

City Clerk File No. Ord. 15.088

Agenda No. 3.A 1st Reading

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



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE

offered and moved adoption of the following ordinance:

CITY ORDINANCE 15.088

TITLE:

AN ORDINANCE RESCINDING ORDINANCE 11-019 AND AMENDING CHAPTER 3, (ADMINISTRATION OF GOVERNMENT) ARTICLE XII (DEPARTMENT OF HEALTH AND HUMAN SERVICES) TO ESTABLISH AN "ADOPT A LOT" PROGRAM AUTHORIZING THE CITY TO LEASE VACANT, CITY-OWNED LAND IN NEED OF IMPROVEMENT TO NON-PROFIT CORPORATIONS OR ASSOCIATIONS

COUNCIL

offered and moved adoption of the following Ordinance:

WHEREAS, pursuant to N.J.S.A. 40A:12-14(c) and N.J.S.A. 40:A12-15(i), the City is authorized to enter into lease agreements for nominal consideration with non-profit corporations or associations for the use of vacant City-owned lots shown to be in need of improvements; and

WHEREAS, the City is the owner of several vacant lots located throughout the City that are in need of improvement; and

WHEREAS, the City adopted Ordinance 96-123 which authorized the establishment of an "Adopt A Lot" program; and

WHEREAS, Ordinance 96-123 was subsequently amended by Ordinances 01-109 and 11-019; and

WHEREAS, various non-profit corporations and associations ("Lessees") have expressed interest in participating in the "Adopt a Lot" program; and

WHEREAS, the City desires to execute leases with the various non-profit corporations and associations which desire to participate in the City's "Adopt a Lot" program; and

WHEREAS, in order to improve the "Adopt a Lot" program, the City desires to rescind Ordinance 11-019 and to codify the provisions of the Adopt a Lot program within the Municipal Code; and

WHEREAS, the City wishes to limit the duration of said leases to 1 (one) year; limit the scope of the lease to gardening only, and place control over administration of the "Adopt a Lot" program under the Department of Health & Human Services; and

WHEREAS, the Leases shall conform with the material terms and conditions of the lease on file in the Office of the City Clerk; and

WHEREAS, parties interested in participating in the "Adopt a Lot" program shall fill out the application on file in the Office of the City Clerk and submit the completed application to the Director of the Department of Health & Human Services; and

AN ORDINANCE RESCINDING ORDINANCE 11-019 AND AMENDING CHAPTER 3, (ADMINISTRATION OF GOVERNMENT) ARTICLE XII (DEPARTMENT OF HEALTH AND HUMAN SERVICES) TO ESTABLISH AN "ADOPT A LOT" PROGRAM AUTHORIZING THE CITY TO LEASE VACANT, CITY-OWNED LAND IN NEED OF IMPROVEMENT TO NON-PROFIT CORPORATIONS OR ASSOCIATIONS

WHEREAS, non-profit corporations and associations which agree to and are able to comply with the terms and conditions of the form of lease agreement for the "Adopt a Lot" program will be recommended for approval; and

WHEREAS, once the application is complete, the Director of Health & Human Services shall recommend to the Municipal Council approval of the leases with parties who agree to and are able to comply with the terms and conditions of the form of lease agreement for the "Adopt a Lot" program; and

WHEREAS, each lease must then be approved by Ordinance of the Municipal Council; and

WHEREAS, the consideration for each lease shall be one dollar (\$1.00) a year and other good and valuable consideration; and

WHEREAS, the lease term shall be for one year subject to the City's right to terminate the lease at its convenience without cause by providing 90 days prior notice; and

WHEREAS, as a condition of granting these leases the Lessees shall comply with all of the terms and conditions of the form of lease on file with the City Clerk; and

WHEREAS, the Lessees understand that the properties leased to participants in the "Adopt a Lot" program are to be used for gardening and for no other purpose whatsoever without the express written approval of the Business Administrator; and

WHEREAS, as a condition of granting these leases the Lessees shall submit reports to the Director at the time Lessees submit applications to participate in the Adopt a Lot Program, setting out the use to which the leasehold will be put; the activities of the Lessee will undertake in furtherance of the public purpose for which the leasehold is granted; the approximate value or cost, if any, of such activities in furtherance of such purpose; and if Lessee is a corporation an affirmation of its tax-exempt status as a non-profit corporation or association pursuant to both State and Federal laws.

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Jersey City that Ordinance 11-018 is hereby repealed and

BE IT FURTHER ORDAINED by the Municipal Council of the City of Jersey City that Chapter 3, Article XII shall be amended to read:

§ 3-101. Adopt a Lot Program.

The City shall establish an Adopt A Lot Program under the direction of the Department of Health and Human Services.

- a. Any non-profit corporation and association desiring to participate in the program shall complete and submit an application, in writing or electronically, to the Director of Health & Human Services. The application shall be in the form on file with the City Clerk.
- b. Upon completion of the required application forms, the Director of Health & Human Services shall recommend approval of the application to the Municipal Council, which shall, by Ordinance, approve a Lease between the City and the approved applicant.
- c. Consistent with N.J.S.A. 40A:12-15, in no event shall any lease be entered into for, with, or on behalf, of any commercial, business, trade, manufacturing, wholesaling, retailing, or other profit-making enterprise, nor shall any lessee use the City-owned property for any sectarian, denominational or religious purpose. Under no circumstances will any lessee be permitted to grow fruits and vegetables or any other edible products on the leased land, either for sale or for personal consumption. City-owned land leased under this provision shall be

AN ORDINANCE RESCINDING ORDINANCE 11-019 AND AMENDING CHAPTER 3, (ADMINISTRATION OF GOVERNMENT) ARTICLE XII (DEPARTMENT OF HEALTH AND HUMAN SERVICES) TO ESTABLISH AN "ADOPT A LOT" PROGRAM AUTHORIZING THE CITY TO LEASE VACANT, CITY-OWNED LAND IN NEED OF IMPROVEMENT TO NON-PROFIT CORPORATIONS OR ASSOCIATIONS

used for gardening only and for no other purpose whatsoever without the express written approval of the Business Administrator.

d. The lease term shall be for one year and consideration for each lease shall be one dollar (\$1.00) a year.

e. The City reserves the right to terminate the lease at its convenience without cause by providing 90 days prior notice.

- I. All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed.
- II. This Ordinance shall be part of the Jersey City Code as though codified and fully set forth therein. The City shall have this Ordinance codified and incorporated in the official copies of the Jersey City Code.
- III. This Ordinance shall take effect in the manner as provided by law.
- IV. The City Clerk and the Corporation Counsel be and hereby are authorized and directed to change any chapter numbers, article numbers and section numbers in the event the codification of this Ordinance reveals that there is conflict between those numbers and the existing code.

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

JJH 6/17/15

APPROVED AS TO LEGAL FORM

Joanne Monahan
for Corporation Counsel

APPROVED:

[Signature]
Business Administrator

Certification Required

Not Required

ORDINANCE FACT SHEET – NON-CONTRACTUAL

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

Full Title of Ordinance

AN ORDINANCE RESCINDING ORDINANCE 11-019 AND AMENDING CHAPTER 3, (ADMINISTRATION OF GOVERNMENT) ARTICLE XII (DEPARTMENT OF HEALTH AND HUMAN SERVICES) TO ESTABLISH AN "ADOPT A LOT" PROGRAM AUTHORIZING THE CITY TO LEASE VACANT, CITY-OWNED LAND IN NEED OF IMPROVEMENT TO NON-PROFIT CORPORATIONS OR ASSOCIATIONS

Initiator

Department/Division	Health & Human Services	
Name/Title	Stacey L. Flanagan	Director
Phone/email	201-547-6800	sflanagan@jcnj.org

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

Ordinance Purpose

In order to improve the "Adopt a Lot" program, this Ordinance will rescind Ordinance 11-019 and codify the provisions of the Adopt a Lot program within the Municipal Code. Specifically, the Ordinance limits the duration of Adopt a Lot program leases to 1 (one) year; limits the scope of the lease to gardening only, and places control over administration of the "Adopt a Lot" program under the Department of Health & Human Services.

I certify that all the facts presented herein are accurate.

June 17, 2015

Date

Signature of Department Director

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



ORDINANCE NO. Ord. 15.088

TITLE: 3.A JUN 24 2015 4.A JUL 15 2015

An ordinance rescinding Ordinance 11-019 and amending Chapter 3, (Administration of Government) Article XII (Department of Health and Human Services) to establish an "Adopt a Lot" Program authorizing the City to lease vacant, city-owned land in need of improvement to non-profit corporations or associations.

RECORD OF COUNCIL VOTE ON INTRODUCTION											
JUN 24 2015 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING											
JUL 15 2015 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	✓			WATTERMAN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

SPEAKERS:

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				WATTERMAN			
BOGGIANO				COLEMAN				LAVARRO, PRES.			

RECORD OF FINAL COUNCIL VOTE											
JUL 15 2015 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

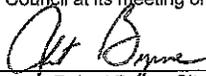
✓ Indicates Vote

N.V.--Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on JUN 24 2015

Adopted on second and final reading after hearing on JUL 15 2015

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on JUL 15 2015

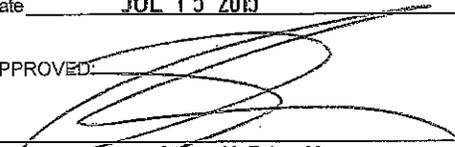

Robert Byrne, City Clerk

APPROVED:


Roland R. Lavarro, Jr., Council President

Date JUL 15 2015

APPROVED:


Steven M. Fulop, Mayor

Date JUL 20 2015

Date to Mayor JUL 15 2015

*Amendment(s):

City Clerk File No. Ord. 15.089

Agenda No. 3.B 1st Reading

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



ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 15.089

TITLE:

**AN ORDINANCE CREATING A NEW CHAPTER OF THE MUNICIPAL CODE,
CHAPTER 181, ENTITLED "ENERGY AUDITS" MANDATING PERIODIC AUDITS
OF ENERGY USAGE IN CITY-OWNED FACILITIES, VEHICLES AND EQUIPMENT**

COUNCIL

offered and moved adoption of the following
Ordinance:

WHEREAS, the City wishes to implement an Energy Savings Improvement Program (ESIP) in order to reduce its overall energy consumption and reduce its carbon footprint; and

WHEREAS, the City wishes to install alternate energy sources and energy savings improvements in all City-owned facilities where such improvements are practical; and

WHEREAS, in order to reduce its greenhouse gas emissions, the City wishes to replace inefficient City-owned vehicles and equipment with more energy-efficient vehicles and equipment whenever replacing said vehicles and equipment is possible; and

WHEREAS, the first step in developing an ESIP is to conduct an energy audit which shall identify the current energy usage in all City-owned facilities, and energy efficiency levels of all City-owned vehicles and equipment, and identify what energy conservation measures can be implemented to realize and maximize energy savings and energy efficiency; and

WHEREAS, because advances in technology can make even recent energy savings improvements obsolete, the City must periodically audit its energy usage so as to adapt to changing needs and implement to latest in energy saving technologies.

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Jersey City that a new chapter be added to the Municipal Code, Chapter 181, entitled "Energy Audits" which shall mandate periodic energy audits of all City-owned facilities, vehicles and equipment, and which shall read:

CHAPTER 181. ENERGY AUDITS

In the interest of reducing the City's overall energy consumption and reduce its greenhouse gas emissions, the City shall undertake an audit of all City-owned facilities and all City-owned vehicles and equipment every three (3) years to identify what energy conservation measures can be implemented to realize and maximize energy savings and energy efficiency.

a. The City may engage the services of a competent consultant to conduct the audit pursuant to the Local Public Contracts Law, N.J.S.A 40A:11-4.1 et seq.

b. The first energy audit shall be completed within one (1) year of the passage of this Ordinance and next audit shall be completed three years after the date of the

AN ORDINANCE CREATING A NEW CHAPTER OF THE MUNICIPAL CODE, CHAPTER 181, ENTITLED "ENERGY AUDITS" MANDATING PERIODIC AUDITS OF ENERGY USAGE IN CITY-OWNED FACILITIES, VEHICLES AND EQUIPMENT

first audit's completion. All subsequent audits shall be completed on the third anniversary of the previous audit.

c. The City need not conduct an audit if the total cost of the audit exceeds fifty thousand (\$50,000) dollars.

- I. All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed.
- II. This Ordinance shall be part of the Jersey City Code as though codified and fully set forth therein. The City shall have this Ordinance codified and incorporated in the official copies of the Jersey City Code.
- III. This Ordinance shall take effect in the manner as provided by law.
- IV. The City Clerk and the Corporation Counsel be and hereby are authorized and directed to change any chapter numbers, article numbers and section numbers in the event the codification of this Ordinance reveals that there is conflict between those numbers and the existing code.

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

APPROVED AS TO LEGAL FORM

Joanna Monahan
for Corporation Counsel

APPROVED: _____

APPROVED: _____
Business Administrator

Certification Required
Not Required

ORDINANCE FACT SHEET – NON-CONTRACTUAL

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

Full Title of Ordinance

AN ORDINANCE CREATING A NEW CHAPTER OF THE MUNICIPAL CODE, CHAPTER 181, ENTITLED "ENERGY AUDITS" MANDATING PERIODIC AUDITS OF ENERGY USAGE IN CITY-OWNED FACILITIES, VEHICLES AND EQUIPMENT

Initiator

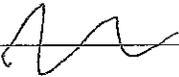
Department/Division	Office of the Mayor	
Name/Title	Mark Albiez	Chief of Staff
Phone/email	201-547-6544	malbiez@jcnj.org

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

Ordinance Purpose

In order to reduce the City's overall energy consumption and reduce its greenhouse gas emissions, this Ordinance will mandate the City undertake an audit of all City-owned facilities every three (3) years to identify what energy conservation measures can be implemented to realize and maximize energy savings and energy efficiency.

I certify that all the facts presented herein are accurate.



Chief of Staff

June 17, 2015
Date

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



ORDINANCE NO. Ord. 15.089

TITLE: J.B. JUN 24 2015 4.B

JUL 15 2015

An ordinance creating a new Chapter of the Municipal Code, Chapter 181, entitled "Energy Audits" mandating periodic audits of energy usage in city-owned facilities, vehicles and equipment.

RECORD OF COUNCIL VOTE ON INTRODUCTION											
JUN 24 2015 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING											
JUL 15 2015 9-0											
Councilperson <u>WATTERMAN</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	✓			WATTERMAN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

SPEAKERS:

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				WATTERMAN			
BOGGIANO				COLEMAN				LAVARRO, PRES.			

RECORD OF FINAL COUNCIL VOTE											
JUL 15 2015 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on JUN 24 2015
 Adopted on second and final reading after hearing on JUL 15 2015

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on **JUL 15 2015**

Robert Byrnie, City Clerk

APPROVED:
 Rolando R. Lavarro, Jr., Council President
 Date JUL 15 2015

*Amendment(s):

APPROVED:
 Steven M. Falop, Mayor
 Date JUL 20 2015
 Date to Mayor JUL 15 2015

City Clerk File No. Ord. 15.090

Agenda No. 3.C 1st Reading

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



ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 15.090

TITLE:

ORDINANCE SUPPLEMENTING CHAPTER A351 (EXECUTIVE ORDERS AND ORDINANCES) OF THE JERSEY CITY CODE TO CREATE A NEW CLASSIFIED POSITION FOR SUPERVISOR CUSTOMER SERVICE

THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY DOES ORDAIN:

A. The following supplements to Chapter A351 (Executive Orders and Ordinances) of the Jersey City Code are adopted:

Labor Grade

Title

*

Supervisor Customer Service

B. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

C. This ordinance shall be a part of the Jersey City Code as though codified and fully set forth therein. The City shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.

