proposed extension of Jersey Avenue. The marina has 200 boat berths and dockside facilities. Future plans include additional berths and dockside facilities, restaurants, marine-related shops and a 250-boat storage building.



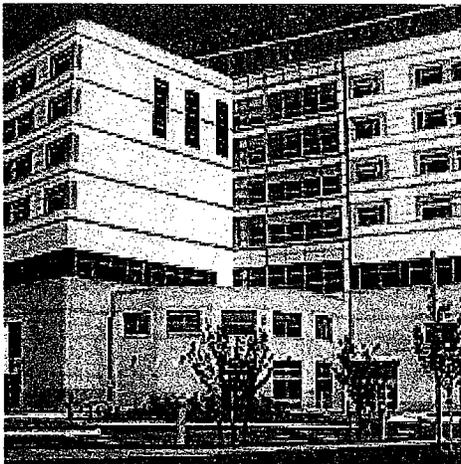
### **L - Liberty National Golf Club**



Liberty National Golf Club is a country club located on the south edge of Liberty State park in Jersey City featuring a 7,346 yard course. The club cost over \$129 million to build, making it one of the most expensive golf courses in history. Liberty National is noted as

a unique course because of its proximity to both the Statue of Liberty and Manhattan, as well as the fact it was built on a former landfill. Liberty National was chosen to host the The Barclays Golf Tournament, formerly the Westchester Classic, for 2009 after Westchester Country Club decided it would no longer host the event after 40 years. It is expected that Liberty National Golf Club will become part of a rotation of courses that host The Barclays tournament.

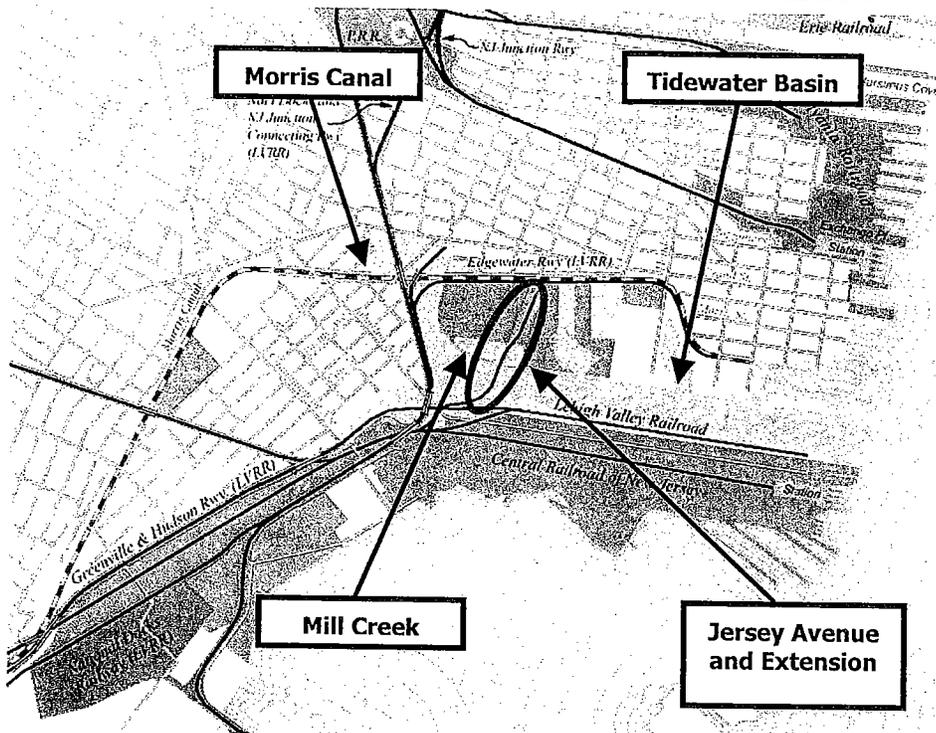
### **M - Liberty Health Jersey City Medical Center**



The original hospital was located at the corner of Baldwin Avenue and Montgomery Street in Jersey City. In 2004, Jersey City Medical Center moved to new quarters at Grand Street and Jersey Avenue. The facility is currently operated by Liberty Health.

The new facility is ideally located for easy response to all city emergencies. During the September 11, 2001 terrorist attacks on the World Trade Center access to the hospital from Liberty State Park was a distance of 2.25 mile along a non-direct congested city streets with stop and go traffic and many traffic signals. With the new hospital location and the extension of Jersey Avenue the distance would be 1.25 miles and along a direct route with only one turn.

## N - Morris Canal and Mill Creek



The Morris Canal was a canal that incorporated a series of water-driven inclined planes in its course across northern New Jersey. It was in existence for about a century from the late 1820s to the 1920s.

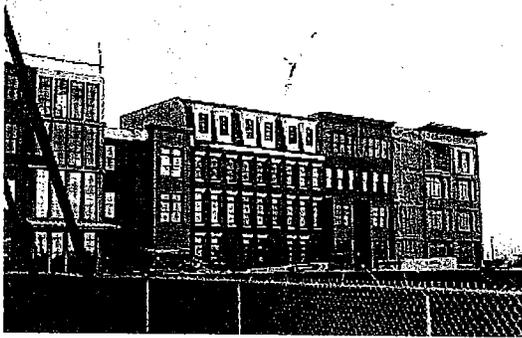
The Morris Canal stretched from Phillipsburg on the Delaware River at its

western end to Jersey City on the Hudson River at its eastern end. It greatly facilitated the transportation of anthracite coal from Pennsylvania's Lehigh Valley to northern New Jersey's growing iron industry and other developing industries in New Jersey and the New York City area. By the 1850s, the canal began to be eclipsed by the construction of railroads, although it remained in heavy use throughout the 1860s. It was leased to the Lehigh Valley Railroad in 1871, taken over by the state of New Jersey late in 1922, and formally abandoned in 1924. Although it was largely dismantled in the following five years, portions of the canal are preserved in places across northern New Jersey.

Mill Creek is a small body of water in proximity to the Morris Canal and serves as an outfall for one of Jersey City's 21 combined sewer subdrainage areas. The creek empties into the Hudson River. Mill Creek is the largest of the combined sewer subdrainage areas at 742 acres. The area contains large residential sections with some mixed industrial and commercial land use. By extending Jersey Avenue across Mill Creek, the outfall will be extended, the flow regulated and environmentally a residential site will be clean of all contaminants. Goals of the project are to remediate contaminated sediments, reduce harmful bacteria levels, and improve the tidal flushing of the waterbody and reduce the discharge of sewage to the Tidewater Basin and the Hudson River.

## **O - Grand Jersey Redevelopment and Liberty Harbor Redevelopment**

The Grand Jersey Redevelopment Area located on a 20 acre Brownfield is located in an area of Jersey City bounded by Grand Street, Jersey Avenue and the New Jersey Turnpike and adjacent to the Jersey City Medical Center. The area is a designated Brownfield Development Area and is currently being cleaned of all contaminants. The Jersey City Redevelopment Agency plans to redevelop this area, which has views of the Statue of Liberty and Manhattan skyline, with housing for people of varying incomes, retail and office space, access to Hudson-Bergen Light Rail, and links to Liberty State Park and the Hudson River walkway. The site is located just north of the proposed extension of Jersey Avenue over Mill Creek. The plan for the area includes approximately 3,000 housing units and a park around Mill Creek.



Liberty Harbor Redevelopment Area is located between Grand Street, Jersey Avenue, Luis Munoz Marin Boulevard and the Tidewater Basin. Construction is well underway for 6,000 condos, townhouses and rental units together with parking, retail, restaurants and a marina.

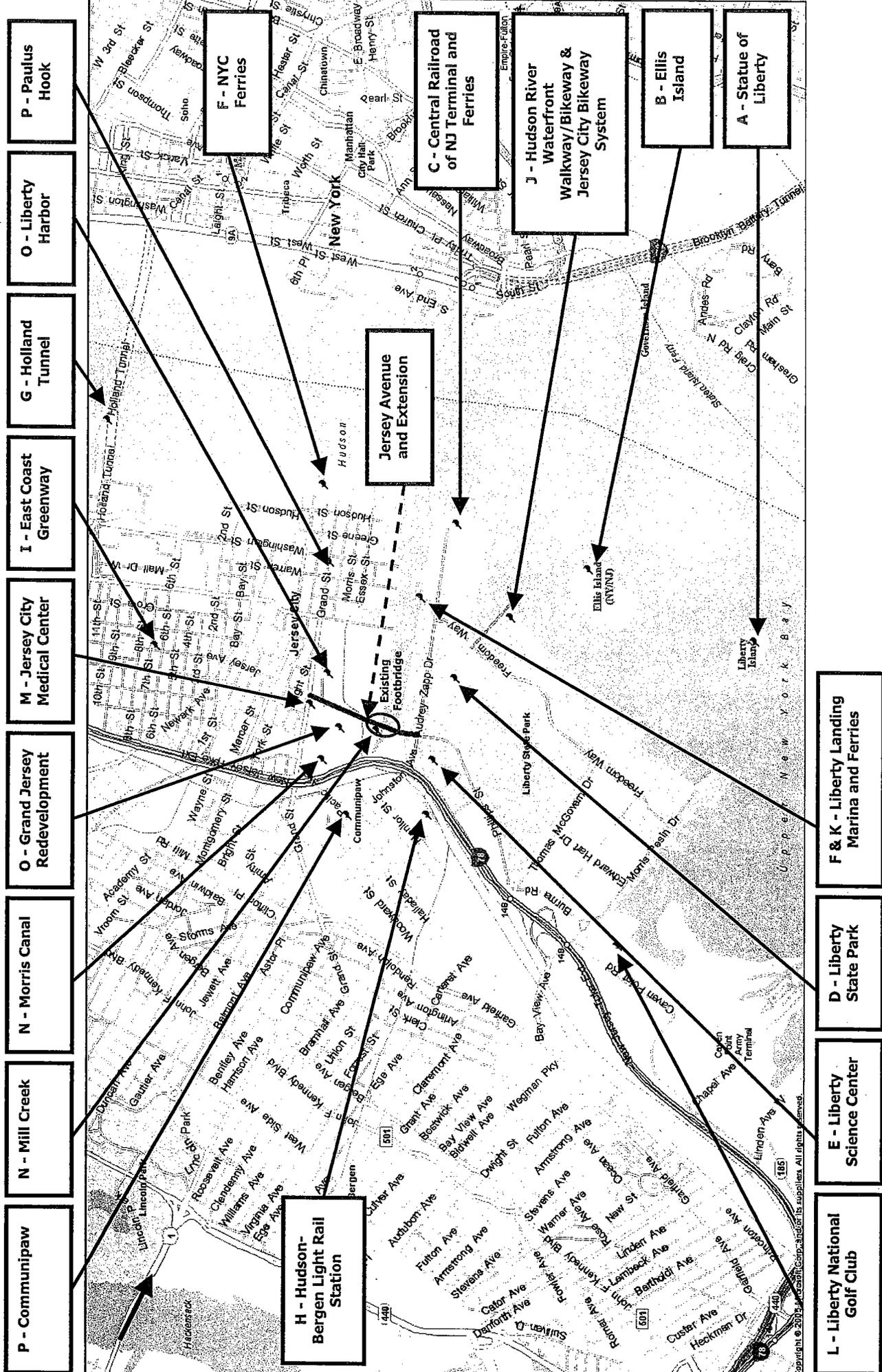
These redevelopment projects will add over 9,000 units of residential housing to the area adjacent to Liberty State Park.

## **P - Communipaw and Paulus Hook Neighborhoods of Jersey City**

Communipaw refers to an area on Bergen Neck in Jersey City located on the Upper New York Bay. It gives its name to the avenue which runs from its eastern end in Liberty State Park west through the neighborhoods of Bergen-Lafayette and the West Side where it becomes Lincoln Highway. Communipaw Junction, or simply, The Junction, is where Communipaw, Summit Avenue, and Garfield Avenues, and Grand Street meet.

Paulus Hook is a community on the Hudson River waterfront in Jersey City located across the river from Manhattan. The name Hook comes from the Dutch word "hoeck" which translates into "point of land." Paulus Hook is bounded by Montgomery Street, Hudson Street, Essex Street and Warren Street. The waterfront of Paulus Hook is along the basin of the Morris Canal in a park with a segment of Liberty State Park. The Hudson-Bergen Light Rail has a Paulus Hook stop at Essex Street.





**Jersey Avenue – Jersey City – Project Location Venue Map**

## Tourism in the Region

Jersey City is strategically located in one of the largest tourist markets in the world. While part of this project will provide easier access to existing and potential visitors to Jersey City, it is clear from the following that improved transportation access to major attractors in the City is necessary:

- In 2007, New York City, just across the Hudson River and linked by an extensive ferry and rail network, drew nearly 47 million visitors from around the globe. These visitors spent nearly \$29 billion in the City and supported 353 000 jobs.
- In the same year, the University of Michigan estimates that 3,380,296 people visited the Statue of Liberty and they spent \$141 million (excluding stay-overs) just on visiting the park.
- This supported nearly 2,500 jobs and added \$92 million in value to the local economy.
- Jersey City is part of the revitalizing Hudson River Waterfront area and the Gateway Tourist Region, the second largest tourist market in the State. While separate statistics are not available for Jersey City, it is likely that the region has captured a large proportion of the 13.2 million days spent on business trips in the State, fully 4.8 million of which lead to night stays.
- In 2006, total direct spending by visitors in New Jersey was estimated at \$15.8 billion. Of this amount \$12.7 billion (80.4%) was for leisure. Night leisure (10.6 billion) and night business (\$2.4 billion) totaled 78.7% of the total with day leisure only 16.6%.
- In addition to these overall state and regional flows, Jersey City has specific attractors such as its wide range of hotels, Liberty Science Center, the Waterfront as well as one of the most ethnically diverse populations with links to global communities.

## Job Creation and Economic Stimulus

This project will be executed in three major phases. Each phase will require a number of new jobs for the duration of that particular phase. The most intensive phase takes place during construction - this will create the most jobs (indirect) for the longest period of time. The projects ability to create permanent jobs is only indirectly related to upcoming developments made easier through the construction of this "connector" roadway.

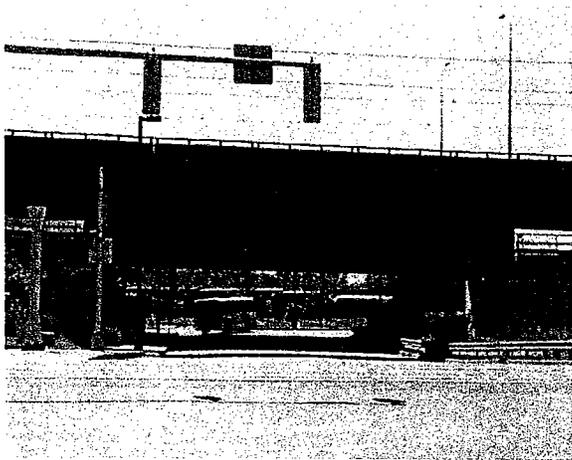
For purposes of this grant Jersey City has placed the core focus on the short-term economic benefit and much needed local job generation for this higher than usual unemployment area and economically disadvantaged region. An estimate of jobs for each phase is as follows:

Phase 1: Project Commissioning services will require 10-15 skilled engineering, architectural and environmental specialists to prepare for the full design.

Phase 2: The design services phase of the project will employ at least 30 professionals for a period not less than 120 days to complete the project design and the Remedial Action Work Plan.

Phase 3: Construction: There will be a need to retain at least 250 workers (both skilled and unskilled) for the duration of the project – estimated at 18 months. Jersey City will follow all Davis Bacon requirements and ensure that all State and Federal labor regulations are enforced.

## Existing Conditions



Liberty State Park, the location of the ferries to the Statue of Liberty and Ellis Island, can be accessed by rail, vehicle or on foot. The rail link access to the park will take you to the Hudson-Bergen Light Rail Station located 1.25 miles from the ferries. The ferry terminal can be reached on foot or by shuttle buses as shown in the photograph to the left. The vehicular access to the park is either the New Jersey Turnpike, Exit 14B and 14C or city streets. The pedestrian access to the park is either along Johnston Avenue or the Jersey Avenue Footbridge. These routes are shown in the Liberty State Park Routing Map. Direct vehicular access into Liberty State Park and out of Liberty State Park to the Jersey City Medical Center is restricted

due to the non-existence of the extension of Jersey Avenue over Mill Creek.

Access to Liberty State Park from the Hudson-Bergen Light Rail Station and New Jersey Turnpike needs no improvement. Access to Liberty State Park for local residents, tourists staying at the hotels in Downtown Jersey City and pedestrians needs much improvement. Also, in an emergency such as seen on September 11, 2001, access from Liberty State Park to local hospitals is severely restricted. Bayview Avenue and Johnston Avenue are the only two local access roads into Liberty State Park.

The Bayview Avenue access to Liberty State Park at the southern end of the park is not widely used by vehicles due to its location. Pedestrian traffic on Bayview Avenue is rare due to the inadequate width of sidewalks on the bridge over the NJ Turnpike Bridge.

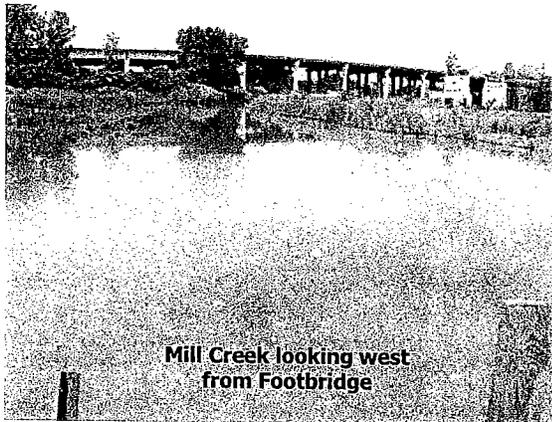
Most vehicles entering Jersey City and seeking access to Liberty State Park use the New Jersey Turnpike (Exit 14B or 14C), US 1 & 9 or US 1 & 9 Truck. Wayfinding signage on US 1 & 9 and US 1 & 9 Truck directs vehicles to John F. Kennedy Boulevard and Communipaw Avenue in order to gain access to Liberty State Park. Wayfinding Signage on Communipaw Avenue then directs vehicular traffic to Liberty State Park by way of Johnston Avenue then becoming Audrey Zapp Drive within Liberty State Park.

Johnston Avenue allows both vehicle and pedestrian traffic to access Liberty State Park from local neighborhoods, surrounding communities, and New York City via the Holland Tunnel. Wayfinding signage directs local vehicular traffic and Holland Tunnel vehicular traffic along heavily traveled city streets with many traffic signals. The distance from the Holland Tunnel to Liberty State Park via the current route along Luis Munoz Marin Boulevard, Grand Street, Pacific Avenue and Johnston Avenue is 3 miles and could take as long as a 1/2 hour.

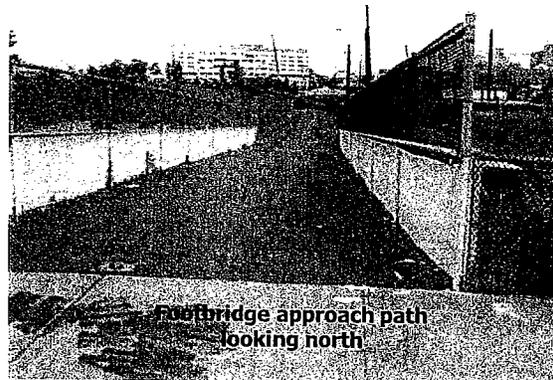


Johnston Avenue is a local street varying in width from 28' to 40'. Sidewalk exists up to the Hudson-Bergen Light Rail Station and then an asphalt path continues into Liberty State Park. The path is shown in the photograph to the left. This path meanders adjacent to Johnston Avenue and under a railroad bridge and the New Jersey Turnpike. Lighting in this area is sparse.

A pedestrian bridge over Mill Creek located just west of the Tidewater basin (shown in the photographs below) and located at the end of Jersey Avenue allows pedestrians and bicyclists access to Liberty State Park. The bridge is 10' in width and in poor condition.



Mill Creek looking west from Footbridge

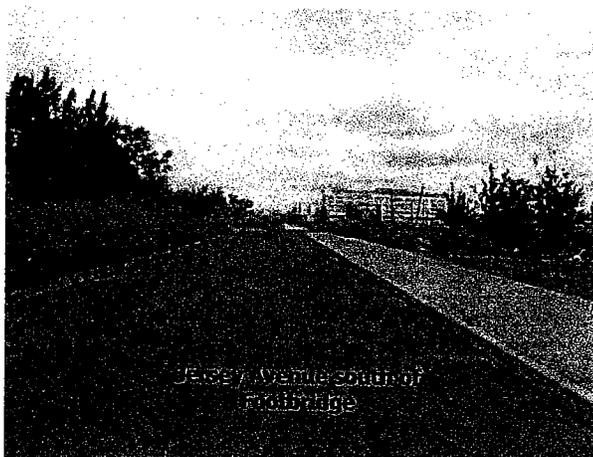


Footbridge approach path looking north

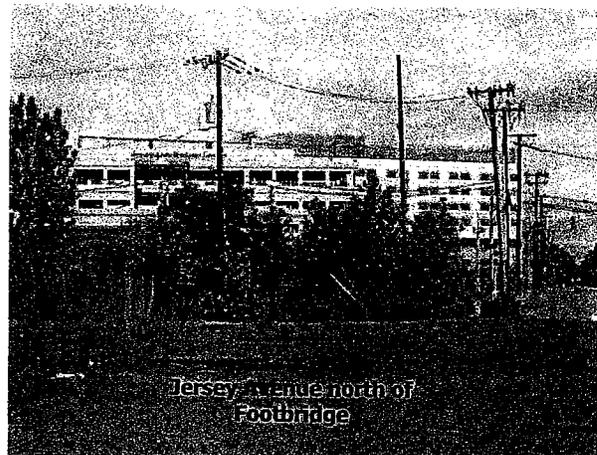


Footbridge over Mill Creek looking south  
No Vehicular Access

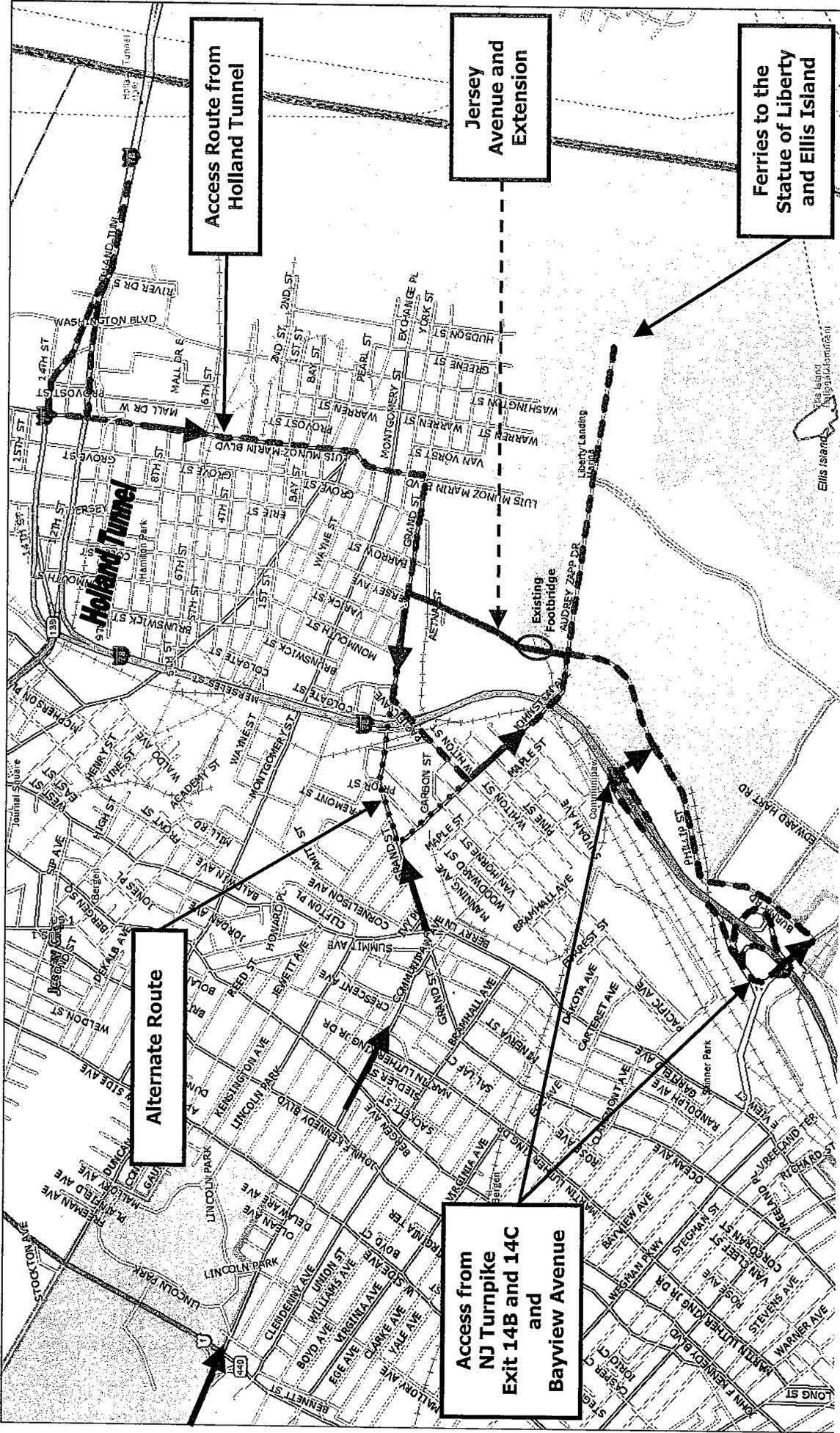
Jersey Avenue (shown in the photograph below to the right) leading to the bridge from the north is a combination of hot mixed asphalt, gravel and dirt. The roadway varies in width up to 46' in the paved section. On the south side (shown in the photograph below to the left) of the pedestrian bridge is a 24' wide temporary road leading to Johnston Avenue/Audrey Zapp Drive.



Jersey Avenue south of Footbridge



Jersey Avenue north of Footbridge



Liberty State Park Routing Map

## Scope of Work

The general scope of work proposed has 3 components. Included in the proposed improvements are the following:

- Extension of the Combined Sewer Outfall to just east of the proposed extension of Jersey Avenue
- Construction of the Mill Creek Bridge
- Construction of Jersey Avenue between Grand Street and Johnston Avenue/Audrey Zapp Drive



**Jersey Avenue Extension over Mill Creek**

**Extension of the Combined Sewer Outfall** – the Jersey City Municipal Utilities Authority (JCUMA) operates combined sewers in 21 subdrainage areas. Twelve of the outfalls are located on the west side of Jersey City and nine are located on the east side of Jersey City. All east side combined sewer outflows discharge into the Hudson River. Mill Creek is the most downstream of the subdrainage areas on the northeast interceptor and at 742 acres it is the largest of the subdrainage areas. It contains large residential areas with pockets of industrial and commercial land use. The Mill Creek area contains the existing regulator and floating netting facility.

Several alternatives have been studied to extend the outfall and clean up the area of contamination. The alternate of choice is a tunnel. The tunnel option consists of constructing approximately 700 feet of 20-foot diameter tunnel. The tunnel will be constructed using drill and blast methods. The existing regulation will be removed and replaced. A portion of the 216" x 92" trunk sewer will be abandoned and a new pipe will be constructed to reroute the flow to the new regulator. A new pipe would be constructed between the regulator and a 25' diameter drop shaft that will include

a new netting or screening facility. The drop shaft will be approximately 170 feet deep and in bedrock. A 3MGD submersible pump station will be located at the bottom of the drop shaft to allow flow to be pumped back to the interceptor after storm events. The pump will empty the tunnel in 24 hours. The tunnel will extend to a second 25-foot diameter drop shaft located east of the proposed Jersey Avenue Bridge and will contain an overflow to Mill Creek. The overflow will be located near an existing stormwater outfall.

During a storm event flow will pass through the new regulator and screening facility and enter the first drop shaft. The tunnel will gradually fill until the overflow enters Mill Creek over a weir located at the second drop shaft. The tunnel is not meant to capture the total combined sewer overflow volume from every storm but to capture a portion and pass the rest to Mill creek.

Tunneling is becoming an acceptable technology for combined sewer outfalls and sewer applications and has been used in Boston MA, Portland OR, Chicago IL, Rochester NY, Atlanta GA and Washington D.C. There are environmental benefits to tunnel construction, including minimal disturbance of environmentally sensitive areas and contaminated soils. The rock tunnel would be constructed well below the existing contaminated soils. Plans for the clean up of the contamination are being handled under separate programs.

**Construction of the Mill Creek Bridge and Jersey Avenue** – the city of Jersey City has long planned for the extension of Jersey Avenue from the current terminus south of Grand Street, over Mill Creek and into Liberty State Park ending at the intersection of Johnston Avenue/Audrey Zapp Drive. The new roadway will be approximately 2000 linear feet or 0.38 miles in length. The Mill Creek Bridge span will be approximately 125 linear feet.

The proposal for Jersey Avenue is to transform the roadway into a boulevard serving as the main local gateway/entrance into Liberty State Park. Currently no such entrance exists. The proposed boulevard will consist of a 36-foot wide paved roadway allowing for 2 travel lanes and one parking lane. Adjacent to the travel lane on one side of the roadway and separated by a landscaped island will be a 10' wide bike path. Sidewalks will be constructed on both sides of the roadway.

In addition, the entire length of the boulevard will be tree lined. Decorative street lighting will be installed to replicate the historic nature of the Paulus Hook Neighborhood. Additionally, street furniture consisting of benches, trash receptacles, bollards and bike racks will be installed. The Destination: Jersey City Wayfinding Signage System will be modified to direct all vehicles to the Jersey Avenue gateway to Liberty State Park.

The roadway section, except for the landscaping will be carried across the proposed Mill Creek Bridge. The bike path will then connect with the existing bike path system in Liberty State Park. At the northern end at Grand Street, the proposed bike path will join with the Jersey City Bikeway System.

## Permits

The following is a full list of permits that may be required for the project along with their current status.

| Permit                                                                                                                                                                                                                  | Status                                                                                                   |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------|
| United States Army Corps of Engineers – Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act                                                                                                 | Permit complete and pre-application meeting held with agency. Permit to be submitted before end of 2009. |
| National Oceanic and Atmospheric Administration – Essential Fish Habitat Assessment as part of Section 305(b)(2) of the Magnuson-Stevens Fishery Conservation and Management Act and the 1996 Sustainable Fisheries Act | Permit complete and pre-application meeting held with agency. Permit to be submitted before end of 2009. |
| United States Coast Guard – Section 72 Local Information Notification to Mariners                                                                                                                                       | To be determined if permit is required upon approval of other permits by the NJDEP.                      |
| New Jersey Department of Environmental Protection – Environmental Assessment                                                                                                                                            | Permit complete – preparing Remedial Action Workplan                                                     |
| New Jersey Department of Environmental Protection – Waterfront Development                                                                                                                                              | Permit complete and pre-application meeting held with agency. Permit to be submitted before end of 2009. |
| New Jersey Department of Environmental Protection – Water Quality Certificate                                                                                                                                           | Permit complete and pre-application meeting held with agency. Permit to be submitted before end of 2009. |
| New Jersey Department of Environmental Protection – Coastal Zone Management                                                                                                                                             | Permit complete and pre-application meeting held with agency. Permit to be submitted before end of 2009. |
| New Jersey Department of Environmental Protection – Coastal Wetlands or Freshwater Wetlands                                                                                                                             | Permit complete and pre-application meeting held with agency. Permit to be submitted before end of 2009. |
| New Jersey Department of Environmental Protection - Water Quality Planning                                                                                                                                              | Permit to be prepared upon completion of the preliminary construction plans.                             |
| New Jersey Department of Environmental Protection - Water Pollution Control                                                                                                                                             | Permit to be prepared upon completion of the preliminary construction plans.                             |
| New Jersey Department of Environmental Protection – Water Pollution Control Treatment Works                                                                                                                             | Permit to be prepared upon completion of the preliminary construction plans.                             |
| New Jersey Department of Environmental Protection, State Historic Preservation Office                                                                                                                                   | Consultation for proximity of the Morris Canal upon completion of the preliminary construction plans.    |
| New Jersey Department of Agriculture – Pollution Discharge Elimination System                                                                                                                                           | To be determined if permit is required upon approval of other permits by the NJDEP.                      |
| New Jersey Department of Agriculture – Stormwater Discharge                                                                                                                                                             | To be determined if permit is required upon approval of other permits by the NJDEP.                      |
| New Jersey Department of Agriculture – Water Pollution Control                                                                                                                                                          | To be determined if permit is required upon approval of other permits by the NJDEP.                      |
| Hudson-Essex and Passaic Soil Conservation District – Soil Erosion and Sediment Control                                                                                                                                 | Permit to be prepared upon completion of the preliminary construction plans.                             |

## Project Benefits

**Long Term Outcomes** - With the completion of the Jersey Avenue Extension along with the construction of the Mill Creek Bridge, the nation will have for a lifetime a premier gateway into Liberty State Park and to the country's most treasured possession, the Statue of Liberty. Tourist and local citizens will be encouraged to use this gateway as access from the local roadway network. The proposed boulevard will leave one with a positive lasting memory of a visit to the greatest treasure of the United States. This new gateway will have access for vehicles, pedestrians and bicyclists. In addition, in the case of an emergency, either local or national, a direct route will now be available to area hospitals and medical facilities.

**State of Good Repair** – the current local access to Liberty State Park is not for some a pleasant trip. The local network of roads is congested, not in the best condition and through neighborhood that are under revitalization. This new boulevard will help change that image of Jersey City.

**Economic Competitiveness** – by encouraging the use of a new boulevard type gateway into Liberty State Park it is anticipated that tourism and park usage will greatly increase. Tourist are somewhat discouraged from visiting other venues in the area, or shopping and dining due to a negative view of their journey into Liberty State Park. It is anticipated that the negative will become a positive with the construction of the Jersey Avenue Extension Gateway.

**Livability** – the construction of the Jersey Avenue Extension is but one part of a total redevelopment project planned for the area. The new Jersey City Medical Center located at the intersection of Jersey Avenue and Grand Street is the anchor for the redevelopment current underway. Grand Jersey Redevelopment and Liberty Harbor Redevelopment both project adjacent to proposed Jersey Avenue Extension are turning blighted Brownfield sites into livable communities.

**Sustainability** – a most important benefit of the roadway extension will be the environmental clean up of Mill Creek and the surrounding area. Most of the contaminated soil clean up is or will be performed by the developers for the Liberty Harbor and Grand Jersey projects. The extension of the combined sewer outfall to a point just east of the proposed Mill Creek Bridge will greatly reduce contaminants from entering the Tidewater Basin and the Hudson River.

**Safety** – as previously stated a secondary benefit to the construction of the Jersey Avenue Extension and Mill Creek Bridge would be the decrease in the emergency response time. The distance traveled from the Jersey City Medical Center into Liberty State Park will be cut from 1.10 miles to 0.38 miles. The current route of 1.10 miles is along crowded city streets with signalized intersections and left turning movements. For an emergency vehicle, this trip could take in excess of 10 minutes. The new route will allow direct access along a wide, straight boulevard with an estimated access time of less than a minute.

**Innovation** – the concept of providing a direct gateway into Liberty State Park with access to the Statue of Liberty and Ellis Island should have been part of the park opened in 1976 for the Bicentennial of the United States. Although contemplated, local opposition prevented its construction. The time is now right for the primary park entrance to be constructed. Public support is at an all time high and the surrounding development will only enhance the gateway.

**Partnership** – the City of Jersey City has been working closely the developers of Liberty Harbor and the planned Grand Jersey to assure compliance with the planned extension of Jersey Avenue and the construction of the Mill Creek Bridge. The developers have cooperated with Brownfield clean up and will continue to partner with the city in order to achieve the goal of the new gateway entrance into Liberty State Park.

# Cost Estimate

**Jersey Avenue Extension  
City of Jersey City  
Hudson County, NJ**

| Description                                               | Quantity | Unit | Unit Price   | Amount               |
|-----------------------------------------------------------|----------|------|--------------|----------------------|
| <b>Tunnel for CSO at Mill Creek</b>                       |          |      |              |                      |
| Mobilization and Bonds                                    | 1        | LS   | 2,000,000.00 | 2,000,000.00         |
| New Section of Trunk Sewer                                | 200      | LF   | 6,000.00     | 1,200,000.00         |
| Regulator and Screening Facility                          | 1        | LS   | 9,000,000.00 | 9,000,000.00         |
| 20' Diameter Tunnel                                       | 600      | LF   | 15,000.00    | 9,000,000.00         |
| 25' Diameter Drop Shaft                                   | 340      | LF   | 25,000.00    | 8,500,000.00         |
| Pump Station (2MGD) with Odor Control                     | 1        | LS   | 3,000,000.00 | 3,000,000.00         |
| Select Fill                                               | 45       | CY   | 50.00        | 2,250.00             |
| Traffic Control                                           | 1        | LS   | 25,000.00    | 25,000.00            |
| Utility Relocation Allowance                              | 1        | LS   | 150,000.00   | 150,000.00           |
| Miscellaneous Allowances                                  | 1        | LS   | 1,000,000.00 | 1,000,000.00         |
|                                                           |          |      |              | 33,877,250.00        |
| <b>Jersey Avenue and Mill Creek Bridge</b>                |          |      |              |                      |
| Traffic Control                                           | 1        | LS   | 350,000.00   | 350,000.00           |
| Deep Foundation Supports for Bridge                       | 1        | LS   | 5,000,000.00 | 5,000,000.00         |
| Bridge                                                    | 1        | LS   | 5,000,000.00 | 5,000,000.00         |
| Bridge Approaches and Roadway                             | 1        | LS   | 5,000,000.00 | 5,000,000.00         |
| Stormwater Control Basin and Park                         | 1        | LS   | 3,000,000.00 | 3,000,000.00         |
| Traffic Signal                                            | 1        | LS   | 500,000.00   | 500,000.00           |
| Street Lighting, Landscaping & Project Sign               | 1        | LS   | 450,000.00   | 450,000.00           |
|                                                           |          |      |              | 19,300,000.00        |
| <b>Total</b>                                              |          |      |              | <b>53,177,250.00</b> |
| <b>Contingencies</b>                                      |          |      |              | <b>6,822,750.00</b>  |
| <b>Total Construction Cost</b>                            |          |      |              | <b>60,000,000.00</b> |
| <b>Design</b>                                             |          |      |              | <b>7,000,000.00</b>  |
| <b>Right-Of-Way</b>                                       |          |      |              | <b>0.00</b>          |
| <b>Construction Management (Inspection &amp; Testing)</b> |          |      |              | <b>5,000,000.00</b>  |
| <b>Total Project Cost</b>                                 |          |      |              | <b>72,000,000.00</b> |

## **Conclusion**

Since September 11, 2001, several studies reports were published that have included sections on access into and out of Liberty State Park. Of the studies and reports completed, all conclude that the extension of Jersey Avenue is a vital link that must be completed. The studies and reports also conclude that extending Jersey Avenue over Mill Creek and into Liberty State Park is a viable and necessary project.

The City of Jersey City is ready to accelerate the construction of the project once a commitment for funding is secured. Studies are complete, permits are being prepared and preliminary design drawings are under review.

The surrounding development is transforming the city into a viable destination for tourists from all over the country and the world. Making Jersey City an important destination across the river from the greatest city in the world is being achieved.

The new access into and out of Liberty State Park will be an asset to homeland security if ever the need should arise.

The time has now arrived for the completion of a project that should have been constructed in 1976. The extension of Jersey Avenue will be a lasting tribute to the greatest memorial to American Freedom and Liberty.

