



ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 10-001

TITLE:

**ORDINANCE BY THE MUNICIPAL COUNCIL OF THE
CITY OF JERSEY CITY ACCEPTING A DEDICATION OF
CERTAIN LAND AND IMPROVEMENTS LOCATED
WITHIN THE POWERHOUSE ARTS DISTRICT
REDEVELOPMENT AREA**

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

WHEREAS, Athena Jersey City Urban Renewal LLC ("Athena"), a New Jersey limited liability company, is the owner of certain land and improvements thereon located on the western side of the Hudson Bergen Light Rail Transit System within the Powerhouse Arts District Redevelopment Area, which are the subject of this dedication; and

WHEREAS, Athena has constructed a park along with certain improvements including but not limited to landscaping, hardscape/walkways, curbs, benches, street lighting equipment, fencing, a dog run, trash receptacles, and an irrigation system within said land adjacent to the development at The A Building; and

WHEREAS, Athena desires to deliver a deed of easement in perpetuity to the City of Jersey City and dedicate said land and improvements for use as a public park with a walkway through the park to connect to the Hudson Bergen Light Rail Transit Station on Second Street; and

WHEREAS, the City of Jersey City is authorized pursuant to N.J.S.A. 40:67-1 and N.J.S.A. 40A:12-5 to accept the conveyance and dedication of lands for public purposes.

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

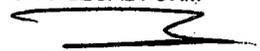
1. The land, improvements and appurtenances thereon located within the Powerhouse Arts District Redevelopment Area, more particularly described as follows:
 - a) Block 109, Lot 1 shown on Exhibit I attached hereto (the "Property") be and the same is hereby accepted and dedicated as a public park and right of way.
2. The City shall provide the Property with municipal services including, water, sewer, fire protection and police protection, including the enforcement of those local ordinances applicable to public parks and right-of-ways. Athena shall be responsible for the cost of water, sewer, and electric service.
3. The acceptance of this dedication shall be subject to the following terms and conditions:

Upon conveyance of the Deed of Easement to the City, Athena shall provide the City with a two (2) year maintenance bond for the improvements in a form satisfactory to the City. During the two (2) year period after the conveyance of the Deed of Easement, Athena shall promptly correct any deficiencies in workmanship and design which threaten the structural integrity of improvements or create a risk to public safety upon receiving notice of such deficiencies from the City's Municipal Engineer and/or Chief Architect. Athena shall correct all other deficiencies at the end of the two (2) year period. At the end of the two (2) year period, the City shall be responsible for the structural maintenance of the improvements which are the subject of this dedication.

4. After the completion of the improvements and approval of all items by the City's Municipal Engineer and/or Chief Architect, the Mayor or Business Administrator is hereby authorized to:
 - a) Subject to review and approval by the City's Corporation Counsel, execute the attached Park Dedication Agreement.
 - b) Subject to approval and acceptance by the City's Corporation Counsel of a title report provided by Athena, accept delivery of and record a deed of easement from Athena conveying the dedicated lands and improvements;
 - c) Subject to approval by the City's Corporation Counsel, execute all documents necessary to accomplish the dedication of the aforementioned lands and improvements;
 - d) Subject to review and approval by the Municipal Engineer, accept all easements described in paragraph 5 below; and
 - e) Subject to an easement of ingress and egress of Athena, its successors and assigns for the regular operation of the public park and to carry out and perform regular maintenance and repair of the park improvements.
5. This dedication shall be subject to all easements affecting the Property recorded in the office of the Hudson County Register for the benefit of public or private entities for the purpose of operating and maintaining, inspecting, protecting, repairing, replacing or reconstructing any part of the Light Rail Transit systems existing gas, electric, water, sewer or utility lines including cable television wires and poles and the Light Rail together with the right of ingress and egress at all times for such purposes and all other purposes in connection with or any way relating to an entity's use or operation thereof
 - A. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
 - B. This ordinance shall be a part of the Jersey City Code as though codified and fully set forth therein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.
 - C. This ordinance shall take effect at the time and in the manner 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.