D. This ordinance shall take effect at the time and in the manner as provided by law.

E. The City Clerk and the Corporation Counsel be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is 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 indicated by **boldface** and repealed matter by *italic*.

**Pursuant to N.J.S.A. 40:69A-43a.*

NR/he
6/10/15

APPROVED AS TO LEGAL FORM

Joanne Monahan
for Corporation Counsel

APPROVED:

APPROVED:

[Signature]
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 SUPPLEMENTING CHAPTER A351 (EXECUTIVE ORDERS AND ORDINANCES) OF THE JERSEY CITY SUPERVISOR CUSTOMER SERVICE

Initiator

Department/Division	Human Resources	Workforce Management
Name/Title	Nancy Ramos	Human Resources Director
Phone/email	(201) 547-5224	nancyr@jcnj.org

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

Resolution Purpose

To establish a New Title for Cynthia Brown in accordance with New Jersey Department of Civil Services Commission Rules and Regulations.

I certify that all the facts presented herein are accurate.



Signature of Department Director

6/5/15

Date

Ordinance/Resolution Fact Sheet

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

Full Title of Ordinance/Resolution/Cooperation Agreement:

Supervisor Customer Service

Name & Title of Person Initiating Ordinance/Resolution, Etc.:

Nancy Ramos, Human Resources Director

Concise Description of the Program, Project, or Plan Proposed in the Ordinance:

To change union 246 to JCSA

Reasons for the Proposed Program, Project, Etc.:

Cynthia Brown

Anticipated Benefits to the Community:

Cost of Program, Project, Etc.:(Indicate the dollar amount of City, State, Federal funds to be used as well as match and in-kind contributions.)

Date Proposed Program or Project will Commence: _____

Anticipated Completion Date: _____

Person Responsible for Coordinating Proposed Program, Project Etc.: _____

Additional Comments:

Union Affiliation - JCSA

I Certify That All Facts Present Herein Are Accurate.

6/5/15
Date


Department Director

Date Submitted to Law Department _____

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



ORDINANCE NO. Ord. 15.090
 TITLE: 3.C JUN 24 2015 4.C JUL 15 2015

Ordinance supplementing Chapter A351 (Executive Orders and Ordinances) of the Jersey City Code to create a new classified position for Supervisor Customer Service.

RECORD OF COUNCIL VOTE ON INTRODUCTION											
JUN 24 2015 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING											
JUL 15 2015 9-0											
Councilperson <u>RAMCHAL</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	✓			WATTERMAN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

SPEAKERS:

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				WATTERMAN			
BOGGIANO				COLEMAN				LAVARRO, PRES.			

RECORD OF FINAL COUNCIL VOTE											
JUL 15 2015 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

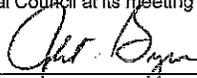
✓ Indicates Vote

N.V.--Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on JUN 24 2015

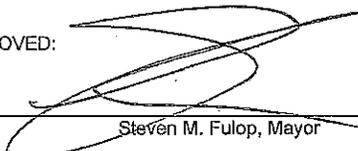
Adopted on second and final reading after hearing on JUL 15 2015

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on JUL 15 2015


 Robert Byrne, City Clerk

APPROVED: 
 Rolando R. Lavarro, Jr., Council President
 Date JUL 15 2015

*Amendment(s):

APPROVED: 
 Steven M. Fulop, Mayor
 Date JUL 20 2015
 Date to Mayor JUL 15 2015

City Clerk File No. Ord. 15.091

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 15.091

TITLE: AN ORDINANCE SUPPLEMENTING CHAPTER 332 (VEHICLES AND TRAFFIC) ARTICLE II (TRAFFIC REGULATIONS) SECTION 332-9 (STOP INTERSECTIONS) OF THE JERSEY CITY CODE DESIGNATING THE INTERSECTIONS OF ST. PAULS AND OAKLAND AVENUE AND MERSELES STREET AND FOURTH STREET AS MULTI-WAY STOP INTERSECTIONS

THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY DOES ORDAIN:

1. Chapter 332 (Vehicles and Traffic) Article II (Traffic Regulations) of the Jersey City Code is hereby supplemented as follows:

Section 332-9 Stop Intersections

The intersections listed below are hereby designated as a stop intersection. Stop signs shall be installed as provided therein.

Street 1 (Stop Sign On)	Direction of Travel	Street 2 (At Intersection)
[<u>Saint</u>] <u>St. Pauls Av</u> <u>Oakland Av</u>	West North and South	Oakland Av- <u>multi</u> <u>St. Pauls Av-<u>multi</u></u>
<u>Fourth St</u> <u>Merseles St</u>	West South	<u>Merseles St-<u>multi</u></u> <u>Fourth St-<u>multi</u></u>

- All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- 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.
- This ordinance shall be a part of the Jersey City Code as though codified and incorporated in the official copies of the Jersey City Code.

NOTE: All new material to be inserted is underscored.

JDS:pcl
(06.10.15)

APPROVED:
Director of Traffic & Transportation

APPROVED AS TO LEGAL FORM

Joanne Monahan
Corporation Counsel

APPROVED:
Municipal Engineer
APPROVED:
Business Administrator

Certification Required
Not Required

ORDINANCE FACT SHEET – NON-CONTRACTUAL

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

Full Title of Ordinance

AN ORDINANCE SUPPLEMENTING CHAPTER 332(VEHICLES AND TRAFFIC) ARTICLE II (TRAFFIC REGULATIONS) SECTION 332-9 (STOP INTERSECTIONS) OF THE JERSEY CITY CODE DESIGNATING THE INTERSECTIONS OF ST. PAULS AND OAKLAND AVENUE AND MERSELES STREET AND FOURTH STREET AS MULTI-WAY STOP INTERSECTIONS

Initiator

Department/Division	Administration	Architecture, Engineering, Traffic and Transportation
Name/Title	Joao D'Souza	Director of Traffic & Transportation
Phone/email	201.547.4470	JOAO@jcnj.org

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

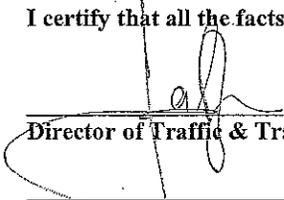
Ordinance Purpose

AN ORDINANCE DESIGNATING THE INTERSECTIONS OF ST. PAULS AND OAKLAND AVENUE AND MERSELES STREET AND FOURTH STREET AS MULTI-WAY STOP INTERSECTIONS

At the intersection of St. Pauls Avenue & Oakland Avenue there have been five (5) or more right-angle accidents per year. PS #6 is also located within 500 feet of this intersection.

PS #5 and Mary Benson Park are both located within 500 feet of this intersection.

I certify that all the facts presented herein are accurate.



Director of Traffic & Transportation

Signature of Department Director

6/10/15

Date

Date

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



ORDINANCE NO. Ord. 15.091

TITLE: 3.D JUN 24 2015 4.D JUL 15 2015

An ordinance supplementing Chapter 332 (Vehicles and Traffic) Article II (Traffic Regulations) Section 332-9 (Stop Intersections) of the Jersey City Code designating the intersections of St. Pauls and Oakland Avenue and Merseles Street and Fourth Street as multi-way stop intersections.

RECORD OF COUNCIL VOTE ON INTRODUCTION											
JUN 24 2015 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING											
JUL 15 2015 9-0											
Councilperson <u>WATTERMAN</u> moved, seconded by Councilperson <u>COLEMAN</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	✓			WATTERMAN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

SPEAKERS:

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				WATTERMAN			
BOGGIANO				COLEMAN				LAVARRO, PRES.			

RECORD OF FINAL COUNCIL VOTE											
JUL 15 2015 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

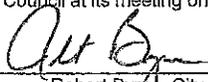
✓ Indicates Vote

N.V.--Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on JUN 24 2015

Adopted on second and final reading after hearing on JUL 15 2015

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on JUL 15 2015


Robert Byrne, City Clerk

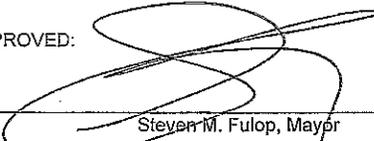
APPROVED:


Rolando R. Lavarro, Jr., Council President

Date JUL 15 2015

*Amendment(s):

APPROVED:


Steven M. Fulop, Mayor

Date JUL 20 2015

Date to Mayor JUL 15 2015

City Clerk File No. Ord. 15.092

Agenda No. 3.E 1st Reading

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



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE

offered and moved adoption of the following ordinance:

CITY ORDINANCE 15.092

TITLE:

ORDINANCE AUTHORIZING THE CITY TO ENTER INTO A MONTH TO MONTH TENANCY WITH RESCORE MONTGOMERY, LLC FOR OFF-STREET PARKING AT 711 MONTGOMERY STREET.

WHEREAS, the City of Jersey City (the "City") has a need for off-street parking for residents and business invitees in the area known as McGinley Square; and

WHEREAS, Rescore Montgomery LLC, is the owner of a vacant lot located at 711 Montgomery Street ("Property"); and

WHEREAS, the "City" and Rescore Montgomery, LLC desire to enter into a Lease Agreement for the vacant lot at 711 Montgomery St.; and

WHEREAS, the "City" will Lease certain space within McGinley Square located at 711 Montgomery Street to be used for off-street parking; and

WHEREAS, the City has agreed to a Month to Month Tenancy not to exceed one year effective January 1, 2015 through December 31, 2015; and

WHEREAS, the payment of rent shall be at a rate of \$1.00 per month for a total of \$12.00 per year; and

WHEREAS, the City shall be responsible for obtaining an exemption for the Property from real estate taxes;

WHEREAS, if the City is unable to obtain the exemption, the City shall pay the real estate taxes which are approximately \$50,000.00 per year; and

WHEREAS, the City shall have the right to terminate the Lease at any time; and

WHEREAS, N.J.S.A. 40A:12-5 provides that a municipality may by ordinance authorize a lease agreement of real property or personal property; and

WHEREAS, the sum of \$50,000.00 will be made available in the 2015 temporary, permanent and future fiscal year budgets in account #01-201-31-432-304.

ORDINANCE AUTHORIZING THE CITY TO ENTER INTO A MONTH TO MONTH TENANCY WITH RESCORE MONTGOMERY, LLC, FOR OFF-STREET PARKING AT 711 MONTGOMERY STREET.

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

- 1. The Mayor or Business Administrator is authorized to execute the attached Lease Agreement with Rescore Montgomery, LLC subject to such modification as may be deemed necessary or appropriate by Corporation Counsel;
- 2. The term of the Lease Agreement is a month to month tenancy not to exceed one year effective January 1, 2015 through December 31, 2015 at a cost of \$1.00 per month for a total of \$12.00 per year;
- 3. The City shall be responsible for obtaining an exemption for the Property from real estate taxes. If the City is unable to obtain the exemption, the City shall pay the real estate taxes which are approximately \$50,000.00 per year.
 - A. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
 - B. This ordinance shall be a part of the Jersey City Code as though codified and fully set forth therein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.
 - C. This ordinance shall take effect at the time and in the manner provided by law.
 - D. The City Clerk and the Corporation Counsel be and they are hereby authorized and directed to change any chapter numbers, articles numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.

NOTE: All material is new; therefore, underling has been omitted. For purposes of advertising only, new matter is indicated by **bold face** and repealed matter by *italic*.

I, _____ Donna L. Mauer, Chief Financial Officer, hereby certify funds in the amount of \$1,000.00 is available in account #01-201-31-432-304 for the expenditure in accordance with the Local Budget Law, N.J.S.A. 40: A4-1 et seq. Requisition # 0170559 P.O. # _____

APPROVED AS TO LEGAL FORM

Joanne Monahan
Corporation Counsel

APPROVED:

Ann Marie Miller, Real Estate Manager

APPROVED:

[Signature]
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 AUTHORIZING THE CITY TO ENTER INTO A MONTH TO MONTH TENANCY WITH RESCORE MONTGOMERY, LLC FOR OFF-STREET PARKING AT 711 MONTGOMERY STREET

Initiator

Department/Division	Administration	Real Estate
Name /Title	Steve Miller	Confidential Assistant
Phone/E-Mail	(201) 206-9531	SteveM@jcnj.org

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

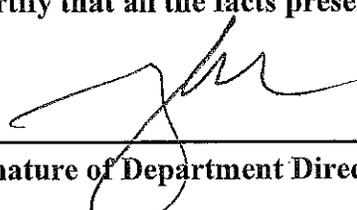
Resolution Purpose

To provide parking for residents and business invitees in the area known as McGinley Square.

The term of this Lease Agreement shall take effect as of January 1, 2015 to December 31, 2015 at a cost of \$1.00 per month or \$12.00 per year.

The City shall be responsible for obtaining an exemption for the Property from real estate taxes. If the City is unable to obtain the exemption, the City shall pay the real estate taxes which are approximately \$50,000.00 per year.

I certify that all the facts presented herein are accurate.



Signature of Department Director

6/16/15

Date

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



ORDINANCE NO. Ord. 15.092
 TITLE: 3.B JUN 24 2015 4.B

JUL 15 2015

Ordinance authorizing the City to enter into a month to month tenancy with Rescore Montgomery, LLC for Off-Street Parking at 711 Montgomery Street.

RECORD OF COUNCIL VOTE ON INTRODUCTION JUN 24 2015 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING JUL 15 2015 8-0											
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	<u>ABSENT</u>			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

SPEAKERS:

JOHN SEBOROWSKI

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				WATTERMAN			
BOGGIANO				COLEMAN				LAVARRO, PRES.			

RECORD OF FINAL COUNCIL VOTE JUL 15 2015 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

JUN 24 2015
 Adopted on first reading of the Council of Jersey City, N.J. on _____

JUL 15 2015
 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 **JUL 15 2015**

Robert Byrne
 Robert Byrne, City Clerk

APPROVED:

Rolando R. Lavarro, Jr.

Rolando R. Lavarro, Jr., Council President

Date

JUL 15 2015

*Amendment(s):

APPROVED:

Steven M. Fulop

Steven M. Fulop, Mayor

Date

JUL 20 2015

Date to Mayor

JUL 15 2015

City Clerk File No. Ord. 15.093

Agenda No. 3.F 1st Reading

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



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE

offered and moved adoption of the following ordinance:

CITY ORDINANCE 15.093

TITLE:

AN ORDINANCE GRANTING PERMISSION TO CHRISTOPHER COLUMBUS DRIVE, LLC, SUCCESSORS AND ASSIGNS, TO MAKE PRIVATE IMPROVEMENTS IN THE CHRISTOPHER COLUMBUS DRIVE PUBLIC RIGHT OF WAY ADJACENT TO THE PROPERTY LOCATED AT 190 CHRISTOPHER COLUMBUS DRIVE, JERSEY CITY, NEW JERSEY, ALSO KNOWN ON THE TAX MAPS OF THE CITY OF JERSEY CITY AS BLOCK 12703, LOT 4.

