



State of New Jersey
DEPARTMENT OF COMMUNITY AFFAIRS
101 SOUTH BROAD STREET
PO Box 803
TRENTON, NJ 08625-0803

CHRIS CHRISTIE
Governor

KIM GUADAGNO
It. Governor

RICHARD E. CONSTABLE, III
Commissioner

July 22, 2014

Michael Hanley
NW Financial Group, LLC
2 Hudson Place
Hoboken, New Jersey 07030

Dear Mr. Hanley:

Enclosed please find a Local Finance Board (Board) Resolution(s) reflecting the action the Board took at the meeting held on Wednesday, April 9, 2014.

If you have any questions regarding this information, please feel free to contact me at (609) 292-4537.

Sincerely,

Patricia Parkin McNamara
Executive Secretary
Local Finance Board

Enclosure(s)

cc: Frederick Tomkins
Donna Mauer





State of New Jersey

DEPARTMENT OF COMMUNITY AFFAIRS

101 SOUTH BROAD STREET

PO BOX 803

TRINTON, NJ 08625-0803

CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

RICHARD E. CONSTABLE, III
Commissioner

LOCAL FINANCE BOARD RESOLUTION

WHEREAS, in accordance with N.J.S.A. 40A:5A-20 the dissolution of local authorities must be granted prior approval by the Local Finance Board; and

WHEREAS, in accordance with the provisions of the Authorities Fiscal Control Law, the City of Jersey City, in the County of Hudson has applied to the Local Finance Board to dissolve the Jersey City Parking Authority; and

WHEREAS, the Local Finance Board on March 12, 2014 and April 9, 2014, held hearings pursuant to the provisions of said Law, and has, in the course of its review, given consideration to those matters, to the extent applicable, as provided for by the Law, and has examined estimates, computations or calculations made in connection with such submissions and has required the production of such papers, documents, witnesses or information and other appropriate action necessary to consider whether or not to approve the dissolution of the subject authority; and

WHEREAS, the Local Finance Board has taken testimony with respect to said proposed dissolution and has permitted any interested party to furnish additional information regarding such proposal;

NOW, THEREFORE, BE IT RESOLVED by the Local Finance Board that it has determined:

- (1) that adequate provision has been made for the payment of all creditors or obligees of the Jersey City Parking Authority;
- (2) that adequate provision has been made for the assumption of those services provided by the Jersey City Parking Authority which are necessary for the health, safety and welfare of the recipients of those services; and

BE IT FURTHER RESOLVED that the Local Finance Board does hereby approve the dissolution of the Jersey City Parking Authority effective July 1, 2014 pursuant to N.J.S.A. 40A:5A-20



Local Finance Board
City of Jersey City
April 9, 2014

BE IT FURTHER RESOLVED that the Executive Secretary of the Local Finance Board is hereby authorized and directed to certify or endorse such documents or instruments as may be necessary, convenient or desirable in order to carry out the purpose and provisions of the Law and this Resolution; and

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately.

APPROVED BY THE
LOCAL FINANCE BOARD

DATE: April 9, 2014

A handwritten signature in black ink, reading "Patricia Parkin McNamara", followed by a horizontal line.

PATRICIA PARKIN MCNAMARA
EXECUTIVE SECRETARY
LOCAL FINANCE BOARD

18635/A-2777

[illegible]

Figure 1 is a hierarchical tree diagram illustrating the classification of 1000 samples. The root node at the top splits into two main branches. The left branch contains 500 samples, and the right branch contains 500 samples. The left branch further splits into two sub-branches, each containing 250 samples. The right branch splits into two sub-branches, each containing 250 samples. The sub-branches on the left are labeled 'A' and 'B', and the sub-branches on the right are labeled 'C' and 'D'. The samples are represented by small circles with numbers inside, and the branches are represented by lines.

Benefits Savings	\$ 324,493 48
Total Savings	\$ 1,251,617 72

McNamara, Pat

From: Salay, Emma
Sent: Friday, March 07, 2014 2 30 PM
To: Francis Blee (fjblee@aol.com), jamie fox (jamie@foxshuffler.com), irodzassociates@aol.com, rtlight2@verizon.net, chipavery73@comcast.net, donald.palombi@dol.gov
Cc: McNamara, Pat
Subject: FW: Scan from a Xerox WorkCentre
Attachments: DOC PDF

Categories: Meeting folder

Additional backup regarding Jersey City's application for the Dissolution of the Parking Authority.

McNamara, Pat

From: McNamara, Pat
Sent: Monday, March 10, 2014 11 37 AM
To: Michael Hanley (mih@nwfinancial.com)
Subject: Jersey City Parking Authority Letter
Attachments: DOC PDF

Attached is the letter received from the Authority.

McNamara, Pat

From: Tim Eismeier <teismeier@nwfinancial.com>
Sent: Thursday, April 03, 2014 8 01 PM
To: Neff, Thomas, McNamara, Pat
Cc: Michael Hanley
Subject: FW JCPA Dissolution
Attachments: Organization Table and Projected Savings pdf, Ord 14-017 - To Dissolve the JCPA - Intro - Tabled.pdf; SCOPYROOM_214031111480 pdf

Director:

Please see below the email we sent you on March 11, 2014 along with the accompanying attachments which include a proposed table of organization and detailed explanation of the expected savings. Please let me know if you have any questions.

Thank you,
Tim

From: Tim Eismeier
Sent: Tuesday, March 11, 2014 7:55 PM
To: McNamara, Pat (Pat.McNamara@dca.state.nj.us); Neff, Thomas (Thomas.Neff@dca.state.nj.us)
Cc: Michael Hanley, Bob Kakoleski (RJKakoleski@icnj.org); JFarrell@icnj.org
Subject: JCPA Dissolution

Director:

Please see attached a preliminary table of organization for the Jersey City Parking Authority employees that will be absorbed into the City government along with a detailed analysis of budgetary savings. This table of organization and projected savings is based on additional discussions that we have had with the various City department heads and the working group since we submitted our application in February, which accounts for the difference between the numbers and our application and what I have attached to this email.

Also, please see attached the introduced dissolution ordinance with the vote count and an updated signed certification page as requested.

Thank you,
Tim

Timothy S. Eismeier
Senior Vice President
NW Financial Group, LLC
2 Hudson Place
Hoboken, NJ 07030
P: 201-656-0115
F: 201-656-4905

McNamara, Pat

From: Neff, Thomas
Sent: Thursday, April 03, 2014 8 08 PM
To: 'teismeier@nwfinancial.com', McNamara, Pat
Cc: 'mhanley@nwfinancial.com', Vaz, Christopher
Subject: Re JCPA Dissolution

Sorry. I missed that one. It will be on the agenda.

----- Original Message -----

From: Tim Eismeier [<mailto:teismeier@nwfinancial.com>]
Sent: Thursday, April 03, 2014 08:00 PM
To: Neff, Thomas; McNamara, Pat
Cc: Michael Hanley <mhanley@nwfinancial.com>
Subject: FW: JCPA Dissolution

Director:

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Thank you,
Tim

From: Tim Eismeier
Sent: Tuesday, March 11, 2014 7:55 PM
To: McNamara, Pat (Pat.McNamara@dca.state.nj.us); Neff, Thomas (Thomas.Neff@dca.state.nj.us)
Cc: Michael Hanley; Bob Kakoleski (RJKakoleski@icnj.org); JFarrell@icnj.org
Subject: JCPA Dissolution

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Also, please see attached the introduced dissolution ordinance with the vote count and an updated signed certification page as requested.

Thank you,
Tim

Timothy S Eismeier

McNamara, Pat

From: McNamara, Pat
Sent: Thursday, April 03, 2014 3:17 PM
To: mhanley@NWFINANCIAL.COM
Cc: Neff, Thomas, Salay, Emma, Zawartkay, Ann
Subject: Jersey City Dissolution of Parking Authority application

Mike Hanley:

Please note that since the LFB has not received any new submissions of information requested at the March 12, 2014 LFB meeting, this matter will not be listed on the April agenda.

If it is the applicants intention that this matter be considered for the May LFB meeting, please submit the requested information by the application due date of April 23, 2014.

Thank you,
Patricia Parkin McNamara
Executive Secretary
Local Finance Board



PARKING AUTHORITY OF THE CITY OF JERSEY CITY

394 CENTRAL AVENUE
JERSEY CITY, NJ 07307
(201) 653-6969
Fax (201) 653-7617

MARY F. PARETTI
Chief Executive Officer

JOHN J. . TARANTULA
Chairman

ALBERT J CUPO
Vice-Chairman

ANGELICA M. HARRISON
Secretary

March 3, 2014

AURY MASA NUNEZ
Treasurer

BHAVESH PATEL
Commissioner

DANA SCOTT EISENBERG
Commissioner

MATT SCHAPIRO
Commissioner

Ms. Patricia Parkin McNamara
Executive Secretary
Local Finance Board
Department of Community Affairs
101 South Broad Street, PO-803
Trenton, NJ 08625-0803

RE: Proposed Dissolution of the Jersey City Parking Authority

Dear Ms. Parkin McNamara,

I am writing on behalf of the Board of the Jersey City Parking Authority ("JCPA"), which is an autonomous agency located within the City of Jersey City ("City"), which presently operates the City's permit parking program, meter maintenance and collection, parking regulation and enforcement, and several parking lots throughout Jersey City. Recently, the City of Jersey City submitted an application for review by the Local Finance Board ("LFB") asking for consideration at LFB's next meeting. This application seeks to proceed with dissolution by allowing the City to bond for \$1 million in order to satisfy JCPA debts and through an ordinance introduced by the City Council, to assume the functions of the JCPA. We feel that this application is premature because the City has not formulated a plan at the present date to assume JCPA operations and we ask that the LFB withhold consideration of this application until such a plan is devised and vetted to determine whether this is a prudent course of action.

According to N.J.S.A. 40A:5A-20 the Local Finance Board has the authority to approve a dissolution, if it finds that the ordinance makes provision (in accordance with a bond resolution or otherwise) for the payment of all creditors or obliges of the authority, ***and adequate provision is made for the assumption of those services provided by the authority which are necessary for the health, safety, and welfare of the recipients of those services.***

The ordinance proposed by the City will merge the JCPA into the City's newly formed Department of Public Safety and a new Division of Parking Enforcement will be created within this department to administer the enforcement of parking regulations. However, neither the

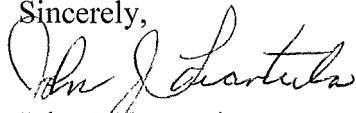
JCPA, nor the public, has had the opportunity to review the plans surrounding this amalgamation to determine whether this merger will have any impact on the health, safety, and welfare of the residents of Jersey City. Moreover, the ordinance plainly states that "no later than three (3) months after the adoption of the within Ordinance, the City's Business Administrator will prepare a new table of organization for the City departments that will be affected by the dissolution of the JCPA, which will reflect the placement of personnel that are needed to perform the functions that will no longer be performed by the JCPA." See EXHIBIT A ("The Ordinance")

The ordinance itself makes it clear that the City has not made a determination of where to place existing JCPA personnel and which department will handle the administration of functions like meter collections and the permit parking program. Therefore, in our opinion, there is no way to determine whether adequate provision has been made by the City for the assumption of the services provided by the JCPA as required by N.J.S.A. 40A:5A-20.

Furthermore, at a recent City Council meeting where the ordinance was considered at a second reading, before being tabled, the Council indicated that committees were not yet formed to consider these issues and to assess matters of great import to JCPA employees like the salaries of current JCPA workers integrated into the City. As well as seniority, pensions, and a matter not mentioned, their new civil service titles. See EXHIBIT B ("Jersey Journal Article 2/26/14")

For all these reasons, it is unclear at best whether the City is prepared to undertake the assumption of all the services provided by the JCPA. Accordingly, we ask that the Local Finance Board delay acting upon this application until the City demonstrates through committee meeting planning, department tables of organization presented, and clear guidance to current JCPA employees regarding their status, among other things, that the City is ready to operate in the place of the Jersey City Parking Authority.

Sincerely,



John J. Tarantula

Chairman, JCPA Board of Commissioners

cc: James P. Fox
Idida Rodriguez
Alan W. Avery
Francis Blee
Ted Light
Donald Palombi, DAG



Plan to dissolve the autonomous Jersey City Parking Authority on hold

zpark3.JPG

The Jersey City Parking Authority office on Central Avenue. *(Journal File Photo)*

Michaelangelo Conte/The Jersey Journal By **Michaelangelo Conte/The Jersey Journal**

Follow on Twitter

on February 26, 2014 at 9:13 PM, updated February 26, 2014 at 10:01 PM

Jersey City Mayor Steven Fulop's push to dissolve the city parking authority hit a snag at tonight's city council meeting, where an ordinance enacting the measure was tabled for further consideration.

"We are going to table this ordinance tonight and form a committee," Council President Rolando Lavarro said during public discussion on the second reading of the ordinance, which would merge the autonomous parking authority into city government.

Lavarro said issues such as the salaries of current parking authority workers, pensions, seniority and other matters had to be addressed prior to a vote and the committee would work through the issues.

One resident said she was in favor of absorbing the agency and all other city agencies saying, "I don't like someone making a decisions on my tax dollars if they are not voted into office."

Parking Authority Board Chairman Jack Tarantula addressed the council, saying the city budget for the parking authority is \$1 million per year and in exchange the authority returns \$7 to \$12 million each year to city coffers. He said the authority may need tweaking but abolishing it is not the answer.

Tarantula asked for a chance to sit down with each the council members to tell them "the things that we do, the dollars and cents we generate for the city."

Hudson County journalist Pat O'Melia spoke in favor of keeping the parking authority autonomous and said it is one of the most efficiently run agencies in the city. He joked that the authority is not an "evil empire."

When Fulop campaigned for mayor last year, he pledged to merge the city's autonomous agencies with city government, which he said would eliminate duplicate services and save taxpayers millions of dollars.

The City Council in September awarded a \$20,000, no-bid contract to high-powered law firm Weiner Lesniak to perform a study necessary to abolish the JCPA.

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[Contact Info](#)
[Ticket Info](#)

[Home](#)
[Background Information](#)
[Traffic Enforcement](#)
[Mission Statement](#)
[Signs & Meter Bags](#)
[Hours of Operation](#)

Description

Like other Parking Authorities throughout the state, the Jersey City Parking Authority (JCPA) was created in 1949, pursuant to NJSA 40:11A-1, the "Parking Authority Law" which was passed by the state legislature in 1948. The purpose of these authorities was to address what the state legislature at the time deemed a "crisis" affecting the quality of life and value of property in urban areas.

The responsibilities of the JCPA include:

Parking enforcement

Enforcement of Title 39 violations and Jersey City municipal ordinances including but not limited to ticketing and booting for street sweeping, parking meters, fire hydrants, bus stops, handicapped spaces, prohibited areas, commercial vehicles after 9 PM

Movie detail

Post "No Parking" signs, relocate vehicles, other enforcement

Construction detail

Post "No Parking" signs, relocate vehicles, other enforcement

Towing

Scofflaws and abandoned vehicles

Parades

Participate in parades (scooters) and assist with enforcement

Assist OEM

During city emergencies such as snow removal and flooding

Meters

Installation and maintenance of parking meters, daily meter collections

Parking lots

Cleaning and maintenance of JCPA lots

Driveway and street painting

Verify valid curb cuts, paint "No Parking" on driveway, paint curbs in Tandem permit areas

Zone permits

Issuance and enforcement of zone permits

Tandem permits/Municipal Lot permits

Issuance and enforcement of Tandem permit parking and JCPA lot permits

Security

Provide security at municipal courthouse parking lot.

McNamara, Pat

From: McNamara, Pat
Sent: Friday, March 07, 2014 2:23 PM
To: 'Mary Spinello'
Cc: Neff, Thomas, Zawartkay, Ann
Subject: Jersey City Parking Authority

Dear Ms. Spinello-Paretti:

I have received the fax from your office and distributed to the Chairman of the LFB. The LFB application requirements for the dissolution of an authority are listed below.

Patricia Parkin McNamara
Executive Secretary
Local Finance Board

(part VII)

DISSOLUTION OF AUTHORITY

- (A) Provide a copy of the proposed ordinance(s) or resolution(s) to dissolve the authority. The ordinance(s) or resolution(s) shall make adequate provision in accordance with a financing agreement and/or security agreement or otherwise for the payment of all creditors or obligees of the authority and assure that adequate provision for the assumption of those services provided by the authority which are necessary for the health, safety and welfare of the recipients of those services will be maintained.**
- (B) Provide a statement signed by the chairman and certified by the treasurer of the authority, identifying the amounts owing to creditors and obligees of the authority. This statement must be prepared by a date not more than thirty days preceding the submission to the Local Finance Board.**
- (C) Provide a statement of the impact on the local unit or units budget, debt service requirements, debt service ratings, local tax rate and service fees if the dissolution of the authority is implemented.**
- (D) Provide a statement of the description and the amount of permissible expenditures, if any, requested to be transferred to the local unit or units' budget and certified by the Local Finance Board.**
- (E) Provide a copy or copies of the bond ordinance(s) or resolution(s) proposed to be adopted by the local unit or units authorizing the issuance of obligations in furtherance of the dissolution of the authority.**

From: Mary Spinello [<mailto:mspinello@msn.com>]

Sent: Friday, March 07, 2014 2:11 PM

To: McNamara, Pat

Subject:

Good Afternoon Ms. McNamara

My name is Mary Paretti and I am the Executive Director of the Jersey City Parking Authority. I just wanted to confirm you received the fax I sent yesterday; a letter from the Chairman of my Board of Commissioners regarding the Application submitted by the City of Jersey City to dissolve the Parking Authority.

I also had a question regarding the Certification of Obligations; I was initially told by Mr. Hak and Mr. Hanley from Weiner Lesniak that the certification needed to be signed by the Chairman and Treasurer of my Board, but, the other day they said it could be signed by me and the CFO of the Authority. The Chairman and Treasurer are not inclined to sign this document at this time and have instructed me not to sign. My question is, should circumstances change, who should sign this document?

Thank you for your assistance.

Regards

Mary Spinello-Paretti

JCPA

**PARKING AUTHORITY OF THE CITY OF JERSEY CITY**

394 CENTRAL AVENUE
JERSEY CITY, NJ 07307
(201) 653-6969
Fax (201) 653-7617

MARY F. PARETTI
Chief Executive Officer

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Chairman

ALBERT J. CUPO
Vice-Chairman

ANGELICA M. HARRISON
Secretary

March 3, 2014

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Treasurer

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Commissioner

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Commissioner

MATT SCHAPIRO
Commissioner

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Local Finance Board
Department of Community Affairs
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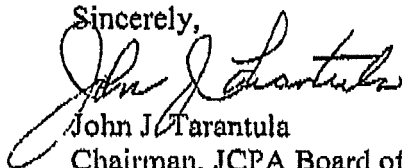
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John J. Tarantula
Chairman, JCPA Board of Commissioners

cc: James P. Fox
Idida Rodriguez
Alan W. Avery
Francis Blee
Ted Light
Donald Palombi, DAG

Plan to dissolve the autonomous Jersey City Parking Authority on hold

1



Plan to dissolve the autonomous Jersey City Parking Authority on hold

zpark3.JPG

The Jersey City Parking Authority office on Central Avenue. *(Journal File Photo)*

Michaelangelo Conte/The Jersey Journal By Michaelangelo Conte/The Jersey Journal

Follow on Twitter

on February 26, 2014 at 9:13 PM, updated February 26, 2014 at 10:01 PM

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The City Council in September awarded a \$20,000, no-bid contract to high-powered law firm Welner Lesniak to perform a study necessary to abolish the JCPA.

Parking Authority of the City of Jersey City
Hudson Central Building
392-394 Central Avenue
Jersey City, New Jersey 07307
Phone (201)653-6969
Fax (201)653-7616

FACSIMILE COVER SHEET

Date:

3/6/14

To:

Patricia Parkin McNamara

Fax #: 609-633-6243

From:

Mary Spinello-Paretti

Number of pages being transmitted including cover page:

4

ADDITIONAL COMMENTS:

The information contained in this facsimile including any attachments is solely intended for the use of the named addressee. This facsimile may contain priority, confidential or privileged information.

TRANSCRIPT OF
PROCEEDINGS

City of Jersey City Municipal Council
280 Grove Street
Jersey City, New Jersey 07302
February 26, 2014

SCHULMAN, WIEGMANN & ASSOCIATES
CERTIFIED SHORTHAND REPORTERS
216 STELTON ROAD
SUITE C-1
PISCATAWAY, NEW JERSEY 08854
(732) - 752 - 7800

Page 2	Page 4
1 B E F O R E: 2 3 MUNICIPAL COUNCIL 4 5 ROLANDO R. LAVARRO, Council President 6 JOYCE E. WATTERMAN, Councilman-At-Large 7 DANIEL RIVERA, Councilman-At-Large 8 FRANK GAJEWSKI, Councilman Ward A 9 KHEMRAJ RAMCHAL, Councilman Ward B 10 RICHARD BOGGIANO, Councilman Ward C 11 MICHAEL YUN, Councilman Ward D 12 CANDICE OSBORNE, Councilwoman Ward E 13 DIANE F. COLEMAN, Councilwoman Ward F 14 15 SEAN GALLAGHER, City Clerk 16 JEREMY FARRELL, ESQ., Corporation 17 Counsel 18 ROBERT KAKOLESKI, Acting Business 19 Administrator 20 21 TRACEY R. SZCZUBELEK, C.C.R. 22 LICENSE NO. XIO1983 23 24 25	1 MR. GALLAGHER: Councilperson Yun? 2 MR. YUN: Here. 3 MR. GALLAGHER: Councilperson 4 Osborne? 5 MS. OSBORNE: Here. 6 MR. GALLAGHER: Councilperson 7 Coleman? 8 MS. COLEMAN: Here. 9 MR. GALLAGHER: Councilperson 10 Rivera? 11 MR. RIVERA: Here. 12 MR. GALLAGHER: Councilperson 13 Watterman? 14 MS. WATTERMAN: Here. 15 MR. GALLAGHER: And Council 16 President Lavarro? 17 MR. LAVARRO: Here. 18 MR. GALLAGHER: We have nine 19 members in attendance at 6:48 p.m. 20 Can we kindly rise for a moment 21 of silence, please. 22 I would like to dedicate this 23 moment of silence to my cousin, Karen 24 Hymas-Bolger, who passed away suddenly at the 25 age of 56.
Page 3	Page 5
1 MR. GALLAGHER: Good evening, 2 everyone. We're going to be starting. If you 3 can just mute your -- or silence your cell 4 phones. Greatly appreciated. We are going to 5 have to be extra quiet tonight because we are 6 going to be passing the wireless mic until the 7 gentlemen in front of me can get speakers 8 working, so we can have the podium mic and the 9 Council mics working. 10 Good evening, Everyone. We are 11 on the record. This is a regular hearing of the 12 Jersey City Municipal Council. Today is 13 Wednesday, the 6th day of February 2014. We had 14 a scheduled 6 p.m. start, and the clock on my 15 cell phone is showing 6:48 p.m. 16 May I have a roll call for the 17 commencement of this meeting, Councilperson 18 Gajewski? 19 MR. GAJEWSKI: Here. 20 MR. GALLAGHER: Councilperson 21 Ramchal? 22 MR. RAMCHAL: Here. 23 MR. GALLAGHER: Nice and loud. 24 Councilperson Boggiano? 25 MR. BOGGIANO: Here.	1 (Whereupon, a moment of silence is 2 observed and the flag salute.) 3 MR. GALLAGHER: Thank you very 4 much. On behalf of Council President Lavarro -- 5 let me just turn that down a little bit. Is 6 that better? 7 On behalf of Council President 8 Lavarro, in accordance with New Jersey Public 9 Laws of 1975, Chapter 231, the Open Public 10 Meetings Act, also known as the Sunshine Law, 11 adequate notice of this meeting has been 12 provided by posting on the bulletin board of the 13 first floor of City Hall the annual notice, 14 which is the schedule of meetings and caucuses 15 of the Municipal Council for the calendar year 16 2014 and filed in the office of the City Clerk 17 on Wednesday, November 27th, 2013. 18 In addition, at the time of its 19 preparation, the agenda of this meeting was 20 similarly disseminated on Thursday, 21 February 20th, 2014 at 4 p.m. to the Municipal 22 Council, Mayor, Business Administrator, 23 Corporation Counsel and the local newspapers. 24 So I can certify as to our total compliance with 25 the Sunshine Law.

1 Council President.
2 MR. LAVARRO: Sean, can we begin
3 with the honorary honoring of our teachers of
4 the year.

5 MR. GALLAGHER: Sure. It is my
6 understanding that Council President is going to
7 read them into the record.

8 MR. LAVARRO: So congratulations
9 to all of our Jersey City public school teachers
10 of the year. I am going to read this off. And
11 we have certificates that will be distributed to
12 each of the teachers of the year who are
13 present.

14 At PS Number 3, Kristi Zupko.
15 MS 4, Max Arias, Jr.
16 At PS 5, Maryann Stulich.
17 PS 6, Wayne Creed.
18 MS 7, John Flora.
19 PS 8, Maria O'Donnell.
20 PS 11, Theresa Worth.
21 PS 12, Jasmin Greenwood.
22 PS 14, Eileen Llaneza.
23 PS 15, Graciela Anderson.
24 PS 16, Gina Golombos.
25 PS 17, Peter Realmuto.

1 PS 20, Migdalia Torres-Rosario.
2 PS 22, Addys Denis.
3 PS 23, Gina Walls.
4 PS 24, Paul Germadnig.
5 PS 25, Amanda Haber.
6 PS 27, Kristine Gervasio.
7 The District Teacher of the Year,
8 district-wide, at PS 28, Joel Naatus.
9 PS 29, Barbara Gannon.
10 PS 30, Elissa Forenza -- Elissa
11 Forenza.
12 PS 31, Kathleen Porro.
13 PS 33, Susan Colby.
14 At PS 34, Thomas Gesualdo.
15 PS 37, Rebecca Todd.
16 PS 38, Marissa McCarthy.
17 PS 39, Colleen Culhane.
18 MS 40, Aimee Rodriguez.
19 PS 41, Esther Masiello.
20 At Academy 1 Middle School, Eric
21 Marto.
22 Regional Day School, Laura Kong.
23 The Early Childhood Department,
24 Jennifer Resnick.
25 At the Bright Street Academy,

1 Kristen Marino.
2 At Dickinson High School, Steven
3 Nyarko.
4 James Ferris High School, James
5 Chiariello.
6 At Infinity Institute, Uyen Vu.
7 Liberty High School, Salvatore
8 Capaldo.
9 Lincoln High School, Finis
10 Galante.
11 McNair Academic High School,
12 Maria Rodriguez.
13 And at Snyder High School, Gladys
14 Ocasio.

15 Congratulations to all of you. I
16 will just add all these teachers were honored by
17 the Jersey City Public School District for their
18 exceptional work and as the teachers of the year
19 at their different respective schools. And
20 there was a recent awarding of the district
21 teacher of the year, as well. So
22 congratulations again.

23 Does anyone else want to say a
24 few words?
25 And we should acknowledge

1 Councilwoman Joyce Watterman, who put this
2 together. Thank you, Councilwoman Watterman.
3 MS. WATTERMAN: I would like to
4 take this opportunity to honor the teachers.
5 Jersey City is a great City. What makes the
6 City so great is our educational system. And
7 any time the Council get an opportunity to say
8 thank you to those who contribute to the City,
9 we -- we count it an honor.

10 So for those teachers who was
11 awarded teacher of the year -- and they were
12 elected by their peers. So any time you are in
13 any position and you are elected by your peers,
14 it really means something.

15 And not only that, we know the
16 teachers are always on the front line. And what
17 teachers do, they inspire children to dream on.
18 So hopefully tonight we encourage you tonight,
19 as a Council, to dream on and to continue to do
20 what you do so well, which is educate our
21 children and make the world a better place to
22 live.

23 Thank you, and God bless you.
24 MR. GALLAGHER: Okay. Thank you
25 very much.

Page 10	Page 12
1 Council Members, before we move 2 on to our regularly scheduled business, I need a 3 motion to add items 10z1 through 10z3. If you 4 allow me to read them into the record. 5 10z1 is a -- Resolution 14-142, 6 resolution urging The Port Authority of New York 7 & New Jersey to make provisions that would allow 8 weekend PATH train travelers to reach the World 9 Trade Center station area without the additional 10 expense of the New York City Transit subway or 11 bus fare and to provide additional service on 12 the weekend Journal Square 33rd Street line. 13 10z2 is Resolution 14-133. It's 14 a resolution in support of Earth Hour on 15 March 29th from 8:30 p.m. to 9:30 p.m. 16 And the last resolution is 10z3, 17 Resolution 14-134, resolution amending 18 resolution 14-040, authorizing the sale of City 19 property not needed for public use adopted on 20 January 29, 2014. 21 Do I have a motion to -- 22 MR. RAMCHAL: Motion. 23 MS. COLEMAN: Second. 24 MR. GALLAGHER: Motion by 25 Councilperson Ramchal, and seconded by	1 MS. WATTERMAN: Aye. 2 MR. GALLAGHER: Council President 3 Lavarro? 4 MR. LAVARRO: Aye. 5 MR. GALLAGHER: Motion carries 6 nine-zero, and they are added to the agenda. 7 On to our First Reading 8 Ordinances, if you would allow me to read them 9 into the record. Items -- start with item 3a, 10 City Ordinance 14-022, an ordinance of the 11 Municipal Council of the City of Jersey City, 12 County of Hudson, New Jersey canceling certain 13 funded appropriation balances heretofore 14 provided for capital projects and 15 reappropriating such funded appropriation 16 balances for -- for other capital projects. 17 Item -- item 3b, City Ordinance 18 14-023, ordinance of the Municipal Council of 19 the City of Jersey City adopting amendments to 20 the Montgomery Street Redevelopment Plan to 21 reorganize content and create a Mixed Use 22 District. 23 Item 3c, City Ordinance 14-024, 24 an ordinance of the Municipal Council of the 25 City of Jersey City adopting amendments to the
Page 11	Page 13
1 Councilwoman Coleman. 2 MR. LAVARRO: Right. 3 MR. GALLAGHER: I'm getting good. 4 On the motion to add items 10z1 5 through 10z3, Councilperson Gajewski? 6 MR. GAJEWSKI: Aye. 7 MR. GALLAGHER: Councilperson 8 Ramchal? 9 MR. RAMCHAL: Aye. 10 MR. GALLAGHER: Councilperson 11 Boggiano? 12 MR. BOGGIANO: Aye. 13 MR. GALLAGHER: Councilperson Yun? 14 MR. YUN: Aye. 15 MR. GALLAGHER: Councilperson 16 Osborne? 17 MS. OSBORNE: Aye. 18 MR. GALLAGHER: Councilperson 19 Coleman? 20 MS. COLEMAN: Aye. 21 MR. GALLAGHER: Councilperson 22 Rivera? 23 MR. RIVERA: Aye. 24 MR. GALLAGHER: Councilperson 25 Watterman?	1 Morris Canal Redevelopment Plan to expand an 2 adaptive reuse district. 3 Item 3d, City Ordinance 14-025, 4 ordinance amending and supplementing Chapter 122 5 (Circuses, Carnivals and Public Assemblages) of 6 the City of Jersey City Municipal Code. 7 Item 3e, City Ordinance 14-026, 8 an ordinance amending Chapter 242 (Peace and 9 Good Order) Article V (Motor Vehicles) of the 10 Jersey City Municipal Code. 11 3f, Ordinance 14-027, an 12 ordinance amending Chapter 309 (Taxation) 13 Article III (Five-year Tax Exemption) and 14 Article VI (Long-term and Five-year Tax 15 Exemptions Affordable Housing Trust Fund) of the 16 Jersey City Municipal Code. 17 3g, Ordinance -- City Ordinance 18 14-028, the administration has desired to 19 withdraw this ordinance, correct? 20 MR. KAKOLESKI: Correct. 21 MR. GALLAGHER: So I will not read 22 it into the record. 23 3h, City Ordinance 14-029, an 24 ordinance approving a 20-year tax exemption for 25 a market rate mixed use rental project to be

1 constructed by Senate Place Urban Renewal, LLC,
2 an urban renewal entity, pursuant to the
3 Long-term Tax Exemption Law NJSA 40A:20-1, et
4 seq.

5 On items 3a through 3f and --

6 MR. LAVARRO: Sean, can I please
7 just make one clarification. 3g is withdrawn at
8 the request of the Council President.

9 MR. GALLAGHER: Okay.

10 MR. LAVARRO: Thank you.

11 MR. GALLAGHER: Items 3a through
12 3f and item 3h, vote for introduction,
13 Councilperson Gajewski?

14 MR. GAJEWSKI: Aye.

15 MR. GALLAGHER: Councilperson
16 Ramchal?

17 MR. YUN: Before we do that can
18 I -- we should amend now?

19 MR. LAVARRO: Oh, yes, there is a
20 request for an amendment.

21 MR. YUN: Yeah.

22 MR. GALLAGHER: What are we
23 amending?

24 MR. YUN: Amend is --

25 MR. GALLAGHER: You need to give

1 him the mic.

2 MR. LAVARRO: Sorry, apologies.

3 MR. YUN: Item is 3 -- wow, very
4 loud. 3d. Under 3d, it's ordinance 14.025, the
5 122-1B(2), all the musical activity shall be
6 close one hour before closing time. I would
7 like to add to the food cooking also.

8 MS. COLEMAN: Where is it?

9 MR. YUN: Agenda number 3d.

10 MS. COLEMAN: What number?

11 MR. YUN: 122-1B(2), all musical
12 activities shall be ceased one hour before
13 closing time. Want to include food cooking also
14 because belongs to issue is public safety.

15 MS. OSBORNE: It goes under 3, not
16 2, which is talking about alcohol.

17 MR. YUN: Oh, yeah, yeah, I'm
18 sorry. I'm sorry, my mistake. B(3) alcohol
19 beverage, also food cooking.

20 MR. GALLAGHER: I'm a little
21 confused on what you're trying to amend.

22 MR. YUN: B(3).

23 MR. GALLAGHER: I understand B(3).

24 MR. YUN: Sale of alcoholic
25 beverage and also food cooking.

1 MR. GALLAGHER: Food cooking?

2 MR. YUN: Yes.

3 MS. COLEMAN: Cooking, like when
4 they have a barbecue or --

5 MS. WATTERMAN: He wants to add.

6 MR. YUN: Add food cooking also.

7 MS. MONAHAN: Food cooking?

8 MR. YUN: Yes. Because of one of
9 the issues is public safety issue. Because if
10 we allow a barbecue place to cook last minute,
11 use the charcoal and the things, they dump the
12 old charcoals in the garbage can, can have --
13 cause fires. So we try to give them cooldown
14 time. At least one hours before event is closed
15 they should be stopped cooking.