**United States  
Department of Transportation**

**Transportation Investment  
Generating Economic Recovery  
TIGER**

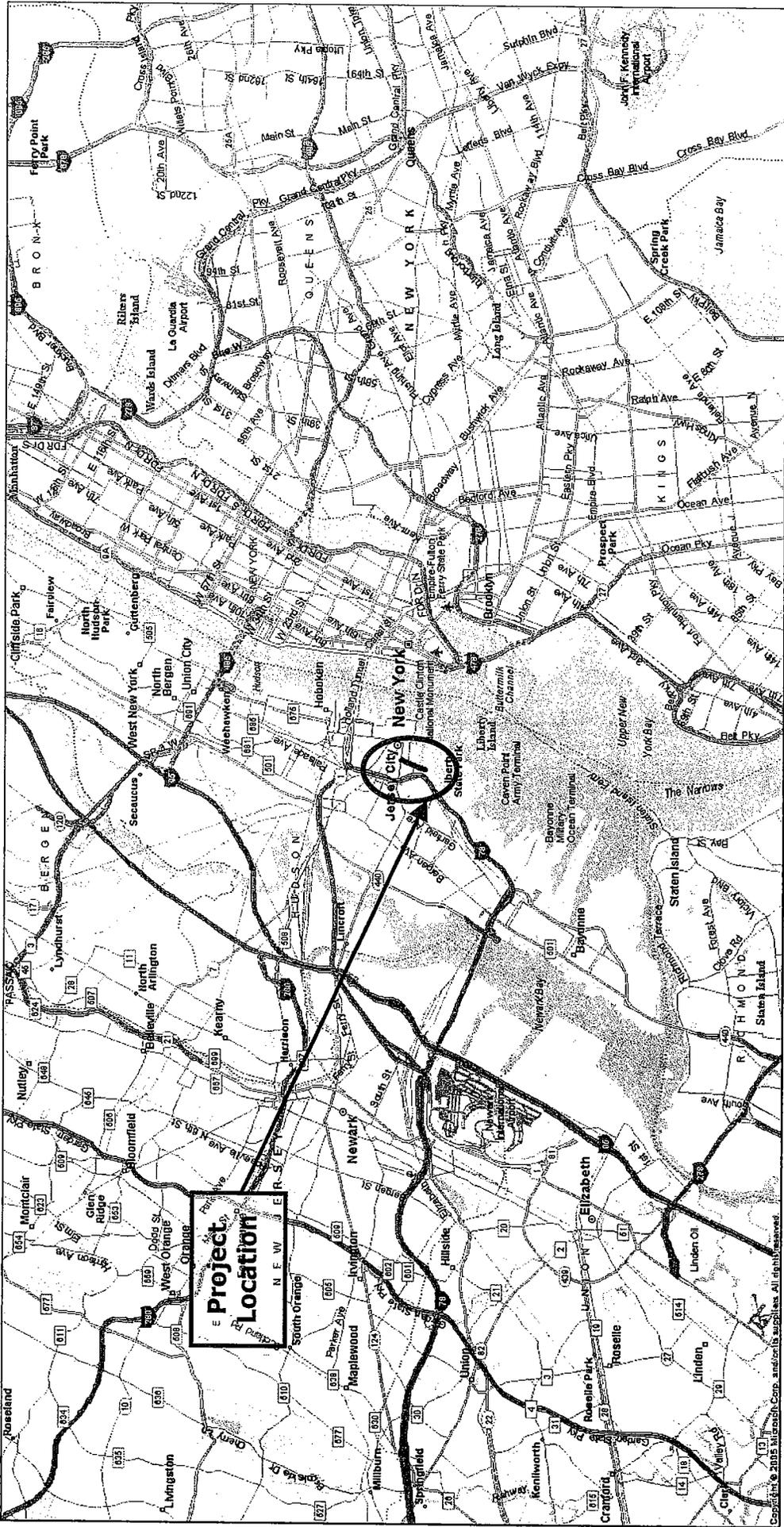
**JERSEY AVENUE**

**EXTENSION**

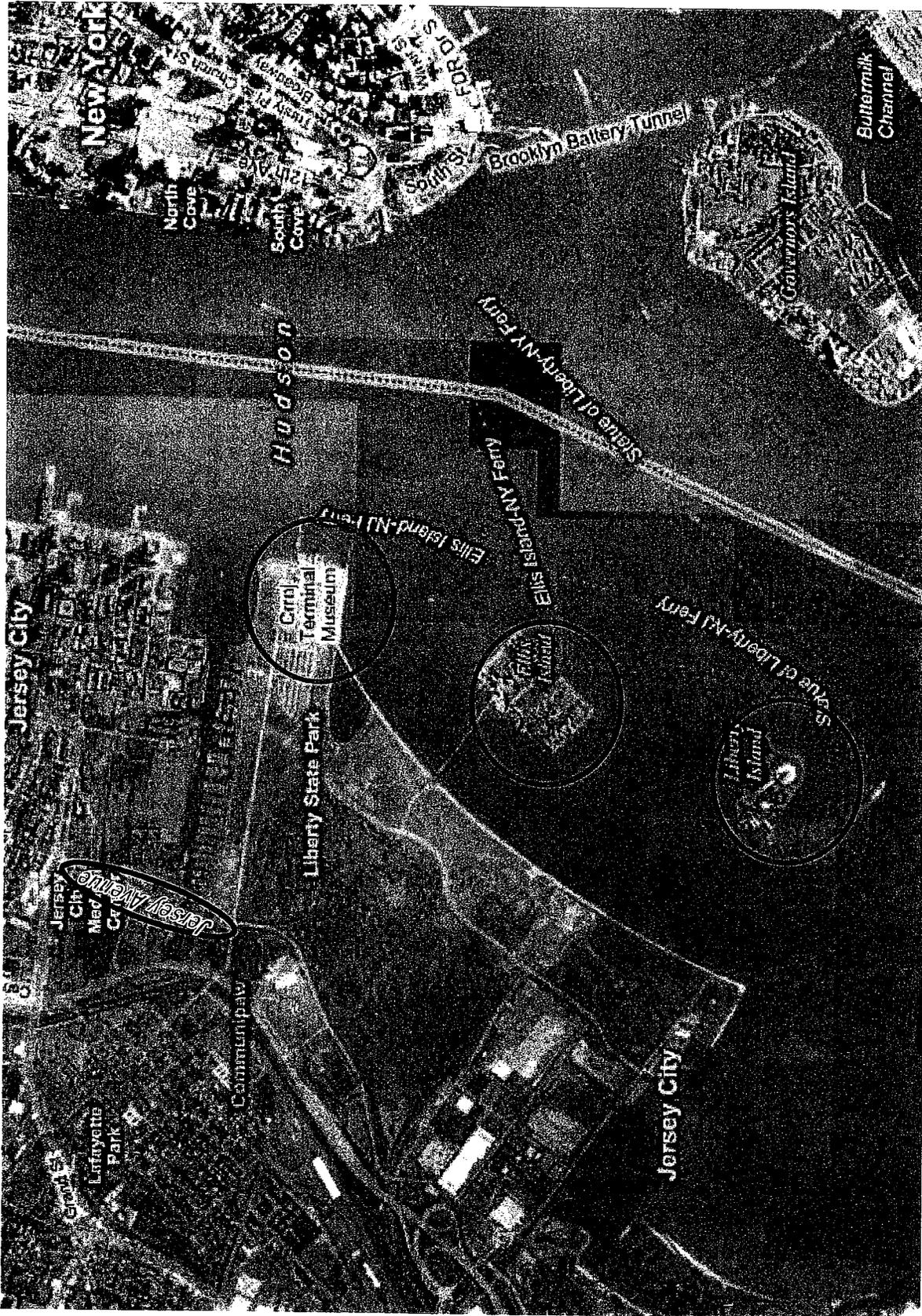
**CITY OF JERSEY CITY,  
HUDSON COUNTY,  
NEW JERSEY**

**September 2009**

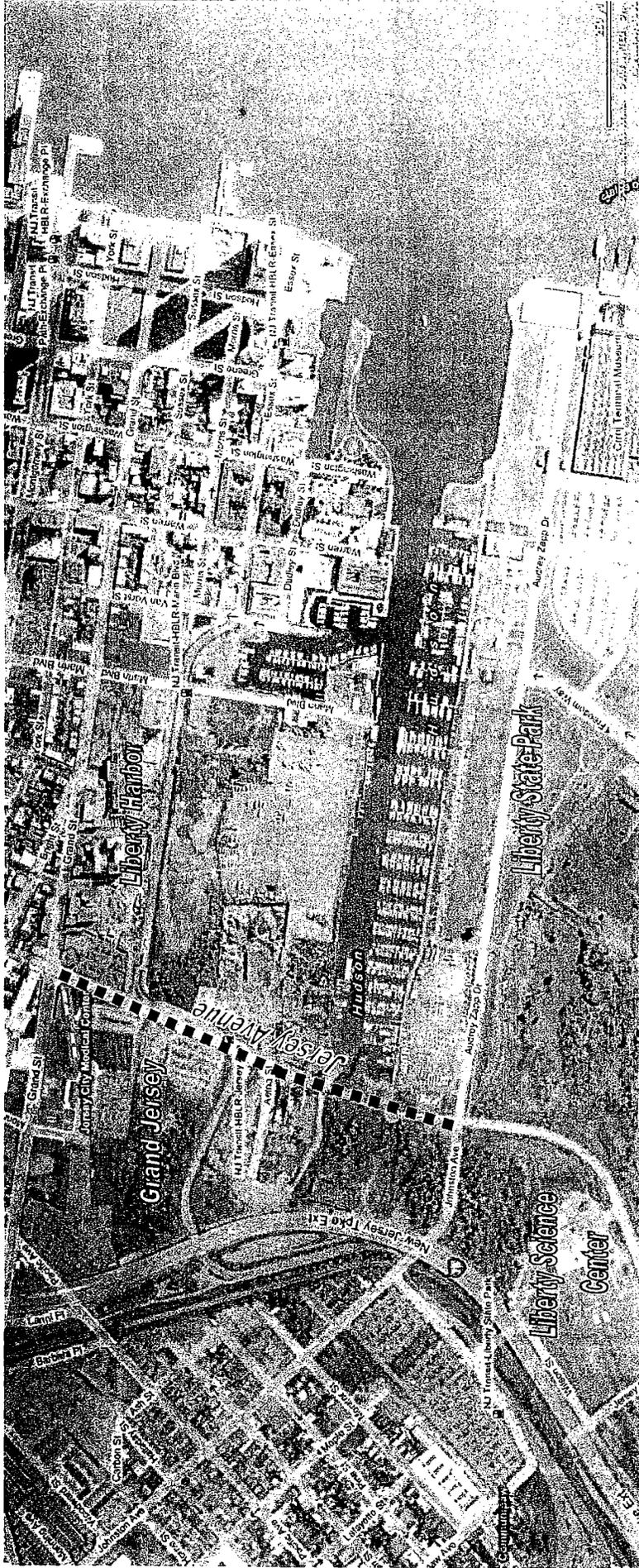
**ATTACHMENTS**



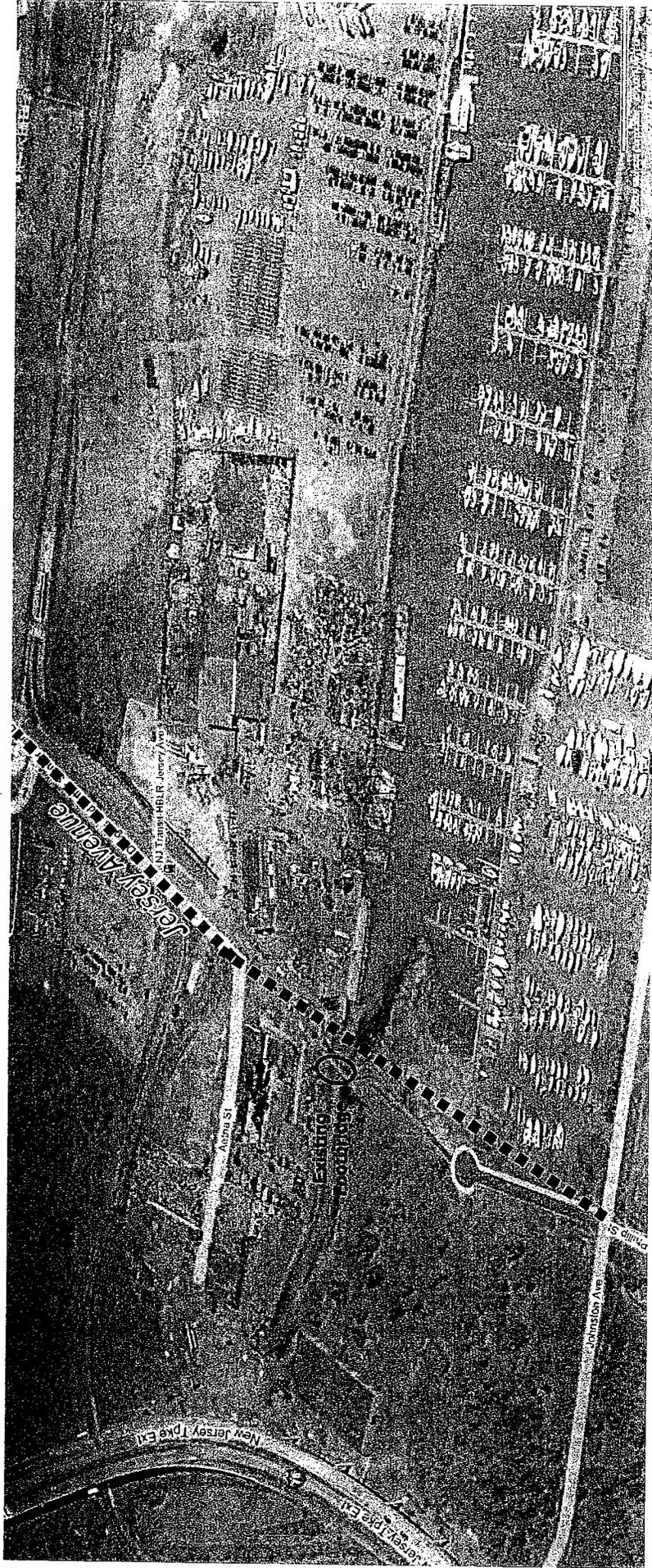
Jersey Avenue – Jersey City – Area Location Map



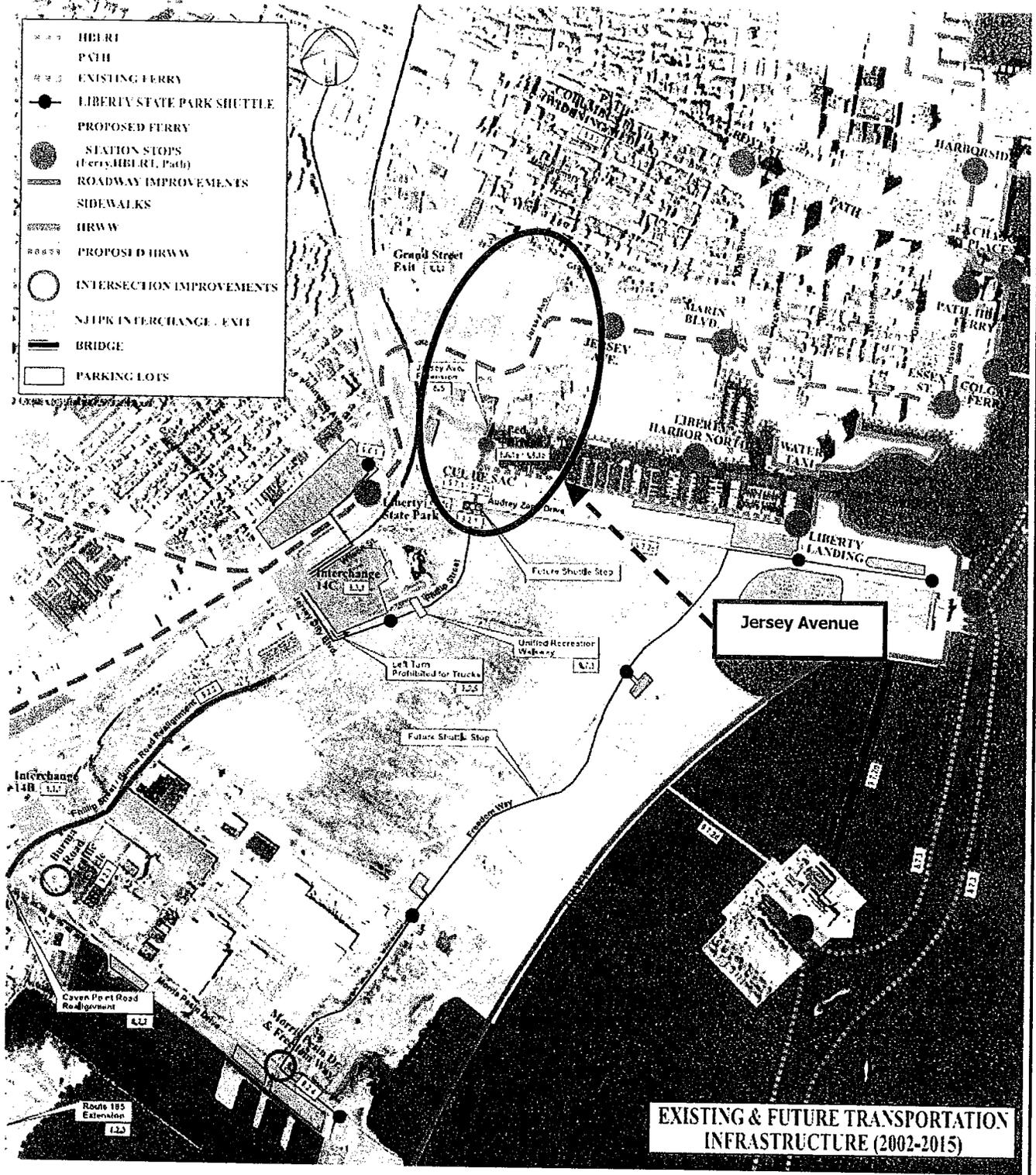
**The Historic Trilogy**  
**Statue of Liberty, Ellis Island and Central Railroad of New Jersey Terminal**

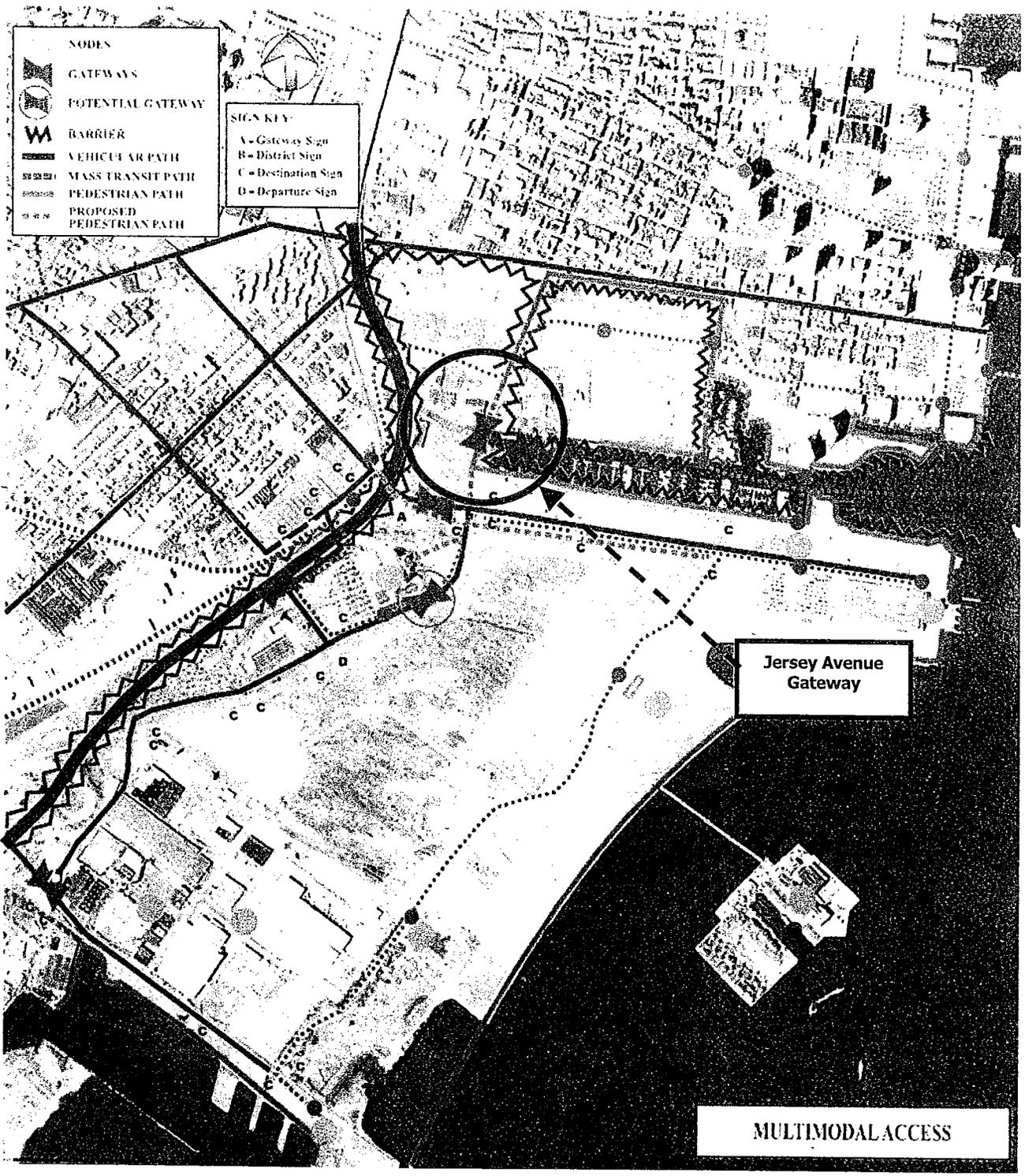


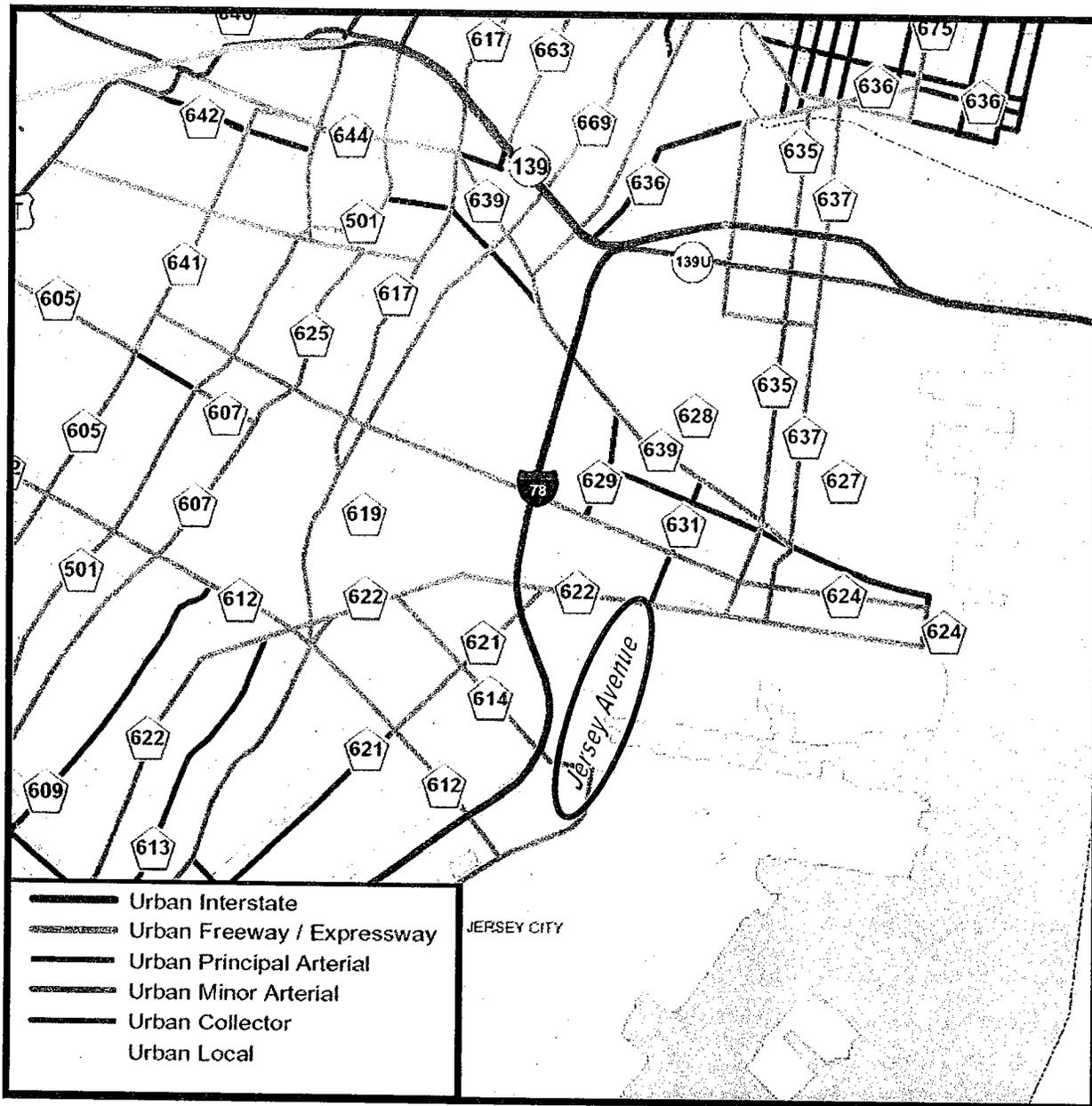
**Jersey Avenue Extension and the Mill Creek Bridge – Jersey City  
Aerial Area Location Map**



**Jersey Avenue Extension and the Mill Creek Bridge – Jersey City  
Aerial Location Map**







## New Jersey Department of Transportation Functional Classification Map

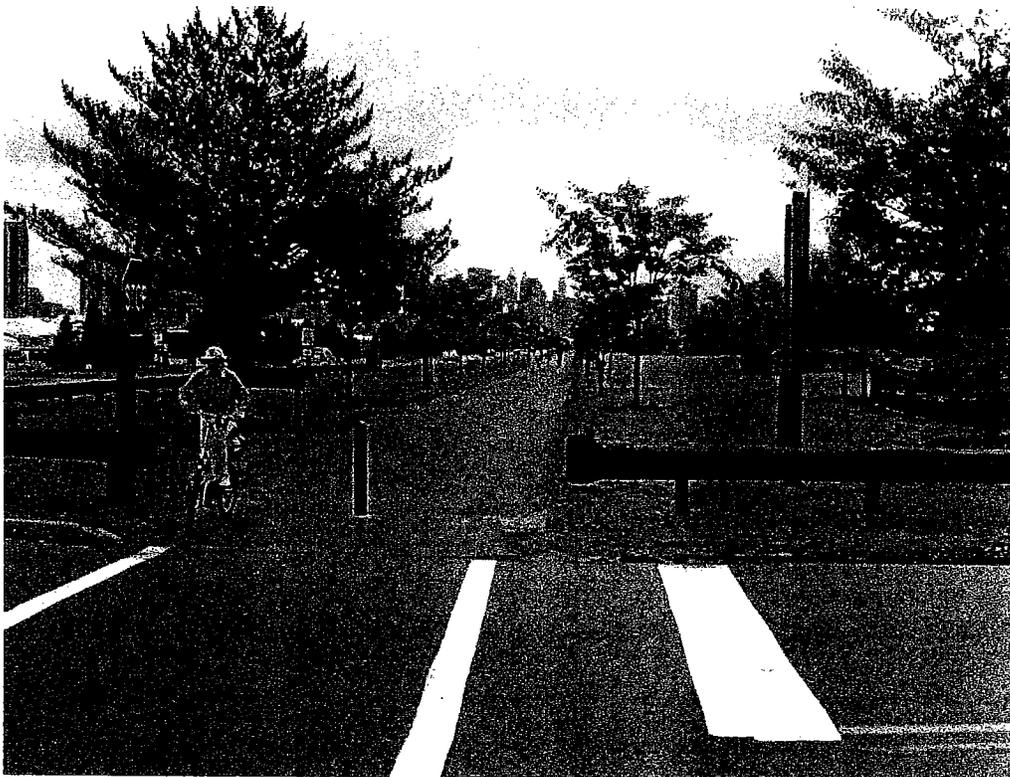
**NOTE:**

With the completion of Jersey Avenue over Mill Creek and into Liberty State Park and connecting with Phillips Street, the current break in the Federal Aid Road System will be contiguous. Jersey Avenue, north of Grand Street is classified as an Urban Collector. Phillips Street is classified as an Urban Minor Arterial. When Jersey Avenue is joined with Phillips Street, the section of Jersey Avenue south of Grand Street will then be classified as an Urban Minor Arterial.

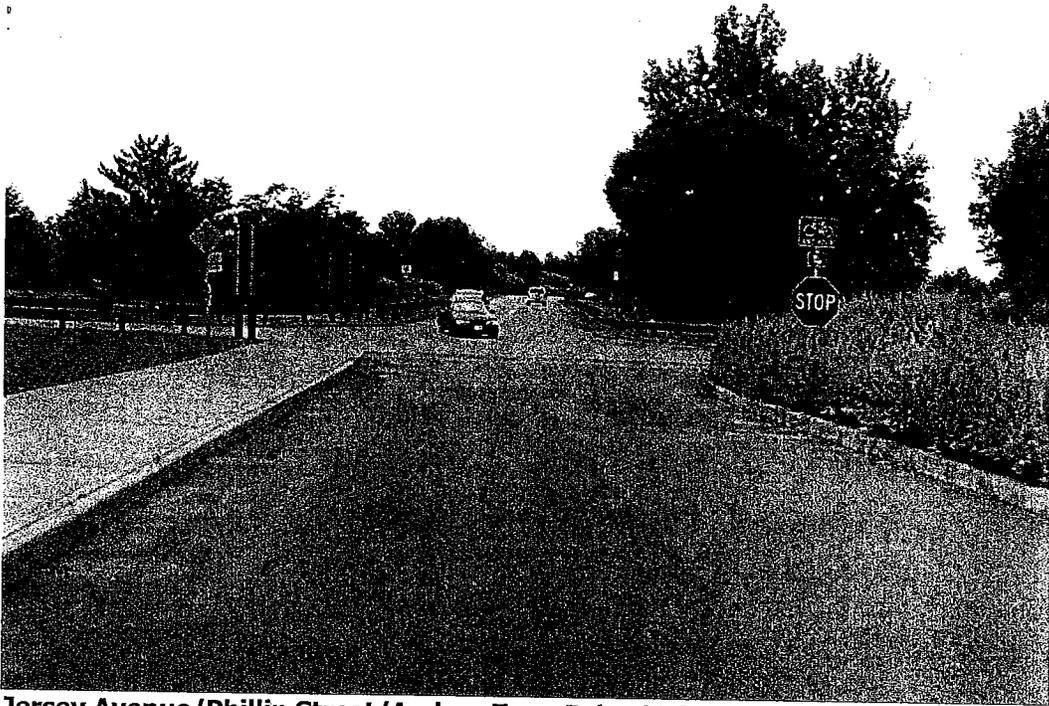
# Photographs



**Jersey Avenue/Phillip Street/Audrey Zapp Drive/Johnston Avenue  
Intersection - Looking North**



**Jersey Avenue/Phillip Street/Audrey Zapp Drive/Johnston Avenue  
Intersection - Looking East**



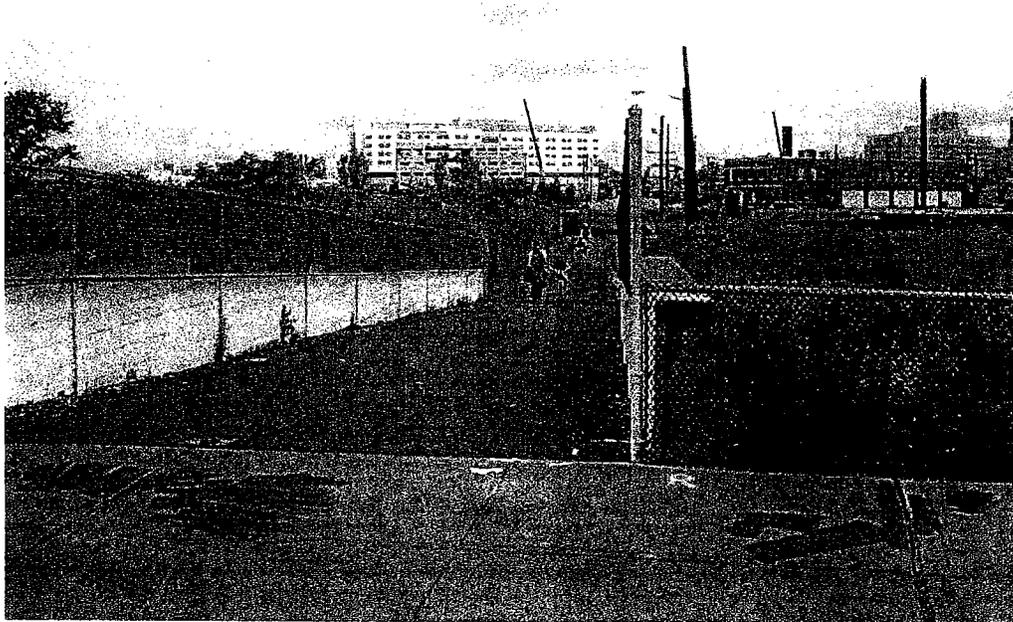
**Jersey Avenue/Phillip Street/Audrey Zapp Drive/Johnston Avenue Intersection  
Looking South**



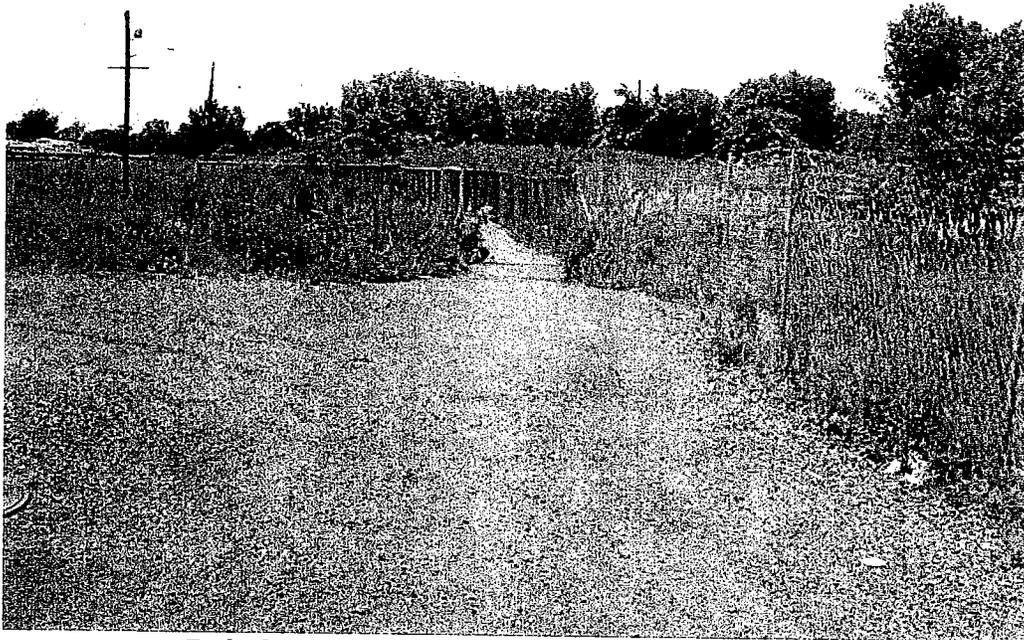
**Jersey Avenue/Phillip Street/Audrey Zapp Drive/Johnston Avenue Intersection  
Looking West**



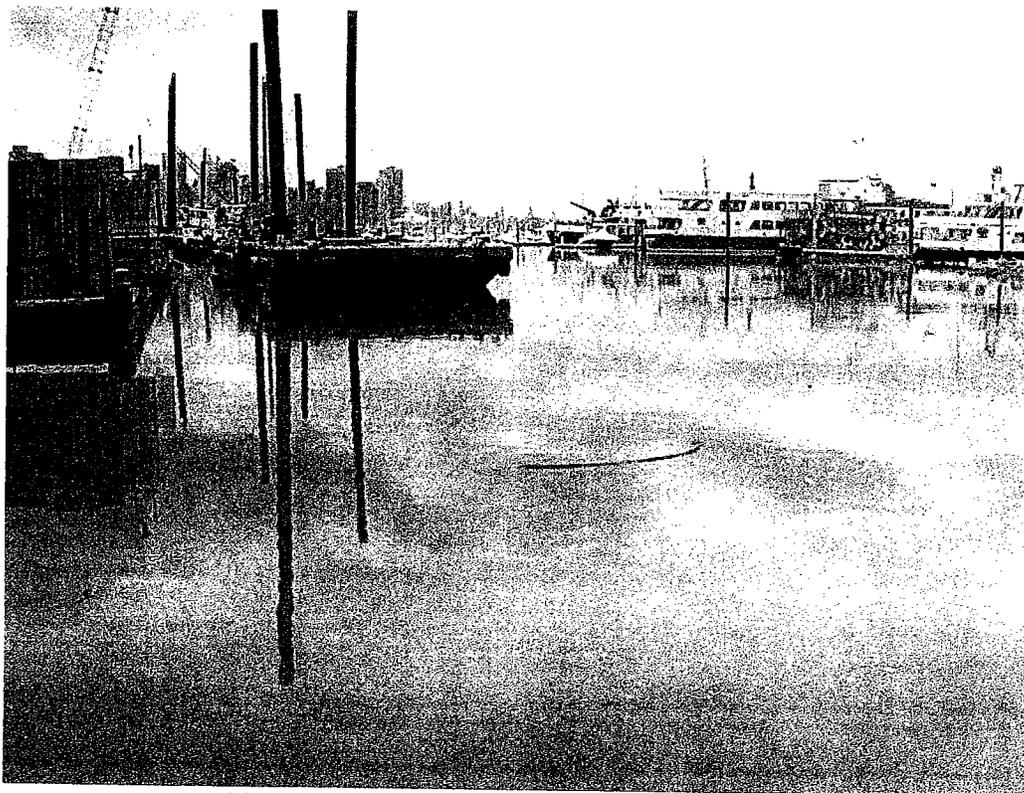
**Existing Walking/Bike Path adjacent to the Tidewater Basin  
Looking East from the Footbridge**



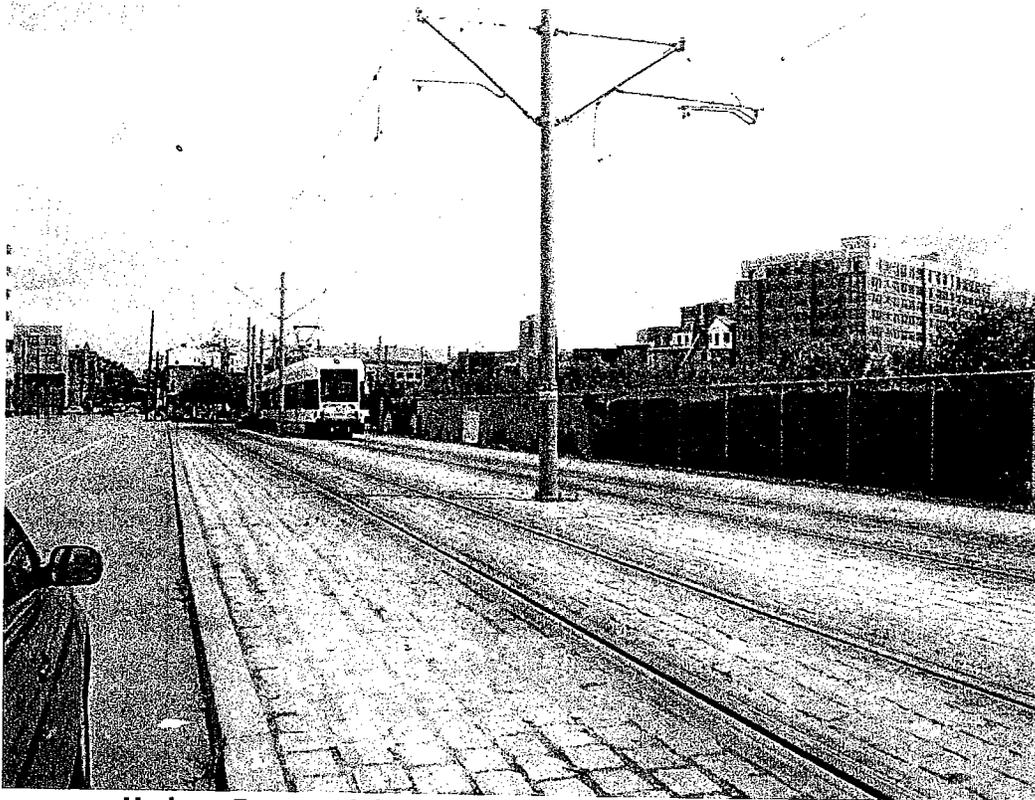
**Approach Walking/Bike Path to Footbridge looking North**



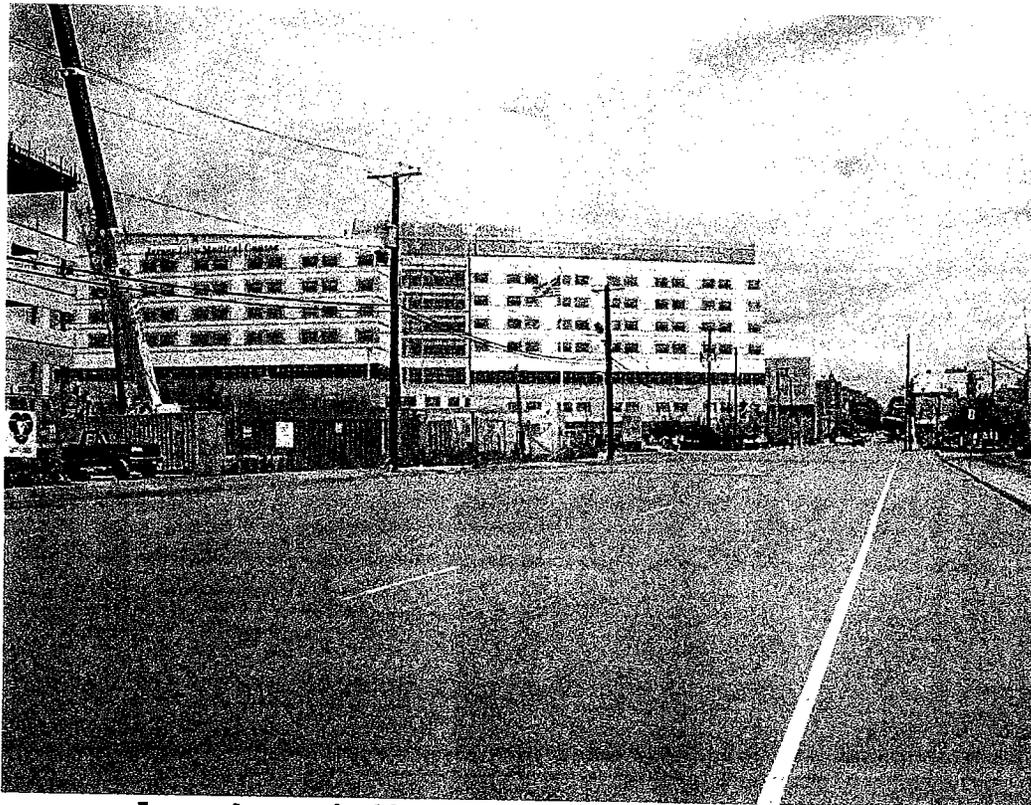
**End of Jersey Avenue at Footbridge looking South**



**Tidewater Basin looking East from Footbridge**



**Hudson-Bergen Light Rail System adjacent to Jersey Avenue  
Looking North at Grand Street and Jersey City Medical Center**



**Jersey Avenue looking North at Jersey City Medical Center  
Intersection of Jersey Avenue and Grand Street**



# CITY OF JERSEY CITY

JERRAMIAH T. HEALY, MAYOR

September 14, 2009

Secretary Ray LaHood  
U.S. Department of Transportation  
1200 New Jersey Avenue, SE  
Washington, DC 20590

Dear Secretary LaHood,

On behalf of the City of Jersey City, I wish to support our application to the US Department of Transportation for a TIGER Discretionary Grants Program to cover the costs for the proposed Jersey Avenue Extension project. The planned roadway and infrastructure improvements will be an asset not only to the City of Jersey City but the State of New Jersey and the United States. The opening of a direct access route into Liberty State Park, the Statue of Liberty and Ellis Island is of national importance to the economy and environment.

The continuing transportation and commercial vitality in this region depends upon the success of this project. The City of Jersey City request for economic support from the US Department of Transportation for a TIGER Discretionary Grants Program under the Recovery Act must be given serious consideration because of the impact it will have on our country.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Healy".

Jerramiah T. Healy  
Mayor

OFFICE OF THE MAYOR

CITY HALL ♦ 280 GROVE STREET ♦ JERSEY CITY, NJ 07302 ♦ TEL: (201)547-5200 ♦ FAX: (201)547-4288

WWW.JERSEYCITYNJ.GOV

♦ JCTV ... CHANNEL ONE - JERSEY CITY'S OFFICIAL CHANNEL



CITY OF  
**JERSEY CITY**  
DEPARTMENT OF ADMINISTRATION  
DIVISION OF ENGINEERING



WILLIAM R. GOBLE, P.E., City Engineer  
CHUCK LEE, P.E., Assistant City Engineer

JERRAMIAH HEALY, Mayor  
BRIAN O'REILLY, Business Administrator

United States Department of Transportation  
Grants Program Manager  
Via email to: TIGERGrants@dot.gov

Subject: TIGER Grant Application for the *Jersey Avenue Extension*, Jersey City, New Jersey

Dear Grants Program Manager:

Attached is our TIGER Grant application for the Jersey Avenue Extension at the Mill Creek.

You will note in the application that this project will provide an important transportation improvement giving additional access to Liberty State Park, the Statue of Liberty, Ellis Island, the historic Central Railroad of New Jersey Terminal and the Jersey City Medical Center and Trauma Center.

The extension of Jersey Avenue offers many benefits for the New Jersey, New York metropolitan area as well as the more than 3 million visitors that visit the park annually from around the country and the world. The additional access into and out of the park will allow for greater transit economic opportunity for the area. The creation of a direct emergency route from Liberty State Park to the Jersey City Medical Center is of utmost importance. The existing emergency route runs through and around the city costing valuable response time during an emergency such as we experienced on September 11, 2001. Once the project is completed, the Jersey City Medical Center, a State designated Trauma Center, will be within minutes to emergency aid locations.

Additionally, and very important, a long overdue environmental cleanup of Mill Creek and the surrounding area will be done in conjunction with this road reconstruction project. Presently, the sewer outfall discharge into a small recessed and confined area causing possible health and water quality issues. The proposed roadway project will allow the City to fill in this area and extend this sewer overflow further into the waterway, thus eliminating this environmental and health problems.

We hope you will consider this very important grant application. We are optimistic that you will share in our beliefs that this project will improve the quality of life for millions of people each year.

Sincerely,

William R. Goble, P.E.  
City Engineer

c: Jerramiah Healy, Mayor  
Brian O'Reilly, Business Administrator

FRANK R. LAUTENBERG

NEW JERSEY

COMMITTEES

APPROPRIATIONS

COMMERCE, SCIENCE, AND  
TRANSPORTATION

ENVIRONMENT AND  
PUBLIC WORKS

# United States Senate

WASHINGTON, DC 20510

September 14, 2009

Secretary Ray LaHood  
U.S. Department of Transportation  
1200 New Jersey Avenue, SE  
Washington, DC 20590

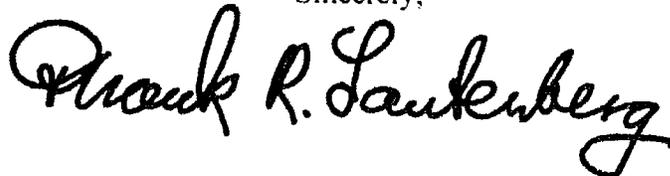
Dear Secretary LaHood:

I am writing in support of Jersey City, New Jersey's application for the Transportation Investing Generating Economic Recovery (TIGER) discretionary grant application. If awarded funding, Jersey City will begin construction by extending Jersey Avenue from Grand Street over Mill Creek and into Liberty State Park.

This much needed extension into Liberty State Park, which annually receives over 3-million visitors from around the world, will provide a more efficient point of access to Liberty Island, Ellis Island, and the Central Railroad of the New Jersey Terminal, New Jersey's Historic Trilogy and cultural establishment. Improved transportation will bring in more tourism which will have the intended consequence of stirring entrepreneurial growth and employment.

Furthermore, an updated transportation system will also allow for a direct emergency route from Liberty State Park to the Jersey City Medical Center. I appreciate your review of this application and urge your favorable consideration.

Sincerely,





NEW JERSEY SENATE

SANDRA B. CUNNINGHAM

SENATOR, 31<sup>ST</sup> DISTRICT

1738 J.F. KENNEDY BOULEVARD

JERSEY CITY, NJ 07305

TEL 201.451.5100

FAX 201.451.0867

E-MAIL: [sencunningham@njleg.org](mailto:sencunningham@njleg.org)

SENATE MAJORITY WHIP

VICE-CHAIR

ECONOMIC GROWTH COMMITTEE

MEMBER

BUDGET AND APPROPRIATIONS COMMITTEE

LABOR COMMITTEE

September 8, 2009

City of Jersey City  
TIGER Discretionary Grant Application  
Jersey Avenue Extension

Dear US Department of Transportation:

I am pleased to express my support for the City of Jersey City's application to the US Department of Transportation for the TIGER Discretionary Grants Program to share the costs for the proposed Jersey Avenue Extension project. This extension will expand Jersey Avenue from Grand Street over Mill Creek and into Liberty State Park allowing the development to become the gateway into Liberty State Park.

The opening of a direct access route into Liberty State Park will allow the more than 3 million visitors better access to the Statue of Liberty, Ellis Island, and the Central Railroad of New Jersey Terminal which is also known as our Historic Trilogy. The extension will also create a direct emergency route from Liberty State Park to the Jersey City Medical Center, this is a critical measure that could reduce the response time during an emergency. Overall, if this grant is approved, the impact will not only have a positive impact of the millions of visitors the park attracts, but for the environmental, economic, and health concerns that would be addressed by this extension.

Continuing transportation and commercial vitality in this region depends upon the success of this project. On behalf of the City of Jersey City's request for economic support, I implore the US Department of Transportation to give the City of Jersey City serious consideration to receive a TIGER Discretionary Grant under the Recovery Act.

Sincerely,

Sandra B. Cunningham

Senator

31<sup>ST</sup> Legislative District



251 Phillip Street, Liberty State Park F: 201 . 451 . 0006  
Jersey City, NJ 07305 - 4600 USA F: 201 . 451 . 6383

September 10, 2009

Mayor Healy  
City of Jersey City  
280 Grove St.  
Jersey City, NJ 07302

Ref: City of Jersey City – Jersey Avenue Extension  
TIGER Discretionary Grant Application

Dear Mayor Healy,

On behalf of Liberty Science Center, I would like to confirm Liberty Science Center's support of Jersey City's application to the US Department of Transportation for the TIGER Discretionary Grant program to share the costs for the proposed Jersey Avenue Extension project. The Science Center's CFO, Connie Claman, was on the traffic study committee that reviewed and approved this extension. As you know, Liberty Science Center is located in Liberty State Park, and is the most visited museum in the State of New Jersey with yearly attendance of over 600,000. The access to Liberty State Park, which is the second most visited State Park in the country, is currently hindered by the lack of an adequate roadway from the downtown section of the City. Local residents and some Liberty Science Center staff currently have to walk across a rickety, unsafe pedestrian bridge to get to the park and to visit and work at the Science Center. The new roadway to be constructed would provide safe and easy access to the Park for these residents and others, as well as provide improved access to the Science Center and the Statue of Liberty and Ellis Island.

The roadway would also provide a quick, direct connection from Liberty Science Center to the Jersey City Medical Center. Whenever guests need to be taken to the hospital, it now takes considerably longer than it should to get to the hospital as the ambulance must go around several back roads with traffic and multiple lights. Last year we had a guest with a major heart problem who had to be rushed to the hospital. Valuable time was lost having to go through these back streets.

In addition, the walkway is currently over a sewage overflow outlet, which pollutes the canal basin during heavy rainfalls, creating a major health and environmental hazard. The grant would help pay for the environmental cleanup of this region. As part of the Science Center's mission, we work to promote global stewardship. It is difficult to teach students one point of view, only to have a poor example within a few hundred yards of the Science Center.

This upgrade will be a significant addition to the health and wellbeing of the residents and guests to the area. We are strongly in support of this plan, and the potential grant.