WHEREAS, Christopher Columbus Drive, LLC, successor in interest to Kengru Capital, LLC, having offices located at 493 Jersey Avenue, Jersey City, New Jersey 07302 (hereinafter the "Petitioner") is the owner of the property located at 190 Christopher Columbus Drive, Jersey City, New Jersey and known as Block 12703, Lot 4 (formerly known as Block 310, Lot 11.A) on the current tax maps of the City of Jersey City ("Property"); and

WHEREAS, pursuant to a Resolution for the Preliminary and Final Site Plan Approval in connection with the Property, Case #Z10-024, the Zoning Board of Adjustment granted approval to convert the existing five (5) story building to a mixed use building that includes up to fifteen (15) work/live units and two (2) ground floor commercial units in connection with the Property (copy of said Resolution is attached hereto as Exhibit C); and

WHEREAS, the work/live and mixed use building is a use that is consistent with other uses within the neighborhood; and

WHEREAS, part of the development approval granted in Case #Z10-024 includes the construction of a front entry platform and stairs (the "Stairs") within a portion of the Christopher Columbus Drive public right-of-way, which is more particularly depicted and described in the Franchise Plans, Exhibits A and B, attached hereto; and

WHEREAS, the construction of the Stairs are necessary to comply with the handicap code requirements and will be elevated above the sidewalk grade in order to access the retail portion of the Property and is consistent with the historical character of the property; and

WHEREAS, the Petitioner is required to file the Petition for a Franchise Ordinance to place these improvements; and

WHEREAS, there will remain sufficient area in the right-of-way for pedestrian use (at least five (5) unobstructed feet), and the proposed private improvements will not impede or have a negative impact on typical pedestrian use; and

WHEREAS, Petitioner has filed a petition for relief and represented to the Municipal Council of the City of Jersey City that the passage of this Ordinance is in the best interests and essential for the completion of the construction of the development; and

WHEREAS, after due notice was given in accordance with law, a public hearing was held on the Petition filed by Petitioner to grant permission to construct entry Stairs within the public right-of-way under the condition that all costs associated with the improvements would be incurred by the Petitioner, and further that there were no objections to such private improvements; and

WHEREAS, the Jersey City Zoning Officer and Building Department can approve the construction of the improvements at the subject property conditioned upon the Petitioner being granted a franchise ordinance by the City Council of the City of Jersey City; and

WHEREAS, a franchise ordinance is required to permit the completion of the construction of the private improvements within the public right-of-way; and

WHEREAS, by reason of the character of the development of the area within which this property is situated, the said improvements will enhance the aesthetic and character of the property and greatly benefit Jersey City and the surrounding neighborhood; and

WHEREAS, the public interest will be served by said improvements, which will be of great benefit to the citizens of Jersey City and Hudson County and the rights of the public will not be injuriously or adversely affected by the requested relief;

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

SECTION I. Permission be, and is hereby granted to Petitioner, its successors and assigns, to complete private improvements to a portion of lands located within the public right-of-way adjacent to 190 Christopher Columbus Drive, Jersey City, New Jersey, and known as Block 12703, Lot 4 on the current tax maps of the City of Jersey City, said areas being more particularly described as follows on the franchise plan, and metes and bounds description attached hereto as Exhibit A and Exhibit B, respectively.

1. The contemplated improvements will include the construction of front entry platform and stairs to be located within the public right-of-way.

2. There will remain sufficient area in the right-of-way (at least five [5] unobstructed feet) for typical pedestrian use.
3. The contemplated improvements will be constructed consistent with the Plans approved by the Jersey City Planning Board, the Jersey City Zoning Officer and Building Department.
4. All costs associated with these improvements will be incurred by the Petitioner.
5. The contemplated improvements are necessary to construct the proposed development consistent with the development approvals and are necessary to comply with handicap code requirements, and will greatly benefit the Petitioner's property and the surrounding neighborhood.

SECTION II. All the work herein authorized shall be done under the supervision of the proper department or departments of the City of Jersey City. Further, all the work herein authorized shall comply with any State of New Jersey Uniform Construction Code requirements. The construction plans shall be submitted to the City Engineer for his review and comments prior to the start of construction. After construction there shall remain no damage to the sidewalk or roadway or interference with the free and safe flow of pedestrian traffic and vehicular traffic. Petitioner and its successors and assigns, shall maintain all improvements installed by it for the entire term of this Franchise at no cost to the City.

SECTION III. This Ordinance shall remain in full force and effect for a period of ninety-nine (99) years. This Ordinance shall take effect upon final passage and publication according to law. In the event that the Municipal Council determines that this Ordinance must be canceled in whole or in part because of a public purpose, the City reserves the right to cancel this Ordinance or any part thereof by giving written notice to the Petitioner one year prior to the date of cancellation.

SECTION IV. All costs and expenses incident to the introduction, passage and publication of this Ordinance shall be borne and paid by Petitioner.

SECTION V. In accepting the privileges of this Ordinance and the installation, maintenance and use hereby authorized, Petitioner, its successors and assigns hereby agree to assume full, complete and undivided responsibility for any and all injury or damage to persons or property by reason of said installation, maintenance and use, and to indemnify and hold the City of Jersey City harmless from all injury or damage to persons or property by reason of such installation, maintenance and use (except such injury or damage which is caused by the negligence or misconduct of the City or its officers, employees or agents) for the term of this Ordinance. Petitioner, its successors and assigns, shall maintain in effect, during the term of

this franchise, liability insurance naming the City of Jersey City, its officers and employees as additional insured, covering the use and occupancy of the public property subject to this franchise. A certificate of insurance, in the amount of \$2,000,000.00, or in such amount and type as the City's Risk Manager may reasonably require from time to time, and in a form deemed acceptable by the City's Risk Manager, shall be delivered to the Risk Manager before use or occupancy of the premises subject to this Franchise Ordinance.

SECTION VI. This Ordinance shall not become effective unless an acceptance hereof in writing is filed by the Petitioner with the City Clerk. In the event, that the Petitioner shall not file with the City Clerk its acceptance in writing of the provisions of this Ordinance within thirty (30) days after receiving notice of its passage, this Ordinance shall become void and be of no effect.

SECTION VII. Only with prior written consent and approval by the City Council of the City of Jersey City, which consent and approved shall not unreasonably withheld, shall Petitioner have the right to assign or otherwise transfer its rights under this Franchise Ordinance.

SECTION VIII. An easement for the duration of this Ordinance is reserved for the benefit of the City of Jersey City and all public utility companies including any cable television company as defined in the Cable Television Act, P.L. 1972, c. 186 (c. 48:5A-1 et seq.) for the purpose of ingress and egress over and upon the area subject to this Franchise Ordinance in order to maintain, repair or replace existing utility facilities including water lines, sewer lines, gas lines and telephone, electrical and cable television wires and poles which may be located either beneath or above the surface of the area subject to this Franchise Ordinance.

SECTION IX. For the rights and privileges herein granted, said beneficiaries hereunder, their successors and assigns, shall pay annually to the City of Jersey City the sum of One Dollar (\$1.00), which payment shall be made annually on the 1st day of June next succeeding the time when this Ordinance shall become effective and on each first day of June thereafter until the termination of this Ordinance.

SECTION X. A. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

B. This Ordinance shall be a part of the Jersey City Code as though codified and fully set forth therein. The City Clerk shall have this Ordinance certified and incorporated in the official copies of the Jersey City Code.

C. This Ordinance shall take effect at the time and in the manner as provided by law.

D. The City Clerk and the Corporation Counsel be and they

are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this Ordinance reveals that there is a conflict between those numbers and the existing Code, in order to avoid confusion and possible accidental repeals of existing provisions.

APPROVED AS TO LEGAL FORM

Joanne Nonahan
for Corporation Counsel

APPROVED: _____

APPROVED: [Signature]
Business Administrator

Certification Required
Not Required

PETITION

TO: THE HONORABLE, THE MAYOR AND MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY:

Your Petitioner, Christopher Columbus Drive, LLC; as successor in interest to Kengru Capital, LLC, having offices located at 493 Jersey Avenue, Jersey City, New Jersey 07302, respectfully says that:

1. Petitioner is the owner of the property located at 190 Christopher Columbus Drive, Jersey City, New Jersey and known as Block 12703, Lot 4 (formerly known as 310, Lot 11.A) on the current tax maps of the City of Jersey City (the "Property"). The Petitioner has been approved by the Jersey City Zoning Board of Adjustment pursuant to Case #Z10-024, which was approved on February 17, 2011, and memorialized by resolution on May 19, 2011, to develop fifteen (15) work/live units and two (2) ground floor commercial units at the Property.

2. The Jersey City Zoning Board of Adjustment approved the development plans with private improvements being constructed in the Christopher Columbus Drive public right-of-way that will assist in complying with handicap code requirements.

3. Petitioner proposes to make the following site improvements within the areas of the public right-of-way:

A. The contemplated improvements will include the construction of a front entry platform and stairs ("Stairs") to be located within the public right-of-way along Christopher Columbus Drive.

B. All costs associated with these improvements will be incurred by the Petitioner, and there being no objections thereto.

4. Petitioner has presented the proposed improvements to the Jersey City Zoning Officer and Building Department, which can approve proposed improvements conditioned upon the Petitioner being granted a franchise ordinance by the City Council of the City of Jersey City.

5. The contemplated improvements are necessary to construct the proposed development consistent with the development approvals, and will greatly benefit the Petitioner's property and the surrounding area and neighborhood.

WHEREFORE, the Petitioner respectfully prays for itself, its successors and assigns, for the enactment of a Franchise Ordinance to allow it to make private improvements within the public right-of-way of Christopher Columbus Drive, all as more particularly shown on the plans annexed hereto and made a part hereof.

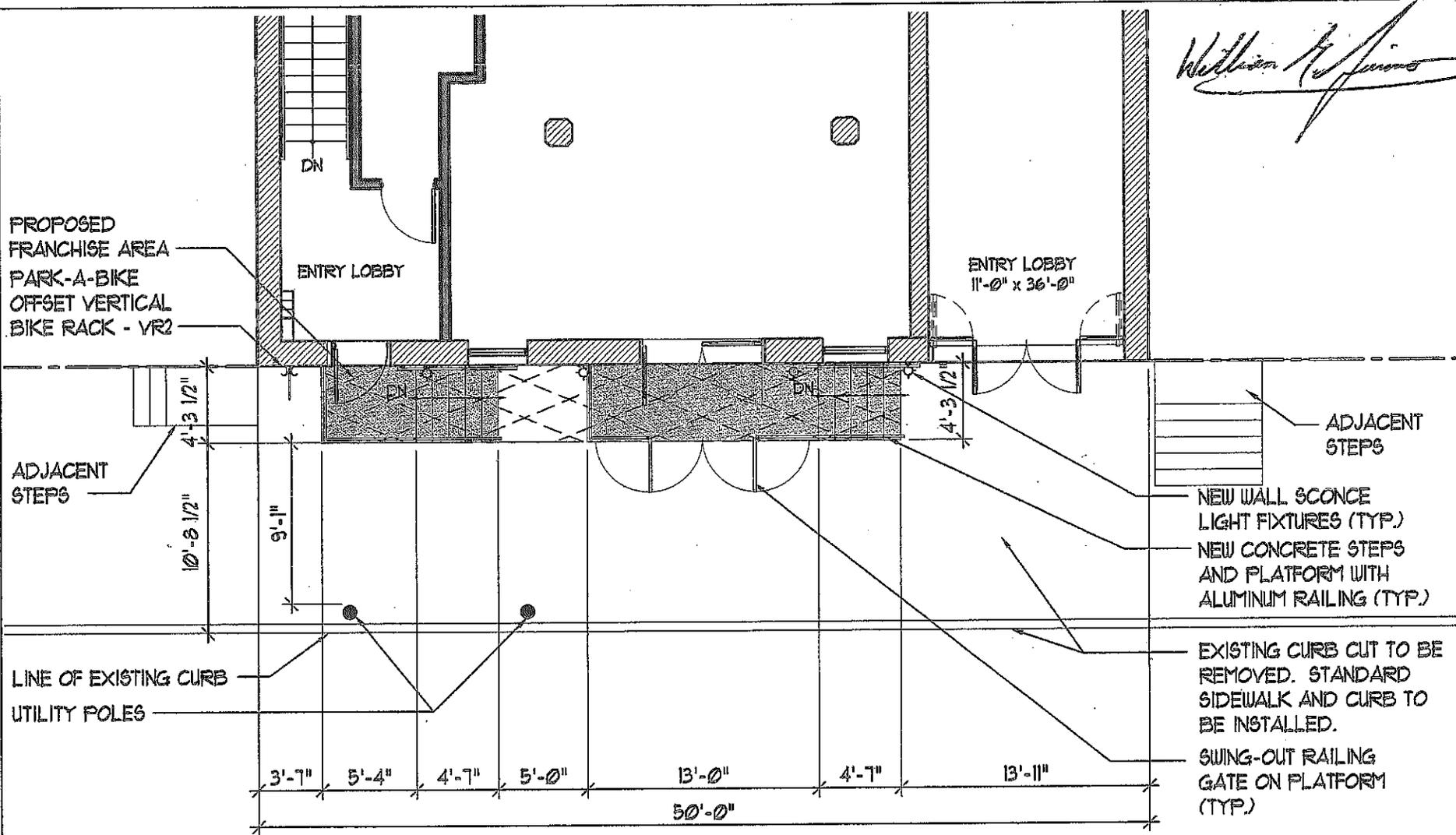
By: _____

Charles J. Harrington, III, Esq.,
o/b/o Christopher Columbus Drive, LLC,
Attorney for the Petitioner

Exhibit

A

William G. Severino

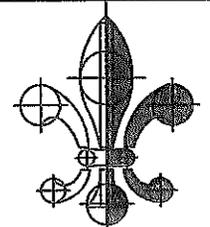


PROPOSED PLATFORM AND STEPS PLAN

CASE NO Z10-024
FORMERLY

BLOCK 12703 LOT NO 4
BLOCK 310 LOT NO 11.A

SCALE: 1/8" = 1'-0"



William G. Severino
ARCHITECT, LLC

REGISTERED ARCHITECT NJ 21AI01374500
104 SUMMIT CIRCLE 201.615.7001 TEL
LITTLE FERRY, NJ 07643 201.329.9380 FAX
BILL.WGS_ARCH@VERIZON.NET

PROJECT
MIXED USE REDEVELOPMENT
190 CHRISTOPHER COLUMBUS DRIVE, JERSEY CITY, NJ

CLIENT
CHRISTOPHER COLUMBUS DRIVE, LLC
200 CONNECTICUT AVENUE, NORWALK, CONNECTICUT, 06854

DATE:
MAY 21, 2015

DRAWING NO.
FP-1 REVISED



NEW WALL MOUNTED
BIKE RACK

NEW CONCRETE STEPS AND
PLATFORM WITH STUCCO FINISH
AND ALUMINUM RAILING,
PAINTED BLACK TO MATCH
STOREFRONT

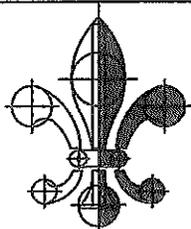
William G. Severino

PROPOSED PLATFORM AND STEPS ELEVATION

CASE NO Z10-024
FORMERLY

BLOCK 12703 LOT NO 4
BLOCK 310 LOT NO 11.A

SCALE: 3/16" = 1'-0"



William G. Severino
ARCHITECT, LLC

REGISTERED ARCHITECT NJ 21AI01374500
104 SUMMIT CIRCLE 201.615.7001 TEL
LITTLE FERRY, NJ 07643 201.329.9380 FAX
BILL.WGS_ARCH@VERIZON.NET

PROJECT
MIXED USE REDEVELOPMENT
190 CHRISTOPHER COLUMBUS DRIVE, JERSEY CITY, NJ

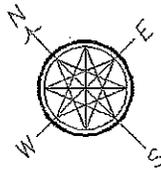
CLIENT
CHRISTOPHER COLUMBUS DRIVE, LLC
200 CONNECTICUT AVENUE, NORWALK, CONNECTICUT, 06854

DATE:
MAY 21, 2015

DRAWING NO.
FP-2 REVISED

Exhibit

B



BEHAR SURVEYING ASSOCIATES, P.C.