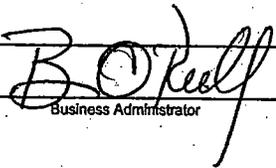
2009151

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. 10-001
 TITLE: 3.A. JAN 13 2010 4.A. JAN 27 2010



Ordinance of the Municipal Council of the City of Jersey City accepting a dedication of certain land and improvements located within the Powerhouse Arts District Redevelopment Area.

| RECORD OF COUNCIL VOTE ON INTRODUCTION | | | | | | | | | | | |
|--|-----|-----|------|---------------|-----|-----|------|---------------|-----|-----|------|
| | | | | JAN 13 2010 | | | | 9-0 | | | |
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| SOTTOLANO | ✓ | | | GAUGHAN | ✓ | | | BRENNAN | ✓ | | |
| DONNELLY | ✓ | | | FULOP | ✓ | | | FLOOD | ✓ | | |
| LOPEZ | ✓ | | | RICHARDSON | ✓ | | | VEGA | ✓ | | |

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

| RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING | | | | | | | | | | | |
|--|-----|-----|---|---------------|-----|-----|------|---------------|--------------|-----|------|
| | | | | JAN 27 2010 | | | | 8-0 | | | |
| Councilperson <u>SOTTOLANO</u> | | | moved, seconded by Councilperson <u>FLOOD</u> | | | | | | to close PH. | | |
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| SOTTOLANO | ✓ | | | GAUGHAN | ✓ | | | BRENNAN | ✓ | | |
| DONNELLY | ✓ | | | FULOP | ✓ | | | FLOOD | ✓ | | |
| LOPEZ | ✓ | | | RICHARDSON | ✓ | | | VEGA | ABSENT | | |

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

| RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY | | | | | | | | | | | |
|--|-----|-----|--|---------------|-----|-----|------|---------------|-----------|-----|------|
| Councilperson | | | moved to amend* Ordinance, seconded by Councilperson | | | | | | & adopted | | |
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| SOTTOLANO | | | | GAUGHAN | | | | BRENNAN | | | |
| DONNELLY | | | | FULOP | | | | FLOOD | | | |
| LOPEZ | | | | RICHARDSON | | | | VEGA | | | |

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

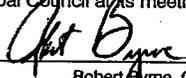
| RECORD OF FINAL COUNCIL VOTE | | | | | | | | | | | |
|------------------------------|-----|-----|------|---------------|-----|-----|------|---------------|--------|-----|------|
| | | | | JAN 27 2010 | | | | 8-0 | | | |
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| SOTTOLANO | ✓ | | | GAUGHAN | ✓ | | | BRENNAN | ✓ | | |
| DONNELLY | ✓ | | | FULOP | ✓ | | | FLOOD | ✓ | | |
| LOPEZ | ✓ | | | RICHARDSON | ✓ | | | VEGA | ABSENT | | |

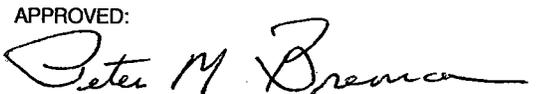
✓ Indicates Vote N.V.-Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on JAN 13 2010

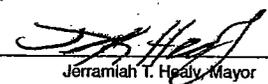
Adopted on second and final reading after hearing on JAN 27 2010

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on JAN 27 2010


 Robert Byrne, City Clerk

APPROVED:

 Peter M. Brennan, Council President

*Amendment(s):

Date: JAN 27 2010
 APPROVED:

 Jeremiah T. Healy, Mayor

Date: FEB - 1 2010

Date to Mayor JAN 28 2010



ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 10-004

**TITLE: ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING
THE SECOND SET OF AMENDMENTS TO THE NJCU WEST CAMPUS REDEVELOPMENT
PLAN**

WHEREAS, the Municipal Council, by Resolution #05-049, adopted on January 26, 2005, did declare the West Campus Study Area to be "an area in need of redevelopment;" and

WHEREAS, pursuant to the Local Redevelopment and Housing Law (NJSA 40A:12A-1 et seq.), the governing body is empowered to adopt and amend regulations governing development within an area declared in need of redevelopment; and

WHEREAS, the Municipal Council of the City of Jersey City adopted the NJCU West Campus Redevelopment Plan by Ordinance #05-007, adopted February 9, 2005; and

WHEREAS, the Municipal Council, upon recommendation of the Planning Board, adopted certain amendments to NJCU West Campus Redevelopment Plan on February 13, 2008 by Ordinance #08-007; and

WHEREAS, the Planning Board of Jersey City, at a public hearing held on December 15, 2009, reviewed and discussed additional proposed amendments to the NJCU West Campus Redevelopment Plan and voted to recommend those amendments for adoption by the Municipal Council; and

WHEREAS, the proposed amendments to the NJCU West Campus Redevelopment Plan, attached hereto and made a part hereof, are made 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 amendments to the NJCU West Campus Redevelopment Plan be, and hereby are, adopted as recommended by the Jersey City Planning Board.