Sincerely,

Emlyn Koster  
President and CEO

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

City Clerk File No. Res. 09-780

Agenda No. 10.J

Approved: SEP 23 2009

TITLE:

**RESOLUTION SUPPORTING THE STATE HOUSE COMMISSION PRE-APPLICATION TO THE NJDEP GREEN ACRES PROGRAM FOR A DIVERSION IN THE FORM OF 20X100 FT EASEMENT FOR INGRESS AND EGRESS OF EMERGENCY VEHICLES**



**COUNCIL**  
**of the following resolution:**

**offered and moved adoption**

**WHEREAS**, Block 1970 Lot K.299 is part of the City of Jersey City's Oak Street Park which is encumbered with restrictions against disposal or diversion from recreation and conservation uses by the New Jersey Department of Environmental Protection's Green Acres Program; and

**WHEREAS**, in conjunction with the proposed Oak Street Park Easement, it is necessary to remove the Green Acres restrictions from a 20x100 ft. portion of Oak Street Park for ingress and egress of emergency vehicles; and

**WHEREAS**, the removal of Green Acres restrictions from parkland requires the approval of the Commissioner of the Department of Environmental Protection and the State House Commission pursuant to N.J.A.C. 7:36-26; and

**WHEREAS**, the City of Jersey City wishes to apply for approval for the Oak Street Park Easement as a minor disposal or diversion of parkland under N.J.A.C. 7:36-26; and

**WHEREAS**, the first step in the application process for approval of a minor disposal or diversion of parkland is the filing of a pre-application under N.J.A.C. 7:36-26.4; and

**WHEREAS**, in accordance with N.J.A.C. 7:36-26.9(d)11, it is necessary for the City of Jersey City to submit as part of the pre-application a Resolution endorsing the application to divert or dispose of parkland.

**NOW, THEREFORE BE IT RESOLVED**, by the Municipal Council of the City of Jersey City, in the County of Hudson, State of New Jersey as follows:

1. The City Council endorses the filing of a pre-application for the Oak Street Park Easement pursuant to N.J.A.C. 7:36-26; and
2. The City Council hereby finds that the Oak Street Park Easement would meet the minimum substantive criteria at N.J.A.C. 7:36-26.1(d) by allowing the construction of a critically needed affordable housing project to move forward. In the absence of the Easement the affordable housing project would be disallowed by the planning board; and
3. The City of Jersey City acknowledges that in order to obtain the approval of the Oak Street Park Easement, all substantive and procedural requirements of N.J.A.C. 7:36-26 must be met, including compensation requirements at N.J.A.C. 7:36-26-5; and

SEP 23 2009

TITLE:

**RESOLUTION SUPPORTING THE STATE HOUSE  
COMMISSION PRE-APPLICATION TO THE NJDEP  
GREEN ACRES PROGRAM FOR A DIVERSION IN  
THE FORM OF 20X100 FT EASEMENT FOR INGRESS  
AND EGRESS OF EMERGENCY VEHICLES**

4. The City Council acknowledges that in the event that the Green Acres Program classifies the Oak Street Easement as a major disposal or diversion of parkland, additional application information will be required under N.J.A.C. 7:36-26 before the application can proceed.

APPROVED: Donna Mauer, CTO

APPROVED AS TO LEGAL FORM

APPROVED: [Signature]  
Business Administrator

[Signature]  
Asst. Corporation Counsel

Certification Required

Not Required

APPROVED **8-0**

| RECORD OF COUNCIL VOTE ON FINAL PASSAGE |     |     |      |               |     |     |      |               |     |     |      |
|-----------------------------------------|-----|-----|------|---------------|-----|-----|------|---------------|-----|-----|------|
| 9/23/09                                 |     |     |      |               |     |     |      |               |     |     |      |
| 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.

[Signature]  
Mariano Vega, Jr., President of Council

[Signature]  
Robert Byrne, City Clerk

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

City Clerk File No. Res. 09-781

Agenda No. 10.K

Approved: SEP 23 2009

TITLE:

**RESOLUTION AUTHORIZING PROGRAM CONTRACTS UNDER THE  
NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS  
NEIGHBORHOOD STABILIZATION PROGRAM (NSP)**



COUNCIL  
following resolution:

offered and moved adoption of the

**WHEREAS**, the New Jersey Department of Community Affairs (DCA) has been designated as the State Agency to administer \$51,470,620 in Neighborhood Stabilization Program (NSP) funds from the U.S. Department of Housing and Urban Development (HUD) for the purpose of stabilizing neighborhoods that have been impacted by foreclosures, property abandonment and subprime loans; and

**WHEREAS**, the City of Jersey City applied for and was awarded State Neighborhood Stabilization Program (State-NSP) funds in the amount of \$1,700,000; and

**WHEREAS**, State-NSP funds will be used to acquire and rehabilitate foreclosed and abandoned properties, demolish abandoned properties and construct new housing units on Monticello Avenue; and

**WHEREAS**, the State-NSP award period is from May 8, 2009 through September 9, 2010 and all funds must be liquidated by December 8, 2010; and

**WHEREAS**, the City of Jersey City through its Division of Community Development has applied for and received approval from the NJDCA to award NSP funds to activities noted in Exhibit A on the attached page.

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

1. The Mayor or Business Administrator is hereby authorized to enter into program contracts under New Jersey Department of Community Affairs Neighborhood Stabilization Program (State-NSP) and award funds to projects identified in Exhibit A.
2. Subject to review and approval by Corporation Counsel, the Mayor or Business Administrator is hereby authorized to execute mortgages, notes, affordable housing development agreements, in substantially the form attached, and such other documents deemed necessary to secure loans and grants made under the City's HUD entitlement grants. The terms and conditions of the aforementioned documents may be negotiated by the Division of Community Development and shall be in accordance with all laws, rules and regulations applicable to the program.

Agenda No. Res. 09-781

Approved 10.K SEP 23 2009

TITLE:

**RESOLUTION AUTHORIZING PROGRAM CONTRACTS UNDER THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS NEIGHBORHOOD STABILIZATION PROGRAM (NSP)**

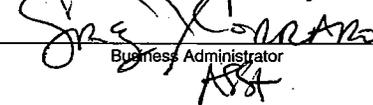
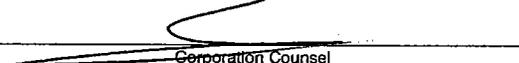
**EXHIBIT A**

| VENDOR                              | ACTIVITY                                                                                   | AMOUNT    | ACCT NO.          | P.O. NO. |
|-------------------------------------|--------------------------------------------------------------------------------------------|-----------|-------------------|----------|
| Alliance Construction LLC           | Acquisition & Rehabilitation of foreclosed and/or abandoned properties in NSP target area. | \$500,000 | 02-213-40-049-314 | 98033    |
| Santomauro General Contracting, LLC | Acquisition & Rehabilitation of foreclosed and/or abandoned properties in NSP target area. | \$500,000 | 02-213-40-049-314 | 98034    |
| C-Line Community Development, Inc.  | Redevelopment of vacant land located at 120-122 Monticello Avenue (NSP target area).       | \$500,000 | 02-213-40-049-314 | 98035    |
| Jersey City Incinerator Authority   | Demolition of vacant (blighted) property in NSP target area.                               | \$200,000 | 02-213-40-049-314 | 98036    |

I, Donna Mauer, hereby certify that sufficient funds in the amount of \$1,700,000 are available in Account No. 02-213-40-049-314.

  
 Donna Mauer  
 Chief Financial Officer

APPROVED:  APPROVED AS TO LEGAL FORM

APPROVED:  Business Administrator  
 Corporation Counsel

Certification Required

Not Required

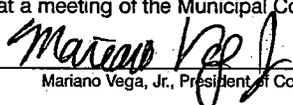
APPROVED 8-0

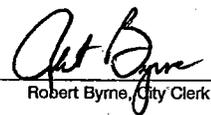
| RECORD OF COUNCIL VOTE ON FINAL PASSAGE |     |     |      |               |        |     |      |               |     |     |      |
|-----------------------------------------|-----|-----|------|---------------|--------|-----|------|---------------|-----|-----|------|
| 9/23/09                                 |     |     |      |               |        |     |      |               |     |     |      |
| COUNCILPERSON                           | AYE | NAY | N.V. | COUNCILPERSON | AYE    | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| SOTTOLANO                               | ✓   |     |      | GAUGHAN       | ABSENT |     |      | 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., President of Council

  
 Robert Byrne, City Clerk

**LEGISLATIVE FACT SHEET**

This summary sheet is to be attached to any ordinance, resolution, cooperation agreement, or contract that is submitted for Council consideration. Incomplete or sketchy summary sheets will be returned with the resolution or ordinance. The Department, Division or Agency responsible for the overall implementation of the proposed project or program should provide a concise and accurate statement of facts.

**FULL TITLE OF ORDINANCE / RESOLUTION / COOPERATION AGREEMENT:**

RESOLUTION AUTHORIZING PROGRAM CONTRACTS UNDER THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS NEIGHBORHOOD STABILIZATION PROGRAM (NSP)

**NAME AND TITLE OF PERSON INITIATING THE RESOLUTION:**

Darice Toon, Director, Division of Community Development – 201-547-5304

**DESCRIPTION OF THE PROGRAM, PROJECT, PLAN, PURCHASE, ETC.:**

Acquisition & rehabilitation of foreclosed and/or abandoned properties, redevelopment of vacant land and demolition of vacant and blighted properties in the NSP target area.

**ANTICIPATED COMMUNITY BENEFITS OR ASSESSMENT OF DEPARTMENTAL NEED:**

Stabilization of NSP target area.

**COSTS OF PROGRAM OR PURCHASE: (IF EQUIPMENT PURCHASE, WHAT DOES IT REPLACE. HOW WILL THE PROGRAM OR PURCHASE BE FUNDED?):**

\$1,700,000

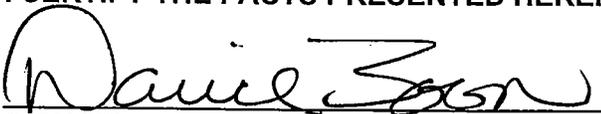
**IF CONTRACT, PROJECT OR PLAN DATE OF COMMENCEMENT:**

September 2009

**ANTICIPATED COMPLETION DATE:**

December 2010

I CERTIFY THE FACTS PRESENTED HEREIN ARE ACCURATE.

  
SIGNATURE OF DIVISION DIRECTOR

9/15/09  
DATE

 DEPUTY  
SIGNATURE OF DEPARTMENT DIRECTOR

9-16-09  
DATE

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

City Clerk File No. Res. 09-782

Agenda No. 10.1

Approved: SEP 23 2009

TITLE:



## RESOLUTION OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY AMENDING AN AFFORDABLE HOUSING TRUST FUND (AHTF) AGREEMENT WITH C-LINE COMMUNITY DEVELOPMENT, INC. FOR THE DEVELOPMENT OF 120-122 MONTICELLO AVENUE

---

**WHEREAS**, on July 19, 2006 the Municipal Council approved resolution no.06-570 authorizing an Affordable Housing Trust Fund (AHTF) Agreement with C-Line Community Development Inc. for the development of 120-122 Monticello Ave; and

**WHEREAS**, the Municipal Council authorized the City to enter into an AHTF agreement in the amount of \$412,494.00 for the development of 120-122 Monticello Avenue; and

**WHEREAS**, C-line Community Development Inc. was required to secure additional financing and provide proof of same to the City; and

**WHEREAS**, based on the total cost for this project, it was determined that the loan to value (LTV) was not acceptable to the prospective private lender, therefore, adjustments were necessary to bring the LTV within an acceptable range; and

**WHEREAS**, the City through the Division of Community Development determined that it would be in the best interest of the City to supplement funding for this project with state NSP funds; and

**WHEREAS**, as a result of this modification the Affordable Housing Trust Fund award will be reduced from \$412,494.00 to \$62,494.00; and

**WHEREAS**, the total cost of this project is \$2,643,564.00. Funds will come from the following sources:  
Home Funds (\$580,000.00), AHTF (62,494.00) State NSP (\$500,000.00), and private Mortgage (\$1,501,070.00).

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

1) The Mayor and / or Business Administrator is hereby authorized to amend the Agreement with C-Line Community Development, Inc. for the development of 120-122 Monticello Avenue to reduce AHTF funding from \$412,494.00 to \$62,494.00.

Agenda No. Res. 09-782

Approved 10.1

TITLE: SEP 23 2009

**RESOLUTION OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY AMENDING AN AFFORDABLE HOUSING TRUST FUND (AHTF) AGREEMENT WITH THE C-LINE COMMUNITY DEVELOPMENT, INC. FOR DEVELOPMENT OF 120-122 MONTICELLO AVENUE.**

2) This commitment of funds is conditioned on the recipient receiving a private loan commitment for at least \$1,501,070 from a private lender and furnishing proof of same to the City within three (3) months of the approval for this allocation. The three month deadline for proof of private funds may be extended for good cause at the discretion of the Director of the Division of Community Development.

3) Subject to review and approval by Corporation Counsel, the Mayor or Business Administrator is hereby authorized to execute mortgages, notes, affordable housing development agreements, and such other documents deemed necessary to secure loans under the Affordable Housing Trust Fund (AHTF). The terms and conditions of the aforementioned documents may be negotiated by the Division of Community Development (DCD) and shall be in accordance with all laws, rules and regulations applicable to the program.

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

Certification Required

Not Required

APPROVED 8-0

| RECORD OF COUNCIL VOTE ON FINAL PASSAGE |     |     |         |               |        |     |      |               |     |     |      |
|-----------------------------------------|-----|-----|---------|---------------|--------|-----|------|---------------|-----|-----|------|
|                                         |     |     | 9/23/09 |               |        |     |      |               |     |     |      |
| COUNCILPERSON                           | AYE | NAY | N.V.    | COUNCILPERSON | AYE    | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| SOTTOLANO                               | ✓   |     |         | GAUGHAN       | ABSENT |     |      | 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.

[Signature]  
 Mariano Vega, Jr., President of Council

[Signature]  
 Robert Byrne, City Clerk

**LEGISLATIVE FACT SHEET**

This summary sheet is to be attached to any ordinance, resolution, cooperation agreement, or contract that is submitted for Council consideration. Incomplete or sketchy summary sheets will be returned with the resolution or ordinance. The Department, Division or Agency responsible for the overall implementation of the proposed project or program should provide a concise and accurate statement of facts.

**FULL TITLE OF ORDINANCE / RESOLUTION / COOPERATION AGREEMENT:**

**RESOLUTION OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY AMENDING AN AFFORDABLE HOUSING TRUST FUND (AHTF) AGREEMENT WITH C-LINE COMMUNITY DEVELOPMENT, INC. FOR THE DEVELOPMENT OF 120-122 MONTICELLO AVENUE**

**NAME AND TITLE OF PERSON INITIATING THE RESOLUTION:**

Darice Toon, Director, Division of Community Development – 201-547-5304

**DESCRIPTION OF THE PROGRAM, PROJECT, PLAN, PURCHASE, ETC.:**

Redevelopment of vacant land.

**ANTICIPATED COMMUNITY BENEFITS OR ASSESSMENT OF DEPARTMENTAL NEED:**

Creation of affordable housing.

**COSTS OF PROGRAM OR PURCHASE: (IF EQUIPMENT PURCHASE, WHAT DOES IT REPLACE. HOW WILL THE PROGRAM OR PURCHASE BE FUNDED?):**

\$2,643,564 total project cost.

**IF CONTRACT, PROJECT OR PLAN DATE OF COMMENCEMENT:**

September 2009

**ANTICIPATED COMPLETION DATE:**

December 2010

I CERTIFY THE FACTS PRESENTED HEREIN ARE ACCURATE.

  
SIGNATURE OF DIVISION DIRECTOR

9/15/09  
DATE

  
SIGNATURE OF DEPARTMENT DIRECTOR

9-16-09  
DATE

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

City Clerk File No. Res. 09-783

Agenda No. 10.M

Approved: SEP 23 2009

TITLE:



## RESOLUTION OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY AUTHORIZING AN AMENDMENT TO THE AFFORDABLE HOUSING TRUST FUND (AHTF) AGREEMENT WITH WHITON STREET ASSOCIATES, LLC FOR THE MONTICELLO PROJECT

**WHEREAS**, on October 7, 2008 the City approved Resolution No. 08-776 authorizing an Affordable Housing Trust Fund (AHTF) Agreement with Whiton Street Associates, LLC for the Monticello Project; and

**WHEREAS**, said resolution authorized the City to enter into an Agreement with Whiton Street Associates, LLC for the development of a mixed use project that will consist of 24 affordable housing units; and

**WHEREAS**, the municipal council authorized an AHTF award of \$1,680,000 for Whiton Street Associates, LLC; and

**WHEREAS**, Whiton Street Associates, LLC originally requested \$2,400,000 in Affordable Housing Trust Funds, however, due to insufficient funds available in the AHTF account, the City was unable to recommend the project for the full amount requested; and

**WHEREAS**, during the past several months additional contributions were deposited into the Affordable Housing Trust Fund account thus making it possible for the City to provide additional funds to Whiton Street Associates to increase funding for The Monticello Project to the full amount requested of \$2,400,000; and

**WHEREAS**, Whiton Street Associates, a profit developer, proposes to develop a (5) story new construction development consisting of 120 units named The Monticello; and

**WHEREAS**, The Monticello will consist of 10,000 square feet of ground floor retail, 96 market rate units, 24 affordable units and 200 parking spaces to be located on Monticello Avenue between Fairmont and Fairview at the following addresses:

220 Monticello Avenue (Block 1910 Lot 4.B), 220A Monticello Avenue (Block 1910 Lot 3.B), 222 Monticello Avenue (Block 1910 Lot 3.A), 224 Monticello Avenue (Block 1910 Lot 2), 226 Monticello Avenue (Block 1910 Lot 1), 230 Monticello Avenue (Block 1910 Lot 13), 234 Monticello Avenue (Block 1910 Lot 5.A), 236 Monticello Avenue (Block 1910 Lot 4.A), 238 Monticello Avenue (Block 1910 Lot A), 221 Fairmount Avenue (Block 1910 Lot D2), 223 Fairmount Avenue (Block 1910 Lot D1), 225 Fairmount Avenue (Block 1910 Lot C), 227 Fairmount Avenue (Block 1910 Lot 12), 4 Fairview Avenue (Block 1910 Lot A.3), 8 Fairview Avenue (Block 1910 Lot A.2), 12 Fairview Avenue (Block 1910 Lot A.1) in Jersey City, NJ; and

**WHEREAS**, the total cost for this project is approximately \$34,000,000 and proposed financing will consist of the following sources:

Residential Component – NJHMFA (\$20,000,000), Affordable Housing Trust Fund (\$2,400,000), Sponsor's Equity and/or Balanced Housing (\$1,500,000) and HOME Investment Partnerships Program (\$801,359)

Commercial Component: TICIC Construction Loan (\$3,750,000) New Jersey Economic Development Authority (\$3,750,000), Neighborhood Revitalization Tax Credits (\$1,000,000); and

**WHEREAS**, the City supports this project and is recommending the project for an additional \$720,000 in the Affordable Housing Trust Funds.

Agenda No. Res. 09-783

Approved 10.M

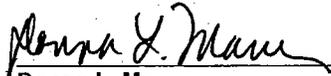
TITLE: SEP 23 2009

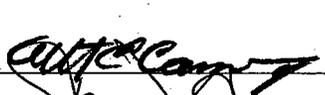
**RESOLUTION OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY AUTHORIZING AN AMENDMENT TO THE AFFORDABLE HOUSING TRUST FUND (AHTF) AGREEMENT WITH WHITON STREET ASSOCIATES, LLC FOR THE MONTICELLO PROJECT**

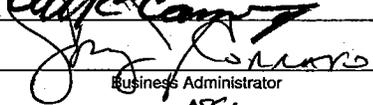
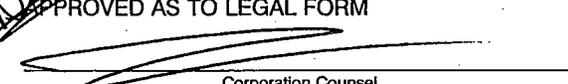
**NOW, THEREFORE, BE IT RESOLVED** by the Municipal Council of the City of Jersey City that:

- 1) The Mayor and / or Business Administrator is hereby authorized to amend the Agreement with Whiton Street Associates, LLC to award an additional \$720,000 for The Monticello Project that will consist of 24 affordable housing units.
- 2) This commitment of funds is conditioned on the recipient receiving sufficient funding commitments to complete the proposed project and furnishing proof of same to the City within six (6) months. The six month deadline for proof of funds may be extended for good cause at the discretion of the Director of the Division of Community Development.
- 3) Subject to review and approval by Corporation Counsel, the Mayor or Business Administrator is hereby authorized to execute mortgages, notes, affordable housing development agreements, and such other documents deemed necessary to secure loans under the Affordable Housing Trust Fund (AHTF). The terms and conditions of the aforementioned documents may be negotiated by the Division of Community Development (DCD) and shall be in accordance with all laws, rules and regulations applicable to the program.

I, Donna L. Mauer, hereby certify that sufficient funds in the amount of \$720,000 are available in Account No. 17.293.56.000.025. (PO# 98027)

  
 Donna L. Mauer  
 Chief Financial Officer

APPROVED:  APPROVED AS TO LEGAL FORM

APPROVED:  Business Administrator  Corporation Counsel

ASST -

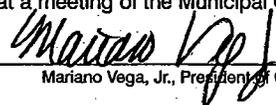
Certification Required

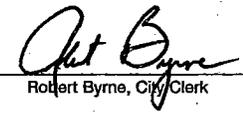
Not Required  **APPROVED 8-0**

| RECORD OF COUNCIL VOTE ON FINAL PASSAGE |     |     |      |               |        |     |      |               |     |     |      |
|-----------------------------------------|-----|-----|------|---------------|--------|-----|------|---------------|-----|-----|------|
| 9/23/09                                 |     |     |      |               |        |     |      |               |     |     |      |
| COUNCILPERSON                           | AYE | NAY | N.V. | COUNCILPERSON | AYE    | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| SOTTOLANO                               | ✓   |     |      | GAUGHAN       | ABSENT |     |      | 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., President of Council

  
 Robert Byrne, City Clerk

**LEGISLATIVE FACT SHEET**

This summary sheet is to be attached to any ordinance, resolution, cooperation agreement, or contract that is submitted for Council consideration. Incomplete or sketchy summary sheets will be returned with the resolution or ordinance. The Department, Division or Agency responsible for the overall implementation of the proposed project or program should provide a concise and accurate statement of facts.

**FULL TITLE OF ORDINANCE / RESOLUTION / COOPERATION AGREEMENT:**

**RESOLUTION OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY AUTHORIZING AN AMENDMENT TO THE AFFORDABLE HOUSING TRUST FUND (AHTF) AGREEMENT WITH WHITON STREET ASSOCIATES, LLC FOR THE MONTICELLO PROJECT**

**NAME AND TITLE OF PERSON INITIATING THE RESOLUTION:**

Darice Toon, Director, Division of Community Development – 201-547-5304

**DESCRIPTION OF THE PROGRAM, PROJECT, PLAN, PURCHASE, ETC.:**

New construction of a five (5) story development consisting of 120 units of housing and ground floor commercial space.

**ANTICIPATED COMMUNITY BENEFITS OR ASSESSMENT OF DEPARTMENTAL NEED:**

Creation of mixed income housing.

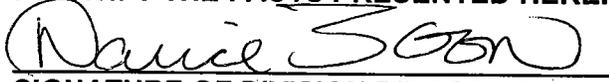
**COSTS OF PROGRAM OR PURCHASE: (IF EQUIPMENT PURCHASE, WHAT DOES IT REPLACE. HOW WILL THE PROGRAM OR PURCHASE BE FUNDED?):**

Approximately \$34,000,000 – All Sources

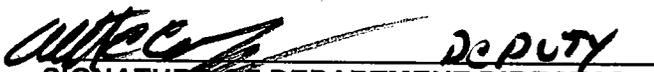
**IF CONTRACT, PROJECT OR PLAN DATE OF COMMENCEMENT:**

**ANTICIPATED COMPLETION DATE:**

I CERTIFY THE FACTS PRESENTED HEREIN ARE ACCURATE.

  
SIGNATURE OF DIVISION DIRECTOR

9/15/09  
DATE

  
SIGNATURE OF DEPARTMENT DIRECTOR

9-16-09  
DATE

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

City Clerk File No. Res. 09-784

Agenda No. 10.N

Approved: SEP 23 2009

TITLE:



**RESOLUTION OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY  
AUTHORIZING AN AFFORDABLE HOUSING TRUST FUND (AHTF) AGREEMENT  
JERSEY CITY COMMUNITY HOUSING CORPORATION FOR THE  
REHABILITATION OF 299-301 BERGEN AVENUE AND 108 STORMS AVENUE**

---

**WHEREAS**, on September 28, 2005 the City of Jersey City adopted Ordinance 05-130 amending and supplementing Chapter 304, Article VI (Long Term Tax Exemptions) of the Jersey City code that established an Affordable Housing Trust Fund (AHTF) from recipients of long term tax exemptions to adopt a spending plan; and

**WHEREAS**, said spending plan authorizes the City to enter into contract with for profit, non-profit or public entities, organized under state and federal law for the purpose of constructing affordable housing; and

**WHEREAS**, eligible applicants must provide proof that it is the recipient of funds from another public or private source that together with the AHTF will constitute sufficient funds to complete the proposed project; and

**WHEREAS**, Jersey City Community Housing Corporation is a non-profit organization located at 120 Wayne Street in Jersey City; and

**WHEREAS**, Jersey City Community Housing Corporation proposes to rehabilitate 13 units at 299-301 Bergen Avenue (Block 1784 Lot 1.C) and 108 Storms Avenue to (Block 1905.5 Lot T) to create affordable rental housing; and

**WHEREAS**, the total cost for this project is \$1,895,000 that will consist of the following sources: NJ Balanced Housing (\$975,000) Bayonne Community Bank (\$140,000) HOME (\$500,000) and Affordable Housing Trust Fund (\$280,000); and

Agenda No. Res. 09-784

Approved 10.N

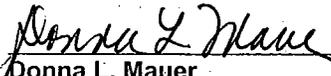
TITLE: SEP 23 2009

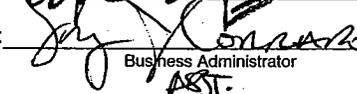
**RESOLUTION OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY  
AUTHORIZING AN AFFORDABLE HOUSING TRUST FUND (AHTF) AGREEMENT  
JERSEY CITY COMMUNITY HOUSING CORPORATION FOR THE  
REHABILITATION OF 299-301 BERGEN AVENUE AND 108 STORMS AVENUE**

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

- 1) The Mayor and / or Business Administrator is hereby authorized to enter into an Affordable Housing Trust Fund Agreement with Jersey City Community Housing Corporation for the rehabilitation of 299-301 Bergen Avenue and 108 Storms Avenue in the amount of \$280,000.
- 2) This commitment of funds is conditioned on the recipient starting construction within 120 days of the commitment of funds. The four (4) month deadline for starting construction may be extended for good cause at the discretion of the Director of the Division of Community Development.
- 3) Subject to review and approval by Corporation Counsel, the Mayor or Business Administrator is hereby authorized to execute mortgages, notes, affordable housing development agreements and such other documents deemed necessary to secure loans under the Affordable Housing Trust Fund (AHTF) Program. The terms and conditions of the aforementioned documents may be negotiated by the Division of Community Development (DCD) and shall be in accordance with all laws, rules and regulations applicable to the program.

I, Donna L. Mauer, hereby certify that a sufficient fund in the amount of \$280,000.00 is available in the AHTF Account No. 17.293.56.000.025 (PO# 98038).

  
Donna L. Mauer  
Chief Financial Officer

APPROVED:   
APPROVED:   
Business Administrator

 APPROVED AS TO LEGAL FORM  
\_\_\_\_\_  
Corporation Counsel

Certification Required

Not Required

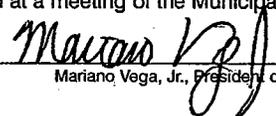
**APPROVED 8-0**

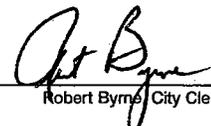
| RECORD OF COUNCIL VOTE ON FINAL PASSAGE<br>9/23/09 |     |     |      |               |        |     |      |               |     |     |      |
|----------------------------------------------------|-----|-----|------|---------------|--------|-----|------|---------------|-----|-----|------|
| COUNCILPERSON                                      | AYE | NAY | N.V. | COUNCILPERSON | AYE    | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| SOTTOLANO                                          | ✓   |     |      | GAUGHAN       | ABSENT |     |      | 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., President of Council

  
Robert Byrne, City Clerk

**LEGISLATIVE FACT SHEET**

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**FULL TITLE OF ORDINANCE / RESOLUTION / COOPERATION AGREEMENT:**

**RESOLUTION OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY AUTHORIZING AN AFFORDABLE HOUSING TRUST FUND (AHTF) AGREEMENT JERSEY CITY COMMUNITY HOUSING CORPORATION FOR THE REHABILITATION OF 299-301 BERGEN AVENUE AND 108 STORMS AVENUE**

**NAME AND TITLE OF PERSON INITIATING THE RESOLUTION:**

Darice Toon, Director, Division of Community Development – 201-547-5304

**DESCRIPTION OF THE PROGRAM, PROJECT, PLAN, PURCHASE, ETC.:**

Gut rehabilitation of 299-301 Bergen Avenue and 108 Storms Avenue to create 13 units of affordable housing.

**ANTICIPATED COMMUNITY BENEFITS OR ASSESSMENT OF DEPARTMENTAL NEED:**

Creation of affordable housing.

**COSTS OF PROGRAM OR PURCHASE: (IF EQUIPMENT PURCHASE, WHAT DOES IT REPLACE. HOW WILL THE PROGRAM OR PURCHASE BE FUNDED?):**

\$280,000 AHTF  
\$1,615,000 other sources

**IF CONTRACT, PROJECT OR PLAN DATE OF COMMENCEMENT:**

October 2009

**ANTICIPATED COMPLETION DATE:**

November 2010

I CERTIFY THE FACTS PRESENTED HEREIN ARE ACCURATE.

  
SIGNATURE OF DIVISION DIRECTOR

9/15/09  
DATE

 DEPUTY  
SIGNATURE OF DEPARTMENT DIRECTOR

9-16-09  
DATE

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

City Clerk File No. Res. 09-785

Agenda No. 10.0

Approved: SEP 23 2009



**TITLE: RESOLUTION OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY AUTHORIZING PROGRAM CONTRACTS UNDER THE COMMUNITY SERVICES BLOCK GRANT (CSBG) AMERICAN RECOVERY & REINVESTMENT ACT FUNDS**

COUNCIL  
of the following resolution:

offered and moved adoption

**WHEREAS**, the New Jersey Department of Community Affairs (DCA) has awarded the City of Jersey City \$1,596,740.00 under the Community Services Block Grant Non-Discretionary American Recovery & Reinvestment Act Grant No. 09-1784-00; and

**WHEREAS**, the operation of the activities proposed in the City of Jersey City's application requires that we subcontract with the agencies listed on the attached page; and

**WHEREAS**, the City of Jersey City has solicited competitive proposals for the provision of these activities; and

**WHEREAS**, the New Jersey Department of Community Affairs has approved services proposed by the subgrantees listed on the attached page; and

**WHEREAS**, this grant will be effective for the period of April 10, 2009 through September 30, 2010.

**NOW, THEREFORE, BE IT RESOLVED** by the Municipal Council of the City of Jersey City, that the Mayor or Business Administrator is hereby authorized to enter into contracts with agencies identified on the attached page under the Community Services Block Grant Non-Discretionary American Recovery & Reinvestment Act.

Agenda No. Res. 09-785

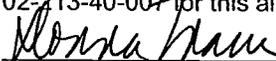
Approved 10.0

TITLE: SEP 23 2009

**RESOLUTION OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY  
AUTHORIZING PROGRAM CONTRACTS UNDER THE COMMUNITY SERVICES  
BLOCK GRANT (CSBG) AMERICAN RECOVERY & REINVESTMENT ACT FUNDS**

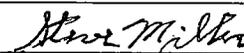
| AGENCY                                                                  | FUNDING LEVEL         | P.O. NUMBER | OBJECT CODE |
|-------------------------------------------------------------------------|-----------------------|-------------|-------------|
| Administration                                                          | \$79,033.00           |             | 314         |
| ASPIRA                                                                  | \$35,000.00           | 98008       | 984         |
| Boys & Girls Club of Hudson County                                      | \$62,929.00           | 98009       | 906         |
| Building an Empire, Inc. - IDAs/Financial Education                     | \$40,000.00           | 98010       | 554         |
| Building an Empire, Inc. - Employment                                   | \$35,000.00           | 98011       | 985         |
| Catholic Charities of the Archdiocese of Newark                         | \$125,000.00          | 98012       | 986         |
| The Hope Center                                                         | \$40,000.00           | 98013       | 983         |
| Dress for Success Hudson County                                         | \$35,000.00           | 98014       | 512         |
| Hudson Community Enterprises                                            | \$30,000.00           | 98015       | 961         |
| Hudson Perinatal Consortium, Inc.                                       | \$55,000.00           | 98026       | 987         |
| Jersey City Episcopal CDC - Employment                                  | \$46,632.00           | 98016       | 988         |
| Jersey City Episcopal CDC - Housing/Credit Counseling                   | \$72,549.00           | 98017       | 989         |
| Jersey City Department of Health & Human Services                       | \$303,146.00          | 98040       | 905         |
| Jersey City Housing Authority                                           | \$30,000.00           | 98018       | 990         |
| Jersey City Library Literacy Program                                    | \$40,000.00           | 98020       | 604         |
| Let's Celebrate, Inc.                                                   | \$175,000.00          | 98020       | 979         |
| Medical and Social Services for the Homeless/Jersey City Medical Center | \$199,480.00          | 98021       | 991         |
| Puerto Asociados for Community Organization, Inc. (PACO)                | \$75,000.00           | 98022       | 980         |
| Urban League of Hudson County - Housing/Credit Counseling               | \$75,000.00           | 98023       | 992         |
| Urban League of Hudson County - IDAs/Financial Education                | \$20,000.00           | 98024       | 993         |
| Visiting Homemaker Service                                              | \$22,971.00           | 98025       | 994         |
| <b>TOTAL</b>                                                            | <b>\$1,596,740.00</b> |             |             |

I hereby certify that funds in the amount of \$1,596,740.00 are available in Account No. 02-213-40-007 for this allocation.

  
Donna Mauer, Chief Financial Officer

APPROVED: \_\_\_\_\_

APPROVED AS TO LEGAL FORM

APPROVED:   
Steve Miller, Business Administrator

  
Raymond Rulligan, Asst. Corporation Counsel

Certification Required

Not Required

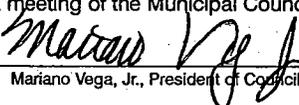
APPROVED 8-0

| RECORD OF COUNCIL VOTE ON FINAL PASSAGE |     |     |      |               |        |     |      |               |     |     |      |
|-----------------------------------------|-----|-----|------|---------------|--------|-----|------|---------------|-----|-----|------|
| 9/23/09                                 |     |     |      |               |        |     |      |               |     |     |      |
| COUNCILPERSON                           | AYE | NAY | N.V. | COUNCILPERSON | AYE    | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| SOTTOLAND                               | ✓   |     |      | GAUGHAN       | ABSENT |     |      | 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., President of Council

  
Robert Byrne, City Clerk

**LEGISLATIVE FACT SHEET**

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**FULL TITLE OF ORDINANCE/RESOLUTION/COOPERATION AGREEMENT:**

RESOLUTION OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY AUTHORIZING PROGRAM CONTRACTS UNDER THE COMMUNITY SERVICES BLOCK GRANT (CSBG) AMERICAN RECOVERY & REINVESTMENT ACT

**NAME AND TITLE OF PERSON INITIATING THE RESOLUTION:**

DARICE TOON, DIRECTOR, DIVISION OF COMMUNITY DEVELOPMENT –  
201-547-5304

**DESCRIPTION OF THE PROGRAM, PROJECT, PLAN, PURCHASE, ETC.:**

CSBG PROVIDES FUNDING TO VARIOUS SOCIAL SERVICE AGENCIES. SERVICES RANGE FROM FINANCIAL LITERACY TO A MEALS ON WHEELS PROGRAM FOR SENIOR CITIZENS.

**ANTICIPATED COMMUNITY BENEFITS OR ASSESSMENT OF DEPARTMENTAL NEED:**

CSBG IS DESIGNED TO ALLEVIATE POVERTY RELATED CONDITIONS.

**COSTS OF PROGRAM OR PURCHASE: (IF EQUIPMENT PURCHASE, WHAT DOES IT REPLACE. HOW WILL THE PROGRAM OR PURCHASE BE FUNDED?):**

\$1,596,740.00

**IF CONTRACT, PROJECT OR PLAN DATE OF COMMENCEMENT:**

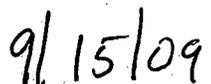
APRIL 2009

**ANTICIPATED COMPLETION DATE:**

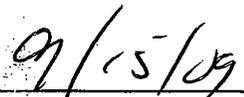
SEPTEMBER 2010

I CERTIFY THE FACTS PRESENTED HEREIN ARE ACCURATE.

  
SIGNATURE OF DIVISION DIRECTOR

  
DATE

  
SIGNATURE OF DEPARTMENT DIRECTOR

  
DATE

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

City Clerk File No. Res. 09-786

Agenda No. 10.P

Approved: SEP 23 2009

TITLE:



## RESOLUTION OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY AMENDING MULTIPLE ANNUAL ACTION PLANS TO RE-ALLOCATE HOME INVESTMENT PARTNERSHIPS PROGRAM (HOME) FUNDS

---

COUNCIL  
of the following resolution:

offered and moved adoption

**WHEREAS**, on March 15, 2005 the Municipal Council adopted Resolution Nos. 05-210 authorizing the submission of the 2005-2009 Five Year Consolidated Plan to the U.S. Department of Housing and Urban Development (HUD); and

**WHEREAS**, on January 26, 2009, May 14, 2008, January 24, 2007, February 8, 2006, January 23, 2002 and February 28, 2001 the Municipal Council adopted Resolution Nos. 09-44, 08-331, 07-052, 06-097, 02-040 and 01-159, respectively authorizing the submission of the Annual Applications and Action Plans; and

**WHEREAS**, the City is desirous of re-allocating HOME funds as described in Exhibit A; and

**WHEREAS**, it is in the best interest of the City to award funds as detailed in Exhibit A.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor or Business Administrator is hereby authorized to execute agreements with subrecipients and subgrantees identified in Exhibit A and to execute amendments and modifications to the agreement as deemed necessary by the Division of Community Development (DCD).

**BE IT FURTHER RESOLVED**, that subject to review and approval by Corporation Counsel, the Mayor or Business Administrator is hereby authorized to execute mortgages, notes, affordable housing development agreements and such other documents deemed necessary to secure loans and grants made under the City's HUD entitlement grants. The terms and conditions of the aforementioned documents may be negotiated by the Division of Community Development and shall be in accordance with all laws, rules and regulations applicable to the program.

City Clerk File No. Res. 09-786Agenda No. 10.P**SEP 23 2009**

TITLE:

**RESOLUTION OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY  
AMENDING MULTIPLE ANNUAL ACTION PLANS TO RE-ALLOCATE HOME  
INVESTMENT PARTNERSHIPS PROGRAM (HOME) FUNDS****EXHIBIT A****HOME Investment Partnerships Program (HOME)**

| Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                            |           |                |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------|-----------|----------------|
| <b>Whiton Street Associates (The Monticello)</b><br>31 Willard Avenue<br>Totowa, NJ 07512<br>Project Address: 220, 220A, 222, 224, 234, 236 & 238 Monticello Avenue; 221, 223, 225 & 227 Fairmount Avenue and 4, 8 & 12 Fairview Avenue<br><br>New Construction of mixed income five (5) story development consisting of 120 units, 40,000 sq. ft. of ground floor retail space and approximately 200 parking spaces located on Monticello Avenue between Fairmount and Fairview Avenues. Ten (10) of the 24 affordable units will be HOME assisted. <b>Reprogram \$801,359 from the following HOME accounts:</b> |                                            |           |                |
| YEAR                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | ACCOUNT                                    | AMOUNT    | HUD Activity # |
| 2009                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Unallocated HOME Non-CHDO New Construction | \$801,359 | N / A          |
| <b>Jersey City Community Housing Corp.</b><br>120 Wayne Street<br>Jersey City, NJ 07302<br>Project Address: 299 Bergen Avenue and 108 Storms Avenue<br><br>Gut Rehabilitation of two (2) buildings. A total of thirteen (13) affordable housing units will be created. Eleven (11) units will be HOME assisted. <b>Reprogram \$500,000 from the following HOME accounts:</b>                                                                                                                                                                                                                                      |                                            |           |                |
| YEAR                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | ACCOUNT                                    | AMOUNT    | HUD Activity # |
| 2002                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Reprogrammed Funds                         | \$360,000 | N / A          |
| 2007                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Reprogrammed Funds                         | \$85,923  | N / A          |
| 2005                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Reprogrammed Funds                         | \$50,000  | N / A          |
| 2002                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Reprogrammed Funds                         | \$4,077   | N / A          |
| <b>Alliance Construction Group, LLC</b><br>293 Martin Luther King Drive<br>Jersey City, NJ 07305<br>Project Address: 301 Martin Luther King Drive<br><br>New Construction of mixed use building consisting of seven (7) affordable housing units and ground floor commercial space. <b>Reprogram \$650,000 from the following HOME accounts:</b>                                                                                                                                                                                                                                                                  |                                            |           |                |
| YEAR                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | ACCOUNT                                    | AMOUNT    | HUD Activity # |
| 2008                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Reprogrammed Funds                         | \$68,676  | N / A          |
| 2006                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Reprogrammed Funds                         | \$13,311  | N / A          |
| 2002                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Reprogrammed Funds                         | \$32,384  | N / A          |
| 1997                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Reprogrammed Funds                         | \$22,398  | N / A          |
| 2005                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Reprogrammed Funds                         | \$37,237  | N / A          |
| 2009                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Reprogrammed Funds                         | \$121,763 | N / A          |
| 2001                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Reprogrammed Funds                         | \$354,231 | N / A          |
| <b>Morris Canal Redevelopment Area CDC</b><br>281 Pacific Avenue<br>Jersey City, NJ 07304<br><br>Predevelopment funds for the development of an eight (8) unit affordable housing project to be located at 317-319 Pacific Avenue. <b>Allocate \$50,000 from the following HOME account:</b>                                                                                                                                                                                                                                                                                                                      |                                            |           |                |
| YEAR                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | ACCOUNT                                    | AMOUNT    | HUD Activity # |
| 2008                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | CHDO Operating & Program Income            | \$50,000  | N / A          |

Agenda No. Res. 09-786

Approved 10.P

TITLE: SEP 23 2009

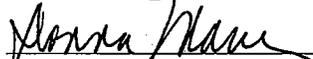
**RESOLUTION OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY  
AMENDING MULTIPLE ANNUAL ACTION PLANS TO RE-ALLOCATE HOME  
INVESTMENT PARTNERSHIPS PROGRAM (HOME) FUNDS**

| Year                                                                                | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                     |               |                                                                                |                  |                                                                                     |                  |
|-------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|---------------|--------------------------------------------------------------------------------|------------------|-------------------------------------------------------------------------------------|------------------|
| 2008                                                                                | <p>Award CHDO Operating funds to the following Community Housing Development Organizations (CHDO):</p> <table border="0"> <thead> <tr> <th><u>Organization</u></th> <th><u>Amount</u></th> </tr> </thead> <tbody> <tr> <td> <b>Jersey City Episcopal CDC</b><br/>                     514 Newark Avenue<br/>                     Jersey City, NJ 07306                 </td> <td><b>\$50,000.</b></td> </tr> <tr> <td> <b>Morris Canal Redevelopment Area CDC</b><br/>                     281 Pacific Avenue<br/>                     Jersey City, NJ                 </td> <td><b>\$50,000.</b></td> </tr> </tbody> </table> | <u>Organization</u> | <u>Amount</u> | <b>Jersey City Episcopal CDC</b><br>514 Newark Avenue<br>Jersey City, NJ 07306 | <b>\$50,000.</b> | <b>Morris Canal Redevelopment Area CDC</b><br>281 Pacific Avenue<br>Jersey City, NJ | <b>\$50,000.</b> |
| <u>Organization</u>                                                                 | <u>Amount</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                     |               |                                                                                |                  |                                                                                     |                  |
| <b>Jersey City Episcopal CDC</b><br>514 Newark Avenue<br>Jersey City, NJ 07306      | <b>\$50,000.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                     |               |                                                                                |                  |                                                                                     |                  |
| <b>Morris Canal Redevelopment Area CDC</b><br>281 Pacific Avenue<br>Jersey City, NJ | <b>\$50,000.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                     |               |                                                                                |                  |                                                                                     |                  |

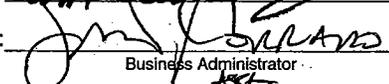
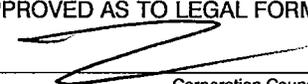
**SUMMARY OF REPROGRAMMED ACCOUNTS**

| VENDOR                              | PROJECT                                    | AMOUNT    | ACCOUNT #         | P.O. # |
|-------------------------------------|--------------------------------------------|-----------|-------------------|--------|
| Whiton Street Associates, LLC       | The Monticello                             | \$801,359 | 36.200.56.901.717 | 98028  |
| Jersey City Community Housing Corp. | 299 Bergen Avenue & 108 Storms Avenue      | \$500,000 | 36.200.56.901.718 | 98037  |
| Alliance Construction Group, LLC    | 301 Martin Luther King Drive               | \$650,000 | 36.200.56.901.719 | 98029  |
| Morris Canal Redevelopment Area CDC | 317-319 Pacific Avenue Predevelopment Loan | \$50,000  | 36.200.56.901.616 | 98030  |
| Jersey City Episcopal CDC           | CHDO Operating                             | \$50,000  | 36.200.56.901.588 | 98031  |
| Morris Canal Redevelopment Area CDC | CHDO Operating                             | \$50,000  | 36.200.56.901.616 | 98032  |

I, Donna Mauer, hereby certifies that sufficient funds in the amount of \$2,101,359 are available in the above mentioned accounts.