Professional Land Surveying and Planning

61 Locust Lane, East Rutherford, NJ 07073

Phone: 973-778-0010

Fax: 973-778-0027

<http://www.beharsurveying.com>

190 Columbus Drive

a/k/a 190 Christopher Columbus Drive

Tax Block 12703, Lot 4

City of Jersey City

Hudson County, N.J.

Beginning at a point on the northeasterly line of Columbus Drive, *also known as Christopher Columbus Drive and formerly known as Railroad Avenue*, (104' Wide Right-of-Way), said point being distant 80.00' northwesterly from the corner formed by the intersection of the northwesterly line of Jersey Avenue (80' Wide Right-of-Way) and the said line of Christopher Columbus Drive, running thence;

1. N 56°00'00" W 50.00', along the said line of Columbus Drive to a point; thence
2. N 34°00'00"E 145.04', leaving Columbus Drive to a point on the southwesterly line of Maxwell Place; thence
3. S 63° 20'30"E 50.41', along Maxwell Place to a point; thence
4. S 34° 00'00" W 151.28', leaving Maxwell Place to the point and place of beginning.

In accordance with a survey prepared by Behar Surveying Associates, PC dated June 15, 2010 and revised March 4, 2011.

Proposed Franchise Area

Beginning at a point on the northeasterly line of Columbus Drive, *also known as Christopher Columbus Drive and formerly known as Railroad Avenue*, (104' Wide Right-of-Way), said point being distant 93.92' northwesterly from the corner formed by the intersection of the northwesterly line of Jersey Avenue (80' Wide Right-of-Way) and the said line of Christopher Columbus Drive, running thence;

1. S 34° 00'00" W 4.29', leaving the said line of Columbus Drive to a point resting in the right-of-way of said street; thence
2. N 56°00'00" W 32.50', continuing in the said right-of-way to a point; thence
3. N 34°00'00"E 4.29', to a point on the said right-of-way line of Columbus Drive; thence
4. S 56° 00'00" E 32.50', along said right-of-way line of Columbus Drive to the point and place of beginning.

In accordance with an architectural plan prepared by William G. Severino, Architect, LLC dated May 21, 2015.

Subject to easements and restrictions of record.

William B. Klapper

Professional Land Surveyor

New Jersey License No. 24GS03317500

Exhibit

C

Prepared by:


Charles J. Harrington, III

**RESOLUTION OF THE ZONING BOARD OF ADJUSTMENT
OF THE CITY OF JERSEY CITY**

APPLICANT: KENGRU CAPITAL, LLC
FOR: PRELIMINARY AND FINAL SITE PLAN WITH
C (SIGNAGE) AND D (USE) VARIANCES
190 CHRISTOPHER COLUMBUS DRIVE
JERSEY CITY, NEW JERSEY
BLOCK 310, LOT 11.A
CASE NO.: Z10- 024



20110602010040870 1/6
06/02/2011 11:09:00 AM DEED
Bk: 8794 Pg: 302
Willie L. Flood
Hudson County, Register of Deeds
Receipt No. 573711

WHEREAS, the Applicant, **KENGRU CAPITAL, LLC, (the Applicant)**, per **Connell Foley, LLC**, (Charles J. Harrington, III, Esq., appearing), made an application to the Zoning Board of Adjustment of the City of Jersey City, County of Hudson and State of New Jersey, for Preliminary and Final Site Plan Approval with variances pursuant to N.J.S.A. 40:55D-70(d) (use), and N.J.S.A.40:55D-70(c) (signage), to wit: Calendar No. Z10-024, to convert the existing five story commercial warehouse building to a mixed use building that includes up to fifteen (15) work/live units and two ground floor commercial units with regard to property located at 190 Christopher Columbus Drive, Jersey City, New Jersey, and also known on the Jersey City Tax Maps as Block 310, Lot 11.A; and

WHEREAS, due notice of a hearing before the Zoning Board of Adjustment of the City of Jersey City, on February 17, 2011 at 6:00 p.m., was duly published as prescribed in the Zoning Ordinance of the City of Jersey City; and

WHEREAS, the Applicant has submitted proof that it has complied with the applicable procedural requirements including the payment of fees and public notices; and

Record and Return to:

CHARLES J. HARRINGTON, III, ESQ.
CONNELL FOLEY, LLP
HARBORSIDE FINANCIAL CENTER
2510 PLAZA FIVE
JERSEY CITY, NEW JERSEY 07311

L-1
S-4
96- to page 143
3:00 PM

WHEREAS, all testimony having been formally heard for this application; and

WHEREAS, after consideration of the application, the testimony presented at the meeting, and the oral and written comments and recommendations of the Division of Planning professional staff, the Zoning Board of Adjustment has made the following findings of fact:

FINDINGS OF FACT

1. The Applicant, KENGRU CAPITAL, LLC, had applied to the Zoning Board of Adjustment for variances pursuant to N.J.S.A. 40:55d-70(c) (signage) and N.J.S.A. 40:55D-70(d) (use), to convert the existing five story commercial warehouse building to a mixed use building that includes up to fifteen (15) work/live units and two ground floor commercial units with regard to property located at 190 Christopher Columbus Drive, Jersey City, New Jersey, and also known on the Jersey City Tax Maps as Block 310, Lot 11.A.
2. The existing building is a unique building that is located on a through lot, and one of the older "warehouse" buildings along Christopher Columbus Drive. The parcel is located in the NC, Neighborhood Commercial Zoning District, and is a non-conforming use in the NC Zone.
3. The "work/live" use is not permitted in the NC Zone, and such use is only permitted in one regular zoning district, the Marion Works Office/Residential District.
4. The NC Zone permits both above floor residential and a variety of ground floor commercial uses and the proposed work/live with ground floor commercial is not inconsistent with the intent and purpose of the Master Plan or zone plan with respect to the NC Zone.
5. The subject industrial building is particularly suited for this adaptive reuse because of its existing conditions and layout, and the building can provide for appropriate work/live space.

6. The proposed work/live use is a use that is a less intense use than the existing uses (warehousing & light manufacturing) at the property, is more consistent with the permitted uses in the NC Zone, and will not have any substantial negative impact on the other existing uses along Christopher Columbus Avenue or the immediate area.

7. There will be only a slight expansion of the building footprint to meet the "handicap" code requirements for the front stair/stoop area along Christopher Columbus Drive, and the facades on both Maxwell Street and Christopher Columbus Drive will be rehabilitated. Additionally, Applicant proposes to construct a new sidewalk along Maxwell Street, and both improvements will benefit the building and the immediate neighborhood.

8. The building is particularly suited for this use, and there are currently no other uses similar to the proposed use in the area, but there is a great demand for this type of use. Therefore, the use variance meets the positive criteria because the proposed use is particularly well suited to the proposed site and it is a unique use that is needed in the area.

9. The Applicant is also requesting variances with regard to the size and number of the signs at the property. Building signage is proposed on both Christopher Columbus Drive and Maxwell Place frontages for both commercial and work/live purposes. In addition, the Applicant is proposing a sign to identify the building name.

10. The width of the lot and the proposed mix of uses at the building warrant the additional requested signage on Christopher Columbus Drive. Separate residential building signage is not permitted in the NC zone, but in this particular case, the proposed building sign, is needed to distinguish the ground floor commercial use from the mixed residential/commercial units above. The additional ground floor signage is appropriate for a building with two (2) frontages (due to the through lot) and multiple ground floor uses, and will not result in any substantial detriments. Therefore, the benefits of granting the requested sign variances outweigh any detriments and the requested sign variances are warranted.

NOW, THEREFORE, BE IT RESOLVED that the Zoning Board of Adjustment of the City of Jersey City, County of Hudson and State of New Jersey, for the foregoing reasons,

approves the within application for a variances pursuant to N.J.S.A. 40:55D-70(c) (signage) and N.J.S.A. 40:55D-70(d) (use), to wit: Calendar No. Z10-024, to convert the existing five story commercial warehouse building to a mixed use building that includes up to fifteen (15) work/live units and two ground floor commercial units with regard to property located at 190 Christopher Columbus Drive, Jersey City, New Jersey, and also known on the Jersey City Tax Maps as Block 310, Lot 11.A, in accordance with the plans and testimony, subject to the Zoning Board of Adjustment of the City of Jersey City, subject to the following conditions:

1. Under no circumstances shall any of the work/live units be industrial, heavy commercial uses or any use that may create or produce toxic or noxious fumes, smoke, odors, hazardous discharges, glare, electromagnetic disturbances, radiation, dust or waste, undue noise or vibration, or other objectionable features that are detrimental to public health, safety, or general welfare, or that are damaging to the physical environment.
2. No more than half of the total space of each work/live unit shall be dedicated to work space, and the remaining area must be used for residential purposes; and the person engaged in the occupation must reside in the premises.
3. No more than two (2) full time or full time equivalent employees not residing within the premises shall be employed for each of the work/live units.
4. A franchise ordinance has to be obtained by the City Engineering before the final site plans are signed.
5. All Jersey City Review Agents' comments shall be addressed prior to application for construction permits (including location of the bike racks and street trees).
6. All sidewalk and other improvements to the R-0-W along both Maxwell Street and Christopher Columbus Drive shall be installed prior to the issuance of a certificate of occupancy.

7. All signage shall be installed as shown on the final approved plans and signs shall not be internally lit.

8. The Applicant shall consult with the Historic Preservation Officer regarding the façade repair and restoration work.

9. A complete color/material board shall be submitted to the Division of City Planning for review, and final material specifications shall be added to revised plans prior to application for construction permits.

10. The water table of the façade along Maxwell Street on the ground floor shall be changed to brick and final revised plans shall reflect same.

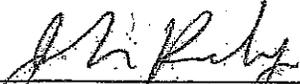
11. No deviations from the approved site plan or elevations, including those that may be required by the office of the Construction Code Official, shall be permitted without immediate notification to the Division of City Planning in order to determine if an application for site plan amendment is required.

12. A copy of the memorialized resolution shall be filed with the Hudson County Register's Office with proof of such filing to be submitted to the Division of City Planning prior to application for construction permits.

APPLICANT: KENGRU CAPITAL, LLC
FOR: PRELIMINARY AND FINAL SITE PLAN WITH
C (SIGNAGE) AND D (USE) VARIANCES
190 CHRISTOPHER COLUMBUS DRIVE
JERSEY CITY, NEW JERSEY
BLOCK 310, LOT 11.A
CASE NO.: Z10- 024
VOTE: 6 - 0

COMMISSIONER: YES NO ABSTAIN

Chairman Joseph Kealy	X
Commissioner Aneesah Abdullah	X
Commissioner Dominick Forte	X
Commissioner Barbara Gordon	X
Commissioner Consuelo Evans	X
Commissioner Brian Loughlin	X

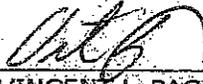


JOSEPH KEALY, CHAIRMAN
ZONING BOARD OF ADJUSTMENT
OF THE CITY OF JERSEY CITY



CLAIRE DAVIS, SECRETARY
ZONING BOARD OF ADJUSTMENT
OF THE CITY OF JERSEY CITY

APPROVED AS TO LEGAL FORM:



VINCENT LaPAGLIA, ESQ.

DATE OF HEARING:
DATE OF MEMORIALIZATION:

February 17, 2011
~~April 21, 2011~~

5/15/2011

FILED
20110602010040870
06/02/2011 11:09:00 AM
DEED
NUMBER OF PAGES : 6
TCALLENDER

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



ORDINANCE NO. Ord. 15.093
 TITLE: 3.F JUN 24 2015 4.F JUL 15 2015

An ordinance granting permission to Christopher Columbus Drive, LLC, successors and assigns, to make private improvements in the Christopher Columbus Drive public right of way adjacent to the property located at 190 Christopher Columbus Drive, Jersey City, New Jersey, also known on the tax maps of the City of Jersey City as Block 12703, Lot 4.

RECORD OF COUNCIL VOTE ON INTRODUCTION											
JUN 24 2015 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING											
JUL 15 2015											
Councilperson <u>WATTERMAN</u> moved, seconded by Councilperson <u>COLEMAN</u> to close P.H. <u>9-0</u>											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

SPEAKERS:

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				WATTERMAN			
BOGGIANO				COLEMAN				LAVARRO, PRES.			

RECORD OF FINAL COUNCIL VOTE											
JUL 15 2015 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on JUN 24 2015
 Adopted on second and final reading after hearing on JUL 15 2015

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on JUL 15 2015

Robert Byrne, City Clerk

APPROVED:

Rolando R. Lavarro, Jr., Council President

Date JUL 15 2015

APPROVED:

Steven M. Fulop, Mayor

Date JUL 20 2015

Date to Mayor JUL 15 2015

*Amendment(s):

City Clerk File No. Ord. 15.094

Agenda No. 3.6 1st Reading

Agenda No. 4.6 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE

offered and moved adoption of the following ordinance:

CITY ORDINANCE 15.094

TITLE: AN ORDINANCE: 1) APPROVING A 30 YEAR TAX EXEMPTION FOR AN AFFORDABLE HOUSING PROJECT AT 441, 443, 445, 447, 449, 451-457 OCEAN AVENUE AND 79-81 DWIGHT STREET, FOR GENESIS OCEAN URBAN RENEWAL ASSOCIATES LLC, PURSUANT TO THE LONG TERM TAX EXEMPTION LAW, N.J.S.A. 40A:20-1 ET SEQ. AND 2) RESCINDING ALL PRIOR ORDINANCES (11-101, 13-098 AND 14-012) THAT APPROVED OR AMENDED TAX EXEMPTIONS FOR THE PROPERTY

THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY DOES ORDAIN:

WHEREAS, Genesis Ocean Urban Renewal Associates, LLC is a qualified Urban Renewal Entity [the Entity] under the New Jersey Long Term Tax Exemption Law N.J.S.A. 40A:20-1 et seq.; and

WHEREAS, the Entity is the contract purchaser of certain property known as: Block 25804, Lots 23, 22, 21, 20, 19, 18 and 17, on City's Tax map and more commonly known by the street addresses of 441, 443, 445, 447, 449, 451-457 Ocean Avenue and 79-81 Dwight Street, respectively, Jersey City, New Jersey [the Property]; and

WHEREAS, the Property is located within the boundaries of the Turnkey Redevelopment Plan Area and has received site plan approval for a 64 unit building with 2000 square feet of commercial retail space and 22 parking spaces; and

WHEREAS, by the adoption of Ordinance 11-101, the City had approved a 30 year tax exemption for the Property under the Long Term Tax Exemption Law, N.J.S.A. 40A:20-1 et seq, if construction began no later than two (2) years from the date of the adoption of the ordinance, which tax exemption expired by operation of law construction failed to commence by August 31, 2013; and

WHEREAS, by the adoption of Ordinance 13-098, the City then approved a 30 year tax exemption for the Property under the New Jersey Mortgage Housing Finance Law, N.J.S.A. 55:14K-1 et seq., and which was amended by the adoption of Ordinance 14-012 to amend the Entity's name; and

WHEREAS, by an application submitted on June 15, 2015, the Entity now proposes to rescind the prior tax exemption ordinances and seek approval of an affordable housing project to be constructed on the Property with a 30 year tax exemption; and

WHEREAS, the Entity has filed an application for a new tax exemption under the Long Term Tax Exemption Law, N.J.S.A. 40A:20-1 et seq., in order to enable the Entity to maximize their eligibility for low income housing tax credits to finance the project; and

WHEREAS, the Entity seeks to pay 6.28% of Annual Gross Revenue from the affordable residential units or \$32,156 a year and 10% of Annual Gross Revenue from the commercial, retail space or \$2,070 for an estimated total annual service charge of \$34,226; and

AN ORDINANCE: 1) APPROVING A 30 YEAR TAX EXEMPTION FOR AN AFFORDABLE HOUSING PROJECT AT 441, 443, 445, 447, 449, 451-457 OCEAN AVENUE AND 79-81 DWIGHT STREET, FOR GENESIS OCEAN URBAN RENEWAL ASSOCIATES LLC, PURSUANT TO THE LONG TERM TAX EXEMPTION LAW, N.J.S.A. 40A:20-1 ET SEQ. AND 2) RESCINDING ALL PRIOR ORDINANCES (11-101, 13-098 AND 14-012) THAT APPROVED OR AMENDED TAX EXEMPTIONS FOR THE PROPERTY

WHEREAS, a copy of the application is on file in the Office of the City Clerk; and

WHEREAS, the City hereby determines that the relative benefits of the project outweigh the cost of the tax exemption for the following reasons:

1. The City will apply to receive credit for creating 64 units of low or moderate income family rental housing against the units needed within the City of Jersey City as determined by the New Jersey Council on Affordable Housing;
2. There is an especially compelling need for decent safe and affordable housing for low or moderate income families, especially for citizens who are currently paying over 30% of their income for housing; and
3. The construction of the improvements will stabilize the neighborhood; and

WHEREAS, the City hereby determines that the tax exemption is necessary to insure the success of the project for the following reasons:

1. The reduced tax payments allow the owner to stable its operating budget, allowing a high level of maintenance to the building over the life of the project;
2. The reduction in taxes makes the Project attractive to investors of low income housing tax credits; and
3. The reduced tax payments will allow the owner to maintain the low and moderate income units at the lowest rents possible within the income guidelines; and
4. The project provides 64 units of low income affordable housing of which 22 units will be moderate income, 36 units will be low income, and 6 will be very low income, which advances an inherently beneficial public purpose notwithstanding that the City's impact analysis, on file with the Office of the City Clerk, that indicates that the amount of the service charge will not support the cost of providing municipal services to the Project; and

WHEREAS, Mayor Steven M. Fulop has reviewed the application and recommends approval of the tax exemption by the Municipal Council.