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.
- E. The City Clerk is hereby directed to give notice at least ten days prior to hearing on the adoption of this Ordinance to the County Planning board and to all other persons entitled thereto pursuant to N.J.S. 40:55D-15 and N.J.S. 40:55D-63 (if required). Upon the adoption of this Ordinance after public hearing thereon, the City Clerk is further directed to publish notice of the passage thereof and to file a copy of the Ordinance as finally adopted with the Hudson County Planning Board as required by N.J.S. 40:55D-16. The clerk shall also forthwith transmit a copy of this Ordinance after final passage to the Municipal Tax Assessor as required by N.J.S. 40:49-2.1.

Robert D. Cotter, 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 THE SECOND SET OF AMENDMENTS TO THE NJCU WEST CAMPUS
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 Ordinance:

This ordinance adopts amendments to the NJCU West Campus Redevelopment Plan increasing right-of-way width dimensions, adding bicycle lanes and standards for bicycle parking and storage, improving pedestrian and vehicular right-of-way design, defining and creating standards for a Performing Arts Center, adjusting the Frontage Regulating Plan, updating the overall composition of the site area as well as the site capacity build-out numbers and adjusting the building block plan consistent with the capacity build-out and the Frontage Regulating Plan. In addition, corrections have been made for minor text errors to ensure consistency throughout the plan.

4. Reasons for the Proposed Project:

Adoption of these amendments will address right-of-way design concerns expressed by the Division of Engineering, will address bicycle and pedestrian friendly amenities consistent with the newly adopted Circulation Element of Master Plan, will facilitate better building and site design, and will facilitate timely redevelopment within the Plan area.

5. Anticipated Benefits to the Community:

Swifter and more beneficial redevelopment of long vacant and underutilized property to the benefit of the surrounding neighborhood suffering from disinvestment.

6. Cost of Proposed Program, Project, etc.: None

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 of City Planning 547-5050
Claire Davis, Supervising Planner, City Planning 547-5010

10. Additional Comments: None

I Certify that all the Facts Presented Herein are Accurate.



Division Director

Dec 15, 2009

Date



Department Director Signature

12/15/09

Date

SUMMARY

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING THE SECOND SET OF AMENDMENTS TO THE NJCU WEST CAMPUS REDEVELOPMENT PLAN

This ordinance adopts amendments to the NJCU West Campus Redevelopment Plan increasing right-of-way width dimensions, adding bicycle lanes and standards for bicycle parking and storage, improving pedestrian and vehicular right-of-way design, defining and creating standards for a Performing Arts Center, adjusting the Frontage Regulating Plan, updating the overall composition of the site area as well as the site capacity build-out numbers and adjusting the building block plan consistent with the capacity build-out and the Frontage Regulating Plan. In addition, corrections have been made for minor text errors to ensure consistency throughout the plan.

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

ORDINANCE NO. Ord. 10-004
 TITLE: 3.D. JAN 13 2010 4.C. JAN 27 2010



Ordinance of the Municipal Council of the City of Jersey City adopting the second set of amendments to the New Jersey City University West Campus Redevelopment Plan.

| RECORD OF COUNCIL VOTE ON INTRODUCTION JAN 13 2010 9-0 | | | | | | | | | | | |
|---|-----|-----|------|---------------|-----|-----|------|---------------|-----|-----|------|
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| SOTTOLANO | ✓ | | | GAUGHAN | ✓ | | | BRENNAN | ✓ | | |
| DONNELLY | ✓ | | | FULOP | ✓ | | | FLOOD | ✓ | | |
| LOPEZ | ✓ | | | RICHARDSON | ✓ | | | VEGA | ✓ | | |

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

| RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING JAN 27 2010 8-0 | | | | | | | | | | | |
|---|-----|-----|------|---|-----|-----|------|---------------|--------|-----|------|
| Councilperson <u>GAUGHAN</u> | | | | moved, seconded by Councilperson <u>SOTTOLANO</u> | | | | to close PH. | | | |
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| SOTTOLANO | ✓ | | | GAUGHAN | ✓ | | | BRENNAN | ✓ | | |
| DONNELLY | ✓ | | | FULOP | ✓ | | | FLOOD | ✓ | | |
| LOPEZ | ✓ | | | RICHARDSON | ✓ | | | VEGA | ABSENT | | |

