

City Clerk File No. Ord. 09-065

Agenda No. 3.B 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 *09-065*

TITLE: **AN ORDINANCE VACATING A PORTION OF LUDLOW STREET
(BETWEEN NEW STREET AND CATOR AVENUE)**

COUNCIL as a whole, offered and moved for adoption of the following ordinance:

WHEREAS, the New Jersey School Development Authority, a public body corporate and politic, (hereinafter referred to as "NJSDA") has filed a petition with Municipal Council of the City of Jersey City, requesting the vacation of Ludlow Street as shown on the plans prepared by Whitman dated 2/18/09 and revised 2/23/09, and;

WHEREAS, the NJSDA and the City Of Jersey City are the owners of all properties abutting and adjoining the areas being vacated by this Ordinance; and

WHEREAS, said Petition has been duly advertised and proof of the giving of due notice of the Petition requesting enactment of this ordinance as required by law, has been filed with City Clerk, and the Municipal Council having held a public hearing thereon, and no objections having been made thereto; and

WHEREAS, by reason of the character of the development of the new PS # 20 it is necessary to vacate the areas generally described as Ludlow Street between the southerly line of New Street and the northerly line of Cator Avenue; and

WHEREAS, it is the intent of the Ordinance to vacate all public street rights-of-way within; and

WHEREAS, the public interest will be served by the passage of said ordinance vacating this portion of Ludlow Street, since the development will include a new and expanded PS # 20, improvement of the City's Ralph Taylor Park and increased recreational space for the City and its children; and

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

Section I: Ludlow Street bounded by New Street and Cator Avenue in the City of Jersey City, County of Hudson and State of New Jersey the Public Street rights-of-the way are hereby vacated as described precisely by Metes and Bounds as follows:

Beginning at the intersection of the northerly sideline of Ludlow Street with the Southwesterly sideline of New Street, thence;

1. Along the northerly sideline of Ludlow Street South 47 degrees 45 minutes 20 seconds West a distance of 275.89 feet to a point in the northeasterly sideline of Cator Avenue, thence;
2. Along the northeasterly sideline of Cator Avenue South 33 degrees 02 minutes 04 seconds East a distance of 30.39 feet to a point of intersection with the Southerly sideline of New Street, thence;

AN ORDINANCE VACATING A PORTION OF LUDLOW STREET (BETWEEN NEW STREET AND CATOR AVENUE)

3. Along the Southerly sideline of Ludlow Street, North 47 degrees 45 minutes 20 seconds East a distance of 280.75 feet to a point of intersection with the Southwesterly sideline of New Street, thence;

4. Along the Southwesterly sideline of New Street North 42 degrees 14 minutes 40 seconds West a distance of 30.00 feet to the Point and Place of beginning.

Containing 8,350 square feet.

The foregoing description being in accord with plans dated November 18, 2004 prepared by Whitman, East Brunswick, NJ

Section II: All costs and expenses incidental to the introduction, passage and publication of this ordinance, including preparation and mailing of any and all notices related to this Ordinance upon owners within 200 feet of the area and publication shall be borne and paid by the NJSDA.

Section III: The NJSDA shall file this Ordinance and the Maps with the Register of the County of Hudson within sixty (60) days after the Ordinance becomes effective. Upon the filing with the Register of the County of Hudson, title shall vest in New Jersey School Development Authority as to the proposed new lots in Block 1361,

Section IV: This Ordinance shall be subject to the following:

- 1) In the event the utilities, if any, presently located under the roadways being vacated hereunder, are not moved to another location, an easement in perpetuity 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 (48:5A-1 et seq.) for the purpose of ingress and egress over and upon the area subject to this vacation ordinance in order to maintain, repair or replace existing utility facilities including water lines, sewer lines, gas line 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 vacation ordinances.
- 2) No buildings or structures of any kind may be constructed over the water or sewer utilities within this area subject to the easement without the consent of the Chief Engineer of the City of Jersey City.

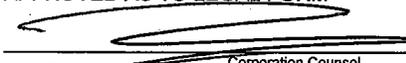
Section V: All Ordnances and parts of Ordinances inconsistent herewith are hereby repealed.

Section VI: 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.

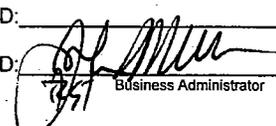
Section VII: This ordinance shall take effect at the time and in the manner provided by law.

Section VIII: The City Clerk and the Corporation Counsel 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 repeat of the existing provisions.

APPROVED AS TO LEGAL FORM


Corporation Counsel

APPROVED: _____

APPROVED: 
Business Administrator

Certification Required
Not Required

PETITION

TO THE MUNICIPAL COUNCIL OF JERSEY CITY, NEW JERSEY

The **NEW JERSEY SCHOOL DEVELOPMENT AUTHORITY**, a public body corporate and politic, (hereafter "NJSDA") having its principal office at 1 West State Street, Trenton, New Jersey; respectfully show:

WHEREAS, in order to construct a new and expanded PS # 20 together with associated development of expanded recreational space within Ralph Taylor Park and adjacent parcels, the NJSDA desires to vacate a portion of Ludlow Street between New Street and Cator Avenue, which parcel is more particularly described by metes and bounds description and further shown and depicted on the Road Vacation Map(s) "Schedule A" attached to and made a part of this petition; and

WHEREAS, these streets are located within the City of Jersey City, County of Hudson, State of New Jersey; and

WHEREAS, said NJSDA and/or the City of Jersey City presently own all of the property abutting or fronting the streets proposed for vacation as follows:

Ralph Taylor Park is owned by the City of Jersey City and consists of 6 lots along the western side of Ludlow Avenue. (Lots A1, A3 A4 A5 A6 & A7 on Block 1360.7):

NJSDA owns all of the remaining properties along both sides of Ludlow Street between New Street and Cator Avenue; and

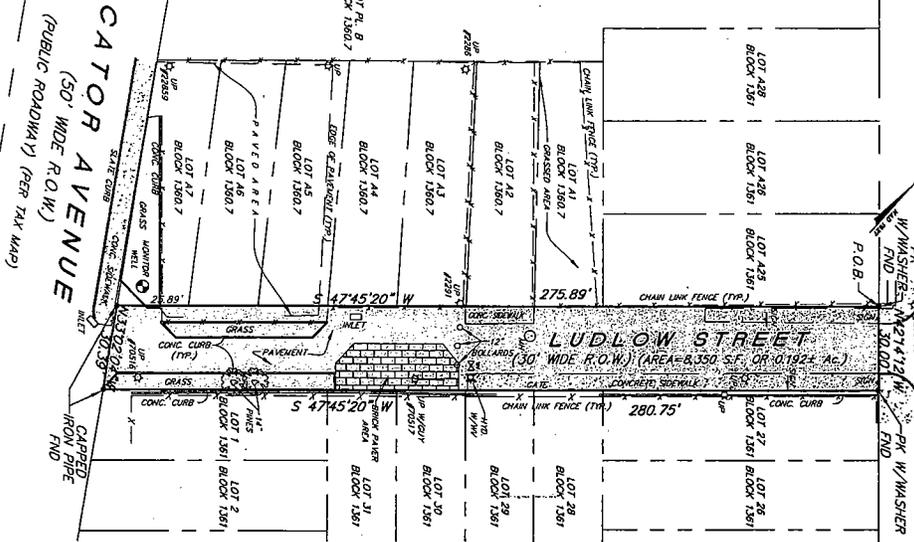
NOW, THEREFORE, the NJSDA request that the Municipal Council of Jersey City adopt the Ordinance which shall ordain the vacation of a portion of Ludlow Street between New Street and Cator Avenue as more precisely described in the metes and bounds description and as more fully depicted on the map attached as Schedule A.



Paul Hamilton
Director, Land Acquisition

2/24/09
Date

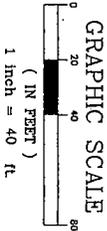
NEW STREET
(60' WIDE R.O.W.)
(PUBLIC ROADWAY) (PER TAX MAP)



- NOTES:
1. THIS SURVEY HAS BEEN PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE ABSTRACT.
 2. ANY UTILITIES SHOWN HEREON ARE BASED ON ABOVE GROUND OBSERVATIONS. UTILITY MARKINGS FOUND IN THE FIELD AND/OR INFORMATION SUPPLIED BY THE UTILITY COMPANIES, THE EXISTENCE AND/OR EXTENT OF THE UTILITIES CAN NOT BE VERIFIED. OTHER UTILITIES MAY EXIST WHICH THE UNDERSIGNED HAS NO KNOWLEDGE. ANY PERSON RELYING ON THIS INFORMATION MUST VERIFY INDEPENDENTLY THE LOCATION AND/OR EXISTENCE OF ANY AND ALL UTILITIES AFFECTING THE AREAS SHOWN HEREON.
 3. IF THIS DOCUMENT DOES NOT CONTAIN THE RAISED SEAL OF THE UNDERSIGNED PROFESSIONAL, IT IS NOT A VALID COPY OF THE SURVEY AND NO LIABILITY IS ASSUMED FOR THE INFORMATION SHOWN HEREON.
 4. THE INFORMATION SHOWN HEREON REFLECTS THE CONDITIONS AS FOUND IN THE FIELD ON FEBRUARY 2009.
 5. THE SURVEYOR IS NOT QUALIFIED TO MAKE ANY DETERMINATION AS TO THE EXISTENCE OR NON-EXISTENCE OF HAZARDOUS AND/OR HAZARDOUS MATERIALS. THEREFORE, NO STATEMENT IS BEING MADE OR IMPLIED HEREON, NOR SHOULD IT BE ASSUMED OR CONSTRUED THAT ANY STATEMENT IS BEING MADE BY THE FACT THAT NO EVIDENCE OF HAZARDOUS AND/OR HAZARDOUS MATERIALS IS PORTRAYED HEREON. THE CLIENT SHOULD PURSUE THESE MATTERS SEPARATE AND APART FROM THIS SURVEY.
 6. THE USE OF THE WORD "OBSERVED" OR "OBSERVATION" CONSTITUTES AN EXPRESSION OF PROFESSIONAL OPINION REGARDING THOSE FACTS OR CONDITIONS WHICH ARE THE SUBJECT OF THE UNDERSIGNED PROFESSIONAL'S KNOWLEDGE, INFORMATION AND BELIEF, AND IN ACCORDANCE WITH THE COMMONLY ACCEPTED PRACTICES CONSISTENT WITH THE APPLICABLE STANDARDS OF PRACTICE AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE EITHER EXPRESSED OR IMPLIED.
 7. REFERENCED FROM PREVIOUS PLANS PREPARED BY PFE DATED 5/23/03 REVISED TO 11/09/04.

GENERAL NOTES:

- A. PROPERTY SURVEYED KNOWN AS LUDLOW STREET RIGHT OF WAY, JERSEY CITY, HUDSON COUNTY, NEW JERSEY.
- B. SUBJECT PROPERTY CONTAINS 8,350 SQUARE FEET (0.192 AC.) OF LAND MORE OR LESS LUDLOW STREET RIGHT OF WAY.
- C. BY ORIGINATING PLOT ONLY, PROPERTY IS LOCATED IN FLOODPLAIN ZONE X (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE OF FLOOD PLAIN) AS SHOWN ON A MAP ENTITLED "NATIONAL FLOOD INSURANCE COMMUNITY PANEL NUMBER 34017201040, EFFECTIVE AUGUST 16, 2002.
- D. THIS PLAN DOES NOT SHOW OR DELINEATE HAZARDOUS FLOODPLAIN OR FLOODING AREAS, IF ANY, WHICH MAY OR MAY NOT EXIST ON THE PROPERTY SHOWN HEREON.
- E. PROPERTY CORNERS SET/FOUND AS SHOWN.
- F. AT THE TIME OF THE SURVEY THERE WAS NO OBSERVABLE EVIDENCE OF EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS WITHIN RECENT MONTHS.
- G. AT THE TIME OF THE SURVEY THERE WAS NO OBSERVABLE EVIDENCE OF SITE USE AS A SOLID WASTE DUMP, SWAMP OR SANITARY LANDFILL.
- H. ALL FIELD MEASUREMENTS MATCH RECORDED INFORMATION UNLESS OTHERWISE SHOWN.



- LEGEND**
- - MANHOLE
 - - STORM INLET
 - ⊗ - HYDRANT
 - ⊕ - WATER VALVE
 - OVERHEAD WIRES
 - X— FENCE
 - X— SIGN
 - UTILITY POLE W/LIGHT
 - MONITOR WELL

SURVEY CERTIFICATION:

I, the State of New Jersey,
The New Jersey Economic Development Authority,
The Office of the State Surveyor,
Chicago Title Insurance Company
Coville, Byrne, Bohn, Gillette, Geesli, Stewart & Ostlein

WITTMAN
116 TIGES LANE, UNIT B-1
EAST BRUNSWICK, NJ 08816
FAX: (732) 390-8486
CERTIFICATE OF AUTHORIZATION
No. Z4628003950

SEAL:
STEVEN H. MAZUREK, PLS., PP.
NEW JERSEY PROFESSIONAL LAND SURVEYOR
DATE: 2/18/2009
LIC. NO. 24196

DRAWING NOTES:

1. IF THIS DRAWING DOES NOT CONTAIN THE RAISED SEAL OF THE PROFESSIONAL, IT IS NOT A VALID DOCUMENT AND NO LIABILITY IS ASSUMED FOR THE INFORMATION SHOWN.
2. THIS DRAWING HAS BEEN PREPARED AS AN 'B' SIZE DOCUMENT DO NOT SCALE THIS DRAWING IF IT IS PLOTTED AS ANY OTHER SIZE.

NO.	DATE	REVISION DESCRIPTION
0	2/18/2009	ISSUED FOR REVIEW
1	2/23/2009	GENERAL REVISIONS, P.O.B.

TAXMAP: 8.01 ACREAGE: ±0.192
BLOCK: AS SHOWN LOT: 00003
DATE: 2/18/2009 INITIAL NO. 02-07-16
DRAWN BY: J.F. BEZEMER BY: S.H.M.

LUDLOW STREET
RIGHT OF WAY VACATION
JERSEY CITY, HUDSON COUNTY, NJ

SURVEY OF PROPERTY

DRAWING NO. 02-07-16
SHEET NO. 1 OF 1

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

Ord. 09-065

ORDINANCE NO. _____

TITLE: 3.B. MAY 20 2009 4.B. JUN 03 2009 CARRIED TO 6/17
4.A. JUN 17 2009

An ordinance vacating a portion of Ludlow Street
 (Between New Street and Cator Avenue).



RECORD OF COUNCIL VOTE ON INTRODUCTION								MAY 20 2009 9-0			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
KENNY	✓			FULOP	✓			FLOOD	✓		
LIPSKI	✓			RICHARDSON	✓			VEGA, PRES.	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

Councilperson LIPSKI moved, seconded by Councilperson BRENNAN to close P.H.

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING								JUN 17 2009 9-0			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
KENNY	✓			FULOP	✓			FLOOD	✓		
LIPSKI	✓			RICHARDSON	✓			VEGA, PRES.	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO				GAUGHAN				BRENNAN			
KENNY				FULOP				FLOOD			
LIPSKI				RICHARDSON				VEGA, PRES.			

✓ Indicates Vote

N.V.-Not Voting (Abstain)

RECORD OF FINAL COUNCIL VOTE								JUN 17 2009 9-0			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
KENNY	✓			FULOP	✓			FLOOD	✓		
LIPSKI	✓			RICHARDSON	✓			VEGA, PRES.	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on MAY 20 2009

Adopted on second and final reading after hearing on JUN 17 2009

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on JUN 17 2009

APPROVED:

Mariano Vega, Jr.
 Mariano Vega, Jr., Council President

Date: JUN 17 2009

APPROVED:

Jeremiah J. Healy
 Jeremiah J. Healy, Mayor

Date: JUN 19 2009

Date to Mayor JUN 18 2009

Robert Byrne
 Robert Byrne, City Clerk

*Amendment(s):

City Clerk File No. _____ Ord. 09-069 _____

Agenda No. _____ 3.A _____ 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 09-069

TITLE:

AN ORDINANCE OF THE CITY OF JERSEY CITY, IN THE COUNTY OF HUDSON, NEW JERSEY, PROVIDING FOR THE ACQUISITION OF VARIOUS FIRE DEPARTMENT EQUIPMENT AND APPARATUS BY MEANS OF A LOAN FROM THE HUDSON COUNTY IMPROVEMENT AUTHORITY AND APPROPRIATING \$2,000,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$2,000,000 IN GENERAL IMPROVEMENT BONDS OR NOTES OF THE CITY OF JERSEY CITY TO FINANCE THE SAME.

BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY, IN THE COUNTY OF HUDSON, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The improvement or purpose described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the City of Jersey City, in the County of Hudson, New Jersey (the "City") as a general improvement. For the improvement or purpose described in Section 3 hereof, there is hereby appropriated the sum of \$2,000,000. No down payment is required in connection with the authorization of bonds and notes pursuant to N.J.S.A. 40A:2-11(c) as this bond ordinance authorizes obligations in accordance with N.J.S.A. 40A:2-7(d).

Section 2. In order to finance the cost of the improvement or purpose, negotiable bonds are hereby authorized to be issued in the principal amount of \$2,000,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The improvement hereby authorized and the purpose for which the bonds or notes are to be issued is the acquisition of various fire department apparatus and equipment,

including, but not limited to, a combination of pumper and ladder trucks, including all work and materials necessary therefor or incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8.1. The chief financial officer is hereby authorized to sell part or all of the notes from time to time, at not less than par and accrued interest, at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget or temporary capital budget (as applicable) of the City is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency and amendment, the resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget or amended temporary capital budget (as applicable) and capital program as approved by the Director of the Division of Local Government Services is on file with the City Clerk and is available there for public inspection.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense. It is an improvement or purpose the City may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose, within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 10 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the City as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$2,000,000, that the net debt of the City determined as provided in the Local Bond Law is increased by \$2,000,000, and the obligations authorized herein will be within all debt limitation prescribed by that Law.