  
 Donna Mauer  
 Chief Financial Officer

APPROVED:  APPROVED AS TO LEGAL FORM

APPROVED:  Business Administrator  
 Corporation Counsel

Certification Required

Not Required

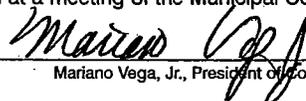
APPROVED 8-0

| RECORD OF COUNCIL VOTE ON FINAL PASSAGE |     |     |      |               |        |     |      |               |     |     |      |
|-----------------------------------------|-----|-----|------|---------------|--------|-----|------|---------------|-----|-----|------|
| 9/23/09                                 |     |     |      |               |        |     |      |               |     |     |      |
| COUNCILPERSON                           | AYE | NAY | N.V. | COUNCILPERSON | AYE    | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| SOTTOLANO                               | ✓   |     |      | GAUGHAN       | ABSENT |     |      | 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., President of Council

  
 Robert Byrne, City Clerk

**LEGISLATIVE FACT SHEET**

This summary sheet is to be attached to any ordinance, resolution, cooperation agreement, or contract that is submitted for Council consideration. Incomplete or sketchy summary sheets will be returned with the resolution or ordinance. The Department, Division or Agency responsible for the overall implementation of the proposed project or program should provide a concise and accurate statement of facts.

**FULL TITLE OF ORDINANCE / RESOLUTION / COOPERATION AGREEMENT:**

**RESOLUTION OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY AMENDING MULTIPLE ANNUAL ACTION PLANS TO RE-ALLOCATE HOME INVESTMENT PARTNERSHIPS PROGRAM (HOME) FUNDS**

**NAME AND TITLE OF PERSON INITIATING THE RESOLUTION:**

Darice Toon, Director, Division of Community Development – 201-547-5304

**DESCRIPTION OF THE PROGRAM, PROJECT, PLAN, PURCHASE, ETC.:**

Various housing activities designed to produce additional units of affordable housing.

**ANTICIPATED COMMUNITY BENEFITS OR ASSESSMENT OF DEPARTMENTAL NEED:**

Creation of affordable housing.

**COSTS OF PROGRAM OR PURCHASE: (IF EQUIPMENT PURCHASE, WHAT DOES IT REPLACE. HOW WILL THE PROGRAM OR PURCHASE BE FUNDED?):**

\$2,101,359 (HOME)

**IF CONTRACT, PROJECT OR PLAN DATE OF COMMENCEMENT:**

**ANTICIPATED COMPLETION DATE:**

I CERTIFY THE FACTS PRESENTED HEREIN ARE ACCURATE.

Darice Toon  
SIGNATURE OF DIVISION DIRECTOR

9/15/09  
DATE

Althea Deary  
SIGNATURE OF DEPARTMENT DIRECTOR

9-16-09  
DATE

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

City Clerk File No. Res. 09-787

Agenda No. 10.Q

Approved: SEP 23 2009

TITLE:



## RESOLUTION AUTHORIZING A REFUND/CREDIT OF \$362,610.46 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 indicated below; 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 reviewing appraisal reports prepared by the owners and by certified real estate appraisers engaged by the City, the Corporation Counsel has recommended that the complaints be settled at the assessments specified below; and

**WHEREAS**, these settlements will reduce the assessment 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 \$362,610.46.

MAM/mw  
9/11/09

APPROVED: \_\_\_\_\_

APPROVED AS TO LEGAL FORM

APPROVED: [Signature]  
Business Administrator

[Signature]  
Corporation Counsel

2009098

Certification Required

Not Required

APPROVED 8-0

| RECORD OF COUNCIL VOTE ON FINAL PASSAGE |     |     |      |               |        |     |      |               |     |     |      |
|-----------------------------------------|-----|-----|------|---------------|--------|-----|------|---------------|-----|-----|------|
| 9/23/09                                 |     |     |      |               |        |     |      |               |     |     |      |
| COUNCILPERSON                           | AYE | NAY | N.V. | COUNCILPERSON | AYE    | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| SOTTOLANO                               | ✓   |     |      | GAUGHAN       | ABSENT |     |      | 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.

[Signature]  
Mariano Vega, Jr., President of Council

[Signature]  
Robert Byrne, City Clerk

| Block  | Lot | Tax Years | TaxPayer Owner         | Property Address      | Present Assessment | Settled Assessment | Assessment Reduction | Refund      |
|--------|-----|-----------|------------------------|-----------------------|--------------------|--------------------|----------------------|-------------|
| 280    | 51  | 2008      | 5th Street Realty      | 238 5th Street        | \$1,075,000        | \$950,000          | \$125,000            | \$6,940.00  |
| 280    | 51  | 2009      | 5th Street Realty      | 238 5th Street        | \$1,075,000        | \$900,000          | \$175,000            | \$10,501.75 |
| 1874   | 9   | 2009      | 88 Van Reypen Rlty     | 88 Van Reypen Street  | \$1,750,000        | \$1,550,000        | \$200,000            | \$12,002.00 |
| 1514.A | 105 | 2008      | Engel Holding          | 105 Harbor Drive      | \$2,375,000        | \$2,100,000        | \$275,000            | \$15,268.00 |
| 1514.A | 105 | 2009      | Engel Holding Co.      | 105 Harbor Dr         | \$2,375,000        | \$1,850,000        | \$525,000            | \$31,505.20 |
| 1514.A | 105 | 2007      | Engel Holding Co.      | 100 Southgate Parkway | \$2,375,000        | \$2,375,000        | \$0                  | \$0.00      |
| 1405   | W   | 2009      | Gates Rd. Assoc.       | 134 Garfield Avenue   | \$1,400,000        | \$850,000          | \$550,000            | \$33,005.50 |
| 1405   | W   | 2008      | Gates Rd. Assoc., LLC  | 134 Garfield Avenue   | \$1,400,000        | \$900,000          | \$500,000            | \$27,760.00 |
| 1507   | 20  | 2009      | Jersey Eagle Sales     | 101 E. Linden Avenue  | \$1,809,300        | \$1,609,300        | \$200,000            | \$12,000.00 |
| 1507   | 20  | 2008      | Jersey Eagle Sales Co. | 101 E. Linden Avenue  | \$1,809,300        | \$1,709,300        | \$100,000            | \$5,552.00  |

SEP 23 2009

| Block | Lot | Tax Years | TaxPayer Owner                            | Property Address                 | Present Assessment | Settled Assessment | Assessment Reduction | Refund      |
|-------|-----|-----------|-------------------------------------------|----------------------------------|--------------------|--------------------|----------------------|-------------|
| 1507  | 21  | 2008      | Jersey Eagle Sales Co.                    | 101 E. Linden Avenue             | \$390,700          | \$390,700          | \$0                  | \$0.00      |
| 1507  | 21  | 2009      | Jersey Eagle Sales Co.                    | 101 E. Linden Avenue             | \$390,700          | \$390,700          | \$0                  | \$0.00      |
| 681   | 7.C | 2008      | Maxwell Properties                        | 25 Van Keuren Ave                | \$800,000          | \$750,000          | \$50,000             | \$2,776.00  |
| 681   | 7.C | 2009      | Maxwell Properties                        | 25 Van Keuren Ave                | \$800,000          | \$725,000          | \$75,000             | \$4,500.75  |
| 20    | 1.9 | 2007      | Sears Roebuck & Co.                       | 50 Mall Dr West                  | \$6,681,000        | \$5443000          | \$1238000            | \$68,696.62 |
| 20    | 1.9 | 2008      | Sears, Roebuck & Co. / Newport Centre LLC | 50 Mall Drive West               | \$6,681,000        | \$4951900          | \$1729100            | \$95,999.63 |
| 1990  | 39  | 2007      | Simha Realty                              | 310 Martin Luther King Drive     | \$75,000           | \$69,000           | \$6,000              | \$332.94    |
| 1990  | 5.A | 2007      | Simha Realty                              | 300 Martin Luther King Drive     | \$70,000           | \$64,000           | \$6,000              | \$332.94    |
| 1990  | 2   | 2007      | Simha Realty LLC                          | 304-306 Martin Luther King Drive | \$95,000           | \$89,000           | \$6,000              | \$332.94    |
| 1990  | 4.A | 2007      | Simha Realty LLC                          | 302 Martin Luther King Drive     | \$50,000           | \$44,000           | \$6,000              | \$332.94    |

FN07 9 2 3 130

| Block | Lot | Tax Years | TaxPayer Owner      | Property Address   | Present Assessment | Settled Assessment | Assessment Reduction | Refund      |
|-------|-----|-----------|---------------------|--------------------|--------------------|--------------------|----------------------|-------------|
| 637   | 34  | 2009      | St. Anne's Rly      | 201 Tonnele Avenue | \$1,175,000        | \$850,000          | \$325,000            | \$19,503.25 |
| 637   | 34  | 2008      | St. Anne's Rly, LLC | 201 Tonnele Ave    | \$1,175,000        | \$900,000          | \$275,000            | \$15,268.00 |

ALL TAXES AND FEES PAID 9-11-09

| Refund    | Total Refunds |
|-----------|---------------|
| 6,940.00  | 6,940         |
| 10,501.75 | 17,441.75     |
| 12,002.00 | 29,443.75     |
| 15,268.00 | 44,711.75     |
| 31,505.20 | 76,216.95     |
| 0         | 76,216.95     |
| 33,005.50 | 109,222.45    |
| 27,760.00 | 136,982.45    |
| 12,000.00 | 148,982.45    |
| 5552.00   | 154,534.45    |
| 0         | 154,534.45    |
| 0         | 157,310.45    |
| 2776.00   | 161,811.2     |
| 4500.75   | 230,507.82    |
| 68,596.62 | 326,507.45    |
| 95,999.63 | 326,840.39    |
| 332.94    | 327,173.33    |
| 332.94    | 327,506.27    |
| 332.94    | 327,839.21    |
| 19,503.25 | 347,342.46    |
| 15,268.00 | 362,610.46    |

SEP 23 2009

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

City Clerk File No. Res. 09-788

Agenda No. 10.R

Approved: SEP 23 2009

TITLE:



## RESOLUTION AUTHORIZING THE BUSINESS ADMINISTRATOR TO DISCHARGE THE MORTGAGE AND AFFORDABILITY CONTROLS AFFECTING THE PROPERTY KNOWN AS 136-138 GRANT AVENUE OWNED BY FAIRMOUNT HOUSING CORPORATION

**COUNCIL  
FOLLOWING RESOLUTION:**

**OFFERED AND MOVED ADOPTION OF THE**

**WHEREAS**, pursuant to the Local Lands and Buildings Law, N.J.S.A. 40A:12-21(j), the City of Jersey City (City) is authorized to convey residential property to a non-profit corporation, for nominal consideration if the corporation agrees to build or rehabilitate the property for residential purposes; and

**WHEREAS**, on December 11, 1986, by the adoption of Ordinance C-345, the City conveyed title to three properties including the property designated as Block 1985, Lot L.14, 136 -138 Grant Avenue depicted on the tax map attached hereto as Exhibit A to Fairmount Housing Corporation (Fairmount), a non-profit corporation; and

**WHEREAS**, Fairmount was to develop the properties through rehabilitation into 38 residential rental units for persons of low and moderate income required to be maintained as affordable for a minimum period of 15 years (the Project); and

**WHEREAS**, Fairmount received several State and County grants and loans to fund the Project including a loan from the Hudson County's Affordable Housing Trust Fund in the amount of \$456,000; and

**WHEREAS**, on July 5, 2001, Fairmount also received Linkage funds from the City in the amount of \$65,973 in the form of a loan towards the rehabilitation of the property during which time the property was to be occupied by persons of low and moderate income households; and

**WHEREAS**, Fairmount has defaulted on its obligations under the City's mortgage as well as the other State and County loans that had been administered by the Hudson County Improvement Authority by failing to operate the property as affordable housing; and

**WHEREAS**, Fairmount desires to sell the property, 136 -138 Grant Avenue, to an LLC to be formed by William Melms, an individual with an address at 506 Palisade Avenue, Jersey City, who will rehabilitate the property for market rate housing; and

**WHEREAS**, Fairmount has proposed to sell the property to William Melms, for the sum of \$470,000, which, will not be sufficient to payoff its loan obligations in full to the City and County and the other debt encumbering 136-138 Grant Avenue; and

Agenda No. Res. 09-788

Approved 10.R

TITLE: SEP 23 2009

**WHEREAS**, the County has indicated to the City that it is in best interest of all parties that the property is sold and that they have agreed to accept approximately \$40,000 less than the principal amount (\$357,000) owed on its loan to Fairmount and have waived the interest and penalties in an attempt to make the sales price attractive to potential buyers; and

**WHEREAS**, in order to consummate the sale to William Melms, Fairmount requires that the City discharge its mortgage; accept payment of a minimum of \$25,000 as payoff of the City's mortgage and agree to release the 15 year affordability restrictions on the property; and

**WHEREAS**, it is in the best interests of the City to discharge the mortgage and affordability controls on the property so that it can be sold to a private buyer in order to return the property to the tax rolls and remove this continuing blight in the neighborhood.

**NOW, THEREFORE, BE IT RESOLVED**, that the Business Administrator is authorized to execute a discharge of the City's Mortgage and affordability controls to Fairmount Housing Corporation in the sum of \$65,973 affecting 136-138 Grant Avenue, also known as Block 1985, Lot L.14 subject to the following conditions:

- 1) Payment to the City of Jersey City of a minimum of \$25,000 representing a reduction of \$40,973 otherwise due and a share of excess sale proceeds, if any, based upon the City's proportionate interest in the Project;
- 2) All taxes and water/sewer charges shall be paid in full by Fairmount at closing; and
- 3) The closing to take place no later than December 31, 2009 and the projected distribution of sale proceeds pursuant to the letter dated July 2, 2009 hereto attached as Exhibit B.

APPROVED: \_\_\_\_\_

APPROVED AS TO LEGAL FORM

APPROVED: Steve Miller  
Cmt. Business Administrator

Rachel Radalyk  
Asst. Corporation Counsel

SEP 23 2009 100

Certification Required

Not Required

APPROVED 8-0

| RECORD OF COUNCIL VOTE ON FINAL PASSAGE |     |     |      |               |        |     |      |               |     |     |      |
|-----------------------------------------|-----|-----|------|---------------|--------|-----|------|---------------|-----|-----|------|
| 9/23/09                                 |     |     |      |               |        |     |      |               |     |     |      |
| COUNCILPERSON                           | AYE | NAY | N.V. | COUNCILPERSON | AYE    | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| SOTTOLANO                               | ✓   |     |      | GAUGHAN       | ABSENT |     |      | 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



July 2, 2009

Darice Toon  
Director  
Division of Community Development  
30 Montgomery Street  
Jersey City, NJ 07302

RE: 136 Grant Avenue, Jersey City

Dear Darice;

Please be advised that an offer to purchase the above referenced property, in the amount of \$470,000, has been accepted by the Fairmount Housing Corporation. As you are aware, the property has been vacant and for sale for a substantial length of time and Fairmount Housing Corporation was successful in finding a buyer who offered a cash transaction and is looking forward to a expeditious closing. As you are aware, the property received a loan from the Hudson County Affordable Housing Trust Fund (the "Trust Fund"). The mortgage has been in arrears for several years and the Trust Fund is due approximately \$357,000 in principal. Although the Trust Fund is rightfully owed interest and penalty fees as a result of nonpayment of the mortgage, the Trust Fund agreed to waive said fees in an attempt to make the sales price attractive to potential purchasers. Furthermore, the project received funding, in the amount of \$65,000, from the City of Jersey City, in the form of a deferred loan, to be used towards rehabilitation of the property during the time that the property was occupied by low income households.

The following is a list of obligations provided by Fairmount Housing Corporation's legal counsel to be satisfied prior to closing,

| <u>Creditor</u> | <u>Amount</u> | <u>Explanation</u>     |
|-----------------|---------------|------------------------|
| Trust Fund      | \$357,000     | Existing Mortgage      |
| Jersey City     | \$ 65,000     | Deferred Loan          |
|                 | \$ 7,500+     | Tax Liens              |
|                 | \$37,000+     | Water & Sewer Charges  |
| PSE&G           | \$11,000      | Gas & Electric Service |

Exhibit B

July 2, 2009  
Darice Toon  
Page 2

| <u>Creditor</u>          | <u>Amount</u>    | <u>Explanation</u>                                             |
|--------------------------|------------------|----------------------------------------------------------------|
| State of New Jersey      | \$5,500          | Housing Violations                                             |
| Vendors                  | \$14,100         | 20% of the total accounts payable attributable to the property |
| Broker's commission      | \$23,500         |                                                                |
| Estimated Closing Costs  | \$20,000         | Recording fees, attorney's fess                                |
| <b>Total Obligations</b> | <b>\$540,600</b> |                                                                |

The Division trusts that you will agree with our assessment that it is in the best interest of all parties that 136 Grant Avenue is sold. Presently, the property is abandoned and is a detriment to the community that has worked towards stabilization for several years, and in its present state, only serves to detract future investors and residents. To that end, the Division would be willing to accept the amount of \$317,000 or \$40,000 less than the principal owed on the existing loan and respectfully submits that the City of Jersey City consider accepting \$25,000 or \$40,000 less than the amount owed on the deferred loan to enable the purchase of the property. Although the Division recognizes Fairmount Housing Corporation's culpability in the financial and physical condition of the property, the Division has determined that organization should be given the ability to repay a portion of the outstanding debts to their vendors. Although several of Fairmount Housing Corporation's affordable housing projects have not been successful, the organization has very capably provided critical social services to the Hudson County community. The Division is concerned that, if the financial stability of the Fairmount Housing Corporation continues to weaken, the organization's ability to be carry out the various social service programs that the our communities rely upon will diminish.

At your earliest convenience, please contact me at (201) 795-6186 to discuss this matter further.

Sincerely,

Susan Mearns  
Division Chief

xc. William J. Netchert, Esq., General Counsel, Hudson County Improvement Authority

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

City Clerk File No. Res. 09-789

Agenda No. 10.5

Approved: SEP 23 2009

TITLE:



## RESOLUTION APPROVING THE APPOINTMENT OF A CHIEF MUNICIPAL PROSECUTOR AND MUNICIPAL PROSECUTORS FOR THE JERSEY CITY MUNICIPAL COURT TO SERVE FOR TERMS OF ONE YEAR

COUNCIL  
Resolution:

offered and moved adoption of the following

WHEREAS, N.J.S.A. 2B:25-4 provides that each Municipal Court in New Jersey shall have a Chief Municipal Prosecutor and Municipal Prosecutors to serve for terms of one year from the date of their appointments; and

WHEREAS, under N.J.S.A. 2B:25-5a, Municipal Prosecutors shall prosecute all offenses within the statutory jurisdiction of the Municipal Court as defined by law, including but not limited to municipal ordinance and municipal code violations pertaining to zoning, land or property use regulation, property maintenance, building or construction; and

WHEREAS, the Mayor has appointed **Alexander E. Jardines**, residing at 407 69<sup>th</sup> Street, Guttenberg, New Jersey 07093, for a one year term as Chief Municipal Prosecutor of the Municipal Court of Jersey City, subject to the advice and consent of the Municipal Council; and

WHEREAS, the Mayor has also appointed the following Municipal Prosecutors of the City of Jersey City for a one year term:

- (1) **Linda Aristondo** residing at 288 Barrow Street, Jersey City, New Jersey 07302;
- (2) **Steven Hummel** residing at 1077 River Road, Edgewater, New Jersey 07020;
- (3) **Armando Molina** residing at 41 Jefferson Street, Metuchen, New Jersey 08840;
- (4) **Mark C. Curtis** residing at 53 Garrison Avenue, Jersey City, New Jersey 07306;
- (5) **Corinne Mullen** residing at 600 Hudson Street, Hoboken, New Jersey 07030;
- (6) **Alan Pearlman** residing at 11 Short Hills Lane, Scotch Plains, New Jersey 07076;
- (7) **Paul Scalia** residing at 3571 Kennedy Boulevard, Jersey City, New Jersey 07307;
- (8) **Joseph Talafous** residing at 10 Huron Avenue, Jersey City, New Jersey 07306;
- (9) **James McCaffery**, 102-B Shearwater Court, Jersey City, New Jersey 07305
- (10) **Jay Yacker** residing at 1025 Park Avenue Plaza, Hoboken, New Jersey 07030.

which appointments are subject to the advice and consent of the Municipal Council.

WHEREAS, the Mayor has also appointed the following Part-Time Municipal Prosecutors on an as needed basis for the City of Jersey City for a one year term:

- (1) **Nora Kallen**, residing at 100 Dudley Street, Apt. 2233, Jersey City, NJ 07302;
- (2) **Raymond Reddington**, residing at 93 Brookside Avenue, Caldwell, NJ 07006;
- (3) **Stevie Chambers**, residing at 294 Varick Street, Apt. 2, Jersey City, NJ 07302.

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

Agenda No. Res. 09-789

Approved 10.5 SEP 23 2009

**TITLE: RESOLUTION APPROVING THE APPOINTMENT OF A CHIEF MUNICIPAL PROSECUTOR AND MUNICIPAL PROSECUTORS FOR THE JERSEY CITY MUNICIPAL COURT TO SERVE FOR TERMS OF ONE YEAR**

1. The appointment of **Alexander E. Jardines**, as Chief Municipal Prosecutor, be and is hereby approved with a ~~one~~ year term of office to commence on or about July 1, 2009 and to expire on June 30, 2010.
2. The appointments of **Linda Aristondo, Steven Hummel, Armando Molina, Mark C. Curtis, Corinne Mullen, Alan Pearlman, Paul Scalia, Joseph Talafous, James McCaffery and Jay Yacker**, as Municipal Prosecutors, be and are hereby approved with one year terms of office to commence on or about July 1, 2009 and to expire on June 30, 2010.
3. The appointments of **Nora Kallen, Raymond Reddington and Stevie Chambers** as Part-Time Municipal Prosecutors on an as needed basis, be and are hereby approved with one year terms of office to commence on or about July 1, 2009 and to expire on June 30, 2010.
3. The Chief Municipal Prosecutor and the Municipal Prosecutors shall be compensated on an hourly, per diem, or annual basis in an amount to be determined by the Mayor or Business Administrator.

WM/igp  
09/10/09

APPROVED: \_\_\_\_\_  
 APPROVED: *[Signature]*  
 Business Administrator  
*ASB*

APPROVED AS TO LEGAL FORM  
 \_\_\_\_\_  
 Corporation Counsel

Certification Required   
 Not Required

**APPROVED 8-0**  
**9/23/09**

| RECORD OF COUNCIL VOTE ON FINAL PASSAGE |     |     |      |               |               |     |      |               |     |     |      |
|-----------------------------------------|-----|-----|------|---------------|---------------|-----|------|---------------|-----|-----|------|
| COUNCILPERSON                           | AYE | NAY | N.V. | COUNCILPERSON | AYE           | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| SOTTOLANO                               | ✓   |     |      | GAUGHAN       | <i>ABSENT</i> |     |      | 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.

*[Signature]*  
 Mariano Vega, Jr., President of Council

*[Signature]*  
 Robert Byrne, City Clerk

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

City Clerk File No. Res. 09-790

Agenda No. 10.T

Approved: SEP 23 2009

TITLE:



**RESOLUTION OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY AUTHORIZING THE BUSINESS ADMINISTRATOR TO EXECUTE A DISCHARGE OF A COLLATERAL MORTGAGE ON THE PROPERTY 4529 BERGENLINE AVENUE, UNION CITY, NEW JERSEY WHICH SERVED AS ADDITIONAL SECURITY FOR THE MORTGAGE AFFECTING 1995 JOHN F. KENNEDY BLVD., JERSEY CITY, NEW JERSEY AND ASSIGNED TO THE CITY OF JERSEY CITY FROM THE JERSEY CITY REDEVELOPMENT AGENCY**

**COUNCIL**

offered and moved adoption of the following resolution:

**WHEREAS**, Orlando Bru (Owner) participated in the Jersey City Redevelopment Agency's (JCRA) Multi-Family Loan and Grant Program; and

**WHEREAS**, on January 28, 1997, the Owner received a loan from JCRA in the amount of \$90,000 and grant in the amount of \$180,000 for a Total Loan to him in the amount of \$270,000 to purchase a multi-unit apartment building and agreed to maintain 51% of the eligible units as affordable housing rental units for a 15 year period; and

**WHEREAS**, the mortgage affects property known as 1995 John F. Kennedy Blvd., Jersey City, also known as Lot A.8 in Block 1283 and depicted on the tax map attached hereto as Exhibit A; and

**WHEREAS**, JCRA's mortgage was recorded as a second lien against the Property subordinate to a purchase money mortgage given by The Trust Company of New Jersey n/k/a Capital One Bank (Capital) in the amount of \$840,000; and

**WHEREAS**, in exchange for the subordination by JCRA, on November 3, 1998 the owner executed a collateral mortgage to provide additional security for the initial mortgage on 1995 John F. Kennedy Blvd. with the property 4529 Bergenline Avenue, Union City, New Jersey, recorded on November 5, 1998 in Book 6777, page 185; and

**WHEREAS**, on August 16, 2000, an Extension of the Mortgage was executed which extends the terms of JCRA's mortgage to November 30, 2013; and

**WHEREAS**, JCRA's mortgages were subsequently assigned to the City of Jersey City (City) by Assignment of Mortgage recorded September 25, 2000 in Book 949, page 46; and

**WHEREAS**, the owner requested a subordination of the City's \$270,000 mortgage because the owner desired to consolidate and refinance his existing mortgages for the following properties: 1) 4529 Bergenline Avenue, Union City, New Jersey, 2) 1995 John F. Kennedy Blvd., Jersey City and 3) 851 Pavonia Avenue, Jersey City into a single Blanket mortgage with T.D. Bank N.A.(T.D. Bank); and

**WHEREAS**, Res. 09-654 approved on August 12, 2009 authorized the subordination of the City's \$270,000 loan to T.D. Bank's first mortgage of \$1,800,000; and

**WHEREAS**, the owner now requests that the City discharge the collateral mortgage against 4529 Bergenline Avenue, Union City, New Jersey in order to close on the loan with T.D. Bank; and

**WHEREAS**, the amount of the new first mortgage is \$1,800,000, and the City's \$270,000 lien will remain in second lien position; and

Agenda No. Res. 09-790

Approved 10.T

TITLE: SEP 23 2009

**WHEREAS**, the City by its Division of Community Development has indicated that the balance due on the City's mortgage is approximately \$29,000; and

**WHEREAS**, the Division has reviewed the title reports and appraisal reports submitted for 1995 John F. Kennedy Blvd. and 851 Pavonia Avenue and has determined that the appraised value for the properties (\$1,300,000 and \$2,100,000, respectively) has sufficient value to support the City's mortgage; and

**WHEREAS**, the discharge of the City's collateral mortgage affecting the property 4529 Bergenline Avenue, Union City will not undermine the City's investment in 1995 John F. Kennedy Blvd.

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

- 1.) The Mayor or Business Administrator is hereby authorized to execute a Mortgage Discharge of the City of Jersey City's collateral mortgage and any other documents appropriate or necessary to effectuate the purposes of the within resolution, for the property 4529 Bergenline Avenue, Union City, New Jersey.
- 2.) All documents shall be subject to approval by the Corporation Counsel.

IW  
9-9-09

APPROVED: \_\_\_\_\_

APPROVED AS TO LEGAL FORM

APPROVED: *Chris Miller*  
Business Administrator

*Paul Scialoja*  
Corporation Counsel

Certification Required

Not Required

**APPROVED 8-0**

| RECORD OF COUNCIL VOTE ON FINAL PASSAGE |     |     |      |               |        |     |      |               |     |     |      |
|-----------------------------------------|-----|-----|------|---------------|--------|-----|------|---------------|-----|-----|------|
| 9/23/09                                 |     |     |      |               |        |     |      |               |     |     |      |
| COUNCILPERSON                           | AYE | NAY | N.V. | COUNCILPERSON | AYE    | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| SOTTOLANO                               | ✓   |     |      | GAUGHAN       | ABSENT |     |      | 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. 09-791

Agenda No. 10.U

Approved: \_\_\_\_\_

TITLE:



## AUTHORIZING FORECLOSURE BY SUMMARY PROCEEDINGS IN REM TAX SALE CERTIFICATES; IN REM #2009-9/23/09

COUNCIL OFFERED, and moved adoption of the following resolution:

RESOLVED by the Municipal Council of the City of Jersey City, in the County of Hudson, a municipal Corporation of the State of New Jersey, that it is hereby determined that the City of Jersey City foreclose by Summary Proceedings, IN REM, as provided in the IN REM FORECLOSURE ACT (1948) R.S. 54:5-104.29 et seq., and the Acts Mandatory thereof and supplemental thereto, the Tax Sale Certificates held by it, as listed on the attached Foreclosure List.

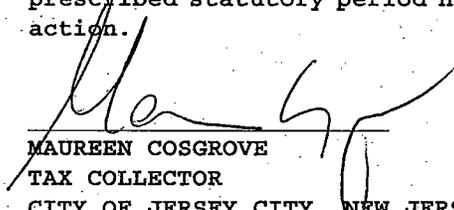
**WITHDRAWN**

TITLE:

AUTHORIZING FORECLOSURE BY SUMMARY PROCEEDINGS IN REM TAX SALE  
 CERTIFICATES; IN REM #2009-9/23/09  
 CERTIFICATE

I HEREBY CERTIFY that the above is a list of lands for which tax sale certificates have been recorded with the Hudson County Registrar and held by the City of Jersey City, New Jersey and the lands affected by said certificates, against which foreclosure proceedings IN REM shall be instituted, together with the amount of all subsequent tax liens with interest, penalties and costs as of the date of computation, including the amounts required to redeem each of said certificates, as appears on the records of the Tax Collector's office and the ownership of said lands as appears on the last tax duplicate of the City of Jersey City, New Jersey.

AND I FURTHER CERTIFY that the prescribed statutory period has expired from the date of the tax sales out of which each of said certificates arose, and that all of the tax sale certificates and the lands covered thereby are listed in the Tax Foreclosure List annexed, and that all or some portion of the general land taxes levied and assessed against the respective lands covered by each of the above mentioned certificates has not been paid for the prescribed statutory period next preceding the commencement of this action.

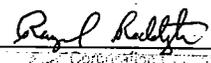
  
 MAUREEN COSGROVE  
 TAX COLLECTOR  
 CITY OF JERSEY CITY, NEW JERSEY

DATED: September 23, 2009  
 CITY OF JERSEY CITY, NEW JERSEY

APPROVED: \_\_\_\_\_

APPROVED AS TO LEGAL FORM

APPROVED:   
 Steve Miller  
 Business Administrator

  
 Royal Rullhoff  
 City Corporation Counsel

Certification Required

Not Required

APPROVED

| RECORD OF COUNCIL VOTE ON FINAL PASSAGE 9/23/09 |     |     |      |                  |            |     |      |               |            |     |      |
|-------------------------------------------------|-----|-----|------|------------------|------------|-----|------|---------------|------------|-----|------|
| COUNCILPERSON                                   | AYE | NAY | N.V. | COUNCILPERSON    | AYE        | NAY | N.V. | COUNCILPERSON | AYE        | NAY | N.V. |
| SOTTOLANO                                       |     |     |      | <b>WITHDRAWN</b> | BRENNAN    |     |      |               |            |     |      |
| KENNY                                           |     |     |      |                  | WOOD       |     |      |               |            |     |      |
| 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.

**IN REM FORECLOSURE LIST 2009-09/23/09**

| Item# | Block | Lot | Location             | Certificate# | Date of Sale | Recording Date | Amount of Cert. | Subsequent Charges | Total     | Book/Page     | Owners Name                     |
|-------|-------|-----|----------------------|--------------|--------------|----------------|-----------------|--------------------|-----------|---------------|---------------------------------|
| 1     | 1326  | 111 | 152 M.L...King<br>Dr | 2005-1421    | 12/08/2005   | 02/27/2006     | 24,596.77       | 34,436.37          | 59,033.14 | 14099/<br>229 | Friends of The<br>Lifers' Youth |

**CITY OF JERSEY CITY**

9/16/2009 3:49:31 PM

280 GROVE ST.  
 JERSEY CITY, NJ  
 07302

**MUNICIPAL LIEN REDEMPTION STATEMENT**

**Owner:** FRIENDS OF THE LIFERS' YOUTH  
 152 M.L. KING DRIVE  
 JERSEY CITY, NJ

07305

**Property Location:** 152 M.L. KING DR.

**Block:** 01326      **Lot:** 00111      **Qual:**      **Account #:** 512053      **Certificate #:** 2005-1421  
**Date of Sale:** 12/08/2005      **Redemption Date:** 09/16/2009

**CERTIFICATE AMOUNT**

**Principal:** 24,596.77      **Tax Sale Interest:** .00      **Cost of Sale:** .00      **Certificate Amount:** 24,596.77  
**Interest on Certificate is** 18.0000 %      16,701.21

**ORIGINAL CERTIFICATE DETAILS**

| Bill Type:         | Year | Qtr. | Due Date   | Principal        | Interest         | Total            |
|--------------------|------|------|------------|------------------|------------------|------------------|
| TAXES BILL         | 2005 | 4    | 12/08/2005 | 24,596.77        | 16,701.21        | 41,297.98        |
| <b>Subtotals :</b> |      |      |            | <b>24,596.77</b> | <b>16,701.21</b> | <b>41,297.98</b> |

**REDEMPTION FEES, SUBSEQUENT CHARGES, CURRENT TAXES**

| Bill Type:                       | Year | Qtr. | Due Date   | Principal         | Interest         | Total            |
|----------------------------------|------|------|------------|-------------------|------------------|------------------|
| STAT. PENALTY BILL               | 2009 | 3    | 09/16/2009 | 1,475.81          | .00              | 1,475.81         |
| ASSIGNMENT FEE BILL              | 2009 | 3    | 03/25/2009 | 8.00              | .00              | 8.00             |
| RECORDING FEE BILL               | 2009 | 3    | 00/00/0000 | 40.00             | .00              | 40.00            |
| LATE CHARGE BILL                 | 2009 | 3    | 03/25/2009 | 12.00             | .00              | 12.00            |
| STATUTORY PENALTY BILL           | 2009 | 3    | 03/25/2009 | 2,500.00          | .00              | 2,500.00         |
| TAXES BILL                       | 2007 | 1    | 03/02/2007 | 1,387.92          | 634.28           | 2,022.20         |
| TAXES BILL                       | 2009 | 2    | 05/01/2009 | 1,491.67          | 100.69           | 1,592.36         |
| TAXES BILL                       | 2009 | 3    | 08/01/2009 | 1,334.88          | 30.03            | 1,364.91         |
| TAXES BILL                       | 2009 | 3    | 09/16/2009 | 8,518.42          | .00              | 8,518.42         |
| <b>Subtotals :</b>               |      |      |            | <b>16,768.70</b>  | <b>765.00</b>    | <b>17,533.70</b> |
| <b>Total Redemption Amount:</b>  |      |      |            | <b>41,365.47</b>  | <b>17,466.21</b> | <b>58,831.68</b> |
| <b>Redemption Good Thru:</b>     |      |      |            | <b>09/16/2009</b> |                  |                  |
| <b>Interest Calculated Thru:</b> |      |      |            |                   |                  |                  |

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

**WATER & SEWER ACCOUNT # 999-944-515**      **\$75.91**  
**WATER & SEWER ACCOUNT # 999-645-546**      **\$125.55**  


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**201.46**

**TOTAL AMOUNT      \$ 59,033.14**

303 999-645-546 ACT 01-12-99 R (201) 547-4565 RHS  
 FRIENDS OF LIFER'S YOUTH(BIL) TAP# 700526W CYC 038 Sep 16,09  
 152 154 M L KING DR JERS NJ BLOCK 1326 LOT 111 03:50 PM  
 PAD=Y FPC=Y VIP=N NST=Y COL=P RER=Y

| TRK | PAD | MAD      | MTR  | NAM | SOS         | PRI         | MON         | CRD         | REM       | BAL  | LST    |
|-----|-----|----------|------|-----|-------------|-------------|-------------|-------------|-----------|------|--------|
| 1   | YRS | FROM     |      |     | BIL: Y      | CRD: Y      | MTR: Y      | DEB: Y      | LET: Y    | CUR: | 125.55 |
|     | TRN | - DATE - | DAYS | TYP | -CON\$/MTR- | -FAC\$/MTR- | -DBT\$/INX- | -CRD\$/CON- | -BALANCE- |      |        |
|     | BIL | 08/26/09 | 33   | PRO | 0.00        | 125.55      | 125.55      |             | 125.55    |      |        |
|     | MTR | 08/19/09 | 33   | ACT | 69535252    | FLM 0400    | 0000        | 0           |           |      |        |
|     | CR  | 08/11/09 |      | PAY |             |             |             | 733.06      | 0.00      |      |        |
|     | BIL | 07/23/09 | 30   |     | 0.00        | 114.14      | 114.14      |             | 733.06    |      |        |
|     | MTR | 07/17/09 | 30   | ACT | 69535252    | FLM 0400    | 0000        | 0           |           |      |        |
|     | DB  | 07/23/09 |      | PWD |             |             | 8.99        |             | 618.92    |      |        |
|     | BIL | 06/23/09 | 33   | PRO | 0.00        | 125.55      | 125.55      |             | 609.93    |      |        |
|     | MTR | 06/17/09 | 33   | ACT | 69535252    | FLM 0400    | 0000        | 0           |           |      |        |
|     | DB  | 06/22/09 |      | PWD |             |             | 7.10        |             | 484.38    |      |        |
|     | BIL | 05/21/09 | 25   | PRO | 0.00        | 95.11       | 95.11       |             | 477.28    |      |        |
|     | MTR | 05/15/09 | 25   | ACT | 69535252    | FLM 0400    | 0000        | 0           |           |      |        |
|     | DB  | 05/21/09 |      | PWD |             |             | 3.74        |             | 382.17    |      |        |

NEXT ACCOUNT : \_\_\_\_\_ MORE RECORDS FOLLOW FOR THIS ACCOUNT  
 \*NEXT FUNCTION: \_\_\_\_\_ NEXT ORG: 303  
 Enter-PF1---PF2---PF3---PF4---PF5---PF6---PF7---PF8---PF9---PF10--PF11--PF12---  
 HELP FLIP ZOOM MAIN TOGGL ACCT BKWRD FRWRD PRINT GAL/D CCF/D GOTO



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

City Clerk File No. Res. 09-792

Agenda No. 10.V

Approved: SEP 23 2009

TITLE:



**RESOLUTION AUTHORIZING THE CITY OF JERSEY CITY TO ENTER INTO AN AGREEMENT WITH THE AFRO-AMERICAN HISTORICAL SOCIETY MUSEUM, INC., A NON-PROFIT CORPORATION OF THE STATE OF NEW JERSEY, TO OPERATE THE AFRO-AMERICAN HISTORICAL SOCIETY MUSEUM**

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

**WHEREAS**, the City of Jersey City (hereinafter "City"), a body politic and corporate of the State of New Jersey, is authorized pursuant to N.J.S.A. 40:23-6.22 to appropriate funds for the support and maintenance of existing museum facilities; and

**WHEREAS**, the Afro-American Historical Society Museum, Inc., a non-profit corporation of the State of New Jersey (hereinafter "AAHSM"), has been organized for the sole purpose of operating the Afro-American Historical Society Museum and has adopted by-laws which prescribe its governing abilities as they relate to the museum with such by-laws being in full compliance with applicable Federal, State and local laws and regulations: and

**WHEREAS**, the City agrees to provide funds to AAHSM in an amount not to exceed \$155,000.00 for the purpose of operating the museum from July 1, 2009 to June 30, 2010 with a final determination as to funding to be made by the City after AAHSM submits its proposed operating budget to the City and upon adoption of the City's 2010 fiscal year permanent budget; and

**WHEREAS**, it is in the best interest of the City of Jersey City to continue funding AAHSM at the quarterly rate established in the immediately preceding contract until such time as a final budget is adopted by the City.

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

- 1) the subject to such modification as may be deemed necessary or appropriate by the Business Administrator or Corporation Counsel, the Mayor or Business Administrator is hereby authorized to enter into an Agreement in substantially the form of the agreement attached hereto between the City of Jersey City and Afro-American Historical Society Museum, Inc.
- 2) Pursuant to N.J.S.A. 5:34-5.3, the provisions of any services beyond the amount encumbered under this Resolution shall be contingent upon the appropriation of the sufficient funds in the Fiscal Year 2010 permanent budget and the encumbrance of such funds pursuant to law.

SEP 23 2009

TITLE: RESOLUTION AUTHORIZING THE CITY OF JERSEY CITY TO ENTER INTO AN AGREEMENT WITH THE AFRO-AMERICAN HISTORICAL SOCIETY MUSEUM, INC., A NON-PROFIT CORPORATION OF THE STATE OF NEW JERSEY, TO OPERATE THE AFRO-AMERICAN HISTORICAL SOCIETY MUSEUM

J.A.  
9/17/09

- 3) This contract shall be subject to the condition that the vendor/contractor provide satisfactory evidence of compliance with Affirmative Action Amendments to the Law Against Discrimination N.J.S.A. 10:5-31 et seq.

I, Donna Mauer, Donna Mauer, hereby certify that there are sufficient funds in the amount of \$20,000.00 available in Account Number: 01-201-30-417-700 for the payment of this resolution. PO # 96950

ec07/07/09

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

APPROVED AS TO LEGAL FORM

[Signature]  
 Assoc. Corporation Counsel

Certification Required

Not Required

APPROVED 8-0

| RECORD OF COUNCIL VOTE ON FINAL PASSAGE 9/23/09 |     |     |      |               |        |     |      |               |     |     |      |
|-------------------------------------------------|-----|-----|------|---------------|--------|-----|------|---------------|-----|-----|------|
| COUNCILPERSON                                   | AYE | NAY | N.V. | COUNCILPERSON | AYE    | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| SOTTOLANO                                       | ✓   |     |      | GAUGHAN       | ABSENT |     |      | BRENNAN       | ✓   |     |      |
| SPINELLO                                        | ✓   |     |      | FULOP         | ✓      |     |      | FLOOD         | ✓   |     |      |
| LIPSKI                                          | ✓   |     |      | 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.

[Signature]  
 Mariano Vega, Jr., President of Council

[Signature]  
 Robert Byrne, City Clerk

# **EEO/AFFIRMATIVE ACTION REQUIREMENTS**

## **Goods, Professional Services and General Service Contracts**

Questions in reference to EEO/AA Requirements For Goods, Professional Services and General Service Contracts should be directed to:

Jeana F. Abuan  
Affirmative Action Officer, Public Agency Compliance Officer  
Department of Administration  
Office of Equal Opportunity/Affirmative action  
280 Grove Street Room-103  
Jersey City NJ 07302  
Tel. #201-547- 4533  
Fax# 201-547-5088  
E-mail Address: [abuanJ@jcnj.org](mailto:abuanJ@jcnj.org)

**EXHIBIT A**  
**N.J.S.A. 10:5-31 and N.J.A.C. 17:27**  
**MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE**  
**Goods, Professional Services and General Service Contracts**  
**(Mandatory Affirmative Action Language)**

During the performance of this contract, the contractor agrees as follows:

The contractor or subcontractor, where applicable, will not discriminate against any employee or applicant for employment because of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation or sex. Except with respect to affectional or sexual orientation, the contractor will take affirmative action to ensure that such applicants are recruited and employed, and that employees are treated during employment, without regard to their age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation or sex. Such action shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Public Agency Compliance Officer setting forth provisions of this nondiscrimination clause.

The contractor or subcontractor, where applicable will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation or sex.

The contractor or subcontractor, where applicable, will send to each labor union or representative or workers with which it has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the agency contracting officer advising the labor union or workers' representative of the contractor's commitments under this act and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

The contractor or subcontractor, where applicable, agrees to comply with any regulations promulgated by the Treasurer pursuant to N.J.S.A. 10:5-31 et seq., as amended and supplemented from time to time and the Americans with Disabilities Act.

The contractor or subcontractor agrees to make good faith efforts to employ minority and women workers consistent with the applicable county employment goals established in accordance with N.J.A.C. 17:27-5.2, or a binding determination of the applicable county employment goals determined by the Division, pursuant to N.J.A.C. 17:27-5.2.

The contractor or subcontractor agrees to inform in writing its appropriate recruitment agencies including, but not limited to, employment agencies, placement bureaus, colleges, universities, labor unions, that it does not discriminate on the basis of age, creed, color, national origin, ancestry, marital status, affectional or sexual orientation or sex, and that it will discontinue the use of any recruitment agency which engages in direct or indirect discriminatory practices.

The contractor or subcontractor agrees to revise any of its testing procedures, if necessary, to assure that all personnel testing conforms with the principles of job-related testing, as established by the statutes and

court decisions of the State of New Jersey and as established by applicable Federal law and applicable Federal court decisions.

In conforming with the applicable employment goals, the contractor or subcontractor agrees to review all procedures relating to transfer, upgrading, downgrading and layoff to ensure that all such actions are taken without regard to age, creed, color, national origin, ancestry, marital status, affectional or sexual orientation or sex, consistent with the statutes and court decisions of the State of New Jersey, and applicable Federal law and applicable Federal court decisions.

The contractor and its subcontractors shall furnish such reports or other documents to the Division of Contract Compliance & EEO as may be requested by the Division from time to time in order to carry out the purposes of these regulations, and public agencies shall furnish such information as may be requested by the Division of Contract Compliance & EEO for conducting a compliance investigation pursuant to Subchapter 10 of the Administrative Code at N.J.A.C. 17:27.

The undersigned vendor certifies on their company's receipt, knowledge and commitment to comply with:

**EXHIBIT A**  
**N.J.S.A. 10:5-31 and N.J.A.C. 17:27**  
**MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE**  
**Goods, Professional Services and General Service Contracts**  
**(Mandatory Affirmative Action Language)**

The undersigned vendor further agrees to furnish the required forms of evidence and understands that their contract/company's bid shall be rejected as non-responsive if said contractor fails to comply with the requirements of N.J.S.A. 10:5-31 and N.J.A.C. 17:27.