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

| RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY | | | | | | | | | | | |
|--|-----|-----|------|--|-----|-----|------|---------------|-----|-----|------|
| Councilperson _____ | | | | moved to amend* Ordinance, seconded by Councilperson _____ | | | | & adopted | | | |
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| SOTTOLANO | | | | GAUGHAN | | | | BRENNAN | | | |
| DONNELLY | | | | FULOP | | | | FLOOD | | | |
| LOPEZ | | | | RICHARDSON | | | | VEGA | | | |

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

| RECORD OF FINAL COUNCIL VOTE JAN 27 2010 8-0 | | | | | | | | | | | |
|---|-----|-----|------|---------------|-----|-----|------|---------------|--------|-----|------|
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| SOTTOLANO | ✓ | | | GAUGHAN | ✓ | | | BRENNAN | ✓ | | |
| DONNELLY | ✓ | | | FULOP | ✓ | | | FLOOD | ✓ | | |
| LOPEZ | ✓ | | | RICHARDSON | ✓ | | | VEGA | ABSENT | | |

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

Adopted on first reading of the Council of Jersey City, N.J. on JAN 13 2010

Adopted on second and final reading after hearing on JAN 27 2010

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on JAN 27 2010

Robert Byrne, City Clerk

APPROVED:

Peter M. Brennan, Council President

*Amendment(s):

Date: JAN 27 2010

APPROVED:

Jerramiah T. Healy, Mayor

FEB - 1 2010

Date _____

Date to Mayor JAN 28 2010



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE

offered and moved adoption of the following ordinance:

CITY ORDINANCE 10-005

TITLE:

AN ORDINANCE VACATING THE PAPER STREET KNOWN AS DUDLEY STREET FROM ITS INTERSECTION WITH GREENE STREET AND EXTENDING EASTERLY

WHEREAS, Dudley Street east of Greene Street is shown as a paper street on the Tax Map of the City of Jersey City; and

WHEREAS, the State of New Jersey is the owner of the Morris Canal Little Basin which adjoins the southerly side of the paper street known as Dudley Street; and

WHEREAS, Colgate Center Property Owners' Association is the owner of Block 33, Lot K which is used as a park and is the property that adjoins the northerly side of the paper street known as Dudley Street; and

WHEREAS, the New Jersey Department of Environmental Protection desires that the City vacate Dudley Street east of Greene Street so that the Hudson River Waterfront Walkway can be extended across the vacated portion of Dudley Street (Exhibit "A"); and

WHEREAS, the Colgate Center Property Owners' Association has adopted a resolution stating that it agrees to a marginal vacation of the paper street known as Dudley Street (Exhibit "B"); and

WHEREAS, under this marginal vacation, title to all of the vacated street will vest in the State of New Jersey; and

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

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

Section I. All that portion of Dudley Street in the City of Jersey City, as is hereinafter more particularly described and is shown and delineated on the plan which is attached hereto (Exhibit "A"), be and the same is hereby vacated, which part of the aforesaid street is more particularly described as follows:

Beginning at a point of intersection of the easterly line of Greene Street (60' R.O.W.) And the northerly line of Dudley Street (30' R.O.W.), said point being distant 200.00 feet southerly from the intersection of said easterly line of Greene Street and the southerly line of Essex Street (60' R.O.W.); thence

1. Along the said northerly line of Dudley Street, South 81° 40' 31" East, a distance of 150.00 feet to a point on the dividing line of Dudley Street and Block 2, Lot C; thence

- 2. Along the dividing line of Dudley Street and Block 2, Lot C, South 08° 19' 29" West, a distance of 30.00 feet to a point on the southerly line of Dudley Street; thence
- 3. Along the southerly line of Dudley Street, North 81°40'31" West, a distance of 150.00 feet to a point; thence
- 4. North 08°19'29" East, a distance of 30.00 feet to the Point of Beginning.

Encompassing an area of 4,500 S.F./0.103 acres, more or less

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

Section III The State of New Jersey Department of Environmental Protection shall provide access to the Colgate Center Property Owners' Association property boundary along the Northern side of Dudley Street for the purpose of repairs and maintenance, however, such repairs and maintenance shall not result in the closing of the waterfront walkway at this location.

Section IV. This ordinance shall be filed with the Register of Hudson County within thirty (30) days after this ordinance becomes effective. Upon filing with the Register of the County of Hudson, title to the vacated portion of Dudley Street shall vest in the State of New Jersey because this is a marginal vacation.

