

January 25, 2012

Dear Concerned Residents,

I am writing to provide you with an update on the 611 First Street/97 Jackson Street property. I understand residents' concerns and frustration with this property but hope you can understand that the City must always act in a legal manner. As the attached timeline demonstrates, there has been significant back and forth between engineers, the City, and the owner regarding this property.

As you are likely aware, the City has had difficulties with securing compliance from the owner of this property. In those cases where the owner has not complied with remediating conditions within the allotted legal time, the City has stepped in and done the work itself, and added the cost of the expenses to a lien against the property.

On January 3rd, 2012, the property owner was given 60 days to complete the required partial demolition and to secure the property. We will monitor the owner's compliance carefully. If necessary, the City is ready to step in and perform the necessary work to secure the property if the owner does not comply.

As a resident of the neighborhood, I understand how frustrating the slow progress has been. I can assure you that I am personally monitoring the situation on a regular basis and pursuing all options, within legal constraints, to ensure that this situation is remediated as quickly as legally possible.

Sincerely,

Mayor Zimmer



CITY OF HOBOKEN
OFFICE OF CONSTRUCTION OFFICIAL
94 Washington Street, Hoboken, NJ 07030-4585
(201) 420-2066

DAWN ZIMMER
Mayor

Fire Event at 611 First St / 97 Jackson St

Summary of City Activities

- 12/17/11 Fire Event
- 12/19/11 City issues Notice of Unsafe Structure requiring immediate demolition (attached)
- 12/21/11 Owner's engineer issues report calling for demolition of part of the building and restoration of remainder of building (attached)
- 12/30/11 City engineer issues inspection report of fire damaged property and concurrence with Owner's engineers report (attached)
- 1/5/12 City issues order to Owner to install safety fencing at site (attached)
- 1/9/12 City installs safety fencing to close First St. sidewalk to protect pedestrians from unsafe overhead fire damage debris (attached)
- 1/9/12 City orders Owner to remove unsafe overhead fire damage debris above First St. sidewalk within 24 hours or City will proceed with this removal. (attached)

Tom Shannon, Acting Construction Official

HAND DELIVERED - RECEIVED BY _____ DATE: _____



NOTICE OF UNSAFE STRUCTURE

Permit # _____
Date Issued 12/19/11
- or -
Control #: _____

IDENTIFICATION

Work Site Location 611 First Street Block _____ Lot _____ Qualification Code _____
AKA 97 Jackson Street

Owner in Fee Dr. Esmat Zaklama Agent _____
Address 2734 JFK Blvd Address _____
Jersey City, NJ 07306

To: Owner Other: City of Hoboken
94 Washington Street
Hoboken, NJ 07030 Att: Corporation Counsel
 Agent/Contractor

DATE OF INSPECTION: 12/17/11 DATE OF THIS NOTICE: 12/19/11

ACTION

Take NOTICE that as a result of the inspections conducted by this agency on 12/17/11 on the above property, an unsafe condition has been found to exist pursuant to N.J.S.A. 52:27D-132 and N.J.A.C. 5:23-2.32. The building or structure, or portion thereof, deemed an unsafe condition is described as follows:

Notice of Unsafe Structure posted in front and side entrance of Bldg. on 12/17/11. Owner must begin immediate demolition of Bldg. due to immediate danger which endangers life. Compliance date 12/21/11. After 12/21/11 the City of Hoboken will demolish the Bldg. and lein the property as per NJAC 5:23-2.32 5 b 1-2.

You are hereby ORDERED to:

Vacate the above structure by _____.

Demolish the above structure by 12/21/11 or correct the above noted unsafe conditions by no later than 12/21/11. BLDG. PERMIT REQUIRED.

Failure to correct the unsafe condition or refusal to comply with this ORDER will result in this matter being forwarded to legal counsel for prosecution and assessment of penalties up to \$500 per week per violation. You must immediately declare to the Construction Official, your acceptance or rejection of the terms of this ORDER.

Any building or structure vacated pursuant to this ORDER shall not be reoccupied unless and until a certificate of occupancy is issued by the Construction Official.

If you wish to contest this ORDER, you may request a hearing before the Construction Board of Appeals of the _____ County of Hudson within 15 days of receipt of this notice as provided by N.J.A.C. 5:23A-2.1. The Application to the Construction Board of Appeals may be used for this purpose.