NOW, THEREFORE, in consideration of the mutual covenants herein contained, and for other good and valuable consideration, it is mutually covenanted and agreed as follows:

1. The application of Genesis Ocean Urban Renewal Associates, LLC is a qualified Urban Renewal Entity under the New Jersey Long Term Tax Exemption Law, N.J.S.A. 40A:20-1 et seq. is hereby approved, subject to the following terms and conditions:
 - (a) Term: 30 years;
 - (b) Service Charge: 6.28 % of Annual Gross Revenue, estimated to be \$32,156 or approximately \$502 per unit and 10% of Annual Gross Revenue for the commercial retail space, estimated to be \$2,070;
 - (c) Administrative Fee: 0.5% of the prior year's Annual Service Charge;

AN ORDINANCE: 1) APPROVING A 30 YEAR TAX EXEMPTION FOR AN AFFORDABLE HOUSING PROJECT AT 441, 443, 445, 447, 449, 451-457 OCEAN AVENUE AND 79-81 DWIGHT STREET, FOR GENESIS OCEAN URBAN RENEWAL ASSOCIATES LLC, PURSUANT TO THE LONG TERM TAX EXEMPTION LAW, N.J.S.A. 40A:20-1 ET SEQ. AND 2) RESCINDING ALL PRIOR ORDINANCES (11-101, 13-098 AND 14-012) THAT APPROVED OR AMENDED TAX EXEMPTIONS FOR THE PROPERTY

- (d) County Payment: 5% of the Annual Service Charge to the City for remittance by the City to Hudson County;
- (e) Project: 64 units of affordable residential rental, 2,000 square feet of commercial retail space, and 22 on-site parking spaces; and
- (f) Property: Block 25804, Lots 23, 22, 21,20,19,18 and 17, on City's Tax map and more commonly known by the street addresses of 441, 443, 445,447,449, 451-457 Ocean Avenue and 79-81 Dwight Street, respectively, Jersey City, New Jersey.

2. The Mayor or Business Administrator is authorized to execute a tax exemption Financial Agreement, which includes a Project Employment and Contracting Agreement in substantially the forms on file in the Office of the City Clerk, subject to such modification as the Business Administrator and Corporation Counsel deems appropriate or necessary.

3. This Ordinance will sunset and the Tax Exemption will terminate by operation of law, unless construction of the Project commences with all initial construction permits issued no later than two (2) years of the adoption of the within Ordinance.

4. The closing of the sale of the Property shall take place and the deed shall be recorded within sixty (60) days of adoption of the herein Ordinance and the Entity shall provide proof thereof to the City, or the tax abatement will terminate and this Ordinance will be rescinded unless otherwise extended at the City's sole discretion.

5. All ordinances and parts of ordinances inconsistent herewith, including but not limited to Ordinances 11-101, 13-098, and 14-012 are hereby repealed.

6. The Financial Agreement shall be executed by the Entity no later than 90 days following adoption of the within Ordinance unless otherwise extended at the City's sole discretion. Failure to comply shall result in a repeal of the herein Ordinance and the tax exemption will be voided.

7. This ordinance shall be part of the Jersey City Code as though codified and fully set forth therein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.

8. This ordinance shall take effect at the time and in the manner provided by law.

9. The City Clerk and Corporation Counsel be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.

NOTE: All material is new; therefore underlining has been omitted. For purposes of advertising only, new matter is indicated by **bold face** and repealed matter by *italic*.

JJH 6/17/15

APPROVED AS TO LEGAL FORM

Joanna Mondala
Corporation Counsel

APPROVED: _____

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

AN ORDINANCE APPROVING A 30 YEAR TAX EXEMPTION FOR A LOW INCOME AFFORDABLE HOUSING PROJECT INCLUDING RETAIL SPACE, AT THE ADDRESS MORE COMMONLY KNOWN BY THE STREET ADDRESSES OF 441, 443, 445, 447, 449, 451-457 OCEAN AVENUE AND 79-81 DWIGHT STREET, TO BE CONSTRUCTED BY GENESIS OCEAN URBAN RENEWAL ASSOCIATES LLC, UNDER THE LONG TERM TAX EXEMPTION LAW, N.J.S.A. 40A:20-1 ET SEQ.

Initiator

Department/Division	Mayor's Office	
Name/Title	Marcos Vigil	Deputy Mayor
Phone/email	(201) 547-5200	mvigil@jcnj.org

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

Resolution Purpose

Genesis Ocean Urban Renewal Associates, LLC, is the contract purchaser of certain property known as: Block 25804, Lots 23, 22, 21,20,19,18 and 17, on City's Tax map and more commonly known by the street addresses of 441, 443, 445,447,449, 451-457 Ocean Avenue and 79-81 Dwight Street, respectively, Jersey City, New Jersey, within the boundaries of the Turnkey Redevelopment Plan Area.

The Entity has filed an application for a new tax exemption under the Long Term Tax Exemption Law, N.J.S.A. 40A:20-1 et seq., in order to enable the Entity to maximize their eligibility for low income housing tax credits to finance the project.

The Entity seeks to pay 6.28% of Annual Gross Revenue from the affordable residential units or \$32,156 a year and 10% of Annual Gross Revenue from the commercial, retail space or \$2,070 for an estimated total annual service charge of \$34,226. .

The Entity had previously applied for and had been awarded tax exemptions under the New Jersey Mortgage Financing and Housing Law, N.J.S.A. 55:14K-1 et seq. All previous ordinances and parts of ordinances concerning prior tax exemptions for this Entity and Project, including but not limited to Ordinances 11-101, 13-098, and 14-012 are hereby repealed.

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



ORDINANCE NO. Ord. 15.094

TITLE: 3.G JUN 24 2015 4.G JUL 15 2015

An ordinance 1) Approving a 30 year tax exemption for an Affordable Housing Project at 441,443,445,447,449,451-457 Ocean Avenue and 79-81 Dwight Street, for Genesis Ocean Urban Renewal Associates, LLC, pursuant to the Long Term Tax Exception Law, N.J.S.A.40A:20-1 et seq. and 2) Rescinding all prior ordinances (11-101, 13-098 and 14.012) that approved or amended tax exemptions for the property.

RECORD OF COUNCIL VOTE ON INTRODUCTION											
JUN 24 2015 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING											
JUL 15 2015 9-0											
Councilperson <u>WATTERMAN</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	✓			WATTERMAN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

SPEAKERS:

YVONNE BALCER
TOM LEANE
KABILI TAYARI
WILLIAM DORRITY
LAVERN NEBB WASHINGTON

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				WATTERMAN			
BOGGIANO				COLEMAN				LAVARRO, PRES.			

RECORD OF FINAL COUNCIL VOTE											
JUL 15 2015 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on JUN 24 2015
Adopted on second and final reading after hearing on JUL 15 2015

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on JUL 15 2015

Robert Byrne
Robert Byrne, City Clerk

APPROVED: [Signature]
Rolando R. Lavarro, Jr., Council President

Date JUL 15 2015

*Amendment(s):

APPROVED: [Signature]
Steven M. Fulop, Mayor

Date JUL 20 2015

Date to Mayor JUL 15 2015

City Clerk File No. Ord. 15.095

Agenda No. 3.H 1st Reading

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



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE

offered and moved adoption of the following ordinance:

CITY ORDINANCE 15.095

TITLE: AN ORDINANCE IMPLEMENTING CHAPTER 6 (BUSINESS LICENSES OR PERMITS), ARTICLE 1 (WAGE THEFT PREVENTION) OF THE JERSEY CITY MUNICIPAL CODE TO PREVENT THE ISSUANCE OR ENABLE SUSPENSION OF BUSINESS LICENSES TO ENTITIES LIABLE FOR WAGE THEFT WITHIN THE CITY OF JERSEY CITY

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

WHEREAS, the City of Jersey City has found that certain employees working in business establishments throughout the City have experienced various degrees of misuse and abuse by their employers in the workplace, and on many occasions, are either substantially underpaid or go unpaid by their employers; and

WHEREAS, many employees have limited or no resources for proper recourse to obtain unpaid wages from their employers; and

WHEREAS, as a consequence, the financial losses incurred by employees working throughout the City due to underpaid or unpaid wages have a negative economic impact on the City and its local economy; and

WHEREAS, the Municipal Council is desirous of enhancing certain provision of the General Ordinances of the City of Jersey City to increase greater accountability among business establishments by imposing stiffer penalties for those establishments that engage in such unfair practices.

NOW, THEREFORE, BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY, NEW JERSEY, THAT:

A. The following implementation to Chapter 6 (Business Licenses or Permits), Article 1 (Wage Theft Prevention) is hereby adopted:

BUSINESS LICENSES OR PERMITS

ARTICLE 1

Wage Theft Prevention

§1-1. Definitions.

In this Chapter, the following words and phrases shall have the meanings stated in this Section unless the context otherwise requires:

A. "License" shall mean any business license or permit issued by the municipality as authorized by N.J.S.A. 40:52-1.

B. "Wage Theft" shall mean having been found guilty, liable or responsible in any judicial or administrative proceeding for unpaid wages in violation of the New Jersey State Wage and Hour Law (N.J.S.A. 34:11-56a *et seq.*), the New Jersey State Wage Payment Law (N.J.S.A. 34:11-4.1 *et seq.*), the

AN ORDINANCE IMPLEMENTING CHAPTER 6 (BUSINESS LICENSES OR PERMITS), ARTICLE 1 (WAGE THEFT PREVENTION) OF THE JERSEY CITY MUNICIPAL CODE TO PREVENT THE ISSUANCE OR ENABLE SUSPENSION OF BUSINESS LICENSES TO ENTITIES LIABLE FOR WAGE THEFT WITHIN THE CITY OF JERSEY CITY

Hudson County Living Wage Ordinance (No. 363-6-2014, 364-6-2014, 365-6-2014 and P.L. 1977, C. 33.), N.J.S.A. 2C:40A-2, the Fair Labor Standards Act, 29 U.S.C. § 201 *et seq.*, Section 3-76c of the Jersey City Municipal Code, or any other federal or state law related to the payment of wages or the collection of debt owed due to unpaid wages.

§1-2. Grounds for denial of license renewal.

Notwithstanding any provision to the contrary, wage theft is understood to have such an effect on the public morals and welfare that no license shall be issued or renewed to an applicant, licensee, or business entity that has been found liable of a wage theft violation which has not been cured by compliance with the order or decision of the judicial, governmental, or administrative entity determining the same, within ninety (90) days of any final judgment, inclusive of any appeal.

§1-3. Grounds for denial of license transfer.

No license shall be transferred to or from an applicant, licensee, or business entity that has been found liable of violation which has not been cured by compliance with the order or decision of the judicial, governmental, or administrative entity determining the same.

§1-4. Application for license and renewal; investigation of applicants and licensees.

A. At the time of its initial application and application for renewal of its license, each applicant shall certify under penalty of perjury whether applicant has been found guilty or liable of wage theft during the prior twenty-four (24) months; the dates, location, and nature of such wage theft; efforts by the applicant to cure such wage theft violation; and the ultimate disposition of any wage theft violations. The City shall maintain copies of the applications and certifications for the purpose of complying with this ordinance.

B. If the City is made aware of adjudications of wage theft against applicants or existing licensees, whether at the time of an initial application for a license, an application for renewal of its license, or after the issuance of the license, the City Department or Division responsible for issuing the subject license shall (1) obtain a copy of any order or decision of the judicial, governmental, or administrative entity finding that a wage theft violation has occurred; (2) determine whether ninety (90) days of any final judgment, inclusive of any appeal, have elapsed; and (3) request that the licensee or applicant provide documentation of its having cured the wage theft violation or appealed from any final judgment. If the City Department or Division determines that the licensee or applicant has not cured the wage theft violation within thirty (30) days of the Department or Division's request for documentation, then its license shall be suspended or application denied until the licensee or applicant cures the wage theft violation and provides documentation of its having cured same.

C. Any information or reports of wage theft violation occurring in the City of Jersey City shall be routed by the Resident Response Center to the appropriate City Department or Division responsible for issuing the subject license.

§1-5. False Statements.

If an applicant makes false statements, fails to report information as required in 8:32-4, or falsely certifies whether it has been found guilty or liable of wage theft in accordance with Section 4 herein, the City may seek revocation of any previously issued license or deny the application for a license or renewal.

AN ORDINANCE IMPLEMENTING CHAPTER 6 (BUSINESS LICENSES OR PERMITS), ARTICLE 1 (WAGE THEFT PREVENTION) OF THE JERSEY CITY MUNICIPAL CODE TO PREVENT THE ISSUANCE OR ENABLE SUSPENSION OF BUSINESS LICENSES TO ENTITIES LIABLE FOR WAGE THEFT WITHIN THE CITY OF JERSEY CITY

§1-6. Annual Review.

Each year as a matter of due diligence, the Resident Response Center shall submit an Open Public Records Request to the New Jersey Department of Labor and Workforce Development Wage and Hour Division requesting for each licensee any wage claim forms filed against the licensee during the prior twenty-four (24) months, as well as any accompanying case files, judgments, or determinations.

The Resident Response Center shall (1) obtain a copy of any Order or decision of the judicial, governmental, or administrative entity finding that a wage theft violation has occurred; (2) determine whether ninety (90) days of any final judgment, inclusive of any appeal, have elapsed. If so, the name of each such licensee shall be forwarded to the appropriate City Department or Division responsible for issuing its license for disposition in accordance with Section 4 herein.