Section V. This ordinance shall be subject to the following:

(A) In the event there are utilities located under the area being vacated herein under, 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. 1986(c. 48:5A-1 et seq) for the purpose of ingress egress over and upon the area subject to this vacation ordinance in order to maintain, repair or replace existing utility facilities including waterlines, sewer lines, gas lines, 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 ordinance; and

(B) No buildings or structures of any kind may be constructed over the water or sewer utilities within the area subject to the vacation without the consent of the Chief Engineer of the City of Jersey City unless and until those utilities are relocated and/or abandoned.

(C) The owner of Block 33, Lot K shall have access over the area being vacated herein for repairs and maintenance to its retaining wall and to preserve the grade of its land.

Section VI. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

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

Section IX The City Clerk and the Corporation Council 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 the existing provisions.

APPROVED AS TO LEGAL FORM

Raymond R. Roldan
Asst. Corporation Counsel

APPROVED:

[Signature]
Business Administrator

- Certification Required
- Not Required

ORDINANCE FACT SHEET

1. Full Title of Ordinance:

AN ORDINANCE VACATING THE PAPER STREET KNOWN AS DUDLEY STREET FROM ITS INTERSECTION WITH GREENE STREET AND EXTENDING EASTERLY

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:

To vacate a 150' x 30' wide paper segment of Dudley Street. One adjacent property owner is the State of NJ and the other is the Colgate Property Owners Association. The Property Owners Association has agreed to a marginal vacation which means that all of the vacated Street will vest with the State of NJ.

4. Reasons for the Proposed Project:

This R-O-W does not connect into the street network. It is currently tidally flowed and strewn with debris. It is at the water's edge and should be use for the Hudson River Waterfront Walkway.

5. Anticipated Benefits to the Community:

Completion of a large gap of the waterfront walkway by the State of NJ.

6. Cost of Proposed Program, Project, etc.: public notice costs for Mailing and County Clerk filing costs

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

11/23/09
Date

Carl Czaplicki
Department Director Signature

11/23/09
Date

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

ORDINANCE NO. Ord. 10-005
 TITLE: 3.E. JAN 13 2010 4.D. JAN 27 2010



An ordinance vacating the paper street known as Dudley Street from its intersection with Greene Street and extending easterly.

| RECORD OF COUNCIL VOTE ON INTRODUCTION | | | | | | | | | | | | JAN 13 2010 | | | |
|--|-----|-----|------|---------------|-----|-----|------|---------------|-----|-----|------|-------------|--|--|--|
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | | | | |
| SOTTOLANO | | | | GAUGHAN | | | | BRENNAN | | | | | | | |
| DONNELLY | | | | FULOP | | | | FLOOD | | | | | | | |
| LOPEZ | | | | RICHARDSON | | | | VEGA | | | | | | | |

✓ Indicates Vote

N.V.-Not Voting (Abstain)

| RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING | | | | | | | | | | | | JAN 27 2010 8-0 | | | |
|--|-----|-----|------|--|-----|-----|------|---------------|-----|-----|---------------|-----------------|--|--|--|
| Councilperson <u>FULOP</u> | | | | moved, seconded by Councilperson <u>RICHARDSON</u> | | | | to close P.H. | | | | | | | |
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | | | | |
| SOTTOLANO | ✓ | | | GAUGHAN | ✓ | | | BRENNAN | ✓ | | | | | | |
| DONNELLY | ✓ | | | FULOP | ✓ | | | FLOOD | ✓ | | | | | | |
| LOPEZ | ✓ | | | RICHARDSON | ✓ | | | VEGA | | | <u>ABSENT</u> | | | | |

✓ Indicates Vote

ANDREW HUBSCH BARBARA BETRO
MARIANN SUCCI-CARTER

N.V.-Not Voting (Abstain)

| RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY | | | | | | | | | | | |
|--|-----|-----|------|--|-----|-----|------|---------------|-----|-----|------|
| Councilperson _____ | | | | moved to amend* Ordinance, seconded by Councilperson _____ | | | | & adopted | | | |
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| SOTTOLANO | | | | GAUGHAN | | | | BRENNAN | | | |
| DONNELLY | | | | FULOP | | | | FLOOD | | | |
| LOPEZ | | | | RICHARDSON | | | | VEGA | | | |