(d) An aggregate amount not exceeding \$30,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

(e) This bond ordinance authorizes obligations of the City solely for a purpose described in N.J.S.A. 40A:2-7(d). This purpose is in the public interest and is for the health, welfare, convenience or betterment of the inhabitants of the City. The amounts to be expended for this purpose pursuant to this bond ordinance are not unreasonable or exorbitant, and the issuance of the obligations authorized by this bond ordinance will not materially impair the credit of the City or substantially reduce its ability to pay punctually the principal of and the interest on its debts and to supply other essential public improvements and services. The Local Finance Board in the Division of Local Government Services of the Department of Community Affairs of the State of New Jersey has heretofore made a determination to this effect and has caused its consent to be endorsed upon a certified copy of this bond ordinance as passed upon first reading.

(f) The City reasonably expects to commence acquisition and/or construction of the project described in Section 3 hereof, and to advance all or a portion of the costs in respect thereof, prior to the issuance of bonds or notes hereunder. To the extent such costs are advanced,

the City further reasonably expects to reimburse such expenditures from the proceeds of the bonds or notes authorized by this bond ordinance, in an aggregate not to exceed the amount of bonds or notes authorized in Section 2 hereof.

Section 7. Any grant moneys received for the purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 8. The full faith and credit of the City is hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the City, and the City shall be obligated to levy ad valorem taxes upon all the taxable real property within the City for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 9. After passage upon first reading of this bond ordinance, the City Clerk is hereby directed to publish the full text of the bond ordinance, together with the notice set forth below entitled: "NOTICE OF PENDING BOND ORDINANCE" (with appropriate completions, insertions and corrections), at least once in a newspaper qualified under N.J.S.A. 40A:2-19, at least seven days prior to the date set for public hearing and further consideration for final passage (which date shall be at least ten days after introduction and first reading). The City Clerk is further directed to comply with all provisions of N.J.S.A. 40A:2-17(b) regarding postings, publications, and the provision of copies of this bond ordinance.

Section 10. After final adoption of this bond ordinance by the Municipal Council, the City Clerk is hereby directed to publish the full text of this bond ordinance, as finally adopted, together with the notice set forth below entitled: "NOTICE OF ADOPTION OF BOND ORDINANCE" (with appropriate completions, insertions and corrections), at least once in a newspaper qualified under N.J.S.A. 40A:2-19.

Section 11. To the extent that any previous ordinance or resolution is inconsistent herewith or contradictory hereto, said ordinance or resolution is hereby repealed or amended to the extent necessary to make it consistent herewith.

Section 12. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by Section 10 hereof and the Local Bond Law.

APPROVED AS TO LEGAL FORM

APPROVED: *Alanna Mayer, CFO*

Corporation Counsel

APPROVED: *B. O'Keefe*
Business Administrator

Certification Required
Not Required

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

Ord. 09-069

ORDINANCE NO. _____

3.A. JUN 03 2009 4.B. JUN 17 2009

TITLE: _____



An ordinance of the City of Jersey City, in the County of Hudson, New Jersey, providing for the acquisition of various Fire Department equipment and apparatus by means of a loan from the Hudson County Improvement Authority and appropriating \$2,000,000 therefor and providing for the issuance of \$2,000,000 in general improvement bonds or notes of the City of Jersey City to finance the cost.

RECORD OF COUNCIL VOTE ON INTRODUCTION											
				JUN 03 2009				9-0			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
KENNY	✓			FULOP	✓			FLOOD	✓		
LIPSKI	✓			RICHARDSON	✓			VEGA, PRES.	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING											
LIPSKI / KENNY				JUN 17 2009				9-0			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
KENNY	✓			FULOP	✓			FLOOD	✓		
LIPSKI	✓			RICHARDSON	✓			VEGA, PRES.	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO				GAUGHAN				BRENNAN			
KENNY				FULOP				FLOOD			
LIPSKI				RICHARDSON				VEGA, PRES.			

✓ Indicates Vote

N.V.-Not Voting (Abstain)

RECORD OF FINAL COUNCIL VOTE											
				JUN 17 2009				9-0			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
KENNY	✓			FULOP	✓			FLOOD	✓		
LIPSKI	✓			RICHARDSON	✓			VEGA, PRES.	✓		

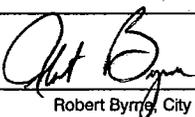
✓ Indicates Vote

N.V.-Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on JUN 03 2009

Adopted on second and final reading after hearing on JUN 17 2009

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on JUN 17 2009


 Robert Byrne, City Clerk

APPROVED: _____

 Mariano Vega, Jr., Council President
 Date: JUN 17 2009

APPROVED: _____

 Jeremiah T. Healy, Mayor
 Date: JUN 19 2009

*Amendment(s): _____

Date to Mayor JUN 18 2009

City Clerk File No. Ord. 09-070

Agenda No. 3.B 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 09-070

TITLE: **ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY
ADOPTING AN AMENDMENT TO THE LAND DEVELOPMENT ORDINANCE §345-31 –
APPLICATION AND CHECKLISTS**

WHEREAS, the Municipal Council of the City of Jersey City last amended the Land Development Ordinance on June 11, 2008; and

WHEREAS, this amendment incorporates an application procedure for review of Solid Waste and Recycling Management for all multi-family buildings citywide; and

WHEREAS, the Planning Board of Jersey City has reviewed said amendment and voted unanimously to recommend its adoption to the Municipal Council at their meeting of May 26, 2009; and

WHEREAS, the recommended amendment to the Land Development Ordinance is attached hereto and made a part hereof, which amendment is available for public inspection in the Office of the City Clerk, City Hall, Jersey City, NJ;

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Jersey City that the above referenced amendment to the Morris Canal Redevelopment Plan be, and hereby is, adopted.

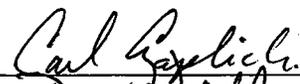
BE IT FURTHER ORDAINED THAT:

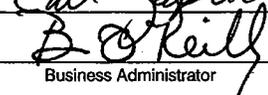
- A. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- B. This ordinance shall be a part of the Jersey City Code as though codified and set forth fully herein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City 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 Council 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 repealers of existing provisions.

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

APPROVED AS TO LEGAL FORM

Corporation Counsel

APPROVED: 

APPROVED: 

Business Administrator

Certification Required

Not Required

ORDINANCE FACT SHEET

1. Full Title of Ordinance:

**ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY
ADOPTING AN AMENDMENT TO THE LAND DEVELOPMENT ORDINANCE –
GENERAL APPLICATION PACKAGE**

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

Carl Czaplicki, Director, Department of Housing, Economic Development and Commerce

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

This ordinance amends the Land Development Ordinance §345-34 Application and Checklists. The amendment will add an application procedure for review of Solid Waste and Recycling Management for all multi-family buildings citywide.

4. Reasons for the Proposed Project:

To bring municipal site plan review of Solid Waste and Recycling Management into conformity with State, County, and Local Ordinances.

5. Anticipated Benefits to the Community:

Solid Waste and Recycling Management review for the health of the community and environment.

6. Cost of Proposed Program, Project, etc.: \$0.00, all work was done in house

7. Date Proposed Program or Project will commence: Upon Adoption

8. Anticipated Completion Date: N/A

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

Robert D. Cotter, Director, City Planning 547-5050
Maryann Bucci-Carter, City Planning 547-4499

10. Additional Comments: None

I Certify that all the Facts Presented Herein are Accurate.

Robert D. Cotter
Division Director

MAY 26, 2009
Date

Carl Czaplicki
Department Director Signature

5/26/09
Date

Summary

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AN AMENDMENT TO THE LAND DEVELOPMENT ORDINANCE §345-31 – APPLICATION AND CHECKLISTS

This ordinance amends the Land Development Ordinance. The amendment will incorporate an application procedure for review of Solid Waste and Recycling Management for all multi-family buildings citywide.

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

Ord. 09-070

ORDINANCE NO. _____

3.B. JUN 03 2009 4.C. JUN 17 2009

TITLE: _____

Ordinance of the Municipal Council of the City of Jersey City adopting an amendment to the Land Development Ordinance §345-31- application and checklists. (Solid Waste and Recycling Management)



RECORD OF COUNCIL VOTE ON INTRODUCTION											
JUN 03 2009 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
KENNY	✓			FULOP	✓			FLOOD	✓		
LIPSKI	✓			RICHARDSON	✓			VEGA, PRES.	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

Councilperson LIPSKI moved, seconded by Councilperson SOTTOLANO to close P.H.

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING											
JUN 17 2009 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
KENNY	✓			FULOP	✓			FLOOD	✓		
LIPSKI	✓			RICHARDSON	✓			VEGA, PRES.	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO				GAUGHAN				BRENNAN			
KENNY				FULOP				FLOOD			
LIPSKI				RICHARDSON				VEGA, PRES.			

✓ Indicates Vote

N.V.-Not Voting (Abstain)

RECORD OF FINAL COUNCIL VOTE											
JUN 17 2009 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
KENNY	✓			FULOP	✓			FLOOD	✓		
LIPSKI	✓			RICHARDSON	✓			VEGA, PRES.	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

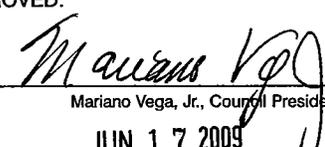
Adopted on first reading of the Council of Jersey City, N.J. on JUN 03 2009

Adopted on second and final reading after hearing on JUN 17 2009

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on JUN 17 2009



 Robert Byrne, City Clerk

APPROVED:


 Mariano Vega, Jr., Council President
 Date: JUN 17 2009

*Amendment(s): _____

APPROVED:


 Jeremiah J. Healy, Mayor
 Date JUN 19 2009
 Date to Mayor JUN 18 2009

City Clerk File No. Ord. 09-071

Agenda No. 3.C 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 09-071

TITLE: **ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY
ADOPTING AN AMENDMENT TO THE MORRIS CANAL REDEVELOPMENT PLAN**

WHEREAS, the Municipal Council of the City of Jersey City last amended the Morris Canal Redevelopment Plan on January 28, 2009; and

WHEREAS, this amendment encourages adaptive reuse of industrial buildings by permitting additional stories, regulates residential yard setbacks and height, and permits ground floor residential uses; and

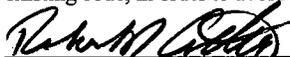
WHEREAS, the Planning Board of Jersey City has reviewed said amendment and voted unanimously to recommend its adoption to the Municipal Council at their meeting of May 19, 2009; and

WHEREAS, the recommended amendment to the Morris Canal Redevelopment Plan is attached hereto and made a part hereof, which amendment is available for public inspection in the Office of the City Clerk, City Hall, Jersey City, NJ;

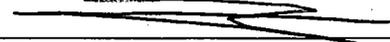
NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Jersey City that the above referenced amendment to the Morris Canal Redevelopment Plan be, and hereby is, adopted.

BE IT FURTHER ORDAINED THAT:

- 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 set forth fully herein. 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 Council 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 repealers of existing provisions.

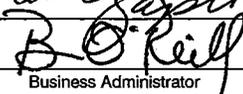

Robert D. Cotter, AICP, PP, Director
Division of City Planning

APPROVED AS TO LEGAL FORM



Corporation Counsel

APPROVED: 

APPROVED: 

Business Administrator

Certification Required

Not Required

ORDINANCE FACT SHEET

1. Full Title of Ordinance:

**ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY
ADOPTING AN AMENDMENT TO THE MORRIS CANAL REDEVELOPMENT PLAN**

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

Carl Czaplicki, Director, Department of Housing, Economic Development and Commerce

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

This ordinance amends the Morris Canal Redevelopment Plan. The amendment will encourage the adaptive reuse of industrial buildings by permitting additional stories, regulates residential yard setbacks and height, and permits ground floor residential uses on the commercial main street for easier compliance with the Americans with Disabilities Act (ADA).

4. Reasons for the Proposed Project:

To allow for the development and reuse of vacant industrial buildings, to protect the light, air, and open space in existing residential sub-districts, and allow of easier conformity with the ADA act.

5. Anticipated Benefits to the Community:

Protection of light, air, and open space in neighborhoods, stimulus of adaptive reuse of vacant industrial buildings.

6. Cost of Proposed Program, Project, etc.: \$0.00, all work was done in house

7. Date Proposed Program or Project will commence: Upon Adoption

8. Anticipated Completion Date: N/A

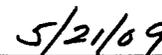
9. Person Responsible for Coordinating Proposed Program, Project, etc.:

Robert D. Cotter, Director, City Planning	547-5050
Kristin J. Russell, City Planning	547-5010
Jeffrey Wenger, City Planning	547-5010

10. Additional Comments: None

I Certify that all the Facts Presented Herein are Accurate.


Division Director


Date


Department Director Signature


Date

Summary

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AN AMENDMENT TO THE MORRIS CANAL REDEVELOPMENT PLAN

This ordinance amends the Morris Canal Redevelopment Plan. The amendment will encourage the adaptive reuse of industrial buildings by allowing additional stories, will regulate residential yard setbacks and building height, and will permit ground floor residential units in the commercial district to ease conformity with the Americans with Disabilities Act.

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

Ord. 09-071

ORDINANCE NO. _____

TITLE: 3.C. JUN 0 3 2009 4.D. JUN 1 7 2009

Ordinance of the Municipal Council of the City of Jersey City adopting an amendment to the Morris Canal Redevelopment Plan.



RECORD OF COUNCIL VOTE ON INTRODUCTION											
JUN 0 3 2009 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
KENNY	✓			FULOP	✓			FLOOD	✓		
LIPSKI	✓			RICHARDSON	✓			VEGA, PRES.	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

Councilperson LIPSKI moved, seconded by Councilperson RICHARDSON to close P.H.

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING											
JUN 1 7 2009 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
KENNY	✓			FULOP	✓			FLOOD	✓		
LIPSKI	✓			RICHARDSON	✓			VEGA, PRES.	✓		

✓ Indicates Vote TELISSA DOWLING

N.V.-Not Voting (Abstain)

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO				GAUGHAN				BRENNAN			
KENNY				FULOP				FLOOD			
LIPSKI				RICHARDSON				VEGA, PRES.			

✓ Indicates Vote

N.V.-Not Voting (Abstain)

RECORD OF FINAL COUNCIL VOTE											
JUN 1 7 2009 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
KENNY	✓			FULOP	✓			FLOOD	✓		
LIPSKI	✓			RICHARDSON	✓			VEGA, PRES.	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

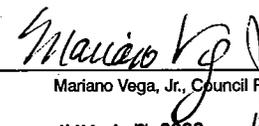
Adopted on first reading of the Council of Jersey City, N.J. on JUN 3 2009

Adopted on second and final reading after hearing on JUN 1 7 2009

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on JUN 1 7 2009



 Robert Byrne, City Clerk

APPROVED:


 Mariano Vega, Jr., Council President

Date: JUN 1 7 2009

APPROVED:


 Jeremiah Healy, Mayor

Date JUN 1 9 2009

Date to Mayor JUN 1 8 2009

*Amendment(s):

City Clerk File No. Ord. 09-072

Agenda No. 3.D 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 09-072

TITLE: AN ORDINANCE GRANTING PERMISSION TO 134 BAY STREET, LLC AND 126-142 MORGAN STREET URBAN RENEWAL, LLC, THEIR SUCCESSORS AND ASSIGNS, TO MAKE PRIVATE IMPROVEMENTS IN THE PROVOST STREET RIGHT OF WAY BETWEEN MORGAN STREET AND BAY STREET ADJACENT TO THE PROPERTY LOCATED AT 10 PROVOST STREET, 143 BAY STREET, AND 332-350 MARIN BOULEVARD, JERSEY CITY, NEW JERSEY, ALSO KNOWN ON THE TAX MAPS OF THE CITY OF JERSEY CITY AS BLOCK 140, LOT 1 AND BLOCK 171 IN ITS ENTIRETY.

WHEREAS, 134 Bay Street, LLC and 126-142 Morgan Street Urban Renewal, LLC ("Petitioners"), having offices located at 33-41 Newark Street, Hoboken, NJ 07030, are the owners of the property located at 10 Provost Street, 143 Bay Street, and 332-350 Marin Boulevard, Jersey City, and known as Block 140, Lot 1 and Block 171 in its entirety on the current tax maps of the City of Jersey City; and

*R.R.
5-27-09*

WHEREAS, pursuant to a Jersey City Planning Board Resolution for Preliminary Major Site Plan Approval with deviations, Case #P08-114, Petitioners were granted approval to develop a mixed-use project containing 925 residential units, consisting of 881 traditional residential units, 12 work/live units (including 1 artist-in-residence unit), and 32 workforce housing units, approximately 44,939 square feet of retail space, an approximately 23,663 square foot performing arts theater (inclusive of art exhibition space), approximately 16,824 square feet of arts-related space, an approximately 26,000 square foot public plaza, and 917 parking spaces, which includes 30 tandem parking spaces ("Project") at 10 Provost Street, 332-350 Marin Boulevard, 143 Bay Street, and 352-358 Marin Boulevard, Jersey City, New Jersey, also known on the Jersey City Tax Maps as Blocks 140 and 171 in their entirety, and Block 172, Lots A, B, C, and D (collectively the "Property"), which is located within the Arts Theater Residence Overlay Zone of the Powerhouse Arts District Redevelopment Plan; and

WHEREAS, as part of the Preliminary Site Plan Approval, the Petitioners must construct a public plaza, totaling approximately 26,184 square feet, which shall consist of approximately 14,117 square feet of Block 140, Lot 1 and approximately 12,067 square feet of the Provost

Street right of way, between Morgan Street and Bay Street; and

WHEREAS, the 12,067 square foot area of the Provost Street right of way shall be improved insofar as the existing cobblestone within the right of way shall be removed, repaired or resurfaced, and replaced, as needed, to promote safety for the typical pedestrian, and the existing rails located within the same area of the Provost Street right of way shall remain, all of which is more particularly depicted and described in the Franchise Plan, Exhibit A, Site Plan, Exhibit B and Metes and Bounds Descriptions, Exhibit C, attached hereto; and.