Representative's Name/Title (Print): \_\_\_\_\_

Representative's Signature: Neal Brunson

Name of Company: Aspe American

Historical Society Museum

Tel. No.: \_\_\_\_\_ Date: \_\_\_\_\_

**APPENDIX A**  
**AMERICANS WITH DISABILITIES ACT OF 1990**  
**Equal Opportunity for Individuals with Disability**

The contractor and the \_\_\_\_\_ of \_\_\_\_\_, (hereafter "owner") do hereby agree that the provisions of Title 11 of the Americans With Disabilities Act of 1990 (the "Act") (42 U.S.C. 5121 01 et seq.), which prohibits discrimination on the basis of disability by public entities in all services, programs, and activities provided or made available by public entities, and the rules and regulations promulgated pursuant there unto, are made a part of this contract. In providing any aid, benefit, or service on behalf of the owner pursuant to this contract, the contractor agrees that the performance shall be in strict compliance with the Act. In the event that the contractor, its agents, servants, employees, or subcontractors violate or are alleged to have violated the Act during the performance of this contract, the contractor shall defend the owner in any action or administrative proceeding commenced pursuant to this Act. The contractor shall indemnify, protect, and save harmless the owner, its agents, servants, and employees from and against any and all suits, claims, losses, demands, or damages, of whatever kind or nature arising out of or claimed to arise out of the alleged violation. The contractor shall, at its own expense, appear, defend, and pay any and all charges for legal services and any and all costs and other expenses arising from such action or administrative proceeding or incurred in connection therewith. In any and all complaints brought pursuant to the owner's grievance procedure, the contractor agrees to abide by any decision of the owner which is rendered pursuant to said grievance procedure. If any action or administrative proceeding results in an award of damages against the owner, or if the owner incurs any expense to cure a violation of the ADA which has been brought pursuant to its grievance procedure, the contractor shall satisfy and discharge the same at its own expense.

The owner shall, as soon as practicable after a claim has been made against it, give written notice thereof to the contractor along with full and complete particulars of the claim, If any action or administrative proceeding is brought against the owner or any of its agents, servants, and employees, the *owner shall* expeditiously forward or have forwarded to the contractor every demand, complaint, notice, summons, pleading, or other process received by the owner or its representatives.

It is expressly agreed and understood that any approval by the owner of the services provided by the contractor pursuant to this contract will not relieve the contractor of the obligation to comply with the Act and to defend, indemnify, protect, and save harmless the owner pursuant to this paragraph.

It is further agreed and understood that the owner assumes no obligation to indemnify or save harmless the contractor, its agents, servants, employees and subcontractors for any claim which may arise out of their performance of this Agreement. Furthermore, the contractor expressly understands and agrees that the provisions of this indemnification clause shall in no way limit the contractor's obligations assumed in this Agreement, nor shall they be construed to relieve the contractor from any liability, nor preclude the owner from taking any other actions available to it under any other provisions of the Agreement or otherwise at law.

Representative's Name/Title Print): Nealy F Brunson  
Representative's Signature: *Nealy F Brunson*  
Name of Company: Asco American Historical Society Museum  
Tel. No.: 201 547-5262 Date: \_\_\_\_\_

**AFFIRMATIVE ACTION COMPLIANCE NOTICE  
N.J.S.A. 10:5-31 and N.J.A.C. 17:27**

**GOODS AND SERVICES CONTRACTS  
(INCLUDING PROFESSIONAL SERVICES)**

This form is a summary of the successful bidder's requirement to comply with the requirements of N.J.S.A. 10:5-31 and N.J.A.C. 17:27.

The successful bidder shall submit to the public agency, after notification of award but prior to execution of this contract, one of the following three documents as forms of evidence:

(a) A photocopy of a valid letter that the contractor is operating under an existing Federally approved or sanctioned affirmative action program (good for one year from the date of the letter);

OR

(b) A photocopy of a Certificate of Employee Information Report approval, issued in accordance with N.J.A.C. 17:27-4;

OR

(c) A photocopy of an Employee Information Report (Form AA302) provided by the Division and distributed to the public agency to be completed by the contractor in accordance with N.J.A.C. 17:27-4.

The successful vendor may obtain the Affirmative Action Employee Information Report (AA302) from the contracting unit during normal business hours.

The successful vendor(s) must submit the copies of the AA302 Report to the Division of Contract Compliance and Equal Employment Opportunity in Public Contracts (Division). The Public Agency copy is submitted to the public agency, and the vendor copy is retained by the vendor.

The undersigned vendor certifies that he/she is aware of the commitment to comply with the requirements of N.J.S.A. 10:5-31 and N.J.A.C. 17:27 and agrees to furnish the required forms of evidence.

The undersigned vendor further understands that his/her bid shall be rejected as non-responsive if said contractor fails to comply with the requirements of N.J.S.A. 10:5-31 and N.J.A.C. 17:27.

COMPANY:

Alto American Historical Society Museum

SIGNATURE:

Neal J. Branson

DATE:

\_\_\_\_\_

PRINT NAME:

Neal Branson

TITLE:

Director

**Afro-American  
Historical  
Society  
Museum**



*To G...  
201-547-5088*

September 16, 2009

City of Jersey City  
Purchasing Dept.  
Grove Street  
Jersey City, NJ

Attn: Iuelisse

Dear Iuelisse:

Pursuant with your request I contacted Mr. Floyd and he has advised me that the City can use the submitted form as proof of compliance. I have to send him a copy of the form with a check for \$150 which I am doing today. You may feel free to contact him at the number that you provided me with.

Very truly yours,

/s/ Neal E. Brunson

Neal E. Brunson  
Director

NEB:bb

**STATE OF NEW JERSEY**  
Division of Public Contracts Equal Employment Opportunity Compliance

**EMPLOYEE INFORMATION REPORT**

**IMPORTANT- READ INSTRUCTIONS ON BACK OF FORM CAREFULLY BEFORE COMPLETING FORM TYPE OR PRINT IN SHARP BALLPOINT PEN. FAILURE TO PROPERLY COMPLETE THE ENTIRE FORM AND SUBMIT THE REQUIRED \$150.00 NON-REFUNDABLE FEE MAY DELAY ISSUANCE OF YOUR CERTIFICATE. DO NOT SUBMIT EEO-1 REPORT FOR SECTION B, ITEM 11. For instructions on completing the Form, go to: [www.state.nj.us/treasury/contract\\_compliance/pdf/aa302ins.pdf](http://www.state.nj.us/treasury/contract_compliance/pdf/aa302ins.pdf)**

**SECTION A - COMPANY IDENTIFICATION**

|                                                                                                                                                    |               |                                                                                                                                                                                                               |                               |                         |                                                        |                    |
|----------------------------------------------------------------------------------------------------------------------------------------------------|---------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------|-------------------------|--------------------------------------------------------|--------------------|
| 1 FID. NO OR SOCIAL SECURITY<br><b>22-6002013</b>                                                                                                  |               | 2 TYPE OF BUSINESS<br><input type="checkbox"/> 1 MFG <input type="checkbox"/> 2 SERVICE <input type="checkbox"/> 3 WHOLESALE<br><input type="checkbox"/> 4 RETAIL <input checked="" type="checkbox"/> 5 OTHER |                               |                         | 3 TOTAL NO EMPLOYERS IN THE ENTIRE COMPANY<br><b>3</b> |                    |
| 4 COMPANY NAME<br><b>AFRO-AMERICAN HISTORICAL SOCIETY MUSEUM INC.</b>                                                                              |               |                                                                                                                                                                                                               |                               |                         |                                                        |                    |
| 5 STREET<br><b>1841 KENNEDY BLVD</b>                                                                                                               |               | CITY<br><b>JERSEY CITY</b>                                                                                                                                                                                    |                               | COUNTY<br><b>HUDSON</b> |                                                        | STATE<br><b>NJ</b> |
| ZIP CODE<br><b>07305</b>                                                                                                                           |               |                                                                                                                                                                                                               |                               |                         |                                                        |                    |
| 6 NAME OF PARENT OR AFFILIATED COMPANY (IF NONE, SO INDICATE)<br><b>NONE</b>                                                                       |               |                                                                                                                                                                                                               |                               |                         |                                                        |                    |
| 7 CHECK ONE IS THE COMPANY <input checked="" type="checkbox"/> SINGLE-ESTABLISHMENT EMPLOYER <input type="checkbox"/> MULTI-ESTABLISHMENT EMPLOYER |               |                                                                                                                                                                                                               |                               |                         |                                                        |                    |
| 8 IF MULTI-ESTABLISHMENT EMPLOYER, STATE THE NUMBER OF ESTABLISHMENTS IN NJ                                                                        |               |                                                                                                                                                                                                               |                               |                         |                                                        |                    |
| 9 TOTAL NUMBER OF EMPLOYEES AT ESTABLISHMENT WHICH HAS BEEN AWARDED THE CONTRACT<br><b>2</b>                                                       |               |                                                                                                                                                                                                               |                               |                         |                                                        |                    |
| 10 PUBLIC AGENCY AWARDED CONTRACT                                                                                                                  |               |                                                                                                                                                                                                               |                               |                         |                                                        |                    |
| J.C. BOARD EDUCATION                                                                                                                               |               | CITY<br><b>JERSEY CITY</b>                                                                                                                                                                                    |                               | COUNTY<br><b>HUDSON</b> |                                                        | STATE<br><b>NJ</b> |
| ZIP CODE<br><b>07305</b>                                                                                                                           |               |                                                                                                                                                                                                               |                               |                         |                                                        |                    |
| Official Use Only                                                                                                                                  | DATE RECEIVED | INAUG. DATE                                                                                                                                                                                                   | ASSIGNED CERTIFICATION NUMBER |                         |                                                        |                    |

**SECTION B - EMPLOYMENT DATA**

11. Report all permanent, temporary and part-time employees ON YOUR OWN PAYROLL. Enter the appropriate figures on all lines and in all columns. Where there are no employees in a particular category, enter a zero. Include ALL employees, not just those in minority/non-minority categories, in columns 1, 2, & 3. **DO NOT SUBMIT AN EEO-1 REPORT.**

| JOB CATEGORIES                                 | ALL EMPLOYEES                                                                             |               |                 | PERMANENT MINORITY/NON-MINORITY EMPLOYEE BREAKDOWN |          |             |       |         |        |          |             |       |         |  |
|------------------------------------------------|-------------------------------------------------------------------------------------------|---------------|-----------------|----------------------------------------------------|----------|-------------|-------|---------|--------|----------|-------------|-------|---------|--|
|                                                | COL 1<br>TOTAL<br>(Cols 2 & 3)                                                            | COL 2<br>MALE | COL 3<br>FEMALE | MALE                                               |          |             |       |         | FEMALE |          |             |       |         |  |
|                                                |                                                                                           |               |                 | BLACK                                              | HISPANIC | AMER INDIAN | ASIAN | NON MIN | BLACK  | HISPANIC | AMER INDIAN | ASIAN | NON MIN |  |
| Officials/Managers                             |                                                                                           |               |                 |                                                    |          |             |       |         |        |          |             |       |         |  |
| Professionals                                  |                                                                                           | 1             | 1               | 1                                                  |          |             |       |         |        |          |             |       |         |  |
| Technicians                                    |                                                                                           |               |                 |                                                    |          |             |       |         |        |          |             |       |         |  |
| Sales Workers                                  |                                                                                           |               |                 |                                                    |          |             |       |         |        |          |             |       |         |  |
| Office & Clerical                              |                                                                                           |               |                 |                                                    |          |             |       |         |        |          |             |       |         |  |
| Craftworkers (Skilled)                         |                                                                                           |               |                 |                                                    |          |             |       |         |        |          |             |       |         |  |
| Operatives (Semi-skilled)                      |                                                                                           |               |                 |                                                    |          |             |       |         |        |          |             |       |         |  |
| Laborers (Unskilled)                           |                                                                                           |               |                 |                                                    |          |             |       |         |        |          |             |       |         |  |
| Service Workers                                |                                                                                           |               |                 |                                                    |          |             |       |         |        |          |             |       |         |  |
| <b>TOTAL</b>                                   |                                                                                           | 1             | 1               | 1                                                  |          |             |       |         |        |          |             |       |         |  |
| Total employment from previous report (if any) |                                                                                           |               |                 |                                                    |          |             |       |         |        |          |             |       |         |  |
| Temporary & Part-Time Employees                | The data below shall NOT be included in the figures for the appropriate categories above. |               |                 |                                                    |          |             |       |         |        |          |             |       |         |  |
|                                                | 1                                                                                         |               |                 |                                                    |          |             |       |         |        |          |             |       |         |  |

|                                                                                                                                                                                                                            |  |                                                                                                                                                      |                                                                                |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------|
| 12 HOW WAS INFORMATION AS TO RACE OR ETHNIC GROUP IN SECTION B OBTAINED?<br><input checked="" type="checkbox"/> 1. Visual Survey <input type="checkbox"/> 2. Employment Record <input type="checkbox"/> 3. Other (Specify) |  | 14 IS THIS THE FIRST Employee Information Report Submitted?<br><b>1 YES</b> <input checked="" type="checkbox"/> <b>2 NO</b> <input type="checkbox"/> | 15 IF NO, DATE LAST REPORT SUBMITTED<br>MO   DAY   YEAR<br><b>09   08   09</b> |
| 13 DATES OF PAYROLL PERIOD USED<br>From _____ To _____                                                                                                                                                                     |  |                                                                                                                                                      |                                                                                |

**SECTION C - SIGNATURE AND IDENTIFICATION**

|                                                                             |  |                                                              |                          |                                                |                          |
|-----------------------------------------------------------------------------|--|--------------------------------------------------------------|--------------------------|------------------------------------------------|--------------------------|
| 16 NAME OF PERSON COMPLETING FORM (Print or Type)<br><b>NEAL E. BRUNSON</b> |  | SIGNATURE                                                    | TITLE<br><b>DIRECTOR</b> | DATE<br>MO   DAY   YEAR<br><b>09   08   09</b> |                          |
| 17 ADDRESS NO & STREET<br><b>1841 KENNEDY BLVD</b>                          |  | CITY<br><b>JERSEY CITY</b>                                   | COUNTY<br><b>HUDSON</b>  | STATE<br><b>NJ</b>                             | ZIP CODE<br><b>07305</b> |
|                                                                             |  | PHONE (AREA CODE, NO., EXTENSION)<br><b>201 - 547 - 5262</b> |                          |                                                |                          |

I certify that the information on this Form is true and correct.

**Minority/Woman Business Enterprise (MWBE)  
Questionnaire for Bidders**

Jersey City Ordinance C-829 establishes a goal of awarding 20% of the dollar amount of total city procurement to minority and woman owned business enterprises.

To assist us in monitoring our achievement of this goal, please indicate below whether your company is or is not a minority owned and/or woman owned business, and return this form with your bid proposal.

Business Name : Afro American Historical Society Museum  
Address : 1841 Kennedy Blvd Jersey City NJ  
Telephone No. : (201) 547-5232  
Contact Name : Mad E Bly Neal Branson

Please check applicable category :

Minority Owned Business (MBE)       Minority & Woman Owned Business (MWBE)  
Not for Profit Corp  
 Woman Owned business (WBE)       Neither

**Definitions**

**Minority Business Enterprise**

Minority Business Enterprise means a business which is a sole proprietorship, partnership or corporation at least 51% of which is owned and controlled by persons who are African American, Hispanic, Asian American, American Indian or Alaskan native, defined as follows:

**African American:** a person having origins in any of the black racial groups of Africa

**Hispanic:** a person of Mexican, Puerto Rican, Central or South American or other non-European Spanish culture or origin regardless of race.

**Asian:** a person having origins in any of the original peoples of the Far East, South East Asia, Indian subcontinent, Hawaii or the Pacific Islands.

**American Indian or Alaskan Native:** a person having origins in any of the original peoples of North America and who maintains cultural identification through tribal affiliation or community recognition.

**Woman Business Enterprise**

Woman Business Enterprise means a business which is a sole proprietorship, partnership or corporation at least 51% of which is owned and controlled by a woman or women.

**DIVISION OF PURCHASING COPY**

**Minority/Woman Business Enterprise (MWBE)  
Questionnaire for Bidders**

Jersey City Ordinance C-829 establishes a goal of awarding 20% of the dollar amount of total city procurement to minority and woman owned business enterprises.

To assist us in monitoring our achievement of this goal, please indicate below whether your company is or is not a minority owned and/or woman owned business, and return this form with your bid proposal.

Business Name : African American Historical Society  
Address : 1841 Kennedy Blvd Jersey City NJ  
Telephone No. : (201) 547-5262  
Contact Name : Neal Brunson

Please check applicable category :

Not for Profit Corp Minority Owned Business (MBE)       Minority & Woman Owned Business (MWBE)  
 Woman Owned business (WBE)       Neither

**Definitions**

**Minority Business Enterprise**

Minority Business Enterprise means a business which is a sole proprietorship, partnership or corporation at least 51% of which is owned and controlled by persons who are African American, Hispanic, Asian American, American Indian or Alaskan native, defined as follows:

**African American:** a person having origins in any of the black racial groups of Africa

**Hispanic:** a person of Mexican, Puerto Rican, Central or South American or other non-European Spanish culture or origin regardless of race.

**Asian:** a person having origins in any of the original peoples of the Far East, South East Asia, Indian subcontinent, Hawaii or the Pacific Islands.

**American Indian or Alaskan Native:** a person having origins in any of the original peoples of North America and who maintains cultural identification through tribal affiliation or community recognition.

**Woman Business Enterprise**

Woman Business Enterprise means a business which is a sole proprietorship, partnership or corporation at least 51% of which is owned and controlled by a woman or women.

**P.L. 2004, c. 57 (N.J.S.A. 52:32-44)**  
**MANDATORY BUSINESS REGISTRATION LANGUAGE**

**Non Construction Contracts**

P.L. 2004, c. 57 (Chapter 57) amends and supplements the business registration provisions of N.J.S.A. 52:32-44 which impose certain requirements upon a business competing for, or entering into a contract with a local contracting agency whose contracting activities are subject to the requirements of the Local Public Contracts Law (N.J.S.A. 40A:11-2).

**“New Jersey Business Registration Requirements”**

The contractor shall provide written notice to its subcontractors of the responsibility to submit proof of business registration to the contractor.

Before final payment on the contract is made by the contracting agency, the contractor shall submit an accurate list and the proof of business registration of each subcontractor or supplier used in the fulfillment of the contract, or shall attest that no subcontractors were used.

For the term of the contract, the contractor and each of its affiliates and a subcontractor and each of its affiliates [N.J.S.A. 52:32-44(g)(3)] shall collect and remit to the Director, New Jersey Division of Taxation, the use tax due pursuant to the Sales and Use Tax Act on all sales of tangible personal property delivered into this State, regardless of whether the tangible personal property is intended for a contract with a contracting agency.

A business organization that fails to provide a copy of a business registration as required pursuant to section of P.L.2001, c.134 (C.52:32-44 et al.) or subsection e. or f. of section 92 of P.L.1977, c.110 (C.5:12-92), or that provides false business registration information under the requirements of either of those sections, shall be liable for a penalty of \$25 for each day of violation, not to exceed \$50,000 for each business registration copy not properly provided under a contract with a contracting agency.”

# CITY OF JERSEY CITY

|                      |
|----------------------|
| <b>Requisition #</b> |
| <b>0146123</b>       |

|                      |
|----------------------|
| <b>Assigned PO #</b> |
|----------------------|

**Vendor**  
AFRO-AMERICAN HISTORICAL  
SOCIETY MUSEUM, INC.  
1841 JFK BLVD  
JERSEY CITY NJ 07305  
AF011570

**Requisition**  
**Dept. Bill To**  
HEALTH & HUMAN SERVICES  
201 CORNELISON AVE  
JERSEY CITY NJ 07304

RECEIVED  
Office of Legal Coun. /  
Contract Action  
2009 JUL 10 10:39  
Dept. Ship To

**Contact Info**  
ELIZABETH CASTILLO  
2015476823

| Quantity | UOM | Description                                                                                                                                        | Account       | Unit Price | Total     |
|----------|-----|----------------------------------------------------------------------------------------------------------------------------------------------------|---------------|------------|-----------|
| 1.00     | EA  | AFRO-AMERICAN<br>MUSEUM<br>ENCUMBRANCY FOR PAYING THE STAFF & MAINTAINING<br>THE OPERATION OF THE AFRO-AMERICAN HISTORICAL<br>SOCIETY MUSEUM, INC. | 0120130417700 | 20,000.00  | 20,000.00 |

FOR THE PERIOD OF 7/01/2009-6/30/2010

TOTAL CONTRACT AMOUNT: \$155,000.00  
TEMPORARY ENCUMBRANCY: \$20,000.00

PAYMENTS WILL BE MADE FROM TIME TO TIME  
ON PARTIAL PAYMENT VOUCHERS

**Requisition Total 20,000.00**

Req. Date: 07/07/2009

Requested By: HENDRICKSC

Buyer Id:

Approved By: \_\_\_\_\_

**This Is Not A Purchase Order**

**AGREEMENT TO OPERATE  
THE AFRO-AMERICAN HISTORICAL SOCIETY MUSEUM, INC.**

This **AGREEMENT** is made this \_\_\_\_\_ day of \_\_\_\_\_, 2009 between the CITY OF JERSEY CITY, (CITY) a Municipal Corporation of the State of New Jersey with offices at 280 Grove Street, Jersey City, New Jersey 07302 and the AFRO-AMERICAN HISTORICAL SOCIETY MUSEUM, INC. (AAHSM), a non-profit corporation of the State of New Jersey with offices at 1841 Kennedy Boulevard, Jersey City, New Jersey 07305.

**WITNESSETH**

**WHEREAS**, pursuant to N.J.S.A. 40:23-6.22 the City is authorized to appropriate funds for the support and maintenance of existing museum facilities; and

**WHEREAS**, AAHSM is a non-profit corporation of the State of New Jersey, organized for the sole purpose of collecting, preserving and displaying materials relating to Afro-American history, especially in jersey city to promote understanding of and appreciation for Afro-American heritage: and

**WHEREAS**, the City has determined that AASHM is well suited to operate a museum and act in the best interests of the City: and

**WHEREAS**, the City has appropriated for this agreement \$155,000.00.

**NOW**, for the reasons set forth above, and in consideration of the mutual covenants and promises of the parties hereto, the City and AAHSM agree as follows:

**I. SCOPE OF SERVICES**

- A. AAHSM shall operate a museum at 1841 Kennedy Boulevard, Jersey City, New Jersey 07305, consisting of approximately 4,000 sq. ft., for the use and benefit of the public and provide historical, educational, scientific, industrial and cultural programs, exhibitions and workshops consistent with its corporate purpose.
- B. AAHSM shall submit a more detailed scope of services to the City at the time it submits its proposed operating budget.

**II. TIME OF PERFORMANCE**

The term of this contract shall be for a period of one (1) year commencing on July 1, 2009 and terminating on June 30, 2010.

### **III. BUDGET**

- A. The City appropriated funds in the amount of \$155,000.00 for the purposes of this agreement. AAHSM shall submit a proposed operating budget to the City on or before July 1, 2009 which shall include detailed information concerning salaries and all of the necessary operating or incidental expenses. If the proposed operating budget is not submitted then the Business Administrator is authorized to cancel the contract.
- B. Payments to AAHSM shall be in four equal quarterly installments commencing July 1, 2009.

### **IV. INSURANCE AND INDEMNIFICATION**

AAHSM will be responsible for providing the City with evidence of that insurance coverage as is deemed appropriate or necessary to protect the City's interests, by the Director of the Division of Risk Management for the City of Jersey City.

### **V. DISCRIMINATION PROHIBITED**

In hiring or employment made possible by or resulting from this Contract, there (1) will not be any discrimination against any employee, or applicant for employment because of race, color, religion, sex, age or national origin; and (2) affirmative action will be taken to ensure that applicants are employed without regard to their race, color, religion, sex, age or national origin. This requirement shall apply but not be limited to the following: employment upgrading, demotion or transfer, recruitment or recruitment advertising, rates of pay or any other forms of compensation.

No person shall, on grounds of race, color, religion, sex, age or national origin, be excluded from participation in, be denied the benefits of, or be subject to discrimination under any program or activity made possible by or resulting from the Contract.

### **VI. RENEWAL**

If the parties are desirous of renewing this agreement for a one year period, an initial meeting shall take place on or before May 1, 2010.

### **VII. ASSIGNMENT**

AAHSM may not assign this contract without the prior written consent of the City.

## **VIII. PROPERTY INTEREST**

This Agreement does not constitute a conveyance of any property interest in any works of art in the collection presently entrusted to the AAHSM. Such works shall be held in trust for the benefit of the public.

## **XI. NOTICES**

All notices, requests, demands and other communications under this agreement must be in writing and delivered personally or mailed by certified mail, return receipt requested, to the other party, address as follows:

Business Administrator's Office  
City of Jersey City  
280 Grove Street  
Jersey City, New Jersey 07302

Afro-American Historical Society  
Museum, Inc.  
c/o Director  
1841 Kennedy Boulevard  
Jersey City, New Jersey 07305

## **X. COMPLIANCE WITH AFFIRMATIVE ACTION PLAN**

- (a) If the Agreement exceeds \$21,000, it shall also be subject to the Affirmative Action Amendments to the Law Against Discrimination, N.J.S.A. 10:5-31 et seq.
- (b) This Agreement shall not become effective and the Afro-American Historical Society Museum shall provide no services under this Agreement until he or she has executed the following documents:
  - (1) The supplemental Affirmative Action Agreement pursuant to N.J.S.A. 10:5-31 et seq., Exhibit B attached hereto and incorporated herein by reference.
  - (2) An affirmative Action Employee Information Report (form AA-302).

These documents may be obtained from the department responsible for the administration of this Agreement. All of the terms and conditions of N.J.S.A. 10:5-31 et seq. Are made part of this contract.

**IN WITNESS WHEREOF**, the parties hereto have caused this Agreement to be executed by their duly authorized officers.

**ATTEST:**

**CITY OF JERSEY CITY**

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Robert Byrne  
City Clerk

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Brian O'Reilly  
Business Administrator

**ATTEST:**

**AFRO-AMERICAN HISTORICAL  
SOCIETY MUSEUM, INC.**

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Theodore Brunson, Director

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

City Clerk File No. Res. 09-793  
 Agenda No. 10.W  
 Approved: SEP 23 2009  
 TITLE:



## RESOLUTION AUTHORIZING SETTLEMENT OF THE LAWSUIT BY MIRNA RUIZ, PLAINTIFF, AGAINST THE CITY OF JERSEY CITY

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

**WHEREAS**, Mirna Ruiz filed suit against the City of Jersey City in the Superior Court of New Jersey, Hudson County, bearing docket number HUD-L-2271-08; and

**WHEREAS**, the Complaint alleges that the defendant, City of Jersey City was negligent in the maintenance of the street in the vicinity of 504 Westside Avenue, Jersey City, and as a result of said negligence plaintiff was caused to trip and fall and did sustain injuries as a result thereof of both a serious and permanent nature; and

**WHEREAS**, the Corporation Counsel has recommended a settlement in the amount of \$30,000.00; and

**WHEREAS**, the necessary General Release and Stipulation of Dismissal, with prejudice, have been executed and delivered to the Law Department, City of Jersey City; and

**WHEREAS**, the necessary funds for this settlement are available in the City of Jersey City Insurance Fund Account.

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

1. The Corporation Counsel be authorized to settle this lawsuit for \$30,000.00; and
2. The Jersey City Insurance Fund Commission be authorized to issue a check for \$30,000.00 in accordance with the settlement and this Resolution.

I certify that funds for this expenditure are available in the City of Jersey City Insurance Fund Commission Account.

Peter Soriero, Risk Manager

FVB/mw  
 7/31/09

APPROVED:   
 Business Administrator

APPROVED AS TO LEGAL FORM  
  
 Corporation Counsel

Certification Required

Not Required

**APPROVED 8-0**

2009084

| RECORD OF COUNCIL VOTE ON FINAL PASSAGE 9/23/09 |     |     |      |               |        |     |      |               |     |     |      |
|-------------------------------------------------|-----|-----|------|---------------|--------|-----|------|---------------|-----|-----|------|
| COUNCILPERSON                                   | AYE | NAY | N.V. | COUNCILPERSON | AYE    | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| SOTTOLANO                                       | ✓   |     |      | GAUGHAN       | ABSENT |     |      | 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., President of Council

Robert Byrne, City Clerk

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

City Clerk File No. Res. 09-794

Agenda No. 10.X

Approved: SEP 23 2009



**TITLE: RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH THOMAS JARDIM, ESQ. TO REPRESENT POLICE OFFICER VICTOR VARGAS IN MATTER OF MATHAIS BOLTON V. CITY OF JERSEY CITY**

**WHEREAS**, Mathais Bolton filed a complaint in Federal District Court of New Jersey against the City of Jersey City, Police Officer Kevin Hill and Police Officer Victor Vargas alleging assault, false arrest and violation of his civil rights; and

**WHEREAS**, the Corporation Counsel has determined that it is necessary to appoint outside counsel to represent the City of Jersey City in this matter; and

**WHEREAS**, Thomas Jardim, Esq., PO Box 2249, Morristown, New Jersey possesses the skills and expertise to perform these services; and

**WHEREAS**, special counsel agrees to provide these services at an hourly rate of \$125.00 per hour, including expenses, for a total amount not to exceed \$75,000; and

**WHEREAS**, N.J.S.A.19:44A-20.4 et seq. (the Pay-to-Play Law) took effect on January 1, 2006; and

**WHEREAS**, in March 2009, the City publicly advertised a Request for Qualifications (RFQ) using the "fair and open process" as described under the Pay-to-Play Law; and

**WHEREAS**, Thomas Jardim, Esq. submitted a Qualification Statement in response to the City's RFQ; and

**WHEREAS**, this contract is made in accordance with the "fair and open process" of the Pay-to-Play Law; and

**WHEREAS**, Thomas Jardim, Esq. of Berman, Sauter, Record & Jardim submitted a Qualification Statement in response to the City's RFQ; and

**WHEREAS**, the law firm of Berman, Sauter, Record & Jardim has completed and submitted a Business Entity Disclosure Certification which certifies that he has not made any reportable contributions to the political or candidate committees listed in the Business Entity Disclosure Certification in the previous one year, and that the contract will prohibit Berman, Sauter, Record & Jardim from making any reportable contributions during the term of the contract; and

**WHEREAS**, Berman, Sauter, Record & Jardim has submitted a Chapter 271 Political Contribution Disclosure Certification at least 10 days prior to the award of this contract; and

**WHEREAS**, Berman, Sauter, Record & Jardim has submitted its Certification of Compliance with the City's Contractor Pay-to-Play Reform Ordinance 08-128 adopted on September 3, 2008; and

**WHEREAS**, funds are available for the cost of these services in Account No.: 10-14-298-56-000-856.

2009101

Approved **RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT  
WITH THOMAS JARDIM, ESQ. TO REPRESENT POLICE OFFICER VICTOR  
TITLE: VARGAS IN MATTER OF MATHAIS BOLTON V. CITY OF JERSEY CITY**

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

1. An agreement is awarded to Thomas Jardim, Esq., Berman, Sauter, Record & Jardim to represent Police Officer Victor Vargas in the matter of Mathais Bolton v. City of Jersey City, et al., for a total amount of \$75,000, including expenses.
2. This contract shall be subject to the condition that the vendor provides satisfactory evidence of compliance with the Affirmative Action Amendments to the Law Against Discrimination, N.J.S.A. 10:5-31 et seq.
3. The Mayor or Business Administrator is hereby authorized to execute an agreement in substantially the form attached subject to such modification as the Corporation Counsel deems appropriate or necessary.
4. A copy of this resolution will be published in a newspaper of general circulation in the City of Jersey City as required by law within (10) days of the adoption of the resolution.

I hereby certify that funds are available in Account No. No. 10-14-298-56-000-856.

Peter Soriero, Risk Manager

APPROVED: \_\_\_\_\_

APPROVED AS TO LEGAL FORM

APPROVED: Steve Miller  
Opt. Business Administrator

[Signature]  
Corporation Counsel

Certification Required

Not Required

**APPROVED 8-0**

| RECORD OF COUNCIL VOTE ON FINAL PASSAGE |     |     |      |               |        |     |      |               |     |     |      |
|-----------------------------------------|-----|-----|------|---------------|--------|-----|------|---------------|-----|-----|------|
| 9/23/09                                 |     |     |      |               |        |     |      |               |     |     |      |
| COUNCILPERSON                           | AYE | NAY | N.V. | COUNCILPERSON | AYE    | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| SOTTOLANO                               | ✓   |     |      | GAUGHAN       | ABSENT |     |      | 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

## AGREEMENT

This Agreement dated the \_\_\_\_\_ day of \_\_\_\_\_, 2009 between the **City of Jersey City**, a municipal corporation, with offices at 280 Grove Street, Jersey City, New Jersey 07302 ("City") and **Thomas Jardim, Esq. of Berman, Sauter, Record & Jardim**. ("Special Counsel").

**WITNESSTH**, that in consideration of the mutual covenants set forth, the **City and Special Counsel** agree as follows:

### Scope of Agreement

**Special Counsel** is hereby retained as an independent contractor to represent Police Officer Victor Vargas in the matter entitled Mathais Bolton v. City of Jersey City, et al. **Special Counsel** shall submit 60 day status reports to the Corporation Counsel with a complete analysis of legal issues, risk of liability and the likely number of depositions to be taken. **Special Counsel** shall provide a brief summary of each deposition upon completion.

### Affidavit of Services

**Special Counsel** shall submit a monthly affidavit of services to the Corporation Counsel. The affidavit shall specify in detail the services rendered and the time spent on those services.

### Consideration

A. For the above services, **Special Counsel** shall be compensated at the rate of \$125.00 per hour, including expenses. The total amount of this agreement shall not exceed \$75,000.

B. The **Special Counsel** shall provide a monthly statement for services rendered.

The **Special Counsel** shall submit to the City administration no later than the tenth day of each month an affidavit of services specifying the total number of hours worked/performed during the preceding month. All statements shall be supplemented by the City's voucher. Payment by the City shall be made promptly in accordance with its procedures.

C. **Special Counsel** shall report to the Corporation Counsel when he or she has billed 70% of total contract amount. **Special Counsel** shall not be paid for services unless prior approval by the Corporation Counsel once **Special Counsel** reaches the 100% threshold.

#### **Billing Practices and Other Guidelines Procedures**

Disbursements should be charged only on the basis of the actual direct out-of-pocket cost to the **Special Counsel** and billed with sufficient detail to permit assessment of their compliance with the following guidelines: (I) in the case of photocopying, the per page charge not to exceed fifteen cents (\$.15) per page; (ii) in the case of facsimile transmittal, the per page charge not to exceed one dollar and fifty cents (\$1.50) per page; and (iii) charges for mileage and parking shall not be charged to the City.

The City expects that the **Special Counsel** will need to obtain the services of third-parties such as court reporters, investigators, consultants, experts, title companies, appraisers, messenger services, etc., in order to carry out their assignments and will contract with those service providers upon the approval of the City. With the exception of the court reporters, **Special Counsel** shall notify the City of their engagement of all third-party service providers and obtain authorization for those services from the City. The **Special Counsel** will pay all third-party service providers directly and will bill the City for those services detailed disbursements included in monthly invoices. This City will not accept separate invoices from service providers directly to the City for payment.

If the **Special Counsel** receives discounts from messenger services, title agencies, investigators or other categories of service provider, those discounts must be passed on to the City and noted on each invoice.

The City does not agree to pay for the following disbursements unless specifically approved in advance for any specific matter by the City.

- word processing;
- secretaries' overtime, proofreading, placing or organizing documents in files;
- meals;
- first class air or rail travel, chauffeur driven limousines;
- hotel accommodations; and
- charges for use of conference rooms or office space.

Should the services of one or more other persons with **Special Counsel's** firm be deemed necessary and approved, the City expects that an appropriate number of attorneys and paralegals at all practice levels will be available for assignment to its matters so that matters can be handled in the most efficient manner possible. Further, the City expects that tasks will be performed by the appropriate level attorney (partner or associates) or paralegal. If the **Special Counsel** decides to staff tasks such as document indexing or preparing deposition summaries with associates rather than paralegals without the City's prior permission, the City agrees to pay only at the rate for paralegals.

The City reserves the right to discuss with its outside counsel and approve the particular attorneys who will be assigned to work on each matter. The City also reserves the right to request the removal of any attorney from the City's assignments for any reason.

The City does not agree to pay for excessive in-office consultants between attorneys or attorneys and paralegals, or for administrative meetings with associates and paralegals.

The City does not agree to pay for time spent educating lawyers as a result of the transfer or work between attorneys within the law firm unless approved by the City in advance. A complete or substantially complete transfer of work from an attorney having significant responsibility on a matter to another attorney or attorneys must be approved by the City.

The City does not agree to pay for more than one attorney's attendance at meetings, depositions, conferences or hearings unless the City authorizes such attendance in advance.

#### Assignment

The services under this contract shall be performed exclusively by **Special Counsel** not by any other member of his firm. **Special Counsel** may assign work under this contract to another person within the firm only with the approval of the Corporation Counsel.

#### New Jersey Business Registration Requirements

The contractor shall provide written notice to its subcontractors of the responsibility to submit proof of business registration to the contractor.

Before final payment on the contract is made by the contracting agency, the contractor shall submit an accurate list and the proof of business registration of each subcontractor or supplier used in the fulfillment of the contract, or shall attest that no subcontractors were used.

For the term of the contract, the contractor and each of its affiliates and a subcontractor and each of its affiliates [N.J.S.A. 52:32-44(g)(3)] shall collect and remit to the Director, New Jersey Division of Taxation, the use tax due pursuant to the Sales and Use Tax Act on all sales of tangible personal property delivered into this State, regardless of whether the tangible personal property

is intended for a contract with a contracting agency.

A business organization that fails to provide a copy of a business registration as required pursuant to section 1 of P.L.2001, c.134 (C.52:32-44 et al.) or subsection e. or f. of section 92 of P.L.1977, c.110 (C.5:12-92), or that provides false business registration information under the requirements of either of those sections, shall be liable for a penalty of \$25 for each day of violation, not to exceed \$50,000 for each business registration copy not properly provided under a contract with a contracting agency.

### **Special Provisions**

The City reserves the right to terminate the within Agreement at any time for any reason whatsoever, in which event the **Special Counsel** shall be paid for services due up to the date of termination. Thereafter, this Agreement shall be considered null and void with no further rights or obligations emanating therefrom.

**IN WITNESS WHEREOF**, the parties hereto have set their hands and seal or caused these presents to be signed by their proper corporate officers and their proper corporate seal hereto affixed the day, month and year above written.

### **Affirmative Action Plan**

- (A) If the contract exceeds \$9,200, it shall also be subject to the Affirmative Action amendments to the "Law Against Discrimination", N.J.S.A. 10:5-31 et seq.
- (B) This contract shall not become effective and special counsel shall provide no services under this contract until he or she has executed the following documents:
  - 1. A supplemental Affirmative Action agreement pursuant to N.J.S.A. 10:5-21 et seq.
  - 2. An Affirmative Action Employee Information Report (form AA-302) (for contracts which exceeds \$9,200).

These documents may be obtained from the department responsible for the administration of this contract. All of the terms and conditions are made part of this contract.

**Attest:**

**City of Jersey City**

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**Robert Byrne**  
**City Clerk**

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**Brian O'Reilly**  
**Business Administrator**

**WITNESS:**

**Berman, Sauter, Record & Jardim**

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**Thomas Jardim, Esq.**

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

City Clerk File No. Res. 09-795

Agenda No. 10.Y

Approved: SEP 23 2009



TITLE:

RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH DOMENICK CARMAGNOLA, ESQ. TO REPRESENT FORMER CHIEF OF POLICE ROBERT TROY AND POTENTIALLY OTHER MUNICIPAL EMPLOYEES IN VARIOUS CIVIL RIGHTS LAWSUITS

WHEREAS, the City of Jersey City, the Jersey City Police Department, former Chief of Police Robert Troy and several police officers and city officials have been named in complaints filed by various individuals alleging violation of their civil rights as well as a hostile work environment and gender discrimination; and

WHEREAS, the Corporation Counsel has recommended the appointment of outside counsel to represent former Chief of Police Robert Troy and potentially other municipal employees in these matters; and

WHEREAS, the City is acquiring these services directly and openly as a statutorily permitted contract pursuant to the provisions of N.J.S.A. 19:44A-20.5 (Pay-to-Play Law); and

WHEREAS, Domenick Carmagnola, Esq., possesses the skills and expertise to perform these services; and

WHEREAS, special counsel agrees to provide these services at an hourly rate of \$125.00 per hour, including expenses, for a total amount not to exceed \$75,000; and

WHEREAS, N.J.S.A. 19:44A-20.4 et seq. (the Pay-to-Play Law) took effect on January 1, 2006; and

WHEREAS, in March 2009, the City publicly advertised a Request for Qualifications (RFQ) using the "fair and open process" as described under the Pay-to-Play Law; and

WHEREAS, Domenick Carmagnola, Esq. submitted a Qualification Statement in response to the City's RFQ; and

WHEREAS, this contract is made in accordance with the "fair and open process" of the Pay-to-Play Law; and

WHEREAS, Domenick Carmagnola, Esq. of Carmagnola & Ritardi submitted a Qualification Statement in response to the City's RFQ; and

WHEREAS, the law firm of Carmagnola & Ritardi has completed and submitted a Business Entity Disclosure Certification which certifies that he has not made any reportable contributions to the political or candidate committees listed in the Business Entity Disclosure Certification in the previous one year, and that the contract will prohibit Carmagnola & Ritardi from making any reportable contributions during the term of the contract; and

WHEREAS, Carmagnola & Ritardi has submitted a Chapter 271 Political Contribution Disclosure Certification at least 10 days prior to the award of this contract; and

WHEREAS, Carmagnola & Ritardi has submitted its Certification of Compliance with the City's Contractor Pay-to-Play Reform Ordinance 08-128 adopted on September 3, 2008; and

2009102

SEP 23 2009

TITLE:

RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH DOMENICK CARMAGNOLA, ESQ. TO REPRESENT FORMER CHIEF OF POLICE ROBERT TROY AND POTENTIALLY OTHER MUNICIPAL EMPLOYEES IN VARIOUS CIVIL RIGHTS LAWSUITS

WHEREAS, funds are available for the cost of these services in Account No.: 10-14-298-56-000-856.

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

1. An agreement is awarded to Domenick Carmagnola, Esq., Carmagnola & Ritardi to represent former Chief of Police Robert Troy and potentially other municipal employees in various civil rights litigation, for a total amount of \$75,000, including expenses.
2. This contract shall be subject to the condition that the vendor provides satisfactory evidence of compliance with the Affirmative Action Amendments to the Law Against Discrimination, N.J.S.A. 10:5-31 et seq.
3. The Mayor or Business Administrator is hereby authorized to execute an agreement in substantially the form attached subject to such modification as the Corporation Counsel deems appropriate or necessary.
4. A copy of this resolution will be published in a newspaper of general circulation in the City of Jersey City as required by law within (10) days of the adoption of the resolution.

I hereby certify that funds are available in Account No. No. 10-14-298-56-000-856.

Peter Soriero, Risk Manager

APPROVED: \_\_\_\_\_

APPROVED AS TO LEGAL FORM

APPROVED: Steve Miller  
Business Administrator

[Signature]  
Corporation Counsel

Certification Required

Not Required

APPROVED 7-1

| RECORD OF COUNCIL VOTE ON FINAL PASSAGE 9/23/09 |     |     |      |               |        |     |      |               |     |     |      |
|-------------------------------------------------|-----|-----|------|---------------|--------|-----|------|---------------|-----|-----|------|
| COUNCILPERSON                                   | AYE | NAY | N.V. | COUNCILPERSON | AYE    | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| SOTTOLANO                                       | ✓   |     |      | GAUGHAN       | ABSENT |     |      | BRENNAN       | ✓   |     |      |
| SPINELLO                                        | ✓   |     |      | FULOP         |        | ✓   |      | FLOOD         | ✓   |     |      |
| LIPSKI                                          | ✓   |     |      | 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

## AGREEMENT

This Agreement dated the \_\_\_\_\_ day of \_\_\_\_\_, 2009 between the City of Jersey City, a municipal corporation, with offices at 280 Grove Street, Jersey City, New Jersey 07302 ("City") and Domenick Carmagnola, Esq. of Carmagnola & Ritardi. ("Special Counsel").

WITNESSTH, that in consideration of the mutual covenants set forth, the City and Special Counsel agree as follows:

### Scope of Agreement

Special Counsel is hereby retained as an independent contractor to represent former Chief of Police Robert Troy and other municipal employees in various civil rights lawsuits. Special Counsel shall submit 60 day status reports to the Corporation Counsel with a complete analysis of legal issues, risk of liability and the likely number of depositions to be taken. Special Counsel shall provide a brief summary of each deposition upon completion.

### Affidavit of Services

Special Counsel shall submit a monthly affidavit of services to the Corporation Counsel. The affidavit shall specify in detail the services rendered and the time spent on those services.

### Consideration

A. For the above services, Special Counsel shall be compensated at the rate of \$125.00 per hour, including expenses. The total amount of this agreement shall not exceed \$75,000.

B. The Special Counsel shall provide a monthly statement for services rendered.

The **Special Counsel** shall submit to the City administration no later than the tenth day of each month an affidavit of services specifying the total number of hours worked/performed during the preceding month. All statements shall be supplemented by the City's voucher. Payment by the City shall be made promptly in accordance with its procedures.

C. **Special Counsel** shall report to the Corporation Counsel when he or she has billed 70% of total contract amount. **Special Counsel** shall not be paid for services unless prior approval by the Corporation Counsel once **Special Counsel** reaches the 100% threshold.

#### **Billing Practices and Other Guidelines Procedures**

Disbursements should be charged only on the basis of the actual direct out-of-pocket cost to the **Special Counsel** and billed with sufficient detail to permit assessment of their compliance with the following guidelines: (I) in the case of photocopying, the per page charge not to exceed fifteen cents (\$.15) per page; (ii) in the case of facsimile transmittal, the per page charge not to exceed one dollar and fifty cents (\$1.50) per page; and (iii) charges for mileage and parking shall not be charged to the City.

The City expects that the **Special Counsel** will need to obtain the services of third-parties such as court reporters, investigators, consultants, experts, title companies, appraisers, messenger services, etc., in order to carry out their assignments and will contract with those service providers upon the approval of the City. With the exception of the court reporters, **Special Counsel** shall notify the City of their engagement of all third-party service providers and obtain authorization for those services from the City. The **Special Counsel** will pay all third-party service providers directly and will bill the City for those services detailed disbursements included in monthly invoices. This City will not accept separate invoices from service providers directly to the City for payment.

If the **Special Counsel** receives discounts from messenger services, title agencies, investigators or other categories of service provider, those discounts must be passed on to the City and noted on each invoice.

The City does not agree to pay for the following disbursements unless specifically approved in advance for any specific matter by the City.

- word processing;
- secretaries' overtime, proofreading, placing or organizing documents in files;
- meals;
- first class air or rail travel, chauffeur driven limousines;
- hotel accommodations; and
- charges for use of conference rooms or office space.