Your application for appeal must be in writing, setting forth your name and address, the address of the building or site in question, the specific sections of the Uniform Construction Code in question and the extent and nature of your reliance on them. You may include a brief statement setting forth your position and the nature of the relief sought by you, and you may also append any documents that you consider useful.

The fee for an appeal is \$ 100.00 and should be forwarded with your application to the Construction Board of Appeals Office at: 595 County Avenue, Secaucus, NJ

If you have any questions concerning this matter, please call: 201-369-4340

D.A.

TEPPER ASSOCIATES

Forensic & Consulting Engineers
82 Cummings Circle
West Orange, NJ 07052
973-325-8024
FAX 973-325-8549

December 21, 2011

Dr. Esmat Zaklama
2734 JFK Boulevard
Jersey City, NJ 07306

**Re: Report of Findings and Recommendations at a Fire Damaged
Building Located at 611 First St., Hoboken, NJ**

Dear Dr. Zaklama:

Pursuant to your request, on December 20, 2011 the undersigned conducted an inspection of three buildings on property owned by you and located at 611 First St. (also identified as 97 Jackson St.) in Hoboken, NJ.

The purpose of the inspection was to be able to make a determination as to the physical condition status of the buildings on the property and their suitability for continuing use because of a fire that occurred on December 17, 2011 at the second floor of one of the buildings.

The buildings on the property consist of the following:

- Building #1: A two-story structure, with wood framed exterior walls, interior floors, 2nd floor and roof. At the First St. and the Jackson St. elevations the exterior finish at the 1st floor is brick veneer. The exterior finish at the balance of the 1st floor exterior is painted wood siding. The exterior finish at all of the exterior walls of the 2nd floor is painted wood siding. This building contained residential apartments on the 2nd floor and a commercial use on the 1st floor. There is no basement in this building. This building has frontage on First St. and Jackson St. There were operable windows in the 2nd floor's exterior walls; there are no openings (other than doors) at the 1st floor's exterior walls. Interior finishes are a combination of painted gypsum board, plywood paneling and ceramic tile. The 1st floor ceiling was acoustical panels installed in a suspended metal grid. At least a portion of the underside of the 2nd floor joists had a painted metal ("tin") ceiling installed. The interior floor, wall and ceiling finishes at the 2nd floor are unknown. A fire occurred at the 2nd floor of this building on December 17, 2011 and destroyed and/or fire damaged portions of its roof, exterior walls and interior partitions, including its finishes.

- Building #2: A one-story Addition to Building #1. Its exterior walls have a brick veneer finish at the First St. elevation and painted wood siding for the balance of the building. There is no basement in this building. This building has frontage only on First St.
- Building #3: A separate one story building that has no basement and has frontage only on Jackson St.

Building #2 was inspected from the exterior. All of the exterior sides of the exterior walls were found not to have been affected in any manner by the fire. No sections of the walls were bowed or leaning – classic indications of fire damage. The interior could not be inspected because of an inability to gain access. However, based on the observed physical condition of the exterior walls of the building it is reasonable to conclude that no demolition of any portion of this building is required nor are repairs or any other kind of construction or reconstruction work to any portion of the exterior or interior of this building is required.

Building #3 was inspected from the exterior. As with Building #2, all of the exterior sides of the exterior were found not to have been affected in any manner by the fire. No portions of the exterior walls were bowed or leaning – classic indications of fire damage. The interior could not be inspected because of an inability to gain access. However, based on the observed physical condition of the building's exterior walls it is reasonable to conclude that no demolition of any portion of the building is required nor are repairs or any other kind of construction or reconstruction work to any portion of the exterior or interior of this building is required.

A "canopy" between Building #3 and Building #1 was observed and found to have main structural framing members that are aged and deteriorated but with no evidence of fire or fire damage. However, the canopy's structural integrity and ability to continue in service has been compromised. It is recommended that the canopy be removed in its entirety.

Building #1 was inspected from the exterior and with limited viewing into the interior from the exterior: It is my professional opinion that, subject to the comments noted hereinafter, the 1st floor of this building can be repaired so as to be able provide a one-story structure that will allow continuing service and ultimate occupancy:

- 1.. In order to provide for the health, safety and welfare of the public (as it relates to portions of the 2nd floor exterior walls and roof that have remained in place after the fire) it is recommended that a temporary protective chain link fence (with a pair of swinging gates in two locations) be installed **immediately** along the full length of the First Ave. and Jackson Ave. frontages. The fence should be installed at the street curb or a minimum of 4' beyond the curb, whichever will be allowed by the City of Hoboken. The entire protective fence should be installed in strict accordance with provisions of the City of Hoboken Administrative Code, in accordance with provisions of the New Jersey Uniform Construction Code and any and all other authorities having jurisdiction over this kind of work..