§1-7. Repealer.

All ordinances and provisions thereof inconsistent or conflicting with the provisions of this ordinance shall be repealed to the extent of such conflict or inconsistency.

§1-8. Severability.

If any paragraph or provision of this ordinance shall be adjudicated invalid or unenforceable, such determination shall not, to the extent severable, affect any other paragraph or provision of this ordinance, which shall otherwise remain in full force and effect.

§1-9. Effective Date.

This chapter shall take effect on October 1, 2015.

- B. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- C. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.
- D. This ordinance shall take effect at the time and in the manner as provided by law.
- E. 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 material is new so underlining has been omitted.

APPROVED AS TO LEGAL FORM

Jaime Monahan
for Corporation Counsel

APPROVED:

[Signature]
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

AN ORDINANCE IMPLEMENTING CHAPTER 6 (BUSINESS LICENSES OR PERMITS), ARTICLE 1 (WAGE THEFT PREVENTION), OF THE JERSEY CITY MUNICIPAL CODE

Initiator

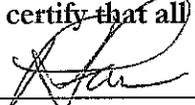
Department/Division	Municipal Council	
Name/Title	Rolando R. Lavarro, Jr. Council Pres.	
Phone/email	X5268	rlavarro@jcnj.org

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

Resolution Purpose

Under this ordinance, the City of Jersey City, pursuant to its municipal licensing authority under N.J.S.A. 40:52-1, shall have the power to deny or suspend business licenses to any business entity doing business in the City, where the business entity has been found liable of wage theft and failed to cure same within ninety (90) of any final judgment, inclusive of any appeal. The license application may proceed or suspension lifted once the business entity certified that it has cured the wage theft violation. The term "wage theft" is defined in the proposed ordinance as having been found guilty, liable or responsible in any judicial or administrative proceeding for unpaid wages in violation of federal, state, or local wage and hour laws.

I certify that all the facts presented herein are accurate.



Signature of Department Director

6/18/2015
Date

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



ORDINANCE NO. Ord. 15.095

TITLE: 3.H JUN 24 2015 4.H JUL 15 2015

An ordinance implementing Chapter 6 (Business Licenses or Permits), Article 1 (Wage Theft Prevention) of the Jersey City Municipal Code to prevent the issuance or enable suspension of business licenses to entities liable for Wage Theft within the City of Jersey City.

RECORD OF COUNCIL VOTE ON INTRODUCTION											
JUN 24 2015 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING											
JUL 15 2015 9-0											
Councilperson <u>WATTERMAN</u>				moved, seconded by Councilperson <u>LAVARRO</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	✓			WATTERMAN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

SPEAKERS:

CRAIG GARCIA
YVES NIBUNGCO
JOHANNA CALLE
JASON ROWE
KADILI TAYARI
WILLIAM DORRITY

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				WATTERMAN			
BOGGIANO				COLEMAN				LAVARRO, PRES.			

RECORD OF FINAL COUNCIL VOTE											
JUL 15 2015 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

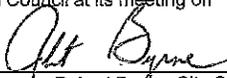
✓ Indicates Vote

N.V.--Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on JUN 24 2015

Adopted on second and final reading after hearing on JUL 15 2015

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on JUL 15 2015

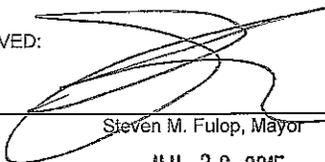

Robert Byrne, City Clerk

APPROVED:


Rolando R. Lavarro, Jr., Council President
Date JUL 15 2015

*Amendment(s):

APPROVED:


Steven M. Fulop, Mayor
Date JUL 20 2015
JUL 15 2015
Date to Mayor: _____

City Clerk File No. Ord. 15.096

Agenda No. 3.I 1st Reading

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



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE

offered and moved adoption of the following ordinance:

CITY ORDINANCE 15.096

TITLE:

**ORDINANCE IMPLEMENTING CHAPTER 67 (PEDESTRIAN MALLS), ARTICLE 1
(NEWARK AVENUE PEDESTRIAN MALL)**

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

- A. The following implementation to Chapter 67 (Pedestrian Malls) Article 1 (Newark Avenue Pedestrian Mall) are hereby adopted:

**PEDESTRIAN MALLS
ARTICLE 1
Newark Avenue Pedestrian Mall**

§1-1. Definitions.

The following terms shall have the meanings indicated:

- A. "Pedestrian Mall" or "Pedestrian Mall Improvement" or "Pedestrian Plaza" or "Mall": Pursuant to N.J.S.A. 40:56-65 et seq., any local improvement designed to be used primarily for the movement, safety, convenience and enjoyment of pedestrians, whether or not a part of a street is set apart for roadway or emergency vehicles, transit vehicles and private vehicles, or any of them. A Pedestrian Mall Improvement shall include but not be limited to pedestrian thoroughfares, perimeter parking, public seating, park areas, outdoor cafes, shelters, trees, flower plantings, sculpture, newsstands, telephone booths, traffic signs, kiosks, fire hydrants, street lighting, ornamental signs, ornamental lights, trash receptacles, display cases, marquees, awnings, canopies, overhead radiant heating fixtures, underground radiant heating pipes and devices, walls, bollards and chains and all such other fixtures, equipment, facilities and appurtenances which in the judgment of the governing body of a municipality will enhance the movement, safety, convenience and enjoyment of pedestrians and benefit the municipality and adjoining properties.

§1-2. Findings.

- A. The Mayor and Council find and declare:

- (1) The City of Jersey City may undertake development and maintenance of a Pedestrian Mall as a local improvement pursuant to this act and provisions of N.J.S.A. 40:56-69 et seq.
- (2) That a Newark Avenue Pedestrian Mall will enhance the movement, safety, convenience and enjoyment of pedestrians.
- (3) That Newark Avenue between Christopher Columbus Drive and Erie Street is not a part of any state highway, is located primarily in a business district and is improved to its maximum feasible width with regard to adjoining buildings and improvements.

**ORDINANCE IMPLEMENTING CHAPTER 67 (PEDESTRIAN MALLS), ARTICLE 1
(NEWARK AVENUE PEDESTRIAN MALL)**

- (4) That a reasonably convenient alternate route to other parts of the City and state exist for private vehicles.
- (5) That continued unlimited use of the street or part thereof by private vehicles may constitute a hazard to the health and safety of pedestrians.
- (6) That abutting properties can reasonably and adequately be provided with emergency vehicular services and receive and deliver merchandise and materials from other streets and alleys or by provisions for limited use of the streets by emergency vehicles and carriers of such merchandise and materials.
- (7) That it is in the best interests of the City and the public and of benefit to adjacent properties to use such street primarily for pedestrian purposes, and that pedestrian use is determined to be the highest and best use of such street or part thereof.

§1-3. Limitations.

A. A Pedestrian Mall shall be created on the following street(s) or portion thereof:

- (1) **Newark Avenue, between Christopher Columbus Drive and Erie Street**, as indicated on the street map on file in the office of the City Clerk.

B. The use of the surface of the above described portion of Newark Avenue shall be limited at all times to pedestrians and also emergency, public works, and other maintenance and service vehicles as required, as well as other vehicles explicitly permitted by the City under §1-4 below.

C. The Business Administrator shall maintain a Newark Avenue Pedestrian Mall Operating Plan that shall contain rules and regulations regarding the specific permitted uses of the Mall, including but not limited to special events, food and beverage service, and improvements and maintenance of the Mall. See §1-4 below.

D. There shall be no limit of vehicular use on either Grove Street, Christopher Columbus Drive, or Erie Street.

E. The City acknowledges that there is access to other streets for delivery of or receiving merchandise or materials.

§1-4. Uses of pedestrian mall; control and regulation.

A. Under the direction of the Mayor and governing body, a Pedestrian Mall may be used for any purpose or activity which will enhance the movement, safety, convenience or enjoyment of pedestrians, subject to the limitations set forth in this section.

B. The Business Administrator shall maintain a Pedestrian Mall Operating Plan, to be enforced by the Department of Public Safety and the Division of Commerce, that will provide for the control and regulation of:

- (1) The distribution and location of movable furniture, sculpture or pedestrian traffic control devices, landscaping and other facilities belonging to the Mall and not otherwise located or fixed by plans and specifications.
- (2) The uses to be permitted on the Mall by occupants of abutting property, including but not limited to transit or telephone utilities and other concessionaires.
- (3) The issuance of permits to conduct any special activity(ies) or operation(s) consistent with the broad purposes of the Mall, subject to the limitations set forth in this section.

**ORDINANCE IMPLEMENTING CHAPTER 67 (PEDESTRIAN MALLS), ARTICLE 1
(NEWARK AVENUE PEDESTRIAN MALL)**

- (4) The operation of any heating or other facilities and replacing landscaping and maintaining furniture and facilities in the Mall.
- (5) The designation of parking spaces and/or other specifically reserved uses of the Mall or portions thereof.
- (6) Pursuant to N.J.S.A. 40:56-69 et seq., the regulation of a limited amount of local vehicle traffic in order to allow for deliveries, pickups and/or drop-offs of business patrons or employees, and/or other loading and unloading of personnel, materials, or other goods to be used directly or indirectly by a business and/or residence along the Pedestrian Mall.

C. The following minimum restrictions and regulations shall be in effect at all times within the Mall and shall be noted in the Pedestrian Mall Operating Plan:

- (1) Any person(s) creating undue amounts of noise, waste, and/or a potentially dangerous or threatening environment for any Mall patrons will be subject to removal from the Pedestrian Mall and subject to additional penalties allowed by law, if applicable.
- (2) No person may loiter in the Pedestrian Mall between the hours of 11:00 P.M. and 6:00 A.M., whether or not that person is making use of any Pedestrian Mall public seating, fixtures, or any other Pedestrian Mall features. Any person in violation of this section will be subject to removal from the Pedestrian Mall in addition to any other penalties allowed by law.
- (3) Amplified music or other amplified sounds shall not be allowed within 50 feet of the portion of Newark Avenue between Erie Street and Grove Street (not including the portion of Newark Avenue between Grove Street and Christopher Columbus Drive). Any other limits on music or noise (including, without limitation, maximum permitted decibel levels) that would otherwise be applicable to this portion of Newark Avenue with or without the establishment of the Mall shall remain in full force and in effect within this area.

§1-5. Notice to owners and public meeting.

A. At least 10 days prior to the date fixed for a public hearing, a copy of the proposed ordinance and notice of the date, time and place of the hearing shall be mailed to the owners of the lots and parcels of land abutting or directly affected by the Pedestrian Mall.

B. The City shall hold a public feedback review meeting between 6 and 8 months after approval of this ordinance and full implementation and construction of the Mall. The purpose of this meeting will be to discuss issues and any possible changes and/or improvements to the Mall. This public feedback review session shall occur at City Hall. Adequate notice shall be provided to all property owners within 600 feet of any Mall boundary, the Historic Downtown Special Improvement District, the Harsimus Cove Association, and other adjacent communities and community groups.

§1-6. Operating plan.

A. The Mall shall be operated and maintained pursuant to the regulations and restrictions set forth in this ordinance and also the Pedestrian Mall Operating Plan maintained by the Business Administrator and also pursuant to provisions of N.J.S.A. 40:56-65 et seq.

§1-7. Specifications for construction.

A. The Jersey City Division of Architecture and Engineering and the Jersey City Department of Public Works shall approve the materials or combinations thereof of which the pedestrian mall

ORDINANCE IMPLEMENTING CHAPTER 67 (PEDESTRIAN MALLS), ARTICLE 1 (NEWARK AVENUE PEDESTRIAN MALL)

shall be constructed if applicable. The City may in its discretion narrow any roadway to be kept and maintained in connection with any Pedestrian Mall, may cause any street vaults to be reconstructed or removed, may construct crosswalks at any point within a block and may cause the roadway to curve and meander within the limits of the street to enhance the usefulness and appearance of the Pedestrian Mall.

§1-8. Municipal powers retained.

A. Notwithstanding the improvement of any street as a Pedestrian Mall, the City of Jersey City shall retain all its powers relating to the street or part thereof constituting the Mall.

B. No such action shall be construed as a vacation in whole or in part; the establishment of a Pedestrian Mall is a matter of regulation only.

§1-9. Abandonment of operation.

A. Nothing shall prevent the City, from subsequently abandoning the operation of the Pedestrian Mall, changing special assessments or taxes for annual costs or changing or repealing any limitation on the use of the mall for a particular purpose by ordinance.

§1-10. Procedures incident to development and maintenance.

A. Condemnation proceedings and all other procedures incident to the development and maintenance of a Pedestrian Mall shall be authorized under N.J.S.A. 40:56-69 et seq., if required.

- A. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- B. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.
- C. This ordinance shall take effect at the time and in the manner as provided by law.
- D. 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.
- E. The Jersey City Division of Planning is hereby directed to give notice at least ten days prior to the hearing on the adoption of this Ordinance to the Hudson County Planning board and to all other persons entitled thereto pursuant to N.J.S.A. 40:55D-15 and N.J.S.A. 40:55D-63 (if required). Upon the adoption of this Ordinance after public hearing thereon, the City Clerk is directed to publish notice of the passage thereof and to file a copy of the Ordinance as finally adopted with the Hudson County Planning Board as required by N.J.S.A. 40:55D-a16. The Clerk shall also forthwith transmit a copy of this Ordinance after final passage to the Municipal Tax Assessor as required by N.J.S.A. 40:49-2.1.

Note: All matter is new therefore underlining has been omitted.

APPROVED AS TO LEGAL FORM

Joanne Monahan
for Corporation Counsel

APPROVED: _____

APPROVED: _____
Business Administrator

Certification Required
Not Required



Newark Avenue Pedestrian Mall Operating Plan

Update log:

6-25-15

6-23-15

6-18-15

6-15-15

NOTE: This plan shall be maintained by the Jersey City Business Administrator. Please contact the Department of Administration to ensure access to the most recently updated version.

Definitions.

"Newark Avenue Pedestrian Mall" or "Pedestrian Mall" or "Mall": The street surface of Newark Avenue from Grove Street to Erie Street.

"Grove Street PATH Station Plaza" or "PATH Plaza" or "Plaza": The street surface of Newark Avenue from Christopher Columbus Drive to Grove Street, directly adjacent to the Grove Street PATH station entrance and also Duane Reade.

I. PATH Plaza

- a. The PATH Plaza shall not be included in any of the policies and procedures referenced herein with the exception of vehicular traffic limitations as noted in the enabling ordinance and in section I of this operating plan, and also Mobile Food Vendor regulations as noted in section X of this plan. Any/all special events and/or activities occurring in the PATH Plaza shall continue with no changes.

II. Vehicular Access

- a. The Pedestrian Mall and the PATH Plaza shall be limited at all times to pedestrians and also emergency, public works, and other maintenance and service vehicles as required, as well as other vehicles explicitly permitted in accordance with the Vehicle Access Permit policies outlined in the following sections.
- b. There shall be no limit of vehicular use on either Grove Street, Christopher Columbus Drive, or Erie Street.
- c. Permitted traffic shall enter the Pedestrian Mall only from Grove Street and must travel one-way Westbound from Grove Street to Erie Street.
- d. Permitted traffic shall enter the PATH Plaza only from Christopher Columbus Drive and must only travel one-way Westbound from Christopher Columbus drive to Grove Street.
- e. Careless and/or reckless vehicle operation that threatens the safety of pedestrians in or around the Pedestrian Mall and/or the PATH Plaza, including but not limited to vehicle speeds over 5 M.P.H., utilizing the street as a through lane, abrupt turns or sudden vehicle movements, utilizing the Pedestrian Mall and/or PATH Plaza for uses other than as described herein, and blocking pedestrian and/or emergency vehicle access will be



subject to applicable traffic summonses and/or may also result in revocation of Vehicle Access Permits.