✓ Indicates Vote

N.V.-Not Voting (Abstain)

| RECORD OF FINAL COUNCIL VOTE | | | | | | | | | | | | JAN 27 2010 8-0 | | | |
|------------------------------|-----|-----|------|---------------|-----|-----|------|---------------|-----|-----|---------------|-----------------|--|--|--|
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | | | | |
| SOTTOLANO | ✓ | | | GAUGHAN | ✓ | | | BRENNAN | ✓ | | | | | | |
| DONNELLY | ✓ | | | FULOP | ✓ | | | FLOOD | ✓ | | | | | | |
| LOPEZ | ✓ | | | RICHARDSON | ✓ | | | VEGA | | | <u>ABSENT</u> | | | | |

✓ Indicates Vote

N.V.-Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on JAN 13 2010

Adopted on second and final reading after hearing on JAN 27 2010

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on JAN 27 2010

Robert Byrne, City Clerk

APPROVED:

 Peter M. Brennan, Council President

*Amendment(s):

Date: JAN 27 2010
 APPROVED:

 Jeremiah T. Healy, Mayor

Date: FEB - 1 2010

Date to Mayor JAN 28 2010



ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 10-006

TITLE: **ORDINANCE SUPPLEMENTING CHAPTER 257 (PROPERTY TRANSFERS AND LEASES) OF THE JERSEY CITY CODE**

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

A. The following supplement to Chapter 257 (Property Transfers and Leases) of the Jersey City Code is adopted:

§257-1 through §257-5. No Change.

§257-6 Disclosure of availability of zoned parking permits for residential buildings.

A. As used in this sub-chapter, "Residential Building" is defined as any structure containing five (5) or more units, including any unit therein, that is offered for sale or lease, for occupancy in whole or in part, as a residence or sleeping quarter by one (1) or more person.

B. The seller or landlord, as appropriate, of any Residential Building located within a zone designated for restricted parking pursuant to Section 26-70.1 and Schedule 26 of the City Code, shall furnish the prospective buyer or prospective tenant, with a copy of the Notice appearing in Section C, below, prior to the following events:

(i) Sales: the signing of a contract of sale or the acceptance of a deposit for sale of a unit in any Residential Building, whichever occurs first; or

(ii) Leases: the signing of a lease or the acceptance of a deposit for a lease of a unit in any Residential Building, whichever occurs first.

C. The Notice shall be in the following form and printed or typed in a font of at least ten (10) point:

NOTICE REGARDING PARKING PERMIT ZONES

Some Residential Buildings in Jersey City are located within a zone that allows residents to purchase a permit for long term parking on the public streets within the zone. However, not all Residential Buildings that may appear to be within the zone are, in fact, eligible for zoned parking permits.

To determine whether or not a specific Residential Building is within a restricted parking zone and whether or not a resident of the Residential Building is eligible to purchase a parking permit in the zone, you must first contact the Jersey City Parking Authority, which operates the Residential Parking Permit Zone Program for the City of Jersey City, pursuant to Section 12-3.1 of the City Code. The Parking Authority telephone number is (201) 653-6969.

D. The seller or landlord, as appropriate, shall also:

**ORDINANCE SUPPLEMENTING CHAPTER 257 (PROPERTY TRANSFERS AND LEASES)
OF THE JERSEY CITY CODE**

- (1) Require the buyer or tenant to sign an acknowledgment that he or she has timely received a copy of the above Notice; and
- (2) Retain on file a copy of the buyer's or tenant's written acknowledgment of the timely Notice for inspection by the City.

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

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

JM/he
12/30/09

APPROVED AS TO LEGAL FORM



Corporation Counsel

APPROVED: _____

APPROVED: _____


Business Administrator

Certification Required
Not Required

Jersey City Law Department

Memorandum

To: Robert Byrne, City Clerk
From: Joanne Monahan, First Asst. Corporation Counsel
Subject: Amendment to Chapter 257-6
Date: December 31, 2009

Enclosed is a new version of an amendment to Chapter 257-6 pertaining to the disclosure of availability of zoned parking permits for residential buildings. You will note that it limits the mandate of disclosures to residential buildings with five (5) or more units.

This amendment accords with the suggestion in the Mayor's Veto Statement of the previously adopted ordinance. It is my understanding that the sponsor, Councilman Steven Fulop, has indicated that he will not seek to override the Mayor's veto and will instead, agree to the re-introduction of the ordinance as now presented.

JM /he
Encl.