- 2.. Temporary wood or telescoping pipe shoring posts need to be installed within the 1st floor at the center of the span of all 2nd floor joists. The wood posts should be minimum nominal 4"x4" in size and the telescoping posts should be manufactured of a minimum 2½" diameter. All posts should have two, 12" long nominal 2"x12" wood "pad" members at the bottom (between the bottom of the posts) and a single similar "pad" at the top of the posts). The top and bottom of the posts should be securely fastened to the pads; the pads should be securely fastened to the floor and the underside of the joists. Note that since there is no basement in this building the shoring post bottom pads can bear directly onto the 1st floor concrete slab. The posts should be installed commencing at access points and continuing as the workers advance into the building.
- 3.. Prior to commencing demolition work at the 2nd floor, inspect all walking/working surfaces to ensure their suitability for service during demolition operations and undertake temporary corrective, stabilization, protection and support measures as may be required by 29 CFR 1926 OSHA "Construction Industry Regulations" in order to provide proper walking-working surfaces, proper edge protection and other requirements of the Regulations related to demolition work.
- 4.. Engage the services of a licensed professional engineer to inspect the existing 2nd floor framing system (from above and below the framing system) and implement such corrective structural work as may be required by the inspection in order to allow the framing system to support what will be, in the immediate future, construction worker and/or snow loadings only.
- 5.. Undertake the demolition of all remaining existing 2nd floor exterior and interior walls and portions of the 2nd floor roof, whether fire damaged or not, utilizing "manual" procedures with the understanding that the final methods and means utilized in the demolition work by the selected demolition contractor will be the full responsibility for implementation and maintenance by the selected demolition contractor. If necessary to undertake work in manner deemed to be safe to workers and the public utilize one or more aerial platforms to implement the demolition work. All demolition work is to proceed in strict accordance with applicable 29 CFR 1926 OSHA "Construction Industry Regulations". It is recommended that a licensed professional engineer monitor the demolition work to ensure that the manual demolition operations do not damage any portions of the existing 2nd floor framing system or any portions of the exterior walls at the 1st floor. All demolished materials are to be removed from the property and legally disposed.
- 6.. After the completion of 2nd floor demolition operations, install and secure in place a temporary single-piece "blue tarpaulin" over the entire former 2nd floor that will, at least for the immediate future, be a temporary "roof" of the building. The tarpaulin is to be secured in a manner that will prevent it working loose or being damaged and destroyed by heavy wind or other detrimental weather affects. The purpose of this temporary "roofing" is to prevent rain water damage to 1st floor framing members.

7.. After the completion of the installation of the temporary roof over the 1st floor, temporarily remove (and subsequently replace) only the temporary shoring posts as may be required to allow removal of all debris and finishes at the interior side of all 1st floor exterior walls, at both sides of all interior load and non-load bearing walls and at ceilings, including doors and other loose or moveable appurtenances. The framing members of all interior load and non-load bearing partitions are to remain. Shoring posts not required to be removed in order to remove debris and finishes should remain and not be removed.

8.. After all debris and finishes have been removed from the interior of the 1st floor, engage the services of a licensed professional engineer to inspect the premises and undertake whatever temporary stabilization, corrective or support measures are required at exterior walls and at interior load bearing partitions that will allow the building to remain as a one-story structure until such time as permanent repair and construction work is undertaken.

9.. Secure the building as required against forced entry.

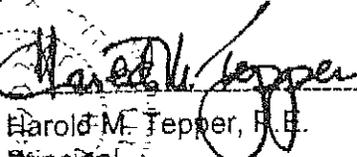
10.. Clean the sidewalk and street of all debris and remove the temporary protective fence.

In my professional opinion, based on all of the above:

- At Building #1: Only the remaining fire damaged portions of the 2nd story exterior walls, roof and interior partitions need to be demolished with the 1st floor allowed to remain unoccupied until such time as there is a decision as to the final repair and reconstruction that will be implemented in order for it to be able to be returned to full service and occupancy;
- At Building #2: No demolition or corrective work is required and the building can remain in its current condition; and
- At Building #3: No demolition or corrective work is required and the building can remain in its current condition. However, the canopy that extends between this building and Building #1 should be removed.