WHEREAS, as part of the Preliminary Site Plan Approval, upon completion of the construction of the Project by the Petitioners, the entire 26,184 square foot plaza shall be dedicated to the City, with a maintenance easement reserved for the Petitioners for the stormwater detention system located beneath the property located at Block 140, Lot 1; and

WHEREAS, as part of the Preliminary Site Plan Approval, the Petitioners must construct a stormwater detention system approximately two (2) feet below the surface of the land located on Block 140, Lot 1; and

WHEREAS, the stormwater detention system will require a 16- inch pipe to be located approximately two (2.0) feet below the surface of the Provost Street right of way to connect the system with the rest of the development located on Block 171, all of which is more particularly depicted and described in the Franchise Plan, Exhibit A, Site Plan, Exhibit B and Metes and Bounds Descriptions, Exhibit C, attached hereto; and

WHEREAS, as part of the Preliminary Site Plan Approval, the Petitioners must construct a stairway entrance to the required performing arts theater to be located on Block 171 that minimally extends onto the surface of the Provost Street right of way, as more particularly depicted and described in the Franchise Plan, Exhibit A, Site Plan, Exhibit B and Metes and Bounds Descriptions, Exhibit C, attached hereto; and

WHEREAS, the Petitioner was required to file this Petition for a Franchise Ordinance pursuant to the requirements of the Arts Theater Residence Overlay Zone of the Powerhouse Arts District Redevelopment Plan, and in accordance with the comments of the Jersey City Division of Engineering, the resolution of which comments are a condition of the Preliminary Site Plan Approval; and

WHEREAS, the franchise for the stairway entrance and underground stormwater piping within the Provost Street right of way shall be in effect for ninety-nine (99) years from the date upon which Final Site Plan Approval for the Project is granted by the Jersey City Planning Board, and the franchise to use Provost Street to construct the public plaza, restore the façade of

the A & P Annex building, protect the existing cobblestone, and to make improvements to the existing cobblestone within the Provost Street right of way shall be in effect only so long as required until construction of the Project is complete, but no longer than fifteen (15) years from the date upon which Final Site Plan Approval for the Project is granted by the Jersey City Planning Board; and

WHEREAS, although the Provost Street right of way between Morgan Street and Bay Street will be closed to vehicular traffic to enable the creation of the public plaza, there will be no negative impact or diminishment to the right-of-way for pedestrian use as the contemplated improvements are minimally invasive to the right of way area or are located beneath the surface of the right of way; and

WHEREAS, the Petitioners have 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 of the City of Jersey City and essential for 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 Petitioners to grant permission to use Provost Street between Bay Street and Morgan Street for the following purposes:

1. The construction of the public plaza, restoration of the façade of the A & P Annex building, the protection of the existing cobblestone, and the removal, repair and/or resurfacing, and replacement of the cobblestones located within the Provost Street right of way between Morgan Street and Bay Street.
2. The construction and maintenance of a stairway that is necessary to transition the public plaza to the entryway to the performing arts theater.
3. The installation and maintenance of a 16-inch storm water pipe to be located approximately two (2.0) feet below the surface, extending from the stormwater detention system below the land on Block 140, Lot 1 into the subsurface of the Provost Street right of way and connecting to the required development on Block 171.
4. All costs associated with these improvements will be incurred by the Petitioner, and there being no objections thereto.

WHEREAS, the Jersey City Engineering Department has required that the Petitioner obtain a franchise ordinance from the City Council of the City of Jersey City in order to construct the private improvements within the right of way, as contained within the Preliminary Site Plan Approval for the Project; and

WHEREAS, a franchise ordinance is required to permit 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 property's ability to function as an cultural and arts entertainment center and public plaza, to manage storm water, and to 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 134 Bay Street, LLC and 126-142 Morgan Street Urban Renewal, LLC, their successors and assigns, for a portion of lands located within the public right of way adjacent to 10 Provost Street, 143 Bay Street, and 332-350 Marin Boulevard, Jersey City, and known as Block 140, Lot 1, and Block 171 in its entirety on the current tax maps of the City of Jersey City, said areas being more particularly described as follows and on the Franchise Plan, Site Plan and Metes and Bounds descriptions attached hereto as Exhibit A, Exhibit B and Exhibit C respectively to be used for the following purposes.

1. The construction of the public plaza, restoration of the façade of the A & P Annex building, the protection of the existing cobblestone, and the removal, repair and/or resurfacing, and replacement of the cobblestones located within the Provost Street right of way between Morgan Street and Bay Street.
2. The construction and maintenance of a stairway that is necessary to transition the public plaza to the entryway to the performing arts theater.
3. The installation and maintenance of a 16-inch storm water detention pipe to be located approximately two (2.0) feet below the surface, extending from the stormwater detention system below the land on Block 140, Lot 1 into the subsurface of the Provost Street right of way and connecting to the required development on Block 171.
4. There will remain sufficient area in the right-of-way for typical pedestrian use.
5. The required improvements will be constructed consistent with the plans approved by the Jersey City Planning Board, the Jersey City Department of Engineering, and the Jersey City Municipal Utilities Authority.

6. All costs associated with these improvements will be incurred by the Petitioners.
7. The required improvements are necessary to construct the proposed development consistent with the development approvals and will benefit the Petitioners' property, the surrounding neighborhood, and greater Jersey City.

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 applicable 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. 134 Bay Street, LLC and 126-142 Morgan Street Urban Renewal, LLC, and their successors and assigns, shall construct, operate and maintain all improvements installed by them for the entire term of this Franchise at no cost or inconvenience to the City.

SECTION III. The franchise granted in this Ordinance for the stairway entrance and underground stormwater piping within the Provost Street right of way shall remain in full force and effect for a period of ninety-nine (99) years from the date that Final Site Plan Approval is granted by the Jersey City Planning Board for the Project, and the franchise granted in this Ordinance for the construction of the public plaza, restoration of the façade of the A & P Annex building, protection of the existing cobblestone, and the removal, repair, and/or resurfacing and replacement of the improvements to the existing cobblestone within the Provost Street right of way shall be in effect only so long as required until construction of the Project is complete, but no longer than fifteen (15) years from the date upon which Final Site Plan Approval for the Project is granted by the Jersey City Planning Board. 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 Petitioners 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 said 134 Bay Street, LLC and 126-142 Morgan Street Urban Renewal, LLC.

SECTION V. In accepting the privileges of this Ordinance and the installation, maintenance, and use hereby authorized, upon the grant of Final Site Plan Approval for the Project by the Jersey City Planning Board, 134 Bay Street, LLC and 126-142 Morgan Street

Urban Renewal, LLC, their 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. Upon the grant of Final Site Plan Approval for the Project by the Jersey City Planning Board, 134 Bay Street, LLC and 126-142 Morgan Street Urban Renewal, LLC, their 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 \$1,000,000.00 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 Petitioners with the City Clerk. In the event, that the Petitioners shall not file with the City Clerk their acceptance in writing of the provisions of this Ordinance within 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 approval shall not be unreasonably withheld, shall Petitioners have the right to assign or otherwise transfer their 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 July next succeeding the time when this Ordinance shall become effective and on each first day of

July 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.

5/27/09

~~APPROVED AS TO LEGAL FORM~~

~~_____~~

Corporation Counsel

APPROVED: _____

APPROVED: B. O'Keefe

Business Administrator

Certification Required
Not Required

PETITION

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

Your Petitioners, 134 Bay Street, LLC and 126-142 Morgan Street Urban Renewal, LLC having offices located at 33-41 Newark Street, Hoboken, NJ 07030, respectfully say that:

1. Petitioners are the owners of the property located at 10 Provost Street, 143 Bay Street, 332-350 Marin Boulevard, and 352-358 Marin Boulevard, Jersey City, and known as Block 140, Lot 1, Block 171 in its entirety, and Block 172, Lots A-D on the current tax maps of the City of Jersey City (the "Property"). Petitioners were granted Preliminary Site Plan Approval by the Jersey City Planning Board to develop a mixed-use project containing 925 residential units, consisting of 881 traditional residential units, 12 work/live units (including 1 artist-in-residence unit), and 32 workforce housing units, approximately 44,939 square feet of retail space, an approximately 23,663 square foot performing arts theater (inclusive of art exhibition space), approximately 16,824 square feet of arts-related space, an approximately 26,000 square foot public plaza, and 917 parking spaces, which includes 30 tandem parking spaces ("Project") on the Property, which is located within the Arts Theater Residence Overlay Zone of the Powerhouse Arts District Redevelopment Plan.

2. Petitioners propose to obtain permission from the City to use the Provost Street right-of-way between Bay Street and Morgan Street for the following purposes:

- A. The construction of the public plaza, the restoration of the façade of the A & P Annex building, the protection of the existing cobblestone and the removal, repair and/or resurfacing, and replacement of the cobblestones located within the Provost Street right of way between Morgan Street and Bay Street.

- B. Construction and maintenance of a stairway that is necessary to transition the public plaza to the entryway to the performing arts theater.
- C. The installation and maintenance of a 16-inch storm water pipe to be located approximately two (2.0) feet below the surface, extending from the stormwater detention system below the land on Block 140, Lot 1 into the subsurface of the Provost Street right of way and connecting to the required development on Block 171.
- D. All costs associated with these improvements will be incurred by the Petitioners, and there being no objections thereto.

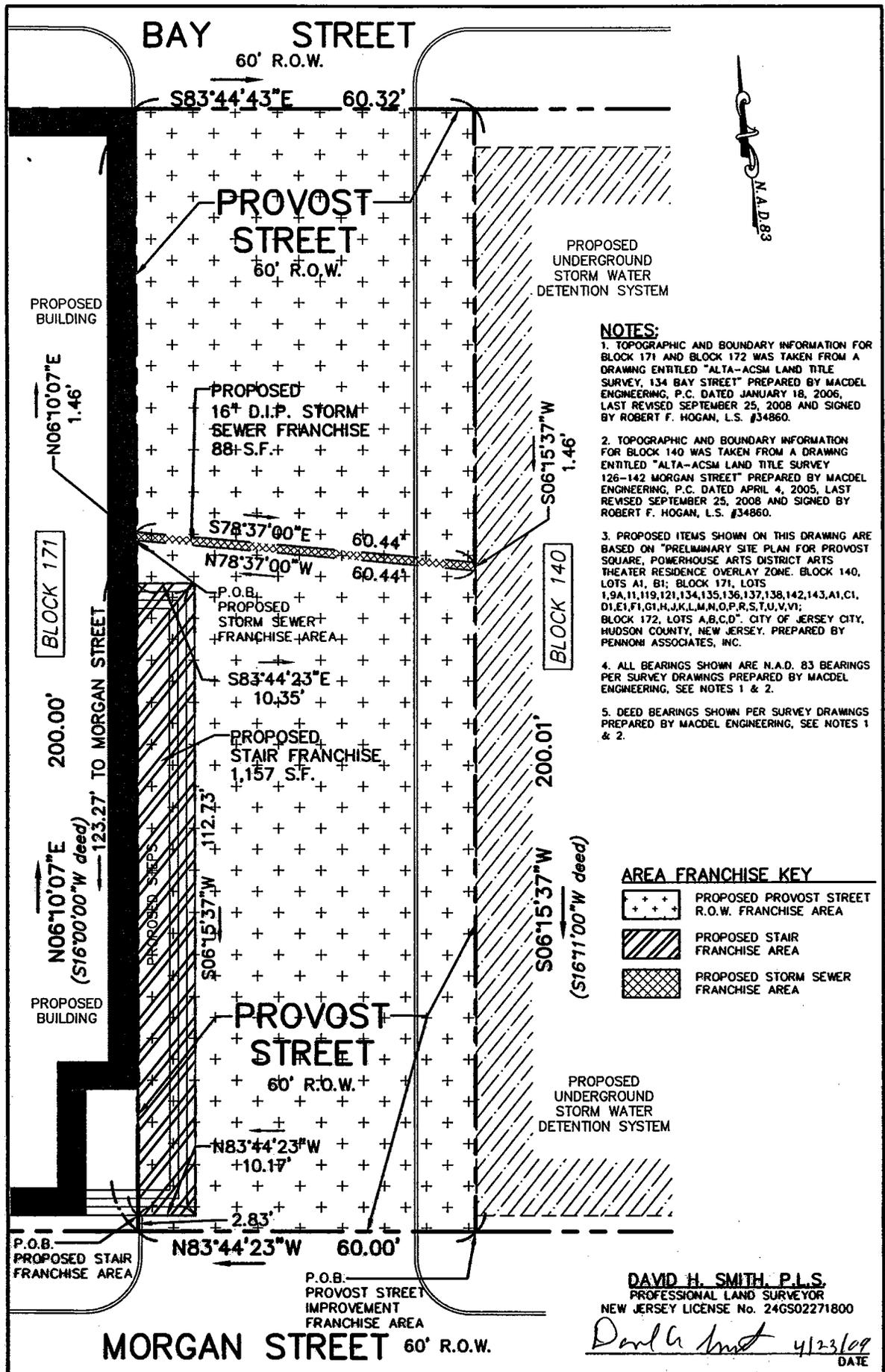
3. Petitioners have presented the proposed improvements to the Jersey City Engineering Department, which has conditioned its approval of the proposed improvements upon the Petitioner being granted a franchise ordinance by the City Council of the City of Jersey City.

4. The contemplated improvements are necessary to construct the proposed development consistent with the development approvals, and will greatly benefit the Petitioners' property, the surrounding area and neighborhood, and greater Jersey City.

WHEREFORE, your Petitioners respectfully pray for themselves, their successors and assigns, for the enactment of a Franchise Ordinance to allow them to make private improvements within and under the public right-of-way of Provost Street, all as more particularly shown on the plans annexed hereto and made a part hereof.

By:

o/b/o 134 Bay Street, LLC and 126-142 Morgan
Street Urban Renewal, LLC
James C. McCann, Attorney for the Petitioners



- NOTES:**
1. TOPOGRAPHIC AND BOUNDARY INFORMATION FOR BLOCK 171 AND BLOCK 172 WAS TAKEN FROM A DRAWING ENTITLED "ALTA-ACSM LAND TITLE SURVEY, 134 BAY STREET" PREPARED BY MACDEL ENGINEERING, P.C. DATED JANUARY 18, 2006, LAST REVISED SEPTEMBER 25, 2008 AND SIGNED BY ROBERT F. HOGAN, L.S. #34860.
 2. TOPOGRAPHIC AND BOUNDARY INFORMATION FOR BLOCK 140 WAS TAKEN FROM A DRAWING ENTITLED "ALTA-ACSM LAND TITLE SURVEY 126-142 MORGAN STREET" PREPARED BY MACDEL ENGINEERING, P.C. DATED APRIL 4, 2005, LAST REVISED SEPTEMBER 25, 2008 AND SIGNED BY ROBERT F. HOGAN, L.S. #34860.
 3. PROPOSED ITEMS SHOWN ON THIS DRAWING ARE BASED ON "PRELIMINARY SITE PLAN FOR PROVOST SQUARE, POWERHOUSE ARTS DISTRICT ARTS THEATER RESIDENCE OVERLAY ZONE, BLOCK 140, LOTS A1, B1; BLOCK 171, LOTS 1,9A,11,119,121,134,135,136,137,138,142,143,A1,C1, D1,E1,F1,G1,H1,J,K,L,M,N,O,P,R,S,T,U,V,W; BLOCK 172, LOTS A,B,C,D". CITY OF JERSEY CITY, HUDSON COUNTY, NEW JERSEY. PREPARED BY PENNONI ASSOCIATES, INC.
 4. ALL BEARINGS SHOWN ARE N.A.D. 83 BEARINGS PER SURVEY DRAWINGS PREPARED BY MACDEL ENGINEERING, SEE NOTES 1 & 2.
 5. DEED BEARINGS SHOWN PER SURVEY DRAWINGS PREPARED BY MACDEL ENGINEERING, SEE NOTES 1 & 2.