Should the services of one or more other persons with **Special Counsel's** firm be deemed necessary and approved, the City expects that an appropriate number of attorneys and paralegals at all practice levels will be available for assignment to its matters so that matters can be handled in the most efficient manner possible. Further, the City expects that tasks will be performed by the appropriate level attorney (partner or associates) or paralegal. If the **Special Counsel** decides to staff tasks such as document indexing or preparing deposition summaries with associates rather than paralegals without the City's prior permission, the City agrees to pay only at the rate for paralegals.

The City reserves the right to discuss with its outside counsel and approve the particular attorneys who will be assigned to work on each matter. The City also reserves the right to request the removal of any attorney from the City's assignments for any reason.

The City does not agree to pay for excessive in-office consultants between attorneys or attorneys and paralegals, or for administrative meetings with associates and paralegals.

The City does not agree to pay for time spent educating lawyers as a result of the transfer or work between attorneys within the law firm unless approved by the City in advance. A complete or substantially complete transfer of work from an attorney having significant responsibility on a matter to another attorney or attorneys must be approved by the City.

The City does not agree to pay for more than one attorney's attendance at meetings, depositions, conferences or hearings unless the City authorizes such attendance in advance.

#### Assignment

The services under this contract shall be performed exclusively by **Special Counsel** not by any other member of his firm. **Special Counsel** may assign work under this contract to another person within the firm only with the approval of the Corporation Counsel.

#### New Jersey Business Registration Requirements

The contractor shall provide written notice to its subcontractors of the responsibility to submit proof of business registration to the contractor.

Before final payment on the contract is made by the contracting agency, the contractor shall submit an accurate list and the proof of business registration of each subcontractor or supplier used in the fulfillment of the contract, or shall attest that no subcontractors were used.

For the term of the contract, the contractor and each of its affiliates and a subcontractor and each of its affiliates [N.J.S.A. 52:32-44(g)(3)] shall collect and remit to the Director, New Jersey Division of Taxation, the use tax due pursuant to the Sales and Use Tax Act on all sales of tangible personal property delivered into this State, regardless of whether the tangible personal property

is intended for a contract with a contracting agency.

A business organization that fails to provide a copy of a business registration as required pursuant to section 1 of P.L.2001, c.134 (C.52:32-44 et al.) or subsection e. or f. of section 92 of P.L.1977, c.110 (C.5:12-92), or that provides false business registration information under the requirements of either of those sections, shall be liable for a penalty of \$25 for each day of violation, not to exceed \$50,000 for each business registration copy not properly provided under a contract with a contracting agency.

### **Special Provisions**

The City reserves the right to terminate the within Agreement at any time for any reason whatsoever, in which event the **Special Counsel** shall be paid for services due up to the date of termination. Thereafter, this Agreement shall be considered null and void with no further rights or obligations emanating therefrom.

**IN WITNESS WHEREOF**, the parties hereto have set their hands and seal or caused these presents to be signed by their proper corporate officers and their proper corporate seal hereto affixed the day, month and year above written.

### **Affirmative Action Plan**

- (A) If the contract exceeds \$9,200, it shall also be subject to the Affirmative Action amendments to the "Law Against Discrimination", N.J.S.A. 10:5-31 et seq.
- (B) This contract shall not become effective and special counsel shall provide no services under this contract until he or she has executed the following documents:
  - 1. A supplemental Affirmative Action agreement pursuant to N.J.S.A. 10:5-21 et seq.
  - 2. An Affirmative Action Employee Information Report (form AA-302) (for contracts which exceeds \$9,200).

These documents may be obtained from the department responsible for the administration of this contract. All of the terms and conditions are made part of this contract.

**Attest:**

**City of Jersey City**

---

**Robert Byrne**  
**City Clerk**

---

**Brian O'Reilly**  
**Business Administrator**

**WITNESS:**

**Carmagnola & Ritardi**

---

**Domenick Carmagnola, Esq.**

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

City Clerk File No. Res. 09-796

Agenda No. 10.Z

Approved: SEP 23 2009

TITLE:



## RESOLUTION APPROVING THE REAPPOINTMENT OF BRIAN O'REILLY AS BUSINESS ADMINISTRATOR/DIRECTOR OF ADMINISTRATION

COUNCIL offered and moved adoption of the following resolution:

**WHEREAS**, N.J.S.A. 40:69A-43(b) provides that each department of the City of Jersey City shall be headed by a director, who shall be appointed by the mayor with the advice and consent of the council; and

**WHEREAS**, every director serves during the term of office of the mayor and until the appointment and qualification of a successor; and

**WHEREAS**, the Mayor has advised the Council that he has reappointed Brian O'Reilly as Business Administrator/Director of the Department of Administration and seeks the advice and consent of the Council to his reappointment; and

**WHEREAS**, Brian O'Reilly is well qualified to serve as Business Administrator/Department of Administration of the City of Jersey City.

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

- (1) the reappointment of Brian O'Reilly as Business Administrator/Department of Administration is approved; and
- (2) he shall serve during a term of office of the Mayor and until the appointment and qualification of a successor.

APPROVED: \_\_\_\_\_

APPROVED AS TO LEGAL FORM

APPROVED: Steve Miller  
Business Administrator

Ray Reilly  
Corporation Counsel

Certification Required

Not Required

**APPROVED 8-0**

| RECORD OF COUNCIL VOTE ON FINAL PASSAGE |     |     |      |               |        |     |      |               |     |     |      |
|-----------------------------------------|-----|-----|------|---------------|--------|-----|------|---------------|-----|-----|------|
| 9/23/09                                 |     |     |      |               |        |     |      |               |     |     |      |
| COUNCILPERSON                           | AYE | NAY | N.V. | COUNCILPERSON | AYE    | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| SOTTOLANO                               | ✓   |     |      | GAUGHAN       | ABSENT |     |      | 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

Report of Directors  
8.d  
Meeting 09/23/09

# CITY OF JERSEY CITY

JERRAMIAH T. HEALY  
MAYOR



CITY HALL  
JERSEY CITY, NJ 07302  
TEL: (201) 547-5200  
FAX: (201) 547-4288

September 17, 2009

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

RE: Appointment of Business Administrator

Dear Council President and Members:

I have this day appointed Brian O'Reilly, who resides at 9 Sally Street, Howell, NJ 07731, as the Business Administrator of the City of Jersey City.

In accordance with N.J.S.A. 40:69A:43, I respectfully request the advice and consent of the Municipal Council to this appointment.

Very truly yours,

JERRAMIAH HEALY  
Mayor

JM/ms  
cc: Robert Byrne, City Clerk

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

City Clerk File No. Res. 09-797

Agenda No. 10.Z.1

Approved: SEP 23 2009

TITLE:



## RESOLUTION APPROVING THE REAPPOINTMENT OF ARMANDO ROMAN AS DIRECTOR OF THE DEPARTMENT OF FIRE

COUNCIL offered and moved adoption of the following resolution:

**WHEREAS**, N.J.S.A. 40:69A-43(b) provides that each department of the City of Jersey City shall be headed by a director, who shall be appointed by the mayor with the advice and consent of the council; and

**WHEREAS**, every director serves during the term of office of the mayor and until the appointment and qualification of a successor; and

**WHEREAS**, the Mayor has advised the Council that he has reappointed Armando Roman as Director of the Department of Fire and seeks the advice and consent of the Council to his appointment; and

**WHEREAS**, Armando Roman is well qualified to serve as Director of the Department of Fire.

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

- (1) the appointment of Armando Roman as Director of the Department of Fire is approved; and
- (2) he shall serve during a term of office of the Mayor and until the appointment and qualification of a successor.

APPROVED: \_\_\_\_\_

APPROVED AS TO LEGAL FORM

APPROVED: Steve Miller  
Cnst. Business Administrator

Ray J. Ralitto  
Asst Corporation Counsel

Certification Required

Not Required  **APPROVED 7-1**

| RECORD OF COUNCIL VOTE ON FINAL PASSAGE |     |     |      |               |        |     |      |               |     |     |      |
|-----------------------------------------|-----|-----|------|---------------|--------|-----|------|---------------|-----|-----|------|
| 9/23/09                                 |     |     |      |               |        |     |      |               |     |     |      |
| COUNCILPERSON                           | AYE | NAY | N.V. | COUNCILPERSON | AYE    | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| SOTTOLANO                               | ✓   |     |      | GAUGHAN       | ABSENT |     |      | 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

Report of Directors  
8.e  
Meeting 09/23/09

# CITY OF JERSEY CITY

JERRAMIAH T. HEALY  
MAYOR



CITY HALL  
JERSEY CITY, NJ 07302  
TEL: (201) 547-5200  
FAX: (201) 547-4288

September 17, 2009

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

RE: Appointment of Director of Fire

Dear Council President and Members:

I have this day appointed Armando Roman, who resides at 76 Bentley Avenue, Jersey City, New Jersey 07306, as Director of Fire of the City of Jersey City.

In accordance with N.J.S.A. 40:69A:43, I respectfully request the advice and consent of the Municipal Council to this appointment.

Very truly yours,

A handwritten signature in black ink, appearing to read 'J. Healy', written over a horizontal line.

JERRAMIAH HEALY  
Mayor

JM/pm  
cc: Robert Byrne, City Clerk

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

City Clerk File No. \_\_\_\_\_ Res. 09-798  
 Agenda No. \_\_\_\_\_ 10.Z.2  
 Approved: \_\_\_\_\_ SEP 23 2009  
 TITLE: \_\_\_\_\_



## RESOLUTION APPROVING THE REAPPOINTMENT OF HARRY MELENDEZ AS DIRECTOR OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES

COUNCIL offered and moved adoption of the following resolution:

**WHEREAS**, N.J.S.A. 40:69A-43(b) provides that each department of the City of Jersey City shall be headed by a director, who shall be appointed by the mayor with the advice and consent of the council; and

**WHEREAS**, every director serves during the term of office of the mayor and until the appointment and qualification of a successor; and

**WHEREAS**, the Mayor has advised the Council that he has reappointed Harry Melendez as Director of the Department of Health and Human Services and seeks the advice and consent of the Council to his appointment; and

**WHEREAS**, Harry Melendez is well qualified to serve as Director of the Department of Health and Human Services..

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

- (1) the reappointment of Harry Melendez as Director of the Department of Health and Human Services is approved; and
- (2) he shall serve during a term of office of the Mayor and until the appointment and qualification of a successor.

APPROVED: \_\_\_\_\_

APPROVED AS TO LEGAL FORM

APPROVED: Steve Miller  
*Asst.* Business Administrator

Ronald Reddy  
 Asst. Corporation Counsel

Certification Required

Not Required

**APPROVED 8-0**

| RECORD OF COUNCIL VOTE ON FINAL PASSAGE |     |     |      |               |        |     |      |               |     |     |      |
|-----------------------------------------|-----|-----|------|---------------|--------|-----|------|---------------|-----|-----|------|
|                                         |     |     |      | 9723/09       |        |     |      |               |     |     |      |
| COUNCILPERSON                           | AYE | NAY | N.V. | COUNCILPERSON | AYE    | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| SOTTOLANO                               | ✓   |     |      | GAUGHAN       | ABSENT |     |      | 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

# CITY OF JERSEY CITY

JERRAMIAH T. HEALY  
MAYOR



CITY HALL  
JERSEY CITY, NJ 07302  
TEL: (201) 547-5200  
FAX: (201) 547-4288

September 17, 2009

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

RE: Appointment of Director of Health & Human Services

Dear Council President and Members:

I have this day reappointed Harry Melendez, who resides at 277 York Street, Jersey City, New Jersey 07302, as Director of Health and Human Services of the City of Jersey City.

In accordance with N.J.S.A. 40:69A:43, I respectfully request the advice and consent of the Municipal Council to this appointment.

Very truly yours,

A handwritten signature in black ink, appearing to read 'J. Healy', written in a cursive style.

JERRAMIAH HEALY  
Mayor

JM/pm

cc: Robert Byrne, City Clerk

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

City Clerk File No. Res. 09-799  
 Agenda No. 10.Z.3  
 Approved: SEP 23 2009  
 TITLE: \_\_\_\_\_



## RESOLUTION APPROVING THE REAPPOINTMENT OF CARL CZAPLICKI AS DIRECTOR OF THE DEPARTMENT OF HOUSING, ECONOMIC DEVELOPMENT AND COMMERCE

COUNCIL offered and moved adoption of the following resolution:

**WHEREAS**, N.J.S.A. 40:69A-43(b) provides that each department of the City of Jersey City shall be headed by a director, who shall be appointed by the mayor with the advice and consent of the council; and

**WHEREAS**, every director serves during the term of office of the mayor and until the appointment and qualification of a successor; and

**WHEREAS**, the Mayor has advised the Council that he has reappointed Carl Czapllicki as Director of the Department of Housing, Economic Development and Commerce and seeks the advice and consent of the Council to his appointment; and

**WHEREAS**, Carl Czapllicki is well qualified to serve as Director of the Department of Housing, Economic Development and Commerce..

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

- (1) the appointment of Carl Czapllicki as Director of the Department of Housing, Economic Development and Commerce is approved; and
- (2) he shall serve during a term of office of the Mayor and until the appointment and qualification of a successor.

APPROVED: \_\_\_\_\_

APPROVED AS TO LEGAL FORM

APPROVED: Steve Miller  
*Conf.* Business Administrator

Russ Reddy  
 Asst. Corporation Counsel

Certification Required

Not Required

**APPROVED 7-0-1**

| RECORD OF COUNCIL VOTE ON FINAL PASSAGE |     |     |      |               |         |     |      |               |     |     |      |
|-----------------------------------------|-----|-----|------|---------------|---------|-----|------|---------------|-----|-----|------|
|                                         |     |     |      | 9/23/09       |         |     |      |               |     |     |      |
| COUNCILPERSON                           | AYE | NAY | N.V. | COUNCILPERSON | AYE     | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| SOTTOLANO                               | ✓   |     |      | GAUGHAN       | ABSENT  |     |      | BRENNAN       | ✓   |     |      |
| KENNY                                   | ✓   |     |      | FULOP         | ABSTAIN |     |      | 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

Report of Directors  
8.g  
Meeting 09/23/09

# CITY OF JERSEY CITY

JERRAMIAH T. HEALY  
MAYOR



CITY HALL  
JERSEY CITY, NJ 07302  
TEL: (201) 547-5200  
FAX: (201) 547-4288

September 17, 2009

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

RE: Appointment of Director of Housing, Economic Development & Commerce

Dear Council President and Members:

I have this day appointed Carl Czaplicki, who resides at 187 Ogden Avenue, Jersey City, New Jersey 07302, as Director of Housing, Economic Development & Commerce of the City of Jersey City.

In accordance with N.J.S.A. 40:69A:43, I respectfully request the advice and consent of the Municipal Council to this appointment.

Very truly yours,

  
JERRAMIAH HEALY  
Mayor

JM/pm  
cc: Robert Byrne, City Clerk

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

City Clerk File No. Res. 09-800

Agenda No. 10.Z.4

Approved: SEP 23 2009

TITLE:



## RESOLUTION APPROVING THE REAPPOINTMENT OF WILLIAM MATSIKLOUDIS AS CORPORATION COUNSEL/DIRECTOR OF LAW

COUNCIL offered and moved adoption of the following resolution:

**WHEREAS**, N.J.S.A. 40:69A-43(b) provides that each department of the City of Jersey City shall be headed by a director, who shall be appointed by the mayor with the advice and consent of the council; and

**WHEREAS**, every director serves during the term of office of the mayor and until the appointment and qualification of a successor; and

**WHEREAS**, the Mayor has advised the Council that he has reappointed William Matsikoudis as Corporation Counsel/Director of the Department of Law and seeks the advice and consent of the Council to his appointment; and

**WHEREAS**, William Matsikoudis is well qualified to serve as Corporation Counsel/Director of Law of the City of Jersey City.

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

- (1) the reappointment of William Matsikoudis as Corporation Counsel/Director of the Department of Law is approved; and
- (2) he shall serve during a term of office of the Mayor and until the appointment and qualification of a successor.

APPROVED: \_\_\_\_\_

APPROVED AS TO LEGAL FORM

APPROVED: Steve Miller  
Asst. Business Administrator

Ronald Reddy  
Asst. Corporation Counsel

Certification Required

Not Required

**APPROVED 8-0**

| RECORD OF COUNCIL VOTE ON FINAL PASSAGE |     |     |      |               |        |     |      |               |     |     |      |
|-----------------------------------------|-----|-----|------|---------------|--------|-----|------|---------------|-----|-----|------|
| 9/23/09                                 |     |     |      |               |        |     |      |               |     |     |      |
| COUNCILPERSON                           | AYE | NAY | N.V. | COUNCILPERSON | AYE    | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| SOTTOLANO                               | ✓   |     |      | GAUGHAN       | ABSENT |     |      | 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

Report of Directors  
8.h  
Meeting 09/23/09

# CITY OF JERSEY CITY

JERRAMIAH T. HEALY  
MAYOR



CITY HALL  
JERSEY CITY, NJ 07302  
TEL:(201) 547-5200  
FAX:(201) 547-4288

September 17, 2009

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

RE: Appointment of Corporation Counsel

Dear Council President and Members:

I have this day appointed William Matsikoudis, who resides at 4 Beacon Way, Unit 322, Jersey City, New Jersey 07304, as Corporation Counsel/Director of Law of the City of Jersey City.

In accordance with N.J.S.A. 40:69A:43, I respectfully request the advice and consent of the Municipal Council to this appointment.

Very truly yours,

A handwritten signature in black ink, appearing to read 'J. Healy', written over a horizontal line.

JERRAMIAH HEALY  
Mayor

JM/pm  
cc: Robert Byrne, City Clerk

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

City Clerk File No. Res. 09-801  
 Agenda No. 10.Z.5  
 Approved: SEP 23 2009  
 TITLE:



## RESOLUTION APPROVING THE REAPPOINTMENT OF SAMUEL JEFFERSON AS DIRECTOR OF THE DEPARTMENT OF POLICE

COUNCIL offered and moved adoption of the following resolution:

**WHEREAS**, N.J.S.A. 40:69A-43(b) provides that each department of the City of Jersey City shall be headed by a director, who shall be appointed by the mayor with the advice and consent of the council; and

**WHEREAS**, every director serves during the term of office of the mayor and until the appointment and qualification of a successor; and

**WHEREAS**, the Mayor has advised the Council that he has reappointed Samuel Jefferson as Director of the Department of Police and seeks the advice and consent of the Council to his appointment; and

**WHEREAS**, Samuel Jefferson is well qualified to serve as Director of the Department of Police.

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

- (1) the reappointment of Samuel Jefferson as Director of the Department of Police is approved; and
- (2) he shall serve during a term of office of the Mayor and until the appointment and qualification of a successor.

APPROVED: \_\_\_\_\_

APPROVED AS TO LEGAL FORM

APPROVED: Steve Miller  
*Crist* Business Administrator

Raymond Reddy  
 Ass't Corporation Counsel

Certification Required

Not Required

**APPROVED 8-0**

| RECORD OF COUNCIL VOTE ON FINAL PASSAGE |     |     |      |               |        |     |      |               |     |     |      |
|-----------------------------------------|-----|-----|------|---------------|--------|-----|------|---------------|-----|-----|------|
| 9/23/09                                 |     |     |      |               |        |     |      |               |     |     |      |
| COUNCILPERSON                           | AYE | NAY | N.V. | COUNCILPERSON | AYE    | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| SOTTOLANO                               | ✓   |     |      | GAUGHAN       | ABSENT |     |      | 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

Report of Directors  
8.i  
Meeting 09/23/09

# CITY OF JERSEY CITY

JERRAMIAH T. HEALY  
MAYOR



CITY HALL  
JERSEY CITY, NJ 07302  
TEL: (201) 547-5200  
FAX: (201) 547-4288

September 17, 2009

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

RE: Appointment of Director of Police

Dear Council President and Members:

I have this day appointed Samuel Jefferson, who resides at 15 Bayside Terrace, Jersey City, New Jersey 07305, as Director of Police of the City of Jersey City.

In accordance with N.J.S.A. 40:69A:43, I respectfully request the advice and consent of the Municipal Council to this appointment.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Jerramiah Healy', is written over a faint, larger version of the signature.

JERRAMIAH HEALY  
Mayor

JM/ms  
cc: Robert Byrne, City Clerk

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

City Clerk File No. Res. 09-802

Agenda No. 10.Z.6

Approved: SEP 23 2009

TITLE:



## RESOLUTION APPROVING THE REAPPOINTMENT OF JOSEPH MACCHI AS DIRECTOR OF THE DEPARTMENT OF RECREATION

COUNCIL offered and moved adoption of the following resolution:

**WHEREAS, N.J.S.A. 40:69A-43(b)** provides that each department of the City of Jersey City shall be headed by a director, who shall be appointed by the mayor with the advice and consent of the council; and

**WHEREAS,** every director serves during the term of office of the mayor and until the appointment and qualification of a successor; and

**WHEREAS,** the Mayor has advised the Council that he has reappointed Joseph Macchi as the Director of the Department of Recreation and seeks the advice and consent of the Council to his appointment; and

**WHEREAS,** Joseph Macchi is well qualified to serve as Director of the Department of Recreation of the City of Jersey City.

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

- (1) the reappointment of Joseph Macchi as Director of the Department of Recreation is approved; and
- (2) he shall serve during a term of office of the Mayor and until the appointment and qualification of a successor.

APPROVED: \_\_\_\_\_

APPROVED AS TO LEGAL FORM

APPROVED: Steve Miller  
Asst. Business Administrator

Raymond Reddy  
Asst. Corporation Counsel

Certification Required

Not Required

**APPROVED 8-0**

| RECORD OF COUNCIL VOTE ON FINAL PASSAGE |     |     |      |               |        |     |      |               |     |     |      |
|-----------------------------------------|-----|-----|------|---------------|--------|-----|------|---------------|-----|-----|------|
| 9/23/09                                 |     |     |      |               |        |     |      |               |     |     |      |
| COUNCILPERSON                           | AYE | NAY | N.V. | COUNCILPERSON | AYE    | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| SOTTOLANO                               | ✓   |     |      | GAUGHAN       | ABSENT |     |      | 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

Report of Directors  
8.j  
Meeting 09/23/09

# CITY OF JERSEY CITY

JERRAMIAH T. HEALY  
MAYOR



CITY HALL  
JERSEY CITY, NJ 07302  
TEL: (201) 547-5200  
FAX: (201) 547-4288

September 17, 2009

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

RE: Appointment of Director of the Department of Recreation

Dear Council President and Members:

I have this day appointed Joseph Macchi, who resides at 2116 Kenneth Road, Point Pleasant, New Jersey 08742, as Director of the Department of Recreation of the City of Jersey City.

In accordance with N.J.S.A. 40:69A:43, I respectfully request the advice and consent of the Municipal Council to this appointment.

Very truly yours,

A handwritten signature in black ink, appearing to read 'J. Healy', is written over a faint, larger version of the signature.

JERRAMIAH HEALY  
Mayor

JM/ms  
cc: Robert Byrne, City Clerk



Date Submitted to B.A. \_\_\_\_\_

**RESOLUTION FACT SHEET**

**1. Full Title of Resolution**

RESOLUTION OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY AUTHORIZING THE SUBMISSION/ACCEPTANCE OF AN APPLICATION TO THE NEW JERSEY URBAN ENTERPRISE ZONE AUTHORITY FOR FUNDING CCTV MAINTENANCE PROGRAM PHASE 4

**2. Name and Title of Person Initiating the Resolution**

Roberta Farber, Urban Enterprise Zone Director  
201-333-7797

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

This Resolution authorizes the submission of a UEZ proposal for the maintenance of the CCTV Security Program.

**4. Reasons for the Proposed Program, Project**

These funds are utilized for the salary of the CCTV Assistant Project Manager, maintenance of the cameras, and air conditioning system and for utility mark outs which are required by NJ state law prior to any street excavation that may affect underground utilities. The fiber optic cables that are part of the CCTV system are covered by this requirement. Therefore the Jersey City Economic Development Corporation must ensure that mark outs are completed as necessary.

**5. Anticipated Benefits to the Community:**

The CCTV Security provides additional security to the UEZ business districts.

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

|                                     |                |
|-------------------------------------|----------------|
| CCTV Maintenance Program Phase 4    | \$ 762, 732.00 |
| UEZ Funds                           | \$ 749, 027.00 |
| Municipal 20% Match (employee only) | \$ 13,705.00   |

**7. Date proposed Program of Project will commence:**

October 13, 2009

**8. Anticipated Completion Date:**

October 31, 2010

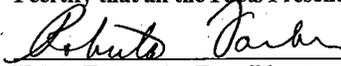
**9. Person Responsible for Coordinating Proposed Program, Project, etc.;**

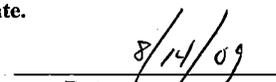
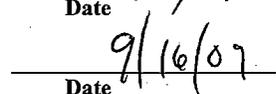
Bob Dalton, Senior Project Manager  
392-394 Central Avenue  
Jersey City, New Jersey 07307  
Telephone - 201-547-4759

**10. Additional Comments:**

None

I certify that all the Facts Presented Herein are Accurate.

  
Urban Enterprise Zone Director  
  
Department Director

  
Date 8/14/09  
  
Date 9/16/09

**New Jersey Department of Community Affairs  
APPLICATION FOR GRANT FUNDS**

STANDARD GRANT COVER SHEET

2010-8012-0436

|                                                                                                                                                                                                   |                                  |                                         |                                |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------|-----------------------------------------|--------------------------------|
| 1. DCA Program to Which Applicant is Applying:<br>Urban Enterprise Zone - Jersey City 2010                                                                                                        |                                  |                                         |                                |
| 2. Name of Applicant Agency<br>Jersey City                                                                                                                                                        |                                  |                                         |                                |
| 3. Street Address<br>280 Grove Street                                                                                                                                                             |                                  |                                         |                                |
| City<br>Jersey City                                                                                                                                                                               | State<br>New Jersey              | Zip Code<br>07302                       | County<br>Hudson               |
| 4. Official Contact Person<br>Ms. Donna Mauer                                                                                                                                                     | Title<br>Chief Financial Officer |                                         | Phone number<br>(201) 547-5042 |
| 5. Program Contact Person<br>Ms. Roberta Farber                                                                                                                                                   | Title<br>UEZ Director            |                                         | Phone Number<br>(201) 333-7797 |
| 6. Proposed Project/Grant Title<br>CCTV Security Camera Maintenance Phase 4                                                                                                                       |                                  |                                         |                                |
| Program Type<br>Projects : Professional Services: CCTV Security Camera Maintenance Phase 4                                                                                                        |                                  |                                         |                                |
| 7. Total Cost of the Project<br>\$762,732                                                                                                                                                         | 8. Requested Amount<br>\$749,027 | 9. Funds from Other Sources<br>\$13,705 |                                |
| 10. Project Location (if Different from Applicant Agency)<br>Jersey City                                                                                                                          |                                  |                                         |                                |
| Street Address<br>30 Montgomery Street                                                                                                                                                            |                                  |                                         |                                |
| City<br>Jersey City                                                                                                                                                                               | State                            | Zip                                     | Room Number<br>820             |
| 11. Vendor Number<br>V-226002013-99                                                                                                                                                               | 12. Employer ID<br>69-0220260    | 13. Tax Exempt ID                       |                                |
| 14. Area(s) Benefiting:                                                                                                                                                                           |                                  |                                         |                                |
| 15. Briefly describe the project for which you are seeking funds.<br>for the continued maintenance of the Jersey City Maintenance of their CCTV camera and control systems and street "mark ups". |                                  |                                         |                                |

16. a. Will any member of the Board of Directors/Trustees receive any direct or indirect personal or monetary gain from the funding of this grant?

Yes  No

b. Does any member of the Board of Directors/Trustees serve on any board, council commission, committee or task force which has regulatory or advising influence on the funding program?  Yes  No

If yes, please describe:

17. Fiscal Contact Person

Mr. Clifford J. Adams

Title

JCEDC - Chief Financial

Phone Number

(201) 333-7797

18. Agency Fiscal Year

7/1 to 6/30

19. Name of CPA Firm Appointed by Grantee

20. **Certification:** The applicant certifies that to the best of his/her knowledge and belief all data supplied in this application and attachments are true and correct. The document has been duly authorized by the governing body of the applicant and further understands and agrees that any grant received as a result of this application shall be subject to the grant conditions and other policies, regulation, and rules issued by the New Jersey Department of Community Affairs which include provisions described in grant applications instructions.

Name and Title of Applicant (Print)

Signature of Applicant

Date of Application

## OBJECTIVES

Objective Number: 1

Short Description: Maintenance of the CCTV Security System

### Detailed Description

Replacement of field electronics, transceivers, camera parts, CCTV control room equipment power feed repairs in cabinets, scheduled inspections of equipment to ensure video quality; and regular dome cleaning. The maintenance contract also includes replacement of malfunctioning equipment requested as emergency repairs or call-out services.  
this project also includes the costs associated with 1-800-Dig "mark outs".

### Methods

The Jersey City Economic Development Corporation shall hire a firm to service the above mentioned equipment and perform the physical mark outs. An individual shall be hired to check on the need for a physical mark out from the information that is sent from 1-800-DIGG.

### Evaluation

Application Program Component: \_\_\_\_\_

## Scope of Services

In January 2000, the JCEDC received UEZ funding for the initial phase of the City's CCTV Public Security Program. The objective of this program was to improve public safety by proactively monitoring major streets in high crime areas within the UEZ. The original grant application proposed a 120-130 camera system pending the outcome of the initial phase. Phase I, covering the installation of 21 cameras and operational since May 2001, has provided 24-hour coverage of a 22-block area of the UEZ in the Greenville section of Jersey City. This initiative has been very successful in patrolling the public streets and assisting the police in detecting criminal acts and in the investigations of assaults, drugs deals, robberies and other crimes (see attached report). This program has received enormous community support from the Neighborhood Associations in the City.

Total number of cameras purchased in each phase:

Phase I - 21

Phase II - 50

The community-based pro-active CCTV Public Surveillance System has three basic components:

1. Field Equipment - including cameras, camera housings, poles and support devices
2. Control Room - including the video monitors, matrix system, video console, digital video recorder, operator's console, storage medium and review suite.
3. Transmission system - including fiber optic cable or microwave transceivers, duct, transmitters and receivers, and peripheral telemetry equipment.

The Jersey City CCTV Control Center is located at 394 Central Avenue 2nd Floor in Jersey City, NJ. This is within the Urban Enterprise Zone boundary. The system includes 71 video cameras that patrol the public areas in strategic areas of the City.

Phase I CCTV UEZ contract amount for this project was \$1,911,703.00  
There was also an increase in the budget for professional services, salaries, Verizon, and an upgrade of cameras \$331,198.00  
Total project costs \$2,242,901.00  
CCTV Maintenance Phase 1 for mark outs, salaries, electrical services  
Professional services and maintenance was \$ 781,908.00.

As a result of the demonstrated success in Phase I, the JCEDC requested funding to expand coverage into other UEZ areas, specifically, the Special Improvement Districts (SIDs) at Journal Square, McGinley Square and Central Avenue, and the MLK Hub, which is adjacent to the MLK transit stop on the Hudson-Bergen Light Rail Transit line.

CCTV Security Phase II covered four business areas (Journal Square, McGinley Square, MLK Drive, and the Central Avenue business district. This phase included an additional PTZ 50 color cameras and a fiber optic trunk line for video transmission and was entered into service in four stages between February and October 2005, as the fiber optic trunk line was completed.

CCTV Phase II original contract amount -\$3,448,489.00  
Contract amendments for mark outs, salaries, electrical services, additional wiring professional services, and maintenance (considered Phase 2 maintenance) \$1,633,064.00  
CCTV Maintenance Phase 3 -\$825,079.00  
CCTV Phase 3a new construction of additional cameras, poles, fiber and salaries -\$3,122,250.00

CCTV Maintenance Phase 4 includes; replacement of field electronics, transceivers, camera parts, CCTV control room (check of Digital Video Recording System, Graphic User Interface, large video screens, key boards, access control system) equipment power feed repairs in cabinets, scheduled inspections of equipment to ensure video quality; and regular dome cleaning (dome cleaning will be done every three months but is included as a separate cost item). The maintenance contract also includes replacement of malfunctioning equipment requested as emergency repairs or call-out services.

The monthly costs vary depending on the severity of the problems in a given month. For example, two camera poles were damaged in one month and replaced. Replacement included a new pole foundation, camera pole and fittings, reinstallation of electronics, fiber connections, and power supply, transceiver and camera. The CCTV project has been operational for six years and only three poles have been damaged.

In order for the JCEDC to continue to monitor incidents that warrant a police response, there is a need to continue to maintain the equipment that has been installed.

### DETAILED COSTS OF MAINTENANCE

Verizon - In Phase I CCTV Security the fiber was leased through Verizon at a cost of \$10,000 per



Budget Detail

Jersey City

| Budget Category                                          | UEZ Assistance | Anticipated UEZ Assistance | Municipal Funds | Other Funds | Total Budget |
|----------------------------------------------------------|----------------|----------------------------|-----------------|-------------|--------------|
| PROGRAM - Personnel                                      |                |                            |                 |             |              |
| Other                                                    |                |                            |                 |             |              |
| Assistant Project Manager                                | \$54,822.00    |                            | \$13,705.00     |             | \$68,527.00  |
| Minor Category Sub-Total                                 | \$54,822.00    | \$0.00                     | \$13,705.00     | \$0.00      | \$68,527.00  |
| Major Category Sub-Total                                 | \$54,822.00    | \$0.00                     | \$13,705.00     | \$0.00      | \$68,527.00  |
| PROGRAM - Operating Cost                                 |                |                            |                 |             |              |
| Other                                                    |                |                            |                 |             |              |
| US Tech Gold Star Battery Back Up                        | \$1,600.00     |                            |                 |             | \$1,600.00   |
| Verizon Lease                                            | \$120,000.00   |                            |                 |             | \$120,000.00 |
| Minor Category Sub-Total                                 | \$121,600.00   | \$0.00                     | \$0.00          | \$0.00      | \$121,600.00 |
| Major Category Sub-Total                                 | \$121,600.00   | \$0.00                     | \$0.00          | \$0.00      | \$121,600.00 |
| PROGRAM - Purchased Services                             |                |                            |                 |             |              |
| Other                                                    |                |                            |                 |             |              |
| Air Conditioning Maintenance Contract                    | \$11,725.00    |                            |                 |             | \$11,725.00  |
| Minor Category Sub-Total                                 | \$11,725.00    | \$0.00                     | \$0.00          | \$0.00      | \$11,725.00  |
| Engineering                                              |                |                            |                 |             |              |
| Provide services for maintenance of the CCTV Camera Syst | \$510,880.00   |                            |                 |             | \$510,880.00 |
| Jacobs, Edwards & Kelcey                                 | \$50,000.00    |                            |                 |             | \$50,000.00  |
| Minor Category Sub-Total                                 | \$560,880.00   | \$0.00                     | \$0.00          | \$0.00      | \$560,880.00 |
| Major Category Sub-Total                                 | \$572,605.00   | \$0.00                     | \$0.00          | \$0.00      | \$572,605.00 |
| Total                                                    | \$749,027.00   | \$0.00                     | \$13,705.00     | \$0.00      | \$762,732.00 |

Urban Enterprise Zone - Jersey City 2010  
PROJECT INFORMATION (ELIGIBLE MUNICIPAL SERVICES, PROFESSIONAL SERVICE

Project Name: CCTV Security Camera Maintenance Phase 4

Meeting Date: 9/16/2009

Estimated start date: 9/16/2009

Estimated completion date: 10/16/2010

Explain how this Project/Program fits into your Zone Development Plan, Municipality's Master Plan, and/or Redevelopment Plan. If it does not fit into these Plans, explain why.

This is consistent with the Jersey City Five Year Plan with the perception and reality of rising crime.

How will this Project/Program lead to increased economic activity within your zone?

The success of this program is based on the demand and acceptance among all community groups in the city. The perception is that where the cameras are the areas are safe. With the streets safer persons will shop in the local UEZ business areas.

Urban Enterprise Zone - Jersey City 2010

PROJECT INFORMATION (ELIGIBLE MUNICIPAL SERVICES, PROFESSIONAL SERVICE)

Identify recipients of UEZ funding for this project.

Assistant Project Manager

This project shall be going out to be bid so a firm has not yet been identified.

Jacobs, Edwards & Kelcey

- Are there any hidden commissions or fees associated with this project?  Yes  No  N/A
- Is this project available to all UEZ businesses within your zone?  Yes  No  N/A
- Is the approval of this project contingent upon the availability of funds and is it exclusively within the boundaries of the zone?  
(If you answer no, the municipality will be required to contribute a proportionate amount of funding.)  Yes  No  N/A
- Will prevailing wage be paid on this project?  Yes  No  N/A
- Will future funding be requested?  Yes  No  N/A
- Will Second Generation funds be used for this project?  Yes  No  N/A

Urban Enterprise Zone - Jersey City 2010

PROJECT INFORMATION (ELIGIBLE MUNICIPAL SERVICES, PROFESSIONAL SERVICE

**How will proposal lead to increased economic activity within your zone?**

The success of this program is based on the demand and acceptance among all community groups in the city. The perception is that where the cameras are the areas are safe. With the streets safer persons will shop in the local UEZ business areas.

Urban Enterprise Zone - Jersey City 2010  
AGENCY BACKGROUND

1a. Did prior phase create jobs?  Yes  No  N/A

1b. If yes, how many jobs were created?

1c. If yes, how many jobs have been retained?



2b. Please indicate how selection was made. Please indicate if cost was a factor in the selection process.

Urban Enterprise Zone - Jersey City 2010  
ATTACHMENTS (PROFESSIONAL SERVICES)

1a. Fully executed City Council Resolution

I will...

- Mail this attachment
- Hand deliver this attachment

1b. Zone board resolution (if applicable)

I will...

- Mail this attachment
- Hand deliver this attachment

2. Agreement(s) between the Zone and Firm

I will...

- Upload this attachment
- Mail this attachment
- Fax this attachment
- Hand deliver this attachment
- Not applicable

3. Commitment Letter(s)

I will...

- Upload this attachment
- Mail this attachment
- Fax this attachment
- Hand deliver this attachment
- Not applicable

Urban Enterprise Zone - Jersey City 2010  
SCHEDULE B: VENDORS

Vendor Type: Other

If "Other", specify Vendor Type: Air Conditioning Company

Name of Development Consultant: Nick

Firm Name: ConAir Cooling - Heating

Street Address: 300 Lackawanna Avenue

City: West Paterson

State: NJ

Zip Code: 07424

Phone: (973) 890-2727 Ext.

Fax:

Email:

**Required Attachments:**

a. Vendor Business Registration Certificate

I am mailing this attachment       I am uploading this attachment

Urban Enterprise Zone - Jersey City 2010  
SCHEDULE B: VENDORS

Vendor Type: Engineer

If "Other", specify Vendor Type:

Name of Development Consultant: John Pavlovich

Firm Name: Jacobs Edwards & Kelcey

Street Address: 299 Madison Avenue, PO Box 1936

City: Morristown

State: NJ

Zip Code: 07962-1969

Phone: (862) 242-7309 Ext.

Fax:

Email:

**Required Attachments:**

a. Vendor Business Registration Certificate

I am mailing this attachment       I am uploading this attachment

**Certifications of Terms and Conditions - Schedule F**

|    |                                                                                                                                                                                                                                                 |                                         |                             |                                         |
|----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|-----------------------------|-----------------------------------------|
| 1. | I certify that this agency is not delinquent on any Federal or State debt.                                                                                                                                                                      | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> N/A            |
| 2. | I understand that payments from NJDCA will depend on our submission of all required grant reports.                                                                                                                                              | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> N/A            |
| 3. | I certify that neither members of our organization's governing body nor members of their families will receive any direct or indirect personal or monetary gain from the funding of this grant.                                                 | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> N/A            |
| 4. | I certify that our organization's Certification of Central Contractor Registration (CCR) is valid and current.                                                                                                                                  | <input type="checkbox"/> Yes            | <input type="checkbox"/> No | <input checked="" type="checkbox"/> N/A |
| 5. | I certify that neither members of our organization's governing body nor members of their families serve on any board, council, commission, committee, or task force that has regulatory authority or advising influence on the funding program. | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> N/A            |
|    | If no, please explain:                                                                                                                                                                                                                          |                                         |                             |                                         |
|    | <b>Non-government Agencies only-</b>                                                                                                                                                                                                            |                                         |                             |                                         |
| 6. | If our agency has not received funds from NJDCA for the current State Fiscal Year, I will submit our organization's most recent audit.                                                                                                          | <input type="checkbox"/> Yes            | <input type="checkbox"/> No | <input checked="" type="checkbox"/> N/A |
| 7. | The information contained in the Board of Directors list in our Agency Information is adequate and up-to-date at the time of this application.                                                                                                  | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> N/A            |
|    |                                                                                                                                                                                                                                                 |                                         |                             |                                         |
|    |                                                                                                                                                                                                                                                 |                                         |                             |                                         |
|    | <b>Attachments</b>                                                                                                                                                                                                                              |                                         |                             |                                         |
|    | <b>Certification Regarding Debarment and Suspension - Schedule G</b>                                                                                                                                                                            |                                         |                             |                                         |
|    | <input type="checkbox"/> I will/have mailed this attachment <input type="checkbox"/> I will/have hand delivered this attachment <input checked="" type="checkbox"/> Not applicable                                                              |                                         |                             |                                         |
|    | <b>Certification Regarding Lobbying - Schedule H</b>                                                                                                                                                                                            |                                         |                             |                                         |
|    | <input type="checkbox"/> I will/have mailed this attachment <input type="checkbox"/> I will/have hand delivered this attachment <input checked="" type="checkbox"/> Not applicable                                                              |                                         |                             |                                         |
|    | <b>Resolution - Schedule I</b>                                                                                                                                                                                                                  |                                         |                             |                                         |
|    | <input checked="" type="checkbox"/> I will/have mailed this attachment <input type="checkbox"/> I will/have hand delivered this attachment <input type="checkbox"/> Not applicable                                                              |                                         |                             |                                         |
|    | <b>IRS Determination Letter (New Applicants, Non-profit, Non-government only)</b>                                                                                                                                                               |                                         |                             |                                         |
|    | <input type="checkbox"/> I will/have mailed this attachment <input type="checkbox"/> I will/have hand delivered this attachment <input checked="" type="checkbox"/> Not applicable                                                              |                                         |                             |                                         |
|    | <b>Organizational Chart (Non-government only)</b>                                                                                                                                                                                               |                                         |                             |                                         |
|    | <input type="checkbox"/> I will/have mailed this attachment <input type="checkbox"/> I will/have hand delivered this attachment <input checked="" type="checkbox"/> Not applicable                                                              |                                         |                             |                                         |
|    | <b>Application Cover Page</b>                                                                                                                                                                                                                   |                                         |                             |                                         |
|    | <input checked="" type="checkbox"/> I will/have mailed this attachment <input type="checkbox"/> I will/have hand delivered this attachment                                                                                                      |                                         |                             |                                         |

**AGREEMENT**

**FOR**

**PROFESSIONAL SERVICES**

**BETWEEN**

**JACOBS ENGINEERING GROUP INC.**

**AND**

**JERSEY CITY ECONOMIC DEVELOPMENT CORPORATION**

**AGREEMENT FOR  
PROFESSIONAL SERVICES**

**TABLE OF CONTENTS**

|            |                                                                                 |   |
|------------|---------------------------------------------------------------------------------|---|
| ARTICLE 1  | General Obligations of Engineer                                                 | 1 |
| ARTICLE 2  | Compensation                                                                    | 1 |
| ARTICLE 3  | Payments                                                                        | 1 |
| ARTICLE 4  | Period of Service                                                               | 1 |
| ARTICLE 5  | Changes in Scope of Services                                                    | 1 |
| ARTICLE 6  | Warranty                                                                        | 2 |
| ARTICLE 7  | Indemnification                                                                 | 2 |
| ARTICLE 8  | Limitation of Liability                                                         | 2 |
| ARTICLE 9  | Insurance                                                                       | 3 |
| ARTICLE 10 | Relationship of Engineer to Client                                              | 3 |
| ARTICLE 11 | Personnel                                                                       | 3 |
| ARTICLE 12 | Ownership of Instruments of Service and Data                                    | 3 |
| ARTICLE 13 | Permits and Licenses                                                            | 4 |
| ARTICLE 14 | Adherence to Laws                                                               | 4 |
| ARTICLE 15 | Nondisclosure of Proprietary and<br>Confidential Materials                      | 4 |
| ARTICLE 16 | Certification or Sealing of Instruments of Services<br>by Professional Engineer | 5 |
| ARTICLE 17 | Force Majeure                                                                   | 5 |
| ARTICLE 18 | Project Delay                                                                   | 5 |
| ARTICLE 19 | Construction Phase Services                                                     | 5 |
| ARTICLE 20 | Governing Law                                                                   | 6 |
| ARTICLE 21 | Alternate Dispute Resolution                                                    | 6 |
| ARTICLE 22 | Notices and/or Communications                                                   | 7 |
| ARTICLE 23 | Miscellaneous                                                                   | 8 |

## **AGREEMENT FOR PROFESSIONAL SERVICES**

**THIS AGREEMENT**, made and executed as of the \_\_\_\_\_ day of \_\_\_\_\_, 2008 by and between **Jacobs Engineering Group Inc.**, with a place of business at 299 Madison Avenue, Morristown, New Jersey 07962 (hereinafter called "Engineer") and the **Jersey City Economic Development Corporation**, a non-profit corporation, with a place of business at 30 Montgomery Street 8<sup>th</sup> Floor, Jersey City, New Jersey 07302 (hereinafter called "Client"), collectively referred to herein as "Parties", provides as follows:

### **ARTICLE 1 - GENERAL OBLIGATIONS OF ENGINEER**

The description of the Client's project (the "Project") and scope of services (hereinafter "Services") to be provided to Client is stated in a formal Proposal from Engineer dated March 3, 2008 (the "Proposal"). The Proposal is made a part of this Agreement by reference as Exhibit A.

### **ARTICLE 2 - COMPENSATION**

Engineer will be compensated for Services as set forth in the Cost Proposal (Exhibit B).

### **ARTICLE 3 - PAYMENTS**

Engineer will submit monthly invoices for compensation and expenses by electronic transmission. Payments will be due within 30 days after receipt of invoices and shall be made by electronic funds transfer to the bank and account designated in the invoice. Past due amounts will accrue interest at one and one-half percent (1½%) per month, without limiting other remedies.