Call if you have any questions or require clarification with reference to any of the above.

TEPPER ASSOCIATES


Harold M. Tepper, P.E.
Principal
Licensed Professional Engineer
New Jersey Registration #30497

**BOSWELL McCLAVE ENGINEERING**

ENGINEERS ■ SURVEYORS ■ PLANNERS ■ SCIENTISTS

330 Phillips Avenue • P.O. Box 3152 • South Hackensack, N.J. 07606-1722 • (201) 641-0770 • Fax (201) 641-1831

December 30, 2011

Sent via Facsimile and Regular Mail

City of Hoboken
94 Washington Street
Hoboken, New Jersey 07030

Attention: Mario Patruno, Acting Construction Code Official

Re: Fire Incident Inspection Report
609-615 First Street
Block 15, Lot 12 & 13
City of Hoboken
Hudson County, New Jersey
Our File No. HO-466

Dear Mr. Patruno:

As requested, structural engineers from this office have made a subsequent visit to the above referenced site in conjunction with a review of the findings submitted by the property owner's engineers. Attached for your file is the report memorandum prepared by the head of our structural department in response to the follow-up review.

Should you have any questions or require anything further, please do not hesitate to contact me.

Very truly yours,

BOSWELL McCLAVE ENGINEERING

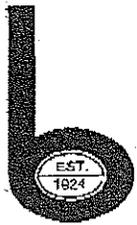
Joseph A. Pomante
Joseph A. Pomante, P.E.
City Engineer

Attachments

JAP/jp

cc: Arch Liston, City Administrator
Leslie M. Shenkler, Director of Environmental Services

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**BOSWELL McCLAVE ENGINEERING**

ENGINEERS ■ SURVEYORS ■ PLANNERS ■ SCIENTISTS

330 Phillips Avenue • P.O. Box 3152 • South Hackensack, N.J. 07606-1722 • (201) 641-0770 • Fax (201) 641-1831

MEMORANDUM

To: Joseph Pomante, P.E.

From: John Valentin, P.E. *JV*

Date: December 30, 2011

Re: Fire Incident Inspection Report
609-615 First Street
Block 15, Lot 12 & 13
City of Hoboken
Hudson County, New Jersey
Our File No. HO-466

In accordance with your request, Thomas O'Fallon, P.E., performed a visual inspection of the structures at the above listed location on December 28, 2011. There are three (3) buildings located on the property. The purpose of the inspection was to conduct a general structural evaluation of the structures, due to a fire that occurred at the property on December 17, 2011. The inspection was performed in accordance with generally recognized standards and procedures; however, it is not implied that all defects were or could have been disclosed. Also, a review was performed of the engineering report prepared by Tepper Associates dated December 21, 2011.

The main building is a two-story mixed use structure (A-2 and R-2) with a restaurant on the first floor and residential on the second floor. The second floor and roof is timber construction. The first floor is masonry and timber with masonry veneer construction.

At the time of the inspection no access was available to the interior of the building. The building is currently barricaded along First Street and Jackson Street with saw horses. The main building had severe fire damage to the second floor walls and roof. The second floor and first floor interior were not visible at the time of the inspection. (See photos 1 through 3). There appeared to be no damage to the one-story addition of the building located to the east along First Street. (See photo 4). The rear of the one-story building to the south along Jackson Street has damage to the brick masonry at the rear wall; however, this does not appear to have been caused by the recent fire. (See photo 5). The canopy structure between this building and the main building also appears to be in poor condition unrelated to the fire damage. (See photo 6).

Memorandum to Joseph Pomante
December 30, 2011
Page 2

Immediate action should be taken to secure the fire damaged structure. We concur with the submitted evaluation report prepared by Tepper Associates that selective demolition and shoring is a viable course of action to take at this time. All recommendations for demolition, clean up, and temporary support in the report should be implemented. The installation of a tarp over the remaining structure is acceptable with the condition that the owner shall make regular inspections of this temporary work and maintain this system until final replacement. The tarp shall be installed in a manner that prevents ponding of water.

The report also calls for an in-depth inspection of the structure when this work is completed. We recommend that this work and the follow-up inspection be completed within two (2) months. A copy of the inspection report shall be provided to the City.

A plan for reconstruction of the building should also be developed by the owner. All work to be performed on this building shall be classified as reconstruction work in accordance with N.J.A.C. 5:23-6.