AREA FRANCHISE KEY

	PROPOSED PROVOST STREET R.O.W. FRANCHISE AREA
	PROPOSED STAIR FRANCHISE AREA
	PROPOSED STORM SEWER FRANCHISE AREA

DAVID H. SMITH, P.L.S.
 PROFESSIONAL LAND SURVEYOR
 NEW JERSEY LICENSE No. 24GS02271800
David H. Smith 4/23/09
 DATE

<p>Pennoni Associates Inc. 210 Malapardis Road Suite 104 Cedar Knolls, NJ 07927</p>	<p><small>ALL FRANCHISES PREPARED BY PENNONI ASSOCIATES, INC. ARE REPRESENTATIONS OF SERVICE IN RESPECT OF THE PROJECT. THEY ARE NOT WARRANTIES OR REPRESENTATIONS OF ANY KIND. PENNONI ASSOCIATES, INC. DOES NOT GUARANTEE THE ACCURACY OF ANY DATA OR INFORMATION PROVIDED BY ANY OTHER PARTY. PENNONI ASSOCIATES, INC. SHALL NOT BE RESPONSIBLE FOR ANY ERRORS OR OMISSIONS IN THIS PLAN. PENNONI ASSOCIATES, INC. SHALL NOT BE RESPONSIBLE FOR ANY DAMAGES, COSTS AND CHARGES INCURRED BY ANY PARTY IN CONNECTION WITH THIS PROJECT.</small></p>	<p>DRAWN BY: F.P.</p>	<p>LOCATION: BLOCK 140, LOTS A1, B1; BLOCK 171, LOTS 1,9A,11,119,121,134,135, 136,137,138,142,143,A1,C1, D1,E1,F1,G1,H, J,K,L,M,N,O,P,R,S,T,U,V,W; BLOCK 172, LOTS A,B,C,D CITY OF JERSEY CITY, HUDSON COUNTY, NEW JERSEY.</p>
		<p>CHECKED BY: D.H.S.</p> <p>JOB No. TOLL 0803</p>	

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

Ord. 09-072

ORDINANCE NO.

3.D. JUN 03 2009 4.E. JUN 17 2009

TITLE:

An ordinance granting permission to 134 Bay Street, LLC and 126-142 Morgan Street Urban Renewal, LLC, their successors and assigns, to make private improvements in the Provost Street right of way between Morgan Street and Bay Street adjacent to the property located at 10 Provost Street, 143 Bay Street and 332-350 Marin Boulevard, Jersey City, New Jersey, also known on the tax map of the City of Jersey City as Block 140, Lot 1 and Block 171, in its entirety.



RECORD OF COUNCIL VOTE ON INTRODUCTION								JUN 03 2009 9-0			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
KENNY	✓			FULOP	✓			FLOOD	✓		
LIPSKI	✓			RICHARDSON	✓			VEGA, PRES.	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

Councilperson BRENNAN moved, seconded by Councilperson LIPSKI to close P.H.

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING								JUN 17 2009			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
KENNY	✓			FULOP	✓			FLOOD	✓		
LIPSKI	✓			RICHARDSON	✓			VEGA, PRES.	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

*STACEY NUSBAUM
JILL EDELMAN
CATHERINE GRIMM*

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY								JUN 17 2009 9-0			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
<i>VEGA/SOTTOLANO</i>				GAUGHAN	✓			BRENNAN	✓		
SOTTOLANO	✓			FULOP	✓			FLOOD	✓		
KENNY	✓			RICHARDSON	✓			VEGA, PRES.	✓		
LIPSKI	✓										

✓ Indicates Vote

N.V.-Not Voting (Abstain)

RECORD OF FINAL COUNCIL VOTE								JUN 17 2009 8-1			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
KENNY	✓			FULOP		✓		FLOOD	✓		
LIPSKI	✓			RICHARDSON	✓			VEGA, PRES.	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on JUN 03 2009

Adopted on second and final reading after hearing on JUN 17 2009

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on JUN 17 2009

Robert Byrne

Robert Byrne, City Clerk

APPROVED:
Mariano Vega, Jr.

Mariano Vega, Jr., Council President

Date: JUN 17 2009

APPROVED:
Jeremiah T. Healy

Jeremiah T. Healy, Mayor

Date JUN 19 2009

Date to Mayor JUN 18 2009

*Amendment(s):
REMOVE "OR RESURFACING"



ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 09-073

TITLE: **AN ORDINANCE AUTHORIZING A LEASE AGREEMENT
BETWEEN THE CITY OF JERSEY CITY AND VERIZON
NEW JERSEY INC. FOR PROPERTY LOCATED AT
71 MADISON AVENUE, JERSEY CITY, NEW JERSEY.**

WHEREAS, the City of Jersey City has a need for parking spaces for the Police and Fire Departments; and

WHEREAS, Verizon New Jersey Inc. is willing to lease premises at 71 Madison Avenue, Jersey City (Block 1938 Lot PL.A) consisting of 18,787.70 square feet, a total rental fee of \$9,600.00 per year or \$800.00 per month; and

WHEREAS, the lease will be for a term of five (5) years effective July 1, 2009 and terminating June 30, 2014; and

WHEREAS, pursuant to N.J.A.C. 50:30-5.5(e), the award of this lease agreement shall be subject to the availability and appropriation of sufficient funds in the Fiscal Year 2010 budget in account no. 01-201-31-432-304; and

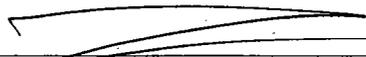
WHEREAS, N.J.S.A. 40A:12-5 provides that a municipality may by ordinance authorize the leasing of real property or personal property; and

WHEREAS, this agreement is in the best interest of the City of Jersey City.

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

1. The Mayor or Business Administrator is authorized to execute a lease agreement with Verizon New Jersey Inc. For premises located at 71 Madison Avenue, Jersey City, New Jersey (Block 1938 Lot PL.A) consisting of 18,787.70 sq. ft., a total rent of \$9,600.00 per year or \$800.00 per month, for a term of five (5) years effective July 1, 2009 and terminating June 30, 2014.
2. The lease shall be in substantially the form attached subject to such modifications the Corporation Counsel or Business Administrator deems appropriate or necessary.
3. The lease funds will be made available in the 2010 fiscal year budget and in subsequent fiscal year budgets.
4. All ordinances and parts or ordinances inconsistent herewith are hereby repealed.
5. 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.
6. This ordinance shall take effect at the time and in the manner as provided by law.
7. 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.

APPROVED AS TO LEGAL FORM



Corporation Counsel

APPROVED: 
Ann Marie Miller, Real Estate Manager

APPROVED: 

Business Administrator

Certification Required

Not Required 3 8

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

Ord. 09-073

ORDINANCE NO. _____

3.E. JUN 03 2009 4.F. JUN 17 2009

TITLE: _____

An ordinance authorizing a lease agreement between the City of Jersey City and Verizon New Jersey Inc. for property located at 71 Madison Avenue, Jersey City, New Jersey.



RECORD OF COUNCIL VOTE ON INTRODUCTION								JUN 03 2009 9-0			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
KENNY	✓			FULOP	✓			FLOOD	✓		
LIPSKI	✓			RICHARDSON	✓			VEGA, PRES.	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

Councilperson LIPSKI moved, seconded by Councilperson BRENNAN to close P.H.

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING								JUN 17 2009 9-0			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
KENNY	✓			FULOP	✓			FLOOD	✓		
LIPSKI	✓			RICHARDSON	✓			VEGA, PRES.	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO				GAUGHAN				BRENNAN			
KENNY				FULOP				FLOOD			
LIPSKI				RICHARDSON				VEGA, PRES.			

✓ Indicates Vote

N.V.-Not Voting (Abstain)

RECORD OF FINAL COUNCIL VOTE								JUN 17 2009 9-0			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
KENNY	✓			FULOP	✓			FLOOD	✓		
LIPSKI	✓			RICHARDSON	✓			VEGA, PRES.	✓		

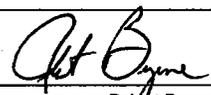
✓ Indicates Vote

N.V.-Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on JUN 03 2009

Adopted on second and final reading after hearing on JUN 17 2009

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on JUN 17 2009



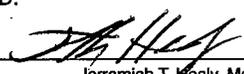
 Robert Byrne, City Clerk

*Amendment(s): _____

APPROVED:


 Mariano Vega, Jr., Council President

Date: JUN 17 2009

APPROVED:


 Jerramiah T. Healy, Mayor

Date: JUN 19 2009

Date to Mayor JUN 18 2009



ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 09-074

TITLE: ORDINANCE APPROVING A 20 YEAR TAX EXEMPTION FOR A MARKET RATE RESIDENTIAL RENTAL PROJECT TO BE CONSTRUCTED BY HUDSON PALISADES URBAN RENEWAL, LLC, AN URBAN RENEWAL ENTITY, PURSUANT TO THE LONG TERM TAX EXEMPTION LAW N.J.S.A. 40A:20-1 ET SEQ.

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

WHEREAS, Hudson Palisades Urban Renewal, LLC, an urban renewal entity, formed and qualified to do business under the provisions of the Long Term Tax Exemption Law of 1992, as amended and supplemented, N.J.S.A. 40A:20-1 et seq. (Entity); and

WHEREAS, the Entity owns certain property known as Block 733, Lot A.2, on the City's Official Tax map, consisting of approximately .20 acres, and more commonly known by the street address of 325 Palisade Avenue, and more specifically described by metes and bounds, in the application (Property); and

WHEREAS, the Property is located within the 325 Palisade Avenue Redevelopment Plan Area as required by N.J.S.A. 40A:20-4 and N.J.S.A. 40A:12A-5(g); and

WHEREAS, the Entity has applied for a 20 year long term tax exemption to rehabilitate and remodel an existing three-story building, to contain approximately twenty-one (21) residential rental units and 2,315 square feet of rented parking for the use of the residents only for approximately fourteen (14) cars; and

WHEREAS, Hudson Palisades Urban Renewal, LLC, has agreed to:

1. pay the greater of (i) the Minimum Annual Service Charge or (ii) 10% of the Annual Gross Revenue for the first ten (10) years, which sum is estimated to be \$39,290; and 12% of the Annual Gross Revenue for the following ten (10) years, which sum is estimated to be \$47,148, and which shall be subject to statutory staged increases over the term of the tax exemption; and
2. pay an annual sum equal to 2% of each prior year's Annual Service Charge as an Administrative Fee; and
3. provide employment and other economic opportunities for City residents and businesses; and
4. pay to the City, for remittance to Hudson County, an amount equal to 5% of the Annual Service Charge upon receipt of that charge; and
5. pay the sum of \$34,973 to the City's Affordable Housing Trust Fund; and

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

ORDINANCE APPROVING A 20 YEAR TAX EXEMPTION FOR A MARKET RATE RESIDENTIAL RENTAL PROJECT TO BE CONSTRUCTED BY HUDSON PALISADES URBAN RENEWAL, LLC, AN URBAN RENEWAL ENTITY, PURSUANT TO THE LONG TERM TAX EXEMPTION LAW N.J.S.A. 40A:20-1 ET SEQ.

1. the current real estate taxes generate revenue of only \$33,312 whereas, the Annual Service Charge as estimated, will initially generate revenue of more than \$39,290 to the City and an additional sum of approximately \$1,965 to Hudson County;
2. it is expected that the Project will create approximately 10 jobs during construction and 3 new permanent jobs;
3. the Project will stabilize and contribute to the economic growth of businesses in the surrounding area;
4. the Project will further the overall redevelopment objectives of the 325 Palisade Avenue Redevelopment Plan;
5. the City's impact analysis, on file with the Office of the City Clerk, indicates that the benefits of the Project outweigh the costs to the City; and

WHEREAS, the City hereby determines that the tax exemption is important in obtaining development of the project and influencing the locational decisions of probable occupants for the following reasons:

1. the relative stability and predictability of the Annual Service Charges will make the Project more attractive to investors needed to finance the Project;
2. the relative stability and predictability of the Annual Service Charges will allow the owner to stabilize its operating budget, allowing a high level of maintenance to the building over the life of the Project, which will attract tenants to the Project and insure the likelihood of the success of the Project; and

WHEREAS, Hudson Palisades Urban Renewal, LLC, has initially complied with Executive Order 2002-005 concerning "Disclosure of Lobbyist Representative Status" by filing an appropriate letter in the Office of the City Clerk.

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

A. The application of Hudson Palisades Urban Renewal, LLC, an urban renewal company, formed and qualified to do business under the provisions of the Long Term Tax Exemption Law of 1992, as amended and supplemented, N.J.S.A. 40A:20-1 et seq. a copy of which is on file in the office of the City Clerk, for Block 733, Lot A.2, more commonly known by the street address of 325 Palisade Avenue, more specifically described by metes and bounds in the application is hereby approved.

B. The Mayor or Business Administrator is hereby authorized to execute a tax exemption Financial Agreement and a Project Employment and Contracting Agreement, provided that the prepayment and contribution agreement relating to this Property authorized by separate Resolution has been fully executed. The Financial Agreement shall include at a minimum the following terms and conditions:

1. Term: the earlier of 25 years from the adoption of the within Ordinance or 20 years from the date the project is Substantially Complete;
2. Annual Service Charge: each year the greater of:

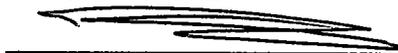
ORDINANCE APPROVING A 20 YEAR TAX EXEMPTION FOR A MARKET RATE RESIDENTIAL RENTAL PROJECT TO BE CONSTRUCTED BY HUDSON PALISADES URBAN RENEWAL, LLC, AN URBAN RENEWAL ENTITY, PURSUANT TO THE LONG TERM TAX EXEMPTION LAW N.J.S.A. 40A:20-1 ET SEQ.

- (a) the Minimum Annual Service Charge equal to \$39,290 upon Project Completion, whether or not the Project is occupied; or
 - (b) 10% of the Annual Gross Revenue for the first ten (10) years, which sum is estimated to be \$39,290; and 12% of the Annual Gross Revenue for the following ten (10) years, which sum is estimated to be \$47,148, and which shall be subject to statutory staged increases over the term of the tax exemption.
3. Administrative Fee: 2% of the prior year's Annual Service Charge;
 4. County Payment: 5% of the Annual Service Charge to the City for remittance by the City to Hudson County;
 5. Project: A rehabilitated and remodeled multiple dwelling, market rate residential rental project, which will consist of a three (3) story building with approximately twenty-one (21) residential rental units and 2,315 square feet of rented parking for the use of the residents only for approximately fourteen (14) cars;
 6. Affordable Housing Trust Fund: \$1,500 per unit or \$31,500 and \$1.50 per square foot x 2,315 square feet or \$3,473, for a total of \$34,973;
 7. An obligation to execute a Project Employment and Contracting Agreement to insure employment and other economic benefits to City residents and businesses.
- C. The City Clerk shall deliver a certified copy of the Ordinance and Financial Agreement to the Tax Assessor and Director of the Division of Local Government Services.
- D. The application is on file with the office of the City Clerk. The Financial Agreement and Project Employment and Contracting Agreement shall be in substantially the form on file in the Office of the City Clerk, subject to such modification as the Business Administrator or Corporation Counsel deems appropriate or necessary.
- E. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- 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.
- 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*.

JM/he
5/27/09

APPROVED AS TO LEGAL FORM



Corporation Counsel

APPROVED: _____

APPROVED: 

Business Administrator

Certification Required
Not Required

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

Ord. 09-074

ORDINANCE NO. _____

TITLE: 3.F. JUN 03 2009 4.G. JUN 17 2009



Ordinance approving a 20 year tax exemption for a market rate residential rental project to be constructed by Hudson Palisades Urban Renewal, LLC, an urban renewal entity, pursuant to the Long Term Tax Exemption Law N.J.S.A.40A:20-1 et seq.

RECORD OF COUNCIL VOTE ON INTRODUCTION											
JUN 03 2009 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
KENNY	✓			FULOP	✓			FLOOD	✓		
LIPSKI	✓			RICHARDSON	✓			VEGA, PRES.	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

Councilperson FULOP moved, seconded by Councilperson FLOOD to close P.H.

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING											
JUN 17 2009 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
KENNY	✓			FULOP	✓			FLOOD	✓		
LIPSKI	✓			RICHARDSON	✓			VEGA, PRES.	✓		

✓ Indicates Vote

YVONNE BALCER

N.V.-Not Voting (Abstain)

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO				GAUGHAN				BRENNAN			
KENNY				FULOP				FLOOD			
LIPSKI				RICHARDSON				VEGA, PRES.			

✓ Indicates Vote

N.V.-Not Voting (Abstain)

RECORD OF FINAL COUNCIL VOTE											
JUN 17 2009 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
KENNY	✓			FULOP	✓			FLOOD	✓		
LIPSKI	✓			RICHARDSON	✓			VEGA, PRES.	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on JUN 03 2009

Adopted on second and final reading after hearing on JUN 17 2009

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on JUN 17 2009

APPROVED:

Mariano Vega, Jr.
Mariano Vega, Jr., Council President

Date: JUN 17 2009

Robert Byrne
Robert Byrne, City Clerk

APPROVED:

Jeremiah T. Healy
Jeremiah T. Healy, Mayor

Date JUN 19 2009

Date to Mayor JUN 18 2009

*Amendment(s):

City Clerk File No. _____ Ord. 09-075 _____

Agenda No. _____ 3.6 _____ 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 09-075

TITLE: ORDINANCE AMENDING THE LONG TERM TAX EXEMPTION AUTHORIZED BY ORDINANCE 02-123 OF WA RESIDENTIAL URBAN RENEWAL COMPANY, LLC, TO TERMINATE THE TAX ABATEMENT AS IT RELATES TO BLOCK 1497, PORTIONS OF LOT 33 AND LOT 35, FORMERLY KNOWN AS PORTIONS OF LOTS 3.M1 AND 3.M2, AND TO BE KNOWN AS LOT 36.1

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

WHEREAS, WA Residential Urban Renewal Company, LLC, an urban renewal entity, formed and qualified to do business under the provisions of the Long Term Tax Exemption Law of 1992, as amended and supplemented, N.J.S.A. 40A:20-1 et seq. (Entity); and

WHEREAS, the Entity owns certain property known as Block 1497, Lots 33, 34 and 35, formerly known as Lots 3.M1 and 3.M2, on the City's Official Tax map, consisting of approximately fifteen (15) acres, and more commonly known by the street address of 100 Caven Point Road (to be known as 1 Liberty Drive), and more specifically described by metes and bounds, in the application (Property); and

WHEREAS, the Property is located within the Liberty Harbor Redevelopment Plan Area as required by N.J.S.A. 40A:20-4 and N.J.S.A. 40A:12A-5(g); and

WHEREAS, pursuant to Ordinance 02-123, the Entity was granted a twenty (20) year long term tax exemption to construct a project consisting of three (3) buildings consisting of 36, 42 and 50 story and seventeen (17) three (3) story townhouses to contain approximately 932 market rate residential condominium units and two (2) commercial condominium units to contain approximately 20,000 sq. ft. and related parking. However, a golf club house was not tax abated because it was not described in the original tax abatement; and

WHEREAS, the Entity now wishes to amend its agreement to terminate the Long Term Tax Abatement as it relates to Block 1497, portions of Lot 33 and Lot 35, formerly known as a portion of Lots 3.M1 and 3.M2, and to be known as Lot 36.1 (containing a total of 4.943 acres), upon which the Golf Club House has been constructed.