- f. In addition to the vehicles permitted to access the Pedestrian Mall and PATH Plaza as noted in section II.a., the only other type of vehicles permitted to enter are vehicles performing deliveries, pickups and/or drop-offs of business patrons or employees, and/or other loading and unloading of personnel, materials, or other goods to be used directly or indirectly by a business and/or residence along the Pedestrian Mall and/or PATH Plaza, and only under the following conditions:
- i. Vehicles meeting the above criteria will be permitted to enter the Pedestrian Mall only between the hours of 8:00AM and 5:00PM, Monday through Friday, and between the hours 8:00AM and 2:00PM Saturday and Sunday.
 - ii. Any vehicles utilizing a Vehicle Access Permit and entering the Pedestrian Mall and/or the PATH Plaza must not remain stationary in any portion of the Pedestrian Mall except within designated loading zones. If designated loading zones are not available, the vehicle shall not enter the Pedestrian Mall or PATH Plaza and must instead utilize peripheral loading zones or other parking spaces on nearby streets.
 - iii. Vehicle size is limited to any vehicle with 2 axles or less in order to minimize hazards to pedestrians. Larger vehicles must utilize peripheral loading and unloading zones on nearby streets.
 - iv. Vehicles meeting the above criteria will be permitted to remain within designated loading zones for up to 10 minutes.
 - v. Any vehicle remaining stationary for more than 10 minutes must display a valid Temporary Vehicle Access Permit.
 - vi. Temporary Vehicle Access Permits shall be granted for a single day use only and to a limited number of authorized vehicles performing deliveries, pickups and/or drop-offs of business patrons or employees, and/or other loading and unloading of personnel, materials, or other goods to be used directly or indirectly by a business and/or residence along the Pedestrian Mall and/or the PATH Plaza that requires vehicle presence of more than 10 minutes.
 - vii. Vehicle Access Permits shall be available only for any property, tenant, and/or resident directly adjacent to any Pedestrian Mall and/or PATH Plaza border.
 - viii. One Vehicle Access Permit shall be made available per business and/or residence by request of the property owner, tenant, and/or resident only.
 - ix. Vehicle Access Permits will allow a single vehicle per permit to enter the Pedestrian Mall and/or PATH Plaza only between the hours of 8:00AM and 5:00PM, Monday through Friday, and between the hours 8:00AM and 2:00PM Saturday and Sunday.
 - x. Vehicle Access Permits shall be available through the Division of Parking within the Department of Public Safety. The Director of Parking reserves the right to approve or deny any requests for Vehicle Access Permits. If an application is



denied the Director of Parking shall clearly state the reason in writing for any request denials.

- xi. Vehicle Access Permits are transferrable between vehicles, but only a single vehicle will be granted access at any one time for each permit.
 - xii. Vehicle Access Permits will be valid for a full calendar year and shall be renewable.
- g. The City of Jersey City reserves the right to revoke any Vehicle Access Permit or to further restrict traffic to the Pedestrian Mall at any time.

III. Pedestrian Mall Zones and Access Lane

- a. A 15 foot wide span of the street surface directly in the center of the Newark Avenue from Grove Street to Erie Street shall be designated as an "Access Lane", which shall remain clear of all permanent and/or temporary Pedestrian Mall features in order to allow for safe access for emergency vehicles and other permitted traffic. This Access Lane shall not be utilized as a through lane or for any other vehicle travel purpose not specifically approved in this plan. This lane shall not be marked as a travel lane or have any other noticeable markings so as to avoid confusion that the Pedestrian Mall may be used for general vehicle traffic purposes.
- b. The street surface from the edge of each curb extending outward to the border of the Access Lane is hereby designated as the "Mall Zone(s)".
- c. Permanent and/or temporary Pedestrian Mall features, including but not limited to planters, tables, chairs, umbrellas, pianos, benches, and other barriers, will be permitted to be installed only within the Mall Zones (see section IV for more information).
- d. Specific areas within the Mall Zones shall be designated as loading zones. These loading zones shall be a minimum length of 30 feet and shall remain clear of permanent and temporary Mall features. All loading and unloading must occur only in these zones in order to allow for other permitted and/or emergency or maintenance/service vehicle traffic to proceed.
- e. Traffic will not be permitted to remain stationary in any areas not designated as loading areas of the Mall Zone or else in the Access Lane.

IV. Mall Zone Features

- a. Any permanent and/or temporary Mall Zone Features, including but not limited to planters, tables, chairs, umbrellas, pianos, benches, and other barriers, will be permitted to be installed only within the Mall Zones.
- b. Mall Zone Features shall be installed and maintained only by the City of Jersey City.
- c. Open flames, light emitting devices, heavy machinery or other gas powered devices, and food preparation or food storage devices (including but not limited to refrigerators, freezers, stoves, microwaves, portable burners, and/or hot plates) will not be allowed within 50 feet of any Pedestrian Mall boundary or within the Pedestrian Mall during sanctioned events or any other time.



- d. All Mall Zone Features are the property of the City of Jersey City and the use of these features is at the discretion of the City of Jersey City.

V. Non-motorized vehicles

- a. Any person(s) operating any non-motorized vehicle, including but not limited to bicycles, skateboards, scooters, or rollerblades, must exercise extreme caution when utilizing the Pedestrian Mall.
- b. The maximum speed of non-motorized vehicle travel within the Pedestrian Mall is 5 miles per hour (M.P.H.).
- c. Careless and/or reckless non-motorized vehicle operation that threatens the safety of pedestrians in or around the Mall, including but not limited to speeds over 5 M.P.H., aggressive or intimidating activity, or any other operation or behavior that could be deemed dangerous for other Pedestrian Mall patrons will be subject to removal from the Pedestrian Mall and to additional penalties allowed by law, if applicable.

VI. Public Safety

- a. Any person(s) creating undue amounts of noise, waste, and/or a potentially dangerous or threatening environment for any Pedestrian Mall patrons will be subject to removal from the Pedestrian Mall and to additional penalties allowed by law, if applicable.
- b. No person may loiter in the Mall between the hours of 11:00PM and 6:00AM, whether or not that person is making use of any Pedestrian Mall public seating, fixtures, or any other Pedestrian Mall features. Any person in violation of this section will be subject to removal from the Pedestrian Mall in addition to any other penalties allowed by law.
- c. A permanent police post of one or more officers will be assigned whenever manpower allows and during high pedestrian volume times. Posts will be assigned to the area at the discretion of the Department of Public Safety and the City Administration, which will make a good faith effort to respond to any concerns noted by the public.
- d. The Jersey City Department of Public Safety will provide directed patrols throughout the Pedestrian Mall as needed and as directed by the Department of Public Safety and the City Administration.
- e. All businesses serving alcoholic beverages and with an entrance and/or exit within the boundaries of the Pedestrian Mall must have a security guard on duty outside the entrance/exit at least between the hours of 11:00PM until business closing time. Security guards shall be responsible for controlling patrons entering or exiting the business and for ensuring safety of business patrons and of other Pedestrian Mall patrons.
- f. Minors shall be subject to the rules and regulations regarding curfews as noted in § 137-1. et seq.

VII. Events and activities

- a. In addition to other applicable rules and restrictions, all events and other activities held within the Pedestrian Mall are subject to approval pursuant to any applicable special



event permit rules and regulations and also by the Jersey City Office of Cultural Affairs. Regulations governing such events are subject to the standard regulations for standard public events and the limitations set forth in the Municipal Code.

- b. The Office of Cultural Affairs will provide additional oversight and make a good faith effort to ensure the number and variety of events is evenly distributed over time in order to prevent an undue burden on the local residents and/or local businesses.
- c. The Office of Cultural Affairs will notify the Historic Downtown Special Improvement District of any requests for events within the Pedestrian Mall and Cultural Affairs will collaborate with the HDSID to ensure appropriate event planning.
- d. Events may be held within the Pedestrian Mall during the hours of 10:00AM to 9:00PM, Monday through Sunday.
- e. Amplified music or other amplified sounds shall not be allowed within the Pedestrian Mall or within 50 feet of any Pedestrian Mall boundary (not including the Grove PATH Station Plaza). Any other limits on music or noise (including, without limitation, maximum permitted decibel levels) that would otherwise be applicable to this portion of Newark Avenue with or without the establishment of the Mall shall remain in full force and in effect within this area.
- f. No more than 1 total event per month shall be permitted to occur within the Pedestrian Mall that includes more than 50 anticipated attendees.
- g. No exceptions for the above mentioned rules will be granted for city sponsored events.
- h. This operating plan does not regulate any events in the PATH Plaza.

VIII. Food and Beverage Service

- a. Sidewalk cafés will be permitted on sidewalks adjacent to the Pedestrian Mall and in accordance with the municipal sidewalk café rules and regulations as noted in § 296-80 *et seq.*
- b. Food service in sidewalk cafés is further restricted to between hours of 8:00AM to 10:00PM Monday through Sunday.
- c. Alcoholic beverage service is permitted in sidewalk cafés and must be provided in accordance with sidewalk café license rules and regulations.
- d. Pedestrian Mall patrons are permitted to carry and consume food and/or beverages anywhere within the Pedestrian Mall with the exception of alcoholic beverages.
- e. Alcoholic beverages are not permitted to be consumed and/or open in any areas of the Pedestrian Mall, except within permitted sidewalk cafés, and except during a limited number of approved and permitted events.
- f. Alcoholic beverages not provided by a business directly adjacent to any Pedestrian Mall boundary and/or from an approved vendor during an approved and permitted event are prohibited to be consumed and/or open in any areas of the Pedestrian Mall including sidewalk cafés.

IX. Waste Removal and Maintenance



- a. Waste shall not be placed anywhere within the Pedestrian Mall between the hours of 8:00AM and 10:00PM, Monday through Sunday.
- b. Waste removal operations shall take place between the hours of 10:01PM and 7:59AM.
- c. The Jersey City Incinerator Authority (JCIA) will continue normal waste removal operations and the implementation of a Pedestrian Mall shall not disrupt any prior waste removal operations.
- d. All businesses within the Pedestrian Mall must have all waste removed from the entirety of the Pedestrian Mall by 8:00AM every morning.
- e. Businesses are encouraged to enter into a joint contract for waste removal services or else are encouraged to find alternate means to minimize the number of waste removal vehicles entering the Pedestrian Mall on any given day.
- f. The City and the Jersey City Incinerator Authority (JCIA) will collaborate with the Historic Downtown Special Improvement District (HDSID) to ensure the Pedestrian Mall will remain clean of waste and other debris.
- g. The City of Jersey City will be responsible for maintenance of the Pedestrian Mall and all Pedestrian Mall Features.
- h. Street sweeper and plowing operations will be modified to accommodate installation of Mall Zone features.

X. Mobile Food Vendors

- a. Mobile Food Vendors must abide by all regulations as noted in § 175-9.3. *et seq.*

XI. Planning and Implementation

- a. The City solicited feedback from the following people/groups/entities in the planning process:
 - i. Councilwoman Osborne
 - ii. Jersey City Mayor's Office
 - iii. Jersey City Fire Department
 - iv. East District Police Department
 - v. Department of Public Safety
 - vi. Department of Administration
 - vii. Cultural Affairs
 - viii. Division of Commerce
 - ix. Division of Planning
 - x. Traffic and Engineering
 - xi. Jersey City Incinerator Authority (JCIA)
 - xii. Department of Public Works
 - xiii. Historic Downtown Special Improvement District (HDSID)
 - xiv. Individual local downtown businesses
 - xv. Harsimus Cove Association
 - xvi. The general public
 - xvii. Jersey City Corporation Counsel
 - xviii. Department of Health and Human Services
 - xix. NJTransit



- xx. Jersey City Division of Parking
- xxi. Sam Schwartz Transportation Planning and Engineering (solicited design proposal)
- b. The City will continue to solicit feedback and information regarding implementation and operation of the Pedestrian Mall and if appropriate, will make changes and revisions to the operating plan and also if appropriate the enabling ordinance.
- c. The City shall hold a public feedback review meeting between 6 and 8 months after approval of this ordinance and full implementation and construction of the Pedestrian Mall. The purpose of this meeting will be to discuss issues and any possible changes and/or improvements to the Mall. This public feedback review session shall occur at City Hall. Adequate notice shall be provided to all property owners within 600 feet of any Pedestrian Mall boundary as well as the Historic Downtown Special Improvement District, the Harsimus Cove Association, and other adjacent communities and community groups.

XII. Implementation

- a. The City will introduce a sample pilot version of the Pedestrian Mall in an effort to demonstrate the actual look and feel of the physical layout of the Pedestrian Mall. Any deviations from the pilot version will be at the discretion of the City with feedback from the public, local businesses, and any other relevant stakeholders.
- b. **No traffic or other vehicle related** violations or summonses shall be issued until 3 months after the ordinance takes effect ("grandfather period"). **The grandfather period does not apply to any other quality of life, public safety, other public nuisance, or operational regulations or restrictions.**

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*.



STEVEN M. FUIOP
MAYOR OF JERSEY CITY

CITY OF JERSEY CITY
OFFICE OF THE MAYOR

CITY HALL | 280 GROVE STREET | JERSEY CITY, NJ 07302
P: 201 547 5200 | F: 201 547 5442



STEVEN M. FUIOP
MAYOR OF JERSEY CITY

June 24, 2015

Dear Council President and Members of the Municipal Council:

The following report has been prepared for your consideration in order to provide supporting evidence and research for the creation of a Pedestrian Mall on the portion of Newark Avenue between Grove Street and Erie Street.

The portion of Newark Avenue between Erie Street and Grove Street is suitable for the creation of a Pedestrian Mall.

- This portion of Newark Avenue is not a part of any state highway and is not a major vehicle traffic artery or through street to other areas of the city or region.
- This portion of Newark Avenue is not a bus route or cargo and/or other type of delivery route.
- This portion of Newark Avenue is not a preferred route of travel for emergency vehicles, except for those vehicles that must directly access this portion of the street.
- The proposed Pedestrian Mall plan preserves all current service and maintenance operations, with no disruptions to waste removal operations or inhibition of emergency vehicle access.
- The City of Jersey City may undertake development and maintenance of a Pedestrian Mall as a local improvement pursuant to the provisions of N.J.S.A. 40:56-69 et seq.
- The proposed Pedestrian Mall plan underwent a section 31 review pursuant to N.J.S.A. 40:55D-31 during the regularly scheduled Jersey City Planning Board meeting on June 23, 2015 in the Council Chambers in City Hall.
- Pedestrian Malls utilizing a shared space format (allowing vehicles and pedestrians to share the space) have been successfully implemented in a variety of cities and neighborhoods throughout the country and throughout the world.

A Pedestrian Mall in this area will support the local economy and enhance patronage of local businesses.

- 30 businesses currently operate with storefronts directly adjacent to the Pedestrian Mall, including 9 bars and restaurants and also 6 businesses with outdoor seating. At least two more storefronts/businesses are currently under construction. Dozens of additional businesses operate within a few blocks of the proposed Pedestrian Mall boundaries. All of these businesses stand to benefit from additional foot traffic that a Pedestrian Mall will bring.
- Foot traffic and window shopping is limited due to the unwelcoming and uninviting streetscape along this portion of Newark Avenue, with narrow sidewalks, two lanes of fast moving traffic, and 16 parking spaces within an already crowded commercial corridor.
- Double parking and other illegal stopping and standing is common along this stretch of Newark Avenue, creating further hazards for pedestrians and also vehicle traffic in the area.
- The businesses directly adjacent to this portion of Newark Avenue as well as the Historic Downtown Special Improvement District (HDSID) are in support of a Pedestrian Mall, noting it will serve to not only increase foot traffic to local businesses but will also drive activity and visitors throughout the local area. Requests were made by local businesses to specifically include limited vehicle access for emergencies, deliveries, and for patrons that require local drop-offs and pickups.