16 MS. MONAHAN: Okay. There is a --
17 a -- they issue a permit to allow food
18 preparation at the site. I mean, that's what
19 I'm trying to figure out, how to phrase this so
20 that it makes sense.

21 MR. YUN: Okay.

22 MS. MONAHAN: And since you're
23 telling me at a Council meeting right now,
24 instead of if you had called earlier, I might
25 have been able to sort it out but --

1 MS. COLEMAN: Seems like he is
2 only asking you to add --

3 MR. YUN: Yes, just add it,
4 beverage and food cooking.

5 MS. MONAHAN: I would like to use
6 the right terminology so that it can be enforced
7 properly and the police will understand what it
8 is.

9 MS. COLEMAN: Cooking food.

10 MS. MONAHAN: No, I understand
11 cooking food; but I mean there may be a -- this
12 has to do with the sale of alcoholic beverages
13 with -- with a permit. So there is a special
14 permit issued for the sale of alcoholic
15 beverages, and that's the permit that the police
16 can close down early. So I am trying to figure
17 out what the permit is for the sale of food so
18 that they can be directed to do that, as well.
19 I don't want to have some vague --

20 MR. LAVARRO: Joanne, would this
21 be a substantial change if we reworded the
22 language for the next one?

23 MS. MONAHAN: I would think it
24 would be, so we'd have --

25 MR. YUN: Joanne, food vendor,

Page 18	Page 20
1 especially barbecue vendors, they not cook the 2 barbecues until last minute because when they 3 finish that, what they do, the charcoal is -- 4 still has a fire, they dump the garbage cans. 5 That's public safety issue and the fire safety 6 issue, so we try to give some cool time, extra 7 time. 8 MR. LAVARRO: Councilman Yun, can 9 we introduce this one -- 10 MS. MONAHAN: It's a fire permit? 11 I just want to get it right. So really has to 12 do with the sale of the food. It's the 13 preparation of the food under a permit that's 14 issued by the Fire Department for open flame? I 15 mean, I'm just trying to figure out what it is 16 you're trying to do so that I can do it 17 correctly. 18 MR. LAVARRO: Joanne. 19 MS. MONAHAN: Can this go 20 forward -- 21 MR. LAVARRO: Let's introduce 22 this. 23 MS. MONAHAN: -- as is? 24 MR. YUN: We'll work it out. 25 MS. MONAHAN: And then we'll try	1 opportunity when you vote, if you want to make 2 some comments. I think, in Councilman Ramchal's 3 case, because Cultural Affairs was not at the 4 caucus, he would like to get their input before 5 taking the vote, itself. 6 MR. YUN: Maryann Kelleher. 7 MS. COLEMAN: That's on item 3d. 8 MS. OSBORNE: Yeah. 9 MR. GALLAGHER: So we are going to 10 have Maryann Kelleher come up to the podium and 11 speak on item 3d, City Ordinance 14-025. 12 MS. KELLEHER: Hello. Okay. So I 13 got a little bit of feedback from the caucus 14 meeting. And I brought two documents which may 15 help the Council make decisions regarding this. 16 And I'm sorry for any confusion over my absence 17 Monday. 18 So one is the events that did 19 occur from 2012 through 2013 in the Exchange 20 Place Downtown area. Like I added Newport Run. 21 And I also am going to give you the 2014 22 festival schedule. These are major events 23 planned City-wide as of this date. That's going 24 to change, but it's a pretty good list. So -- 25 keep one for myself. That is the 2014. And
Page 19	Page 21
1 to find out what it is -- 2 MR. YUN: All right. 3 MS. MONAHAN: -- and we can either 4 amend it or add it later. 5 MR. YUN: Okay. We understand. 6 MR. GALLAGHER: Hold on. Wait. 7 Let me -- are you making an amendment? 8 MR. BOGGIANO: No, I want -- 9 MR. GALLAGHER: You want to talk 10 about it? Can I take the vote on items 3a 11 through three f and 3h? And I already -- 12 MR. BOGGIANO: I want to speak on 13 3h. 14 MR. GALLAGHER: You want to speak 15 before you vote? 16 MR. RAMCHAL: Rich, my turn. Give 17 me the mic. 18 MR. LAVARRO: Wait. Wait. This 19 is getting a little chaotic. 20 MS. COLEMAN: I don't believe 21 everybody voted for introduction yet. 22 MR. GALLAGHER: I thought we had a 23 discussion at the caucus. I don't know. 24 MR. LAVARRO: We did have a 25 discussion at the caucus. So you will have an	1 this is now. 2 Okay. So just reiterating, the 3 first document you got -- and it might be a lot 4 to take in, but it should serve you as a guide. 5 The first document, again, is all events that 6 occurred in the Exchange Place area in past two 7 years. 8 And the second document you got 9 is a working document, which includes all of the 10 festivals that we know about as of this date. 11 And that's City-wide. Because I was asked to 12 prepare you a list sort of City-wide so that you 13 have an understanding of the local events, what 14 happens where. So I hope that that serves as, 15 you know, an informational tool for you. 16 So my general, I guess, comments 17 on the ordinance are, in my experience planning 18 events, the challenge that we have always as 19 event planners and Council and everybody else is 20 planning successful events and also keeping 21 happy residents. And that's not always an easy 22 balance to strike. 23 So the first thing I'd ask myself 24 whenever we change a law, particularly when 25 we're working with a diverse community, the

1 question I would ask myself, if I were the
2 Council, is: Is this equitable? Are all the
3 stakeholders engaged in this process? From the
4 resident who is impacted by the noise or the
5 festival, itself, to the ethnic groups or the
6 cultural groups who are being perhaps restricted
7 in some manner.

8 So I'm not fully aware of all of
9 what meetings may or may not have happened.
10 That's just the question I would ask myself.
11 I've, you know, spoken to Councilwoman Osborne a
12 few times as she has come up with this. And I
13 don't envy this process. And she has made some
14 changes from the original, which I appreciate.

15 And let's see. We've dealt with
16 this on different occasions from different
17 places throughout the City, particularly to this
18 area. About -- I would say about six or seven
19 years ago we were approached by the Paulus Hook
20 Association, who had some complaints about
21 festivals because certainly a lot of
22 festivals -- a lot of parades were heading
23 Downtown.

24 And what we did was we invited
25 the president and the leadership of the Paulus

1 would just be the Police Department as by virtue
2 of their title is to be law enforcement. So we
3 kind of -- it's implied that the police can shut
4 down an event anywhere at any time. I'm just
5 not sure if reiterating that in this is entirely
6 necessary because it might produce a feeling,
7 you know, that -- why are we saying this? So
8 just something to consider.

9 The one hour -- right now we
10 close down alcohol and music a half an hour
11 prior, which is something we like because it
12 helps us let the crowds dissipate. Councilwoman
13 Osborne thinks an hour could work. I mean,
14 that's really her decision, either -- either/or.

15 The response you will probably
16 get from that is from your vendors. They are
17 going to be the ones who lose the money, so
18 that -- that's who -- you know, I am just trying
19 to predict for you what the result could be. So
20 your smallest business owner may come back and
21 say, Hey, you know, you're -- that extra half
22 hour -- so that's what I'm anticipating you
23 might hear back.

24 The 8 p.m. -- the 8 p.m. shutoff
25 from Sunday through Thursday. So we're talking

1 Hook Association to meet the presidents of the
2 ethnic festival groups. We put them in the room
3 together, and we served sort of as moderators.
4 And as a result we were able to work with the
5 groups to lower their festival times. So for
6 the last four years or five years not one
7 festival in Exchange Place goes past 10 p.m. A
8 few of them go to nine. So that's -- that's
9 what we have done.

10 So I just want to be clear that
11 we've -- we've discharged going -- even though
12 the law recently allows to go to midnight, we
13 have discharged that because we recognize that
14 we don't want irate residents.

15 Next thing. And -- and, you
16 know, the other thing is I found the groups to
17 be reasonable with one another. We are all one
18 City, you know, so we want to work together.

19 So I guess my three specific
20 concerns on this or my three specific comments
21 on the ordinance as it stands, regarding the
22 police, there is a section here where it talks
23 about how the Police Department for good cause
24 can direct an earlier cessation.

25 My, I guess, professional opinion

1 a lot about weekend events, but I would just
2 like to bring your attention to sometimes we
3 bring events during the week. We do a summer
4 dance series on the pier, and that goes from
5 6:30 to 8 p.m. So the reason we start at 6:30
6 is because it's a Wednesday night, it's after
7 work; want to give people time to get home, get
8 changed, get down to the pier.

9 If the ordinance goes through as
10 it is, we would have to shut the music down at
11 7. So I am just -- you know, something to think
12 about. Perhaps maybe a little later. For your
13 consideration, of course.

14 Regarding, Councilman Yun,
15 your -- your recommendation regarding shutting
16 down the food, my thought would be that that
17 affects other ordinances, the health license for
18 that vendor, in addition to the cooking, the
19 open flame permit from the Fire Department.

20 MR. YUN: That's what I mean, open
21 fire, yes.

22 MS. KELLEHER: So what you could
23 maybe consider -- because I get that. I mean,
24 we are there for cleanup, so -- cleanup is
25 always challenging. What we usually do at that

1 half hour mark, which, you know, changed to an
2 hour, our staff goes around -- and I am happy to
3 report that we are able to bring in some
4 seasonal summer workers. So I will have more
5 workers at the end of festivals to get cleanups
6 done faster and make residents happier and get
7 us home sooner.

8 We usually go around at the half
9 hour mark and ask vendors to stop placing new
10 food on the griller. So maybe there is a way
11 for you to look at that as an -- as an
12 amendment, to say that no new food preparation
13 should occur half an hour or the hour before.
14 Maybe that would solve your problem. And
15 certainly it will -- it will help us because if
16 you are making new food right before the end of
17 the festival, you got to get rid of it, right?
18 And you are trying to sell it.

19 MR. LAVARRO: I think the food
20 preparation issue, we can address that at the
21 future meeting.

22 MR. RAMCHAL: So Maryann, this --
23 this ordinance that we voting on, can this be
24 done without an ordinance, all these stuff that
25 Candice has implemented? Is it done without an

1 already the same thing that Candice's ordinance
2 presents. I don't see anything on this schedule
3 that you gave me that states longer than 8:30
4 during the week as a half hour difference. And
5 I see maybe to 11:00 things, but I don't see
6 anything that lasts until 12:00 midnight on --
7 on any time.

8 So it looks like you guys have
9 already started implementing that 10:00
10 shutdown, which means this resolution really
11 coincides with the -- with the documents that
12 you gave us. The only thing I see different is
13 that the food shutdown is not in here. So other
14 than that, the time frames are exactly the same
15 as the time frames on this document. So I'm not
16 understanding our -- our problem, you know. I
17 think we're overlooking it and we're
18 over-digesting it. I think it's really stating
19 what the Cultural Affairs Department has already
20 started implementing. I'm just trying to be
21 clear.

22 MR. RAMCHAL: I -- I think -- I
23 think that -- oh --

24 MR. YUN: You finish.

25 MR. RAMCHAL: I'm sorry, but let

1 ordinance, or you need an ordinance?

2 MS. KELLEHER: The only -- you
3 know, again, back to engaging, you know, we
4 could have another meeting with -- you know,
5 calling festival committee presidents, invite
6 them to meet with the complainant group and ask
7 for a lower time. Ask them -- you know, we
8 found the festival committees to be agreeable
9 before.

10 MR. LAVARRO. I get that you could
11 do it through execution and implementation; but,
12 I mean, execution and implementation varies from
13 person to person and event to event and
14 depending on the players and people involved.
15 And the law is the law. An ordinance is an
16 ordinance, spells it out in black and white, so
17 there is no -- there is no gray area between for
18 people to negotiate some extra time and things
19 like that.

20 Councilwoman Coleman, you had a
21 comment?

22 MS. COLEMAN: Yeah, I just wanted
23 to say I don't really see that much -- I
24 reviewed the information that you presented.
25 And the time that they're shutting down now is

1 me explain what's going to happen here. If it's
2 good for Downtown, all right -- we are only
3 focusing on Downtown -- it should be good for
4 other part of the City because when the Indians
5 having their Navratri, that goes until 2 in the
6 morning. And they are taxpayers, as well. And
7 if they going to come with this ordinance and
8 says, Well, the Council passed an ordinance and
9 we need -- we need to have that in Newark Avenue
10 where the music shut down at 10, as well, what
11 are we going to do with that? I know it's an
12 exception.

13 MR. LAVARRO: It currently is an
14 exception in violation of the current ordinance
15 that says that that would shut down at midnight.
16 So as I said at the caucus meeting -- you
17 weren't there, Mary Ann -- is that I learned
18 that only recently when this was introduced
19 that, in fact, that there was a midnight cap on
20 that and that, in fact, we were making
21 exceptions every time for Navratri and Diwali in
22 the past. I am not passing a judgment on that
23 exception at this point, but I wasn't aware of
24 it. But it's good to know kind of in terms of
25 making those decisions.

1 MR. RIVERA: I just think
2 basically you need -- I think basically all you
3 need to do is speak to -- to the Director of
4 Public Safety, speak to the chief. Like you
5 mentioned, you know, bring -- bring the --
6 before we vote on this and make it law, let's
7 have that meeting with the -- with the groups
8 and make sure that they are 100 percent on board
9 on this because, you know, this could be a tough
10 situation here voting on this. Because we all
11 have to be on the same page.

12 So I think, you know, getting the
13 groups together, reiterating, you know, what we
14 planned to do and what are the plans, I think
15 that's the first step we should do.

16 MS. KELLEHER: I mean, we -- you
17 know, we have -- Councilwoman Coleman, we have
18 tried very hard -- we have a staff that is
19 really invested in these festivals. And one
20 thing we really know and we remind ethnic groups
21 all the time is that we need to coexist and we
22 need to respect our neighbors. But I have a
23 great love for the diversity of Jersey City.

24 And when I talk about equity --
25 Councilman Ramchal brought something up -- I

1 mean equity just across the board, you know, not
2 just ethnically. But there are those issues. I
3 didn't want to bring up specific issues, you
4 know; but yes, the -- Navratri and Diwali events
5 both occur in Ward C, and we -- the bulk of the
6 community does want those events in that area.
7 However, we do -- you know, some complaints get
8 fielded.

9 So those are the things that, as
10 a Council, you know, that you need to weigh
11 into.

12 And, yes, we have made a lot of
13 change. There are -- the 8:00 time does -- does
14 happen to affect, as of yesterday, two events.
15 One is that dance series, and the other is the
16 Sunday of Puerto Rican festival.

17 And today we received a -- we've
18 been waiting for a proposal. There was a group
19 that wants to do a Cuban festival in Jersey
20 City, and we received a proposal from them
21 today. And they want to do that on a Sunday,
22 and that's on that list. So that's a third
23 event. So it's the 8:00 time on the Sunday.

24 But, again, we are more than
25 happy to be a part of whatever solution. And I

1 hope the information I have given you is
2 helpful.

3 MR. LAVARRO: Thank you, Mary Ann.

4 MR. RAMCHAL: Does any -- any
5 festival go over the time, over 10:00, 11:00?

6 MR. LAVARRO: So she has provided
7 the information. I think between First and
8 Second Reading you have an opportunity to review
9 this, this information. And, I mean, if you
10 feel like you need that answer now before you
11 vote for introduction, then you are certainly
12 free to -- free to ask the question, but I would
13 suggest you have the information that's been
14 presented.

15 Thank you, Director.

16 And it spells it out, I think,
17 clearly what times people go.

18 Right?

19 MS. KELLEHER: Thank you. I mean,
20 just to answer, the church festivals throughout
21 the City. We don't have those dates in yet, but
22 most of those go until about midnight. But they
23 are within the ordinance time.

24 MR. BOGGIANO: Maryann, let me
25 understand something. If this is passed, there

1 can be made exceptions; is that correct? Like
2 the Navrati is going to have -- if the religious
3 festival doesn't start until 12 midnight --

4 MS. KELLEHER: That is a Council
5 decision for sure. I happen to like
6 across-the-board decisions that are easy for us
7 to help people navigate. Whenever exceptions
8 are made, that's when we all kind of get stuck
9 in the muck. So --

10 MR. LAVARRO: Just to allay your
11 fears, as I said, the ordinance already says
12 shut down at midnight. And exceptions have been
13 made.

14 MS. KELLEHER: By the Council.

15 MR. LAVARRO: By the Council,
16 repeatedly. So, yes, exceptions are made.

17 MS. KELLEHER: Thank you.

18 MR. GALLAGHER: Okay. On items 3a
19 through 3f and 3h, I took Councilperson
20 Gajewski's vote.

21 Are you staying with your same
22 vote, Councilman Gajewski?

23 MR. GAJEWSKI: Yes, aye for
24 introduction.

25 MR. GALLAGHER: Councilperson

1 Ramchal?

2 MR. LAVARRO: Hold on, Sean,
3 before you continue. We have one mic. So as we
4 proceed through the rest of this meeting, I am
5 going to ask that after you speak that you make
6 sure you return it back to the Council President
7 and then, as you need to speak, you request it
8 directly, so that I can get that mic back to
9 you.

10 MR. GALLAGHER: Excellent
11 suggestion. But while we're voting I don't
12 believe we actually need their Council -- each
13 Councilperson to have a mic. As long as they
14 are loud and clear, we will be able to pick them
15 up.

16 MR. LAVARRO: Okay So I think --

17 MR. GALLAGHER: Unless --

18 MR. LAVARRO: -- some people want
19 to make comments on this vote.

20 MR. GALLAGHER: Right. And on
21 that, Councilperson Ramchal?

22 MR. RAMCHAL: From a to h, no on d
23 and aye on the rest.

24 MR. GALLAGHER: Thank you.

25 Councilperson Boggiano? Hold on.

1 Councilperson Boggiano?

2 MR. BOGGIANO: I will say yes
3 under the conditions -- being that it's the
4 First Reading, I will say yes, under the
5 condition that they sit with the people in the
6 area. If they don't sit with the people in the
7 area, I will request it be pulled.

8 AUDIENCE MEMBER: When will it be?

9 MR. GALLAGHER: Excuse me. Excuse
10 me, ma'am. We are not taking questions at this
11 point.

12 MR. BOGGIANO: The gentleman from
13 CANCO was in the office tonight, in Rolando's
14 office. And let Rolando speak on that.

15 MR. LAVARRO: If you can schedule
16 a meeting with the association members between
17 now -- sometime next week, I think that would be
18 great. And I think the association member --
19 leaders are here. LJ Pilar, right.

20 LJ, if you can just stand up for
21 them.

22 If you can meet with him and meet
23 at CANCO Lofts to make it convenient to meet
24 with the members.

25 No more comments. Thank you.

1 Hold on

2 MR. BOGGIANO: On the h, I've
3 received quite a few complaints in the last
4 couple of days. I will say yes only now if the
5 people that are involved in this development sit
6 down at a meeting at CANCO before the Second
7 Reading. Otherwise, I'm going to request that
8 it be pulled. They have to --

9 You have to sit down, sir, sit
10 down with the people, talk to them from 75
11 Liberty, CANCO and the other people that live in
12 that area.

13 MR. PEPE: Councilman. Donald
14 Pepe from Scarinci Hollenbeck on behalf of the
15 applicant.

16 We would gladly meet that
17 condition. We want to be good neighbors. We
18 will meet with the folks at CANCO, as long as
19 they are willing to meet with us before the next
20 reading.

21 MR. BOGGIANO: Otherwise, I am
22 going to ask for it be pulled.

23 MR. PEPE: No, absolutely will we
24 meet with them. Thank you.

25 MR. GALLAGHER: And your vote,

1 MR. GALLAGHER: Let's continue the
2 vote.

3 Councilperson Yun?

4 MR. YUN: Can I have the -- I say
5 3a is no.

6 MR. GALLAGHER: 3a?

7 MR. YUN: Yeah, 3a is no.

8 MS. COLEMAN: H?

9 MR. GALLAGHER: A, like apple.

10 MR. YUN: Yes, we going to start
11 with a, go to the items one by one.

12 3a is no because of the March 10,
13 2009 is \$39 million over the four years and
14 later they claim \$1.4 million balance. And they
15 try to spend with the proposed 2014 budget yet.
16 And this is -- we talking \$1.4 million without
17 2014 budget. And it's not fair to taxpayer and
18 the City Council. So we have to see their total
19 2014 budget, and then we will discuss how we
20 going to spend \$1.4 million.

21 So I say no.

22 And 3h also I say no because of
23 3h is a big issue. City assess the value land
24 is \$1.9 million. If they pay conventional tax,
25 they are supposed to pay \$142,000. But somehow

1 they only pay \$15,000 a year.

2 So I'd like from the Tax
3 Collector's Office the answer why City assessed
4 value \$1.9 million but why they only pay
5 \$15,000? Which means they less pay \$127,000.

6 Number two, annual surcharge,
7 they only \$520,000 a year. But City service
8 cost for that project \$433,000 based on City.
9 And now our gross revenue is only we collect
10 \$90,000 a year. And if we give that land tax
11 credit, actually City got nothing. Actually we
12 get 60,000 less.

13 Number three, bio -- they
14 actually require -- I mean, that entity take
15 abatement options. They only for ten years,
16 based on Mayor's policy; but they -- based on
17 the schools they build. So they want to try to
18 go 20 years, another ten years extra tax
19 abatement. But under contract mentioned what
20 size are your school facility they will build
21 and what kind of -- will they charge based on
22 project incomes. So it's not fair to taxpayer.

23 Even though -- even though they
24 build only child school facility in the ground
25 floor, none of the Board of Ed or any peoples

1 not renting the place, they going to well be
2 coming back to City Council; they going to ask
3 one of the prices, 1.5 percent contribution to
4 City. Then their only contribution \$300,000,
5 and they get extra ten years tax abatement.
6 It's like we, City of Jersey City, writing the
7 black check for that developer. So I am totally
8 against that. It's not fair to taxpayer. So I
9 say no other than that. A, no. And b I say
10 yes. C, yes. D, yes. And e, yes. And f, yes.
11 So a, h, no; rest of them yes.

12 MR. GALLAGHER: Thank you.
13 Councilperson Osborne?

14 MS. OSBORNE: I vote -- I have one
15 question before I take my vote for -- for the
16 Legal Department as it relates to the early
17 childhood education.

18 So it's exciting to me that
19 someone would want to build, you know, pre-K
20 free -- you know, free public pre-K for the
21 children of Jersey City. That's one of the
22 things that we ran on. My concern is what
23 happens if kind of a Golden Door Charter School
24 situation, where you have a rent and you have a
25 school in there for a certain period of time and

1 then the -- they can't afford it, they choose to
2 move out? What happens at that point?

3 MR. YUN: Thank you very much.

4 MS. MONAHAN: Well, this isn't
5 guaranteed to a specific school. This is an
6 early childhood facility. And presumably, if
7 they had a tenant and for some reason it didn't
8 work out, they would have to get another tenant
9 in there. So am I not understanding the
10 question.

11 MS. OSBORNE: Right. So a
12 practical use case to me is a school is in there
13 for a year or two, they realize that they can't
14 make the financials work and the building sits
15 for three years without any pre-K there because
16 the rent they are charging is too high and they
17 are still getting an abatement.

18 MS. MONAHAN: Well, they're losing
19 money, then, are they not? They're not getting
20 any rent. They're not realizing any revenue
21 from the rental of the space. So presumably
22 that would be an incentive to reduce the rent
23 because a reduced rent is better than no rent.
24 But I don't think those -- nothing close to
25 those details have been worked out, which is why

1 they have -- will have to come back to the City
2 with details on this. That was a concern.

3 MS. OSBORNE: Okay.

4 MR. YUN: But then --

5 MR. GALLAGHER: Hold on. Hold on.
6 You need the mic.

7 MR. LAVARRO: Let Councilwoman
8 Osborne vote.

9 MS. MONAHAN: Or maybe the
10 developer can come up here and explain a little
11 bit --

12 MR. LAVARRO: No, let's --
13 let's --

14 MS. MONAHAN: -- what he expects.

15 MR. LAVARRO: Let's not

16 MS. MONAHAN: Okay.

17 MR. LAVARRO: It's First Reading.

18 MS. MONAHAN: Okay.

19 MS. OSBORNE: I mean, I have
20 concerns over it. But I will vote aye for
21 introduction on all.

22 MR. GALLAGHER: With the exception
23 of g, which has been withdrawn.

24 MS. OSBORNE: With the exception
25 of g, which has been withdrawn.

MR. GALLAGHER: Thank you.
Councilperson Coleman?

MS. COLEMAN: I agree with my
colleagues regarding h. However, if they've
already said they're going to come back and sit
down to the table -- this is only introduction,
and if -- if the items aren't addressed by the
Second Reading, then I will have to ask the
Council President to withdraw it so we can get
a -- a conclusion.

I vote aye on all the rest,
except for d I would like to add somehow by the
next -- aye for introduction, but I would like
to add about shutting down the food somehow by
the next time to vote.

So I vote aye on all for
introduction.

MR. GALLAGHER: Thank you.
Councilperson Rivera?

MR. RIVERA: It's hot potato.
Listen, I'm really urging my Council colleagues
to reconsider about d. There is a cultural
issue here, and the -- the proper steps need to
be followed. You know, I -- I don't like it,
you know; and I'm voting yes on everything,

except, you know, obviously, g. But d -- d,
definitely not. But I really, really, really
wish the entire Council body would think about
it and at least brainstorm for this week that
we're -- you know, for the next reading, for the
Second Reading; but this is definitely not a
good issue.

MR. GALLAGHER: So Council --

MR. RIVERA: So on d -- yes on
everything; no on d.

MR. GALLAGHER: Thank you.
Councilperson Watterman?

MS. WATTERMAN: Well, I'm going to
vote aye for introduction on all of them. And
those that we have questions about, the next
time, if the answers are not here, then we will
just have to withdraw. So that will probably be
3a, 3h; and I guess d we can really kind of work
out. Okay.

MR. GALLAGHER: Very good.
Council President?

MR. LAVARRO: I guess I will add
my -- my two cents.

On 3a, I do have some concerns,
shared some concerns about the reappropriation

of these funds and how we're coming to
determinations on that, how those decisions are
being made. And obviously, as Councilman Yun
said, that the Council should be included in
these -- these decisions.

With regard to 3d, I hear some of
the concerns, as I said at the caucus meeting.
I think that we should kind of look at the --
the facts on this and just -- rather than -- I
mean, I know that there are concerns about
the -- the diverse communities and how it's
going to impact on them; but I think we should
look at the facts and see exactly what the --
the direct impact is. So I think we should
continue that dialogue on that. And, you know,
it's a careful balance, I think.

And, you know, in fairness -- and
I think Councilwoman Osborne said it herself.
She introduced an ordinance and requested input
from folks -- from Council colleagues. While I
get the concerns, part of the process is also
providing her your feedback and -- in a -- in a
responsive and timely manner on that so that the
dialogue can continue. Otherwise, it's just
kind of stalling at that point.

So -- and then on 3 -- 3h, yeah,
looking forward to meeting with the residents.
I think it should work itself out. I think that
will be good.

Okay. So I vote aye for
introduction on all.

MR. GALLAGHER: Thank you. Now
let me recap. On item 3a, 3a is introduced
eight-one with Council person Yun voting no. 3b
is introduced nine-zero. 3c is also nine-zero.
3d is introduced seven-two with Councilpersons
Ramchal and Rivera voting no. And 3f is nine --
did I skip e? I did. E is nine-zero. F is
nine-zero introduced. And 3h is seven -- excuse
me, eight-one with Councilperson Yun voting no.
So all First Reading Ordinances are introduced.

On to our Second Reading
Ordinances.

MR. LAVARRO: Sean.

MR. GALLAGHER: Yeah.

MR. LAVARRO: Do we have another
microphone? I say that because in order for me
to maintain order, I need to have another
microphone.

MR. GALLAGHER: Unless you want

1 mine, I -- you know --
 2 MR. LAVARRO: Is it an extra one?
 3 MR. GALLAGHER: It's not an extra.
 4 Well, you know what, we will ask the -- either
 5 the Corporation Counsel or the Business
 6 Administrator to come up to the podium to answer
 7 a question, so we can share that one. Just
 8 remember that this mic that you now have in your
 9 possession is the mic that has the speakers are
 10 on the floor. There you go. All right. Not as
 11 loud as the one that the Council President has
 12 MR. LAVARRO: Thank you.
 13 MR. GALLAGHER: Are we good?
 14 MR. LAVARRO: Good.
 15 MR. GALLAGHER: Okay. Item 4a,
 16 City Ordinance 14-014 is an ordinance of the
 17 Municipal Council of the City of Jersey City
 18 adopting amendments to the Exchange Place
 19 Redevelopment Plan to add medical offices as a
 20 permitted use.
 21 This is a public hearing on this
 22 ordinance. Any member of the public wishing to
 23 be heard?
 24 MR. LAVARRO: Motion.
 25 MS. COLEMAN: Second.

1 MR. GALLAGHER: Motion made by
 2 Council President Lavarro. I am going to give
 3 the second to Councilperson Coleman.
 4 On the motion to close the public
 5 hearing, Councilperson Gajewski?
 6 MR. GAJEWSKI: Aye.
 7 MR. GALLAGHER: Councilperson
 8 Ramchal?
 9 MR. RAMCHAL: Aye.
 10 MR. GALLAGHER: Councilperson
 11 Boggiano?
 12 MR. BOGGIANO: Aye.
 13 MR. GALLAGHER: Nice and loud.
 14 MR. BOGGIANO: Aye.
 15 MR. GALLAGHER: Councilperson Yun?
 16 MR. YUN: Aye.
 17 MR. GALLAGHER: Councilperson
 18 Osborne?
 19 MS. OSBORNE: Aye.
 20 MR. GALLAGHER: Councilperson
 21 Coleman?
 22 MS. COLEMAN: Aye.
 23 MR. GALLAGHER: Councilperson
 24 Rivera?
 25 MR. RIVERA: Aye.

1 MR. GALLAGHER: Councilperson
 2 Watterman?
 3 MS. WATTERMAN: Aye.
 4 MR. GALLAGHER: Council President?
 5 MR. LAVARRO: Aye.
 6 MR. GALLAGHER: Motion to close
 7 the public hearing is nine-zero -- carries
 8 nine-zero.
 9 For final consideration and
 10 adoption of City Ordinance 14-014, Councilperson
 11 Gajewski?
 12 MR. GAJEWSKI: Aye.
 13 MR. GALLAGHER: Councilperson
 14 Ramchal?
 15 MR. RAMCHAL: Aye.
 16 MR. GALLAGHER: Councilperson
 17 Boggiano?
 18 MR. BOGGIANO: Aye.
 19 MR. GALLAGHER: Councilperson Yun?
 20 MR. YUN: Aye.
 21 MR. GALLAGHER: Councilperson
 22 Osborne?
 23 MS. OSBORNE: Aye.
 24 MR. GALLAGHER: Councilperson
 25 Coleman?

1 MS. COLEMAN: Aye.
 2 MR. GALLAGHER: Councilperson
 3 Rivera?
 4 MR. RIVERA: Aye.
 5 MR. GALLAGHER: Councilperson
 6 Watterman?
 7 MS. WATTERMAN: Aye.
 8 MR. GALLAGHER: And Council
 9 President?
 10 MR. LAVARRO: Aye.
 11 MR. GALLAGHER: City Ordinance
 12 14-014 is approved nine-zero.
 13 On to our next Second Reading
 14 Ordinance, which is item 4b, City Ordinance
 15 14-015 an ordinance authorizing the cancellation
 16 of taxes pursuant to New Jersey Statutes
 17 Annotated 54:4-3.6c for property owned by St.
 18 John's School and located at 3026 Kennedy
 19 Boulevard on Block 6501, Lot 1, Qualifier X.
 20 This is a public hearing on this
 21 ordinance. Any member of the public wishing to
 22 be heard?
 23 MR. LAVARRO: Motion.
 24 MR. O'MELIA: Whoa. Reason I
 25 came --

1 MR. GALLAGHER: And we have Pat
2 O'Melia.

3 MR. O'MELIA: Pat O'Melia, 130
4 Congress Street, Jersey City. There is no St.
5 John's School anymore. It closed in 2010. It
6 was proper to put it on the tax rolls. It's
7 about \$800,000 a year in property tax that
8 should have been paid on. And the reason
9 they're looking for an exemption is they had
10 some AA meetings and zumba classes. That's not
11 an excuse to have this exemption. It's a Class
12 15 exemption, which is a religious exemption.
13 They are out of the religious business. They
14 have closed the religious school. It was a
15 Catholic school.

16 What St. John's and the
17 Archdiocese are in, they are in the real estate
18 business. Their roosters are coming home to
19 roost. They closed their Catholic schools and
20 immediately rented them to charter schools. Now
21 the Golden Door Charter School leases this
22 building. Did they file for the exemption as a
23 charter school? No. They are enjoying it under
24 the Class 15D exemption for religion. It has no
25 religion going on at St. John's School because

1 there is no St. John's School anymore. They
2 closed it, as they have done many of the
3 Catholic schools here. And these two charter
4 schools.

5 Now with the lease to the Golden
6 Door Charter School, which is paid by these
7 people's property taxes, school taxes, did
8 anybody look at the lease and see? It's a
9 triple net, and it's a high lease. Not only are
10 they getting the exemption as religion --
11 religion exemption, Class 15D, they are getting
12 a top dollar rent. Is that reflected in the
13 lease? No. It's a triple net. So these people
14 here are paying for the exemption, and they're
15 also paying with their school taxes the lease
16 that Golden Door Charter pays.

17 This is ridiculous. It's no
18 longer in the business of religion. It's my
19 understanding Golden Door even paid for all the
20 upgrades on the building, which makes sense
21 because it's a triple net lease. This isn't a
22 hundred years ago where these property taxes
23 were minor money. We have seniors who are
24 trying to hold on to their homes.

25 And this rule is exemption under

1 religion. There is no religion going on in St.
2 John's School anymore. They closed it in 2010.
3 But I bet the Archdiocese is doing pretty good.
4 Just put \$500,000 into his home for retirement.
5 I strongly suggest -- and the City was right to
6 put it on the tax roll for those three years
7 There is no exemption for the religious school
8 because it is no longer in the business of
9 religion.

10 And, oddly enough, if you look at
11 the Class 15D exemption here in Jersey City,
12 there are 577 of these exemptions. If you look
13 closely at them, you start to wonder what is the
14 exemption. Like St. John The Baptist, they have
15 properties on Ocean Avenue. What does that have
16 to do with St. John's Church on Kennedy
17 Boulevard? Somebody left these homes to the
18 church, and they took the exemption. Meanwhile,
19 these people are paying their property taxes;
20 St. John's is getting the rent.