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

A. The application for an amendment to the Long Term Tax Abatement of WA Residential Urban Renewal Company, LLC, an urban renewal company, formed and qualified to do business under the provisions of the Long Term Tax Exemption Law of 1992, as amended and supplemented, N.J.S.A. 40A:20-1 et seq. a copy of which is on file in the office of the City Clerk, and which seeks to terminate the tax abatement as it relates to Block 1497, portions of Lot 33 and Lot 35, formerly known as a portion of Lots 3.M1 and 3.M2, and to be known as Lot 36.1 (containing a total of 4.943 acres), more commonly known by the street address of 100 Caven Point Road (to be known as 1 Liberty Drive), more specifically described by metes and bounds in the application, is hereby approved.

ORDINANCE AMENDING THE LONG TERM TAX EXEMPTION AUTHORIZED BY ORDINANCE 02-123 OF WA RESIDENTIAL URBAN RENEWAL COMPANY, LLC, TO TERMINATE THE TAX ABATEMENT AS IT RELATES TO BLOCK 1497, PORTIONS OF LOT 33 AND LOT 35, FORMERLY KNOWN AS PORTIONS OF LOTS 3.M1 AND 3.M2, AND TO BE KNOWN AS LOT 36.1

B. The Mayor or Business Administrator is hereby authorized to execute an amendment to the financial agreement to terminate the tax exemption as it relates to this property.

C. The application is on file with the office of the City Clerk. The Financial Agreement and Project Employment and Contracting Agreement shall be in substantially the form on file in the Office of the City Clerk, subject to such modification as the Business Administrator or Corporation Counsel deems appropriate or necessary.

D. All ordinances and parts of ordinances inconsistent herewith, specifically, in part, Ordinance 02-123, are hereby repealed.

E. 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.

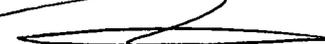
F. This ordinance shall take effect at the time and in the manner provided by law.

G. 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*.

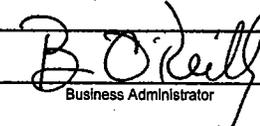
JM/he
5/27/09

APPROVED AS TO LEGAL FORM



Corporation Counsel

APPROVED: _____

APPROVED: 

Business Administrator

Certification Required

Not Required

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

Ord. 09-075

ORDINANCE NO. _____

TITLE: 3.G. JUN 03 2009 4.H. JUN 17 2009



Ordinance amending the Long Term Tax Exemption authorized by Ordinance 02-123 of WA Residential Urban Renewal Company, LLC to terminate the tax abatement as its relates to Block 1497, portions of Lot 33 and Lot 35, formerly known as portions of Lots 3.M1 and 3.M2, and to be known as Lot 36.1

RECORD OF COUNCIL VOTE ON INTRODUCTION											
JUN 03 2009 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
KENNY	✓			FULOP	✓			FLOOD	✓		
LIPSKI	✓			RICHARDSON	✓			VEGA, PRES.	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

Councilperson LIPSKI moved, seconded by Councilperson SOTTOLANO to close P.H.

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING											
JUN 17 2009 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
KENNY	✓			FULOP	✓			FLOOD	✓		
LIPSKI	✓			RICHARDSON	✓			VEGA, PRES.	✓		

✓ Indicates Vote

YVONNE BALCER

N.V.-Not Voting (Abstain)

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO				GAUGHAN				BRENNAN			
KENNY				FULOP				FLOOD			
LIPSKI				RICHARDSON				VEGA, PRES.			

✓ Indicates Vote

N.V.-Not Voting (Abstain)

RECORD OF FINAL COUNCIL VOTE											
JUN 17 2009 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
KENNY	✓			FULOP	✓			FLOOD	✓		
LIPSKI	✓			RICHARDSON	✓			VEGA, PRES.	✓		

✓ Indicates Vote

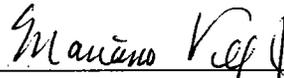
N.V.-Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on JUN 03 2009

Adopted on second and final reading after hearing on JUN 17 2009

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on JUN 17 2009


 Robert Byrne, City Clerk

APPROVED:

 Mariano Vega, Jr., Council President

Date: JUN 17 2009

APPROVED:

 Jerraniah T. Hasty, Mayor

Date: JUN 19 2009

Date to Mayor JUN 18 2009

*Amendment(s):

City Clerk File No. _____ Ord. 09-076

Agenda No. _____ 3.H _____ 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 09-076

TITLE: AN ORDINANCE APPROVING A FIVE (5) YEAR TAX EXEMPTION PURSUANT TO THE PROVISIONS OF N.J.S.A. 40A:21-1, ET SEQ., AND SECTION 304-9 OF THE MUNICIPAL CODE FOR PROPERTY DESIGNATED AS BLOCK 1497, PORTIONS OF LOT 33 AND LOT 35, FORMERLY KNOWN AS A PORTION OF LOTS 3.M1 AND 3.M2, AND TO BE KNOWN AS LOT 36.1, UNIT 1, ON THE CITY'S TAX MAP AND MORE COMMONLY KNOWN BY THE STREET ADDRESS OF 100 CAVEN POINT ROAD (TO BE KNOWN AS 1 LIBERTY DRIVE)

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

WHEREAS, on April 21, 2009, the property owner, WA Residential Urban Renewal Company, LLC [WA Residential], filed an application to terminate the long term tax abatement between the City and WA Residential, as it relates to Block 1497, portions of Lot 33 and Lot 35, (formerly known as a portion of Lots 3.M1 and 3.M2), which was approved by the adoption of Ordinance 02-123; and

WHEREAS, on April 21, 2009, WA Golf Company, LLC, an affiliate of WA Residential and the ground lessee of Block 1497, portions of Lot 33 and Lot 35 [Applicant], filed an application for a five (5) year tax exemption for the newly constructed mixed use golf clubhouse building, which was constructed on Block 1497, portions of Lot 33 and Lot 35, formerly known as a portion of Lots 3.M1 and 3.M2 [Property], a copy of which application is attached hereto; and

WHEREAS, the City of Jersey City as an area in need of rehabilitation, is authorized to adopt an ordinance to utilize tax exemptions pursuant to N.J.S.A. 40A:21-1, et seq., the Five (5) Year Exemption and Abatement Law; and

WHEREAS, pursuant to N.J.S.A. 40A:21-1 et seq., the City of Jersey City adopted Ordinance 05-060 (Section 304-1 et seq. of the Municipal Code), and as amended by Ordinance 07-146, to allow Five (5) Year Tax Exemptions which allows the Tax Assessor to regard the full and true value or a portion thereof of certain improvements as not increasing the full and true value of certain property for a period of five (5) years, provided the applicant's application is approved by the Tax Assessor and by Ordinance of the Municipal Council; and

WHEREAS, pursuant to N.J.S.A. 40A:21-9 and Section 304-12 of the Municipal Code, a tax exemption for a new Mixed Use Golf Clubhouse on the Property consisting of sixty-one thousand two hundred eighty-four (61,284) square feet of commercial space containing a club member's only restaurant bar and pro shop, business center, locker rooms, a library, several lounges, sitting areas, kitchen facilities, a golf cart barn, and offices, is permitted for a period of five (5) years; and

WHEREAS, as determined by the assessor on October 1st of the year following completion, the owner proposes to pay the City (in addition to the full taxes on the land, which shall continue to be conventionally assessed and taxed) a tax payment for the new improvements on the property, as follows:

- (a) 2010: the tax year in which the structure will be completed, \$0 taxes;
- (b) 2011: the second tax year, 39% of actual full taxes, estimated to be \$155,450 ;
- (c) 2012: the third tax year, 59% of actual full taxes, estimated to be \$235,168;
- (d) 2013: the fourth tax year, 79% of actual full taxes, estimated to be \$314,885; and
- (e) 2014: the fifth tax year, 80% of actual full taxes, estimated to be \$318,871;

WHEREAS, the Tax Assessor has determined that the full and true value of the new construction is \$28,000,000 Dollars, that will generate an additional conventional tax payment of \$398,589 a year; and

WHEREAS, the application for tax exemption was complete and timely filed; the application was approved by the Tax Assessor and the newly constructed mixed use is eligible for tax exemption pursuant to N.J.S.A. 40A:21-9 and Section 304-12 of the Municipal Code; and

WHEREAS, upon the expiration of the tax exemption, the total assessment will be \$28,000,000 Dollars, that will generate a total tax payment of \$398,589.

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

1. The application, attached hereto, for a five (5) year tax exemption for the full and true value of the newly constructed mixed use golf clubhouse, located in Block 1497, portions of Lot 33 and Lot 35 (to be known as Lot 36.1 containing a total of 4.943 acres), and more commonly known by the street address of 100 Caven Point Road (to be known as 1 Liberty Drive), Jersey City, N.J., is hereby approved.

2. The Mayor or Business Administrator is hereby authorized to execute a tax exemption agreement which shall contain at a minimum, the following terms and conditions:

(a) tax payment on the new improvements shall be:

- (i) Year 1: the tax year in which the structure will be completed. \$0 taxes;
- (ii) Year 2: the second tax year, 39% of actual full taxes, estimated to be \$155,450;
- (iii) Year 3: the third tax year, 59% of actual full taxes, estimated to be \$235,168;
- (iv) Year 4: the fourth tax year, 79% of actual full taxes, estimated to be \$314,885; and
- (v) Year 5: the fifth tax year, 80% of actual full taxes, estimated to be \$318,871.

(b) The project shall be subject to all federal, state and local laws, and regulations on pollution control, worker safety, discrimination in employment, zoning, planning, and building code requirements pursuant to N.J.S.A.40A:21-11(b).

(c) If, during any tax year prior to the termination of the tax agreement, the applicant ceases to operate or disposes of the property, or fails to meet the conditions for qualifying, then the tax which would have otherwise been payable for each tax year shall become due and payable from the property owner as if no exemption and abatement had been granted. The collector forthwith ad the tax collector shall, within 15 days thereof, notify the owner of the property of the amount of taxes due.

(d) With respect to the disposal of the property, where it is determined that the new owner or ground lessee of the property will continue to use the property pursuant to the conditions which qualified the property, no tax shall be due, the exemption shall continue, and the agreement shall remain in effect.

(e) At the termination of a tax exemption agreement, the new improvements shall be subject to all applicable real property taxes as provided by State law and regulation and local ordinance; but nothing herein shall prohibit a project, at the termination of an agreement, from qualifying for, an receiving the full benefits of, any other tax preferences provided by law.

3. The form of tax exemption agreement is attached hereto as Exhibit B, subject to such modification as the Corporation counsel or Business Administrator deems necessary.

4. The Tax Assessor shall send a copy of the fully executed Financial Agreement to the Director of the Division of Local Government Services in the Department of Community Affairs within thirty (30) days of execution pursuant to N.J.S.A. 40a:21-11(d).

A. All ordinances and parts of ordinances, specifically parts of Ordinance 02-123, inconsistent herewith are hereby repealed.

B. 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.

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

D. 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*.

JM/he
5/27/09

APPROVED AS TO LEGAL FORM

APPROVED: _____

Corporation Counsel

APPROVED: _____
Business Administrator

Certification Required

Not Required

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

Ord. 09-076

ORDINANCE NO. _____

TITLE: 3.H. JUN 03 2009 4.I. JUN 17 2009



An ordinance approving a Five (5) year tax exemption pursuant to the provisions of N.J.S.A.40A:21-1, et seq., and Section 304-9 of the Municipal Code for property designated as Block 1497, portions of Lot 33 and Lot 35, formerly known as a portion of Lots 3.M1 and 3.M2 and to be known as Lot 36.1, Unit 1 on the city's tax map and more commonly known by the street address of 100 Caven Point Road (To be known as 1 Liberty Drive)

RECORD OF COUNCIL VOTE ON INTRODUCTION											
JUN 03 2009 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
KENNY	✓			FULOP	✓			FLOOD	✓		
LIPSKI	✓			RICHARDSON	✓			VEGA, PRES.	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

COUNCILPERSON LIPSKI moved, seconded by Councilperson FLOOD to close P.H.

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING											
JUN 17 2009 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
KENNY	✓			FULOP	✓			FLOOD	✓		
LIPSKI	✓			RICHARDSON	✓			VEGA, PRES.	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

YVONNE BALCER
CATHERINE GAIMM

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO				GAUGHAN				BRENNAN			
KENNY				FULOP				FLOOD			
LIPSKI				RICHARDSON				VEGA, PRES.			

✓ Indicates Vote

N.V.-Not Voting (Abstain)

RECORD OF FINAL COUNCIL VOTE											
JUN 17 2009 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
KENNY	✓			FULOP	✓			FLOOD	✓		
LIPSKI	✓			RICHARDSON	✓			VEGA, PRES.	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on JUN 03 2009

Adopted on second and final reading after hearing on JUN 17 2009

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on JUN 17 2009

Robert Byrne, City Clerk

APPROVED: Mariano Vega, Jr.
Mariano Vega, Jr., Council President
Date: JUN 17 2009

APPROVED: Jerramiah T. Healy
Jerramiah T. Healy, Mayor
Date: JUN 19 2009

Date to Mayor JUN 18 2009

*Amendment(s):



ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 09-077

TITLE: **ORDINANCE DEDICATING THAT RANDOLPH AVENUE BETWEEN
CARTERET AVENUE AND CLAREMONT AVENUE ALSO BE KNOWN AS
Reverend John Dupree, Sr. Drive**

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

WHEREAS, Reverend John Dupree, Sr. was born on July 2, 1918, to the late Reverend William and Laura Jane Drake Dupree in Dillon, South Carolina. John accepted Christ as his savior at an early age and was baptized at Ebenezer Baptist Church in Marlboro County, South Carolina. He attended school in South Carolina and later moved to Northeastern Maryland in the early 1940's; and

WHEREAS, Reverend John Dupree, Sr. was united in matrimony to Annie J. Williams on January 6, 1943. He joined the United States Army and honorably served three years as a Private First Class in World War II. Upon returning home, he moved his wife and first born to Jersey City, N.J. where he united with New Hope Baptist Church. John served the church in many capacities such as Trustee, Chairman of the Deacon Board, member of the choir, Sunday School Teacher and Church Treasurer. After serving to the best of his abilities in these positions, John received a higher calling when God called him into the Gospel Ministry. He was ordained and appointed as the Assistant Pastor under the pastorate of his brother-in-law, the late Rev. James N. Williams. He held this position with great distinction for some 30 years. Rev. Dupree is responsible for discovering the new edifice in which New Hope Baptist Church currently stands on Bergen Avenue; and

WHEREAS, Reverend John Dupree, Sr. was the loving father of five children. He was a caring and compassionate individual always eager and willing to lend a helping hand to anyone in need. He was also very active in his community. Rev. Dupree, a resident of Randolph Avenue for more than 60 years, was the founder and organizer of the Randolph Avenue C&C Block Association. He was also a dedicated member of the NAACP and the Hattie Boyer Memorial Organization. Rev. Dupree was a jack-of-all-trades and affectionately known as "Mr. Fix It". He was a carpenter, mechanic, barber, plumber, advisor and coach for the local community baseball league; and

WHEREAS, Reverend John Dupree, Sr. departed this life on February 15, 2009, and leaves to cherish his memory his beloved wife, the Rev. Annie Jane Dupree; five children, John (Arhemia) Dupree, Jr., Bertha Lee (James) Gourdine, Rev. Dr. Daniel (Loretta) Dupree, Alfonso Leon (Kathy) Dupree and Derick (Adrienne) Dupree. He is also survived by 12 grandchildren, 3 great-grandchildren, one brother, Luther Dupree, one brother-in-law; Charlie Williams, one sister-in-law; Doris Estella Williams, one godchild; Raynard McGahee and a host of loving nieces, nephews and other relatives and friends; and

WHEREAS, the Municipal Council of the City of Jersey City deems it fitting and proper to commemorate the name of **Reverend John Dupree, Sr.** for his many accomplishments and for serving as an honored role model and inspiration to all.

NOW, THEREFORE BE IT ORDAINED, that the Municipal Council of the City of Jersey City does hereby dedicate that Randolph Avenue between Carteret Avenue and Claremont Avenue also be known as "**Reverend John Dupree, Sr. Drive.**"

APPROVED AS TO LEGAL FORM

Corporation Counsel

APPROVED:

APPROVED:
Business Administrator

Certification Required

Not Required

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

Ord. 09-077

ORDINANCE NO. _____

TITLE: 3.I. JUN 03 2009 4.J. JUN 17 2009



Ordinance dedicating that Randolph Avenue between
Carteret Avenue and Claremont Avenue also be known as
Reverend John Dupree, Sr. Drive.