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

ORDINANCE NO. Ord. 10-006
 TITLE: 3.F. JAN 13 2010 4.E. JAN 27 2010



Ordinance supplementing Chapter 257 (Property Transfers and Leases) of the Jersey City Code. (Disclosure of Zone Parking).

| RECORD OF COUNCIL VOTE ON INTRODUCTION | | | | | | | | | | | |
|--|-----|-----|------|---------------|-----|-----|------|---------------|-----|-----|------|
| JAN 13 2010 9-0 | | | | | | | | | | | |
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| SOTTOLANO | ✓ | | | GAUGHAN | ✓ | | | BRENNAN | ✓ | | |
| DONNELLY | ✓ | | | FULOP | ✓ | | | FLOOD | ✓ | | |
| LOPEZ | ✓ | | | RICHARDSON | ✓ | | | VEGA | ✓ | | |

✓ Indicates Vote

N.V.-Not Voting (Abstain)

| RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING | | | | | | | | | | | |
|--|-----|-----|------|---|-----|-----|------|---------------|--------|-----|------|
| JAN 27 2010 8-0 | | | | | | | | | | | |
| Councilperson <u>GAUGHAN</u> | | | | moved, seconded by Councilperson <u>BRENNAN</u> | | | | to close PH. | | | |
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| SOTTOLANO | ✓ | | | GAUGHAN | ✓ | | | BRENNAN | ✓ | | |
| DONNELLY | ✓ | | | FULOP | ✓ | | | FLOOD | ✓ | | |
| LOPEZ | ✓ | | | RICHARDSON | ✓ | | | VEGA | ABSENT | | |

✓ Indicates Vote

N.V.-Not Voting (Abstain)

| RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY | | | | | | | | | | | |
|--|-----|-----|------|---------------|-----|-----|------|---------------|-----|-----|------|
| Councilperson _____ moved to amend* Ordinance, seconded by Councilperson _____ & adopted | | | | | | | | | | | |
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| SOTTOLANO | | | | GAUGHAN | | | | BRENNAN | | | |
| DONNELLY | | | | FULOP | | | | FLOOD | | | |
| LOPEZ | | | | RICHARDSON | | | | VEGA | | | |

✓ Indicates Vote

N.V.-Not Voting (Abstain)

| RECORD OF FINAL COUNCIL VOTE | | | | | | | | | | | |
|------------------------------|-----|-----|------|---------------|-----|-----|------|---------------|--------|-----|------|
| JAN 27 2010 8-0 | | | | | | | | | | | |
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| SOTTOLANO | ✓ | | | GAUGHAN | ✓ | | | BRENNAN | ✓ | | |
| DONNELLY | ✓ | | | FULOP | ✓ | | | FLOOD | ✓ | | |
| LOPEZ | ✓ | | | RICHARDSON | ✓ | | | VEGA | ABSENT | | |

✓ Indicates Vote

N.V.-Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on JAN 13 2010

Adopted on second and final reading after hearing on JAN 27 2010

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

Robert Byrne, City Clerk

APPROVED:

Peter M. Brennan, Council President

*Amendment(s):

Date:

APPROVED:

Jeremiah T. Healy, Mayor

FEB - 1 2010

Date _____

Date to Mayor JAN 28 2010



ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 10-007

**ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING
TITLES AMENDMENTS TO ARTICLE I (DEFINITIONS), ARTICLE III (PROCEDURES AND
CHECKLISTS), AND ARTICLE V (SUPPLEMENTAL ZONING REGULATIONS)**

WHEREAS, the Municipal Council, pursuant to NJSA 40:55D-62, may adopt or amend a zoning ordinance relating to the nature and extent of the uses of land and of buildings and structures thereon; and

WHEREAS, there is a need define and set guidelines for art murals citywide; and

WHEREAS, it is necessary to set guidelines for numerical rounding of zoning standard calculations for development applications; and

WHEREAS, it is necessary to amend the review agent list and procedures in the Land Development Ordinance in order to retain consistency between it, the City's General Development Application, and previously adopted review procedures; and

WHEREAS, the Municipal Council, pursuant to NJSA 40:55D-64, has sought and received the recommendations of the Jersey City Planning Board relative to these issues; and

WHEREAS, the amendments to the Land Development Ordinance are attached hereto and made a part hereof, and are available for public inspection at the Office of the City Clerk, City Hall, 280 Grove Street, Jersey City, NJ;

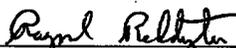
NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Jersey City that the above referenced amendments to the NJCU West Campus Redevelopment Plan be, and hereby are, adopted as recommended by the Jersey City Planning Board.