21 And this goes on -- again, I went
22 to St. John's School. They cast me out in
23 fourth grade because I ran over a particular
24 girl twice. The boys played in the streets.
25 The girls in the schoolyard. And I was cast off

1 to 23 School. But that has nothing to do with
2 this.

3 Every one of our Catholic schools
4 in Jersey City have all been closed, and they
5 are all charter schools. Now the Archdiocese in
6 Newark gets one big rent check. There is no
7 insurance payment anymore; it is triple net.
8 There is no employees. There is no medical
9 expenses. It's a great free ride, and we're
10 doing it here in the City of Jersey City. Not
11 only should we not allow these taxes to be
12 credited away, we should go and investigate
13 those 577 Class 15D exemptions here in Jersey
14 City. And a lot of them are huge properties.
15 Thank you.

16 MR. GALLAGHER: This is still a
17 public hearing on this ordinance. Any member of
18 the public wishing to be heard?

19 MR. LAVARRO: Motion.

20 MR. RIVERA: Second.

21 MR. GALLAGHER: Motion made by
22 Councilperson Lavarro, seconded by Councilperson
23 Rivera. On the motion to close the public
24 hearing, Councilperson Gajewski?

25 MR. GAJEWSKI: Aye.

1 MR. GALLAGHER: Councilperson
 2 Ramchal?
 3 MR. RAMCHAL: Aye.
 4 MR. GALLAGHER: Councilperson
 5 Boggiano?
 6 MR. BOGGIANO: Aye.
 7 MR. GALLAGHER: Councilperson Yun?
 8 MR. YUN: Aye.
 9 MR. GALLAGHER: Councilperson
 10 Osborne?
 11 MS. OSBORNE: Aye.
 12 MR. GALLAGHER: Councilperson
 13 Coleman?
 14 MS. WATTERMAN: She stepped out.
 15 MR. GALLAGHER: Okay.
 16 Councilperson Rivera?
 17 MR. RIVERA: Aye.
 18 MR. GALLAGHER: Councilperson
 19 Watterman?
 20 MS. WATTERMAN: Aye.
 21 MR. GALLAGHER: And Council
 22 President Lavarro?
 23 MR. LAVARRO: Aye.
 24 MR. GALLAGHER: Motion to close
 25 the public hearing is approved eight-zero with

1 Council Member Coleman absent.
 2 For final adoption and
 3 consideration of City Ordinance 14-015,
 4 Councilperson Gajewski?
 5 MR. GAJEWSKI: Aye.
 6 MR. GALLAGHER: Councilperson
 7 Ramchal?
 8 MR. RAMCHAL: Aye.
 9 MR. GALLAGHER: Councilperson
 10 Boggiano?
 11 MR. BOGGIANO: Aye. But I would
 12 like to say what Pat said is correct. And if
 13 it's fair throughout the City and every one of
 14 them was changed, then I would say no. But I
 15 say aye because of all the others.
 16 MR. GALLAGHER: Councilperson Yun?
 17 MR. YUN: Aye.
 18 MR. GALLAGHER: Councilperson
 19 Osborne?
 20 MS. OSBORNE: Aye.
 21 MR. GALLAGHER: Councilperson
 22 Coleman? Still absent?
 23 MR. GAJEWSKI: Still absent.
 24 MR. GALLAGHER: Not here.
 25 Councilperson Rivera?

1 MR. RIVERA: Aye.
 2 MR. GALLAGHER: Councilperson
 3 Watterman?
 4 MS. WATTERMAN: Aye.
 5 MR. GALLAGHER: And Council
 6 President?
 7 MR. LAVARRO: Aye.
 8 MR. GALLAGHER: City Ordinance
 9 14-015 is approved eight-zero with Councilperson
 10 Coleman absent.
 11 On to our next Second Reading
 12 Ordinance, which is item 3 -- 4c, City Ordinance
 13 14-1 -- excuse me, 14-016, an ordinance
 14 supplementing Chapter 332 (Vehicles and Traffic)
 15 Article III (Parking, Standing and Stopping)
 16 Section 332-31 (Parking Restrictions for Street
 17 Cleaning Purposes) amending the parking
 18 prohibition for street cleaning purposes on both
 19 sides of Bergen Avenue between Fairview Avenue
 20 and Montgomery Street from 7 a.m. to 9 a.m. to
 21 new time 10 a.m. to 12 p.m.
 22 This is a public hearing on this
 23 ordinance. Any member of the public wishing to
 24 be heard?
 25 MR. RIVERA: Motion.

1 MR. LAVARRO: Second.
 2 MR. GALLAGHER: Motion made by
 3 Councilperson Rivera, seconded by Council
 4 President Lavarro to close the public hearing.
 5 On the motion to close the public
 6 hearing, Councilperson Gajewski?
 7 MR. GAJEWSKI: Aye.
 8 MR. GALLAGHER: Councilperson
 9 Ramchal?
 10 MR. RAMCHAL: Aye.
 11 MR. GALLAGHER: Councilperson
 12 Boggiano?
 13 MR. BOGGIANO: Aye.
 14 MR. GALLAGHER: Councilperson Yun?
 15 MR. YUN: Aye.
 16 MR. GALLAGHER: Councilperson
 17 Osborne?
 18 MS. OSBORNE: Aye.
 19 MR. GALLAGHER: Councilperson
 20 Coleman?
 21 MS. COLEMAN: Aye.
 22 MR. GALLAGHER: Councilperson
 23 Rivera?
 24 MR. RIVERA: Aye.
 25 MR. GALLAGHER: Councilperson

1 Watterman?
 2 MS. WATTERMAN: Aye.
 3 MR. GALLAGHER: And Council
 4 President?
 5 MR. LAVARRO: Aye.
 6 MR. GALLAGHER: Motion to close
 7 the public hearing on City Ordinance 14-016 is
 8 approved nine-zero.
 9 For final consideration and
 10 adoption of City Ordinance 14-016, Councilperson
 11 Gajewski?
 12 MR. GAJEWSKI: Aye.
 13 MR. GALLAGHER: Councilperson
 14 Ramchal?
 15 MR. RAMCHAL: Before I vote I want
 16 to say -- I want to thank my -- my colleagues
 17 Diane and Frank --
 18 MR. GALLAGHER: Mic.
 19 MR. RAMCHAL: -- for putting this
 20 ordinance --
 21 MR. GALLAGHER: Excuse me,
 22 Councilperson. There you go. If you can
 23 just --
 24 MR. RAMCHAL: Before I vote I just
 25 want to thank my colleague Councilperson Diane

1 Coleman and Councilman Frank Gajewski for
 2 putting this ordinance with myself. I think
 3 it's going to be great because the way they had
 4 the parking, the street cleaning before, we had
 5 a lot of complaint in it. And I think this is
 6 going to be great for the residents in Ward B.
 7 I vote aye.
 8 MR. GALLAGHER: Thank you.
 9 Councilperson Boggiano?
 10 MR. BOGGIANO: Aye.
 11 MR. GALLAGHER: Councilperson Yun?
 12 MR. YUN: Aye.
 13 MR. GALLAGHER: Councilperson
 14 Osborne?
 15 MS. OSBORNE: Aye.
 16 MR. GALLAGHER: Councilperson
 17 Coleman?
 18 MS. COLEMAN: Yeah, I don't think
 19 I need a mic; I have a big mouth. I don't think
 20 I need it, right?
 21 I just want to say before I vote
 22 aye that this was great, working with several of
 23 the Council colleagues, because we had
 24 complaints from multiple areas. And now Bergen
 25 Avenue street sweeping will be the same time

1 from Montgomery Street all the way down to the
 2 end at Van Nostrand, the same time, alternate
 3 side of the street parking, street sweeping for
 4 the same time 10 to 12 every day for all of --
 5 between the three wards.
 6 So with that I vote aye.
 7 MR. GALLAGHER: Thank you
 8 Councilperson Rivera?
 9 MR. RIVERA: I vote aye.
 10 MR. GALLAGHER: Councilperson
 11 Watterman?
 12 MS. WATTERMAN: Aye.
 13 MR. GALLAGHER: And Council
 14 President?
 15 MR. LAVARRO: Aye.
 16 MR. GALLAGHER: City Ordinance
 17 14-016 is approved nine-zero.
 18 Before I move on to the next one,
 19 Councilperson Coleman, would you like to vote on
 20 City Ordinance 14-015? You were absent when we
 21 took the initial vote for adoption.
 22 MS. COLEMAN: Okay. So should I
 23 vote? Aye.
 24 MR. GALLAGHER: Your vote, aye?
 25 MS. COLEMAN: Yes.

1 MR. GALLAGHER: So to recap, City
 2 Ordinance 14-015 is approved nine-zero
 3 unanimously
 4 That was the only ordinance that
 5 you missed, Councilperson Coleman.
 6 MS. COLEMAN: Okay. Thank you.
 7 MR. GALLAGHER: No problem. Just
 8 a little clean up.
 9 Next item is 4d, City Ordinance
 10 14-017, an ordinance amending and supplementing
 11 Chapter 12 (Authorities, Municipal) Article III
 12 (Parking Authority) Chapter 3 (Administration of
 13 Government) Article IX (Department of Public
 14 Works) and Article XI (Department of Public
 15 Safety) of the Jersey City Code to dissolve the
 16 Jersey City Parking Authority and to consolidate
 17 and assume the functions of the Parking
 18 Authority within the Department of Public
 19 Safety.
 20 This is a public hearing on this
 21 ordinance. And I have Yvonne Balcer.
 22 MS. BALCER: Yes, I am in favor of
 23 this; and I will tell you why. During election
 24 time I voted for you or whoever is up there. I
 25 hold you accountable. The problem with the

1 Parking Authority is that we do not elect them
2 They bond. They bond my tax dollars; and I have
3 no way of saying, Well, did you do a good job?

4 I would like to see really all
5 autonomous agencies dissolved because they bond,
6 bond, bond and I can't hold them accountable the
7 way I can hold you accountable. That's my point
8 of view.

9 So I am in favor of this. There
10 was a real problem years ago when they were
11 booting people, especially Downtown. And they
12 were booting illegally, and you couldn't get
13 your money back So I had to -- I mean, I would
14 come to you and say there was a problem. And I
15 could say, you know, whoever you are, like
16 Miss Osborne, "I don't agree with that," to your
17 face, whoever I'm talking to -- not you
18 personally. But I can't do that because they
19 are autonomous agency. So I want to see all
20 autonomous agencies dissolved.

21 That's from my point of view
22 because I look at the budget a lot. And we have
23 racked up a lot of debt. There was a parking
24 lot Downtown during the Schundler administration
25 in which they spent top dollar on something that

1 was not worth that. Now, did we need a parking
2 lot? Yes, we needed a parking lot Downtown.
3 But should we have paid that kind of money for
4 it? No. But then again, how do you hold
5 someone accountable if they are not elected and
6 don't run for office? If I don't like what you
7 do, I could vote against you, and I could make
8 that an issue. If I like what you do, I'm going
9 to come here and say I agree with you.

10 So it is nothing to do about who
11 is Mayor or the agency. It's nothing to do with
12 the Parking Authority. If this was
13 Redevelopment Agency, I would be -- I would be
14 thrilled to death. And that would be one agency
15 I would love to see dissolved is Redevelopment
16 Agency, honest and truthfully.

17 But it is nothing to do with
18 protecting -- I just don't like the idea of
19 someone making decisions about my tax dollars
20 and they're not voted into office and I can't
21 hold them accountable. And they don't have to
22 come to my meetings. I mean, they ignore you.
23 Don't even come to the meetings. And it's not
24 an issue about who was the Mayor or who is not
25 the Mayor. It's the issue of I want my tax

1 dollars protected. So please vote yes. Thank
2 you.

3 MR. GALLAGHER: This is still a
4 public hearing. And I see Jayson Burg.

5 MR. BURG: Thank you. Jayson
6 Burg.

7 Now, it's good that this is
8 happening, the consolidation, dissolving.
9 Question about the leadership: How much is
10 being eroded from the top? Good question. And
11 also issue of seniority of these employees
12 coming from a -- a autonomous agency into
13 another agency and the pension and conversion.

14 Now, after --

15 MR. LAVARRO: Can I jump in,
16 Jayson?

17 MR. BURG: Yes.

18 MR. LAVARRO: Those are all very
19 good questions. So I should have said this at
20 the outset. We've discussed this at caucus, and
21 the Council is going to form a committee to
22 address all of those questions. We're actually
23 going to table this ordinance tonight, and the
24 Council is going to form a committee to address
25 all of the questions that you are raising. We

1 are going to have a committee that's comprised
2 of three Council Members; myself, Councilwoman
3 Joyce Watterman, Councilman Gajewski, as well as
4 Mary Paretti from the Parking Authority, a board
5 member and members of the Mayor's staff, as
6 well.

7 MR. BURG: Could it be also
8 including the union of the employees that are
9 there too? Because, again, they need a voice in
10 this program too because -- again, I just want
11 to be -- have truth, justice and fairness to all
12 parties. We're saving I don't know -- how much
13 are we saving with the cutting of the head of
14 the fish? How much are we saving on
15 administration costs?

16 MR. YUN: \$1.6 million.

17 MR. BURG: \$1.6 million?

18 MR. YUN: Approximately.

19 MR. BURG: And with the remaining
20 of the body, we will not be laying off any
21 individuals, will we, outside the main
22 workforce?

23 MR. LAVARRO: We are going to have
24 a committee that is going to review all that and
25 make sure -- because our intention is to ensure

1 that the people who are -- as we look to
2 consolidate, that the people who do the
3 day-to-day jobs and work of keeping -- doing --
4 issuing parking tickets and, you know, making
5 sure that we have parking, sufficient parking in
6 the City, that we have all of that in place.

7 So I can't answer your question
8 directly, but we will certainly review all that
9 and see what kind of recommendations we come up
10 with.

11 MR. BURG: Very good. It's very
12 good that you guys do work as a committee
13 because, again, when you have many people
14 working together to create a master mind, very
15 important. Thank you very much. Appreciate it.

16 MR. GALLAGHER: Kabili Tayari.

17 MR. TAYARI: Mr. President -- oh,
18 I was -- I am very concerned. I think the
19 consolidation is a good idea, but I'm very
20 concerned because I've seen this happen. There
21 was a committee put in place to analyze the
22 JCIA/DPW. We haven't heard anything about that
23 analysis. And when that idea was put forward
24 the same kind of questions was asked, and there
25 was going to be an analysis. This is -- it's

1 very dangerous when cost savings, pensions,
2 layoffs, those things can't be specified. And
3 this is not an old idea.

4 I -- I would just say humbly,
5 Mr. President, because I know this is a yeoman's
6 job, but these things have got to be done before
7 votes are taken because after people are hurt,
8 there is no taking it back. You know, I mean,
9 people -- people have families to feed; and they
10 need to know, you know, in advance that things
11 are coming down the pike. There has been a lot
12 of discussions about the pensions -- what was,
13 what is not happening -- just not here in Jersey
14 City but throughout our State. And it's being
15 discovered that, you know, it's not all what
16 people been claiming that it is.

17 I'm just speaking to you tonight
18 as -- as a bureaucrat myself who is just saying
19 that these questions that are being raised. I
20 would not say don't do this, but I would say
21 postpone it until these questions can critically
22 be answered because these are serious questions
23 and I know you're facing a serious task. So I'm
24 not against. I'm just -- I am experienced. I
25 am just very concerned.

1 MR. GALLAGHER: Kabili, their
2 intention is to table the ordinance after we
3 close the public hearing.

4 MR. TAYARI: Thank you. Thank
5 you, Jesus.

6 MR. GALLAGHER: I was just
7 speaking to him directly because he was saying
8 he wanted to postpone it.

9 Just wanted to make --

10 MR. TAYARI: Right.

11 MR. GALLAGHER: -- you understand
12 that they are -- their intention is to table it.

13 MR. TAYARI: Thank you.

14 MR. GALLAGHER: You're welcome.

15 MR. TAYARI: All nine of us.

16 MR. RAMCHAL: Kabili.

17 MR. TAYARI: Yes.

18 MR. RAMCHAL: Just want to talk to
19 you about what you said on DPW/JCIA. Yes, we
20 are going to have a committee in place for that,
21 as well.

22 MR. TAYARI: Again, I applaud
23 that.

24 MR. GALLAGHER: Any other member
25 of the public wishing to be heard? If you can

1 state your name and spell it for me slowly.

2 MS. HUNT: My name is Kathleen
3 Hunt, H-u-n-t; and I am a representative --

4 MR. GALLAGHER: Kathleen with a
5 "K"?

6 MS. HUNT: Kathleen with a "K."
7 H-u-n-t. I am a representative with United
8 Industrial Workers Union.

9 United Industrial Workers Union
10 represents the majority of the workers at the
11 Jersey City Parking Authority. And I'm
12 delighted to hear that you are tabling this.

13 And I am on the speakers list;
14 but in the interest of time, I just wanted to
15 make a quick statement that I do represent --
16 well, let me start by staying the United
17 Industrial Workers is also a part of the
18 Seafarers International Union. We are currently
19 based in Brooklyn, New York; but I'm delighted
20 to say that come this spring we will be
21 relocating to 104 Broadway right here in
22 beautiful Jersey City. So we're delighted to be
23 coming to Jersey City.

24 Again, we represent the majority
25 of the workers at the Parking Authority, and we

1 are delighted to hear that there is going to be
2 a committee to explore the personnel and labor
3 issues that would be impacted by the dissolving
4 of the Jersey City Parking Authority. It was
5 something that was recommended by Newport that
6 was done at your behest, City's behest with
7 regards to this issue.

8 I did have the opportunity to
9 speak with Mayor Fulop last week about this, and
10 he does understand the employment impact. And I
11 would just like to say that the UIW would
12 welcome the opportunity to work with the
13 committee to address these issues to ensure that
14 there is a fairness to all really dedicated and
15 loyal employees at the Parking Authority as you
16 go through this process.

17 So thank you very much. And we
18 look forward to working with the City.

19 MR. LAVARRO: Do you have a card?

20 MS. HUNT: I do have several. I
21 will leave them. Thank you very much.

22 MR. GALLAGHER: This is still a
23 public hearing on this ordinance. Any other
24 member of the public wishing to be heard?

25 Pat.

1 intervened and would prevent the Parking
2 Authority from doing -- from instituting changes
3 like having a prosecutor go to the court. You
4 want to beat a ticket at the Parking Authority,
5 go to court. There is nobody there to defend
6 the Parking Authority. They were never allowed
7 to have their own prosecutor.

8 The building, itself, that they
9 purchased a few years ago, when they bought it,
10 it was -- well, you had the CCTV in there.
11 Under the previous administration they were
12 going to move City departments into that
13 building. They -- they actually outfitted the
14 building with fiberoptics and all. But the City
15 opted to rent in higher-priced places, like 30
16 Montgomery Street. Yeah, they put Health &
17 Human Services or what have you in the building.

18 Meter maintenance, as interesting
19 in that report, that other City departments do
20 the meter maintenance. Only the Parking
21 Authority does the meter maintenance.

22 And one very bad inference is
23 theft of coins. There is no theft at the Jersey
24 City Parking Authority of coins. Actually,
25 there is a lot of steps and fail-safes that are

1 MR. O'MELIA: Pat O'Melia, 130
2 Congress Street. The Jersey City Parking
3 Authority, the evil empire, formerly public
4 relations person for them.

5 No disrespect for my colleague
6 Yvonne Balcer, actually, you can complain to the
7 Parking Authority. They have Sunshine meetings.
8 They have meetings every month where the public
9 is invited, unlike DPW or Building &
10 Construction; they don't hold any public
11 meetings. Autonomous agencies do. And every
12 month you can go and you can complain Mary
13 Spinello -- she is Paretti now -- and you will
14 actually be heard.

15 I have been doing this a long
16 time. I have gone to a lot of those meetings.
17 I have been to a lot of these meetings.

18 I am not going to speak to the
19 union contracts and the pensions and the
20 insurance matters. You need someone smarter
21 than me to do that.

22 I read the report from Lesniak.
23 Most of the sensible recommendations made before
24 were made by the Jersey City Parking Authority
25 for years. Usually administration had

1 in place. Nobody is walking off with so much as
2 a quarter there.

3 The Jersey City Parking Authority
4 is basically a retail operation. It is unlike
5 any other department or agency in the City of
6 Jersey City. It deals directly with the public
7 every day. I will venture to guess more people
8 go to the Jersey City Parking Authority or
9 interact with it than do City Hall. You
10 understand dealing with the public in a retail
11 business, it's pretty much what the Parking
12 Authority is. There is many ribbons to tie a
13 bow that they have, and it's totally different
14 than Building & Construction or DPW or Health &
15 Human Services, all of them. Different animal.
16 It is truly a retail operation.

17 We need to dissolve it? No.
18 Does it need to be tweaked? Oh, man, we have
19 been saying it needs to be tweaked for years.
20 Maybe that's what we should look at.

21 As far as this committee, I would
22 like to volunteer to be on it as a member of the
23 public. So if you can please put me on there,
24 I'd appreciate it.

25 But believe me, Parking Authority

1 is probably the most efficient run agency we
2 have in this City. If you can name one that's
3 run better -- maybe the Police Department,
4 itself, or the fire, maybe. But it is a well
5 run, efficient operation.

6 But -- quick story. When I was
7 the Parking Authority PR guy, I went to all the
8 community meetings. For the first 10, 15
9 minutes they used to beat me to death, those
10 people; who got a ticket, who got a ticket, who
11 got booted. Then, for the next hour, you know
12 what they asked for? More enforcement. That's
13 the Jersey City Parking Authority.

14 MR. BOGGIANO: Pat, could I -- I
15 just want to say something. I resented
16 Lesniak's report because, number one, it didn't
17 say the amount of income they brought in, the
18 \$7 million. And as I told them, if I pay the
19 \$50,000, they better come back with a report
20 that's favorable to me. And secondly, they just
21 picked a committee of three people. You notice
22 Michael Yun or I weren't asked to be on it. And
23 we objected to the closing of The Port Authority
24 the way it was.

25 MR. O'MELIA: I have faith in the

1 committee. I would like to be a member of it.
2 That 7 million budget, they bring in somewhere
3 12 to 14 million a year. The problem is we
4 don't have any accurate accounting from the
5 municipal courts. That's a problem. Keep in
6 mind, only get about \$8 a ticket. And any other
7 state ordinances, they get no money on that.
8 But it truly is an ATM machine for the City of
9 Jersey City.

10 MR. YUN: Pat, I think you bring
11 up a very good point because Council President
12 and the Mayor set up the committee; but they
13 have no citizen representative.

14 Council President, can we add
15 citizen representative at that committee? Is it
16 possible?

17 MR. LAVARRO: It's possible, yes.

18 MR. O'MELIA: I would like to
19 volunteer.

20 MR. LAVARRO: We will take that
21 under consideration.

22 MR. YUN: Thank you very much,
23 Council President.

24 MR. LAVARRO: Before you come up,
25 Jack.

1 Yvonne, were you -- a problem

2 or --

3 MS. COLEMAN: She spoke already.

4 MR. LAVARRO: Okay.

5 MR. GALLAGHER: Next.

6 MR. TARANTULA: Good evening. My
7 name is Jack Tarantula. I am a newly elected
8 chair of the Parking Authority. I've been in --
9 involved in the City for approximately 33 years.
10 I worked for the Fire Department. I first
11 started in the City as a firefighter 1968 as a
12 fireman. Later on went on to be a captain. I
13 spent 12 years in Alcohol and Beverage Control,
14 headed them as the chair. I am in my eighth
15 year with the Parking Authority, currently the
16 chair. I served, as I said, as a commissioner
17 on both those authorities.

18 In my eight years on the parking
19 authority -- again, first of all, I'm glad you
20 tabled this. That's my main objective tonight.
21 I would like to be given the opportunity to sit
22 down and tell the Council, each and every member
23 of the Council, the things that we do that is
24 not mentioned in these reports, the actual
25 dollars and cents that we do create for the

1 City. Anywhere from 7 million to \$12 million
2 per year we turn in to the City. We get a
3 budget of \$1 million per year from the City.
4 And we, in return, give anywhere from 7 to
5 12 million.

6 Of course, there are a lot of
7 dedicated employees, parents dependent on that
8 job. There are a lot of good employees there.
9 It's a good organization. There is no thievery
10 there. There is a lot of accounts and balances.

11 We -- we're involved in snow
12 removal. We're involved with OEM. We shuttle
13 people, nurses and doctors back and forth in
14 snowstorms. There is a lot of hidden things
15 that doesn't even show up in this report. So
16 I'm asking for the chance to rebut all this.
17 We'd like to sit down with you guys. We --
18 we're open to any discussion. We'd like to get
19 back on track.

20 We really don't want -- we have
21 been in business there since 1949. It's a good
22 building. We have a positive cash flow.
23 Especially you guys will occupy some of the
24 offices that we do have open. We cost the
25 taxpayers nothing. We -- we pay for everything

1 that we get ourselves. And like you say,
2 included -- anywhere from seven to \$12 million a
3 year we return back to the City. So we cost the
4 taxpayers nothing at all. What's the savings
5 going to be by abolishing this I don't know.

6 MR. BOGGIANO: Jack, can I ask you
7 something? Were you interviewed by the lawyers
8 at --

9 MR. TARANTULA: Not at all. We
10 weren't given that opportunity.

11 MR. BOGGIANO: I don't understand
12 how they did a report this thick, report like
13 this, when I understand -- I don't think anybody
14 really was interviewed, not even the director.

15 MR. TARANTULA: It's -- it appears
16 to be politics. There is a certain group of
17 people that they seem to be out after to get and
18 if --

19 MR. BOGGIANO: Yeah, we paid
20 \$50,000 for that report.

21 MR. TARANTULA: So far.

22 MS. WATTERMAN: Twenty.

23 MR. BOGGIANO: Twenty? I thought
24 we appropriated 50.

25 MR. YUN: 20. Now they ask

1 MR. YUN: He can answer what we
2 ask; is that right?

3 MR. LAVARRO: It's not wrong. By
4 law technically all responses go -- are directed
5 to the Council President, so as to avoid kind of
6 the sort of one-on-one dialogue and conversation
7 that goes on and banter that could go on in that
8 regard.

9 So you have done nothing wrong,
10 Jack.

11 MR. TARANTULA: We also own 14
12 parking lots outright, straight up; we have no
13 debt there at all. The only debt we have is on
14 the building. And if the City would occupy some
15 of our offices, it would put us in a positive
16 cash flow. And we are no burden to the City
17 whatsoever. If there are some employees there
18 that should go, let's get rid of them; I'm all
19 for it.

20 MR. RIVERA: Jack, you know, I'm
21 available this Friday at 10 a.m., if you could
22 come down to my office and speak to me.

23 MR. TARANTULA: I'm available. I
24 will make a point of it.

25 MR. RIVERA: This Friday I will

1 \$15,000 more.

2 MR. BOGGIANO: It's ridiculous.

3 MR. TARANTULA: Like I said, I
4 would like the opportunity to dispute this.
5 We'd like to sit down. We're willing to work
6 along with any adjustments that the Council and
7 the Mayor would like to do, but I don't think
8 the agency should be abolished.

9 MR. LAVARRO: Sir, if you can
10 speak to the Council President, address the
11 general subject, as opposed to one-on-one
12 conversation. I'm sorry, Jack.

13 MR. TARANTULA: I am addressing
14 everyone.

15 MR. LAVARRO: Yeah, yeah, address
16 all of us or address me.

17 MR. TARANTULA: My conversation is
18 to the whole Council. What I'm saying is it's a
19 good agency. It's not what -- we're not what we
20 are portrayed to be.

21 MR. YUN: Council President, can I
22 make quick question? When they public speak,
23 when they speak, if we are concerned, can we ask
24 them?

25 MR. LAVARRO: Yes, yes.

1 put you there, 10 a.m.

2 MR. TARANTULA: We would like to
3 really address the whole Council.

4 MS. WATTERMAN: Can only be three
5 at a time.

6 MR. RIVERA: Only three at a time.

7 MR. TARANTULA: Thank you.

8 MR. GALLAGHER: Okay.

9 MR. TARANTULA: Okay. Thank you.

10 MR. LAVARRO: Thank you, Jack.

11 MR. TARANTULA: Thank you.

12 MR. LAVARRO: Are there any other
13 comments?

14 MR. GALLAGHER: This is still a
15 public hearing on this ordinance. Any other
16 member of the public wishing to be heard?

17 MS. COLEMAN: Motion.

18 MS. OSBORNE: Second.

19 MR. GALLAGHER: Motion made by
20 Councilperson Coleman, seconded by Councilperson
21 Osborne. To close the public hearing -- on the
22 motion to close the public hearing,
23 Councilperson Gajewski?

24 MR. GAJEWSKI: I just need the mic
25 for a second. Just before I vote I just want

1 to --

2 MR. LAVARRO: This is just to
3 close the public hearing.

4 MR. GALLAGHER: Just to close the
5 public hearing.

6 MR. GAJEWSKI: I know. I am going
7 to vote; but my colleague, what Richie said, I
8 just wanted to clarify it. I don't know if he
9 meant, when he said he wasn't on the committee,
10 if it was meant to be punitive. The committee
11 was actually formed prior to the vote last
12 meeting. So nothing was meant to be punitive.

13 I don't know if you meant it that
14 way, Richie.

15 Well, the committee was picked
16 prior to the original reading of the ordinance.
17 And I am sure I was asked as prior Chief of
18 Police. And I also served as a commissioner on
19 the Parking Authority one time.

20 So I vote to close the meeting,
21 aye.

22 MR. GALLAGHER: Councilperson
23 Ramchal?

24 MR. RAMCHAL: Aye.

25 MR. GALLAGHER: Councilperson

1 MR. GALLAGHER: I am hearing
2 other -- if we can just be quiet because it's
3 hard for me to hear with just one mic. So
4 motion made by?

5 MR. LAVARRO: Watterman.

6 MR. GALLAGHER: Watterman, thank
7 you. And seconded by Councilperson?

8 MR. LAVARRO: Coleman, Coleman.

9 MR. GALLAGHER: Coleman.

10 On the motion to close -- excuse
11 me. On the motion to table City Ordinance
12 14-017 after the close of the public hearing,
13 Councilperson Gajewski?

14 MR. GAJEWSKI: Aye.

15 MR. GALLAGHER: Councilperson
16 Ramchal?

17 MR. RAMCHAL: Aye.

18 MR. GALLAGHER: Councilperson
19 Boggiano?

20 MR. BOGGIANO: Aye.

21 MR. GALLAGHER: Councilperson Yun?

22 MR. YUN: Aye.

23 MR. GALLAGHER: Councilperson
24 Osborne?

25 MS. OSBORNE: Aye.

1 Boggiano?

2 MR. BOGGIANO: Aye.

3 MR. GALLAGHER: Councilperson Yun?

4 MR. YUN: Aye.

5 MR. GALLAGHER: Councilperson

6 Osborne?

7 MS. OSBORNE: Aye.

8 MR. GALLAGHER: Councilperson

9 Coleman?

10 MS. COLEMAN: Aye.

11 MR. GALLAGHER: Councilperson

12 Rivera?

13 MR. RIVERA: Aye.

14 MR. GALLAGHER: Councilperson

15 Watterman?

16 MS. WATTERMAN: Aye.

17 MR. GALLAGHER: And Council

18 President?

19 MR. LAVARRO: Aye.

20 MR. GALLAGHER: Motion to close
21 the public hearing is carried nine-zero. Can
22 I -- do we have a motion to table City Ordinance
23 14-017 after the close of the public hearing?

24 MS. WATTERMAN: Motion.

25 MS. COLEMAN: Second.

1 MR. GALLAGHER: Councilperson
2 Coleman?

3 MS. COLEMAN: Aye.

4 MR. GALLAGHER: Councilperson
5 Rivera?

6 MR. RIVERA: Aye.

7 MR. GALLAGHER: Councilperson
8 Watterman?

9 MS. WATTERMAN: Aye.

10 MR. GALLAGHER: And Council
11 President?

12 MR. LAVARRO: I just want to make
13 one comment. So we are tabling this. And with
14 the -- with the intention of moving forward, to
15 be clear. So we are going to do a thorough job
16 in putting the committee together to review this
17 and review the materials and plot a course and
18 strategy that will hopefully facilitate a
19 smooth -- smooth transition in that regard.

20 I just want to speak to the idea
21 of the composition of the Council committee, of
22 the committee examining the and putting in the
23 recommendations on the dissolution of the
24 Parking Authority. So that's my call,
25 Councilman Boggiano. You can -- if you have

1 complaints about that, you can take that
2 directly to me.

3 And, you know, I -- what I will
4 say in terms of how that -- how those decisions
5 are made, I can give you a little -- little
6 insight into my thinking, Councilman Boggiano,
7 is that the -- the insight there is we're
8 looking to work with people -- I'm looking to
9 work with people who are looking to work
10 cooperatively to achieve common goals and shared
11 vision. So, you know, we are not looking for
12 people who are looking to be obstructionist, to
13 disrupt the process. If you are willing to
14 offer input, things of that nature, then we will
15 take that input and -- and work cooperatively in
16 getting things done.

17 MR. BOGGIANO: If we have an
18 opposite view --

19 MR. LAVARRO: I'm speaking now,
20 Mr. Boggiano. It is my turn to speak. You
21 passed on your opportunity.

22 So we will work together with
23 those who want to work together with us, as
24 well.

25 So with that I vote aye.

1 MR. GALLAGHER: Thank you. Just a
2 little explanation. Even though we are tabling
3 after the close of the public hearing, if the
4 Council wishes to conduct another public hearing
5 prior to when they do intend to vote on this,
6 they are allowed to do that. So I just wanted
7 to make that clear for the public. Council
8 Members had come up to me and asked me if that
9 was a possibility, and I believe it is.

10 MR. BOGGIANO: Sean, can I say
11 something?

12 MR. GALLAGHER: Council President.

13 MR. LAVARRO: Let's move on to the
14 next item on the agenda.

15 MR. BOGGIANO: No, no, wait a
16 minute. You just said something; because if we
17 object to something, we are obstructionist.
18 That is not correct. We have a right to say if
19 we disagree.

20 MR. LAVARRO: You have a right to
21 say whatever you want. You have every right to
22 do that.

23 MR. BOGGIANO: Don't say we're
24 obstructionist.

25 MR. LAVARRO: I did say that.

1 MS. COLEMAN. Because they
2 voted --

3 MR. LAVARRO: No not because they
4 voted certain way. It's the tenor -- Councilman
5 Boggiano, it's the tenor of the conversation.
6 It's the respect accorded to your fellow
7 colleagues on the Council, as well as the
8 administration. It's the way we conduct
9 ourselves in doing business that I say, you
10 know, that makes a difference in how we make
11 decisions -- I make decisions on who I'm going
12 to work together in forming committees.