RECORD OF COUNCIL VOTE ON INTRODUCTION											
JUN 03 2009 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
KENNY	✓			FULOP	✓			FLOOD	✓		
LIPSKI	✓			RICHARDSON	✓			VEGA, PRES.	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

Councilperson RICHARDSON moved, seconded by Councilperson SOTTOLANO to close P.H.

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING											
JUN 17 2009 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
KENNY	✓			FULOP	✓			FLOOD	✓		
LIPSKI	✓			RICHARDSON	✓			VEGA, PRES.	✓		

✓ Indicates Vote

NICOLE DUPREE

N.V.-Not Voting (Abstain)

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO				GAUGHAN				BRENNAN			
KENNY				FULOP				FLOOD			
LIPSKI				RICHARDSON				VEGA, PRES.			

✓ Indicates Vote

N.V.-Not Voting (Abstain)

RECORD OF FINAL COUNCIL VOTE											
JUN 17 2009 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
KENNY	✓			FULOP	✓			FLOOD	✓		
LIPSKI	✓			RICHARDSON	✓			VEGA, PRES.	✓		

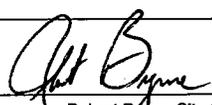
✓ Indicates Vote

N.V.-Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on JUN 03 2009

Adopted on second and final reading after hearing on JUN 17 2009

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on JUN 17 2009


 Robert Byrne, City Clerk

APPROVED:


 Mariano Vega, Jr., Council President
 Date: JUN 17 2009

APPROVED:


 Jeremiah T. Healy, Mayor
 Date JUN 19 2009
 Date to Mayor JUN 18 2009

*Amendment(s):

City Clerk File No. Ord. 09-078

Agenda No. 3.J 1st Reading

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



ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 09-078

TITLE: ORDINANCE APPROVING AN AMENDMENT TO A LONG TERM TAX EXEMPTION FOR A MARKET RATE MIXED USE CONDOMINIUM PROJECT TO BE CONSTRUCTED BY SECOND STREET WATERFRONT URBAN RENEWAL, LLC, AN URBAN RENEWAL ENTITY, PURSUANT TO THE LONG TERM TAX EXEMPTION LAW N.J.S.A. 40A:20-1 ET SEQ.

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

WHEREAS, Second Street Waterfront Urban Renewal, LLC, an urban renewal entity, formed and qualified to do business under the provisions of the Long Term Tax Exemption Law of 1992, as amended and supplemented, N.J.S.A. 40A:20-1 et seq. (Entity); and

WHEREAS, the Entity owns certain property known as Block 15, Lot 32, on the City's Official Tax map, and more commonly known by the street address of 2 Second Street, Jersey City, and more specifically described by metes and bounds, in the application [Property]; and

WHEREAS, the Property is located within the Hudson Exchange Redevelopment Plan Area as required by N.J.S.A. 40A:20-4 and N.J.S.A. 40A:12A-5(g); and

WHEREAS, the Entity plans to construct a thirty-six (36) story residential tower with approximately two hundred and sixty-nine (269) market rate residential condominium units; over a six (6) story parking garage unit to contain approximately two hundred and eighty-five (285) parking spaces; and up to six (6) ground floor commercial units to contain approximately 6,270 square feet of space; and

WHEREAS, on October 16, 2006, the Entity filed an Application with the City for a long term tax exemption for the Project; and

WHEREAS, by the adoption of Ordinance 06-139 on November 21, 2006, the Municipal Council approved the Application for a long term tax exemption for the Project and authorized the execution of a Financial Agreement; and

WHEREAS, pursuant to Ordinance 06-139, the City and the Entity entered into a Financial Agreement dated as of December 12, 2006 that approved a twenty (20) year tax abatement for a service charge equal to 16% of the Annual Gross Revenue; and

WHEREAS, on April 29, 2009, the Entity filed an Application with the City for an Amended and Restated Long Term Tax Exemption for the Project to reduce the annual service charge and increase the term to 30 years; and

WHEREAS, Second Street Waterfront Urban Renewal, LLC, has agreed to:

ORDINANCE APPROVING AN AMENDMENT TO A LONG TERM TAX EXEMPTION FOR A MARKET RATE MIXED USE CONDOMINIUM PROJECT TO BE CONSTRUCTED BY SECOND STREET WATERFRONT URBAN RENEWAL, LLC, AN URBAN RENEWAL ENTITY, PURSUANT TO THE LONG TERM TAX EXEMPTION LAW N.J.S.A. 40A:20-1 ET SEQ.

1. pay the greater of (i) the Minimum Annual Service Charge or (ii) 11% of Annual Gross Revenue, which sum is estimated to be \$1,644,346 in the first five (5) years; 13% of Annual Gross Revenue, which sum is estimated to be \$1,943,318 for years six (6) through ten (10); and 16% of Annual Gross Revenue, which sum is estimated to be \$2,332,556 for years 11 through 30; and which shall be subject to statutory staged increases over the term of the tax exemption; and
2. pay an annual sum equal to 2% of each prior year's Annual Service Charge as an Administrative Fee; and
3. provide employment and other economic opportunities for City residents and businesses;
4. pay to City for remittance to Hudson County, an equal to 5% of the Annual Service Charge upon receipt of that charge;
5. has paid the sum of \$413,550 to the City's Affordable Housing Trust Fund; and

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

1. the current real estate taxes generate revenue of only \$24,951, whereas, the Annual Service Charge as estimated, will generate revenue of \$1,644,346 in the first five (5) years; \$1,943,318 for years six (6) through ten (10); and \$2,332,556 for years 11 through 30, to the City and an additional sum of approximately \$90,221 to Hudson County;
2. it is expected that the Project will create approximately 250 jobs during construction and 10 new permanent jobs;
3. the Project will stabilize and contribute to the economic growth of businesses in the surrounding area;
4. the Project will further the overall redevelopment objectives of the Hudson Exchange Redevelopment Plan Area;
5. the City's impact analysis, on file with the Office of the City Clerk, indicates that the benefits of the Project outweigh the costs to the City; and

WHEREAS, the City hereby determines that the tax exemption is important in obtaining development of the project and influencing the locational decisions of probable occupants for the following reasons:

1. the relative stability and predictability of the Annual Service Charges will make the Project more attractive to investors needed to finance the Project;
2. the relative stability and predictability of the Annual Service Charges will allow the owner to stabilize its operating budget, allowing a high level of maintenance to the building over the life of the Project, which will attract purchasers to the Project and insure the likelihood of the success of the Project; and

WHEREAS, Second Street Waterfront Urban Renewal, LLC, has initially complied with Executive Order 2002-005 concerning "Disclosure of Lobbyist Representative Status" by filing an appropriate letter in the Office of the City Clerk.

ORDINANCE APPROVING AN AMENDMENT TO A LONG TERM TAX EXEMPTION FOR A MARKET RATE MIXED USE CONDOMINIUM PROJECT TO BE CONSTRUCTED BY SECOND STREET WATERFRONT URBAN RENEWAL, LLC, AN URBAN RENEWAL ENTITY, PURSUANT TO THE LONG TERM TAX EXEMPTION LAW N.J.S.A. 40A:20-1 ET SEQ.

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

A. The amended application of Second Street Waterfront Urban Renewal, LLC, an urban renewal company, formed and qualified to do business under the provisions of the Long Term Tax Exemption Law of 1992, as amended and supplemented, N.J.S.A. 40A:20-1 et seq. a copy of which is on file in the office of the City Clerk, for Block 15, Lot 32, more commonly known by the street address of 2 Second Street, Jersey City, more specifically described by metes and bounds in the application is hereby approved.

B. The Mayor or Business Administrator is hereby authorized to execute an amended tax exemption Financial Agreement and an amended Project Employment and Contracting Agreement. The Financial Agreement shall include at a minimum the following terms and conditions:

1. Term: the earlier of 35 years from the adoption of Ordinance 06-139 or 30 years from the date the project is Substantially Complete;
2. Annual Service Charge: each year the greater of:
 - (a) the Minimum Annual Service Charge equal to \$24,951, upon Project Completion, whether or not the Project is occupied; or
 - (b) 11% of Annual Gross Revenue, which sum is estimated to be \$1,644,346 in the first five (5) years; 13% of Annual Gross Revenue, which sum is estimated to be \$1,943,318 for years six (6) through ten (10); and 16% of Annual Gross Revenue, which sum is estimated to be \$2,332,556 for years 11 through 30; which shall be subject to statutory increases during the term of the tax exemption.
3. Administrative Fee: 2% of the prior year's Annual Service Charge;
4. County Payment: an additional 5% of the Annual Service Charge for remittance by the City to Hudson County;
5. Affordable Housing Trust Fund: \$1,500 per unit or \$403,500 and \$1.50 x 6,700 square feet or \$10,050, for a total of \$413,550, which the Entity has paid in full;
6. Project: a thirty-six (36) story residential tower with approximately two hundred and sixty-nine (269) market rate residential condominium units; over a six (6) story parking garage unit to contain approximately two hundred and eighty-five (285) parking spaces; and up to six (6) ground floor commercial units to contain approximately 6,270 square feet of space;
7. An obligation to execute an Amended Project Employment and Contracting Agreement to insure employment and other economic benefits to City residents and businesses.

C. The City Clerk shall deliver a certified copy of the Ordinance and Amended Financial Agreement to the Tax Assessor and Director of the Division of Local Government Services.

D. The amended application is on file with the office of the City Clerk. The Amended Financial Agreement and Amended Project Employment and Contracting Agreement shall be in substantially the form on file in the Office of the City Clerk, subject to such modification as the Business Administrator or Corporation Counsel deems appropriate or necessary.

ORDINANCE APPROVING AN AMENDMENT TO A LONG TERM TAX EXEMPTION FOR A MARKET RATE MIXED USE CONDOMINIUM PROJECT TO BE CONSTRUCTED BY SECOND STREET WATERFRONT URBAN RENEWAL, LLC, AN URBAN RENEWAL ENTITY, PURSUANT TO THE LONG TERM TAX EXEMPTION LAW N.J.S.A. 40A:20-1 ET SEQ.

E. All ordinances and parts of ordinances, specifically Ordinance 06-139, inconsistent herewith are hereby repealed.

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.

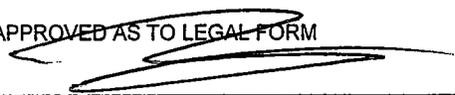
G. This ordinance shall take effect at the time and in the manner provided by law.

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*.

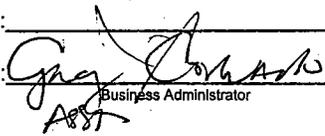
JM/he
5/27/09
6/16/09

APPROVED AS TO LEGAL FORM



Corporation Counsel

APPROVED:



Business Administrator

Certification Required
Not Required

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

Ord. 09-078

ORDINANCE NO. _____

TITLE: 3.J. JUN 03 2009 4.K. JUN 17 2009



Ordinance approving an amendment to a Long Term Tax Exemption for a market rate mixed use condominium project to be constructed by Second Street Waterfront Urban Renewal, LLC., an urban renewal entity, pursuant to the Long Term Tax Exemption Law N.J.S.A.40A:20-1 et seq

RECORD OF COUNCIL VOTE ON INTRODUCTION											
JUN 03 2009 7-2											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
KENNY	✓			FULOP		✓		FLOOD	✓		
LIPSKI	✓			RICHARDSON		✓		VEGA, PRES.	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

Councilperson LIPSKI moved, seconded by Councilperson FULOP to close P.H.

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING											
JUN 17 2009 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
KENNY	✓			FULOP	✓			FLOOD	✓		
LIPSKI	✓			RICHARDSON	✓			VEGA, PRES.	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

JOHN SEBOROWSKI *LAURA SKOLAR* *DIANE KAESE*
ROLANDO LAVARRO *SHELLEY SKINNER* *JOHN THEIROFF*
JOHN O'KEEFE *STEPHANIE DANIELS* *HUGH HALE-TOOKE*
 STACEY NUSBAUM *ANDREW HUBSCH*

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY											
JUN 17 2009 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
KENNY	✓			FULOP	✓			FLOOD	✓		
LIPSKI	✓			RICHARDSON	✓			VEGA, PRES.	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

CATHERINE GRIMM *PHIL RIVO* *DAVID NORMAN*
SEBASTIAN BERNHEIM *DAN LEVIN* *GERRY BAKIRTJY*
WILLIAM DORRITY *YVONNE BALLER* *NORRICE RAYMAKER*
MEG COHEN *JAMES McCANN* *MIA SCANGA*

RECORD OF FINAL COUNCIL VOTE											
JUN 17 2009 6-3											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
KENNY		✓		FULOP		✓		FLOOD	✓		
LIPSKI	✓			RICHARDSON		✓		VEGA, PRES.	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on JUN 03 2009

Adopted on second and final reading after hearing on JUN 17 2009

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on JUN 17 2009

Robert Byrne, City Clerk

APPROVED: _____

 Mariano Vega, Jr., Council President
 Date: JUN 17 2009

*Amendment(s):
Amendments in Italics

APPROVED: _____

 Jeremiah T. Healy, Mayor
 Date JUN 19 2009
 Date to Mayor JUN 18 2009

City Clerk File No. Ord. 09-080

Agenda No. 3.L 1st Reading

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



ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 09-080

TITLE: AN ORDINANCE SUPPLEMENTING CHAPTER 332 (VEHICLES AND TRAFFIC) ARTICLE XI (SCHEDULES) SCHEDULE 25 (PARKING FOR THE DISABLED) OF THE JERSEY CITY CODE DESIGNATING A RESERVED PARKING SPACE AT 11 APOLLO STREET; 585 BERGEN AVENUE; 293 CLERK STREET; 239-241 DUNCAN AVENUE; 37 EASTERN PARKWAY; 129 GRACE STREET; 267 MANHATTAN AVENUE; 35 MONTROSE AVENUE; 194 MYRTLE AVENUE; 33 RICHARD STREET; 47 TERHUNE AVENUE; 119-121 VIRGINIA AVENUE AND AMEND THE RESERVED PARKING SPACES AT 267 MANHATTAN AVENUE AND 334 PRINCETON AVENUE

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

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

Section 332-77

SCHEDULE 25

PARKING FOR THE DISABLED

Restricted parking spaces, (measuring approximately 22 feet in length) in front of residential building for use by persons who have been issued special vehicle identification cards by the Division of Motor Vehicles and handicapped parking permits issued by the Traffic Division.

Rosalind Bhimdass
Carol Cobbins
Albert Carter, Jr.
Alfredo Martinez
Joyce Pitchford
Dominga Lopez
Ramona Colon
Carolina Moeck
Charlotte Smith
Joseph Ksiez
Maria A. Ortiz
Myra Gonzalez
Pernell H. Holmes

11 Apollo Street
585 Bergen Avenue
293 Clerk Street
239-241 Duncan Avenue
37 Eastern Parkway
129 Grace Street
267 Manhattan Avenue
35 Montrose Avenue
194 Myrtle Avenue
334 Princeton Avenue
33 Richard Street
47 Terhune Avenue
119-121 Virginia Avenue

- 2. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- 3. 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.
- 4. This ordinance shall take effect at the time and in the manner as prescribed by law.
- 5. 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: The new material to be inserted is underscored.

JDS:pc1
(05.28.09)

APPROVED: [Signature] (5/28/09)
Director of Traffic & Transportation

APPROVED AS TO LEGAL FORM

APPROVED: [Signature] 5/28/09
Municipal Engineer

Corporation Counsel

APPROVED: _____
Business Administrator

Certification Required

Not Required

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

1. Full title of ordinance:

An ordinance supplementing Chapter 332(Vehicles and Traffic) Article VI(Schedules) Schedule 25(Parking for the Disabled) of the Jersey City designating a reserved parking space for the disabled at 11 Apollo Street; 585 Bergen Avenue; 293 Clerk Street; 239-241 Duncan Avenue; 37 Eastern Parkway; 129 Grace Street; 35 Montrose Avenue; 194 Myrtle Avenue; 33 Richard Street; 47 Terhune Avenue; 119-121 Virginia Avenue and amend the reserved parking spaces at 267 Manhattan Avenue and 334 Princeton Avenue

2. Name and title of person initiating the ordinance:

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

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

Designate a reserved parking space for the disabled at various locations throughout the City, for those disabled individuals whose applications have been reviewed and approved by The Municipal Council Committee for Disabled Parking.

4. Reasons (need) for the proposed program, project, etc.:

To provide a reserved parking space for a disabled individual who has documented that his or her disability is severe enough to limit his mobility or so severe that he or she cannot be left unattended while the designated driver brings the vehicle to him or her or parks the vehicle.

5. Anticipated benefits to the community:

Allow those disabled individuals, whose application was approved by The Municipal Council Committee for Disabled Parking, to have a reserved parking space designated at his or her residence, therefore, improving the quality of his or her life.