### **ARTICLE 4 - PERIOD OF SERVICE**

Engineer shall make its best efforts to complete its Services for the Project within the time period set forth in the Proposal.

### **ARTICLE 5 - CHANGES IN SCOPE OF SERVICES**

Client may, at any time, make changes in the scope of Services for the Project or in the definition of Services to be performed. In the event Client notifies Engineer of its desire to make a change in the scope of Services that may change the cost of performance, Engineer shall, within ten (10) working days after receiving such notice, give Client notification of any potential change in price for the Services. Equitable adjustments to price and time of performance resulting from scope of Services changes will be negotiated and upon mutual agreement by Client and Engineer, this Agreement will be modified by a written instrument, signed by both parties, to reflect the changes in scope of Services, price and schedule.

## ARTICLE 6 - WARRANTY

- A. Engineer warrants that its engineering, design and consulting Services will be performed in accordance with generally accepted standards in the industry. Following completion of its Services and for a period of twelve (12) months thereafter, if the Services provided hereunder do not conform to the warranty above stated and the same is reported to Engineer by Client in writing promptly after recognition thereof, Engineer shall, at no cost to Client, furnish all remedial engineering, design or consulting Services required in connection therewith as soon as reasonably possible after receipt of such report from Client; and Engineer shall have no liability for costs related to the repair, replacement, addition or deletion of materials, equipment or facilities as a result of such failure to conform to the above-referenced warranties, which costs shall be deemed costs of the project, whether incurred during performance of the Services or after completion of the Services.
- B. Engineer's warranties shall not apply to any defect which results from: ordinary wear and tear, misoperation, corrosion or erosion, noise levels, operating conditions more severe than those contemplated in the original design, or a defect in a process or mechanical design or equipment furnished or specified by Client or others.
- C. All representations, warranties and guarantees made by Engineer in connection with its Services are limited to those set forth in this Article 6. **IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE ARE SPECIFICALLY EXCLUDED.** For any deficiencies in the Services, Client shall be restricted to the remedies expressly set forth in this Article 6 regardless of whether the claim is asserted under contract, tort (including negligence), strict liability or otherwise.

## ARTICLE 7 - INDEMNIFICATION

- A. Engineer will defend, indemnify and hold the Client harmless from all claims, liabilities, demands, costs, expenses (including attorneys' fees) and causes of action arising out of third party claims for bodily injury (including death) and damage to tangible property to the extent caused by a negligent act or omission of Engineer, its employee or subconsultant.
- B. The Client will defend, indemnify and hold Engineer harmless from all claims, liabilities, demands, costs, expenses (including attorneys' fees) and causes of action arising out of any third party claims for bodily injury (including death) and damage to tangible property to the extent caused by a negligent act or omission of Client, its employee or other contractor.

## ARTICLE 8 - LIMITATION OF LIABILITY

The total aggregate liability of Engineer arising out of the performance or breach of this Agreement shall not exceed twenty-five percent (25%) of the compensation paid to Engineer under this Agreement. Notwithstanding any other provision of this Agreement, Engineer shall have no liability to the Client for contingent, consequential or other indirect damages including, without limitation, damages for loss of use, revenue or profit; operating costs and facility downtime; or other similar business interruption losses, however the same may be caused. The limitations and exclusions of liability set forth in this Article shall apply regardless of the fault,

breach of contract, tort (including negligence), strict liability or otherwise of Engineer, its employees or subconsultants.

#### **ARTICLE 9 - INSURANCE**

- A. During the term of this Agreement, Engineer shall, at its sole expense, secure and maintain in force policies of insurance of the following types:
1. Workers' compensation coverage in accordance with the statutory requirements of the jurisdiction in which services are to be performed.
  2. Employer's liability insurance with a minimum of \$250,000.
  3. Comprehensive General Liability Insurance, subject to a limit for bodily injury and property damage combined of at least \$1,000,000 aggregate.
  4. Automobile liability insurance subject to a limit for bodily injury and property damage combined, of at least \$1,000,000 per occurrence.
- B. Engineer shall furnish Client certificates of insurance evidencing the insurance coverages required in this Article 9. The certificates shall stipulate that should any of the above insurance policies be cancelled before the termination of this Agreement, the issuing company will endeavor to mail thirty (30) days' written notice to Client.

#### **ARTICLE 10 - RELATIONSHIP OF ENGINEER TO CLIENT**

The Engineer shall be and shall operate as an independent contractor with respect to the Services performed under this Agreement and shall not be nor operate as an agent or employee of Client. This Agreement is not intended to be one of hiring under the provisions of a Workers' Compensation statute or other law and shall not be so construed.

#### **ARTICLE 11 - PERSONNEL**

Engineer agrees that during Engineer's performance of Services hereunder, adequate provision shall be made to staff and retain the services of such competent personnel as may be appropriate or necessary for the performance of such Services. Client shall have the right to review the personnel assigned by Engineer, and Engineer shall remove any personnel not acceptable to Client. Engineer may remove personnel assigned to the Project without Client's prior approval, provided the progress of the Services shall not be unreasonably impaired.

#### **ARTICLE 12 - OWNERSHIP OF INSTRUMENTS OF SERVICE AND DATA**

- A. Client agrees to defend, indemnify and hold harmless Engineer and its employees from and against claims resulting from re-use of the design data, drawings, estimates, calculations and specifications prepared by Engineer ("instruments of service") on extensions of the project or at a location other than that contemplated by this Agreement. Client is advised that should Client re-use the instruments of service at another location, the instruments of service should be reviewed and sealed by Client or an engineer licensed in the jurisdiction where the instruments of service are sought to be re-used.

- B. All materials and information that are the property of Client and all copies or duplications thereof shall be delivered to Client by Engineer, if requested by Client, upon completion of Services. Engineer may retain one complete set of reproducible copies of all of its instruments of service.

#### **ARTICLE 13 - PERMITS AND LICENSES**

Engineer represents to Client that it has and will maintain during the performance of the Services under this Agreement any permits or licenses which, under the regulations of federal, state, or local governmental authority, it may be required to maintain in order to perform the Services.

#### **ARTICLE 14 - ADHERENCE TO LAWS**

Engineer shall adhere to federal, state, and local laws, rules, regulations, and ordinances applicable to performance of the Services hereunder including, without limitation, all applicable provisions of federal and state law relating to equal employment opportunity and non-discrimination.

#### **ARTICLE 15 - NONDISCLOSURE OF PROPRIETARY AND CONFIDENTIAL MATERIALS**

Client and Engineer agree that any disclosure will be made on the following basis:

- A. Confidential Client Information ("Primary Data") disclosed to Engineer which is identified in writing by Client as proprietary to Client shall be: (1) safeguarded, (2) maintained in confidence, and (3) made available by Engineer only to those of its employees or others who have a need-to-know and agree to equivalent conditions pertaining to nondisclosure as contained herein.
- B. Upon completion of the Project or sooner if Client so requests, the Engineer shall return to Client's representative all Primary Data furnished to the Engineer under this Agreement and shall, if requested, deliver to the Client's representative all drawings, schedules, calculations, and other documents generated by Engineer for use in connection with the Project ("Secondary Data").
- C. Engineer shall not use for itself or to disclose to third parties any Primary Data or Secondary Data without the prior written consent of Client.
- D. The nondisclosure obligations pertaining to Primary and Secondary Data shall terminate three (3) years from date Engineer's association with this Project terminates. The nondisclosure obligations shall not apply to any data which:
1. Was known to the Engineer (and previously unrestricted) before disclosure of Primary Data to Engineer under this Agreement or before generation of Secondary Data;
  2. Is subsequently acquired by the Engineer from a third party who is not in default of any obligation restricting the disclosure of such information; or
  3. Is subsequently available or becomes generally available to the public.

- E. Notwithstanding this nondisclosure obligation, Engineer may nevertheless draw upon its experience in its future association with other clients.

#### **ARTICLE 16 - CERTIFICATION OR SEALING OF INSTRUMENTS OF SERVICE BY PROFESSIONAL ENGINEER**

All specifications, drawings, and other engineering documents that are prepared by Engineer shall be certified or sealed by a registered professional engineer. Such certifications or seals shall be valid for the state in which the specifications, drawings, or other engineering documents are to be used or applied.

#### **ARTICLE 17 - FORCE MAJEURE**

Any delays in or failure of performance by Engineer or Client, other than the payment of money, shall not constitute default hereunder if and to the extent such delays or failures of performance are caused by occurrences beyond the reasonable control of Client or Engineer, as the case may be, including but not limited to, acts of God or the public enemy; compliance with any order or request of any governmental authority; fires, floods, explosion, accidents; riots, strikes or other concerted acts of workmen, whether direct or indirect; or any causes, whether or not of the same class or kind as those specifically named above, which are not within the reasonable control of Client or Engineer respectively. In the event that any event of force majeure as herein defined occurs, Engineer shall be entitled to a reasonable extension of time for performance of its Services under this Agreement.

#### **ARTICLE 18 - PROJECT DELAY**

If the Engineer's proposal calls for provision of its Services under a guaranteed maximum price, fixed fee, or stipulated lump sum basis and the Engineer's work on any phase of the Services is extended by one or more force majeure events or other delays not attributable in whole or in part to the fault of Engineer, then the guaranteed maximum price, fixed fee, or stipulated lump sum, as the case may be, shall be equitably adjusted.

#### **ARTICLE 19 - CONSTRUCTION PHASE SERVICES**

If this Agreement includes the furnishing of any Services during the construction phase of the Project, the following terms will apply:

- A. If Engineer is called upon to observe the work of Client's construction contractor(s) for the detection of defects or deficiencies in such work, Engineer will not bear any responsibility or liability for such defects or deficiencies or for the failure to so detect. Engineer shall not make inspections or reviews of the safety programs or procedures of the construction contractor(s), and shall not review their work for the purpose of ensuring their compliance with safety standards.
- B. If Engineer is called upon to review submittals from construction contractors, Engineer shall review and approve or take other appropriate action upon construction contractor(s)' submittals such as shop drawings, product data and samples, but only for the limited purpose

of checking for conformance with information given and the design concept expressed in the contract documents. The Engineer's action shall be taken with such reasonable promptness as to cause no delay in the work while allowing sufficient time in the Engineer's professional judgment to permit adequate review. Review of such submittals will not be conducted for the purpose of determining the accuracy and completeness of other details such as dimensions and quantities or for substantiating instructions for installation or performance of equipment or systems designed by the construction contractor, all of which remain the responsibility of the construction contractor. The Engineer's review shall not constitute approval of safety precautions or of construction means, methods, techniques, sequences or procedures. The Engineer's approval of a specific item shall not indicate approval of an assembly of which the item is a component.

- C. Engineer shall not assume any responsibility or liability for performance of the construction services, or for the safety of persons and property during construction, or for compliance with federal, state and local statutes, rules, regulations and codes applicable to the conduct of the construction services.
- D. All services performed by others, including construction contractors and their subcontractors, shall be warranted only by such others and not by the Engineer.
- E. All contracts between Client and its construction contractor(s) shall contain broad form indemnity and insurance clauses in favor of Client and Engineer, in a form satisfactory to Engineer.

#### **ARTICLE 20 - GOVERNING LAW**

This Agreement shall be governed by and construed in accordance with the laws of the State of New Jersey.

#### **ARTICLE 21 - ALTERNATE DISPUTE RESOLUTION**

- A. Client and Engineer understand and appreciate that their long term mutual interests will be best served by affecting a rapid and fair resolution of any claims or disputes which may arise out of this Agreement. Therefore, both Parties agree to use their best efforts to resolve all such disputes as rapidly as possible on a fair and equitable basis. Toward this end both Parties agree to develop and follow a process for presenting, rapidly assessing, and settling claims on a fair and equitable basis.
- B. If any dispute or claim arising under this Agreement cannot be resolved by the project managers for the Parties within thirty (30) days after they identified the problem, the Parties agree that either of them may refer the matter to a panel consisting of one (1) executive from each party not directly involved in the claim or dispute for review and resolution. A copy of the Agreement, agreed upon facts (and areas of disagreement), and concise summary of the basis for each side's contentions will be provided to both executives who shall review the same, confer, and attempt to reach a mutual resolution of the issue.
- C. If the dispute cannot be resolved under the process set forth in Section B, the Parties may elect to resolve the dispute through non-binding mediation. If mediation is to be utilized, the Parties shall select a single unrelated but qualified Mediator who shall hold a hearing (not to

exceed half a day) during which each Party shall present its version of the facts (supported, if desired, by sworn, written testimony, and other relevant documents), its assessment of damages, and its argument. The Parties shall provide the Mediator with copies of all documents provided to their senior executives under Section B at least ten (10) days prior to the scheduled date of the mediation hearing. The Parties may also provide the Mediator with copies of any laws or regulations that they feel are relevant to the dispute. A copy of the Agreement and any disputed Purchase Orders will be provided to the Mediator. Formal written arguments, legal memorandum, and live testimony are discouraged but may be permitted at the discretion of the Mediator. Both Parties agree to make any involved employees or documents available to the other Party for its review and use in preparing its position under this clause without the need for subpoena or other court order.

- D. Following the mediation, the Mediator will meet with both Parties and provide each of them, on a confidential basis, with his/her views of the strengths and weaknesses of their respective positions. The Parties will then reconvene and, with the assistance of the Mediator, attempt to resolve the matter. If the Parties cannot achieve resolution on the day of the mediation hearing or within forty-eight (48) hours thereafter, the Mediator will, within fifteen (15) additional days, issue a written, non-binding decision on the issue.
- E. If the matter has not been resolved utilizing the processes set forth above and the Parties are unwilling to accept the non-binding decision of the Mediator, either or both Parties may elect to pursue resolution through litigation. In the event of any litigation between the Parties, it is agreed and stipulated that the case shall be heard and decided by the court, without a jury.
- F. The costs of the Mediator shall be borne equally by the Parties. Each Party will bear its own costs of mediation.

## ARTICLE 22 - NOTICES AND/OR COMMUNICATIONS

All notices and/or communications to be given under this Agreement shall be in writing and shall be addressed as follows:

### To Engineer

### To Client

Original to: John S. Pavlovich, PE  
Position: Senior Project Manager  
Address: Jacobs Engineering Group, Inc.  
299 Madison Avenue  
Morristown, NJ 07962-1936

Original to: Eugene Nelson  
Position: Executive Director  
Address: Jersey City Economic Development Corp.  
30 Montgomery Street 8<sup>th</sup> Floor  
Jersey City, NJ 07302

Copy to: Richard Tangel, PE  
Position: Vice President  
Address: Jacobs Engineering Group, Inc.  
299 Madison Avenue  
Morristown, NJ 07962-1936

Copy to: Richard Campisano, Esq.  
Position: Corporate Counsel  
Address: Richard Campisano LLC  
34-36 James Street  
Jersey City, NJ 07306

Either party may, by written notice to the other, change the representative or the address to which such notices, certificates, or communications are to be sent.

Any notice or communication required in writing hereunder shall be given by registered, certified, or first class mail (postage required), TWX, telex, or telecopy addressed to the party at its address set forth above. Communications by TWX, telex, or telecopy shall be confirmed by depositing a copy on the same day with the U.S. Post Office for transmission by registered, certified, or first class mail in an envelope properly addressed. The postmark date of notices sent by mail (except for confirmatory notices) shall be the date of notice.

### ARTICLE 23 - MISCELLANEOUS

- A. *Waiver.* Waiver by either party of any breach or failure to enforce any of the terms and conditions of this Agreement at any time shall not in any way effect, limit, or waive such party's rights thereafter to enforce and compel strict compliance with all the terms and conditions of this Agreement.
- B. *Severability.* Any provision of this Agreement prohibited by law shall be ineffective to the extent of such prohibition without invalidating the remaining provisions of this Agreement.
- C. *Rights and Remedies.* The specific remedies set forth in this Agreement, including but not limited to those remedies with respect to the quality of the Services performed by Engineer hereunder, are the exclusive remedies of the Parties.
- D. *Transfer of Ownership.* Client represents that either it is the sole owner of the facilities which are the object of the Services or that it is authorized to bind and does bind all owners of such facilities to the releases and limitations of liability set forth in this Agreement. Client further agrees that any future recipient of any interest in the facilities and the Services will be bound by such releases and limitations of liability such that the total aggregate liability of Engineer to Client and such recipients shall not exceed the limits of liability set forth in this Agreement.
- E. *Publicity.* Neither of the Parties shall make any press release, news disclosure or other advertising related to the Project that includes the name of the other party without first obtaining the written approval of the other party.
- F. *Entirety of Agreement.* This Agreement constitutes the entire Agreement between the parties with respect to the subject matter hereof and supersedes all prior negotiations and discussions concerning the subject matter hereof.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement to be effective as of the date first above written.

**ENGINEER:**  
**JACOBS ENGINEERING GROUP INC.**

**CLIENT:**  
**JERSEY CITY ECONOMIC DEVELOPMENT CORP.**

By: \_\_\_\_\_

By: \_\_\_\_\_

Title: \_\_\_\_\_

Title: \_\_\_\_\_

ATTACHMENT VI

10/23/01

Taxpayer Identification# 136-190-412/000

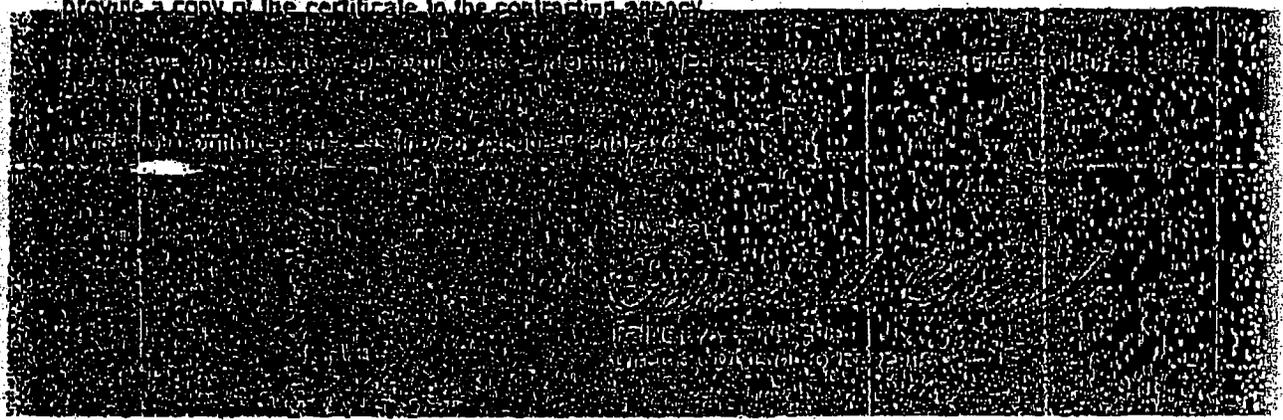
Dear Business Representative:

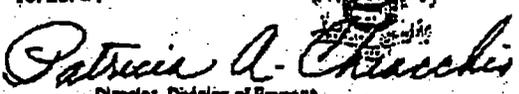
Congratulations! You are now registered with the New Jersey Division of Revenue.

Use the Taxpayer Identification Number listed above on all correspondence with the Divisions of Revenue and Taxation, as well as with the Department of Labor (if the business is subject to unemployment withholdings). Your tax returns and payments will be filed under this number, and you will be able to access information about your account by referencing it.

Additionally, please note that State law (Public Law 2001, c.134) requires all contractors and subcontractors with State, county and municipal agencies to provide proof of their registration with the Division of Revenue. The law also amended Section 92 of the Casino Control Act, which deals with the casino service industry.

We have attached a Proof of Registration Certificate for your use. To comply with the law, if you are currently under contract or entering into a contract with a State, county or municipal agency, you must provide a copy of the certificate to the contracting agency.



|                                                                                                             |                                                                                                                       |                                                                                        |
|-------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------|
| STATE OF NEW JERSEY<br>BUSINESS REGISTRATION CERTIFICATE<br>FOR STATE AGENCY AND CASINO SERVICE CONTRACTORS |                                                                                                                       | DEPARTMENT OF TREASURY<br>DIVISION OF REVENUE<br>PO BOX 2862<br>TRENTON, NJ 08646-0286 |
| <b>TAXPAYER NAME:</b><br>EDWARDS AND KELCEY INC                                                             | <b>TRADE NAME:</b><br>             |   |
| <b>TAXPAYER IDENTIFICATION#</b><br>136-190-412/000                                                          | <b>CONTRACTOR CERTIFICATION#</b><br>0104530                                                                           |                                                                                        |
| <b>ADDRESS</b><br>P O BOX 1936<br>MORRISTOWN, NJ 07952-1936                                                 | <b>ISSUANCE DATE:</b><br>10/23/01                                                                                     |   |
| <b>EFFECTIVE DATE:</b><br>07/01/58                                                                          | <br>Director, Division of Revenue |                                                                                        |
| <b>FORM-BRC(06-01)</b>                                                                                      | This Certificate is NOT assignable or transferable. It must be conspicuously displayed at above address.              |                                                                                        |

# State of New Jersey



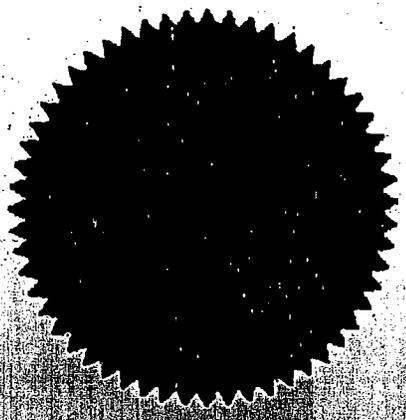
## Department of State

I, the Secretary of State of the State of New Jersey, do hereby Certify that the foregoing is a true copy of the Certificate of Incorporation of EDWARDS AND KELCEY, INC.

and the endorsements thereon, as the same is taken from and compared with the original filed in my office on the First day of May A. D. 1958, and now remaining on file and of record therein.

In Testimony Whereof, I have hereunto set my hand and affixed my Official Seal at Trenton, this First day of May A. D. 1958.

*Edward J. Keller*  
Secretary of State



# Proposal

SALES • INSTALLATION  
SERVICE

(973) 890-2727



300 Lackawanna Avenue - West Paterson, NJ 07424

RESIDENTIAL • COMMERCIAL  
INDUSTRIAL

FAX (973) 890-0038

# SERVICE CONTRACT

|                                                           |                                    |                                          |
|-----------------------------------------------------------|------------------------------------|------------------------------------------|
| PROPOSAL SUBMITTED TO<br><b>POLICE NEIGHBORHOOD WATCH</b> | PHONE<br><b>(201) 656-6022</b>     | DATE OF ESTIMATE<br><b>1/1/07-1/1/08</b> |
| STREET<br><b>151 CAMBRIDGE AVENUE</b>                     | JOB NAME<br><b>ROBERT DELTON</b>   |                                          |
| CITY, STATE AND ZIP CODE<br><b>JERSEY CITY, NJ 07302</b>  | CC.TV BOB<br><b>(201) 547-4759</b> |                                          |
|                                                           | JOB LOCATION<br><b>SAME</b>        | HOME PHONE                               |

WE PROPOSE TO FURNISH CONAIR SERVICE CONTRACT ON THE EQUIPMENT SPECIFIED BELOW

|                                 |                    |                                |                      |
|---------------------------------|--------------------|--------------------------------|----------------------|
| MODEL NO. <b>DCF012 /10 TON</b> | \$ <b>1,600.00</b> | SERIAL NO. <b>X52374558910</b> | <b>CC.TV</b>         |
| MODEL NO. <b>CMF030</b>         | \$ <b>1,725.00</b> | SERIAL NO. <b>D562507</b>      | <b>COMPUTER ROOM</b> |
| MODEL NO. _____                 | \$ _____           | SERIAL NO. _____               | _____                |

Furnish all labor, electrical parts and controls for a one year period. This agreement shall include all service calls made during normal working hours between 8:00 A.M. and 4:30 P.M. Monday through Friday. During the fulfillment of this agreement, we shall take all reasonable precautions to avoid injury to persons and damage to property.

We shall not be liable for any damages caused by negligence or acts of God or any special, incidental or consequential damages resulting from the use of the equipment specified herein during the life of this agreement, except for consequential damages for personal injuries caused by maintenance and service of equipment which is used exclusively for personal household use. We shall not be liable for any acts of vandalism to units outside or inside your home. We shall not be responsible for system design or its performance in maintaining design conditions except through failure of equipment covered herein.

This proposal will become a contract solely between us if accepted by you and approved in writing by our authorized representative, and any rights which you have will be only against us. There are no other parties to this agreement.

**Mr. Proposer** hereby to furnish material and labor - complete in accordance with above specifications, for the sum of: **THREE THOUSAND THREE HUNDRED TWENTYFIVE AND 00/100 Dollars (\$3,325.00)**

Note: This proposal may be withdrawn by us if not accepted within **30** days. Authorized Signature:

**Acceptance of Proposal** - The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Date of Acceptance: \_\_\_\_\_ Signature: \_\_\_\_\_



APPLICATION FOR SERVICE

|                                                          |                                    |
|----------------------------------------------------------|------------------------------------|
| Customer Name: City of Jersey City                       | Main Billing Tel. No: 201 547-5000 |
| Address: 30 Montgomery Street<br>Jersey City, New Jersey | Application Number: 2000-140145    |

**Services.** Customer hereby applies for and agrees to purchase from the undersigned Verizon operating telephone company ("Verizon") the services identified in Exhibit A to this Application and as further described in Verizon's applicable tariffs (the "Services") for a service period of sixty (60) consecutive months (the "Service Period"). The Service Period shall be scheduled to commence on or about \_\_\_\_\_ ( ) days after signature of this Application by both parties below, subject to Verizon's receipt of any necessary regulatory and other governmental approvals and completion of any work or installation of facilities needed to provide the Services.

**Charges.** Customer will pay the rates and charges and satisfy all other requirements set forth in Exhibit A. Customer shall also pay all applicable taxes and charges that may be required under applicable law, regulations or tariffs in connection with the Services. If Customer cancels or terminates this Application or any Services prior to expiration of the Service Period, Customer will promptly pay Verizon termination charges as set forth in Exhibit A.

**Location(s).** The Services will be provided under the terms of this Application to the Customer locations specified in Exhibit A. Other Customer locations may be added to this Application only upon mutual written agreement of the parties.

**Notices.** Notices under this Application shall be sent by first-class U.S. mail, postage prepaid, to Verizon at 2980 Fairview Park Drive, Seventh Floor, Falls Church, Virginia 22042, Attn. Contracts Management, and to Customer at the address specified above. Notices shall be deemed effective three business days after such mailing.

**Miscellaneous.** (a) Neither party will disclose the terms of this Application to any other person without the prior written consent of the other party, except as may be necessary to comply with applicable law, regulation, or filing requirements.

(b) The construction and enforcement of this Application shall be in accordance with the laws of the state of New Jersey.

(c) No liability shall result from Service failures caused by fires, floods, unusually severe weather, acts of third parties, acts of the government, strikes or other labor disputes, inability to obtain necessary equipment or services, or other causes beyond the reasonable control of the parties.

(d) If any provision of this Application or the provision of any Service under the terms hereof is illegal, invalid, or otherwise prohibited under applicable law or regulation, then this Application shall be construed as if not containing such provision or requiring the provision of such invalid, illegal, or prohibited Service.

(e) Verizon may assign or transfer part or all of this Application to any of its affiliates. Provided Customer provides Verizon with reasonable prior written notice, Customer may assign or transfer this Application to any company that is the successor to substantially all of its assets. All other attempted assignments shall be void without the prior written consent of the other party.

**Tariffs and Limitation of Liability.** The terms and conditions that shall apply in connection with these Services, and the rights and liabilities of the parties, shall be as set forth herein and in all applicable tariffs now or hereafter filed with the state regulatory commission and/or the Federal Communications Commission. In no event shall Verizon be liable for any special, indirect, incidental, or consequential damages arising in connection with this Application or the provision of any Services, whether claim is sought in contract, tort (including negligence), strict liability or otherwise. This Application (including Exhibit A attached hereto) and all applicable tariffs constitute the entire agreement between the parties and shall supersede all prior oral or written quotations, communications, understandings or agreements on the subject matter hereof. This Application may not be modified or rescinded except by a writing signed by authorized representatives of each party.

AGREED AND ACCEPTED:

City of Jersey City (Customer)  
 By: [Signature]  
 Name/title S. KOPRANSKI, A/E/S  
 Date 11/21/06

Verizon New Jersey  
 By: [Signature]  
 Name/title General Manager - Busk Operat  
 Date 11/21/06

DESCRIPTION OF SERVICE AND APPLICABLE RATES AND CHARGES

1. **Services and Quantity.** Customer agrees to purchase the following Services from Verizon at the rates set forth below and in quantities set forth below. Any other work, services or facilities required will be provided subject to prevailing tariff rates and charges, or if no tariff is applicable, at Verizon's then-current retail rates.

**Service Description and Quantity:** Verizon will provide a full time one-way analog video transport system via fiber from the Parking Authority building (Command Center), Central Avenue, Jersey City to 17 camera locations throughout City of Jersey City to be used for surveillance. Each system will terminate at the Central Avenue Command Center.

A video and data fiber transport link between the Central Avenue Command Center and the Police Department, 8 Erie Street, and provision for upgrading fiber at the Command Center are also included in this design. Verizon will provide in band data pan-tilt control signals. This design includes manhole guards, and permit fees. *This design does not include Customer Premises Equipment.*

**Rates and Charges**

Nonrecurring Charge: \$400,000.00

Monthly Rate: \$ 10,000.00

Maximum Termination Liability (MTL): \$337,055.00

2. **Termination Charges.** If Customer cancels this Application in whole or in part or terminates any Services prior to the expiration of the Service Period, the Maximum Termination Liability (MTL) amount will decline by 1/60 for each month in service and expires at the end of the 60-month contracted period. In event of the customer's disconnection prior to the end of the contracted period, the unexpired portion of the MTL is due.

**Locations:**

1. Ocean Avenue & Stegman Street intersection
2. Ocean Avenue & Fulton Avenue intersection
3. Ocean Avenue & Armstrong Avenue intersection
4. Ocean Avenue & Stevens Avenue intersection
5. Ocean Avenue (outside Cemetery)
6. Armstrong Avenue (next to #95)
7. Martin Luther King Drive & Wegman Avenue intersection
8. Martin Luther King Drive & Dwight Street intersection
9. Martin Luther King Drive & Woodland Avenue intersection
10. Martin Luther King Drive & Van Nostrand Avenue intersection
11. Martin Luther King Drive & Stevens Avenue intersection
12. Martin Luther King Drive & Wade Street intersection
13. J.F. Kennedy Boulevard & Wade Street intersection
14. J.F. Kennedy Boulevard, Bergen Avenue & Van Nostrand Avenue intersection
15. Bergen Avenue & Woodland Avenue intersection
16. Bergen Avenue & Dwight Street intersection
17. Bergen Avenue & Stegman Street intersection

3. Additional Provisions.

- a. Conditions - The parties acknowledge that the rates and other terms of this Application are premised on Customer's commitments, unique network design requirements, and Customer's service mix, usage patterns and concentration, and other characteristics.
- b. Additional Terms and Conditions:
- Customer must provide sufficient space, and electrical power (110 VAC) for the installation of the video equipment.
  - Customer must provide appropriate mounting poles for Verizon equipment.
  - Customer must provide an entry path for the fiber optic cable to be placed into the building from the street.
  - Customer is responsible for any conduit on his private property.
  - Customer is responsible for providing appropriate mounting poles, backboards, pull wires, ducts, raceways, access, in house conduit, etc., as determined by Verizon NJ engineers to provide for the video service.
  - Customer will agree to control cameras (pan/tilt/zoom) from only one location at a time-simultaneous control will cause conflict with system.
  - Customer must provide access to transmit and receive sites during failure and normal monitoring times.
  - During equipment outages, Verizon NJ will repair or replace the equipment as it is available from the Vendor on a Time and Material basis.
- c. Service Continuation - If, at the time of expiration of the Service Period, Customer has not executed a new Application with Verizon for the Services and does not request discontinuance of the Services in writing, then the Services will be continued on a month-to-month basis at the tariff rates then prevailing or, if no tariff is applicable, at Verizon's then-current retail rates.



Summary of your account

May 16, 2001

Municipal JERSEY CITY ECONO DEV  
 C-0 S Z KOPERWEIS-PRES  
 30 MONTGOMERY ST FLR 8  
 JERSEY CITY NJ 07302-3821

Charges for this month

Our charges-See Page 4 ..... \$414,666.68  
 Call 1 888-892-5200 if you have a question  
 Total for this month.... Please pay by Jun 11 .... \$414,666.68

Total amount due \$414,666.68



Page 4 of 10  
201 V07-3314-000 78Y

Verizon charges

May 16, 2001

This month's charges Regular service ..... See Page 5 ..... \$10,000.00  
 FCC Subscriber Line Charge ..... +.00  
 Additional charges .. See Page 6 ..... +404,666.68

Total Verizon charges \$414,666.68

Billing inquiries call 1 888-892-5200. From outside NJ call  
 1 888-892-5200.  
 To order service call 1 888-892-5200. From outside NJ call  
 1 888-892-5200.  
 For repair call 1-800-275-2355

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JERSEY CITY ECND0 DEV  
C-0 S Z KOPERWEIS-PRES  
30 MONTGOMERY ST FLR 8  
JERSEY CITY NJ 07302

May 16, 2001

Voucher No. \_\_\_\_\_ Date \_\_\_\_\_  
Form approved by local Finance Board  
Division of Finance and Regulatory  
Services Dept. of Education

Curr amt due for telephone service \$414,666.68 From 4-16-01 To 5-15-

|                                                                                                                            |                                                                                                                |
|----------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------|
| <b>CERT. BY RECEIVING AGENCY</b>                                                                                           | <b>CERT. BY APPROVAL OFFICER</b>                                                                               |
| I certify and declare that the above articles have been received or services rendered as stated herein.<br>Signature _____ | I certify and declare that this invoice is correct and just payment is approved.<br>Authorized signature _____ |
| Title _____ Date _____                                                                                                     | Title _____ Date _____                                                                                         |

**Payee Declaration**

I certify and declare that the within invoice is correct in all its particulars, that the described goods have been furnished or rendered, and that no bonus has been given or received on account of said invoice.

BY CLAIMANT

*Thomas P. Daley*

DIRECTOR-COMPUTERIZED BILLING SERVICE



Page 5 of 10  
201 V07-3314-000 78Y

**Monthly charges**

May 16, 2001

These monthly charges are for your service from May 16 to Jun 15

|                                     |           |
|-------------------------------------|-----------|
| Monthly charges                     |           |
| TRAK ALTRNTE SERV WR CNTR SVC ..... | \$10,000. |

You will receive this list of services four times a year.  
Please keep this list for your records.

**Total for monthly charges \$10,000.**



Additional credits and charges

May 16, 2001

May 1 2001 SO N HI60000  
CKT HISA, REF 1

Charge for new service

From May 2 2001 through May 15 2001

TRAK ALTRNTE SERV WR CNTR SVC

@10000.00 per month ..... +4,666.00

One time cost for services provided

TRAK ALTRNTE SERV WR CNTR SVC ..... +80,000.00

REF 2

One time cost for services provided

TRAK ALTRNTE SERV WR CNTR SVC ..... +80,000.00

REF 3

One time cost for services provided

TRAK ALTRNTE SERV WR CNTR SVC ..... +80,000.00

REF 4

TAX KEY: US=\* NJ=@ BOTH=&

Continued



For Your Information

May 16, 2001

**SPECIAL NOTICE TO NEW CONNECTS**

The Federal Communications Commission (FCC) requires that Verizon release your billing name and address to long distance companies, operator service providers, and information providers when they request it for billing and other administrative purposes.

If you have a nonpublished telephone number, you have the right to request your billing name and address not be disclosed, and you may prevent disclosure for calling card, collect, and third number calls billed to your account. The FCC requires that if you request us to withhold this information, you will be unable to make calling card, collect, or third number calls billed to your account.

If you wish to request that we withhold your billing name and address, please call your local business office within 30 days after receiving this notice.

If you do not wish to change the way you make calls today, you do not need to do anything.

Continued



May 16, 2001

Additional credits and charges

|                                     |            |
|-------------------------------------|------------|
| One time cost for services provided |            |
| TRAK ALTRNTE SERV WR CNTR SVC ..... | +80,000.00 |
| REF 5                               |            |
| One time cost for services provided |            |
| TRAK ALTRNTE SERV WR CNTR SVC ..... | +80,000.00 |

TAX KEY: US=\* NJ=@ BOTH=£

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Total for additional credits and charges \$404,666.33  
 Billing Inquiries call 1 888-892-5200 / Outside NJ call 1 888-892-5200.



For Your Information

Page 9 of 10  
201 V07-3314-000 78Y

May 16, 2001

**THE TELEPHONE DISCLOSURE AND DISPUTE RESOLUTION ACT**

This federal law gives you the following rights regarding 900 calls and telephone billed purchases:

- You do not have to pay for 900 calls that do not follow federal rules and regulations.
- Neither your local nor long distance service will be disconnected if you do not pay these charges; however, the 900 service company may attempt to collect these charges from you and you may be reported to a credit or collection agency. Also, if you do not pay legitimate charges, your ability to make 900 calls from your line may be blocked.
- You can call Verizon to have 900 calls blocked from your line.
- If you have a question about 900 calls or telephone billed purchases on your bill, call the number shown at the end of your 900 charges. Your call starts a review of these charges. During this review you do not have to pay for the charges in question, but you do have to pay the other charges on your bill. Upon completion of the review, your

Continued



For Your Information

May 16, 2001

account will be credited for the amount of the charges in question or you will receive a letter explaining why no credit will be allowed and when the payment for the disputed charges is due. If you do not pay the amount for these charges by the due date, you may be reported to a credit or collection agency. The federal law states that you have 60 days to dispute a 900 charge. The law also states that your local and long distance telephone companies, and the 900 service company must follow these dispute resolution procedures. If these companies do not follow these rules, you are entitled to a credit of up to \$50.00 of the disputed amounts.

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## **1. General**

The Contractor shall, subject to the conditions contained herein and the performance by the JCEDC of its obligations under this Contract, perform the "Maintenance Services" in respect of CCTV Equipment (hereinafter called the Equipment) and Fiber Optic Trunk Line listed in the Scope of Work.

## **2. Malicious Damage and Vandalism**

The cost of all replacement parts and materials required to reinstate any part of the CCTV system caused by malicious damage or vandalism shall form an extra to the contract. All costs shall be based on the agreed Schedule of Rates. The cost of any replacement parts or items of equipment shall be agreed with the JCEDC prior to replacement and such cost shall be borne by the JCEDC.

## **3. Transportation and Insurances**

In the event of the Contractor sending any part of the Equipment away from the installation for repair or overhaul then, unless otherwise agreed, he shall bear all the costs including those of packing, shipping and insurance incurred in the dispatch, overhaul, repair, return and installation of the equipment.

## **4. Quality Standards**

All goods and materials used by the Contractor in carrying out his obligations herein shall be of the highest standard and quality and in full compliance with the requirements of the original equipment manufacturer's recommendation; all replacements shall be of a manufacturer's revision level not less than that of the part to be replaced.

## **5. Ownership of Replacement Parts**

When replacement parts are fitted these shall become the property of the JCEDC.

## **6. Vehicle, Tool, Test Equipment and Spares Requirements**

The Contractor shall be responsible for providing the access or any other vehicle required for the servicing of the camera assembly (i.e. camera, lens, housing, pan and tilt units etc) and the fiber optic trunk line and all tools, test equipment, spares, goods and materials in fulfilling the Maintenance Services and they shall be deemed to be included in the Contract Price.

## **7. Preventative Maintenance**

The term "maintenance" assumes four preventative maintenance visits per year (including the first year) and repairs effected on-site within the period specified below following any proper notification of the fault. The Contractor shall, unless otherwise agreed in writing, perform routine preventative maintenance of all Equipment in accordance with the recommendations of the original equipment manufacturer.

## **8. Program of Preventative Maintenance**

The Contractor shall provide details of the program of preventative for all the CCTV systems. The program must be based on four preventative maintenance visits per year together with any necessary corrective action to confirm or restore equipment to full and proper operation. A full equipment status report must be given to the JCEDC after each preventative maintenance visit.

## **9. Surveys to be Carried Out by the Contractor**

The Contractor shall carry out a survey of all locations and equipment forming part of this Contract to ascertain the type and condition of the installations to be serviced and maintained and the extent of the work which is likely to be required. A list of locations and, so far as it has been possible to ascertain, a list of equipment has been included in the previous section entitled "Scope of Work".

The JCEDC will not be held responsible for any information on the type of equipment, its location and condition. The Contractor is required to establish that information for him or herself.

## **10. Spares Holding**

The Contractor will retain an adequate stock of spares to ensure that the JCEDC's requirements for acceptable standards of serviceability can be met at all times. Stock is to be held at the Contractor's premises and at his own expense.

## **11. Equipment Lists**

At the commencement of the contract the Contractor shall submit to the JCEDC a complete list of equipment at all locations including make and model details, date of installation (if ascertainable) and current condition. Should any item of equipment be replaced the Contractor must update the JCEDC's Equipment List together with any Operator or Maintenance Manuals held by the JCEDC. Such amendments must be completed within one month of the alteration to the equipment details taking place. On termination of the Contract, the JCEDC and the Contractor shall jointly agree and verify that the Equipment List is accurate and up to date.

## **12. JCEDC's Responsibilities**

- a. Operation of Equipment.** The JCEDC shall ensure that their CCTV Control Room Staff will operate the equipment in accordance with the instructions contained in the Operator's Manual.
- b. Alterations to the Equipment.** The JCEDC shall neither make nor permit others to make any alterations to the system without first consulting with and obtaining the agreement of the Contractor, such agreement not to be unreasonably withheld.
- c. Reporting of Faults.** When reporting a fault, the Control Room Supervisor will make every effort to give accurate and meaningful information on fault characteristics. Any further information requested by the Contractor shall, where reasonably practicable, be provided.

**JOB DESCRIPTION**  
**CCTV ASSISTANT PROJECT MANAGER**

The Project Manager will report to the CCTV Project Manager – Robert Dalton

**Responsibilities:**

1. Receive all “tickets” from New Jersey 1-800-DIGG
2. Determine if there is need for a “Mark- Out” on the CCTV Cad Maps
3. Contact the Maintenance Company if a call for service is required
4. Follow-up with Maintenance Company as to when the work order was fulfilled
5. Report all calls for service to the CCTV Project Manager
6. Perform any other duties as requested by the Project Manager

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

City Clerk File No. Res. 09-804

Agenda No. 10.Z.8

Approved: SEP 23 2009

TITLE:

**RESOLUTION AUTHORIZING SETTLEMENT OF THE SUIT OF GABRIELLA MALDONADO AGAINST THE CITY OF JERSEY CITY, ET. ALS., DOCKET NO. HUD L 5413 07**



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

**WHEREAS**, a suit was filed against the City of Jersey City, in the Superior Court of New Jersey under Hudson County, Docket No: HUD L 5413 07; and

**WHEREAS**, the Complaint alleges that plaintiff was struck by a car while crossing the street going to P.S. #23 and no crossing guard was on duty; and

**WHEREAS**, plaintiff incurred medical expenses in the amount of \$1,200 and has submitted proof of a permanent disability from her injuries; and

**WHEREAS**, the Corporation Counsel has recommended a settlement \$15,000; and

**WHEREAS**, the plaintiff has agreed to this settlement and has signed the required releases; and

**WHEREAS**, the necessary funds for this settlement are available in the City of Jersey City Insurance Fund Accounts.

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

1. The Corporation Counsel be authorized to settle this lawsuit for fifteen thousand dollars (\$15,000.00.)
2. The Jersey City Insurance Fund Commission be authorized to issue a check for fifteen thousand dollars (\$15,000.00.)

I certify that funds for this expenditure are available in the City of Jersey City Insurance Fund Commission Account.

Peter Soriero, Risk Manager

SDC/dc

APPROVED: \_\_\_\_\_

APPROVED AS TO LEGAL FORM

APPROVED:   
Steve Miller, Business Administrator

Corporation Counsel

09092

Certification Required

Not Required

APPROVED 8-0

| RECORD OF COUNCIL VOTE ON FINAL PASSAGE 9/23/09 |     |     |      |               |        |     |      |               |     |     |      |
|-------------------------------------------------|-----|-----|------|---------------|--------|-----|------|---------------|-----|-----|------|
| COUNCILPERSON                                   | AYE | NAY | N.V. | COUNCILPERSON | AYE    | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| SOTTOLANO                                       | ✓   |     |      | GAUGHAN       | ABSENT |     |      | BRENNAN       | ✓   |     |      |
| SPINELLO                                        | ✓   |     |      | FULOP         | ✓      |     |      | FLOOD         | ✓   |     |      |
| LIPSKI                                          | ✓   |     |      | 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., President of Council

Robert Byrne, City Clerk

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

City Clerk File No. Res. 09-805  
 Agenda No. 10.Z.9  
 Approved: SEP 23 2009  
 TITLE: \_\_\_\_\_



## Resolution Honoring Pastor Henry Cannon, Jr.

On the Occasion of His 25<sup>th</sup> Pastoral Anniversary at  
 Grace Christian Church and Ministries, Inc.

**WHEREAS**, Henry Cannon, Jr. was born on September 26, 1948, in Blackville, South Carolina. He was the eldest of sixteen children born to the late Henry Cannon, Sr. and Lessie Trowell Cannon. When Henry was a young boy, the family relocated to Jersey City, N.J. where he attended Public School No. 5 and Ferris High School. Henry furthered his studies at Cittone Institute and became a Computer Technician. He is also a distinguished Vietnam War Veteran; and

**WHEREAS**, Henry Cannon, Jr. accepted Christ at an early age and earned a Bachelor of Theology Degree, a Master of Theology Degree, a Doctor of Ministry Degree and an Honorary Doctorate of Divinity Degree. Pastor Cannon has also earned more than 40 certificates; and

**WHEREAS**, Reverend Henry Cannon, Jr. founded Grace Christian Church in 1984 with five members including himself. Since then, he has served the people of his congregation and the community in many ways. Pastor Cannon has counseled countless children and families and will help anyone in need. The pastor officiates many weddings and funerals and has charged a fee to use the church. Pastor Cannon feels that those things should be a service and not a charge. During his twenty-five years of serving, Pastor Cannon has never accepted a salary; and

**WHEREAS**, Reverend Henry Cannon, Jr. exudes the qualities of a good pastor, father, husband and true role model.

**NOW, THEREFORE, BE IT RESOLVED**, that the Municipal Council of the City of Jersey City does hereby honor Reverend Henry Cannon, Jr., a dedicated spiritual leader, on the occasion of his 25th pastoral anniversary at Grace Christian Church and Ministries, Inc. His endearing qualities and Christian leadership abilities serve as an example to all the citizens of this community.