13 MR. BOGGIANO: Don't make a
14 statement like that.

15 MR. LAVARRO: Well, it's made.

16 MR. BOGGIANO: Well, then --

17 MR. GALLAGHER: Council Members,
18 without having mics it's not fair to each and
19 every one of them. So if we can move forward,
20 that would be great.

21 MR. YUN: Sean, then would you
22 make sure that make this microphone to work
23 first, then. It is not working. I'm sorry.
24 Now you can say that.

25 MR. BOGGIANO: Just don't say that

1 we are obstructionist because we disagree with
2 what they think. We have a right to say what we
3 want and to feel the way we do.

4 MR. LAVARRO: You have a right to
5 say whatever you want. And there are rules of
6 order of this Council meeting, and as such you
7 have already broken the rule there. So the vote
8 is over. The agenda item has been finished.
9 And, you know, you march to the beat of your own
10 drummer, Rich; and that's fine. You can do what
11 you want in that regard; but, you know, if you
12 can't see for yourself like that -- that the
13 behavior --

14 MR. BOGGIANO: The use of the word
15 "obstructionist," don't use that word. That's
16 all I'm saying. You can disagree with us,
17 however you feel; but don't use the word
18 "obstructionist" --

19 MR. LAVARRO: I disagree.

20 MR. BOGGIANO: -- because we have
21 a right to say how you feel.

22 MR. LAVARRO: You can say however
23 you can feel.

24 MR. BOGGIANO: Michael Yun and I
25 have been around for many years; we know quite a

Page 90	Page 92
1 bit about this City. So don't make us look like 2 we are obstruction -- obstructionists. 3 MR. GALLAGHER: Okay. 4 MR. LAVARRO: Point made. 5 MR. GALLAGHER: On to our next 6 order of business, City Ordinance -- excuse me 7 item 4e, City Ordinance 14-018. It's an 8 ordinance amending Chapter 175 (Food Handling 9 Establishments) Article II (Mobile Food Vendors) 10 and Chapter 160 (Fees and Charges) of the Jersey 11 City -- thank you -- of the Jersey City 12 Municipal Code to amend the licensure and 13 inspection process for mobile food vendors and 14 to increase the license fee for mobile food 15 vendors. 16 This is a public hearing for this 17 ordinance. 18 I see Yvonne Balcer. 19 MS. BALCER: Yes. My only concern 20 that I have here is that I do agree with Michael 21 Yun, Councilman. He made a comment that we 22 should expand the background check. And I 23 absolutely understand the City's issue on second 24 chance; but to me the Second Chance Program 25 should be something like a young kid, when he	1 the idea that there need to be some background 2 checks. There was just a question of what kind 3 of language needed to be done. 4 I have instructed Corporation 5 Counsel to already begin drafting the language 6 so that there is no delay in that. And, you 7 know, there is no -- you know, there is just a 8 question of what the language is, so that we are 9 not adversely impacting others who may need -- 10 who may have some other violation in their past 11 that doesn't rise to the level of stopping them 12 from earning a living. 13 MS. BALCER: I agree with you with 14 that. 15 MR. LAVARRO: Lastly, I think it 16 was also brought up that there were people on 17 certain lists and sexual predators, things of 18 that nature, that they wouldn't make it into 19 this because they're on -- they're on the list, 20 anyway, and they shouldn't be able to obtain 21 this sort of license as a result -- just from a 22 natural -- just -- just because we would know 23 who they are, right. 24 MS. BALCER: Yeah, I see many 25 times -- I lived on Van Vorst Park for many
Page 91	Page 93
1 was probably 17 or 18, maybe he was selling 2 drugs and that's a problem getting a job. I do 3 think there are certain people, certain fields 4 who are dealing with the public that there 5 should be a background check; I absolutely 6 agree. When people have children and there is 7 chaos going on, sometimes you are not focusing 8 on your child. 9 So I would like to see the issue 10 of a background check. And let the City decide 11 what type of background check. But we just 12 can't ignore and throw the baby out with the 13 bath water and say there should not be any 14 background check. 15 MR. LAVARRO: Yvonne, may I 16 address that? 17 MS. BALCER: Sure. 18 MR. LAVARRO: So this was 19 addressed in the caucus, and I believe you were 20 there. 21 MS. BALCER: Yes. 22 MR. LAVARRO: I noted some 23 comments about this as well. But I will say 24 that, you know, as we said in the caucus 25 meeting, that there is agreement, I think, about	1 years. And I have seen children go up to an ice 2 cream truck by themselves, their parents way in 3 the park talking to a friend; and they are not 4 looking at their kid. So the reason is children 5 who do go up to a vendor by themselves and the 6 parents are like busy chatting away. So yes. 7 And it's not just sexual assault. There is -- 8 you know, I'm a teacher. I know what happens to 9 children in real life. So, yes, I want to make 10 sure that language is there. And I commend you 11 for it. 12 MR. LAVARRO: We will put it 13 together. 14 MS. BALCER: Thank you very much 15 for your suggestion. 16 MR. YUN: I'm sorry, what did I 17 do? 18 MS. BALCER: Thank you very much 19 for bringing it up in the caucus room. 20 MR. YUN: Oh, okay. Thank you. I 21 thought I did something wrong. 22 MR. GALLAGHER: Thank you. This 23 is still a public hearing on this ordinance. 24 Any other member of the public wishing to be 25 heard?

1 Jayson Burg.
 2 MR. BURG: Thank you very much.
 3 Jayson Burg speaking again. With the amount
 4 of -- what are the amount of vendors that are
 5 currently on the block, and will there be an
 6 increase in vendors for the new ordinance coming
 7 up?
 8 MR. LAVARRO: Increase in number
 9 of vendors?
 10 MR. BURG: Yes. What are the
 11 amount of vendors that are currently in the
 12 City?
 13 MR. LAVARRO: Director Flanagan.
 14 Director Flanagan.
 15 She is here. Want the BA to
 16 speak? Is it 227?
 17 MR. YUN: Okay. They have 227
 18 license to issue.
 19 MS. WATTERMAN: Use the mic.
 20 MR. YUN: I'm sorry. Okay. They
 21 have 237 -- oh --
 22 MS. FLANAGAN: There are currently
 23 237.
 24 MR. GALLAGHER: No, Stace, if you
 25 can come up to the mic.

1 I do apologize, Ladies and
 2 Gentlemen, for this inconvenience that we are
 3 going through. But if you can bear with us, we
 4 greatly appreciate it. Thank you.
 5 MS. FLANAGAN: There are 237 food
 6 truck licenses. This ordinance has not removed
 7 a cap on those licenses. However, this
 8 ordinance increases some of the rules and
 9 regulations that would make it difficult to
 10 renew your license after April 1st, if you do
 11 not comply with the changes in the ordinance,
 12 which at this current time -- because we see
 13 approximately 75 vendors on the street actively,
 14 we believe that that would reduce the total
 15 number of vendors that are actually out there,
 16 which allows for new opportunities and
 17 entrepreneurship and greater food resources
 18 across the City, which is part of phase two and
 19 phase three of an ongoing healthy food resource
 20 vision that Councilman Rivera has for the City.
 21 MR. BURG: In addition to that,
 22 would that also -- I know earlier in the year
 23 there was a provision where the vendors had to
 24 move after so many hours. Is that -- is this --
 25 that's not part of this -- this ordinance, is

1 it?
 2 MS. FLANAGAN: It is currently
 3 part of this ordinance. This ordinance states
 4 that every four hours, which is an increase from
 5 the two hours that currently exists.
 6 MR. BURG: So in -- so in the four
 7 hours they come back, then they go someplace
 8 else. The problem is trying to find parking.
 9 And, again, the whole point of a vendor is that
 10 you'd like to be able to know the vendor is at
 11 the same spot. It creates a challenge for
 12 continued services. You know, you go to the
 13 store, you know that that store is there. But,
 14 again, if you like particular vendor, he is not
 15 there after four hours, you have to find where
 16 they are. It would really be nice to know
 17 where -- where they could be found. I'm just
 18 thinking out of the box for the -- for their
 19 problems.
 20 MR. GALLAGHER: Would you like a
 21 copy of the ordinance, Jayson? Would you like a
 22 copy of the ordinance?
 23 MR. BURG: Yes. Thank you.
 24 MR. GALLAGHER: You're welcome.
 25 Thank you.

1 This is still a public hearing on
 2 the ordinance. Any other member of the public
 3 wishing to be heard?
 4 MS. QUINTANA: Good afternoon.
 5 Good evening. My name is Celest Quintana, and I
 6 am a merchant on Central Avenue.
 7 MR. GALLAGHER: Can you -- I'm
 8 sorry, ma'am, can you spell your first name and
 9 last name for me.
 10 MS. QUINTANA: My first name is
 11 Celest, C-e-l-e-s-t. My last name is
 12 Q-u-i-n-t-a-n-a.
 13 MR. GALLAGHER: Thank you.
 14 MS. QUINTANA: Just for the
 15 record, that it was very, very difficult to hear
 16 out there. And, I don't know, we have been very
 17 patient; but I could assure you that half of
 18 what you proposed tonight has not been heard by
 19 those constituents out there. So it was very,
 20 very difficult, and I was very diligently paying
 21 attention. So I don't see how this is valid
 22 that everybody just having very, very difficult
 23 time hearing. But, anyway, that is not the
 24 issue.
 25 MR. LAVARRO: Thank you. Thank

1 you for that input.

2 MS. QUINTANA: The merchants
3 association on Central Avenue has been
4 diligently fighting this issue with the food
5 vendors. So we have 237 licenses out there.
6 Seventy-seven or 78 are actively being used
7 right now, if that's correct.

8 MR. YUN: Yeah.

9 MS. QUINTANA: So reading just
10 what the ordinance is tonight and reading what
11 is here, I -- I don't see the correlation other
12 than just tonight just what you want to handle
13 on the food handling issue. It doesn't state
14 everything that's on this document that I'm
15 holding on my right hand. This, it's
16 misleading, what you are proposing to pass
17 tonight; and it should be thoroughly disclosed
18 for the purpose of clarity, for the purpose of
19 openness and transparency in government. This
20 is not correct.

21 MR. LAVARRO: I don't understand
22 what you mean by "misleading."

23 MS. QUINTANA: Well, your
24 ordinance, all it says is "food handling
25 establishment." It's all dealing with the

1 every storefront can be occupied, the sidewalk
2 or the street, by a food vendor. I have an
3 issue with that. People that are merchants --
4 can I speak?

5 MR. LAVARRO: You may.

6 MS. QUINTANA: Thank you, sir. --
7 that are there pay insurance, pay taxes, water
8 bill, utility bills, garbage bills; they clean
9 the sidewalk. They do all these things. So by
10 putting all these vendors in front of their
11 restaurants and in front of their stores, you
12 theoretically are going to drive them out of
13 business. The economy is such right now that
14 these people are being cut by a thousand paper
15 cuts and they're slowly, slowly bleeding to
16 death.

17 Central Avenue should be the same
18 way that it is in Journal Square. And it should
19 be a part of Journal Square and have no food
20 vendors outside in -- in the -- in Central
21 Avenue. The parking stalls that are there, the
22 meters, they are needed for the people that are
23 there right now. Thank you so much.

24 MR. LAVARRO: So before the next
25 speaker comes up I just want to make a comment

1 health issue and the running of the food court.
2 It doesn't state all that's in here or the
3 majority of what's in this document over here.

4 MR. LAVARRO: What are those two
5 documents?

6 MS. QUINTANA: Well, this is --
7 this ordinance that I have.

8 MR. LAVARRO: That is the
9 ordinance proposed.

10 MS. QUINTANA: Right.

11 MR. LAVARRO: And what is the
12 other document?

13 MS. QUINTANA: The other document
14 is what you have captioned that is over here.
15 It's just dealing with the food handling with
16 the health issues. So I -- I don't get the
17 correlation. Okay.

18 Another thing is that if you --
19 if those -- the restaurants -- the -- the
20 buildings and the storefronts that are empty on
21 Central Avenue, that's where the -- the
22 entrepreneurs should be inside those -- those
23 buildings. They should not be -- there is
24 237 -- there is about 237 storefronts on Central
25 Avenue. So that means that theoretically that

1 because I should have said this at the outset.
2 This ordinance changes the fees and some of
3 the -- Director Flanagan stated the fees and
4 some of the regulations by which people are
5 licensed in terms of the -- what they have to do
6 to qualify to get a license, it changes nothing
7 else. So all of the rules stay the same
8 otherwise. So essentially it changes nothing.

9 MS. FLANAGAN: Except it actually
10 requires water --

11 MR. GALLAGHER: Director Flanagan,
12 if you can just come up to the mic.

13 MS. FLANAGAN: Yeah, I don't think
14 the mic works, based on what people are saying.

15 MR. GALLAGHER: Excuse me. Can
16 you hear her? Thank you.

17 MS. FLANAGAN: So the ordinance
18 changes the fact that actually vendors need to
19 actually have water and garbage, just like, you
20 know, other vendors within brick and mortar.
21 And so they're actually additional items to
22 increase the health of the public as part of
23 this ordinance.

24 As I said earlier, there are
25 three phases to the overarching healthy food

resources throughout this City. And this is phase one of changing the health code-related issues in this ordinance. You will see us in, you know, the next several weeks with zoning and planning changes to this ordinance.

MR. LAVARRO. If I may finish before -- so there are no -- no substantive changes to the ordinance in terms of -- that would impact the way food trucks are currently operating other than they are going to have to be cleaner and a little bit safer.

Currently it is my understanding Central Avenue only has one food truck operating on its streets. So I know that -- I know you've received information. I am going to tell you that -- that you're being misinformed. As business owners, you're being misinformed by SID; and I think they are doing you a great disservice. And if other people are misinforming you, as well, I can tell you I think they are doing a great disservice.

Let me just say, because we have actually gone through before this Council -- the previous Council went through several iterations of trying to change this ordinance and kept

running up against the same problems of trying to change where we locate them, where we park them, so forth, where we position them and whatnot. And there were always big -- a lot of feedback from -- from food truck owners themselves directly about that, where they wanted more access. So at the end of the day nothing got changed there because -- and we withheld licensing. We withheld collecting fees and things of that nature.

All this does is allow what was allowed previously, about maybe a year-and-a-half ago -- I don't know exactly when it was -- to allowing us to again begin to license and begin to collect fees.

The second phase, Councilman Rivera, along with the director and working together -- and I'm sure they are happy to work with the businesses -- to figure out what works in each district, whether it be Central Avenue, whether it be on MLK, whether it's in Downtown, to figure out what works for you with regard to what -- and if it doesn't work at all, you don't want it, then they will work with you on that.

Currently the law is that these

food trucks can't be parked in -- unless there is a commercial district, right, because -- with -- how does it go? Commercial licenses? I don't remember. They are not allowed to park there.

MS. FLANAGAN: This is about healthier Jersey City; I will just keep walking up to the mic.

Currently the ordinance does not allow you to park in metered parking. Central Ave. is known to have extensive metered parking; therefore, Central Ave. is not affected by this ordinance at all. And other locations where there are no meters and basic two-hour parking or extensive parking by hours, there is an ability to park there.

MR. LAVARRO: I will just add, so all these previous iterations, I know, because I was sitting on the Council at the time, that not one business owner from Central Avenue approached us about their -- the concerns about that. So I tell you the only thing that's changed since then is the information you're getting from your SID and from whoever else is informing you about what this -- what the impact

of this ordinance is.

The impact of this ordinance is null, essentially, with regard to the impact of the number of food trucks that should be on -- that would be on Central Avenue, which would be none -- or the only one that's still -- still there. And I'm not even sure where that's located.

So feel free to make comments on it. We will definitely address all of these. And we want to hear that for phase two of the next iteration. It will be far more contentious where people start to talk about where they can put them and where they can't. I can tell you the food truck owners aren't going to line up and say, "We want to be on Central Avenue. And if you say no" -- and the Council will make determinations at that point, but at this point it's status quo. What you have is what you got, and you have got one -- one food truck on Central Avenue, and you will only have one food truck on Central Avenue going forward.

MR. SAPUTO: I just want to be -- my name is Saputo, S-a-p-u-t-o.

MR. GALLAGHER: S-a?

MR. SAPUTO: S-a-p, as in Peter,
u-t-o.

MR. GALLAGHER: Thank you.

MR. SAPUTO: I am the owner of
Gino's Pizzeria, me and my brother. I know
there is only one food vendor on, you know,
Central right now; but essentially people -- all
these, you know, licenses, 237, only 75 are
being used. Come April 1st all these people are
going to -- you know, new clientele will buy
these; and they will be able to pop, you know,
in various places.

And, you know, even though they
will be able to park on Central Avenue, keep in
mind, we're residential. You know, we don't
have a PATH Station. We don't have big office
buildings where, you know, tons of people are
coming out. We count on like school teachers
during lunch, children coming out of school and,
you know, the parks, Pershing Field, Washington
Park, where people --

We sponsor baseball teams. Other
pizzerias, other people sponsor teams. We deal
with churches, lot of charitable things. And if
these food trucks are, say, parking on Summit

Avenue by the park, which is off Central or on
Cambridge by the school behind us, that's going
to affect our -- you know, that's going to take
away from our business, which we are going to
have to lay people off. And then, when, you
know, Joe comes from Pershing Field, says, "Hey,
your sponsorship is due," "Hey, Joe, can't do
it." This way are the vendors going to be the
ones who are going to be able to sponsor, you
know, the Little League teams and all this?

And, you know, this is just my
concern. I'm not saying, you know, that I don't
want people to make money. Sure, I want
everybody to be able to make money.

MR. LAVARRO: I would just say
none of this changes -- so you don't have it in
front of you right now.

MR. SAPUTO: I know. I just
wanted -- then I just want to be heard and
let -- that's how I feel. And, you know, I know
that metered parking, you know, they can't park
there, anyway, as of now. But, you know,
Journal Square isn't here, as they can't park in
Journal Square at all, you know. So I would
like to say that, you know, they shouldn't be

able to park on Central at all because once the
parks -- there are metered parking by the parks,
so I think that should be part of it because the
kids, we rely on the kids coming out of baseball
or whatever they're doing, stop and have a
sandwich or burger at any of the spots, you
know, Blimpie. There is tons of them.

And I think that eventually, if
all these -- you know, if they do start popping
up, which maybe they won't, it's going to hurt
the business. It's going to hurt the community.
And it's going to hurt, you know, everyone.
Thank you.

MR. YUN: You know, actually, let
me ask this one. You say, "Why?" I get the
phone call today, one of the department, they
are looking for issue in the future space for
the food vendor trucks and the close to Pershing
Field. Unless City -- not this one, next
ordinance, when the new create, yes, we issue
the permit for Pershing Field; and the months
later, when one of the guy open pizza store in
that area, then law allow them to have -- to
mobile food vendor, park the car in the Pershing
Field. In the meantime, we say -- we are going

to contradict each other. So I understand your
concern. You know what I'm saying? So, yes,
the problem is here, you know.

MR. SAPUTO: Yeah.

MR. YUN: So I understand the City
try -- intention -- in the future intention do
that; they try permit to commercial parking
permit on the street for the mobile food
vendors. You know what I'm saying? Actually,
that's not -- the way you say is not fair to
people pay tax, utility bills, so many things.
It's not fair. We understand. You know what
I'm saying?

MR. SAPUTO: Right.

MR. YUN: But seems like --

MR. SAPUTO: We have a lot of
overhead, where a food vendor isn't going to
have that; and they can sell their product
cheaper than we can because they don't have the
overhead.

MR. YUN: Yes.

MR. SAPUTO: So I appreciate your
time.

MR. GALLAGHER: Thank you. Next
speaker.

1 MR. LAVARRO: I would just -- if I
2 can -- I get the concerns, and I'm going to
3 rewind a little bit. You know, there was that
4 earlier conversation that was -- got very heated
5 here on the Council dais. And, you know, this
6 is exactly what -- what I was referring to. And
7 I would say that, you know, again, I feel like,
8 as business people, in fact, you've been misled
9 on this whole thing.

10 No one here is trying to harm the
11 brick and mortars on Central Avenue or on
12 McGinley Square or in Downtown. None -- none of
13 this does anything to impact people in that way.
14 And, you know, when I said before about the idea
15 of being obstructionist and not being able to
16 play and work together, things like that, this
17 is exactly and kind of points to that sort of --
18 sort of methods and techniques and that are
19 being used to try to just make -- make a name
20 for one's self, essentially, on these issues.

21 It was well publicized and spoken
22 in this Council at the caucus and public
23 meetings and invite you to take a look at our
24 JC1TV, where we have gone through two meetings
25 now where we said this is going to be phase one

1 and phase two and explained with business owners
2 there, as well as SID member -- directors and so
3 forth, as well as Council people who expressed
4 their disagreement on it, that, look, this is
5 phase one. All we're addressing is fees so we
6 can get this passed, so we can actually license
7 people and make sure that there is help --
8 public safety and health is taken care of. Then
9 we can all hash it out on the issues of where
10 public -- what spaces it goes to and so forth.

11 And, again, I am not trying to
12 discourage anyone from giving their opinion. I
13 am just letting you know my think -- my opinion
14 only, that I think that there has been a lot of
15 misinformation about that and ask you to keep
16 your minds open to -- to what's going on here.

17 MR. EBID: My name is Sam Ebid.

18 MR. GALLAGHER: Can you spell --

19 MR. EBID: I'm sorry?

20 MR. GALLAGHER: -- your last name.

21 MR. EBID: Sam Ebid.

22 MR. GALLAGHER: Sam. Spell your
23 last name.

24 MR. EBID: E-b-i-d.

25 MR. GALLAGHER: E-b.

1 MR. EBID: I-d.

2 MR. GALLAGHER: I'm so sorry.
3 Just a little hard to hear.

4 MR. EBID: No problem.

5 MR. GALLAGHER: Very good. Go
6 ahead, sir.

7 MR. EBID: I pay every month
8 \$8,000 rent. I have five people working with
9 me. I work 4:00 in the morning up to 4:00
10 afternoon. Business is too slow in Central
11 Avenue. Very slow in Central Avenue. And now
12 when I hear that mobile food is going to come to
13 Central Avenue, we -- that -- you hurting our
14 business. This is hurting.

15 MR. LAVARRO: Can I ask you a
16 question? Where are you hearing that from?
17 Where are you hearing that mobile food trucks
18 are coming to Central Avenue?

19 MR. EBID: Here in the paper.

20 MR. LAVARRO: In what paper?

21 MR. RIVERA: No, that paper
22 doesn't say that. Who is telling you?

23 MR. EBID: Mobile food.

24 MR. RIVERA: Who is telling you
25 that?

1 MR. EBID: Whatever -- this is
2 another people come and take business from us.

3 MR. RIVERA: We need to know who
4 is telling you this situation that you are
5 telling me.

6 MR. EBID: That's what I
7 understand from the paper.

8 MR. RIVERA: Where are you getting
9 it from?

10 MR. EBID: That's what I'm
11 understanding here.

12 MR. LAVARRO: That doesn't say
13 that on that paper. It does not say that food
14 trucks are coming to Central Avenue. Nothing in
15 there says food trucks -- as I said here on the
16 public record, no food trucks -- what you have
17 right now, you have one food truck on Central
18 Avenue. You will only have one food truck after
19 this ordinance is passed. I will --

20 MR. EBID: It is not going to come
21 in, more food trucks?

22 MR. RIVERA: No, that's not --
23 Mr. Enid, you are getting information from --
24 whoever is supplying you this information at
25 Central Avenue, they are giving you false

1 information, you, as well as everybody else who
2 stood up here. This ordinance is talking about
3 fees and charges, that's it. So I don't know
4 where -- where you are getting the information
5 from.

6 Councilman Yun, do you know where
7 they're getting the information from?

8 AUDIENCE MEMBER: It's the City
9 Ordinance you have here.

10 MR. GALLAGHER: We can't have
11 shout-outs, please. Order.

12 MR. YUN: Listen, where they get
13 the information, it's here. And not only that,
14 if everybody closely read this one, as a
15 businessman, you will know what that means.

16 So now Councilman, my colleague,
17 ask me where they get the information.
18 Actually, they -- him -- actually discredit
19 knowledge. I am very upset about what they say.
20 It's -- you know, it's a common sense, you know.
21 It's common sense. And if it's not the case,
22 it's not the case.

23 Central Avenue SID, the members
24 of the SID, they ask the City Council and every
25 members, if Journal Square is prohibited from

1 mobile food vendor, why not include Central
2 Avenue? It is nothing wrong with that. I
3 understand the proper way to ask.

4 And also let me clear the record.
5 Continuous Council President and everyone --
6 most people say that nothing change except the
7 fee. But that's not the truth. The part of the
8 issue is this ordinance, if you see --

9 MS. COLEMAN: They are getting
10 their information from?

11 MR. LAVARRO: They are getting it
12 from Councilman Yun.

13 MR. YUN: 175 -- listen, where
14 they get the information is not your issue. Not
15 your issue too.

16 MR. RIVERA: It's a hundred
17 percent our issue.

18 MS. COLEMAN: It's our issue.

19 MR. RIVERA: It's 100 percent our
20 issue.

21 MR. YUN: Maybe it's your issue.
22 If you see the 175-9 and the E, what they say
23 there in the old City Ordinance, no person
24 should hold more than one license, not have any
25 interest, direct or indirectly, in any other

1 license. They actually deleted. New ordinance,
2 they deleted that part of it.

3 In other words, as you mentioned,
4 we have 237 license out there; and the 75 is
5 active. So in other words, 237 -- 140, maybe
6 170 license can be take over by some big
7 corporation or franchise. If a one person own
8 maybe ten license, they can put ten food vendors
9 all over the place of the City. Then the impact
10 of the small business is really serious.

11 So my point is that they ask us
12 where, where they get the information. That's
13 not important. You shouldn't be -- and you have
14 a right not say that. That's not your business.
15 Actually, you can say that.

16 Thank you very much.

17 MR. LAVARRO: Yeah, it's my right
18 to be able to say that I respect you immensely,
19 Councilman -- I can respect you immensely,
20 Councilman Yun; but what you're practicing here
21 is deceptive.

22 MS. COLEMAN: Yes, it is.

23 MR. LAVARRO: Terribly deceptive.

24 That newsletter that you are
25 getting is propaganda, and it's meant to stir

1 you up so you will come before this Council --

2 MS. COLEMAN: Absolutely.

3 MR. LAVARRO: -- and make a
4 statement or try to exact what Councilman Yun
5 wants to see and how he wants to see the process
6 go.

7 So all of this is -- I respect
8 your opinion, all of you, on this -- on this
9 issue. There will be -- the next step in this
10 process will begin to address where they go,
11 where these trucks go. But right now what
12 you -- what you got is what you got, and nothing
13 will change there. And if it does change -- if
14 it does change, if you suddenly see a rush of
15 food trucks coming down Central Avenue, I will
16 be the first one -- and I will promise you this
17 on the record -- I will hold emergency meetings.
18 I have the power to call emergency meetings. I
19 will call emergency Council meetings and put an
20 instant stop to food trucks lining up on Central
21 Avenue.

22 MR. EBID: Just treat Central
23 Avenue like Journal Square, please. That's --

24 MR. RIVERA: At least now I know
25 where you are getting your misinformation from,

1 so we -- the entire Council knows.

2 MR. EBID: Maybe for me; but
3 believe me, as a business owner, we don't need
4 food vendors in Central Avenue.

5 MR. RIVERA: Once again, you are
6 still stuck on what they're telling you. We are
7 understanding now where the miscommunication and
8 the disconnect is. One hundred percent we're
9 understanding where it's coming from.

10 But like the Council President
11 said, if you have a barrage of food truck
12 vendors -- this is something that I am
13 supporting and -- but if you have a barrage of
14 food truck vendors, I am with the Council
15 President; and I will be the first to say that
16 can't happen.

17 MS. COLEMAN: Me too.

18 MR. RIVERA: With that said, you
19 know, I respect -- I respect that you're here.

20 MR. EBID: We ask treat Central
21 Avenue like Journal Square, please.

22 MR. RIVERA: We understand that.

23 MR. GALLAGHER: We appreciate your
24 comments. Thank you.

25 MR. EBID: Thank you.

1 MR. GALLAGHER: Council Members,
2 if we can just move this agenda forward, I'd
3 greatly appreciate it. Again, I'm not trying to
4 get out of order whatsoever. I just think that,
5 you know, if we can try to not talk over each
6 other and also pass the mic because it's very
7 difficult for the audience to hear, I'd greatly
8 appreciate it.

9 Next speaker, Don Smartt.

10 MR. SMARTT: Good evening. I'm
11 Don Smartt. I'm the district administrator for
12 Journal Square. And I'm pleased to say, first
13 and foremost, thank you for the entire Council
14 to help engage community organizations like ours
15 and like the other Special Improvement Districts
16 that exist or those that might exist in the
17 future. It's community organizations that can
18 help make better policy when the administration
19 of this Council and the staff try to do things,
20 as they're trying to do here, which is modernize
21 an antiquated and troublesome ordinance that has
22 fallen behind the times, both economically and
23 socially.

24 Modernizing the way food vendors
25 are treated have not only a social purpose to

1 make the City more vital but a regulatory
2 purpose that is absolutely needed, especially in
3 the last four, five years, when issuing the
4 licenses has gotten out of control.

5 The economic consequences also
6 need to be considered. And I have to say again
7 thank you because when this matter was first
8 brought to our attention, there had been no
9 engagement on the part of the staff who were
10 tasked to do this thankless job. But as a
11 result, the representation of our own square
12 Council representatives, Boggiano and Ramchal,
13 and your concurrence, you referred this
14 ordinance back to the staff to talk with us.
15 And over the course of the holiday season, when
16 we were all so busy, they made it a point to do
17 that.

18 And I want to thank the director
19 of Health & Human Services and Corporation
20 Counsel's representatives who talked to each of
21 the City -- and as a result tonight you have
22 what appears to be the first of a series of
23 ordinances before you to modernize and carry out
24 good purposes in the City of Jersey City.

25 This ordinance tonight contains

1 and continues a prohibition that was first
2 organized by a past City Council that allows the
3 SID's, with the cooperation and permission of
4 the municipality, to prohibit vending in Special
5 Improvement Districts. It's specifically
6 organized under State law. It recognizes by a
7 Supreme Court decision the right of municipality
8 to utilize the special economic engines that
9 Jersey City has the most of in the State of New
10 Jersey. There are almost a hundred Special
11 Improvement Districts in New Jersey. You have
12 five. Four of them are some of the oldest in
13 the State.

14 And about seven years ago this
15 City gave every SID the opportunity of
16 exercising the right with the municipality's
17 permission of giving the many family-owned
18 businesses in all of our districts the right to
19 operate competitively in a declining economic
20 environment. Seven years ago Journal Square was
21 the only Special Improvement District that asked
22 for and received the permission of the City
23 Council to prohibit itinerant peddling and
24 vending.

25 This ordinance in its first

1	iteration placed on the table the removal of	1	should be recognized as the first of several
2	that prohibition. I'm pleased to say tonight	2	steps in the Special Improvement Districts and
3	that the ordinance before you continues that	3	the family-owned businesses of all of our City.
4	prohibition. And I want to make it clear that	4	We'll work with the staff that
5	my group, my volunteers, the 50 first-floor	5	works with us to keep improving this ordinance
6	businesses that operate in Journal Square wish	6	and the imposition of new regulations that are
7	to see that ordinance which modernizes in	7	needed in many other sections of the City for
8	stages, as I understand it from the director, in	8	community purposes, for cultural purposes. But
9	stages, an ordinance that sorely needs updating.	9	in Journal Square and in McGinley Square and in
10	And we support that. And we support the	10	Central Avenue, which has gone on record tonight
11	continued prohibition. And I would ask our	11	and in correspondence to you, they wish to be
12	representatives to support that, as it's stated	12	considered in the same light that we are. And
13	here.	13	we support their request to be added in
14	I would also encourage the staff	14	subsequent amendment to this ordinance, which is
15	and this Council to help us remain vigilant.	15	anticipated by the director to completely
16	Business owners, like the family business owners	16	prohibit vending. It will reduce the need to
17	you heard here, these were not national chains	17	regulate in those districts with a super
18	that were talking to you. These are the mom and	18	prohibition.
19	pop businesses that make our City the	19	We thank you again. We would not
20	neighborhood-based community that it is. We	20	be at this podium tonight if you did not
21	need to listen to them. They struggle every day	21	appropriately say to the staff, Stop, go back
22	to open their doors and serve the people,	22	and ask the community. Special Improvement
23	employees, commuters and residents of this City.	23	Districts are not run by tax dollars, Ladies and
24	And you, as a Council, can help them do that.	24	Gentlemen. Each year you extend -- accept an
25	The passage of this ordinance	25	invitation from our taxpayers in my district,

1	its residents, its business owners, its	1	MR. RAMCHAL: Thank you, Don.
2	commercial property owners. They ask you to let	2	MR. GALLAGHER: Next speaker.
3	you tax them more, to supplement services which	3	MS. WASHINGTON: Lavern Webb
4	have declined or disappeared in our district,	4	Washington. You know, this is a shame. You
5	services that were once the responsibility and	5	know why? This ordinance came up two years ago.
6	funded by the municipal tax dollars.	6	I don't know how people is getting misinformed
7	We have to fund our own safe,	7	because this ordinance, we had to fight -- I
8	clean services now. We recognize the City's	8	don't know, President, it was you on the board
9	hard-stressed. These are extra services paid	9	yet or not. But tomorrow go to the Greek and
10	for by extra tax dollars by our family-owned	10	ask him how we had to fight. This -- this
11	businesses, third and fourth generation	11	ordinance does not allow a truck within 300 feet
12	commercial property owners. Help us continue to	12	of a restaurant.
13	help them and help you manage the affairs of our	13	And I don't know what -- I
14	community and the economic engines that Special	14	recommend the ordinance on MLK, Communipaw
15	Improvement Districts are, in fact -- we're all	15	Avenue, Jersey City State College. And you
16	nonprofits. We are all run by volunteer boards.	16	should know that that van had to move his truck
17	We've had our budgets cut 50 percent or more.	17	when they first started that every two hours.
18	MR. GALLAGHER: Mr. Smartt, I	18	And he had been there for 30 years. We had to
19	don't mean to interrupt you, but you need to	19	come back here and fought and grandfathered him
20	stay on the subject of the ordinance.	20	in. Right where you work at, Lavario, at Jersey
21	MR. SMARTT: And I believe I have.	21	City State College. That man came in here, been
22	We have encouraged our representatives to	22	here 30 something years or 40. The Greek been
23	support it. We encourage you. And we thank you	23	up there 60 years.
24	for the opportunity.	24	Young man tried to put a hot dog
25	MR. YUN: Thank you.	25	truck one block from his restaurant. This

1 ordinance -- what the lady is saying is right;
2 they will not allow a vendor 300 feet within a
3 restaurant or a business. They made that man
4 move his truck. This was two years ago.