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

Approximately \$200.00 per sign/post installation for a total of \$4000.00
20 reserved parking signs and 20 channels

7. Date proposed program, or project will commence:

Pending adoption by the Jersey City Municipal Council

8. Anticipated completion date:

Twenty days after adoption by the Jersey City Municipal Council

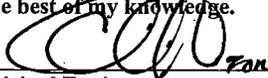
9. Person responsible for coordinating proposed program, project, etc.:

Patricia Logan, Supervising Traffic Investigator, Division of Engineering, Traffic and Transportation ex. 4492

10. Additional comments:

Ordinance proposed at the request of The Municipal Council Committee for Disabled Parking

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



Municipal Engineer



Date

Signature of Department Director

Date

City Clerk File No. Ord. 09-081

Agenda No. 3.M 1st Reading

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



ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 09-081

TITLE:

Ordinance dedicating that the intersection of
Van Horne Street and Bramhall Avenue also be known as
Ethel Mae Haynes Way

The Municipal Council of the City of Jersey City does hereby ordain:

WHEREAS, Ethel Mae Haynes was born in Jersey City on May 21, 1934 to the late Walter Haynes and Bessie Sinkler. The lifelong resident attended Public School #14 and Snyder High School; and

WHEREAS, Ethel Mae Haynes was employed in the Office of Insurance Control at the Jersey City Medical Center, (currently Liberty Health Care Systems) where she was an Insurance Verification Specialist for nearly 40 years. Mrs. Haynes was also the proprietor of Ethel's Lingerie on Jackson Avenue during the early 1970's; and

WHEREAS, Ethel Mae Haynes loved The Lord and gave her life to Christ. At St. John's Baptist Church, she was a member of numerous organizations including the Senior Choir, the Pastor's Aid Club, the Church Hospitality Ministry and the Gospel Chorus. She faithfully served as President of the Van Home Street Block Association since its founding more than 35 years ago. With all of this, she still found the time to serve as the chairperson of the Soul and Spirit Choir at Our Lady of Sorrows Church. She was a driving force in the AIDS Foundation Family in Christ and a member of the New Jersey Chapter of the Coalition of 100 Black Women. Ethel also served as Secretary of the Mother's Guild at St. Patrick School and as a Committeewoman in Ward F District 27; and

WHEREAS, Ethel Mae Haynes was the recipient of numerous awards including; The Com-Bin-Nations Inc. Annual Black Women's Day Award, the Concerned Community Women of Jersey City Award, The Jersey City Medical Center "Women Serving the Community in 2002 Award" The Reform Democratic Committee's Award for outstanding service to Ward F, State of New Jersey's General Assembly Award by the citizens of the 31 Legislative District, The Rev. Dr. Martin Luther King, Jr. Parade and Scholarship Committee Award and Representative Donald Payne's Award for Outstanding Community Service. Ethel also received an award from the United Nations for her efforts in raising funds for relief to Ethiopia and 23 other nations for the United Nations Children's Fund; and

WHEREAS, Ethel Mae Haynes was a diligent servant of the Lord, her community, her family and her multitude of friends. Always willing to lend a helping hand, she responded to every challenge with a warm smile and unwavering determination. She was a kind, caring, loving woman to all who knew her. Ethel truly was the heart of her neighborhood; and

WHEREAS, Ethel Mae Haynes departed this life on Monday, October 13, 2008 and left behind to cherish her memory, her beloved husband Stanley, whom she married in 1967. She also left behind her sons Rodney and Stanley, Jr. to carry on her legacy of love and faith. She will be greatly missed by her daughter-in-law, Desdemona (Renee), a special sister and lifelong friend Geraldine McQueary and a host of loving relatives and friends. Ethel was predeceased by her loving parents and her cherished son Steven.

Ordinance dedicating that the intersection of Van Horne Street and Bramhall Avenue also be known as Ethel Mae Haynes Way

NOW, THEREFORE BE IT ORDAINED, that the City of Jersey City does hereby dedicate that the intersection of Van Home Street and Bramhall Avenue also be known as **Ethel Mae Haynes Way**.

- 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 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 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.

G:\WPDOCS\TOLONDA\RESOS\RENAME\Ethel Mae Haynes Way.wpd

APPROVED AS TO LEGAL FORM

Corporation Counsel

APPROVED: _____

APPROVED: _____
Business Administrator

Certification Required

Not Required

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

ORDINANCE NO. Ord. 09-080
 TITLE: 3.L. JUN 03 2009 4.L. JUN 17 2009



An ordinance supplementing Chapter 332 (Vehicles and Traffic) Article XI (Schedules) Schedule 25 (Parking for the Disabled) of the Jersey City Code designating a reserved parking space at 11 Apollo Street; 585 Bergen Avenue; 293 Clerk Street; 239-241 Duncan Avenue; 37 Eastern Parkway; 129 Grace Street; 267 Manhattan Avenue; 35 Montrose Avenue; 194 Myrtle Avenue; 33 Richard Street; 47 Terhune Avenue; 119-121 Virginia Avenue and Amend the Reserved Parking Spaces at 267 Manhattan Avenue and 334 Princeton Avenue.

RECORD OF COUNCIL VOTE ON INTRODUCTION											
JUN 03 2009 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
KENNY	✓			FULOP	✓			FLOOD	✓		
LIPSKI	✓			RICHARDSON	✓			VEGA, PRES.	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING											
JUN 17 2009 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
<i>LIPSKI / FULOP</i>											
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
KENNY	✓			FULOP	✓			FLOOD	✓		
LIPSKI	✓			RICHARDSON	✓			VEGA, PRES.	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO				GAUGHAN				BRENNAN			
KENNY				FULOP				FLOOD			
LIPSKI				RICHARDSON				VEGA, PRES.			

✓ Indicates Vote

N.V.-Not Voting (Abstain)

RECORD OF FINAL COUNCIL VOTE											
JUN 17 2009 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
KENNY	✓			FULOP	✓			FLOOD	✓		
LIPSKI	✓			RICHARDSON	✓			VEGA, PRES.	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on JUN 03 2009

Adopted on second and final reading after hearing on JUN 17 2009

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on JUN 17 2009

Robert Byrne
 Robert Byrne, City Clerk

APPROVED:
Mariano Vega, Jr.
 Mariano Vega, Jr., Council President

Date: JUN 17 2009

APPROVED:
John T. Healy
 John T. Healy, Mayor

Date: JUN 19 2009

Date to Mayor JUN 18 2009

*Amendment(s):

City Clerk File No. Ord. 09-082

Agenda No. 3.N 1st Reading

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



ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 09-082

TITLE: **An Ordinance Dedicating that the Intersection of
Hutton Street and Sanford Place also be known as
TERRY MONAGHAN WAY**

The Municipal Council of the City of Jersey City does ordain:

WHEREAS, Terry Monaghan was born in Newark, NJ on August 28, 1939 to Terence Monaghan Sr. And Josephine (nee Skelton) Monaghan. Terry, along with his sister Margaret, were the first generation of Monaghans born in the Unites States ; and

WHEREAS, Terry Monaghan was raised and lived his whole life in Jersey City and attended St. Paul's of the Cross Grammar School and St. Michael's High School before graduating from Dickinson High School where he played baseball, football and basketball ; and

WHEREAS, after high school, **Terry Monaghan** joined the United States Marines and began a career with Western Electric and various firms in New York that permitted him to travel all over this beautiful country; and

WHEREAS, in 1974 **Terry Monaghan** purchased a tavern at the corner of Hutton Street and Sanford Place and it became known as "Monaghan's Tavern" or simply "Terry's" to his friends; and

WHEREAS, in 1974, **Terry Monaghan** married his sweetheart Cathaleen Dillon and their union was blessed with the pride of his life, his son Terence and his daughter, Erin; and

WHEREAS, Monaghan's Tavern was known to all to be a friendly neighborhood meeting place and famous for Corned Beef and Cabbage on St. Patrick's Day; and

WHEREAS, Terry Monaghan was called from this life on and leaves his family and many friends to mourn his passing; and

WHEREAS, the Municipal Council of the City of Jersey City deems it filling and proper to honor **Terence Monaghan** for his many accomplishments

NOW, THEREFORE, BE IT ORDAINED, that the Municipal Council of the City of Jersey City does hereby dedicate that the intersection of Hutton Street and Sanford Place also be known as "**Terry Monaghan Way**".

- 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 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 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.

G:\WPDOCS\Geraldine\Ord\Terry Monaghan.wpd

APPROVED AS TO LEGAL FORM

APPROVED: _____

Corporation Counsel

APPROVED: _____
Business Administrator

Certification Required

Not Required

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

Ord. 09-082

ORDINANCE NO. _____

3.N. JUN 03 2009

4.N. JUN 17 2009

TITLE:

An ordinance dedicating that the intersection of Hutton Street and Sanford Place also be known as Terry Monaghan Way.



RECORD OF COUNCIL VOTE ON INTRODUCTION											
JUN 03 2009 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
KENNY	✓			FULOP	✓			FLOOD	✓		
LIPSKI	✓			RICHARDSON	✓			VEGA, PRES.	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING											
JUN 17 2009 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
<i>LIPSKI/FULOP</i> SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
KENNY	✓			FULOP	✓			FLOOD	✓		
LIPSKI	✓			RICHARDSON	✓			VEGA, PRES.	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO				GAUGHAN				BRENNAN			
KENNY				FULOP				FLOOD			
LIPSKI				RICHARDSON				VEGA, PRES.			

✓ Indicates Vote

N.V.-Not Voting (Abstain)

RECORD OF FINAL COUNCIL VOTE											
JUN 17 2009 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
KENNY	✓			FULOP	✓			FLOOD	✓		
LIPSKI	✓			RICHARDSON	✓			VEGA, PRES.	✓		

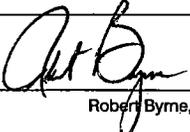
✓ Indicates Vote

N.V.-Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on JUN 03 2009

Adopted on second and final reading after hearing on JUN 17 2009

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on JUN 17 2009


 Robert Byrne, City Clerk

APPROVED:

 Mariano Vega, Jr., Council President
 Date: JUN 17 2009

APPROVED:

 Jeremiah T. Healy, Mayor
 Date JUN 19 2009
 Date to Mayor JUN 18 2009

*Amendment(s):

City Clerk File No. Ord. 09-046

Agenda No. 3.D 1st Reading

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

4.Q. JUN 17 2009



ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 09-046

TITLE: **ORDINANCE AMENDING CHAPTER 239 (PARKS) OF THE JERSEY CITY CODE TO MODIFY THE CITY'S RECREATIONAL AND OPEN SPACE INVENTORY TO ADD THREE PROPERTIES: 1) 174 BRUNSWICK STREET, 2) 176 BRUNSWICK STREET AND 3) 285 OGDEN AVENUE AND DEDICATING THESE PROPERTIES AS PARKLANDS FOR PUBLIC RECREATION**

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

WHEREAS, the New Jersey Green Acres and Recreation Opportunities Act provides for the making of loans and grants by the Commissioner of the Department of Environmental Protection [NJDEP] to local units of government for assistance in the acquisition and development of lands for outdoor recreation/conservation purposes; and

WHEREAS, the Green Acres Program has been used to fund the rehabilitation and purchase of property for the recreational uses of the residents of Jersey City; and

WHEREAS, Green Acres Rules and Regulations set forth in the New Jersey Administrative Code requires the City of Jersey City [City] to maintain and file a Recreation and Open Space Inventory [ROSI] of land either owned or rented by the City that is dedicated to recreational and open space purposes; and

WHEREAS, the City is the owner of certain properties suitable for inclusion on the ROSI: 1) 174 Brunswick Street, Block 389, Lot 19 consisting of 0.0565 acres; 2) 176 Brunswick Street, Block 389, Lot 20 consisting of 0.0459 acres; and 3) 285 Ogden Avenue, Block 768, Lot 54 consisting of 0.0342 acres; and

WHEREAS, the properties are to be designated and protected as parklands for public recreation and be included on the ROSI pursuant to the Green Acres Land Acquisition Act of 1971, N.J.S.A. 13:8A-1 et seq. and Green Acres Regulations; and

WHEREAS, the dedication will make the properties eligible for grants from the NJDEP which could be used to develop parklands for public recreation for the use of the residents of the community.

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

A. The following amendments and supplements to Chapter 239 (Parks) of the Jersey City Code are adopted.

CHAPTER 239 (PARKS)

§ 239-17 Inventory of Recreation and Open Space (ROSI)

A. No change.

h 2 0 0 9 0 1 7

ORDINANCE AMENDING CHAPTER 239 (PARKS) OF THE JERSEY CITY CODE TO MODIFY THE CITY'S RECREATIONAL AND OPEN SPACE INVENTORY TO ADD THREE PROPERTIES: 1) 174 BRUNSWICK STREET, 2) 176 BRUNSWICK STREET AND 3) 285 OGDEN AVENUE AND DEDICATING THESE PROPERTIES AS PARKLANDS FOR PUBLIC RECREATION

B. No change.

C. The Inventory is amended as follows:

Municipal Location	Name	Block	Lot	Acres
York St. & Exchange Pl.	York St. Park <i>(portion HRWW)</i>	8	portion	0.5
Hudson River	J. Owen Grundy Park <i>(aka Exchange Pl. Park)</i>	8	6 portion	.39
226 Washington St.	Paulus Hook Park	68	1	.92
236 Washington St.		69	50	
93-99 Grand St.		100	D	
92-98 Grand St.		101	M	
280 Grove St.	City Hall Park	201	CH portion	.48
111 Newark Ave.	FitzgeraldHolota Park <i>(aka Grove St. Park)</i>	204	1	.14
17 Laurel Ct.	Laurel Ct. Park <i>(aka Philippine Plaza)</i>	208	65	.05
450 Manila Ave.	Roberto Clemente Park	213	A	1.84
268 Erie St.	Sixteenth St. Park	258	19	.46
270 Erie St.		258	20	
272 Erie St.		258	21	
274 Erie St.		258	22	
276 Erie St.		258	23	
278 Erie St.		258	24	
215 16 th St.		258	25	
213 16 th St.	258	26		
257-287 Montgomery St.	Van Vorst Park	270.5	5	1.84
84 Wayne St.	Angel Ramos Park <i>(formerly Wayne St. Park)</i>	273	22	.23
86 Wayne St.		273	23	
88 Wayne St.		273	24	
90 Wayne St.		273	25	
25 W. Hamilton Pl.	Hamilton Park	283.1	PK	5.57
366 Grand St.	Alexander F. Santora Park <i>(formerly Meluso Park)</i>	303	A.1	.15
364 Grand St.		303	A.2	
362 Grand St.		303	A.3	
360 Grand St.		303	A.4	
<u>174 Brunswick Street</u>		<u>389</u>	<u>19</u>	<u>.0565</u>
<u>176 Brunswick Street</u>		<u>389</u>	<u>20</u>	<u>.0459</u>
388 1 st St.	First St. Park	410	25	.12
386 1 st St.		410	26	
384 1 st St.		410	27	
237 Brunswick St.	Roberto Clemente Sports Complex <i>(aka Enos Jones Park)</i>	418	A.PL	6.43
8 th St.		418	PL.F	
376 8 th St.		418	9	
378-380 8 th St.		418	10	
381 8 th St.		418	12.A	

ORDINANCE AMENDING CHAPTER 239 (PARKS) OF THE JERSEY CITY CODE TO MODIFY THE CITY'S RECREATIONAL AND OPEN SPACE INVENTORY TO ADD THREE PROPERTIES: 1) 174 BRUNSWICK STREET, 2) 176 BRUNSWICK STREET AND 3) 285 OGDEN AVENUE AND DEDICATING THESE PROPERTIES AS PARKLANDS FOR PUBLIC RECREATION

Newark & Merseles Merseles & 3 rd St.	Mary Benson Park Complex	439 439	A PT.3	2.95
96 Palisade Ave. 90 Palisade Ave.	Sgt. Anthony Park	551 551	17 18	.58
109-115 Ogden Ave. 105-107 Ogden Ave.	Janet Moore Park <i>(formerly Cuneo Pl. Park)</i>	722.B 722.B	3.99 7.A	.30
<u>285 Ogden Ave.</u>		<u>768</u>	<u>54</u>	<u>.0342</u>
Riverview Park Riverview Park	Riverview-Fisk Park	768 769	VAR VAR	5.53
201 Central Ave.	Pershing Field	835	N	13.45
Hillside Rd. Terrace Ave. Hillside Rd. Terrace Ave. Terrace Ave. Hillside Rd. Terrace Ave. Terrace Ave. Terrace Ave. Terrace Ave. Terrace Ave. Hillside Rd. Terrace Ave.	Edward Crincoli, R.A., Park <i>(formerly Terrace Ave. Park)</i>	922 922 922 922 922 922 922 922 922 922 922 922 922	19 19 19 19 19 19 19 19 19 19 19 19 19	.45
3305-65 Kennedy Blvd.	Leonard Gordon Park	935	30	5.81
30 Sycamore Rd.	Thomas McGovern Park <i>(formerly Country Village Park, includes College LL Field)</i>	1253.7	A.1	2.50
259-265 Linden Ave.	Woodland Ave. Park	1267	105	.17
179 West Side Ave.	Metro Field <i>(includes C. Fricchione playground)</i>	1275.1	1	2.33
103-129 Bergen Ave.	Audubon Park <i>(aka Maj. John Desmond Park)</i>	1283.5	4	3.43
Broadman Pkwy. Broadman Pkwy.	Lt. R.B. Grover Memorial Park	1300.A 1300.B	84.B 10.D	.39
146 Wilkinson Ave. 152 Wilkinson Ave. 150 Wilkinson Ave.	Dr. Edith Bland Phillips Park <i>(formerly Wilkinson Ave. Park)</i>	1304 1305 1305	A.6 D.7 D.8	.30
125 ML King Dr.	Fulton Ave. Park	1337	6.B	.29
90 Van Nostrand Ave. 92 Van Nostrand Ave. 102 Van Nostrand Ave. 104-106 Van Nostrand Ave. 108 Van Nostrand Ave. 110 Van Nostrand Ave. 93 Armstrong Ave. 91 Armstrong Ave.	Muhammed Ali Park	1342 1342 1342 1342 1342 1342 1342 1342	15.DUP 16.A 21.DUP 22.A 24.A 25 43 44	.50
66 ML King Dr. 64 ML King Dr. 62 ML King Dr.	Vernater Watson Park <i>(formerly Stevens Ave. Park)</i>	1346 1346 1346	29.B 31.B 32.B	.24