A Pedestrian Mall will build a safer, more pedestrian friendly area and will foster more frequent cultural and social exchanges in the community.

- This portion of Newark Avenue and the area immediately surrounding it was formally a congested traffic hub that is still utilized by thousands of daily commuters traveling on foot and bike to bus and PATH train stops.
- Despite current use as a pedestrian thoroughfare, this portion of Newark Avenue does not currently provide adequate pedestrian safety or promote positive interactions between pedestrians.
- A Pedestrian Mall on this portion of Newark Avenue will enhance the movement, safety, convenience, and enjoyment of pedestrians by decreasing the volume of vehicles, reducing air pollution, and increasing socialization and other interactions between local residents and visitors.
- The local and nearby communities are supportive of a Pedestrian Mall so long as the City includes the following items in the plan:
 - Restrictions on activities, noise, and public disturbances
 - Increased police presence and/or other enhanced safety measures
 - Limited vehicle access for emergencies, deliveries, and for residents that require local drop-offs and pickups
 - Sufficient project management and oversight

A Pedestrian Mall will be a unique neighborhood asset found nowhere else in Jersey City that will serve as a destination for residents and visitors and will become a highlight attraction for Jersey City.

- This is the first location in Jersey City where a Pedestrian Mall will be implemented.
- A Pedestrian Mall on this portion of Newark Avenue will become a tourist attraction but also source of pride for residents.
- A Pedestrian Mall on this portion of Newark Avenue will expand cultural and social opportunities with the addition of a distinctive open public space that allows for gatherings, events, and expanded socializing.
- A Pedestrian Mall on this portion of Newark Avenue will serve as a model for additional Pedestrian Malls throughout Jersey City.
- A Pedestrian Mall on this portion of Newark Avenue will allow for implementation of a variety of new artistic elements as well as additional green infrastructure in a public open space.

Data and information has been gathered from a variety of sources including a pilot program last summer.

- A pilot Pedestrian Mall program was implemented on a temporary basis last summer beginning Tuesday August 18, 2014 and ending October 31, 2014.
- The pilot program was approved by ordinance (ordinance 14.043, approved 9-0 by the Jersey City Municipal Council on July 16, 2014) in the same fashion as the proposed plan seeks to be approved.
- Thousands of patrons utilized this space during the pilot program but more importantly the City was able to test the model and better understand the impact on businesses and the community as a whole.
- Two public meetings were held after the end of the pilot program to solicit feedback from the community and businesses:
 - A meeting targeting businesses was held on Tuesday March 3, 2014 in the Jersey City Council Caucus Room.
 - A meeting targeting the community was held on Monday March 9, 2014 at 7:30PM at Grace Church Van Vorst at a regularly schedule Harsimus Cove Association meeting.
- Several follow up group discussions occurred at regularly scheduled HDSID and Harsimus Cove Association meetings, including several conversations between city officials and HDSID and Harsimus Cove Association leadership.
- Additional feedback was volunteered and also solicited directly from individual business owners, local residents, and other Pedestrian Mall patrons during and after the pilot.

- Relevant city officials and other stakeholders were also consulted throughout the process, including representatives from the following groups and offices:
 - Councilwoman Candice Osborne
 - Mayor's Office
 - Fire Department
 - East District Police Department
 - Department of Public Safety
 - Department of Administration
 - Cultural Affairs
 - Division of Commerce
 - Division of Planning
 - Division of Traffic and Engineering
 - Jersey City Incinerator Authority (HCIA)
 - Department of Public Works
 - Jersey City Corporation Counsel
 - Department of Health and Human Services
 - NJ Transit
 - Sam Schwartz Transportation Planning and Engineering (solicited design proposal)

Please let me know if you have any further questions.

Sincerely,

Brian Platt
Jersey City Mayor's Office

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



ORDINANCE NO. Ord. 15.096

TITLE: 3.1 JUN 24 2015 4.1 JUL 15 2015

Ordinance implementing Chapter 67 (Pedestrian Malls),
Article 1 (Newark Avenue Pedestrian Mall).

RECORD OF COUNCIL VOTE ON INTRODUCTION											
JUN 24 2015 8-1											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO		✓		COLEMAN	✓			LAVARRO, PRES.	✓		

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING											
JUL 15 2015 8-0											
Councilperson <u>WATTERMAN</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	✓			WATTERMAN	✓		
BOGGIANO	✓			COLEMAN	<u>ABSENT</u>			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

SPEAKERS:

YVONNE BALCER
MARTIN SEIGEL
JOHN REICHERT
ROBYN SCHNEIDER
ERIC FLEMING
DAVID HOHENSEE
AARON MORRILL
PAUL BERMAN
LAVERNE WASHINGTON
JEANNE DALY
ABDUL MALIK
WILLIAM DORRITY
DANIEL LEVIN

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				WATTERMAN			
BOGGIANO				COLEMAN				LAVARRO, PRES.			

RECORD OF FINAL COUNCIL VOTE											
JUL 15 2015 6-3											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN		✓		RIVERA		✓	
RAMCHAL	✓			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO		✓		COLEMAN	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on JUN 24 2015

Adopted on second and final reading after hearing on JUL 15 2015

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on JUL 15 2015

Robert Byrne
Robert Byrne, City Clerk

APPROVED: [Signature]
Rofano R. Lavarro, Jr., Council President

Date JUL 15 2015

*Amendment(s):

APPROVED: [Signature]
Steven M. Fulop, Mayor

Date JUL 20 2015

Date to Mayor JUL 15 2015

City Clerk File No. Ord. 15.097

Agenda No. 3.A. 1st Reading

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



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE

offered and moved adoption of the following ordinance:

CITY ORDINANCE *15.097*

TITLE: ORDINANCE CONSENTING TO THE SALE AND ASSIGNMENT OF A TAX EXEMPTION AND FINANCIAL AGREEMENT FROM BRUNSWICK ESTATES ASSOCIATES, A LIMITED LIABILITY PARTNERSHIP, TO ROSEVILLE AVENUE REDEVELOPMENT URBAN RENEWAL, LLC, PURSUANT TO SECTION 11 OF THE FINANCIAL AGREEMENT AND THE LIMITED DIVIDEND NONPROFIT HOUSING CORPORATIONS OR ASSOCIATION LAW N.J.S.A. 55:16-1 ET SEQ.

THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY DOES ORDAIN:

WHEREAS, Brunswick Estates Associates, is a limited liability partnership urban renewal company, formed and qualified to do business under the provisions of the Limited Dividend Nonprofit Housing Corporations or Associations Law, N.J.S.A. 55:16-1 et seq., which was repealed and superseded by the Long Term Tax Exemption Law, N.J.S.A. 40A:20-1 et seq., [sometimes referred to herein as the Entity or the Existing Entity]; and

WHEREAS, Brunswick Estates Associates, LLC, is the current owner of the entire property known as Block 12606, Lot 1; and Block 13603, Lot 3 on the City's Official Tax map, and more commonly known by the street address of 391-413 Montgomery Street, Jersey City, New Jersey and 451-489 Montgomery Street, Jersey City, New Jersey, all of which is located within the boundaries of the Montgomery Gateway Redevelopment Plan area and the Montgomery Street Redevelopment Plan area, which is a 131-unit low and moderate income housing project thereon [Project]; and

WHEREAS, by the adoption of Resolution adopted on November 23, 1982, the Municipal Council of the City of Jersey City approved the tax exemption on the Project and authorized the execution of a financial agreement with Brunswick Estates Associates, LLC, which was executed on December 9, 1982 [Financial Agreement]; and

WHEREAS, in accordance with an agreement of sale dated January 30, 2015, Brunswick Estates Associates has agreed to sell the Project to Roseville Avenue Redevelopment Urban Renewal, LLC [sometimes referred to herein as the New Entity] subject to the City's consent to the assignment of the Financial Agreement for the Project to Roseville; and

WHEREAS, on June 18, 2015, the New Entity applied to the City for its consent to the sale of the Project from Brunswick Estates Associates to Roseville Avenue Redevelopment Urban Renewal LLC, an urban renewal company formed and qualified to do business under the provisions of the Long Term Tax Exemption Law of 2003, N.J.S.A. 40A:20-1 et seq., which has agreed to assume all obligations of Brunswick Estates Associates under the Financial Agreement as amended; and

WHEREAS, pursuant to Section 11 of the Financial Agreement, upon written application by the New Entity, the City is required to consent to the sale or transfer of a tax exemption, or a portion thereof, if: 1) the New Entity does not own any other tax exempt projects; 2) the New Entity is formed and eligible to operate under the Long Term Tax Exemption Law, N.J.S.A. 40A:20-1 et seq.; 3) the existing Entity, Brunswick Estates Associates, is not in default of its financial agreement; and 4) the New Entity agrees to assume all obligations of the existing Entity; and

ORDINANCE CONSENTING TO THE SALE AND ASSIGNMENT OF A TAX EXEMPTION AND FINANCIAL AGREEMENT FROM BRUNSWICK ESTATES ASSOCIATES, A LIMITED LIABILITY PARTNERSHIP, TO ROSEVILLE AVENUE REDEVELOPMENT URBAN RENEWAL, LLC, PURSUANT TO SECTION 11 OF THE FINANCIAL AGREEMENT AND THE LIMITED DIVIDEND NONPROFIT HOUSING CORPORATIONS OR ASSOCIATION LAW N.J.S.A. 55:16-1 ET SEQ.

WHEREAS, in addition, the New Entity has agreed to pay the City an amount equal to 2% of the annual service charge as consideration for continuation of the tax exemption; and

WHEREAS, based upon the current service charge, 2% of the annual service charge is estimated to be \$3,080, which sum will be paid at closing, anticipated to occur on or before September 15, 2015; and

WHEREAS, the Project will continue to pay an annual service charge defined as the greater of \$154,000 or 6.28% of annual gross revenue for the remaining seventeen (17) years in the term; and

WHEREAS, the New Entity will record a deed restricting the units as low and moderate income affordable housing in accordance with the requirements of the Uniform Housing Affordable Controls, N.J.A.C. 5:80-26.11, for the entire duration of the remaining seventeen (17) years of the term of the tax exemption and provide proof of same to the City.

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

A. The Application of Roseville Avenue Redevelopment Urban Renewal, LLC an urban renewal company formed and qualified to do business under the provisions of the Long Term Tax Exemption Law of 2003, N.J.S.A. 40A:20-1 *et seq.* attached hereto, for the assignment of the tax exemption and the Financial Agreement concerning Block 12606, Lot 1, and Block 13603, Lot 5 and more commonly known by the street address of 391-413 Montgomery Street, Jersey City, New Jersey and 489 Montgomery Street, Jersey City, New Jersey, arising of the sale of the property from Brunswick Estates Associates, to Roseville Avenue Redevelopment Urban Renewal, LLC, and transfer of the tax exemption from Brunswick Estates Associates to Roseville Avenue Redevelopment Urban Renewal, LLC is hereby approved, subject to payment to the City of 2% of the annual service charge estimated to be \$3,080.

B. Roseville Avenue Redevelopment Urban Renewal, LLC shall record a deed restricting the units as low and moderate income affordable housing, pursuant to the Uniform Housing Affordable Controls, N.J.A.C. 5:80-26.11, for at a minimum duration of seventeen (17) years, to commence from the date of adoption of the herein Ordinance, and provide proof of recordation to the City within ninety (90) days of the date of adoption of the herein Ordinance.

C. The Mayor or Business Administrator is hereby authorized to execute a consent to assignment with Brunswick Estates Associates and an assumption agreement with Roseville Avenue Redevelopment Urban Renewal, LLC, as well as any other documents appropriate or necessary to effectuate the sale and transfer of the Project and the tax exemption financial agreement, and the purposes of this ordinance.

D. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

E. Both Brunswick Estates Associates, LLC and Roseville Avenue Redevelopment Urban Renewal, LLC have agreed to execute a release and waiver of any and all claims against the City arising from the Financial Agreement on or before the consent to assignment is executed. If the parties fail to execute the release the ordinance will be void and the assignment will be terminated. The signature of the Mayor or Business Administrator on the Consent to Assignment shall constitute conclusive proof of the satisfaction of this requirement.

F. This ordinance shall be part of the Jersey City Code as though codified and fully set forth therein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.

FINANCIAL AGREEMENT FROM BRUNSWICK ESTATES ASSOCIATES, A LIMITED LIABILITY PARTNERSHIP, TO ROSEVILLE AVENUE REDEVELOPMENT URBAN RENEWAL, LLC, PURSUANT TO SECTION 11 OF THE FINANCIAL AGREEMENT AND THE LIMITED DIVIDEND NONPROFIT HOUSING CORPORATIONS OR ASSOCIATION LAW N.J.S.A. 55:16-1 ET SEQ.

G. This ordinance shall take effect at the time and in the manner provided by law.

H. The City Clerk and Corporation Counsel be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.

NOTE: All material is new; therefore underlining has been omitted.
For purposes of advertising only, new matter is indicated by **bold face** and repealed matter by *italic*.

DJ/he
6/25/15

APPROVED AS TO LEGAL FORM

Jaanne Monahan
for Corporation Counsel

APPROVED: _____

APPROVED: _____

[Signature]
Business Administrator

Certification Required

Not Required

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



ORDINANCE NO. Ord. 15.097
 TITLE: 3.A JUL T 2015 4.J JUL 15 2015

Ordinance consenting to the sale and assignment of a Tax Exemption and Financial Agreement from Brunswick Estates Associates, a limited liability partnership, to Roseville Avenue Redevelopment Urban Renewal, LLC, pursuant to Section 11 of the Financial Agreement and the Limited Dividend Nonprofit Housing Corporations or Association Law N.J.S.A. 55:16-1 et seq.

RECORD OF COUNCIL VOTE ON INTRODUCTION											
JUL 01 2015 8-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA		ABSENT	
RAMCHAL	✓			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING											
JUL 15 2015 7-0											
Councilperson <u>WATTERMAN</u> moved, seconded by Councilperson <u>COLEMAN</u> to close P.H.											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN		ABSENT		RIVERA		ABSENT	
RAMCHAL	✓			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote N.V.--Not Voting (Abstain)

SPEAKERS:

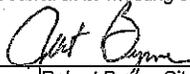
*LAVERN WASHINGTON
 YVONNE BALGER
 STEVEN MAIRELLA*

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				WATTERMAN			
BOGGIANO				COLEMAN				LAVARRO, PRES.			

RECORD OF FINAL COUNCIL VOTE											
JUL 15 2015 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

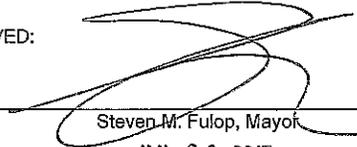
✓ Indicates Vote N.V.--Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on JUL 01 2015
 Adopted on second and final reading after hearing on JUL 15 2015

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on JUL 15 2015

 Robert Byrne, City Clerk

APPROVED: 
 Rolando R. Lavarro, Jr., Council President
 Date JUL 15 2015

*Amendment(s):

APPROVED: 
 Steven M. Fulop, Mayor
 Date JUL 20 2015
 Date to Mayor JUL 15 2015