5 Him back there, he has a hot dog
6 truck in front of his business. He had a hard
7 time fighting to keep that truck in front of his
8 own business.

9 So I don't know where the
10 confusion is coming in that people are running
11 on Central Avenue and Journal Square and put a
12 hot dog truck. It's not going to happen. That
13 law been on this books because we fought to make
14 sure them people move their truck from the -- by
15 the Greek's restaurant and the other restaurants
16 on MLK Drive. They cannot -- they are not going
17 to allow it. So I don't know what came up
18 tonight and telling the people up in your ward
19 and your ward that this is going to happen.
20 It's not going to allow it.

21 I sit here in this Council
22 meeting too much; and this had came up, I think
23 it's about two years ago. Am I right? It was
24 about two years ago. And we fought. We had to
25 fight to get that man's truck because there is

1 no restaurant by Jersey City State College or
2 University. And we fought to get him
3 grandfathered in, so he didn't have to move his
4 truck.

5 So where people are confusing
6 people, it's a lie. They cannot put no hot dog
7 truck, no chicken truck on Central Avenue and
8 Journal Square; it's too many restaurants up
9 there already. So it's not going to be allowed.
10 So somebody is confusing them. It's a farce.
11 Thank you.

12 MS. COLEMAN: Thank you, Lavern.

13 MR. GALLAGHER: Next speaker.

14 MR. CARRINGTON: My name is Phil
15 Carrington. Want to thank the City Council for
16 bringing this issue back up again. I had a
17 license -- not had. Still have this license
18 since 1985. And I was free-lancing as a -- I
19 was a lab technician, free-lancing as a hot dog
20 vendor. And I got chased all over the place
21 when I stayed more than 15 -- or 45 minutes.
22 That's what the law had stated.

23 Last two years it changed for the
24 good, for about two more hours. But I really
25 requested or would like that it change for four

1 hours. I'm hearing some very conflicting or
2 confusing or misinformation. It just does not
3 make sense. The laws that we have in your hand,
4 you just have to read it. There is no such
5 thing that a group of truck vendors are going to
6 come on any one street just for the hell of it.
7 If they are going to come down on Central Avenue
8 in drove -- in lot numbers, it's because Central
9 Avenue have a festival on that day or that
10 particular time. You are not going to come down
11 there just for the sake of coming. It just does
12 not happen that way.

13 I am a property owner myself. I
14 rent three businesses on Martin Luther King
15 Drive. I also have two food vendors license,
16 and I can't park both of them in front of my
17 place because they are not going to make no
18 money. It's just been said that out of 270 food
19 vendors, only 75 operating.

20 Only 75 is operating because only
21 make -- you can only make money with the 75.
22 The other people stay put because they are not
23 making no money. It's as simple as that. There
24 is no 140 people going to buy up these
25 vendors -- these vendors licenses just to park

1 on Central Avenue. You are not going to make
2 any money. It is just silly to make that
3 statement.

4 But it is important, though, that
5 you give a person to have more than one license.
6 I could use myself as an example. I have one in
7 my name since 1985. I have one in my
8 organization. I am the president of a nonprofit
9 organization; and I train young black people,
10 first chance, not second chance, how to get into
11 business and do business. This is needed.

12 They took my license because I
13 had two licenses. There were only five black
14 men who have a license. I had two. Now, I'm
15 training young black men not to go in the
16 street, rob somebody, to do business. We have
17 to keep begging the white man so they don't keep
18 running everybody, asking everybody for CDBG
19 foundation money, do it sweat equity.

20 So it is unfair for you to come
21 here and say a whole number of people are going
22 to buy up these licenses. To do what? To do
23 what? To go where? It is nonsense. You didn't
24 think it through. It is unfair to make that
25 statement

1 I am requesting that you pass
2 this law to allow me to have a license back not
3 for me. I run more than one business. I am --
4 I'm -- I don't want to say hustling, but I own
5 six parcels of property. So somebody tell me --
6 I park in front of my place -- I want to park in
7 front of my place, but the law says I can't park
8 in front of my place for only X amount of hours.
9 Somebody can park, as long as he is going to
10 park.

11 No, it is not going to happen
12 where somebody going to buy up ten licenses just
13 to come on Central Avenue. There is not that
14 much money to be made. It just does not work
15 that way.

16 And in regards of -- let's say
17 Central Avenue -- want to make a comparison
18 between Central Avenue and Journal Square?
19 Well, Journal Square does not have the kind of
20 residency that Central Park has. You are saying
21 that if I live on Central Park, I can't own a
22 truck on Central Park. Are you going to talk
23 only about the people who runs the store?

24 Well, I run several stores. And
25 it's a challenge when you run a store. See,

1 when you run a store, you have to bill out and
2 pay all this kind of money. I have seen people
3 borrow money, open for just one month or two
4 months and get chased out of business because
5 they didn't -- you didn't make enough money to
6 pay your fees back. And you can't move.

7 Whereas, if I have a truck and
8 I'm not making any money, I am going to park the
9 truck, as I have right now. I park the truck
10 until it's time for me to make some money. I go
11 to a festival, go somewhere else. So I can't --
12 I don't make -- I don't understand the
13 comparison between having the truck and having a
14 store.

15 My only question, though, my only
16 concern is that why are we paying more money for
17 a food vending license as you are paying for a
18 restaurant license? I think it's kind of
19 unfair. I don't see the balance.

20 MR. LAVARRO: Well, restaurants
21 pay taxes.

22 MR. CARRINGTON: All right. You
23 may -- you know -- all right. All right. I can
24 see.

25 MR. LAVARRO: And other things

1 like that, yeah.

2 MR. CARRINGTON: If you cannot
3 have the license, that's a question I have
4 asked. I hope you were behind this. I really
5 appreciate if you did that. And it's kind of
6 good.

7 Frank, black people say you don't
8 talk that much; you are kind of quiet. But I
9 like your kind of work.

10 MR. LAVARRO: Could you wrap it
11 up.

12 MR. CARRINGTON: Yeah, the point
13 is I wanted that the food vendors or the vendors
14 would have canvases because sometimes I go
15 places and I want the young people that work
16 with me to go out canvassing, selling candy; and
17 you cannot sell candy unless you have a food
18 vendor license. And then food vendor license
19 costs -- so a canvasser is a shoot-off -- an
20 offshoot from the actual license. I would like
21 to have a look at that.

22 But it is unfair to say that the
23 license -- a drove number of people are going to
24 come on Central Avenue. That is nonsense.
25 Thank you.

1 MR. YUN: Can I ask question?

2 MR. CARRINGTON: Yes.

3 MR. YUN: Yes, can I have
4 microphone.

5 How many food license you have
6 you say?

7 MR. CARRINGTON: I had two, and
8 they snatched one because they told me that you
9 are not -- according to the law that was changed
10 two years ago you cannot have more than one
11 license. I also have a nonprofit organization
12 that have a lot of --

13 MR. LAVARRO: He has one license.
14 You have one license?

15 MR. CARRINGTON: I have one. But
16 I am still fighting to get the other one back.

17 MR. YUN: Okay.

18 MR. CARRINGTON: That's it.

19 MR. YUN: Yep.

20 MR. LAVARRO: Thank you, Phil.

21 MR. GALLAGHER: Next speaker.

22 MR. LAVARRO: Sean, I am going to
23 step away. Sean, I am stepping away.

24 Councilman Watterman will man the mic.

25 MR. GALLAGHER: Okay.

1 MR. LAVARRO: Please note my
2 absence for the record.

3 MR. DIAZ: David Diaz from Central
4 Avenue Special Improvement District. I'm sad to
5 hear that there is a feeling amongst some of the
6 Council Members that there may be misinformation
7 happening on Central Avenue. To that I say I
8 invite any Councilperson that feels that there
9 needs to be a different perspective provided to
10 them on Central Avenue that I would be more than
11 happy to arrange that meeting because my Board
12 of Trustees has requested on more than one
13 occasion to meet with some of you folks on this
14 particular ordinance.

15 But with that being said, I want
16 to thank Don Smartt for things he said little
17 earlier about Special Improvement Districts and
18 being a partner with the City and doing this,
19 acknowledging Central Avenue, as well as
20 McGinley Square, in joining Journal Square in
21 the prohibition of the mobile food vendors.

22 On behalf of Central Avenue
23 Special Improvement District and the
24 approximately 450 members that we represent, we
25 thank the City Council for retracting -- or

1 reacting, excuse me, to the Jersey City business
2 community and withdrawing the initial mobile
3 food vendor ordinance presented just three
4 months ago in November at a City Council
5 meeting. The current ordinance before you is a
6 vast improvement to its predecessor, as the
7 regulations designed to protect brick and mortar
8 businesses are no longer being omitted.

9 However -- these regulations,
10 however, do not go far enough to adapt to the
11 other provisions in the ordinance.

12 In January the Director of Health
13 & Human Services met with most of the City's SID
14 programs at the request of the City Council
15 regarding mobile food vendors and began a
16 dialogue. Although followup discussion was
17 requested by Central Avenue, a new version of
18 the ordinance is now before the City Council.
19 And there is still some un -- unresolved issues.

20 This ordinance is more than just
21 health standards. It ends the ability for
22 someone who owns a license to transfer it to
23 someone else. It increases the annual fees
24 associated with those licenses. As a result,
25 there will be -- some folks will start to

1 abandon the licenses, if they are not using it,
2 to profit from it. And, naturally, there is
3 going to be more licenses available, inviting
4 new wave of mobile food vendors into the City.

5 The volunteer Board of Trustees
6 who serve Jersey City's Special Improvement
7 Districts are elected by their peers to oversee
8 the districts. Board of Trustees are a mix of
9 new and established members who combined have
10 over 220 years of experience in doing business
11 in Jersey City. After reviewing this ordinance,
12 Central Avenue's trustees kindly requested the
13 following four changes.

14 First, that no mobile food
15 vendors shall be permitted to sell food or drink
16 on the Central Avenue Special Improvement
17 District. Central Avenue wants to join Journal
18 Square in that prohibition of mobile food
19 vendors. For no other reason than the law must
20 be clear for law enforcement purposes and
21 training new mobile food vendors entering the
22 City that Central Avenue is not the place to set
23 up shop. High pedestrian traffic areas, such as
24 the schools, the universities, West Side Avenue
25 and Jackson Hill, Journal Square, Central

1 Avenue, these are all attractions for new mobile
2 food vendors just looking to situate themselves
3 on the City.

4 Secondly, the request to reduce
5 the total number of licenses allowed. In the
6 current law Jersey City has issued 237 mobile
7 food vendor licenses. That's about one mobile
8 food vendor license, food truck or pushcart for
9 every storefront we have on Central Avenue.
10 According to the Division of Health, there are
11 approximately 75 of these licenses that are
12 active in the street and 162 licenses that are
13 inactive. By limiting the ability to transfer
14 licenses and increasing the annual fee, the
15 Division of Health should succeed in their goal
16 to bring new mobile food vendors to the City, as
17 they become a -- licenses become available. The
18 total number of licenses should not exceed 100
19 for a City this size.

20 Third, the gentleman before me
21 spoke to about reinstating the no person should
22 have more than one mobile food vendor license,
23 nor have any interest directly or indirectly to
24 the license. That's being omitted from the
25 current existing municipal law. Removing this

1 restriction will allow corporate chains or
2 franchises, as Councilman Yun had suggested
3 earlier, to control the mobile food vendor
4 business in Jersey City. This will not only
5 negatively affect mobile food vendors and brick
6 and mortgagers but also hurt those residents
7 that wish to obtain a license and use it as a
8 stepping stone to create a business and generate
9 income.

10 And, lastly, it was also spoken
11 about earlier, but just want to reiterate the
12 request to please perform background checks on
13 mobile food vendors. It is simply a public
14 safety issue. If you are concerned about
15 conflict of Sandra Cunningham's, the Opportunity
16 to Compete Act, please be reminded this bill
17 specifically applies to employers. Jersey City
18 is issuing licenses to mobile food vendors, not
19 employing them. Performing a backdrop check is
20 justified. The City should verify everyone it
21 grants the privilege of being stationed near a
22 park or school.

23 Central Avenue SID requested the
24 City Council table this ordinance so that
25 solution can be provided to these unresolved

1 matters.

2 On behalf of Jersey City's
3 neighborhood business community, we do thank
4 Councilman Yun for meeting with the Central
5 Avenue SID and listening to the importance of
6 their concerns.

7 In closing, I would like to
8 request help from the City Council. The
9 businesses in Journal Square through the SID
10 program requested a prohibition of mobile food
11 vendors. Excuse me. The businesses in Journal
12 Square requested mobile food vendors be
13 prohibited from those areas, and that was
14 requested. Central Avenue businesses are now
15 making the same request. We have the support of
16 our Councilman, yet this request is being met
17 with resistance. Peddlers selling merchandise
18 are prohibited from the SID areas in Municipal
19 Code, yet there is a different standard for
20 mobile food vendors.

21 The Council asked how do I answer
22 the business owners on Central Avenue? Like
23 some you saw here tonight, raising their
24 concerns regarding this issue, when they asked,
25 Why did the City Council deny our request? What

1 does Central Avenue have to do to join Journal
2 Square in that prohibition?

3 Any questions from the Council

4 for me, as there seems to be some concerns?

5 MS. WATTERMAN: Could you answer
6 how they join -- how can they --

7 MS. FLANAGAN: As I said earlier,
8 this will be addressed in phase two.

9 MS. WATTERMAN: Right.

10 MS. FLANAGAN: We chose not to in
11 this ordinance address any location issues
12 because I am the director of the Health
13 Department and I am not the Director of
14 Health -- Housing & Economic Community
15 Development. And that's something that we have
16 to do together with Zoning and Planning. And
17 that takes a lot longer to get through because
18 there is so many more players at the table.

19 It's not that your request is not
20 unheard, David. We discussed this many times.
21 In the current state of where the Parking
22 Authority is tabled, in the current state where
23 we need to move forward because the license is
24 up on April 1st, we have asked specifically to
25 look at the public health part of this ordinance

1 so that in phase two we would look at zoning,
2 planning, parking, where any of these food
3 vendors will go.

4 I would like to add to the
5 correct information. Though people think that
6 suddenly there is going to be 140 licenses we
7 are going to dole out across the City, that's
8 just incorrect. There is a very high bar set in
9 the renewing of licenses and new licenses that
10 somebody need to actually come to the table with
11 a significant investment. And that is owning a
12 vehicle in which you are going to be operating,
13 which is what is holding people back currently.
14 And, instead, those people are selling their
15 licenses on Craig's List. And we would like to,
16 you know, mitigate those transfer issues. And
17 this is why we've increased the public health
18 component of this bill, so that we can be more
19 aware of what's going on from the health
20 perspective.

21 So it's not that anyone has not
22 been heard. It's very clear that they actually
23 have been heard. And every time you hear
24 someone, we find out we should talk to three
25 other groups in that same community. So every

1 time we talk to somebody, it opens up oh, we
2 might want to have a discussion with this group
3 or that group or another group. And then we
4 actually have to have that discussion with the
5 Planning Board, with Zoning.

6 We did call Councilman Yun today.
7 I was with Director Cruz with the zoning team
8 asking some questions. There was nothing that
9 we want to do; it was a request and an interest.
10 So when we were kind of doing that research,
11 it's actually beneficial to us if we can do that
12 research, you know, with great transparency and
13 not the type -- you know, telling the public
14 that we were planning to do something when we
15 are just in research phase.

16 MR. YUN: Okay. Thank you,
17 Stacey. Stacey, can you answer my question? It
18 is very good. You point out very good; I am so
19 glad you say that. You just said that you not
20 chose to bring the Central Avenue SID this time.
21 After that you say because that HEDC is going to
22 look into zoning and planning issue?

23 MS. FLANAGAN: Yes.

24 MR. YUN: Now, Journal Square
25 impact, Central Avenue or Jackson Hill or West

1 Side Avenue, that's why people concern is there.

2 MS. FLANAGAN: The concern is
3 there, and we have heard that concern. And we
4 have made very clear to everyone that Central
5 Ave. is, quite honestly, not all of Pershing
6 Field. Central Ave. is not --

7 MR. YUN: Stacey.

8 MR. LAVARRO: Stacey, can I
9 interrupt. That's not in this -- none of
10 that --

11 MS. FLANAGAN: That's correct.

12 MR. LAVARRO: -- that's before us
13 right now.

14 MS. FLANAGAN: Correct.

15 MR. DIAZ: Thank you, Stacey.

16 MR. LAVARRO: I believe you're
17 done?

18 MR. DIAZ: Am I done?

19 MR. LAVARRO: Thank you.

20 MR. DIAZ: Again, the meeting
21 with -- any of the Council members that would
22 like to meet with the Central Avenue SID
23 business owners who would like to further
24 discuss, if you would like to provide different
25 perspective, we would like to invite you up to

1 the Heights to do so.

2 Thank you. Have a good evening.

3 MR. GALLAGHER: Next speaker.

4 MR. SCOTT: Jason Scott. I am the
5 owner of the taco truck. We --

6 MR. GALLAGHER: Jason.

7 MR. SCOTT: Scott, S-c-o-t-t.

8 MR. GALLAGHER: Sorry.

9 MR. SCOTT: No "Y" in Jason. I am
10 the owner of the taco truck. We operate
11 restaurants, trucks, kiosks and carts in New
12 Jersey, New York and Massachusetts.

13 Just one quick comment on the
14 SID's. We have a great relationship with the
15 Historic Downtown Special Improvement District.
16 They have been having a weekly event called
17 "Group On Grove." It's been a great way for
18 that district -- I live in that neighborhood,
19 and they certainly value the partnership that we
20 have with them. So I encourage anyone else
21 that's a director of a SID to reach out to the
22 food trucks. They will be happy to put on
23 events and, you know, bring some great food to
24 your districts.

25 MR. LAVARRO: You are not welcome

1 in Central Avenue.

2 MR. SCOTT: Apparently. So that
3 being said, I am going to make this very short.
4 I know you guys have heard a lot this evening.
5 I realize that this issue has been a challenge
6 for this and previous Councils over the past
7 four or five years. It has also been a struggle
8 for the vendors who work under an ordinance that
9 is selectively enforced and provides protections
10 for brick and mortar restaurants. And, again, I
11 own brick and mortar restaurants, so I
12 understand both sides of the coin.

13 It is impossible to grow a
14 business under these conditions. And, trust me,
15 the goal for many of these operators isn't just
16 to be a food truck. It's to put down roots in
17 the neighborhoods that they serve, to fill
18 vacant storefronts and to be positive
19 contributors to those communities.

20 I have heard from two different
21 administrations that have an intent to make
22 significant changes to this ordinance, only to
23 have good ideas considered and thrown away
24 because they are too difficult or too
25 controversial. Again, I have been coming to

1 these Council meetings, spoken to the previous
2 Council and this Council on this issue.

3 Tonight you are voting on
4 revisions that address one of the serious
5 shortfalls of the current ordinance, the
6 licensing and permanent process. These are much
7 needed changes that need to be adopted. With
8 that said, I am holding you to your word that
9 you will finally take a comprehensive look at
10 the issues and engage all the stakeholders so
11 that we can have an ordinance that benefits our
12 citizens and supports the entrepreneurial spirit
13 and nature of the food trucks and the other
14 vendors. We can't wait another six months or a
15 year. We need to realize this opportunity and
16 make real changes quickly.

17 So I want to thank you for your
18 time, and I look forward to working with you in
19 the coming weeks and months. Thank you.

20 MR. GALLAGHER: This is still a
21 public hearing on this ordinance. Any other
22 member of the public wishing to be heard.

23 MR. SWETZ: Hello. I am the owner
24 of Carmel Italian Street Fair, our food truck,
25 as well. My name is Daryl Swetz.

1 MR. GALLAGHER: Repeat your name.

2 MR. SWETZ: Daryl Swetz, D-a-r-y-l
3 S-w-e-t-z. This is just regarding the transfer.
4 It's no longer transferable, the license. I was
5 just hoping we could maybe revisit that.
6 Hopefully my food truck is wildly successful the
7 next 20 years, and I would like to be able to
8 sell it. If I ever wanted to sell the truck, it
9 kind of loses its value, if I can't sell the
10 truck and the permit at the same time. I just
11 wanted to mention possibly talking about that
12 again in the future.

13 And thank you for everything you
14 guys are doing so far. Thank you.

15 MR. GALLAGHER: This is still a
16 public hearing on this ordinance. Any other
17 member of the public wishing to be heard?

18 MS. COLEMAN: Motion.

19 MS. WATTERMAN: Second.

20 MR. GALLAGHER: Motion to close
21 the public hearing made by Councilperson
22 Coleman. Seconded by Councilperson Watterman?

23 MS. WATTERMAN: Uh-huh.

24 MR. GALLAGHER: Did I get that
25 right?

1 MS. WATTERMAN: Yes.

2 MR. GALLAGHER: All right. On the
3 motion to close the public hearing,
4 Councilperson Gajewski?

5 MR. GAJEWSKI: Aye.

6 MR. GALLAGHER: Councilperson
7 Ramchal?

8 MR. RAMCHAL: Aye.

9 MR. GALLAGHER: Councilperson
10 Boggiano?

11 MR. BOGGIANO: Aye.

12 MR. GALLAGHER: Councilperson Yun?

13 MR. YUN: Aye.

14 MR. GALLAGHER: Councilperson
15 Osborne?

16 MS. OSBORNE: Aye.

17 MR. GALLAGHER: Councilperson
18 Coleman?

19 MS. COLEMAN: Aye.

20 MR. GALLAGHER: Councilperson
21 Rivera?

22 MR. RIVERA: Aye.

23 MR. GALLAGHER: Councilperson
24 Watterman?

25 MS. WATTERMAN: Aye.

1 MR. GALLAGHER: And Council
2 President Lavarro?

3 MR. LAVARRO: Aye.

4 MR. GALLAGHER: Motion to close
5 the public hearing is nine-zero.

6 Before we take a vote on this
7 ordinance, we do have to do a little amendment
8 to it that was explained at the caucus by our
9 Assistant Corporation Counsel John Hallanan. I
10 will read it into the record.

11 It has come to his attention that
12 one sentence in the Section 179-9 -- 179-9A of
13 the ordinance, which was approved to be voted
14 upon at its Second Reading this -- which is
15 today, read, "Any license that is not renewed
16 after July 31st of the renewal year shall not be
17 renewed thereafter, nor shall any new license be
18 issued in place of that particular license and
19 the license shall be retired" was intended to be
20 stricken out and was not.

21 The oversight was corrected in
22 the current version that is before you to vote.
23 Because this is a minimal change and actually
24 corrects an internal contradiction between
25 Sections 175-9A and 175-9C, this correction does

1 not require readvertisement of the ordinance
 2 before it was voted upon.
 3 So with that amendment, which is
 4 in front of you, which has a replacement page on
 5 it, I need a motion to amend the ordinance to
 6 adopt as is.
 7 MS. OSBORNE: Motion.
 8 MS. COLEMAN: Second.
 9 MR. GALLAGHER: Motion made by --
 10 MR. LAVARRO: Osborne.
 11 MR. GALLAGHER: -- councilperson
 12 Osborne, seconded by Councilperson Coleman.
 13 On the motion to amend City
 14 Ordinance 14-018, Councilperson Gajewski?
 15 MR. GAJEWSKI: Aye.
 16 MR. GALLAGHER: Councilperson
 17 Ramchal?
 18 MR. RAMCHAL: Aye.
 19 MR. GALLAGHER: Councilperson
 20 Boggiano?
 21 MR. BOGGIANO: Aye.
 22 MR. GALLAGHER: Councilperson Yun?
 23 MR. YUN: Aye.
 24 MR. GALLAGHER: Councilperson
 25 Osborne?

1 MS. OSBORNE: Aye.
 2 MR. GALLAGHER: Councilperson
 3 Coleman?
 4 MS. COLEMAN: Aye.
 5 MR. GALLAGHER: Councilperson
 6 Rivera?
 7 MR. RIVERA: Aye.
 8 MR. GALLAGHER: Councilperson
 9 Watterman?
 10 MS. WATTERMAN: Aye.
 11 MR. GALLAGHER: Council President
 12 Lavarro?
 13 MR. LAVARRO: Aye.
 14 MR. GALLAGHER: Motion to amend
 15 carries nine-zero.
 16 For final consideration and
 17 adoption of City Ordinance 14-018 as amended,
 18 Councilperson Gajewski?
 19 MR. GAJEWSKI: Aye.
 20 MR. GALLAGHER: Councilperson
 21 Ramchal?
 22 MR. RAMCHAL: Aye.
 23 MR. GALLAGHER: Councilperson
 24 Boggiano?
 25 MR. BOGGIANO: Aye.

1 MR. GALLAGHER: Councilperson Yun?
 2 MR. YUN: Aye.
 3 MR. GALLAGHER: Councilperson
 4 Osborne?
 5 MS. OSBORNE: Aye.
 6 MR. GALLAGHER: Councilperson
 7 Coleman?
 8 MS. COLEMAN: Aye.
 9 MR. GALLAGHER: Councilperson
 10 Rivera?
 11 MR. RIVERA: Aye.
 12 MR. GALLAGHER: Councilperson
 13 Watterman?
 14 MS. WATTERMAN: Aye.
 15 MR. GALLAGHER: Council President
 16 Lavarro?
 17 MR. LAVARRO: Aye.
 18 MR. GALLAGHER: City Ordinance
 19 14-018 is adopted nine-zero as amended.
 20 On to our next Second Reading
 21 Ordinance, which is item 4f, an ordinance
 22 approving a five-year tax exemption pursuant to
 23 the provisions of New Jersey Statutes Annotated
 24 40A:21-1, et seq. and Section 304-6 of the
 25 Municipal Code for property designated as Block

1 17501, Lot 4 on the City's tax map, more
 2 commonly known as the street address of 445
 3 Whiton Street.
 4 This is a public hearing on this
 5 ordinance. Any member of the public wishing to
 6 be heard?
 7 And I see Jayson Burg.
 8 MR. BURG: The address at 445 --
 9 whatever the address is; I don't have it in
 10 front of me -- that is an old school that's been
 11 renovated? Because it came up --
 12 MR. LAVARRO: Corporation Counsel,
 13 question about the property.
 14 MR. FARRELL: Which property?
 15 MR. LAVARRO: 445 Whiton Street.
 16 MR. GALLAGHER: He is asking about
 17 445 Whiton Street.
 18 MS. COLEMAN: Whiton Street.
 19 MR. GALLAGHER: I am saying,
 20 "Whiton Street," sorry.
 21 MS. COLEMAN: It's okay.
 22 MR. BURG: No, I know the
 23 location; it is down in the Ward F section. My
 24 question is: What kind of a structure is it? I
 25 was doing the Google Map; it showed it to be a

1 former school. Am I correct?
 2 MR. FARRELL: I think so, yeah.
 3 MR. BURG: And they're turning it
 4 into somewhat of a condo, or what are they doing
 5 down there?
 6 MS. MONAHAN: It's going to be a
 7 rental.
 8 MR. BURG: How many units will be
 9 there?
 10 MR. KAKOLESKI: Twenty-four.
 11 MR. BURG: Twenty-four.
 12 MR. GALLAGHER: We don't have any
 13 mics for you guys.
 14 MR. BURG: Sorry.
 15 MS. MONAHAN: Twelve four-story
 16 buildings; twenty-three units.
 17 MR. BURG: In the building, they
 18 are just taking it, renovating it; there is no
 19 new physical building construction?
 20 MR. FARRELL: There will probably
 21 be some build-out, yes; but they are
 22 preserving --
 23 MS. MONAHAN: You know what, I
 24 have the whole application here, so let's --
 25 MR. GALLAGHER: Thank you, Council

1 President.
 2 MR. LAVARRO: Sure.
 3 MS. MONAHAN: It is newly
 4 constructed. That's possible they may be
 5 preserving some of it, but it's newly
 6 constructed. So it's 12 new buildings
 7 consisting of two units per building for a total
 8 of 24.
 9 MR. BURG: And that's going to
 10 be -- so basically, as it stands, the current
 11 building will be demolished? So it's going to
 12 be demolished.
 13 MS. MONAHAN: New construction.
 14 MR. BURG: The way the City needs
 15 to be doing -- is this going to be -- was
 16 approved for more green sustainable
 17 construction, LEEDs?
 18 MR. FARRELL: They are going to
 19 seek LEEDs certification, yes.
 20 MR. KAKOLESKI: Yes.
 21 MS. MONAHAN: Yeah, it does say
 22 that they are going to apply for LEEDs
 23 certification. I don't know what level.
 24 MR. BURG: Yes. So in order to
 25 apply, you have to put it in the building prior,

1 to my understanding, about LEEDs construction.
 2 MR. FARRELL: You have to build to
 3 LEEDs specifications.
 4 MR. BURG: That's true.
 5 MS. MONAHAN: There are levels of
 6 LEED. And some of them are more simple, like
 7 bike racks and that kind of thing. And others
 8 are very, you know --
 9 MR. BURG: I just hope -- this
 10 will be very good example building of the Ward F
 11 new construction. They should also be -- my
 12 suggestion for future planning is that we are
 13 having too much of a -- water being thrown out
 14 into the gutters, not enough going back into our
 15 soil, which then creates the backflow and
 16 channeling in our water system of the fine by
 17 the alphabet EPA.
 18 MS. MONAHAN: That's probably a
 19 site plan issue before the Planning Board; and
 20 they do, you know -- that's where you would
 21 address that kind of an issue.
 22 MR. BURG: Again, I don't have
 23 time to be Superman and, of course, Flash Gordon
 24 or Flash and -- but if this would come down,
 25 say, ordinance for the Council to apply that --

1 again, work with the Environmental Commission on
 2 that, that would be helpful again. Thinking
 3 about we are all doing construction. We want to
 4 have effective construction.
 5 MR. LAVARRO: Sorry, what are we
 6 discussing?
 7 MR. BURG: All right. Thank you
 8 very much.
 9 MR. GALLAGHER: Thanks, Jayson.
 10 MR. FARRELL: Thank you.
 11 MS. WASHINGTON: Jayson had that
 12 property confused with All Saints School on
 13 Whiton and Lafayette. This is brand new
 14 construction down where the old Jersey City Boys
 15 Club was on Ash Street between Pine and Pacific
 16 Avenue. These are brand new built from the
 17 ground up. It's beautiful four buildings. They
 18 brick and they -- and they make our neighborhood
 19 look very nice at the foot of Ash Street, going
 20 into the dead end of Ash Street and Monitor.
 21 Very good building. It used -- was going to be
 22 condos, but they apartments. It's brand new
 23 construction built from the ground. Thank you.
 24 MR. GALLAGHER: Thank you so much.
 25 This is still a public hearing on

1 this ordinance. Any other member wishing to be
 2 heard?
 3 MR. LAVARRO: Motion.
 4 MS. COLEMAN: Second.
 5 MR. GALLAGHER: Motion made by
 6 Council President Lavarro, seconded by
 7 Councilperson Coleman to close the public
 8 hearing.
 9 On the motion to close the public
 10 hearing, Councilperson Gajewski?
 11 MR. GAJEWSKI: Aye.
 12 MR. GALLAGHER: Councilperson
 13 Ramchal?
 14 MR. RAMCHAL: Aye.
 15 MR. GALLAGHER: Councilperson
 16 Boggiano?
 17 MR. BOGGIANO: Aye.
 18 MR. GALLAGHER: Thanks.
 19 Councilperson Yun?
 20 MR. LAVARRO: Absent.
 21 MR. GALLAGHER: Absent.
 22 Councilperson Osborne?
 23 MS. OSBORNE: Aye.
 24 MR. GALLAGHER: Councilperson
 25 Coleman?

1 MS. COLEMAN: Aye.
 2 MR. GALLAGHER: Councilperson
 3 Rivera?
 4 MR. LAVARRO: Absent.
 5 MR. GALLAGHER: Councilperson
 6 Watterman?
 7 MS. WATTERMAN: Aye.
 8 MR. GALLAGHER: Council President
 9 Lavarro?
 10 MR. LAVARRO: Aye.
 11 MR. GALLAGHER: Thank you so much.
 12 Motion to close the public hearing is approved
 13 seven-zero with Council Members Yun and Rivera
 14 absent.
 15 For final consideration and
 16 adoption of City Ordinance 14-019, Councilperson
 17 Gajewski?
 18 MR. GAJEWSKI: Aye.
 19 MR. GALLAGHER: Councilperson
 20 Ramchal?
 21 MR. RAMCHAL: Aye.
 22 MR. GALLAGHER: Councilperson
 23 Boggiano?
 24 MR. BOGGIANO: Aye.
 25 MR. GALLAGHER: Councilperson Yun

1 is still absent.
 2 Councilperson Osborne?
 3 MS. OSBORNE: Aye.
 4 MR. GALLAGHER: Councilperson
 5 Coleman?
 6 MS. COLEMAN: Aye.
 7 MR. GALLAGHER: Councilperson
 8 Rivera is still absent.
 9 Councilperson Watterman?
 10 MS. WATTERMAN: Aye.
 11 MR. GALLAGHER: Council President?
 12 MR. LAVARRO: Aye.
 13 MR. GALLAGHER: City Ordinance
 14 14-019 is adopted seven-zero with Council
 15 mention Yun and Rivera absent.
 16 On to our last Second Reading
 17 Ordinance with the great big title that I will
 18 read into the record. Item 4g, City Ordinance
 19 14-021, an ordinance designating parking
 20 restrictions on the following streets and
 21 traffic restrictions at the following
 22 intersections needed in order to maintain
 23 optimum traffic circulation on our local streets
 24 during the period of time the northbound lane of
 25 the Pulaski Skyway is closed for construction,

1 supplementing Chapter 332 (Vehicles and Traffic)
 2 creating subsections in Article II (Traffic
 3 Regulations) and Article III (Parking, Standing
 4 and Stopping) in order to group all the changes
 5 related to this closure in the traffic code.
 6 Amending Article II (Traffic Regulations)
 7 Section 332.7a (Prohibited Turns At
 8 Intersections) prohibiting all turns for traffic
 9 east on Communipaw Avenue, at West Side Avenue
 10 and at Bergen Avenue, prohibit the left turn for
 11 traffic east on Communipaw Avenue, to north on
 12 Park Street, east on Grand Street, to north on
 13 Ivy Place, north on Barrow Street and north on
 14 Marin Boulevard and east on Columbus Drive, to
 15 north on Barrow Street and prohibit the right
 16 turn for traffic north on Center Street to east
 17 on Brook Street, east on Bright Street and east
 18 on York Street Monday through Friday, except
 19 holidays, 6 a.m. to 10 a.m. and supplement
 20 Article III (Parking, Standing and Stopping)
 21 Section 332.26A (No Stopping Or Standing Certain
 22 Hours) designating no stopping or standing on
 23 the south side of Communipaw Avenue, West Side
 24 Avenue, to Grand Street, the south side of Grand
 25 Street, Communipaw Avenue, to Fairmont Avenue

1 and the west side of Greene Street, Columbus
2 Drive, to Montgomery Street, Monday through
3 Friday, except holidays, 6 a.m. to 10 a.m. and
4 on the north side of Communipaw Avenue, Grand
5 Street to West Side Avenue and the north side of
6 Grand Street, Fairmont Avenue, to Communipaw
7 Avenue, Monday through Friday, except holidays,
8 4 p.m. to 7 p.m.