ORDINANCE AMENDING CHAPTER 239 (PARKS) OF THE JERSEY CITY CODE TO MODIFY THE CITY'S RECREATIONAL AND OPEN SPACE INVENTORY TO ADD THREE PROPERTIES: 1) 174 BRUNSWICK STREET, 2) 176 BRUNSWICK STREET AND 3) 285 OGDEN AVENUE AND DEDICATING THESE PROPERTIES AS PARKLANDS FOR PUBLIC RECREATION

13 Ludlow St.	Ralph Taylor Memorial Park	1360.75	A.1	.26
9 Ludlow St.		1360.75	A.3	
7 Ludlow St.		1360.75	A.4	
5 Ludlow St.		1360.75	A.5	
3 Ludlow St.		1360.75	A.6	
1 Ludlow St.		1360.75	A.7	
250 Old Bergen Rd.	Ferris Triangle Park	1366.1	62.B	.23
1626-38 Kennedy Blvd.	Columbia Park (aka Greenville Memorial Park)	1374	WB	4.72
31 Old Bergen Rd.	Martiniak-Enright Park (aka Pamrapo Ave. Park)	1379 1379	23A.PT 2E3.99	.21
480 Garfield Ave. Ft. of Richard St.	Bayside Park	1466 1466	8 8	9.23
16 Wilkinson Ave.	Skinner Memorial Park	1485	3.99	.14
Chapel Ave & Caven Pt Rd	Caven Point Complex Property of the Jersey City Board of Education. Leased, managed and maintained by the City of Jersey City	1500	16	17.81
2565 Kennedy Blvd.	Boyd McGuinness Park	1825.1	C.1	.22
88a DeKalb Ave.	La Pointe Park	1839	37.C	.28
53-55 Stuyvesant Ave.		1839	38	
90-92 DeKalb Ave.		1839	39	
57 Stuyvesant Ave.		1839	40.A	
94 DeKalb Ave.		1839	41.A	
1020 West Side Ave.	Pavonia Marion Park	1852	59	3.40
901 Pavonia Ave.	(includes Pavonia Pool)	1852	59	
903 Pavonia Ave.	(includes Martucci LL Field)	1852	59	
901 Pavonia Ave.	(includes Marion Plygrd.)	1852	59	
899 Pavonia Ave.	(includes Gus DiSanto Ct.)	1852	59	
Corbin Ave.		1852	59	
Corbin Ave.		1852	59	
Corbin Ave.		1852	59	
Corbin Ave.		1852	59	
Corbin Ave.		1852	59	
West Side Ave.		1852	59	
West Side Ave.		1852	59	
West Side Ave.		1852	59	
West Side Ave.		1852	59	
West Side Ave.		1852	59	
1040 West Side Ave.		1853	41	
West Side & Corbin Ave.		1853	41	
848 Pavonia Ave.	Brett Triangle	1856.1	I	.02
298 Academy St.	Apple Tree House	1871	34	.48
8-9 Foye Pl.	McGinley Square Park	1896	29	.30
722 Montgomery St.		1896.5	A	
531 Communipaw Ave.	Harmon St. Pool	1941	17	.52
1025-1031 Garfield Ave.	Terry DeHere Park (aka Garfield Ave. Park)	1947	G.27	.40
785 Grand St.	Arlington Park (aka William Thorton Park)	1949	P	3.52

ORDINANCE AMENDING CHAPTER 239 (PARKS) OF THE JERSEY CITY CODE TO MODIFY THE CITY'S RECREATIONAL AND OPEN SPACE INVENTORY TO ADD THREE PROPERTIES: 1) 174 BRUNSWICK STREET, 2) 176 BRUNSWICK STREET AND 3) 285 OGDEN AVENUE AND DEDICATING THESE PROPERTIES AS PARKLANDS FOR PUBLIC RECREATION

38 Madison Ave.	38 Madison Ave. <i>(formerly Madison Ave. Park)</i>	1950	R	.91
36 Monticello Ave.	Monticello Ave. Park	1951	39	.16
566 Bramhall Ave.	Izetta Hill-McDuffy Park	1952	40.A	.07
568 Bramhall Ave.	<i>(formerly Bramhall Park)</i>	1952	41.A	
514 Jackson Ave.		1952	41.B	
285 Arlington Ave.	Arthur Ashe Park	1969	97.A	.12
Minerva St.	<i>(formerly Arlington/Minerva Park)</i>	1969	98.A	
80 Virginia Ave.	Virginia Ave. Park	1978	48	.23
78 Virginia Ave.		1978	49	
76 Virginia Ave.		1978	50	
74 Virginia Ave.		1978	51	
124 Lafayette St.	Rev. Erceel F. Webb Park <i>(aka Lafayette Park)</i>	2066.1	PK	4.43
335 Johnston Ave.	Dr. Lena Edwards Park	2074	34	.77
333 Johnston Ave.		2074	34	
331 Johnston Ave.		2074	34	
329 Johnston Ave.		2074	34	
327 Johnston Ave.		2074	34	
325 Johnston Ave.		2074	34	
285 Pine St.		2074	35	
283 Pine St.		2074	35	
368 Whiton St.		2074	36	
370 Whiton St.		2074	36	
372 Whiton St.		2074	36	
382 Whiton St.		2074	36	
384 Whiton St.		2074	36	
386 Whiton St.		2074	36	
388 Whiton St.		2074	36	
390 Whiton St.		2074	36	
Inside Lot Gateway Park Complex		2134	F	6.30
Bright St. & Merseles St.	<i>(aka Bright St. Gateway Park)</i>	2134	5-15, 17-24, P1-25	
Bright St.	<i>(includes Dick Seay Field)</i>	2134	25.PT, 26-32	
40 Merseles Ave.		2134.5	PL.2	
24 Merseles Ave.		2137	PL.2	
17-31 Merseles Ave.		2138	8	
490-504 Grand St.		2139	A3.PL	
Lincoln Park	Lincoln Park West	1702.1	1 portion	8
Subtotal of Acres Developed				120.62 120.76
Wholly Undeveloped Lands Held for Recreation and Conservation Purposes				
24-32 Hudson St.	Veteran Park	2	A	.34
New York Ave.	Tumulty Park	723	21.B	.49
New York Ave.		723	21.C	
Hillside Rd.	Terrace Ave.	923	5.B	.09
Hillside Rd.		923	12.B	
Hackensack R.&Clendenny	Hackensack River Greenway	1746.5	H2	33.88
Hackensack River		1751	12	

ORDINANCE AMENDING CHAPTER 239 (PARKS) OF THE JERSEY CITY CODE TO MODIFY THE CITY'S RECREATIONAL AND OPEN SPACE INVENTORY TO ADD THREE PROPERTIES: 1) 174 BRUNSWICK STREET, 2) 176 BRUNSWICK STREET AND 3) 285 OGDEN AVENUE AND DEDICATING THESE PROPERTIES AS PARKLANDS FOR PUBLIC RECREATION

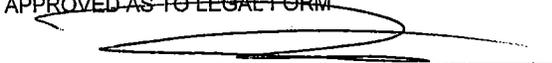
52 Summit Ave.	Summit Cornelison Park	1916	1	.50
113-116 Central Ave.	Reservoir 3	835	S portion	9
770-776 Ocean Avenue	Oak Street Park	1970	K.2 L.1 47.5 M.1	Survey to be provided
Berry Lane	Berry Lane	2040	A B.1 C.16 H G.1 E J.1 K	6.59
Subtotal of Acres Undeveloped				50.89
Total Acres of developed and open space from all pages				{171.51} 171.65

- B. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- C. This ordinance shall become 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*.

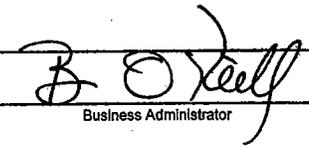
IW
4-01-09

APPROVED AS TO LEGAL FORM



Corporation Counsel

APPROVED:



Business Administrator

Certification Required
Not Required

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

Ord. 09-046

ORDINANCE NO. _____

TITLE: 3.D. APR 0 8 2009 4.C. APR 2 2 2009
4.A. JUN 1 7 2009



Ordinance amending Chapter 239 (Parks) of the Jersey City Code to modify the City's Recreational and Open Space Inventory to add three properties: 1) 174 Brunswick Street, 2) 176 Brunswick Street and 3) 285 Ogden Avenue and dedicating these properties as parklands for public recreation.

RECORD OF COUNCIL VOTE ON INTRODUCTION								APR 0 8 2009 9-0			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
KENNY	✓			FULOP	✓			FLOOD	✓		
LIPSKI	✓			RICHARDSON	✓			VEGA, PRES.	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING								APR 2 2 2009 9-0			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
KENNY	✓			FULOP	✓			FLOOD	✓		
LIPSKI	✓			RICHARDSON	✓			VEGA, PRES.	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

YVONNE BALCER
LAURA GOSA
BARBARA LANDES

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO				GAUGHAN				BRENNAN			
KENNY				FULOP				FLOOD			
LIPSKI				RICHARDSON				VEGA, PRES.			

✓ Indicates Vote

N.V.-Not Voting (Abstain)

RECORD OF FINAL COUNCIL VOTE											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
KENNY	✓			FULOP	✓			FLOOD	✓		
LIPSKI	✓			RICHARDSON	✓			VEGA, PRES.	✓		

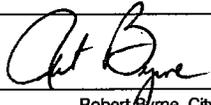
✓ Indicates Vote

N.V.-Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on APR 0 8 2009

Adopted on second and final reading after hearing on JUN 1 7 2009

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on JUN 1 7 2009



 Robert Byrne, City Clerk

APPROVED:


 Mariano Vega, Jr., Council President
 Date: JUN 1 7 2009

*Amendment(s):

APPROVED:


 Jerramiah L. Healy, Mayor
 Date JUN 1 9 2009
 Date to Mayor JUN 1 8 2009

City Clerk File No. _____ Ord. 09-068

Agenda No. _____ 3.E _____ 1st Reading

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

4.R. JUN 17 2009



ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 09-068

TITLE: BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF PROPERTY LOCATED AT 15 LINDEN AVENUE EAST IN AND BY THE CITY OF JERSEY CITY, IN THE COUNTY OF HUDSON, NEW JERSEY, APPROPRIATING \$24,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$24,000,000 BONDS OR NOTES OF THE CITY TO FINANCE PART OF THE COST THEREOF

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JERSEY CITY, IN THE COUNTY OF HUDSON, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The improvement described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the City of Jersey City, New Jersey as a general improvement. For the improvement or purpose described in Section 3, there is hereby appropriated the sum of \$24,000,000. Pursuant to N.J.S.A. 40A:12A-37, no down payment is required, as the improvement described in Section 3 is a redevelopment project under the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$24,000,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is the acquisition of real property commonly known as 15 Linden Avenue East and described on the Official Tax Map of the City as Block 1510, Lots X.1, 29 and Y and Block 1505, Lot D (collectively the "Property"), and all rights therein, and including related soil, environmental and geotechnical testing, grading and related site work, and all other costs necessary therefor or incidental thereto, to allow for the relocation of one or more City agencies, instrumentalities and/or departments from the Bayfront Redevelopment Area so that the property within the Bayfront Redevelopment Area may be environmentally remediated and made available for development.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF PROPERTY LOCATED AT 15 LINDEN AVENUE EAST IN AND BY THE CITY OF JERSEY CITY, IN THE COUNTY OF HUDSON, NEW JERSEY, APPROPRIATING \$24,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$24,000,000 BONDS OR NOTES OF THE CITY TO FINANCE PART OF THE COST THEREOF

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget of the City of Jersey City is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense. It is an improvement or purpose that the City may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this ordinance, is 40 years.

(c) The maximum interest rate of interest that the obligations shall bear shall not exceed seven per centum per annum (7.0%).

(d) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the City Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the City as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$24,000,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF PROPERTY LOCATED AT 15 LINDEN AVENUE EAST IN AND BY THE CITY OF JERSEY CITY, IN THE COUNTY OF HUDSON, NEW JERSEY, APPROPRIATING \$24,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$24,000,000 BONDS OR NOTES OF THE CITY TO FINANCE PART OF THE COST THEREOF

(e) An aggregate amount not exceeding \$20,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

(f) This bond ordinance authorizes obligations of the City solely for a purpose described in N.J.S.A. 40A:2-7(d). This purpose is in the public interest and is for the health, welfare, convenience or betterment of the inhabitants of the City. The amounts to be expended for this purpose pursuant to this bond ordinance are not unreasonable or exorbitant, and the issuance of the obligations authorized by this bond ordinance will not materially impair the credit of the City or substantially reduce its ability to pay punctually the principal of and the interest on its debts and to supply other essential public improvements and services. The Local Finance Board in the Division of Local Government Services of the Department of Community Affairs of the State of New Jersey has heretofore made a determination to this effect and has caused its consent to be endorsed upon a certified copy of this bond ordinance as passed upon first reading.

(g) Pursuant to the Local Lands and Buildings Law, N.J.S.A. 40A:12-3 *et seq.*, the Mayor, the Business Administrator, the Chief Financial Officer, the Corporation Counsel and other appropriate representatives of the City (the "City Representatives") are hereby authorized to acquire the real property described in Section 3 hereof on behalf of the City, by purchase, gift, condemnation or otherwise. The City Council hereby determines that it is necessary to acquire all interests in the property described in Section 3 in order to make the property available for the construction of a municipal facility to house the operations of one or more City agencies and/or departments. The City Representatives are hereby authorized to proceed with the acquisition of such real property through negotiations with the property owner or owners or other organizations or entities that may be involved. The Mayor of the City is further authorized to execute the contract or contracts necessary therefor, and the City Clerk is authorized to attest such execution in forms recommended by the Corporation Counsel. The signatures thereon shall provide conclusive evidence that the forms of the contracts have been so approved. The City Representatives are authorized to do all things necessary and to execute any such documents as may be reasonably necessary to effectuate the closing, to provide payment for the acquisition and to implement such contracts.

Section 7. The City hereby makes the following covenants and declarations with respect to obligations determined to be issued by the Chief Financial Officer on a tax-exempt basis. The City hereby covenants that it will comply with any conditions subsequent imposed by the Internal Revenue Code of 1986, as amended (the "Code"), in order to preserve the exemption from taxation of interest on the obligations, including, if necessary, the requirement to rebate all net investment earnings on the gross proceeds above the yield on the obligations. The Chief Financial Officer is hereby authorized to act on behalf of the City to deem the obligations authorized herein as bank qualified for the purposes of Section 265 of the Code, when appropriate. The City hereby declares the intent of the City to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.

BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF PROPERTY LOCATED AT 15 LINDEN AVENUE EAST IN AND BY THE CITY OF JERSEY CITY, IN THE COUNTY OF HUDSON, NEW JERSEY, APPROPRIATING \$24,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$24,000,000 BONDS OR NOTES OF THE CITY TO FINANCE PART OF THE COST THEREOF

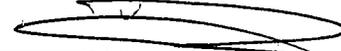
Section 8. Any grant moneys received for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used. Such proceeds in the amount of the down payment appropriated herein and in excess of the obligations authorized herein shall be reimbursed to the capital improvement fund.

Section 9. The chief financial officer of the City is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the City and to execute such disclosure document on behalf of the City. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the City pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the City and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the City fails to comply with its undertaking, the City shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the City are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the City, and the City shall be obligated to levy ad valorem taxes upon all the taxable real property within the City for the payment of the obligations and the interest thereon without limitation of rate or amount.

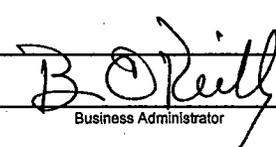
Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

APPROVED AS TO LEGAL FORM



Corporation Counsel

APPROVED: _____

APPROVED: 

Business Administrator

Certification Required
Not Required

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

Ord. 09-068

ORDINANCE NO. _____

TITLE: 3.E. MAY 20 2009 4.E. JUN 03 2009
4.R. JUN 17 2009



Bond Ordinance providing for the acquisition of property located at 15 Linden Avenue East in and by the City of Jersey City, in the County of Hudson, New Jersey, appropriating \$24,000,000 therefor and authorizing the issuance of \$24,000,000 Bonds or notes of the city to finance part of the cost thereof.

RECORD OF COUNCIL VOTE ON INTRODUCTION											
MAY 20 2009 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
KENNY	✓			FULOP	✓			FLOOD	✓		
LIPSKI	✓			RICHARDSON	✓			VEGA, PRES.	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

Councilperson RICHARDSON moved, seconded by Councilperson LIPSKI to close P.H.

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING											
JUN 03 2009 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
KENNY	✓			FULOP	✓			FLOOD	✓		
LIPSKI	✓			RICHARDSON	✓			VEGA, PRES.	✓		

✓ Indicates Vote

YVONNE BALCER

N.V.-Not Voting (Abstain)

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO				GAUGHAN				BRENNAN			
KENNY				FULOP				FLOOD			
LIPSKI				RICHARDSON				VEGA, PRES.			

✓ Indicates Vote

N.V.-Not Voting (Abstain)

RECORD OF FINAL COUNCIL VOTE											
JUN 17 2009 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
KENNY	✓			FULOP	✓			FLOOD	✓		
LIPSKI	✓			RICHARDSON	✓			VEGA, PRES.	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on MAY 20 2009

Adopted on second and final reading after hearing on JUN 17 2009

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on JUN 17 2009

Robert Byrne
 Robert Byrne, City Clerk

APPROVED:

Mariano Vega, Jr.
 Mariano Vega, Jr., Council President

Date: JUN 17 2009

APPROVED:

Jerramiah A. Healy
 Jerramiah A. Healy, Mayor

Date JUN 19 2009

Date to Mayor JUN 18 2009

*Amendment(s):