Should you have any questions, please call.

JRV/TOF/jmp
c: Tom O'Fallon, P.E.



CITY OF HOBOKEN
OFFICE OF CONSTRUCTION OFFICIAL
94 Washington Street, Hoboken, NJ 07030-4585
(201) 420-2066

DAWN ZIMMER
Mayor

January 5, 2012

Dr. Esmat Zaklama
2734 JFK Blvd.
Jersey City, New Jersey 07036

Re: 611 First Street
AKA 97 Jackson Street

Dear Dr. Zaklama:

As per our phone conversation on January 3, 2012, the temporary chain link fence shall be installed in 24 hours (1) one business day, no later than January 6, 2012, along the Property perimeters (Building permit required) due to squatters trying to enter building.

Also the time frame to complete the demolition and secure the property is two months starting from January 3, 2012 ending March 2, 2012.

Sincerely,

Mario Patruno
Acting Construction Official

Cc: Corporate Counsel
City Administrator
City Engineer
Charles Gormally, Esq.
Harold M. Tepper, P.E.
Thomas Shannon



CITY OF HOBOKEN
OFFICE OF CONSTRUCTION OFFICIAL
94 Washington Street, Hoboken, NJ 07030-4585
(201) 420-2066

DAWN ZIMMER
Mayor

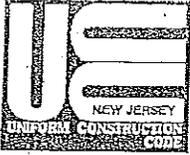
MEMORANDUM

JANUARY 9, 2012

TO: JOEL MESTRE, OFFICE OF EMERGENCY MANAGEMENT
FROM: TOM SHANNON, ACTING CONSTRUCTION OFFICIAL
RE: FIRE DAMAGE AT 611 FIRST ST AKA 97 JACKSON ST

The First St. sidewalk which abuts the fire damaged building should be immediately closed for safety purposes. The existing chain link fence should be relocated along the curb line of First St. This section of sidewalk should remain closed until the fire damaged overhead sign and other loose fire debris is removed from the building.

Signage should be installed at the beginning of the sidewalk closure indicating that the sidewalk is closed and pedestrians should use the First St. sidewalk across the street. The signage should indicate that the sidewalk is expected to be reopened as soon as January 20th.



HAND DELIVERED 1/9/12 RCVD BY: _____

Permit # _____
Date Issued January 9, 2012
- or -
Control #: _____

NOTICE OF IMMINENT HAZARD

IDENTIFICATION

Work Site Location 611 First Street aka 97 Jackson St, Block 15 Lot _____ Qualification Code _____
Hoboken, NJ 07030

Owner in Fee Dr. Esmat Zaklama Agent _____
Address 2734 JFK Blvd Address _____
Jersey City, NJ 07306

To: Owner Other: _____
 Agent/Contractor _____

DATE OF INSPECTION: 1/9/12 DATE OF THIS NOTICE: 1/9/12

ACTION

Take NOTICE that as a result of the inspections conducted by this agency on 1/9/12 of the above property, an imminent hazard has been found to exist pursuant to N.J.S.A. 52:27D-132 and N.J.A.C. 5:23-2.32. The building or structure, or portion thereof, deemed an imminent hazard is described as follows:

THE OVERHEAD SIGN WHICH HANGS OVER THE SIDEWALK, AND LOOSE OVERHEAD FIRE DEBRIS ON THE FIRST STREET SIDE OF THE BUILDING.

YOU ARE ORDERED to: REMOVE THE ABOVE UNSAFE FIRE DEBRIS WITHIN TWENTY FOUR (24) HOURS.

- Immediately correct the above noticed imminent hazards so as to render the structure temporarily safe and secure.
- Demolish the above structure by _____

Failure to immediately comply with this ORDER may result in the necessary correction being made by the Construction Official at the expense of the property owner pursuant to N.J.A.C. 5:23-2.32(b)5.

Failure to render the structure temporarily safe and secure and/or demolish the structure in accordance with this ORDER will result in this matter being forwarded to legal counsel for prosecution, and assessment of penalties up to \$500 per week per violation. You must immediately declare to the Construction Official, your acceptance or rejection of the terms of this ORDER.

If you wish to contest this ORDER, you must apply for a stay to a court of competent jurisdiction within 24 hours.

If you have any questions concerning this matter, please call: 201-420-2066

By ORDER of: [Signature] Date: 1/9/12

CONSTRUCTION OFFICIAL
[Signature]
Acting Construction Official