9 This is a public hearing on this
10 ordinance. And I see Yvonne Balcer.

11 MS. BALCER: Yeah, I will make
12 this very brief.

13 MR. GALLAGHER: Please

14 MS. BALCER: Normally when PSE&G
15 fix a wire or whatnot, they close off the whole
16 street, even though they are on the sidewalk.
17 Since we're having this problem, I make a
18 suggestion that they should not be closing off a
19 street and especially York Street. I lived on
20 that area, you know, for years. And it's
21 ridiculous. They will close off the whole
22 street, even though they are fixing an area that
23 is on sidewalk.

24 So since we are having this major
25 problem that you can't stop -- it's really a

1 tsunami -- you know, let's not close off streets
2 and back up more traffic when they're fixing
3 something like the PSE&G stuff. Because that to
4 me is ridiculous. That's all I have to say. I
5 know we all have to live with this. Thank you.

6 MR. GALLAGHER: Thank you.

7 This is still a public hearing on
8 this ordinance. Any other member of the public
9 wishing to be heard?

10 MS. COLEMAN: Motion.

11 MS. OSBORNE: Second.

12 MR. GALLAGHER: Motion made by
13 Councilperson Coleman, seconded by Councilperson
14 Osborne to close the public hearing.

15 On the motion to close the public
16 hearing, Councilperson Gajewski?

17 MR. GAJEWSKI: Aye.

18 MR. GALLAGHER: Councilperson

19 Ramchal?

20 MR. RAMCHAL: Aye.

21 MR. GALLAGHER: I love that.

22 Councilperson Boggiano?

23 MR. BOGGIANO: Aye.

24 MR. YUN: He said, "Aye."

25 MR. GALLAGHER: I'm sorry, I

1 didn't hear him.

2 Councilperson Yun?

3 MR. YUN: Aye.

4 MR. GALLAGHER: Councilperson
5 Osborne?

6 MS. OSBORNE: Aye.

7 MR. GALLAGHER: Councilperson

8 Coleman?

9 MS. COLEMAN: Aye.

10 MR. GALLAGHER: Councilperson

11 Rivera is still absent.

12 Councilperson Watterman?

13 MS. WATTERMAN: Aye.

14 MR. GALLAGHER: Council President

15 Lavarro?

16 MR. LAVARRO: Aye.

17 MR. GALLAGHER: Motion carries

18 eight-zero with Councilperson Rivera absent

19 For final consideration and

20 adoption of City Ordinance 14-021, Councilperson
21 Gajewski?

22 MR. GAJEWSKI: Aye.

23 MR. GALLAGHER: Councilperson

24 Ramchal?

25 MR. RAMCHAL: Aye.

1 MR. GALLAGHER: Councilperson

2 Boggiano?

3 MR. BOGGIANO: Aye.

4 MR. GALLAGHER: Councilperson Yun?

5 MR. YUN: Aye.

6 MR. GALLAGHER: Councilperson

7 Osborne?

8 MS. OSBORNE: Aye.

9 MR. GALLAGHER: Councilperson

10 Coleman?

11 MS. COLEMAN: Aye.

12 MR. GALLAGHER: Councilman Rivera

13 is still absent.

14 Councilperson Watterman?

15 MS. WATTERMAN: Aye.

16 MR. GALLAGHER: Council President?

17 MR. LAVARRO: This is the final

18 vote?

19 MR. GALLAGHER: Yes.

20 MR. LAVARRO: Just short comments.

21 So these changes are being made to address

22 the -- the impact of the closures of Pulaski

23 Skyway. The closure has been pushed back to

24 April 12th? April 12th. You should see changes

25 in the traffic patterns and letting Jersey City

1 residents know -- if you are watching this
2 broadcast, should be mindful of that changes
3 we're making prohibiting left turns at
4 intersections during rush hours. So please be
5 mindful of that.

6 At first Jersey City Police
7 Department officers will be out directing
8 traffic off-duty and then issuing notices to let
9 people know that the traffic pattern has changed
10 and left turns are prohibited or right turns are
11 prohibited. But after that, after short period
12 of time tickets will begin to be issued. And
13 people should know that they will come with
14 hefty fines. So please observe the traffic
15 patterns.

16 I vote aye.

17 MR. GALLAGHER: Thank you. Before
18 we move on to our public speaking portion of the
19 meeting I just want to do a little cleanup on
20 our ordinances.

21 For City Ordinance 14-019,
22 Council Members Yun and Rivera were absent.

23 Council Members, would you like
24 to vote for final adoption of City Ordinance
25 14-019?

1 MR. YUN: Yes.

2 MR. GALLAGHER: Your vote?

3 MR. YUN: Yes.

4 MR. GALLAGHER: Thank you.

5 MR. YUN: Actually, this is a very
6 good project to give the good motivation in the
7 area. I support. Aye.

8 MR. GALLAGHER: Thank you.

9 And Councilperson Rivera?

10 MR. RIVERA: I vote aye.

11 MR. GALLAGHER: Thank you. On
12 City -- recap. City Ordinance vote -- City
13 Ordinance 14-019's vote is now finally adopted
14 nine-zero unanimously.

15 And for the last Second Reading
16 Ordinance, Councilperson Rivera, you were absent
17 for the final consideration of the vote. Would
18 you like to vote on City Ordinance 14-021, which
19 is the last Second Reading Ordinance for -- the
20 long title for the Pulaski Skyway closure?

21 MR. RIVERA: I vote aye.

22 MR. GALLAGHER: Thank you very
23 much. To recap, the vote for final
24 consideration, vote for City Ordinance 14-021,
25 it is approved nine-zero unanimously.

1 Now on to our public speaking
2 portion of the meeting. I will be keeping a
3 strict clock on five minutes. Once you do reach
4 that, I will tell you; and you will stop. If
5 you don't stop, I will have a police officer
6 remove you from the podium.

7 With that being said, speaker
8 number one, William Dorrity.

9 It was not a threat at all. It's
10 just, you know, business.

11 (Whereupon, the public request for
12 hearing is held.)

13 MS. WATTERMAN: Sean, before we go
14 to the resolutions -- we can go one, two, three,
15 right through them -- I just want to make a
16 statement here because I -- I had to go out with
17 Candice. What I would like to do, I would like
18 to make a statement.

19 One thing about government,
20 government is put in place for rules and
21 regulations. Now, one thing we must do as a
22 Council is follow those rules and regulations.
23 When it's time for the open public forum, where
24 each resident can come up here and express their
25 concerns, they only allotted five minutes. And

1 the reason why, because we really want to hear
2 everyone's concern.

3 Now, if they go over, what we do,
4 as a Council, when you see us move around, we
5 get up and we go out to try to meet that
6 resident to get more information. But we must
7 respect the time because laws and order is put
8 in place for a reason. Now, the moment we break
9 it, then what happens is it's a trickle effect.
10 And then the people in the audience will break
11 it, and then those who really wait so long --
12 because some of you wait so long to express your
13 concerns. And if we continue to allow people to
14 go over, we won't hear all the issues. And some
15 come straight from work, concerned about so many
16 things in the neighborhood and never get a
17 chance to express their concerns to the Council
18 because it is so late.

19 So what I'm encouraging us to do
20 is to abide by the laws that are put in place.

21 MR. YUN: Then can I ask
22 something, respond to that? I didn't see any
23 City Ordinance or resolution public speaker
24 strictly not speak more than five minutes. And
25 also that person that probably --

MS. WATTERMAN: Sean, could you answer that.

MR. YUN: -- more than four hours. And she was concerned lady not only for her, most of people in Downtown. She did want to speak more than extra two minutes. To escort by the police, this City Council, I think this is really disrespectful people of Jersey City.

MR. LAVARRO: Your tone is so disrespectful. Read the ordinances. Get up to speed. The laws are out there. Everyone else on this Council knows what the rules are, but you seem to think you operate on your own set of rules.

MR. BOGGIANO: Why don't we knock it off. If we had given her an extra minute or so, like he said -- she sat here for four hours.

MS. WATTERMAN: Follow the rules. Follow the rules. Just follow them. Just don't want to do it. It's the --

MR. GALLAGHER: A Chapter 352, which is the Council Rules of Order, it is explained in the chapter that it's five minutes for public speaking.

MR. FARRELL: Why don't we move on

MR. GAJEWSKI: Okay. I was just wondering.

MR. KAKOLESKI: Their monthly increments.

MR. GAJEWSKI: Okay. Because I noticed last year, when I started campaigning in Ward A, how dirty the ward was. And through all the months that I have been in office it's still dirty, and it doesn't get clean.

So I vote aye on everything except for that line I vote no.

MR. FARRELL: Yeah, Councilman, I think that that's a good point you're making. It's very important, if you are having those types of issues in your ward, you e-mail Oren Dabney of the JCIA directly and hold them responsible for those types of issues

MR. GALLAGHER: I'm sorry.

MR. YUN: Which one is it you are talking about?

MR. GALLAGHER: Councilperson Gajewski is voting aye, with the exception of the -- I will just say the PO number is -- or voucher number is 83409. It's Jersey City Incinerator Authority for 3.5.

to the Resolutions and go from there.

MR. GALLAGHER: Okay. Moving on to the Petitions and Communications, 6a through 6z. Any questions or concerns? Hearing none. Officers Communications, there are none.

Report of Directors, 8a and b.

On to the Claims and Addendum Number One. I need a vote on all Claims and Addendum Number One, Councilperson Gajewski?

MR. GAJEWSKI: I have a question. Do you have a mic?

MR. GALLAGHER: Sure.

MR. LAVARRO: Pass it down.

MR. GAJEWSKI: To the Business Administrator, Bob, page 12, what is the three-and-a-half million dollars to the Jersey City Incinerator Authority?

MR. KAKOLESKI: I'm sorry, what are we looking at?

MR. GAJEWSKI: Page -- I believe it's page 12. There is a \$3.5 million Jersey City Incinerator Authority line.

MR. KAKOLESKI: That is their monthly allocation.

MR. KAKOLESKI: Right. It's their monthly invoice.

MR. GALLAGHER: The monthly invoice. Okay. So I am going to just jot that down as -- it's on page 12 of your claims. Okay.

Councilperson Ramchal?

MR. RAMCHAL: Aye on all.

MR. GALLAGHER: Thank you.

Councilperson Boggiano?

MR. BOGGIANO: Aye.

MR. GALLAGHER: Councilperson Yun?

MR. YUN: Aye.

MR. GALLAGHER: Councilperson Osborne?

MS. OSBORNE: Aye.

Councilperson Coleman?

MS. COLEMAN: Can I have a mic? Thank you. I would like to say thanks, Frank, because there were several of those monthly stipends or whatever you call them that I was a little annoyed about in the future, and they have been addressed. I feel the same way. I get at least 20 e-mails a day regarding issues of cleaning. And then to have to approve a

1 monthly expense like that to send to that
2 division that's supposed to be doing that is
3 stressful.

4 So I am going to vote aye on
5 everything; but I would hope that, Business
6 Administrator, you will look into that, like the
7 other concerns that you've looked into. And I
8 thank you very much for that.

9 I vote aye.

10 MR. GALLAGHER: Thank you.
11 Councilperson Rivera?

12 MR. RIVERA: I vote aye.

13 MR. GALLAGHER: Councilperson
14 Watterman?

15 MS. WATTERMAN: I am going to vote
16 aye; but, Business Administrator, could you make
17 sure you send a e-mail out to all the department
18 heads and just let them know that these are part
19 of our concerns, that we won't continue to vote
20 for this, we won't do it. Because there are
21 certain issues we do ask for, certain papers and
22 documents we do ask for, especially with the
23 Incinerator Authority, how dirty the streets
24 are. And we know they have to be paid, but we
25 are paying for something that we are not getting

1 service.

2 Reason why I'm asking you to send
3 out a memo, so this way everyone knows ahead of
4 time. So the next time it comes before the
5 Council and we find out there are certain issues
6 that is not attended to, when we vote no, they
7 will understand why we saying no. You could
8 send out a memo, right?

9 MR. KAKOLESKI: Is there any --
10 any other departments that you are having issues
11 about that I need to know about?

12 MR. RIVERA: Strictly Incinerator
13 Authority.

14 MR. KAKOLESKI: Strictly
15 Incinerator Authority.

16 MS. WATTERMAN: Okay. Because the
17 streets are dirty.

18 MR. FARRELL: Just as point of
19 clarity, it is important to understand the
20 Incinerator Authority is not a department of the
21 City; it is an autonomous agency. I just want
22 to make that clear. Because while the Business
23 Administrator can inform them that we have this
24 concern, he can't give them a direct order
25 because --

1 MS. WATTERMAN: He can let them
2 know that we have this concern. So this way, if
3 we don't pay -- because we paying, aren't we?

4 MR. FARRELL: We are paying them.
5 And so -- I just want to make that clear as a
6 matter for the record that we understand the
7 distinction.

8 MS. COLEMAN: If we vote no, you
9 can't pay them, right?

10 MR. FARRELL: Absolutely.
11 Absolutely, that's right.

12 MS. COLEMAN: That's what you need
13 to let them know. If we vote no, they are not
14 going to get paid.

15 MR. FARRELL: Just something for
16 us all to be aware of; that's all I'm saying.

17 MS. WATTERMAN: Money talks.

18 MR. GALLAGHER: So, Councilperson
19 Watterman, you vote aye?

20 MS. WATTERMAN: Yes.

21 MR. GALLAGHER: And Council
22 President?

23 MR. LAVARRO: Aye.

24 MR. GALLAGHER: Claims and
25 addendum are approved nine-zero, with the

1 exception of voucher number 83409 page 12, 3.5
2 million to the JCIA; Councilperson Gajewski
3 voted no.

4 On to our item -- our Resolutions
5 items. 10a through 10k, Councilperson Gajewski?

6 MR. GAJEWSKI: Was i polled.

7 MS. COLEMAN: I was supposedly
8 withdrawn.

9 MR. GALLAGHER: Yeah, it is not on
10 the agenda, but that was definitely withdrawn.
11 We had the discussion at the caucus, and that is
12 the will of the administration. I apologize for
13 that. I. So let me rephrase my question for
14 your vote.

15 Items 10a through 10k, with the
16 exception of 10i, which has been withdrawn,
17 Councilperson Gajewski?

18 MR. GAJEWSKI: Aye.

19 MR. GALLAGHER: Thank you for
20 that.

21 Councilperson Ramchal?

22 MR. RAMCHAL: Aye.

23 MR. GALLAGHER: Councilperson
24 Boggiano?

25 MR. BOGGIANO: Aye.

Page 178	Page 180
1 MR. GALLAGHER: Councilperson Yun? 2 MR. YUN: Aye. 3 MR. GALLAGHER: Councilperson 4 Osborne? 5 MS. OSBORNE: Aye. 6 MR. GALLAGHER: Councilperson 7 Coleman? 8 MS. COLEMAN: Aye. 9 MR. GALLAGHER: Councilperson 10 Rivera? 11 MR. RIVERA: Aye. 12 MR. GALLAGHER: Councilperson 13 Watterman? 14 MS. WATTERMAN: Aye. 15 MR. GALLAGHER: I am going to try 16 to get you out of here. 17 Council President Lavarro? 18 MR. LAVARRO: Aye. 19 MR. GALLAGHER: Items 10a through 20 10k are approved nine-zero with the exception of 21 10i, which was withdrawn. 22 Items 10l through 10s, 23 Councilperson Gajewski? 24 MR. GAJEWSKI: Aye. 25 MR. GALLAGHER: Councilperson	1 just office space redesign. They ask \$125,000 2 price, way high. That's why I say no. 3 And item q, this is only hire the 4 consulting company to do some kind of report for 5 the JCPA, Jersey City Parking Authority. If we 6 see that when we pass resolution, not more than 7 \$20,000. At the time they express scope of 8 work. And now today they ask another extra 9 \$15,000. What they said scope of work is 10 actually the same. And they said they have some 11 issue, complications. When I looked at it, I 12 didn't see any complication issue is that issue. 13 So, to me, extra \$15,000 they ask just as a 14 gift. So I say no. 15 Other than that I say yes. 16 MR. GALLAGHER: Okay. I need the 17 mic on -- on one of you. 18 MR. YUN: Okay. 19 MR. GALLAGHER: Councilman Yun. 20 MR. BOGGIANO: I didn't realize 21 that. I say 10q no too. 22 MS. COLEMAN: He voted already 23 He is changing his vote. 24 MR. GALLAGHER: So 10q you are 25 voting no?
Page 179	Page 181
1 Ramchal? 2 MR. RAMCHAL: Aye. 3 MR. GALLAGHER: Councilperson 4 Boggiano? 5 MR. BOGGIANO: Aye. 6 MR. GALLAGHER: Councilperson Yun? 7 MR. YUN: I got problem with 10o 8 and 10q. 9 MR. GALLAGHER: Okay. 10 MR. YUN: 10o has a problem that 11 architecture service current \$1.9 million for 12 municipal complex, the first amendment they 13 increase to -- \$1.9 million to \$2.076 million, 14 more than 136,000 more than original contract. 15 Second amendment they increase \$2.4 million, 16 which -- which is \$125,000. Then in two 17 amendments they increase total 13 percent more. 18 The first amendment we understand 19 the site has problem. But issues the second 20 amendment, actually they redesigned office; and 21 they ask us \$125,000 more. If we see that, 22 their documentation they provide, total cost of 23 blueprint actually was, original contract, 24 \$87,000. And the First Amendment we understand 25 they asking \$42,000. But second amendment is	1 MR. YUN: Me, I have to make -- 2 MR. GALLAGHER: No, Councilman 3 Boggiano first. 10q is no. And Councilperson 4 Yun, you're voting no on 10o? 5 MR. YUN: And 10q. 6 MR. GALLAGHER: And 10q. Duly 7 noted. And voting aye on the rest, correct? 8 MR. YUN: Yes. 9 MR. GALLAGHER: Okay. 10 Councilperson Osborne? 11 MS. OSBORNE: Aye. 12 MR. GALLAGHER: Councilperson 13 Coleman? 14 MS. COLEMAN: Aye. 15 MR. GALLAGHER: Councilperson 16 Rivera? 17 MR. RIVERA: Aye. 18 MR. GALLAGHER: Councilperson 19 Watterman? 20 MS. WATTERMAN: I vote no on 10o 21 and the rest aye. 22 MR. GALLAGHER: Okay. And Council 23 President Lavarro? 24 MR. LAVARRO: Aye. 25 MR. GALLAGHER: Okay. Let me

1 recap this. Items 10l through 10n are approved
 2 nine-zero. 10o is approved seven-two with
 3 Council Members Yun and Watterman -- and
 4 Watterman voting no.
 5 MS. WATTERMAN: 10o.
 6 MR. GALLAGHER: I said, "10q,"
 7 didn't I? Correct myself. 10o is approved
 8 seven-two with Council Members Yun and Watterman
 9 voting no. 10p is approved nine-zero. 10q is
 10 approved eight-one with Councilperson Yun voting
 11 no.
 12 MR. RIVERA: I change. I want to
 13 vote no on o too.
 14 MR. GALLAGHER: You do?
 15 MR. RIVERA: Yes.
 16 MR. GALLAGHER: Okay. Let me --
 17 let me recap that. Councilperson Rivera is also
 18 voting no on 10o. So the vote will change to,
 19 against, three. It is approved six-three with
 20 Council members Yun, Rivera and Watterman voting
 21 no on 10o. And 10q is approved eight-one with
 22 Council Member Yun --
 23 MS. COLEMAN: Boggiano voted no.
 24 MR. GALLAGHER: Sorry, sorry.
 25 MS. WATTERMAN: He's confusing

1 you.
 2 MR. GALLAGHER: You got me on this
 3 one.
 4 MR. RIVERA: It's the microphone.
 5 MR. GALLAGHER: That's what it is.
 6 I am just going to recap 10o and 10q. 10o is
 7 six-three, approved with Council Members Yun,
 8 Rivera and Watterman voting no. 10q is approved
 9 seven-two with Council Members Boggiano and Yun
 10 voting no. 10r and s are approved nine-zero.
 11 MS. COLEMAN: You did it.
 12 MR. GALLAGHER: On the balance of
 13 the Resolutions, 10t through 10z3, where z1
 14 through 3 were added earlier.
 15 MR. GAJEWSKI: Aye.
 16 MR. YUN: By the way --
 17 MR. GALLAGHER: Can we just --
 18 MS. COLEMAN: Wait until he gets
 19 to your vote.
 20 MR. YUN: I have questions before.
 21 MR. GALLAGHER: You can ask --
 22 MS. COLEMAN: When this gets to
 23 you.
 24 MR. GALLAGHER: So we go in order.
 25 We keep the order.

1 MR. YUN: All right.
 2 MR. GALLAGHER: Councilperson
 3 Ramchal?
 4 MS. RAMCHAL: Aye.
 5 MR. GALLAGHER: Thank you.
 6 Councilperson Boggiano?
 7 MR. BOGGIANO: Aye.
 8 MR. GALLAGHER: Councilperson Yun?
 9 You can ask your question.
 10 MR. YUN: Okay. 10z3, okay, we
 11 going to remove the two property from the
 12 auctions, right? They say, "Nonprofit JCIA." I
 13 guess interest purchase. Is that right?
 14 MR. KAKOLESKI: Correct.
 15 MR. YUN: Can you tell me the two
 16 name -- I mean the organization name who is
 17 interest?
 18 MR. GALLAGHER: The organization's
 19 name?
 20 MR. KAKOLESKI: I believe one
 21 was -- Urban League was one, and I think the
 22 second one is the organization led by Terry
 23 DeHere.
 24 MS. COLEMAN: The Urban League of
 25 Hudson County is one.

1 MR. KAKOLESKI: The organization
 2 led by Terry DeHere.
 3 MR. LAVARRO: Terry DeHere?
 4 MR. KAKOLESKI: Correct.
 5 MR. YUN: That's what I want to
 6 know.
 7 MR. KAKOLESKI: The City Council
 8 will still, if they choose to buy them from us,
 9 approve that sale. And if for some reason they
 10 are not able to get their financing or plan to
 11 work, they know that we'll be putting those
 12 properties back up to auction.
 13 MR. YUN: Thank you.
 14 MR. GALLAGHER: And your vote,
 15 Councilman Yun?
 16 MR. YUN: Yes, all.
 17 MR. GALLAGHER: Councilperson
 18 Osborne, did you say, "Aye"?
 19 MS. OSBORNE: I'm about to.
 20 MR. GALLAGHER: I'm sorry.
 21 MS. OSBORNE: I vote aye. And I
 22 just want to thank Councilman Boggiano for
 23 putting Resolution z1 on there. We -- it is not
 24 acceptable what The Port Authority has done in
 25 shutting down weekend service through World

Page 186 1 Trade Center and through Exchange Place without 2 providing cost neutral alternatives. We have 3 many people on low and fixed income, and it's 4 absolutely necessary that we give those people 5 neutral transportation costs into the City. 6 MR. YUN: Good job. 7 MR. GALLAGHER: Thank you. 8 Councilperson Coleman? 9 MS. COLEMAN: I would like to also 10 say thanks to my colleague because I sent you a 11 couple -- oh. I sent him a couple of e-mails 12 with some ideas that the hundred e-mails that I 13 received had that I thought was a great idea. I 14 sent them so that in the discussion they might 15 be able to bring up those other alternatives 16 that would help people in the community. So I 17 thank you, Councilman Boggiano. 18 And I say aye on all. 19 MR. GALLAGHER: Thank you 20 Councilperson Rivera? 21 MR. RIVERA: I vote aye. 22 MR. GALLAGHER: Thank you. 23 Councilperson Watterman? 24 MS. WATTERMAN: Aye. 25 MR. GALLAGHER: Council President	Page 188 1 On that note, motion to 2 adjourn -- 3 MR. LAVARRO: Second. 4 MS. COLEMAN: Motion. 5 MR. GALLAGHER: -- at 11:16 p.m. 6 I got you out of here before 12, come on. 7 Motion? I need a motion. 8 MR. RIVERA: Motion. 9 MS. COLEMAN: "Motion," we said. 10 MR. RIVERA: Second. 11 MR. GALLAGHER: Motion by 12 Councilwoman Coleman. I am going to give it to 13 the ladies. Second by Councilwoman Osborne. 14 By acclamation by all hear, say, 15 "Aye." 16 (Whereupon, the proceeding is 17 concluded at 11:16 p.m.) 18 19 20 21 22 23 24 25
Page 187 1 Lavarro? 2 MR. LAVARRO: I will add my voice 3 to the chorus on z1. First, I just want to 4 acknowledge Councilwoman Osborne, as well, who 5 has taken a huge leadership role in that, 6 actually set up meetings with The Port Authority 7 and got the whole thing rolling. 8 But, Rich, absolutely, this is in 9 the spirit of -- sorry, Councilman Boggiano, 10 spirit of Council congeniality. Would like to 11 acknowledge that this is a really great 12 ordinance. And the alternatives you are putting 13 forward, they are really, really spot on, I 14 think, really good stuff. 15 So I vote aye on all. 16 MR. GALLAGHER: Thank you so much. 17 Before I take a motion to adjourn, I just want 18 to apologize again for the sound system. I 19 don't know exactly what happened. We have many 20 users in this room. It's going to be 21 investigated to find out what had happened. And 22 I will definitely get a -- 23 MS. COLEMAN: Motion. 24 MR. GALLAGHER: I will definitely 25 get the service call.	Page 189 1 CERTIFICATE 2 3 I, TRACEY R. SZCZUBELEK, a Certified Court 4 Reporter and Notary Public of the State of New 5 Jersey, do hereby certify that the foregoing is 6 a true and accurate transcript of the 7 stenographic notes as taken by and before me, on 8 the date and place hereinbefore set forth. 9 10 11 12 13 14 15 16 17 18 19 <u>TRACEY R. SZCZUBELEK, C.C.R.</u> 20 LICENSE NO. XIO1983 21 22 23 24 25

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aa 50:10 abandon 136:1 abatement 38:15 38:19 39:5 40:17 abide 169:20 ability 104:16 135:21 137:13 able 16:25 23:4 26:3 34:14 92:20 96:10 106:11,14 107:9,14 108:1 110:15 116:18 147:7 185:10 186:15 abolished 79:8 abolishing 78:5 absence 20:16 134:2 absent 55:1,22,23 56:10 60:20 158:20,21 159:4 159:14 160:1,8,15 164:11,18 165:13 166:22 167:16 absolutely 35:23 90:23 91:5 117:2 120:2 176:10,11 186:4 187:8 academic 8:11 academy 7:20,25 accept 123:24 acceptable 185:24 access 103:7 acclamation 188:14 accorded 88:6 accountable 61:25 62:6,7 63:5,21 accounting 75:4 accounts 77:10 accurate 75:4 189:6 achieve 86:10 acknowledge 8:25 187:4,11 acknowledging 134:19 acrosstheboard 33:6	act 5:10 138:16 acting 2:18 active 116:5 137:12 actively 95:13 98:6 activities 15:12 activity 15:5 actual 76:24 132:20 adapt 135:10 adaptive 13:2 add 8:16 10:3 11:4 15:7 16:5,6 17:2,3 19:4 42:12,14 43:22 46:19 75:14 104:17 141:4 187:2 added 12:6 20:20 123:13 183:14 addendum 171:8 171:10 176:25 addition 5:18 25:18 95:21 additional 10:9,11 101:21 address 26:20 64:22,24 70:13 79:10,15,16 81:3 91:16 105:10 117:10 140:11 146:4 153:2,8,9 156:21 165:21 addressed 42:7 91:19 140:8 173:23 addressing 79:13 111:5 addys 7:2 adequate 5:11 adjourn 187:17 188:2 adjustments 79:6 administration 13:18 61:12 62:24 65:15 71:25 72:11 88:8 119:18 177:12 administrations 145:21 administrator 2:19 5:22 46:6 119:11	171:16 174:6,16 175:23 adopt 150:6 adopted 10:19 146:7 152:19 160:14 167:13 adopting 12:19,25 46:18 adoption 48:10 55:2 58:10 60:21 151:17 159:16 164:20 166:24 advance 67:10 adversely 92:9 affairs 20:3 28:19 124:13 affect 31:14 107:3 138:5 afford 40:1 affordable 13:15 afternoon 97:4 112:10 age 4:25 agencies 62:5,20 71:11 agency 62:19 63:11 63:13,14,16 64:12 64:13 73:5 74:1 79:8,19 175:21 agenda 5:19 12:6 15:9 87:14 89:8 119:2 177:10 ago 22:19 51:22 62:10 72:9 103:13 121:14,20 125:5 126:4,23,24 133:10 135:4 agree 42:3 62:16 63:9 90:20 91:6 92:13 agreeable 27:8 agreement 91:25 ahead 112:6 175:3 aimée 7:18 alcohol 15:16,18 24:10 76:13 alcoholic 15:24 17:12,14 allay 33:10	allocation 171:25 allotted 168:25 allow 10:4,7 12:8 16:10,17 53:11 103:11 104:10 108:23 125:11 126:2,17,20 130:2 138:1 169:13 allowed 72:6 87:6 103:12 104:4 127:9 137:5 allowing 103:14 allows 23:12 95:16 121:2 alphabet 156:17 alternate 60:2 alternatives 186:2 186:15 187:12 amanda 7:5 amend 14:18,24 15:21 19:4 90:12 150:5,13 151:14 amended 151:17 152:19 amending 10:17 13:4,8,12 14:23 56:17 61:10 90:8 161:6 amendment 14:20 19:7 26:12 123:14 149:7 150:3 179:12,15,18,20 179:24,25 amendments 12:19 12:25 46:18 179:17 amount 74:17 94:3 94:4,11 130:8 analysis 66:23,25 analyze 66:21 anderson 6:23 animal 73:15 ann 29:17 32:3 annotated 49:17 152:23 annoyed 173:22 annual 5:13 38:6 135:23 137:14 answer 32:10,20	38:3 46:6 66:7 80:1 139:21 140:5 142:17 170:2 answered 67:22 answers 43:16 anticipated 123:15 anticipating 24:22 antiquated 119:21 anybody 51:8 78:13 anymore 50:5 51:1 52:2 53:7 anyway 92:20 97:23 107:22 apartments 157:22 apologies 15:2 apologize 95:1 177:12 187:18 apparently 145:2 appears 78:15 120:22 applaud 68:22 apple 37:9 applicant 35:15 application 154:24 applies 138:17 apply 155:22,25 156:25 appreciate 22:14 66:15 73:24 95:4 109:22 118:23 119:3,8 132:5 appreciated 3:4 approached 22:19 104:21 appropriated 78:24 appropriately 123:21 appropriation 12:13,15 approve 173:25 185:9 approved 49:12 54:25 56:9 58:8 60:17 61:2 149:13 155:16 159:12 167:25 176:25 178:20 182:1,2,7

182:9,10,19,21 183:7,8,10 approving 13:24 152:22 approximately 65:18 76:9 95:13 134:24 137:11 april 95:10 106:9 140:24 165:24,24 archdiocese 50:17 52:3 53:5 architecture 179:11 area 10:9 20:20 21:6 22:18 27:17 31:6 35:12 36:6,7 108:23 162:20,22 167:7 areas 59:24 136:23 139:13,18 arent 42:7 105:15 176:3 arias 6:15 arrange 134:11 article 13:9,13,14 56:15 61:11,13,14 90:9 161:2,3,6,20 ash 157:15,19,20 asked 21:11 66:24 74:12,22 82:17 87:8 121:21 132:4 139:21,24 140:24 asking 17:2 77:16 129:18 142:8 153:16 175:2 179:25 assault 93:7 assemblages 13:5 assess 37:23 assessed 38:3 assistant 149:9 associated 135:24 associates 1:20 association 22:20 23:1 36:16,18 98:3 assume 61:17 assure 97:17 atm 75:8	attendance 4:19 attended 175:6 attention 25:2 97:21 120:8 149:11 attractions 137:1 auction 185:12 auctions 184:12 audience 36:8 114:8 119:7 169:10 authorities 61:11 76:17 authority 10:6 61:12,16,18 62:1 63:12 65:4 69:11 69:25 70:4,15 71:3,7,24 72:2,4,6 72:21,24 73:3,8 73:12,25 74:7,13 74:23 76:8,15,19 82:19 85:24 140:22 171:18,23 172:25 174:23 175:13,15,20 180:5 185:24 187:6 authorizing 10:18 49:15 autonomous 62:5 62:19,20 64:12 71:11 175:21 available 80:21,23 136:3 137:17 ave 104:11,12 143:5,6 avenue 29:9 52:15 56:19,19 59:25 97:6 98:3 99:21 99:25 100:17,21 102:13 103:20 104:20 105:5,16 105:21,22 106:14 107:1 110:11 112:11,11,13,18 113:14,18,25 114:23 115:2 117:15,21,23 118:4,21 123:10	125:15 126:11 127:7 128:7,9 129:1 130:13,17 130:18 132:24 134:4,7,10,19,22 135:17 136:16,17 136:22,24 137:1,9 138:23 139:5,14 139:22 140:1 142:20,25 143:1 143:22 145:1 157:16 161:9,9,10 161:11,23,24,25 161:25 162:4,5,6 162:7 avenues 136:12 avoid 80:5 awarded 9:11 awarding 8:20 aware 22:8 29:23 141:19 176:16 aye 11:6,9,12,14,17 11:20,23 12:1,4 14:14 33:23 34:23 41:20 42:11,13,16 43:14 45:5 47:6,9 47:12,14,16,19,22 47:25 48:3,5,12 48:15,18,20,23 49:1,4,7,10 53:25 54:3,6,8,11,17,20 54:23 55:5,8,11 55:15,17,20 56:1 56:4,7 57:7,10,13 57:15,18,21,24 58:2,5,12 59:7,10 59:12,15,22 60:6 60:9,12,15,23,24 82:21,24 83:2,4,7 83:10,13,16,19 84:14,17,20,22,25 85:3,6,9 86:25 148:5,8,11,13,16 148:19,22,25 149:3 150:15,18 150:21,23 151:1,4 151:7,10,13,19,22 151:25 152:2,5,8 152:11,14,17	158:11,14,17,23 159:1,7,10,18,21 159:24 160:3,6,10 160:12 163:17,20 163:23,24 164:3,6 164:9,13,16,22,25 165:3,5,8,11,15 166:16 167:7,10 167:21 172:10,22 173:8,11,13,16 174:4,9,12,16 176:19,23 177:18 177:22,25 178:2,5 178:8,11,14,18,24 179:2,5 181:7,11 181:14,17,21,24 183:15 184:4,7 185:18,21 186:18 186:21,24 187:15 188:15 B b 2:1,9 15:18,22,23 39:9 59:6 171:7 ba 94:15 baby 91:12 back 24:20,23 27:3 34:6,8 39:2 41:1 42:5 62:13 67:8 74:19 77:13,19 78:3 96:7 120:14 123:21 125:19 126:5 127:16 130:2 131:6 133:16 141:13 156:14 163:2 165:23 185:12 backdrop 138:19 backflow 156:15 background 90:22 91:5,10,11,14 92:1 138:12 bad 72:22 balance 21:22 37:14 44:16 131:19 183:12 balances 12:13,16 77:10 balcer 61:21,22	71:6 90:18,19 91:17,21 92:13,24 93:14,18 162:10 162:11,14 banter 80:7 baptist 52:14 bar 141:8 barbara 7:9 barbecue 16:4,10 18:1 barbecues 18:2 barrage 118:11,13 barrow 161:13,15 baseball 106:22 108:4 based 38:8,16,16 38:21 69:19 101:14 basic 104:14 basically 30:2,2 73:4 155:10 bath 91:13 bear 95:3 beat 72:4 74:9 89:9 beautiful 69:22 157:17 began 135:15 begging 129:17 behalf 5:4,7 35:14 134:22 139:2 behavior 89:13 behest 70:6,6 believe 19:20 34:12 73:25 87:9 91:19 95:14 118:3 124:21 143:16 171:21 184:20 belongs 15:14 beneficial 142:11 benefits 146:11 bergen 56:19 59:24 161:10 bet 52:3 better 5:6 9:21 40:23 74:3,19 119:18 beverage 15:19,25 17:4 76:13 beverages 17:12,15
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PART 1