APPROVED: \_\_\_\_\_ APPROVED AS TO LEGAL FORM \_\_\_\_\_

APPROVED: Steve Miller  
*Asst.* Business Administrator

Raymond Reddy  
 Asst. Corporation Counsel

Certification Required

Not Required

**APPROVED 8-0**

| RECORD OF COUNCIL VOTE ON FINAL PASSAGE |     |     |      |               |        |     |      |               |     |     |      |
|-----------------------------------------|-----|-----|------|---------------|--------|-----|------|---------------|-----|-----|------|
| 9/23/09                                 |     |     |      |               |        |     |      |               |     |     |      |
| COUNCILPERSON                           | AYE | NAY | N.V. | COUNCILPERSON | AYE    | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| SOTTOLANO                               | ✓   |     |      | GAUGHAN       | ABSENT |     |      | 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. 09-806

Agenda No. 10.7.10

Approved: SEP 23 2009

TITLE:



## Resolution Celebrating The 28<sup>th</sup> Annual Women's Day at Jerusalem Temple H.P. Church

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

**W**HEREAS, Jerusalem Temple H.P. Church's Annual Women's Day was organized by Sara Ruff in 1957. Her mission and challenge were to reach and unite the women of the church with hopes that the women would be blessed by the Lord. They would in turn, go forth and bless someone else; and

**W**HEREAS, in 1978, Sara Ruff appointed her eldest daughter, Co-Pastor First Lady J. Patterson as the President of the Missionary Board and Women's Day. She reorganized the Annual Women's Day in 1979. Sara's purpose and prayer were to appeal to all women to share in hearing each others testimonies and to take part in God's word which would help strengthen them to become our leaders; and

**W**HEREAS, the women wear the color white which represents purity. Special guest speakers also enlighten the women on this joyous and pious occasion; and

**W**HEREAS, this year, the 28th Annual Women's Day celebration will be held September 21-27, 2009. The theme is "Women United for Christ." Inez Tucker, Emma Johnson, Sheila Jeffrey, Sara Devone and Julia Patterson will be honored for their dedicated service to their church and community.

**N**OW, THEREFORE BE IT RESOLVED, that the Municipal Council of the City of Jersey City does hereby offer best wishes to Jerusalem Temple H.P. Church on the occasion of its 28th Annual Women's Day. We thank First Lady J. Patterson, Dr. Claudia Hall and Sister Wanda Bowers of the J.T. Women Committee for organizing such a positive event.

APPROVED: \_\_\_\_\_ APPROVED AS TO LEGAL FORM

APPROVED: Steve Miller  
City Business Administrator

APPROVED: Raymond Redington  
Atty. Corporation Counsel

Certification Required

Not Required

APPROVED 8-0

| RECORD OF COUNCIL VOTE ON FINAL PASSAGE |     |     |      |               |        |     |      |               |     |     |      |
|-----------------------------------------|-----|-----|------|---------------|--------|-----|------|---------------|-----|-----|------|
| 9/23/09                                 |     |     |      |               |        |     |      |               |     |     |      |
| COUNCILPERSON                           | AYE | NAY | N.V. | COUNCILPERSON | AYE    | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| SOTTOLANO                               | ✓   |     |      | GAUGHAN       | ABSENT |     |      | 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. 09-807

Agenda No. 10.Z.11

Approved: SEP 23 2009

TITLE:

## RESOLUTION COMMEMORATING THE MASSACRE AT THE KATYN FOREST



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

**WHEREAS**, Katyn Forest is a wooded area near Gneizdovo village, a short distance from Smolensk in Russia where, in 1940 on Stalin's orders, the NKVD killed and buried over 4,000 Polish service personnel that had been taken prisoner when the Soviet Union invaded Poland in September 1939 in WWII in support of the Nazis; and

**WHEREAS**, in 1943 the Nazis exhumed the Polish dead and blamed the Soviets. In 1944, having retaken the Katyn area from the Nazis, the Soviets exhumed the Polish dead again and blamed the Nazis. The rest of the world took its usual sides in such arguments; and

**WHEREAS**, until the 1990s, the Soviet Union was categorically denying its implication in the crime and blamed the German army as the culprits. In 1989, with the collapse of Soviet Power, Premier Gorbachev finally admitted that the Soviet NKVD had executed the Polish military, and confirmed two other burial sites similar to the site at Katyn. Stalin's order of March 1940 to execute by shooting some 25,700 Polish military, including those found at the three sites, was also disclosed with the collapse of Soviet Power. This particular second world war slaughter of Polish military is often referred to as the "Katyn Massacre" or the "Katyn Forest Massacre"; and

**WHEREAS**, a statue dedicated to the Katyn Forest Massacre is featured at Exchange Place in the downtown section of City of Jersey City; and

**WHEREAS**, on Sunday, September 20, 2009, the Polish American Congress and Katyn Forest Massacre Memorial Committee, Inc. will hold a Memorial Service and Wreath Laying at the Katyn Forest Monument in Jersey City to honor the those fallen at the Katy Forest Massacre as well as those lives which were destroyed by the September 11, 2001, act of terrorism on the United States of America. More when than three thousand innocent people of various ethnic groups perished in the World Trade Center, The Pentagon and in Pennsylvania.

**NOW, THEREFORE BE IT RESOLVED**, that the Municipal Council of the City of Jersey City does hereby applaud the efforts of the the Polish American Congress and Katyn Forest Massacre Memorial Committee, Inc. We urge all residents to participate in the memorial service honoring fallen heroes.

G:\WPDOCS\TOLONDA\RESOS\Katyn Forest Memorial.wpd

APPROVED: \_\_\_\_\_

APPROVED AS TO LEGAL FORM

APPROVED: Steve Miller  
Business Administrator

Ronald Radtke  
Assoc. Corporation Counsel

Certification Required

Not Required

APPROVED 8-0

| RECORD OF COUNCIL VOTE ON FINAL PASSAGE 9/23/09 |     |     |      |               |     |     |        |               |     |     |      |
|-------------------------------------------------|-----|-----|------|---------------|-----|-----|--------|---------------|-----|-----|------|
| COUNCILPERSON                                   | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V.   | COUNCILPERSON | AYE | NAY | N.V. |
| SOTTOLANO                                       | ✓   |     |      | GAUGHAN       |     |     | ABSENT | 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. 09-808  
 Agenda No. 10.7.12  
 Approved: SEP 23 2009  
 TITLE: Resolution Honoring Melissa Surach



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

WHEREAS, the cultural arts add immensely to the vibrancy and diversity of Jersey City and creates a unique and collective history of our City. The contribution of the arts in Jersey City is recognized as one that unifies our City by recognizing the rich texture of the individuals who span all geographic locations, socioeconomic strata, and multi-cultural backgrounds; and

WHEREAS, the performing arts, especially comedy gives us a chance to laugh and be amused while removing us from the toil of our everyday lives; and

WHEREAS, Melissa Surach, born in Jersey City Medical Center on February 25, 1981, grew up in Jersey City as the child of Polish and Italian immigrants who all came through Ellis Island; and

WHEREAS, Melissa Surach attended the United Nation's International School and McGill University where she majored in mathematics, and minored in philosophy and the Japanese language. She received a professional film certificate from New York University in screen writing; and

WHEREAS, Melissa Surach's many contributions to the arts include the professional writing program at the People's Improv Theater, improv at The Upright Citizen's Brigade Theater and humor writing at Gotham; and

WHEREAS, Melissa Surach is a well known performance artist living in Jersey City currently running Jersey City's longest running comedy show in Jersey City. She writes humorous pieces for the Jersey City Independent and has recently completed her first installment of her public access show/short comedic film Melicious Bottomvomit.

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the City of Jersey City does hereby honor Melissa Surach for her many contributions to the arts in Jersey City and her dedication to her hometown. We wish her continued support and happiness in her creative and professional endeavors.

APPROVED: G:\WPDOCS\TOLONDA\RESOS\HONORING\Melissa Surach.wpd APPROVED AS TO LEGAL FORM

APPROVED: Steve Miller  
*Const.* Business Administrator

APPROVED: Russ Reddy  
 Asst. Corporation Counsel

Certification Required

Not Required

APPROVED 8-0

| RECORD OF COUNCIL VOTE ON FINAL PASSAGE |     |     |      |               |        |     |      |               |     |     |      |
|-----------------------------------------|-----|-----|------|---------------|--------|-----|------|---------------|-----|-----|------|
| 9/23/09                                 |     |     |      |               |        |     |      |               |     |     |      |
| COUNCILPERSON                           | AYE | NAY | N.V. | COUNCILPERSON | AYE    | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| SOTTOLANO                               | ✓   |     |      | GAUGHAN       | ABSENT |     |      | BRENNAN       | ✓   |     |      |
| SPINELLO                                | ✓   |     |      | FULOP         | ✓      |     |      | FLOOD         | ✓   |     |      |
| LIPSKI                                  | ✓   |     |      | 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. 09-809

Agenda No. 10.Z.13

Approved: SEP 23 2009



TITLE: **RESOLUTION HONORING THE SISTERS OF ST. JOSEPH OF PEACE DURING BLINDNESS AWARENESS MONTH**

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

**WHEREAS**, in 1891 the St. Joseph's School for the Blind was founded by the Sisters of St. Joseph of Peace. Since 1891, the school has provided an academic program for students who are blind or visually impaired; and

**WHEREAS**, now known as Concordia Learning Center at St. Joseph's School for the Blind, it is, as it was then, a non-profit, non-sectarian agency accepting children of every race, creed and national origin; and

**WHEREAS**, Concordia Learning Center at St. Joseph's School for the Blind continues to be the only school for the blind in New Jersey. At its new facility the school has expanded its services to include individuals with multiple disabilities and preschool disabled throughout New Jersey while focusing on their primary mission of helping the blind and visually impaired; and

**WHEREAS**, the school also provides an Early Intervention Program for infants and toddlers up to three years of age. This successful program teaches these young people how to compensate for any reduced or total lack of vision; and

**WHEREAS**, in addition to their successful day programs, Concordia Learning Center at St. Joseph's School for the Blind offers a residential program which provides a core curriculum for their students which prepares them for independent living. All students attending or residing at the school receive these services at no cost to their parents, the costs are borne by school districts and supplemented by fund-raising activities; and

**WHEREAS**, Concordia Learning Center at St. Joseph's School for the Blind has been one of the leading educational institutions in New Jersey during its 118 years of operation and is licensed by the New Jersey Department of Human Services, Division of Developmental Disabilities and has the approval of the New Jersey State Department of Education.

**NOW, THEREFORE BE IT RESOLVED**, that the Municipal Council of the City of Jersey City does hereby honor the Sisters of St. Joseph of Peace during October, which has been designated by Governor Jon Corzine as Blindness Awareness Month and commends them for all their many years of dedicated service to our community.

APPROVED: \_\_\_\_\_

APPROVED AS TO LEGAL FORM

APPROVED: Steve Miller  
Business Administrator

Ronald Reddy  
Asst. Corporation Counsel

Certification Required

Not Required

**APPROVED 8-0**

| RECORD OF COUNCIL VOTE ON FINAL PASSAGE |     |     |      |               |        |     |      |               |     |     |      |
|-----------------------------------------|-----|-----|------|---------------|--------|-----|------|---------------|-----|-----|------|
| 9/23/09                                 |     |     |      |               |        |     |      |               |     |     |      |
| COUNCILPERSON                           | AYE | NAY | N.V. | COUNCILPERSON | AYE    | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| SOTTOLANO                               | ✓   |     |      | GAUGHAN       | ABSENT |     |      | 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. 09-810

Agenda No. 10.Z.14

Approved: SEP 23 2009

TITLE:



**RESOLUTION AUTHORIZING THE AWARD OF CONTRACT TO DIMENSION DATA FOR FURNISHING AND DELIVERING INSTALLATION OF VOIP PHONE SYSTEM AT CITY HALL UNDER STATE CONTRACT WITHOUT PUBLIC BIDDING FOR THE DEPARTMENT OF ADMINISTRATION/DIVISION OF INFORMATION TECHNOLOGY**

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**COUNCIL**

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

**WHEREAS**, there exists a need for **VOIP Phone S ystem** for the Department of Administration/ Division of Information Technology; and

**WHEREAS**, pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-12 and allowing municipalities to use State Contracts without public bidding; and

**WHEREAS**, **Dimension Data US, 100 Motor Parkway, Suite 158, Happaugue, New York 11788** being in possession of **State Contract Number A73979**, will deliver to the City of Jersey City, Installation of a Cisco VOIP Phone System in the Total Amount of **Thirty Five Thousand, Eight Hundred Forty Eight Dollars and Forty Seven (\$35,848.47) Cents**; and

**WHEREAS**, the Acting City Purchasing Director has certified that he considers said amount to be fair and reasonable; and

**WHEREAS**, these funds are available for this expenditure in the Account shown below

**Information Technology**

| <b>Acct. No.</b>  | <b>P.O. No.</b> | <b>S.C. No.</b> | <b>Amount</b> |
|-------------------|-----------------|-----------------|---------------|
| 04-215-55-868-990 | 98039           | A73979          | \$ 35,848.47  |

**NOW, THEREFORE, BE IT RESOLVED**, by the Municipal Council of the City of Jersey City that the said quotation of the aforementioned **Dimension Data**, be accepted and that a contract be awarded to said company in the above amount, and the City's Acting Purchasing Director is directed to have such a contract drawn up and executed; and be it further

**RESOLVED**, that upon certification by an official or employee of the City authorized to receive the material pursuant to the contract, that the same has been received and that the requirements of the contract met, then; payment to the contractor shall be made in accordance with the provisions of the Local Affairs Law, N.J.S.A. 40A:5-1 et. seq; and be it further

(Continue on Page 2)

SEP 23 2009

TITLE:

**RESOLUTION AUTHORIZING THE AWARD OF CONTRACT TO DIMENSION DATA FOR FURNISHING AND DELIVERING INSTALLATION OF A VOIP PHONE SYSTEM AT CITY HALL UNDER STATE CONTRACT WITHOUT PUBLIC BIDDING TO THE DEPARTMENT OF ADMINISTRATION/ DIVISION OF INFORMATION TECHNOLOGY**

**RESOLVED**, this contract shall be subject to the condition that the vendor/contractor provide satisfactory evidence of compliance with the Affirmative Action Amendments to the Law Against Discrimination, N.J.S.A. 10:5-31 et. seq.; and be it further

**RESOLVED**, that the Mayor or Business Administrator is hereby authorized to execute a contract on behalf of the City of Jersey City.

I, Donna Mauer, Donna Mauer, Chief Financial Officer, certify that there are sufficient funds available for payment of this above resolution in the account shown below;

| Information Technology |          |          |              |
|------------------------|----------|----------|--------------|
| Acct. No.              | P.O. No. | S.C. No. | Amount       |
| 04-215-55-868-990      | 98039    | A73979   | \$ 35,848.47 |

Peter Folgado, Acting Purchasing Director

APPROVED: B. O'Keefe  
Business Administrator

APPROVED AS TO LEGAL FORM  
Ronald R. Kelly  
Corporation Counsel

Certification Required   
Not Required

APPROVED 8-0

| RECORD OF COUNCIL VOTE ON FINAL PASSAGE 9723709 |     |     |      |               |        |     |      |               |     |     |      |
|-------------------------------------------------|-----|-----|------|---------------|--------|-----|------|---------------|-----|-----|------|
| COUNCILPERSON                                   | AYE | NAY | N.V. | COUNCILPERSON | AYE    | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| SOTTOLANO                                       | ✓   |     |      | GAUGHAN       | ABSENT |     |      | 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



## STATE OF NEW JERSEY BUSINESS REGISTRATION CERTIFICATE

**Taxpayer Name:** DIMENSION DATA NORTH AMERICA, INC.  
**Trade Name:**  
**Address:** 11006 RUSHMORE DR. STE 300  
CHARLOTTE, NC 28277  
**Certificate Number:** 0108615  
**Effective Date:** November 09, 2000  
**Date of Issuance:** September 21, 2009

**For Office Use Only:**  
20090921151110370



## STATE OF NEW JERSEY BUSINESS REGISTRATION CERTIFICATE

**Taxpayer Name:** CISCO SYSTEMS, INC.  
**Trade Name:**  
**Address:** 1525 O'BRIEN DRIVE  
MENLO PARK, CA 94025  
**Certificate Number:** 0095418  
**Effective Date:** January 19, 1989  
**Date of Issuance:** September 21, 2009

**For Office Use Only:**  
20090921151043569

**BUSINESS ENTITY DISCLOSURE CERTIFICATION**

FOR NON-FAIR AND OPEN CONTRACTS  
Required Pursuant To N.J.S.A. 19:44A-20.8  
**CITY OF JERSEY CITY**

**Part I – Vendor Affirmation**

The undersigned, being authorized and knowledgeable of the circumstances, does hereby certify that the **Dimension Data North America, Inc.**

has not made and will not make any reportable contributions pursuant to N.J.S.A. 19:44A-1 et seq. that, pursuant to P.L. 2004, c. 19 would bar the award of this contract in the one year period preceding September 9, 2009 to any of the following named candidate committee, joint candidates committee; or political party committee representing the elected officials of the City of Jersey City as defined pursuant to N.J.S.A. 19:44A-3(p), (q) and (r).

|                                        |                                        |
|----------------------------------------|----------------------------------------|
| Mariano Vega, Jr. Election Fund        | Gaughan Election Fund 2009             |
| Friends of Peter Brennan Election Fund | Steven Fulop for Jersey City Inc.      |
| Committee to Elect Willie Flood        | Friends of Viola Richardson for Ward F |
| Friends of Michael Sottolano           |                                        |
| Friends of Phil Kenny                  | Healy for Mayor 2009                   |
| Friends of Nidia Lopez                 |                                        |

**Part II – Ownership Disclosure Certification**

I certify that the list below contains the names and home addresses of all owners holding 10% or more of the issued and outstanding stock of the undersigned.

Check the box that represents the type of business entity:

- Partnership       Corporation       Sole Proprietorship       Subchapter S Corporation  
 Limited Partnership       Limited Liability Corporation       Limited Liability Partnership

| Name of Stock or Shareholder | Home Address                                           |
|------------------------------|--------------------------------------------------------|
| Dimension Data (US) II, Inc. | 11006 Rushmore Drive, Suite 300<br>Charlotte, NC 28277 |
|                              |                                                        |
|                              |                                                        |
|                              |                                                        |
|                              |                                                        |
|                              |                                                        |
|                              |                                                        |
|                              |                                                        |

**Part 3 – Signature and Attestation:**

The undersigned is fully aware that if I have misrepresented in whole or part this affirmation and certification, I and/or the business entity, will be liable for any penalty permitted under law.

Name of Business Entity: Dimension Data North America, Inc.

Signed: [Signature] Title: SVP & General Counsel

Print Name: Mark S. Kristiansen Date: 9.21.09

Subscribed and sworn before me this 21 day of September, 2009

My Commission expires: 7/30/2010

[Signature]  
Karen M. [Name] (Affiant)  
(Print name & title of affiant) (Corporate Seal)



STOCKHOLDER DISCLOSURE CERTIFICATION

Name of Business:

I certify that the list below contains the names and home addresses of all stockholders holding 10% or more of the issued and outstanding stock of the undersigned.

OR

I certify that no one stockholder owns 10% or more of the issued and outstanding stock of the undersigned.

Check the box that represents the type of business organization:

Partnership

Corporation

Sole Proprietorship

Limited Partnership

Limited Liability Corporation

Limited Liability Partnership

Subchapter S Corporation

Sign and notarize the form below, and, if necessary, complete the stockholder list below.

Stockholders:

|                                                                          |               |
|--------------------------------------------------------------------------|---------------|
| Name: <i>Diversia Data (us) II Inc.</i>                                  | Name:         |
| Home Address: <i>11006 Fishmore Dr. Suite 300<br/>Charlotte NC 28277</i> | Home Address: |
|                                                                          | <i>100%</i>   |
| Name:                                                                    | Name:         |
| Home Address:                                                            | Home Address: |
| Name:                                                                    | Name:         |
| Home Address:                                                            | Home Address: |

Subscribed and sworn before me this *21* day of *Sept*, 2009 *[Signature]*  
 (Notary Public) *Karen M. Heffernan, contracts*  
 My Commission expires: *7/30/2010*  
 (Corporate Seal)



CONTACT PERSON: UNKNOWN

CONTACT PHONE: 508-323-1082

ORDER FAX # : 000-000-0000

\*\* SEE AUTHORIZED DEALER LIST \*\*

| AUTHORIZED DEALER/DISTRIBUTERS<br>FOR THE FOLLOWING CONTRACT VENDORS                                                                                                                          | INDEX NO: M7000<br>PAGE NO: 4                                                                                                                           |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>CONTRACT: 73979 - DATA COMM. &amp; NETWORK EQUIPMENT</p> <p>BLUEWATER COMMUNICATIONS<br/>110 PARKWAY DRIVE S<br/>HAUPPAUGE NY 11788 2012</p> <p>CONTACT:<br/>PHONE : 000 000 0000 0000</p> | <p>CDW GOVERNMENT INC<br/>230 N MILWAUKEE AVE<br/>VERNON HILLS IL 60061 9740</p> <p>CONTACT: DANIELLE WILLIAMS<br/>PHONE : 800 808 4239 0000</p>        |
| <p>DIMENSION DATA NA<br/>11006 RUSHMORE DR/STE 300<br/>CHARLOTTE NC 28277</p> <p>CONTACT: ED ACKER<br/>PHONE : 704 969 2200 0000</p>                                                          | <p>DYNTEK<br/>5 GREENTREE CENTER<br/>MARLTON NJ 08053</p> <p>CONTACT: GUY FESSENDEN<br/>PHONE : 856 304 5501 0000</p>                                   |
| <p>EPLUS TECHNOLOGY INC<br/>4 CROSSROADS CENTER<br/>HAMILTON NJ 08691</p> <p>CONTACT: KEN OGBORN<br/>PHONE : 609 528 8920 0000</p>                                                            | <p>MILLENNIUM COMMUNICATIONS GRP<br/>11 MELANIE LANE UNIT 13<br/>EAST HANOVER NJ 07936</p> <p>CONTACT: GARY W HARTWIG<br/>PHONE : 973 503 1313 0000</p> |
| <p>OFFICE BUSINESS SYSTEMS HOLDNG<br/>600 M RYERSON RD<br/>LINCOLN PARK NJ 07035</p> <p>CONTACT: DOUGLAS H SMITH<br/>PHONE : 973 575 6550 0000</p>                                            | <p>PROMEDIA TECHNOLOGY SVCS INC<br/>535 US HIGHWAY 46<br/>LITTLE FALLS NJ 07424</p> <p>CONTACT: WM PAUL NOLAN<br/>PHONE : 973 253 7600 0000</p>         |
| <p>RFP SOLUTIONS INC<br/>10-F GREENWOOD AVE<br/>WOODBURY NJ 08096</p> <p>CONTACT: ALFRED J PALUMBO<br/>PHONE : 609 686 0888 0000</p>                                                          | <p>TRANSNET CORPORATION<br/>45 COLUMBIA ROAD<br/>SOMERVILLE NJ 08876</p> <p>CONTACT: EMIL S CONTRADY<br/>PHONE : 908 253 0500 1807</p>                  |
| <p>VERIZON NETWORK<br/>535 RT 38/STE 201<br/>CHERRY HILL NJ 08002</p> <p>CONTACT: BRUCE LECK<br/>PHONE : 856 661 4142 0000</p>                                                                |                                                                                                                                                         |

| AUTHORIZED DEALER/DISTRIBUTERS<br>FOR THE FOLLOWING CONTRACT VENDORS                                                                                                                   | INDEX NO: M7000<br>PAGE NO: 5                                                                                                                     |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>CONTRACT: 73980 - DATA COMM. &amp; NETWORK EQUIPMENT</p> <p>BREAKER INC<br/>32 MILL STREET<br/>MOUNT HOLLY NJ 08060</p> <p>CONTACT: RANDAL WEAVER<br/>PHONE : 609 267 1330 0000</p> | <p>CDW GOVERNMENT INC<br/>230 N MILWAUKEE AVE<br/>VERNON HILLS IL 60061 9740</p> <p>CONTACT: DANIELLE WILLIAMS<br/>PHONE : 800 808 4239 0000</p>  |
| <p>EMTEC INC<br/>11 DIAMOND RD<br/>SPRINGFIELD NJ 07081</p> <p>CONTACT: DAVID SINGER<br/>PHONE : 973 376 4242 0000</p>                                                                 | <p>EPLUS TECHNOLOGY INC<br/>4 CROSSROADS CENTER<br/>HAMILTON NJ 08691</p> <p>CONTACT: KEN OGBORN<br/>PHONE : 609 528 8920 0000</p>                |
| <p>MATHE INC<br/>1259 ROUTE 46E<br/>PARSIPPANY NJ 07054</p> <p>CONTACT: RANDY J LERNER<br/>PHONE : 973 334 1700 X107</p>                                                               | <p>MICRONIX COMPUTERS &amp; SERVICES<br/>PO BOX 6065<br/>EAST BRUNSWICK NJ 08816</p> <p>CONTACT: KAVISH WADHERA<br/>PHONE : 732 416 0707 0000</p> |

| AUTHORIZED DEALER/DISTRIBUTERS<br>FOR THE FOLLOWING CONTRACT VENDORS                                               | INDEX NO: M7000<br>PAGE NO: 6                                  |
|--------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------|
| <p>CONTRACT: 73981 - DATA COMM. &amp; NETWORK EQUIPMENT</p> <p>ATRION COMMUNICATIONS<br/>185 I INDUSTRIAL PKWY</p> | <p>CAROUSEL INDUSTRIES OF NORTH<br/>659 SOUTH COUNTY TRAIL</p> |

STOCKHOLDER DISCLOSURE CERTIFICATION

Name of Business:

I certify that the list below contains the names and home addresses of all stockholders holding 10% or more of the issued and outstanding stock of the undersigned.

OR

I certify that no one stockholder owns 10% or more of the issued and outstanding stock of the undersigned.

Check the box that represents the type of business organization:

Partnership

Corporation

Sole Proprietorship

Limited Partnership

Limited Liability Corporation

Limited Liability Partnership

Subchapter S Corporation

Sign and notarize the form below, and, if necessary, complete the stockholder list below.

Stockholders:

|                                                                               |               |
|-------------------------------------------------------------------------------|---------------|
| Name: <i>Diversia Data (US) II Inc.</i>                                       | Name:         |
| Home Address: <i>11006 Rushmore Dr. Suite 300<br/>Charlotte NC 28277 100%</i> | Home Address: |
| Name:                                                                         | Name:         |
| Home Address:                                                                 | Home Address: |
| Name:                                                                         | Name:         |
| Home Address:                                                                 | Home Address: |

Subscribed and sworn before me this 21 day of Sept, 2009 *[Signature]*  
 \_\_\_\_\_  
 (Notary Public) *Karen M. Heffernan, contracts*  
 My Commission expires: 7/30/2010  
 (Corporate Seal)

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

City Clerk File No. Res. 09-811

Agenda No. 10.Z.15

Approved: SEP 23 2009

TITLE:



**RESOLUTION AUTHORIZING THE AWARD OF CONTRACT TO DIMENSION DATA FOR PROVIDING VOICE OVER IP TELEPHONE EQUIPMENT FOR CITY HALL UNDER STATE CONTRACT WITHOUT PUBLIC BIDDING FOR THE DEPARTMENT OF ADMINISTRATION/DIVISION OF INFORMATION TECHNOLOGY**

---

**COUNCIL**

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

**WHEREAS**, there exists a need for **Voice Over IP Telephone Equipment** for the Department of Administration/ Division of Information Technology; and

**WHEREAS**, pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-12 and allowing municipalities to use State Contracts without public bidding; and

**WHEREAS**, **Dimension Data**, 100 Motor Parkway, Suite 158, Happaugue, New York 11788 being in possession of State Contract Number A73979, will deliver to the City of Jersey City, **Voice over IP Telephone Equipment** in the Total Amount of **One Hundred Four Thousand, Eight Hundred Sixty Four Dollars and Fifty Eight (104,864.58) Cents**; and

**WHEREAS**, the Acting City Purchasing Director has certified that he considers said amount to be fair and reasonable; and

**WHEREAS**, these funds are available for this expenditure in the Account shown below

**Information Technology**

| <b>Acct. No.</b>  | <b>P.O. No.</b> | <b>S.C. No.</b> | <b>Amount</b> |
|-------------------|-----------------|-----------------|---------------|
| 04-215-55-868-990 | 97895           | A73979          | \$ 104,864.58 |

**NOW, THEREFORE, BE IT RESOLVED**, by the Municipal Council of the City of Jersey City that the said quotation of the aforementioned **Dimension Data**, be accepted and that a contract be awarded to said company in the above amount, and the City's Acting Purchasing Director is directed to have such a contract drawn up and executed; and be it further

**RESOLVED**, that upon certification by an official or employee of the City authorized to receive the material pursuant to the contract, that the same has been received and that the requirements of the contract met, then; payment to the contractor shall be made in accordance with the provisions of the Local Affairs Law, N.J.S.A. 40A:5-1 et. seq; and be it further

(Continue on Page 2)

SEP 23 2009

TITLE:

**RESOLUTION AUTHORIZING THE AWARD OF CONTRACT TO DIMENSION DATA FOR PROVIDING VOICE OVER IP TELEPHONE EQUIPMENT FOR CITY HALL UNDER STATE CONTRACT WITHOUT PUBLIC BIDDING TO THE DEPARTMENT OF ADMINISTRATION/ DIVISION OF INFORMATION TECHNOLOGY**

**RESOLVED**, this contract shall be subject to the condition that the vendor/contractor provide satisfactory evidence of compliance with the Affirmative Action Amendments to the Law Against Discrimination, N.J.S.A. 10:5-31 et. seq.; and be it further

**RESOLVED**, that the Mayor or Business Administrator is hereby authorized to execute a contract on behalf of the City of Jersey City.

I, Donna Mauer, Donna Mauer, Chief Financial Officer, certify that there are sufficient funds available for payment of this above resolution in the account shown below;

| Information Technology |          |          |               |
|------------------------|----------|----------|---------------|
| Acct. No.              | P.O. No. | S.C. No. | Amount        |
| 04-215-55-868-990      | 97895    | A73979   | \$ 104,864.58 |

Peter Folgado  
Peter Folgado, Acting Purchasing Director

APPROVED: \_\_\_\_\_

APPROVED AS TO LEGAL FORM

APPROVED: B O Reilly  
Business Administrator

Ronald Ralston  
Act. Corporation Counsel

Certification Required

Not Required

APPROVED 8-0

| RECORD OF COUNCIL VOTE ON FINAL PASSAGE 9/23/09 |     |     |      |               |        |     |      |               |     |     |      |
|-------------------------------------------------|-----|-----|------|---------------|--------|-----|------|---------------|-----|-----|------|
| COUNCILPERSON                                   | AYE | NAY | N.V. | COUNCILPERSON | AYE    | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| SOTTOLANO                                       | ✓   |     |      | GAUGHAN       | ABSENT |     |      | 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

**BUSINESS ENTITY DISCLOSURE CERTIFICATION**  
 FOR NON-FAIR AND OPEN CONTRACTS  
 Required Pursuant To N.J.S.A. 19:44A-20.8  
**CITY OF JERSEY CITY**

**Part I – Vendor Affirmation**

The undersigned, being authorized and knowledgeable of the circumstances, does hereby certify that the **Dimension Data North America, Inc.**

has not made and will not make any reportable contributions pursuant to N.J.S.A. 19:44A-1 et seq. that, pursuant to P.L. 2004, c. 19 would bar the award of this contract in the one year period preceding September 9, 2009 to any of the following named candidate committee, joint candidates committee; or political party committee representing the elected officials of the City of Jersey City as defined pursuant to N.J.S.A. 19:44A-3(p), (q) and (r).

|                                        |                                        |
|----------------------------------------|----------------------------------------|
| Mariano Vega, Jr. Election Fund        | Gaughan Election Fund 2009             |
| Friends of Peter Brennan Election Fund | Steven Fulop for Jersey City Inc.      |
| Committee to Elect Willie Flood        | Friends of Viola Richardson for Ward F |
| Friends of Michael Sottolano           |                                        |
| Friends of Phil Kenny                  | Healy for Mayor 2009                   |
| Friends of Nidia Lopez                 |                                        |

**Part II – Ownership Disclosure Certification**

I certify that the list below contains the names and home addresses of all owners holding 10% or more of the issued and outstanding stock of the undersigned.

Check the box that represents the type of business entity:

- Partnership     
  Corporation     
  Sole Proprietorship     
  Subchapter S Corporation  
 Limited Partnership     
  Limited Liability Corporation     
  Limited Liability Partnership

| Name of Stock or Shareholder | Home Address                                           |
|------------------------------|--------------------------------------------------------|
| Dimension Data (US) II, Inc. | 11006 Rushmore Drive, Suite 300<br>Charlotte, NC 28277 |
|                              |                                                        |
|                              |                                                        |
|                              |                                                        |
|                              |                                                        |
|                              |                                                        |
|                              |                                                        |
|                              |                                                        |

**Part 3 – Signature and Attestation:**

The undersigned is fully aware that if I have misrepresented in whole or part this affirmation and certification, I and/or the business entity, will be liable for any penalty permitted under law.

Name of Business Entity: Dimension Data North America, Inc.

Signed: [Signature] Title: SVP & General Counsel

Print Name: Mark S. Kristiansen Date: 9.21.09

Subscribed and sworn before me this 21 day of September, 2009

My Commission expires: 7/30/2010

[Signature]  
 \_\_\_\_\_  
 (Affiant)  
Karen M. Williams, Contracts  
 (Print name & title of affiant) (Corporate Seal)



STOCKHOLDER DISCLOSURE CERTIFICATION

Name of Business:

I certify that the list below contains the names and home addresses of all stockholders holding 10% or more of the issued and outstanding stock of the undersigned.

OR

I certify that no one stockholder owns 10% or more of the issued and outstanding stock of the undersigned.

Check the box that represents the type of business organization:

Partnership

Corporation

Sole Proprietorship

Limited Partnership

Limited Liability Corporation

Limited Liability Partnership

Subchapter S Corporation

Sign and notarize the form below, and, if necessary, complete the stockholder list below.

Stockholders:

|                                                                          |               |
|--------------------------------------------------------------------------|---------------|
| Name: <i>Diversia Data (US) II Inc.</i>                                  | Name:         |
| Home Address: <i>11006 Rushmore Dr. Suite 300<br/>Charlotte NC 28277</i> | Home Address: |
|                                                                          | <i>100%</i>   |
| Name:                                                                    | Name:         |
| Home Address:                                                            | Home Address: |
| Name:                                                                    | Name:         |
| Home Address:                                                            | Home Address: |

Subscribed and sworn before me this *21* day of *Sept*, 2009 *[Signature]*  
 (Notary Public) *Karen M. Heffernan, contracts*  
 My Commission expires: *7/30/2010*  
 (Corporate Seal)



## STATE OF NEW JERSEY BUSINESS REGISTRATION CERTIFICATE

**Taxpayer Name:** DIMENSION DATA NORTH AMERICA, INC.

**Trade Name:**

**Address:** 11006 RUSHMORE DR. STE 300  
CHARLOTTE, NC 28277

**Certificate Number:** 0108615

**Effective Date:** November 09, 2000

**Date of Issuance:** September 09, 2009

**For Office Use Only:**

20090909154144527



CONTACT PERSON: UNKNOWN

CONTACT PHONE: 508-323-1082  
ORDER FAX # : 000-000-0000

\*\* SEE AUTHORIZED DEALER LIST \*\*

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                       |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------|
| <p>CONTRACT: 73979<br/>BLUEWATER COMMUNICATIONS<br/>110 PARKWAY DRIVE S<br/>HAUPPAUGE NY 11788 2012<br/>CONTACT:<br/>PHONE : 000 000 0000 0000</p> <p>DIMENSION DATA NA<br/>11006 RUSHMORE DR/STE 300<br/>CHARLOTTE NC 28277<br/>CONTACT: ED ACKER<br/>PHONE : 704 969 2200 0000</p> <p>EPLUS TECHNOLOGY INC<br/>4 CROSSROADS CENTER<br/>HAMILTON NJ 08691<br/>CONTACT: KEN OGBORN<br/>PHONE : 609 528 8920 0000</p> <p>OFFICE BUSINESS SYSTEMS HOLDNG<br/>600 M RYERSON RD<br/>LINCOLN PARK NJ 07035<br/>CONTACT: DOUGLAS H SMITH<br/>PHONE : 973 575 6550 0000</p> <p>RFP SOLUTIONS INC<br/>10-F GREENWOOD AVE<br/>WOODBURY NJ 08096<br/>CONTACT: ALFRED J PALUMBO<br/>PHONE : 609 686 0888 0000</p> <p>VERIZON NETWORK<br/>52 E. SWEDESFORD RD<br/>FRAZER PA 19355 1488<br/>CONTACT: BRUCE LECK<br/>PHONE : 610 407 2182 0000</p> | <p>AUTHORIZED DEALER/DISTRIBUTERS<br/>FOR THE FOLLOWING CONTRACT VENDORS<br/>- DATA COMM. &amp; NETWORK EQUIPMENT</p> <p>CDW GOVERNMENT INC<br/>230 N MILWAUKEE AVE<br/>VERNON HILLS IL 60061 9740<br/>CONTACT: DANIELLE WILLIAMS<br/>PHONE : 800 808 4239 0000</p> <p>DYNTEK<br/>5 GREENTREE CENTER<br/>MARLTON NJ 08053<br/>CONTACT: GUY FESSENDEN<br/>PHONE : 856 304 5501 0000</p> <p>MILLENNIUM COMMUNICATIONS GRP<br/>11 MELANIE LANE UNIT 13<br/>EAST HANOVER NJ 07936<br/>CONTACT: GARY W HARTWIG<br/>PHONE : 973 503 1313 0000</p> <p>PROMEDIA TECHNOLOGY SVCS INC<br/>535 US HIGHWAY 46<br/>LITTLE FALLS NJ 07424<br/>CONTACT: WM PAUL NOLAN<br/>PHONE : 973 253 7600 0000</p> <p>TRANSNET CORPORATION<br/>45 COLUMBIA ROAD<br/>SOMERVILLE NJ 08876<br/>CONTACT: EMIL S CONTRADY<br/>PHONE : 908 253 0500 1807</p> | <p>INDEX NO: M7000<br/>PAGE NO: 4</p> |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------|

|                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                       |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------|
| <p>CONTRACT: 73980<br/>BREAKER INC<br/>32 MILL STREET<br/>MOUNT HOLLY NJ 08060<br/>CONTACT: RANDAL WEAVER<br/>PHONE : 609 267 1330 0000</p> <p>EMTEC INC<br/>11 DIAMOND RD<br/>SPRINGFIELD NJ 07081<br/>CONTACT: DAVID SINGER<br/>PHONE : 973 376 4242 0000</p> <p>MATHE INC<br/>1259 ROUTE 46E<br/>PARSIPPANY NJ 07054<br/>CONTACT: RANDY J LERNER<br/>PHONE : 973 334 1700 X107</p> | <p>AUTHORIZED DEALER/DISTRIBUTERS<br/>FOR THE FOLLOWING CONTRACT VENDORS<br/>- DATA COMM. &amp; NETWORK EQUIPMENT</p> <p>CDW GOVERNMENT INC<br/>230 N MILWAUKEE AVE<br/>VERNON HILLS IL 60061 9740<br/>CONTACT: DANIELLE WILLIAMS<br/>PHONE : 800 808 4239 0000</p> <p>EPLUS TECHNOLOGY INC<br/>4 CROSSROADS CENTER<br/>HAMILTON NJ 08691<br/>CONTACT: KEN OGBORN<br/>PHONE : 609 528 8920 0000</p> <p>MICRONIX COMPUTERS &amp; SERVICES<br/>PO BOX 6065<br/>EAST BRUNSWICK NJ 08816<br/>CONTACT: KAVISH WADHERA<br/>PHONE : 732 416 0707 0000</p> | <p>INDEX NO: M7000<br/>PAGE NO: 5</p> |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------|

|                                                                            |                                                                                                                                                                                      |                                       |
|----------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------|
| <p>CONTRACT: 73981<br/>ATRION COMMUNICATIONS<br/>185 I INDUSTRIAL PKWY</p> | <p>AUTHORIZED DEALER/DISTRIBUTERS<br/>FOR THE FOLLOWING CONTRACT VENDORS<br/>- DATA COMM. &amp; NETWORK EQUIPMENT</p> <p>CAROUSEL INDUSTRIES OF NORTH<br/>659 SOUTH COUNTY TRAIL</p> | <p>INDEX NO: M7000<br/>PAGE NO: 6</p> |
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# CITY OF JERSEY CITY

## Office of the Business Administrator

Jerramiah Healy, Mayor  
Brian O'Reilly, Business Administrator

280 Grove Street  
Jersey City, New Jersey 07302  
Telephone: (201) 547-5146  
Fax: (201) 547-4833

**DATE:** September 22, 2009

**TO:** Members of the Municipal Council

**FROM:** Brian O'Reilly, Business Administrator 

**SUBJECT:** Late Resolutions - Dimension Data/New Phone System

I am respectfully requesting your consideration of 2 late resolutions related to the installation of a new Voice Over IP (VoIP) phone system in City Hall, and eventually in all City offices.

Both resolutions are for Dimension Data, a NJ State Contract reseller for Cisco equipment:

|                                          |               |
|------------------------------------------|---------------|
| IP Phones and equipment:                 | \$104, 864.58 |
| Installation and configuration services: | \$ 35,848.47  |

The existing City Hall phone system is outdated and several offices have already experienced outages. The system is no longer supported by the vendor (Executone) and our telecommunications maintenance vendor (Extel) is experiencing difficulties in obtaining replacement parts and effecting repairs.

The new phone system will provide greater functionality and reliability and while the Citywide VoIP project is on track, at this time I deem it prudent to accelerate the City Hall installation in order to prevent a catastrophic failure of the existing system.

Thank you for your consideration.

cc: Robert Byrne, City Clerk

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

City Clerk File No. Res. 09-812

Agenda No. 10.Z.16

Approved: SEP 23 2009

TITLE:



**RESOLUTION RESCINDING RESOLUTION 09-623 APPROVED ON JULY 29, 2009  
AND AWARDING A CONTRACT TO AMERICAN WEAR, INC., TO FURNISH AND  
DELIVER UNIFORMS TO THE DEPARTMENT OF PUBLIC WORKS**

**WHEREAS**, Resolution 09-623 approved on July 29, 2009 awarded a contract to Manzo Uniforms to furnish and deliver uniforms for the Department of Public Works; and

**WHEREAS**, Manzo Uniforms incorrectly calculated its bid total and was not the low bidder for the contract; and

**WHEREAS**, American Wear Inc., 261 North 18<sup>th</sup> Street, East Orange, New Jersey 07017 submitted the low bid in the amount of \$65,397.55; and

**WHEREAS**, the Acting City Purchasing Director has certified that he has considered said bid to be fair and reasonable; and

**WHEREAS**, the sum of \$10,000.00 is available in the 2010 Temporary Budget in Account No. 01-201-26-290-215; and

**WHEREAS**, the contract shall be for one (1) year and the City shall have the option to renew the contract for one (1) additional year.

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

1. Resolution 09-623 approved on July 29, 2009 awarding a contract to Manzo Uniforms is hereby rescinded;
2. The bid quotation of American Wear, Inc. is accepted and a contract is awarded to said company in the above amount and the Acting City Purchasing Director is directed to have such a contract drawn up and executed;
3. Pursuant to N.J.A.C. 5:30-5.5(a), the continuation of the contract after the expenditure of funds encumbered in the 2010 fiscal year temporary budget shall be subject to the availability and appropriation of sufficient funds in the 2010 fiscal year permanent budget;

TITLE: SEP 23 2009

**RESOLUTION RESCINDING RESOLUTION 09-623 APPROVED ON JULY 29, 2009 AND  
 AWARDED A CONTRACT TO AMERICAN WEAR, INC., TO FURNISH AND DELIVER  
 UNIFORMS TO THE DEPARTMENT OF PUBLIC WORKS**

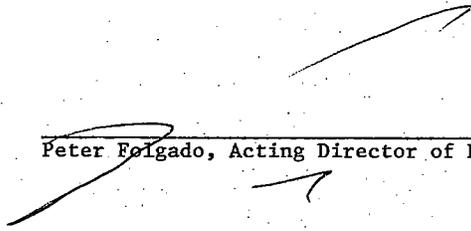
4. Upon certification by an official or employee of the City authorized to receive the material pursuant to the contract then payment to the contractor shall be made in accordance with the provisions of the Local Fiscal Affairs Law, N.J.S.A. 40A:5-1, et seq.; and

5. The award of this contract shall be subject to the condition that the vendor provides satisfactory evidence of compliance with the Affirmative Action Amendments to the Law Against Discrimination, N.J.S.A. 10:5-31 et seq.

I, \_\_\_\_\_, Donna Mauer, Chief Financial Officer, certify that there are sufficient funds available for payment of this above resolution in Account no. 01-201-26-290-215.

RR/cw

P.O.# 98071

  
 Peter Folgado, Acting Director of Purchasing

APPROVED: \_\_\_\_\_

APPROVED AS TO LEGAL FORM

APPROVED: Brian O'Reilly, Business Administrator

\_\_\_\_\_  
 Corporation Counsel

Certification Required

Not Required

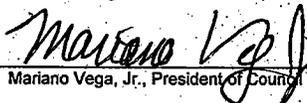
APPROVED 8-0

| RECORD OF COUNCIL VOTE ON FINAL PASSAGE 9/23/09 |     |     |      |               |        |     |      |               |     |     |      |
|-------------------------------------------------|-----|-----|------|---------------|--------|-----|------|---------------|-----|-----|------|
| COUNCILPERSON                                   | AYE | NAY | N.V. | COUNCILPERSON | AYE    | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| SOTTOLANO                                       | ✓   |     |      | GAUGHAN       | ABSENT |     |      | 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., President of Council

  
 Robert Byrne, City Clerk