STATE OF NEW JERSEY
DEPARTMENT OF COMMUNITY AFFAIRS
DIVISION OF LOCAL GOVERNMENT SERVICES
LOCAL FINANCE BOARD
APPLICATION CERTIFICATION

APPLICANT'S NAME City of Jersey City

I, Robert J. Kakoleski, Acting Business Administrator
(name) (title)

OF THE City of Jersey City
(applicant)

DO HEREBY DECLARE:

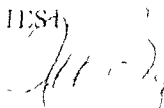
That the documents submitted herewith and the statements contained herein are true to the best of my knowledge and belief; and

That this application was considered and its submission to the Local Finance Board approved by the governing body of the City of Jersey City on Tuesday, February 11, 2014, and

That the governing body of the City of Jersey City has notified each participating local unit of its submission of this application to the Local Finance Board and has made available to each, a true copy of this application



Robert J. Kakoleski, Acting Business Administrator

ATTEST:

MAR 10 2014
(date)

PART I

STATE OF NEW JERSEY
DEPARTMENT OF COMMUNITY AFFAIRS
DIVISION OF LOCAL GOVERNMENT SERVICES
LOCAL FINANCE BOARD
APPLICATION CERTIFICATION

APPLICANT'S NAME, City of Jersey City

I, Robert J. Kakoleski, Acting Business Administrator
(name) (title)

OF THE City of Jersey City
(applicant)

DO HEREBY DECLARE

That the documents submitted herewith and the statements contained herein are true to the best of my knowledge and belief; and

That this application was considered and its submission to the Local Finance Board approved by the governing body of the City of Jersey City on Tuesday, February 11, 2014, and

That the governing body of the City of Jersey City has notified each participating local unit of its submission of this application to the Local Finance Board and has made available to each, a true copy of this application

Robert J. Kakoleski, Acting Business Administrator

ATTEST

[Handwritten signature]

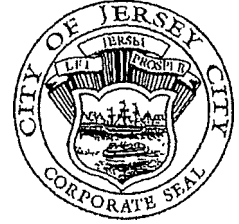
MAR 10 2014

(date)

City Clerk File No. Ord. 14.017

Agenda No. 3.D 1st Reading

Agenda No. 4.D 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 14.017

TITLE: ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 12 (AUTHORITIES, MUNICIPAL), ARTICLE III (PARKING AUTHORITY) AND CHAPTER 3 (ADMINISTRATION OF GOVERNMENT) ARTICLE IX (DEPARTMENT OF PUBLIC WORKS) AND ARTICLE XI (DEPARTMENT OF PUBLIC SAFETY) OF THE JERSEY CITY MUNICIPAL CODE, TO DISSOLVE THE JERSEY CITY PARKING AUTHORITY AND TO CONSOLIDATE AND ASSUME THE FUNCTIONS OF THE PARKING AUTHORITY WITHIN THE DEPARTMENT OF PUBLIC SAFETY

THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY HEREBY ORDAINS:

WHEREAS, the Jersey City Parking Authority [JCPA] was created by the adoption of an ordinance by the Municipal Council of the City of Jersey City [City], pursuant to the New Jersey Parking Authority Law, N.J.S.A. 40:11A-1 et seq.; and

WHEREAS, the City has conducted extensive research and engaged in significant discussion regarding the dissolution of the JCPA and the assumption by the City of the JCPA's necessary services and functions by various City departments; and

WHEREAS, the City has determined that the dissolution of the JCPA would result in significant cost savings to the City, and increase the efficient delivery of parking services and functions to the City, and

WHEREAS, pursuant to the Local Authorities Fiscal Control Law, N.J.S.A. 40A 5A-20, the City is authorized to dissolve its JCPA, so long as the City provides for payment of the JCPA's debts and obligations and assumes the JCPA's necessary services and functions; and

WHEREAS, the City has determined that the most efficient and cost-effective method for it to assume the JCPA's necessary functions is to merge the JCPA's parking enforcement functions within the City's Department of Public Safety, transfer some of the JCPA's employees to the Department of Public Safety and other appropriate City Departments and dissolve the JCPA as a separate entity, and

WHEREAS, the City will assume responsibility for the payment of any and all debts and obligations of the JCPA; and

WHEREAS, pursuant to N.J.S.A. 40A:5A-20 the New Jersey Local Finance Board will review this Ordinance and has approved it prior to its adoption, and

WHEREAS, no later than three (3) months from the date of the adoption of the within Ordinance, the City's Business Administrator will prepare a new table of organization for the City departments that will be affected by the dissolution of the JCPA which will reflect the placement of personnel needed to perform the functions that will no longer be performed by the JCPA.

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

- A The following amendments to Chapter 12 (Authorities, Municipal) Article III (Parking Authority) are hereby adopted.

AUTHORITIES, MUNICIPAL
~~[ARTICLE III]Reserved~~
~~[Parking Authority]~~

~~§12-3. Authority continued; membership.~~

~~The Parking Authority, as heretofore established pursuant to law (N.J.S.A. 40:11A-1 et seq.), is reconstituted and continued. The Jersey City Parking Authority shall consist of seven members, appointed in the manner provided by law.~~

~~§12-3.1. Residential Permit Parking Zone Program.~~

~~The Parking Authority hereby has full power and authority to operate the City of Jersey City Residential Permit Parking Zone Program in accordance with Chapter 332 (Vehicles and Traffic), Sections 332-58 through 332-67 of the Jersey City Code.~~

~~§12-4. Division of Parking Enforcement.~~

~~There is hereby created a Division of Parking Enforcement, the head of which shall be the Director of Parking Enforcement. Parking enforcement officers employed by the Division of Parking Enforcement shall have full power and authority to:~~

- ~~A. Issue summonses for violations of any provision of said law, ordinances or regulations;~~
- ~~B. Serve and execute all process with respect to any such violation issuing out of the police court of the municipality by whatsoever name the same shall be known; and~~
- ~~C. Cause any vehicle parked, stored or abandoned in violation of any provision of said law, ordinances or regulations to be towed away from the scene of such violation and collect from the owner of such vehicle the costs of the towing and subsequent storage of said vehicle before surrendering said vehicle to such owner.]~~

- B. The following amendments to Chapter 3 (Administration of Government) Article IX (Department of Public Works) are hereby adopted:

ADMINISTRATION OF GOVERNMENT
ARTICLE IX
Department of Public Works

§3-66. No Change.

§3-67. No Change.

§3-68. Division of Architecture, Engineering, Traffic and Transportation.

A. through C. No Change.

D.(1) - (14). No Change.

D. (15). The Division of Architecture, Engineering, Traffic and Transportation shall concurrently, with the Division of Parking Enforcement within the Department of [Police and the Jersey City Parking Authority]Public Safety, enforce all laws and regulations regulating the parking of vehicles.

D. (15) (a). through D. (15) (f). No Change.

D. (15) (g). In an off-street parking area operated by the [Jersey]City[~~Parking Authority~~].

D. (16). No Change.

§3-69. Through §3-71.2. No Change.

- C. The following amendments to Chapter 3 (Administration of Government) Article XI (Department of Public Safety) are hereby adopted:

ADMINISTRATION OF GOVERNMENT
ARTICLE XI
Department of Public Safety

§3-83. No change.

§3-84. Director of Public Safety.

A. No change.

B. The Director of Public Safety shall be responsible for the administrative, regulation and discipline of the Division of Police, Division of Fire, ~~[and]~~ Division of Communications and Technology~~[-]~~ and Division of Parking Enforcement

C. through F. No change.

§3-85. through §3-90. No change.

§3-91. Division of Parking Enforcement ~~[-Reserved]~~

There shall be a Division of Parking Enforcement, the head of which shall be the Director of Parking Enforcement.

A. The Division of Parking Enforcement shall perform the following functions:

(1) Enforce all relevant parking regulations and operate all parking programs and facilities as set forth in Chapter 332 (Vehicles and Traffic) of the Municipal Code, including Article VII (Metered Parking), and Article VIII (Permit Parking), which were previously authorized to be enforced by the Jersey City Parking Authority on behalf of the City.

(2) Issue summonses for violations of any provision of applicable state law, municipal ordinance or regulation as to the parking of vehicles within the City of Jersey City.

(3) Serve and execute all process with respect to any such violation issuing out of the Jersey City Municipal Court.

(4) Cause any vehicle parked, stored or abandoned in violation of any provision of said law, ordinance or regulation to be towed away from the scene of such violation, or booted at the scene, and collect from the owner of such vehicle the costs of the towing and subsequent storage of said vehicle before surrendering said vehicle to such owner, or removal of said boot

- D. Any reference in the Municipal Code to the Parking Authority shall be amended to the City, Department of Public Safety or Division of Parking Enforcement as deemed appropriate by the City Clerk.

- E All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- F. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.
- G. This ordinance shall take effect at the time and in the manner as provided by law.
- H. The City Clerk and the Corporation Counsel may change any chapter numbers, article numbers and section numbers if codification of this ordinance reveals a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.

Note: All new material is underlined; words in ~~[brackets]~~ are omitted.
For purposes of advertising only, new matter is **boldface** and
repealed matter by *italics*

JM/he
1/29/14

APPROVED AS TO LEGAL FORM _____

Corporation Counsel

Certification Required ☐
Not Required ☐

APPROVED _____

APPROVED _____

Business Administrator

RESOLUTION FACT SHEET - NON CONTRACTUAL

This summary sheet is to be attached to the front of any resolution that is submitted for Council Consideration. Incomplete or vague fact sheets will be returned with the resolution.

Full Title of Ordinance/Resolution

ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 12 (AUTHORITIES, MUNICIPAL) ARTICLE III (PARKING AUTHORITY) AND CHAPTER 3 (ADMINISTRATION OF GOVERNMENT) ARTICLE IX (DEPARTMENT OF PUBLIC WORKS) AND ARTICLE XI (DEPARTMENT OF PUBLIC SAFETY) OF THE JERSEY CITY MUNICIPAL CODE, TO DISSOLVE THE JERSEY CITY PARKING AUTHORITY AND TO CONSOLIDATE AND ASSUME THE FUNCTIONS OF THE PARKING AUTHORITY WITHIN THE DEPARTMENT OF PUBLIC SAFETY

Initiator

Department/Division	Law Department	Law Department
Name/Title	Jeremy Farrell	Corporation Counsel
Phone/email	(201) 547-4667	JFarrell@jcnj.org

Note: Initiator must be available by phone during the agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

Resolution Purpose

Before the members of the council are a resolution authorizing an application to the New Jersey Local Finance Board to approve the dissolution of the Jersey City Parking Authority and an ordinance authorizing the dissolution. The ordinance can be introduced but not adopted until the Local Finance Board approved the dissolution. In conjunction with this ordinance and resolution, we have prepared an extensive report explaining the reasons for the dissolution.

The Jersey City Parking Authority (JCPA) was created by an ordinance of the Council as authorized by the New Jersey Parking Authorities Law, N.J.S.A. 40:11A-1, et seq. As explained by the report submitted with the ordinance and resolution, the mayor has concluded that the dissolution of the JCPA would both reduce expenses and make parking more available in the City.

Under the Local Authorities Fiscal Control Law, N.J.S.A. 40A:5A-20, the City may dissolve the JCPA by adopting a plan which provides for payment of the JCPA's debts, assumes its present obligations and undertakes its services and functions. Based upon his research the mayor has concluded that the most efficient and cost-effective method to achieve these goals is to merge the JCPA's parking enforcement functions within the City's Department of Public Safety, transfer some of the JCPA's employees to the Department of Public Safety and other appropriate City Departments and dissolve the JCPA as a separate entity. In accordance with the Fiscal Control Law, the City will also assume responsibility for the debts and obligations of the JCPA

I certify that all the facts presented herein are accurate

Signature of Department Director

Date

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



ORDINANCE NO. Ord 14.017
TITLE 3 D FEB 11 2014 4.D

Ordinance amending and supplementing Chapter 12 (Authorities, Municipal)
Article III (Parking Authority) and Chapter 3 (Administration of Government)
Article IX (Department of Public Works) and Article XI (Department of
Public Safety) of the Jersey City Municipal Code, to dissolve the Jersey City
Parking Authority and to consolidate and assume the functions of the Parking
Authority within the Department of Public Safety

RECORD OF COUNCIL VOTE ON INTRODUCTION FEB 11 2014 7-2											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN		✓		RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMEN	✓		
BOGGIANO		✓		COLEMAN	✓			LAVARRO, PRES	✓		

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING FEB 26 2014 9-0											
Councilperson <u>COLEMAN</u> moved, seconded by Councilperson <u>OSBORNE</u> to close P.H.											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMEN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

SPEAKERS:

YVONNE BALZER
JAYSON BURR
KATHLEEN HUNT
PAT O'MELIA
JOHN TARANTULA

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY											
Councilperson _____ moved to amend* Ordinance, seconded by Councilperson _____ & adopted											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI				YUN				RIVERA			
RAMCHAL				OSBORNE				WATTERMEN			
BOGGIANO				COLEMAN				LAVARRO, PRES.			

RECORD OF FINAL COUNCIL VOTE											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI				YUN				RIVERA			
RAMCHAL				OSBORNE				WATTERMEN			
BOGGIANO				COLEMAN				LAVARRO, PRES.			

✓ Indicates Vote

N.V.--Not Voting (Abstain)

FEB 11 2014

Adopted on first reading of the Council of Jersey City, N.J. on _____

Adopted on second and final reading after hearing on _____

This is to certify that the foregoing Ordinance was adopted by
the Municipal Council at its meeting on

APPROVED:

Robert Byrne, City Clerk

Rolando R. Lavarro, Jr., Council President

Date _____

*Amendment(s).

APPROVED:

Steven M. Fulop, Mayor

Date _____

Date to Mayor _____

FEB 26 2014

MOTION TO:

BY:

SECONDED:

table ORD 14-017 after the close of the P.H.

ROLL CALL	AYE:	NAY:	ABSTAINED:
Gajewski	✓		
Ramchal	✓		
Boggiano	✓		
Yun	✓		
Osborne	✓		
Coleman	✓		
Rivera	✓		
Watterman	✓		
Lavarro, Pres.	✓		
Comment:			

City Clerk File No. Ord. 14.017
Agenda No. 3.D 1st Reading
Agenda No. 4.D 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 14.017

TITLE: ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 12 (AUTHORITIES, MUNICIPAL) ARTICLE III (PARKING AUTHORITY) AND CHAPTER 3 (ADMINISTRATION OF GOVERNMENT) ARTICLE IX (DEPARTMENT OF PUBLIC WORKS) AND ARTICLE XI (DEPARTMENT OF PUBLIC SAFETY) OF THE JERSEY CITY MUNICIPAL CODE, TO DISSOLVE THE JERSEY CITY PARKING AUTHORITY AND TO CONSOLIDATE AND ASSUME THE FUNCTIONS OF THE PARKING AUTHORITY WITHIN THE DEPARTMENT OF PUBLIC SAFETY

THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY HEREBY ORDAINS:

WHEREAS, the Jersey City Parking Authority [JCPA] was created by the adoption of an ordinance by the Municipal Council of the City of Jersey City [City], pursuant to the New Jersey Parking Authority Law, N.J.S.A. 40:11A-1 et seq., and

WHEREAS, the City has conducted extensive research and engaged in significant discussion regarding the dissolution of the JCPA and the assumption by the City of the JCPA's necessary services and functions by various City departments; and

WHEREAS, the City has determined that the dissolution of the JCPA would result in significant cost savings to the City, and increase the efficient delivery of parking services and functions to the City; and

WHEREAS, pursuant to the Local Authorities Fiscal Control Law, N.J.S.A. 40A 5A-20, the City is authorized to dissolve its JCPA, so long as the City provides for payment of the JCPA's debts and obligations and assumes the JCPA's necessary services and functions; and

WHEREAS, the City has determined that the most efficient and cost-effective method for it to assume the JCPA's necessary functions is to merge the JCPA's parking enforcement functions within the City's Department of Public Safety, transfer some of the JCPA's employees to the Department of Public Safety and other appropriate City Departments and dissolve the JCPA as a separate entity; and

WHEREAS, the City will assume responsibility for the payment of any and all debts and obligations of the JCPA; and

WHEREAS, pursuant to N.J.S.A. 40A:5A-20 the New Jersey Local Finance Board will review this Ordinance and has approved it prior to its adoption, and

WHEREAS, no later than three (3) months from the date of the adoption of the within Ordinance, the City's Business Administrator will prepare a new table of organization for the City departments that will be affected by the dissolution of the JCPA which will reflect the placement of personnel needed to perform the functions that will no longer be performed by the JCPA.

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

- A. The following amendments to Chapter 12 (Authorities, Municipal) Article III (Parking Authority) are hereby adopted.

AUTHORITIES, MUNICIPAL
~~[ARTICLE III]~~Reserved
~~{Parking Authority}~~

~~§12-3. Authority continued; membership.~~

~~The Parking Authority, as heretofore established pursuant to law (N.J.S.A. 40:11A-1 et seq.), is reconstituted and continued. The Jersey City Parking Authority shall consist of seven members, appointed in the manner provided by law.~~

~~§12-3.1. Residential Permit Parking Zone Program.~~

~~The Parking Authority hereby has full power and authority to operate the City of Jersey City Residential Permit Parking Zone Program in accordance with Chapter 332 (Vehicles and Traffic), Sections 332-58 through 332-67 of the Jersey City Code.~~

~~§12-4. Division of Parking Enforcement.~~

~~There is hereby created a Division of Parking Enforcement, the head of which shall be the Director of Parking Enforcement. Parking enforcement officers employed by the Division of Parking Enforcement shall have full power and authority to:~~

- ~~A. Issue summonses for violations of any provision of said law, ordinances or regulations;~~
- ~~B. Serve and execute all process with respect to any such violation issuing out of the police court of the municipality by whatsoever name the same shall be known; and~~
- ~~C. Cause any vehicle parked, stored or abandoned in violation of any provision of said law, ordinances or regulations to be towed away from the scene of such violation and collect from the owner of such vehicle the costs of the towing and subsequent storage of said vehicle before surrendering said vehicle to such owner.~~

- B. The following amendments to Chapter 3 (Administration of Government) Article IX (Department of Public Works) are hereby adopted:

ADMINISTRATION OF GOVERNMENT
ARTICLE IX
Department of Public Works

§3-66. No Change.

§3-67. No Change.

§3-68. Division of Architecture, Engineering, Traffic and Transportation.

A. through C. No Change.

D.(1) - (14). No Change.

D. (15). The Division of Architecture, Engineering, Traffic and Transportation shall concurrently, with the Division of Parking Enforcement within the Department of [Police and the Jersey City Parking Authority]Public Safety, enforce all laws and regulations regulating the parking of vehicles.

D. (15) (a), through D. (15) (f). No Change.

D. (15) (g). In an off-street parking area operated by the [Jersey]City[Parking Authority].

D. (16). No Change.

§3-69. Through §3-71.2. No Change.

- C. The following amendments to Chapter 3 (Administration of Government) Article XI (Department of Public Safety) are hereby adopted:

ADMINISTRATION OF GOVERNMENT
ARTICLE XI
Department of Public Safety

§3-83. No change.

§3-84. Director of Public Safety.

A. No change.

B. The Director of Public Safety shall be responsible for the administrative, regulation and discipline of the Division of Police, Division of Fire, [and] Division of Communications and Technology[-] , and Division of Parking Enforcement

C. through F. No change.

§3-85. through §3-90. No change.

§3-91. Division of Parking Enforcement [-Reserved]

There shall be a Division of Parking Enforcement, the head of which shall be the Director of Parking Enforcement

A. The Division of Parking Enforcement shall perform the following functions:

- (1) Enforce all relevant parking regulations and operate all parking programs and facilities as set forth in Chapter 332 (Vehicles and Traffic) of the Municipal Code, including Article VII (Metered Parking), and Article VIII (Permit Parking), which were previously authorized to be enforced by the Jersey City Parking Authority on behalf of the City
- (2) Issue summonses for violations of any provision of applicable state law, municipal ordinance or regulation as to the parking of vehicles within the City of Jersey City.
- (3) Serve and execute all process with respect to any such violation issuing out of the Jersey City Municipal Court.
- (4) Cause any vehicle parked, stored or abandoned in violation of any provision of said law, ordinance or regulation to be towed away from the scene of such violation, or booted at the scene, and collect from the owner of such vehicle the costs of the towing and subsequent storage of said vehicle before surrendering said vehicle to such owner, or removal of said boot

- D. Any reference in the Municipal Code to the Parking Authority shall be amended to the City, Department of Public Safety or Division of Parking Enforcement as deemed appropriate by the City Clerk.

- E. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- F. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.
- G. This ordinance shall take effect at the time and in the manner as provided by law.
- H. The City Clerk and the Corporation Counsel may change any chapter numbers, article numbers and section numbers if codification of this ordinance reveals a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.

Note: All new material is underlined; words in [brackets] are omitted.
For purposes of advertising only, new matter is **boldface** and repealed matter by *italics*

JM/he
1/29/14

APPROVED AS TO LEGAL FORM

Corporation Counsel

APPROVED

Business Administrator

Certification Required ☐
Not Required ☐

RESOLUTION FACT SHEET - NON CONTRACTUAL

This summary sheet is to be attached to the front of any resolution that is submitted for Council Consideration. Incomplete or vague fact sheets will be returned with the resolution.

Full Title of Ordinance/Resolution

ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 12 (AUTHORITIES, MUNICIPAL) ARTICLE III (PARKING AUTHORITY) AND CHAPTER 3 (ADMINISTRATION OF GOVERNMENT) ARTICLE IX (DEPARTMENT OF PUBLIC WORKS) AND ARTICLE XI (DEPARTMENT OF PUBLIC SAFETY) OF THE JERSEY CITY MUNICIPAL CODE, TO DISSOLVE THE JERSEY CITY PARKING AUTHORITY AND TO CONSOLIDATE AND ASSUME THE FUNCTIONS OF THE PARKING AUTHORITY WITHIN THE DEPARTMENT OF PUBLIC SAFETY

Initiator

Department/Division	Law Department	Law Department
Name/Title	Jeremy Farrell	Corporation Counsel
Phone/email	(201) 547-4667	JFarrell@jcnj.org

Note: Initiator must be available by phone during the agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

Resolution Purpose

Before the members of the council are a resolution authorizing an application to the New Jersey Local Finance Board to approve the dissolution of the Jersey City Parking Authority and an ordinance authorizing the dissolution. The ordinance can be introduced but not adopted until the Local Finance Board approved the dissolution. In conjunction with this ordinance and resolution, we have prepared an extensive report explaining the reasons for the dissolution.

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Under the Local Authorities Fiscal Control Law, N.J.S.A. 40A:5A-20, the City may dissolve the JCPA by adopting a plan which provides for payment of the JCPA's debts, assumes its present obligations and undertakes its services and functions. Based upon his research the mayor has concluded that the most efficient and cost-effective method to achieve these goals is to merge the JCPA's parking enforcement functions within the City's Department of Public Safety, transfer some of the JCPA's employees to the Department of Public Safety and other appropriate City Departments and dissolve the JCPA as a separate entity. In accordance with the Fiscal Control Law, the City will also assume responsibility for the debts and obligations of the JCPA

I certify that all the facts presented herein are accurate

Signature of Department Director

Date

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



ORDINANCE NO. Ord 14.017
TITLE: 3 D FEB 11 2014 4,D

Ordinance amending and supplementing Chapter 12 (Authorities, Municipal)
Article III (Parking Authority) and Chapter 3 (Administration of Government)
Article IX (Department of Public Works) and Article XI (Department of
Public Safety) of the Jersey City Municipal Code, to dissolve the Jersey City
Parking Authority and to consolidate and assume the functions of the Parking
Authority within the Department of Public Safety

RECORD OF COUNCIL VOTE ON INTRODUCTION FEB 11 2014 7-2											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN		✓		RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMEN	✓		
BOGGIANO		✓		COLEMAN	✓			LAVARRO, PRES.	✓		

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING FEB 26 2014 9-0											
Councilperson <u>COLEMAN</u> moved, seconded by Councilperson <u>OSBORNE</u> to close P.H.											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMEN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

SPEAKERS:

YVONNE BALZER
JAYSON BURR
KATHLEEN HUNT
PAT O'MELIA
JOHN TARANTULA

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY											
Councilperson _____ moved to amend* Ordinance, seconded by Councilperson _____ & adopted											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI				YUN				RIVERA			
RAMCHAL				OSBORNE				WATTERMEN			
BOGGIANO				COLEMAN				LAVARRO, PRES.			

RECORD OF FINAL COUNCIL VOTE											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI				YUN				RIVERA			
RAMCHAL				OSBORNE				WATTERMEN			
BOGGIANO				COLEMAN				LAVARRO, PRES.			

✓ Indicates Vote

N.V.--Not Voting (Abstain)

FEB 11 2014

Adopted on first reading of the Council of Jersey City, N.J. on _____

Adopted on second and final reading after hearing on _____

This is to certify that the foregoing Ordinance was adopted by
the Municipal Council at its meeting on

APPROVED.

Robert Byrne, City Clerk

Rolando R. Lavarro, Jr., Council President

Date _____

*Amendment(s):

APPROVED.

Steven M. Fulop, Mayor

Date _____

Date to Mayor _____

FEB 26 2014

MOTION TO: *table ORD 14-017 after the close of the P.H.*
 BY: *WATTERMAN*
 SECONDED: *COLEMAN*

ROLL CALL	AYE:	NAY:	ABSTAINED:
Gajewski	✓		
Ramchal	✓		
Boggiano	✓		
Yun	✓		
Osborne	✓		
Coleman	✓		
Rivera	✓		
Watterman	✓		
Lavarro, Pres.	✓		
Comment:			

McNamara, Pat

From: Tim Eismeier <teismeier@nwfinancial.com>
Sent: Tuesday, March 11, 2014 7:56 PM
To: McNamara, Pat, Neff, Thomas
Cc: Michael Hanley, Bob Kakoleski (RJKakoleski@jcnj.org), JFarrell@jcnj.org
Subject: JCPA Dissolution
Attachments: Organization Table and Projected Savings pdf, Ord 14-017 - To Dissolve the JCPA - Intro - Tabled.pdf, SCOPYROOM_214031111480.pdf

Director:

Please see attached a preliminary table of organization for the Jersey City Parking Authority employees that will be absorbed into the City government along with a detailed analysis of budgetary savings. This table of organization and projected savings is based on additional discussions that we have had with the various City department heads and the working group since we submitted our application in February, which accounts for the difference between the numbers and our application and what I have attached to this email.

Also, please see attached the introduced dissolution ordinance with the vote count and an updated signed certification page as requested.

Thank you,
Tim

Timothy S. Eismeier
Senior Vice President
NW Financial Group, LLC
2 Hudson Place
Hoboken, NJ 07030
P. 201-656-0115
F. 201-656-4905

TO: COMMISSIONER RICHARD E. CONSTABLE III
NJ DEPT OF COMMUNITY AFFAIRS

FROM: JOHN TARANTULA, CHAIR, BOARD OF COMMISSIONERS
JERSEY CITY PARKING AUTHORITY

RE: JERSEY CITY PARKING AUTHORITY FISCAL STABILITY

DATE: APRIL 4, 2014

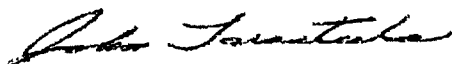
Commissioner:

Attached please find the section from the Annual Audit Report ending June 30, 2013 which will document the fiscal stability of the Jersey City Parking Authority.

Also please find report of JCPA Executive Director Mary Paretti in regards to her comments concerning the Weiner-Lesniak Report.

Thank you for your review.

Respectfully,



John Tarantula, Chair
Board of Commissioners-Jersey City Parking Authority

Via Facsimile Transmittal to 609-984-6696

10 PAGES TOTAL

PARKING AUTHORITY OF THE CITY OF JERSEY CITY

Management's Discussion and Analysis June 30, 2013 and 2012

Financial Highlights

The following data highlights the changes in the Authority's finances for the years ended June 30, 2013, 2012 and 2011.

Increase/ (Decrease)	2013	Totals 2012	2011
Net position	\$ 139,022	\$ 46,270	\$ 27,787
Cash	618,817	551,991	(145,986)
Net capital position	(219,004)	(173,113)	(222,083)
Operating revenues	(210,216)	329,427	494,760
Operating expenses	(301,564)	315,576	121,939
Operating income	91,348	13,851	372,821

Fiscal Year 2013 compared to 2012. Net position increased by \$92,751 or 2%. This was due to the increase in operating income of \$91,347 or 39% from the prior year. The operating income increase is due mostly to decrease in expenses by \$301,563. The decrease was attributed to a reduction of anticipated revenue and a decrease in Parking Enforcement Officers and decrease in the costs for workman's compensation cash flow increased by \$618,817 or 51.9%, due to prepayment of contract payments from the City of Jersey City.

Fiscal Year 2012 compared to 2011. Net position increased by \$46,271 or 1.2%. This was due to the increase in operating income of \$13,852 or 6.3% from the prior year. The income growth is due mostly to increase in revenue by \$329,427. The increase was attributed to parking revenue and booting revenue increases amounting to \$155,391 and \$335,202, respectively. This was partially offset by a decrease in the grant from the City amounting to \$260,506. Operating expenses increased by \$315,575 or 4.6%, mainly due to the increase in workers compensation insurance and increase in payroll expense due to accrual of one additional week of sick for each employee. Cash levels increased by \$551,991 or 86.2%, due to bond installment payment and insurance premiums being made in July 2012 opposed to June in the prior year.

PARKING AUTHORITY OF THE CITY OF JERSEY CITY

Management's Discussion and Analysis June 30, 2013 and 2012

Financial Analysis of the Authority

The following table summarizes the assets, liabilities and net position as of June 30, 2013, 2012 and 2011:

	2013	Totals 2012	2011
Current assets	\$ 1,948,938	\$ 1,395,024	\$ 1,165,910
Other noncurrent assets	201,473	213,473	225,473
Net capital assets	7,750,024	7,969,028	8,142,142
Total assets	9,900,435	9,577,525	9,533,525
Current liabilities	1,168,238	801,127	811,478
Noncurrent liabilities	4,584,711	4,767,934	4,759,854
Total liabilities	5,752,949	5,569,061	5,571,332
Net position:			
Invested in capital assets, net of related debt	3,747,635	3,822,787	3,906,547
Unrestricted	399,851	185,677	55,646
Total net position	\$ 4,147,486	\$ 4,008,464	\$ 3,962,193

Fiscal Year 2013 compared to 2012. The Authority's financial condition has changed slightly with the current ratio (current assets/current liabilities) decreasing from 1.74 to 1.67. This is an important measure of the Authority's fiscal health and typically a ratio of 2 or more is considered excellent.

Fiscal Year 2012 compared to 2011. The Authority's financial condition has changed slightly with the current ratio (current assets/current liabilities) increasing from 1.44 to 1.74. This is an important measure of the Authority's fiscal health and typically a ratio of 2 or more is considered excellent. The change is primarily due to the timing of the bond installment.

JERSEY CITY PARKING AUTHORITY

COMMENTS ON THE WEINER LESNIAK REPORT

The Dissolution of the Jersey City Parking Authority

Mary F. Paretti, Chief Executive Officer

2/6/2014

Report on the Dissolution of the Jersey City Parking Authority

I have had the opportunity to review the above referenced report and would like to make a few comments regarding the information presented. There are a few minor issues that are incorrect and they are as follows:

1. The Operations Division has a Director and an Assistant Director; the Executive Supervisor retired in July 2013 and was not replaced. Her responsibilities were absorbed by existing personnel, which resulted in a savings of over \$50,000.
2. The Parking Lots and Meter section states that two lots are leased to thirds parties, that is incorrect. Our Hoboken Avenue and Cook Street property is completely leased out, however; the property at 328-342 Central Avenue is not completely leased out. Burger King occupies space within our lot referred to as Lot 49, and for that space we receive \$16,600. The Authority continues to operate and maintain meters and permit parking on the remainder of the property.
3. The vehicle section states that three (3) vehicles are assigned to a specific individual; that is incorrect. The only person who has an assigned vehicle is the CEO which is part of my contract. The other two (2) vehicles were returned as per Mayor Fulop's request.
4. The Organizational charts provided in the report are not the revised ones that were provided to Weiner Lesniak as part of their request for information letter issued October 21, 2013. These were the older versions that may have been provided during the transition period.
5. Dally Visitors passes are \$5, they increased in July, the report lists the fee as \$3.
6. Under the Collective Bargaining Section it should also be noted that the amount of vacation time that can be accrued going forward has been capped at 225 hours so employees have to use the majority of their time annually.
 - a) Both unions get the same number of Holidays (14), the same days recognized by the City.
7. It should be noted in the Pending Litigation Section that the harassment claims listed were filed against the Authority after the settlement terms of the first claim were made public. Also, the majority of the allegations of harassment occurred in 2006/2007.
 - a) The Harassment Policy has been distributed annually since August 2009 and employees are required to sign acknowledging receipt.
 - b) In 2012, the Authority held an in-house training utilizing the same representative from the State Office of Civil Rights as the city, therefore, the training provided should have mirrored that offered to City employees. Training should be scheduled by August 2014, to comply with regulations. We have met with our Insurance Broker and representatives from Liberty Mutual and Gladfelter, as well as the City's Risk Manager to take steps to improve our safety program. Initial steps have been taken to establish a Safety Committee.
 - c) We have improved our light duty programs for those on workers compensation; we find some type of job for any employee who is released on light duty. This reduces our exposure/costs

- d) Being self-insured for workers compensation did not work well for the Authority, we are still paying for claims that occurred in 2004 for employees who reopen their cases every two (2) years.
 - e) The Authority's workers compensation claims are mostly motor vehicle accidents where our officers are hit by another vehicle. They are not generally accidents we can prevent.
8. The Scofflaw and Uncollected Time Payments section lists valid information however, it is not the Parking Authority's responsibility to collect the outstanding fines, it's the responsibility of the Municipal Court. The Authority can boot scofflaw violators, those with three (3) or more Failure to Appear notices and we do, but, we do so without receiving information from the Municipal Court. The City with the consent of the AOC can provide time payment (T-Pay) information to an outside party (that charges an administrative fee to the violators to collect payments that are 12 months or more overdue), but, they cannot share the same information with another governmental entity. The majority of outstanding fines result from tickets we issue, but, we cannot get that information.
9. **The elimination of Duplicative Services Section raises a few points that need to be examined more closely**
- a) The Operations Division is responsible for installing and fixing all parking meters as well as collections. These are not functions currently performed by any other department in the City. The keys for the meters must be kept in a secure location because they open every meter in the City as well as other locations.
 - b) A secure location must be available to sort/record and prepare monies collected
 - c) The average weekly coin collection is between \$28,000-\$30,00 and two (2) teams of two (2) collect the entire city before 11:30am three (3) days per week
 - d) **Installing GPS license plate readers on the JCIA sweepers is an interesting idea but, there are issues with this recommendation**
 - I. In 1990 the enforcement division was transferred from DPW to the JCPA because it was determined parking violations could only be issued by a Parking Authority or a law enforcement entity. The City is proposing merging the JCIA into DPW so the circumstances that caused the transfer of employees twenty-four (24) years ago will once again exist.
 - II. What is a GPS License Plate Reader? Are they referencing the Automatic License Plate Recognition System? If so, the Attorney General Guidelines in New Jersey only allow Law Enforcement to have access to this technology
 - III. The system does not automatically generate a summons at each vehicle. The operator will have to, stop, verify the license plate and issue a summons at each violation or at the end of the route verify each plate and violation and issue summonses by mail. Some routes can generate 100 tickets.

- IV. This would assume the sweeper operator is also a sworn officer of the court. (some of them are second chance, can they be sworn?) How will they be classified under Civil Service?
- V. It is almost physically impossible for a sweeper operator to place a summons on a vehicle due to the size of a sweeper. If this is the proposed idea it will take a lot longer for routes to be completed because the operator is going to have to exit the machine each time a summons is issued.
- VI. If someone else has to issue the summons you will still need additional manpower, so where is the cost savings.
- VII. Enforcement Officers travel in front of a sweeper so cars move before the sweeper gets there. The courtesy Air horn beep would be removed with this technology.

10. It should be noted in the Reduction in Staff section that one supervisor is responsible for coordinating Insurance/Health Benefits, Payroll, Human Resources and purchasing of office supplies. The seventeen (17) Operations employees (including the Director and Asst. Director) are responsible for building maintenance, lot maintenance (including snow removal), meter installation/maintenance & collection, vehicle maintenance, posting of Emergency No Parking Signs and Driveway painting. Several of those assigned to the Operations Division also worked in Enforcement so they are still sworn and could be reassigned.
11. The Authority has attempted to lease the vacant space in the building but, the previous Administration indicated they were going to move city agencies into that space. The floor plans were completed, fire officials signed off on egress modifications, staff from Health & Human Services visited the location, IT initiated work orders with Verizon to start moving lines but, everything was put on hold after the election. This process took close to a year to get to this point.
12. Implementation of parking meter technology is something that has been looked into but, as everyone knows these types of upgrades are costly and to make them efficient the benefits need to outweigh the cost. The Authority would need the assistance of the Administration and the City Council to adjust the meter fees in order to make the new technology pay for itself.
 - a) We have over 1500 meters on the street and in lots, to upgrade them to accept credit card and/or smart cards would require changing the meter housings. New housings cost approximately \$500 per meter, therefore, it would cost approximately \$750,000 to upgrade all of the on-street meters
 - b) Upgrading to the new technologically advanced meters would also require a monthly data fee in order for reports to be generated detailing each meters activity. This charge is approximately \$6 per meter per month (\$9000), therefore, the annual fees would be approximately \$108,000. I am approximating because these rates vary slightly. (These were the 2013 rates). The Total estimated cost to make these upgrades is \$858,000

- c) In order to have full auditing ability every meter would have to be upgraded, however, certain sections of the city do not generate enough revenue to justify this type of investment.
- d) In addition to the upgrading costs there is a per transaction fee for credit cards, debit cards and smart cards. These are additional fees that need to be considered.
- e) Fees to use a credit card/debit card or smart card would have to be adjusted to cover all of these fees or we will lose money not increase revenue.
- f) Handicapped parkers at these meters also create issues because they only have to pay the maximum on the meter, which in most places is 2 hours. They pay \$1.50 to park all day and we are paying technology fees on a meter that has very little return. The reports we received for the pilot meters on Montgomery Street demonstrated this was an issue

This section also accuses personnel of stealing coins when it states that the coin collection process inherently provides numerous opportunities for theft. The meters do not track the number of coins that go into them so there is no way to determine what the actual revenues should be at individual meters. Theft can be reduced by using other forms of technology such as credit card meters. What facts do the writers of this report have to substantiate their accusation that theft is actually occurring? They never watched the collection process, so they are just assuming employees are stealing. This is a dangerous statement to make without concrete proof of a crime.

The individual coin cans are opened directly into a larger collection can that is locked and has a numbered security tag attached to it that is removed by management personnel when the cans are brought into a secure room for collection. The room where this process takes place & coins are weighed and bagged is monitored by a camera; footage is saved for 4 weeks if review is necessary. Collectors are rotated regularly, meaning the routes they do and who they work with. If a review of meter revenue is done you will see they have increased with the exception of months where weather has negatively impacted use of meters.

I took steps to insure this process was closely monitored and secured when we brought the counting in-house to save thousands of dollars annually. A highly decorated retired JCPD Lt. is the alternate coin counter and provides security during the collection process and stays with the money until it is picked up by GARDA.

It should also be noted that card skimmers can be utilized to steal credit card information from unmanned parking meters (Fox Business article, April 2012). Nothing is foolproof.

13. The Authority is part of the State Health Benefits Program so I don't see a large savings in this area.

14. The section entitled Other Benefits of Dissolution sites that the potential cost savings associated with the dissolution of the JCPA would enable the City to commit additional resources to devise and implement more innovative and aggressive plans to enhance collection efforts. This should already be part of the Municipal Courts budget and funded by the monies they bring in. Why is the Courts failure to collect their debt included in an evaluation of the Parking Authority and its functions? These shortcomings fall on the Court not the Authority.

- a) The JCPD allocates approximately five (5) officers to scofflaw at salaries of approximately \$100,000 each, how are they utilized to bring in these outstanding funds.
 - b) Currently, there is no Municipal Prosecutor assigned to Parking violations, therefore, there is no representation in court, the Judge only hears the ticket recipients side of the story. Only recently have PEO's received subpoenas to appear when someone disputes a summons
 - c) Any prosecutorial involvement would increase the City's ability to collect outstanding monies
15. The report states in several sections (ie: Affected City CBA's, Pension System, Civil Service System) that a more detailed analysis of transitional issues should be performed if the City decides to move forward with the dissolution of the JCPA. What additional analysis has been done since the report was completed on November 7, 2013, to address the following:
- a) Union contracts are in place through 12/31/14, how will these union workers be treated, will they become members of existing unions? What happens to their seniority?
 - b) What happens to their accrued sick and vacation time, will it carry over at their current rates or will they be paid out if/when JCPA is dissolved?
 - c) Do the new pension changes allow those under 40 to remain in PERS or will they lose time if not vested?
 - d) Since the JCPA doesn't have Civil Service titles will the city ask the state if time in position will qualify them for a civil service title? The report states they will lose any seniority they have accrued at the Authority.
 - e) Will those who are retained be considered "New Hires" and have to start all over again; the report indicates that this is how they will be processed. This is going to significantly impact all involved
 - f) The JCPA employees are currently eligible to retire and receive full benefits with 15 years of service at the age of 62

The report does not make a specific recommendation on how to proceed with the dissolution/consolidation of the JC Parking Authority, it only provides possible options. The current structure of the Authority allows all aspects of parking and enforcement to be housed and addressed within one entity, decentralizing this process will negatively impact the existing continuity and efficiency. For example, if someone receives a ticket or boot for No Valid Permit, but, they say they have a permit, that information can be verified and addressed within minutes because the information is all in one location. The same process carries to meter complaints, if someone claims a meter is broken someone from operations is dispatched to check the meter and reports back to the office. If you have each of these functions operating out of different locations throughout the City how long will it take to resolve a situation? When multiple divisions are involved who will be responsible for making the final decision on how to proceed?

Since 1990, when Enforcement was transferred to the JCPA, the entity has been self contained, we maintain our properties with little assistance from the city (we receive salt from the JCIA), we process all parking related permits, install/maintain and collect all meters, and address all parking violations and

Page 6

complaints. While consolidation may streamline some costs initially, what will the overall cost to service be?

Should the final decision be to dissolve and consolidate, I would recommend leaving the functions of the Authority under one designated unit under Public Safety, not dismantle and put functions under different departments.

JOHN TARANTULA, CHAIRMAN
JERSEY CITY PARKING AUTHORITY
394 CENTRAL AVENUE
JERSEY CITY NEW JERSEY 07307
MOBILE: (201) 852-0872



April 2, 2014

Commissioner Richard E. Constable, III
New Jersey Department of Community Affairs
101 South Broad Street
Post Office Box 803
Trenton New Jersey 08615-0803

Re: Proposal of Jersey City Mayor Steven Fulop To Abolish Jersey City Parking Authority

Dear Commissioner Constable:

I am communicating with you in regards to a serious matter which was presented before the Local Finance Board, an agency under your oversight and supervision. The matter involves the proposal presented by current Jersey City Mayor Steven Fulop to abolish the Jersey City Parking Authority.

Commissioner, may I respectfully request that you review the attached document signed by myself and four other current Commissioners of the Parking Authority. The information contained within is factual and subject to verification via the records of the authority and the budgetary statements on file.

Commissioner, there is another matter which I believe requires your immediate review. The law firm utilized by Fulop and paid for by the taxpayers of this city is the firm of New Jersey State Senator Raymond Lesniak. Although I have a deep respect for the Senator I believe that there is certainly a conflict of interest when in fact the law firm of the Senator is the moving force in the recommendation orchestrated by Fulop to abolish the authority. I question the direct conflict of interest of this firm and the Local Finance Board within your department as the funding for all government entities in the state is derived through the approval and vote of the state legislative bodies.

In regards to the issues of maintaining a transparent atmosphere, it is noted in a recent journalistic investigation that Fulop met with Senator Lesniak at a conference in Atlantic City but redacted this meeting from his schedule which is open to the public under the Open Public Meetings Act (OPRA). Was the meeting concerning the Jersey City Parking Authority?

Sir, I respectfully request that you review this information concerning the issues surrounding the move by Fulop to abolish the authority.

At the very least it is requested that any decision of the Local Finance Board be placed on hold pending a full review and investigation.

Respectfully submitted,



John Tarantula

Chairman, Jersey City Parking Authority Board of Commissioners

Cc: Mary Paretti, Executive Director, JCPA

Cc: Board of Commissioners, JCPA

The Jersey City Parking Authority merits high marks, not derogatory comments based on inaccurate details.

This letter is written to the residents of Jersey City following many newspaper articles downgrading the Parking Authority, its Director, the Commissioners (who are unpaid servants) as well as the staff and administrators of the Parking Authority. The threat of a takeover without rational discussions about staffing, including the jobs of the Jersey City employees of the Parking Authority is not justifiable.

The Board of Commissioners of the Jersey City Parking Authority, all of whom were confirmed by then Councilman Fulop, with the exception of the reappointment of John Tarantula in July 2012, because the Councilman was absent for the vote, would like to set the record straight on a few issues:

- The Administration has said the JCPA carries a debt of \$20 million for uncollected tickets, that is incorrect, it is the Municipal Court and the City that are responsible for collecting unpaid parking tickets; the JCPA issues the tickets we are not responsible for collecting the fines.
- Since 2010, the JCPA has issued tickets totaling over \$31 million which translates into approximately \$25 million for the City because the JCPA receives \$8 for every paid ticket. How the Municipal Court disposes of these tickets we do not have control over, there is no Municipal Prosecutor assigned to parking so the JCPA has no representation in court. This is based upon 100% payment which we know is not the case because of the \$20 million in outstanding T-Payments and scofflaws. If you reduce the overall number by 20%, the JCPA has generated potential revenue for the city in excess of \$20 million dollars since 2010. This averages out to \$6-\$7 million dollars per year the JCPA generates for the City and we receive back \$1,078,683 back from the City to off-set the cost of our Enforcement Division. Under the contract agreement between the city and the JCPA executed in 1990 when the Enforcement Division was transferred to the JCPA, the city was to then compensate the JCPA for the entire cost of the Enforcement Division. To date, the amount we receive has been reduced over the years not increased and is not the entire cost of enforcement.
- The JCPA, utilizing its limited resources has assigned 2 people to address scofflaw violators which we manually identify. This has resulted in bringing \$2 million in to the Court for resolution.
- The additional \$6 million debt which has referred to is largely the bond payments due for purchase of our offices at 394 Central Avenue, and is based upon a 20 year payment plan like most loans have. In actuality, this debt refers to an asset because we own the building and adjacent lot, unlike the City who leases most of their office spaces for hundreds of thousands of dollars per year and at the end of the day they own nothing. We also collect rent from the US Post Office.
- Part of our debt is also projected accrued sick and vacation time for employees, however, our collective bargaining agreements signed in 2012 capped all sick and vacation time as of December 2011. Employees can no longer carry sick time over and get paid for it when they leave employment. Caps were also placed on the amount of additional vacation time that could be accrued. These are steps the City has not yet undertaken to limit their future liability.
- The JCPA also owns fourteen (14) lots citywide, which provide a combination of metered and permits spaces for residents and businesses. We do not owe any money on any of these properties; we generate revenue from each location which covers our operating costs.

- The JCPA contracted with a vendor for approximately \$6,000 to upgrade our website so it provides accurate and up to the minute information, but, the new administration has instructed us not to launch the new site because they want to make sure it is in line with their new branding for the City. What is more important, providing the residents and visitors to our city with accurate information or "branding"?
- During emergency situations such as snow, hurricanes, black outs, etc., JCPA personnel work in conjunction with the Office of Emergency Management Personnel to assist with transporting emergency personnel such as doctors, nurses, essential city employees or residents needing to get to dialysis. We also assist the JCPD with street closures and securing areas where power lines may be down or streets are flooded. We assist the JCIA with street closures for major snow removal operations; we also assist with moving vehicles parked in the areas that need to be plowed. During Hurricane Sandy we assisted with staffing shelters and transporting food to the emergency shelters, the distribution of food at various locations throughout the city. We provide any assistance we can to OEM in an emergency.

So what will happen to staff that have performed the functions of ticketing illegally parked cars, cars parked at expired meters or cars that interfere with the street cleaning functions of our city and operations? Surely we do not expect "armed" police officers to ticket cars instead of fighting crime, criminals and protecting our citizens. How will there be a cost savings? Will the same staff be transferred under the Police Department? What purpose would that serve?

Commissioner John Tarantula

Commissioner Angelica Harrison

Commissioner Al Cupo

Commissioner Bhavesh Patel

Commissioner Aury Nunez

FOR VERIFICATION PLEASE
CONTACT Board Chair JOHN
TARANTULA (201) 852-0872

JOHN TARANTULA, CHAIRMAN
JERSEY CITY PARKING AUTHORITY
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Respectfully submitted,

A handwritten signature in black ink, appearing to read "John Tarantula". The signature is fluid and cursive, with the first name "John" being more prominent than the last name "Tarantula".

John Tarantula

Chairman, Jersey City Parking Authority Board of Commissioners

Cc: Mary Paretti, Executive Director, JCPA

Cc: Board of Commissioners, JCPA

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- Part of our debt is also projected accrued sick and vacation time for employees, however, our collective bargaining agreements signed in 2012 capped all sick and vacation time as of December 2011. Employees can no longer carry sick time over and get paid for it when they leave employment. Caps were also placed on the amount of additional vacation time that could be accrued. These are steps the City has not yet undertaken to limit their future liability.
- The JCPA also owns fourteen (14) lots citywide, which provide a combination of metered and permits spaces for residents and businesses. We do not owe any money on any of these properties; we generate revenue from each location which covers our operating costs.

- The JCPA contracted with a vendor for approximately \$6,000 to upgrade our website so it provides accurate and up to the minute information, but, the new administration has instructed us not to launch the new site because they want to make sure it is in line with their new branding for the City. What is more important, providing the residents and visitors to our city with accurate information or "branding"?
- During emergency situations such as snow, hurricanes, black outs, etc., JCPA personnel work in conjunction with the Office of Emergency Management Personnel to assist with transporting emergency personnel such as doctors, nurses, essential city employees or residents needing to get to dialysis. We also assist the JCPD with street closures and securing areas where power lines may be down or streets are flooded. We assist the JCIA with street closures for major snow removal operations; we also assist with moving vehicles parked in the areas that need to be plowed. During Hurricane Sandy we assisted with staffing shelters and transporting food to the emergency shelters, the distribution of food at various locations throughout the city. We provide any assistance we can to OEM in an emergency.

So what will happen to staff that have performed the functions of ticketing illegally parked cars, cars parked at expired meters or cars that interfere with the street cleaning functions of our city and operations? Surely we do not expect "armed" police officers to ticket cars instead of fighting crime, criminals and protecting our citizens. How will there be a cost savings? Will the same staff be transferred under the Police Department? What purpose would that serve?

Commissioner John Tarantula

Commissioner Angelica Harrison

Commissioner Al Cupo

Commissioner Bhavesh Patel

Commissioner Aury Nunez

FOR VERIFICATION PLEASE
CONTACT Board Chair JOHN
TARANTULA (201) 852-0872

TO: COMMISSIONER RICHARD E. CONSTABLE III
NJ DEPT OF COMMUNITY AFFAIRS

FROM: JOHN TARANTULA, CHAIR, BOARD OF COMMISSIONERS
JERSEY CITY PARKING AUTHORITY

RE: JERSEY CITY PARKING AUTHORITY FISCAL STABILITY

DATE: APRIL 4, 2014

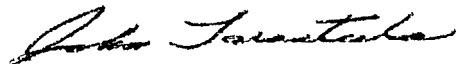
Commissioner:

Attached please find the section from the Annual Audit Report ending June 30, 2013 which will document the fiscal stability of the Jersey City Parking Authority.

Also please find report of JCPA Executive Director Mary Paretti in regards to her comments concerning the Weiner-Lesniak Report.

Thank you for your review.

Respectfully,



John Tarantula, Chair
Board of Commissioners-Jersey City Parking Authority

Via Facsimile Transmittal to 609-984-6696

10 PAGES TOTAL

PARKING AUTHORITY OF THE CITY OF JERSEY CITY

Management's Discussion and Analysis June 30, 2013 and 2012

Financial Highlights

The following data highlights the changes in the Authority's finances for the years ended June 30, 2013, 2012 and 2011

Increase/ (Decrease)	2013	Totals 2012	2011
Net position	\$ 139,022	\$ 46,270	\$ 27,787
Cash	618,817	551,991	(145,986)
Net capital position	(219,004)	(173,113)	(222,083)
Operating revenues	(210,216)	329,427	494,760
Operating expenses	(301,564)	315,576	121,939
Operating income	91,348	13,851	372,821

Fiscal Year 2013 compared to 2012. Net position increased by \$92,751 or 2%. This was due to the increase in operating income of \$91,347 or 39% from the prior year. The operating income increase is due mostly to decrease in expenses by \$301,563. The decrease was attributed to a reduction of anticipated revenue and a decrease in Parking Enforcement Officers and decrease in the costs for workman's compensation cash flow increased by \$618,817 or 51.9%, due to prepayment of contract payments from the City of Jersey City.

Fiscal Year 2012 compared to 2011. Net position increased by \$46,271 or 1.2%. This was due to the increase in operating income of \$13,852 or 6.3% from the prior year. The income growth is due mostly to increase in revenue by \$329,427. The increase was attributed to parking revenue and booting revenue increases amounting to \$155,391 and \$335,202, respectively. This was partially offset by a decrease in the grant from the City amounting to \$260,506. Operating expenses increased by \$315,575 or 4.6%, mainly due to the increase in workers compensation insurance and increase in payroll expense due to accrual of one additional week of sick for each employee. Cash levels increased by \$551,991 or 86.2%, due to bond installment payment and insurance premiums being made in July 2012 opposed to June in the prior year.

PARKING AUTHORITY OF THE CITY OF JERSEY CITY

Management's Discussion and Analysis June 30, 2013 and 2012

Financial Analysis of the Authority

The following table summarizes the assets, liabilities and net position as of June 30, 2013, 2012 and 2011:

	2013	Totals 2012	2011
Current assets	\$ 1,948,938	\$ 1,395,024	\$ 1,165,910
Other noncurrent assets	201,473	213,473	225,473
Net capital assets	<u>7,750,024</u>	<u>7,969,028</u>	<u>8,142,142</u>
Total assets	<u>9,900,435</u>	<u>9,577,525</u>	<u>9,533,525</u>
Current liabilities	1,168,238	801,127	811,478
Noncurrent liabilities	<u>4,584,711</u>	<u>4,767,934</u>	<u>4,759,854</u>
Total liabilities	<u>5,752,949</u>	<u>5,569,061</u>	<u>5,571,332</u>
Net position:			
Invested in capital assets, net of related debt	3,747,635	3,822,787	3,906,547
Unrestricted	<u>399,851</u>	<u>185,677</u>	<u>55,646</u>
Total net position	<u>\$ 4,147,486</u>	<u>\$ 4,008,464</u>	<u>\$ 3,962,193</u>

Fiscal Year 2013 compared to 2012. The Authority's financial condition has changed slightly with the current ratio (current assets/current liabilities) decreasing from 1.74 to 1.67. This is an important measure of the Authority's fiscal health and typically a ratio of 2 or more is considered excellent.

Fiscal Year 2012 compared to 2011. The Authority's financial condition has changed slightly with the current ratio (current assets/current liabilities) increasing from 1.44 to 1.74. This is an important measure of the Authority's fiscal health and typically a ratio of 2 or more is considered excellent. The change is primarily due to the timing of the bond installment.

JERSEY CITY PARKING AUTHORITY

COMMENTS ON THE
WEINER LESNIAK REPORT

The Dissolution of the Jersey City Parking
Authority

Mary F. Paretti, Chief Executive Officer

2/6/2014

Report on the Dissolution of the Jersey City Parking Authority

I have had the opportunity to review the above referenced report and would like to make a few comments regarding the information presented. There are a few minor issues that are incorrect and they are as follows:

1. The Operations Division has a Director and an Assistant Director; the Executive Supervisor retired in July 2013 and was not replaced. Her responsibilities were absorbed by existing personnel, which resulted in a savings of over \$50,000.
2. The Parking Lots and Meter section states that two lots are leased to thirds parties, that is incorrect. Our Hoboken Avenue and Cook Street property is completely leased out, however; the property at 328-342 Central Avenue is not completely leased out. Burger King occupies space within our lot referred to as Lot 49, and for that space we receive \$16,600. The Authority continues to operate and maintain meters and permit parking on the remainder of the property.
3. The vehicle section states that three (3) vehicles are assigned to a specific individual; that is incorrect. The only person who has an assigned vehicle is the CEO which is part of my contract. The other two (2) vehicles were returned as per Mayor Fulop's request.
4. The Organizational charts provided in the report are not the revised ones that were provided to Weiner Lesniak as part of their request for information letter issued October 21, 2013. These were the older versions that may have been provided during the transition period.
5. Daily Visitors passes are \$5, they increased in July, the report lists the fee as \$3.
6. Under the Collective Bargaining Section it should also be noted that the amount of vacation time that can be accrued going forward has been capped at 225 hours so employees have to use the majority of their time annually.
 - a) Both unions get the same number of Holidays (14), the same days recognized by the City.
7. It should be noted in the Pending Litigation Section that the harassment claims listed were filed against the Authority after the settlement terms of the first claim were made public. Also, the majority of the allegations of harassment occurred in 2006/2007.
 - a) The Harassment Policy has been distributed annually since August 2009 and employees are required to sign acknowledging receipt.
 - b) In 2012, the Authority held an in-house training utilizing the same representative from the State Office of Civil Rights as the city, therefore, the training provided should have mirrored that offered to City employees. Training should be scheduled by August 2014, to comply with regulations. We have met with our Insurance Broker and representatives from Liberty Mutual and Gladfelter, as well as the City's Risk Manager to take steps to improve our safety program. Initial steps have been taken to establish a Safety Committee.
 - c) We have improved our light duty programs for those on workers compensation; we find some type of job for any employee who is released on light duty. This reduces our exposure/costs.

- d) Being self-insured for workers compensation did not work well for the Authority, we are still paying for claims that occurred in 2004 for employees who reopen their cases every two (2) years.
 - e) The Authority's workers compensation claims are mostly motor vehicle accidents where our officers are hit by another vehicle. They are not generally accidents we can prevent.

- 8. The Scofflaw and Uncollected Time Payments section lists valid information however, it is not the Parking Authority's responsibility to collect the outstanding fines, it's the responsibility of the Municipal Court. The Authority can boot scofflaw violators, those with three (3) or more Failure to Appear notices and we do, but, we do so without receiving information from the Municipal Court. The City with the consent of the AOC can provide time payment (T-Pay) information to an outside party (that charges an administrative fee to the violators to collect payments that are 12 months or more overdue), but, they cannot share the same information with another governmental entity. The majority of outstanding fines result from tickets we issue, but, we cannot get that information.

- 9. **The elimination of Duplicative Services Section raises a few points that need to be examined more closely**
 - a) The Operations Division is responsible for installing and fixing all parking meters as well as collections. These are not functions currently performed by any other department in the City. The keys for the meters must be kept in a secure location because they open every meter in the City as well as other locations.
 - b) A secure location must be available to sort/record and prepare monies collected
 - c) The average weekly coin collection is between \$28,000-\$30,00 and two (2) teams of two (2) collect the entire city before 11:30am three (3) days per week
 - d) **Installing GPS license plate readers on the JCIA sweepers is an interesting idea but, there are issues with this recommendation**
 - I. In 1990 the enforcement division was transferred from DPW to the JCPA because it was determined parking violations could only be issued by a Parking Authority or a law enforcement entity. The City is proposing merging the JCIA into DPW so the circumstances that caused the transfer of employees twenty-four (24) years ago will once again exist.
 - II. What is a GPS License Plate Reader? Are they referencing the Automatic License Plate Recognition System? If so, the Attorney General Guidelines in New Jersey only allow Law Enforcement to have access to this technology
 - III. The system does not automatically generate a summons at each vehicle. The operator will have to, stop, verify the license plate and issue a summons at each violation or at the end of the route verify each plate and violation and issue summonses by mail. Some routes can generate 100 tickets.

- IV. This would assume the sweeper operator is also a sworn officer of the court. (some of them are second chance, can they be sworn?) How will they be classified under Civil Service?
- V. It is almost physically impossible for a sweeper operator to place a summons on a vehicle due to the size of a sweeper. If this is the proposed idea it will take a lot longer for routes to be completed because the operator is going to have to exit the machine each time a summons is issued.
- VI. If someone else has to issue the summons you will still need additional manpower, so where is the cost savings.
- VII. Enforcement Officers travel in front of a sweeper so cars move before the sweeper gets there. The courtesy Air horn beep would be removed with this technology.

10. It should be noted in the Reduction in Staff section that one supervisor is responsible for coordinating Insurance/Health Benefits, Payroll, Human Resources and purchasing of office supplies. The seventeen (17) Operations employees (including the Director and Asst. Director) are responsible for building maintenance, lot maintenance (including snow removal), meter installation/maintenance & collection, vehicle maintenance, posting of Emergency No Parking Signs and Driveway painting. Several of those assigned to the Operations Division also worked in Enforcement so they are still sworn and could be reassigned.

11. The Authority has attempted to lease the vacant space in the building but, the previous Administration indicated they were going to move city agencies into that space. The floor plans were completed, fire officials signed off on egress modifications, staff from Health & Human Services visited the location, IT initiated work orders with Verizon to start moving lines but, everything was put on hold after the election. This process took close to a year to get to this point.

12. Implementation of parking meter technology is something that has been looked into but, as everyone knows these types of upgrades are costly and to make them efficient the benefits need to outweigh the cost. The Authority would need the assistance of the Administration and the City Council to adjust the meter fees in order to make the new technology pay for itself.

- a) We have over 1500 meters on the street and in lots, to upgrade them to accept credit card and/or smart cards would require changing the meter housings. New housings cost approximately \$500 per meter, therefore, it would cost approximately \$750,000 to upgrade all of the on-street meters
- b) Upgrading to the new technologically advanced meters would also require a monthly data fee in order for reports to be generated detailing each meters activity. This charge is approximately \$6 per meter per month (\$9000), therefore, the annual fees would be approximately \$108,000. I am approximating because these rates vary slightly. (These were the 2013 rates). The Total estimated cost to make these upgrades is \$858,000

- c) In order to have full auditing ability every meter would have to be upgraded, however, certain sections of the city do not generate enough revenue to justify this type of investment.
- d) In addition to the upgrading costs there is a per transaction fee for credit cards, debit cards and smart cards. These are additional fees that need to be considered.
- e) Fees to use a credit card/debit card or smart card would have to be adjusted to cover all of these fees or we will lose money not increase revenue.
- f) Handicapped parkers at these meters also create issues because they only have to pay the maximum on the meter, which in most places is 2 hours. They pay \$1.50 to park all day and we are paying technology fees on a meter that has very little return. The reports we received for the pilot meters on Montgomery Street demonstrated this was an issue

This section also accuses personnel of stealing coins when it states that the coin collection process inherently provides numerous opportunities for theft. The meters do not track the number of coins that go into them so there is no way to determine what the actual revenues should be at individual meters. Theft can be reduced by using other forms of technology such as credit card meters. What facts do the writers of this report have to substantiate their accusation that theft is actually occurring? They never watched the collection process, so they are just assuming employees are stealing. This is a dangerous statement to make without concrete proof of a crime.

The individual coin cans are opened directly into a larger collection can that is locked and has a numbered security tag attached to it that is removed by management personnel when the cans are brought into a secure room for collection. The room where this process takes place & coins are weighed and bagged is monitored by a camera; footage is saved for 4 weeks if review is necessary. Collectors are rotated regularly, meaning the routes they do and who they work with. If a review of meter revenue is done you will see they have increased with the exception of months where weather has negatively impacted use of meters.

I took steps to insure this process was closely monitored and secured when we brought the counting in-house to save thousands of dollars annually. A highly decorated retired JCPD Lt. is the alternate coin counter and provides security during the collection process and stays with the money until it is picked up by GARDA.

It should also be noted that card skimmers can be utilized to steal credit card information from unmanned parking meters (Fox Business article, April 2012). Nothing is foolproof

13. The Authority is part of the State Health Benefits Program so I don't see a large savings in this area.
14. The section entitled Other Benefits of Dissolution sites that the potential cost savings associated with the dissolution of the JCPA would enable the City to commit additional resources to devise and implement more innovative and aggressive plans to enhance collection efforts. This should already be part of the Municipal Courts budget and funded by the monies they bring in. Why is the Courts failure to collect their debt included in an evaluation of the Parking Authority and its functions? These shortcomings fall on the Court not the Authority.

- a) The JCPD allocates approximately five (5) officers to scofflaw at salaries of approximately \$100,000 each, how are they utilized to bring in these outstanding funds.
 - b) Currently, there is no Municipal Prosecutor assigned to Parking violations, therefore, there is no representation in court, the Judge only hears the ticket recipients side of the story. Only recently have PEO's received subpoenas to appear when someone disputes a summons
 - c) Any prosecutorial involvement would increase the City's ability to collect outstanding monies
15. The report states in several sections (ie: Affected City CBA's, Pension System, Civil Service System) that a more detailed analysis of transitional issues should be performed if the City decides to move forward with the dissolution of the JCPA. What additional analysis has been done since the report was completed on November 7, 2013, to address the following:
- a) Union contracts are in place through 12/31/14, how will these union workers be treated, will they become members of existing unions? What happens to their seniority?
 - b) What happens to their accrued sick and vacation time, will it carry over at their current rates or will they be paid out if/when JCPA is dissolved?
 - c) Do the new pension changes allow those under 40 to remain in PERS or will they lose time if not vested?
 - d) Since the JCPA doesn't have Civil Service titles will the city ask the state if time in position will qualify them for a civil service title? The report states they will lose any seniority they have accrued at the Authority
 - e) Will those who are retained be considered "New Hires" and have to start all over again; the report indicates that this is how they will be processed. This is going to significantly impact all involved
 - f) The JCPA employees are currently eligible to retire and receive full benefits with 15 years of service at the age of 62

The report does not make a specific recommendation on how to proceed with the dissolution/consolidation of the JC Parking Authority, it only provides possible options. The current structure of the Authority allows all aspects of parking and enforcement to be housed and addressed within one entity, decentralizing this process will negatively impact the existing continuity and efficiently. For example, if someone receives a ticket or boot for No Valid Permit, but, they say they have a permit, that information can be verified and addressed within minutes because the information is all in one location. The same process carries to meter complaints, if someone claims a meter is broken someone from operations is dispatched to check the meter and reports back to the office. If you have each of these functions operating out of different locations throughout the City how long will it take to resolve a situation? When multiple divisions are involved who will be responsible for making the final decision on how to proceed?

Since 1990, when Enforcement was transferred to the JCPA, the entity has been self contained, we maintain our properties with little assistance from the city (we receive salt from the JCIA), we process all parking related permits, install/maintain and collect all meters, and address all parking violations and

Page 6

complaints While consolidation may streamline some costs initially, what will the overall cost to service be?

Should the final decision be to dissolve and consolidate, I would recommend leaving the functions of the Authority under one designated unit under Public Safety, not dismantle and put functions under different departments.