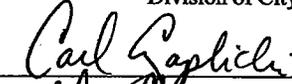
BE IT FURTHER ORDAINED THAT:

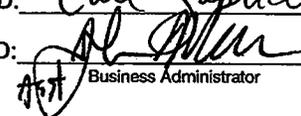
- A. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- B. This ordinance shall be a part of the Jersey City Code as though codified and set forth fully herein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City 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.
- E. The City Clerk is hereby directed to give notice at least ten days prior to hearing on the adoption of this Ordinance to the County Planning board and to all other persons entitled thereto pursuant to N.J.S. 40:55D-15 and N.J.S. 40:55D-63 (if required). Upon the adoption of this Ordinance after public hearing thereon, the City Clerk is further directed to publish notice of the passage thereof and to file a copy of the Ordinance as finally adopted with the Hudson County Planning Board as required by N.J.S. 40:55D-16. The clerk shall also forthwith transmit a copy of this Ordinance after final passage to the Municipal Tax Assessor as required by N.J.S. 40:49-2.1.


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

APPROVED AS TO LEGAL FORM


Raymond Bellinger
Asst. 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 AMENDMENTS TO ARTICLE I (DEFINITIONS), ARTICLE III (PROCEDURES AND CHECKLISTS), AND ARTICLE V – SUPPLEMENTARY ZONING REGULATIONS

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 Plan Proposed in the Ordinance:

Defines and sets standards for art murals, amends the Land Development Ordinance’s Site Plan and Subdivision review agent list to make it consistent with previously adopted procedures, and sets guidelines for the numerical rounding for zoning standard calculations.

4. Reasons (Need) for the Proposed Program, Project, etc.:

Amendments are needed in order to regulate murals citywide, to bring the Land Development Ordinance review agent into consistency with recently adopted procedures, and to clarify calculation guidelines for developers to ensure consistency and clarity in zoning standards.

5. Anticipated Benefits to the Community:

Greater clarity with respect to the procedures involved in Site Plan review and regulation of public art murals

6. Cost of Proposed Plan, etc.:

None

7. Date Proposed Plan will commence:

Upon approval

8. Anticipated Completion Date: N/A

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

Carl Czaplicki, Director, Dept of HEDC
Robert D. Cotter, City Planning Director

10. Additional Comments: None

I Certify that all the Facts Presented Herein are Accurate.


Division Director

JANUARY 6, 2010
Date


Department Director Signature

1/6/2010
Date

SUMMARY STATEMENT

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO ARTICLE I (DEFINITIONS), ARTICLE III (PROCEDURES AND CHECKLISTS), AND ARTICLE V – SUPPLEMENTARY ZONING REGULATIONS

Defines and sets standards for art murals, amends the review agent list for Site Plan and Subdivision review for consistency with previously adopted procedures, and sets guidelines for the numerical rounding of zoning standard calculations.

§ 345-22 Minor subdivision and minor site plan review procedures

A. Submission Requirements.

1. Submission requirements for minor subdivision and minor site plan approval are provided in the Minor Subdivision and Minor Site Plan Checklist in this article.
2. ~~The applicant shall forward copies of the application to the following for review and comment, where appropriate:~~
 - ~~a. Division of City Planning;~~
 - ~~b. Construction Code Official;~~
 - ~~c. Division of Engineering;~~
 - ~~d. Department of Fire and Emergency Services;~~
 - ~~e. Historic Preservation Commission;~~
 - ~~f. Police Department;~~
 - ~~g. Municipal Utilities Authority;~~
 - ~~h. Division of Traffic and Street Maintenance;~~
 - ~~i. Environmental Commission;~~
 - ~~j. United Water Company.~~
23. The Division of City Planning shall have the authority to refer any application to other *any applicable review* agencies or individuals for comments or recommendations. ***A current and complete list of review agents may be obtained from the Division of City Planning.***

(no changes in remainder of section)

§ 345-23 Preliminary major subdivision and site plan review procedures

A. Submission Requirements.

1. Submission requirements for preliminary major subdivision and preliminary site plan approval are provided in the Preliminary Major Subdivision and Site Plan Checklist.
2. ~~The applicant shall forward copies of the application to the following for review and comment, where appropriate:~~
 - ~~a. Division of City Planning;~~
 - ~~b. Construction Code Official;~~
 - ~~c. Division of Engineering;~~
 - ~~d. Department of Fire and Emergency Services;~~
 - ~~e. Historic Preservation Commission;~~
 - ~~f. Police Department;~~
 - ~~g. Municipal Utilities Authority;~~
 - ~~h. Division of Traffic and Street Maintenance;~~
 - ~~i. Environmental Commission;~~
 - ~~j. United Water Company.~~
23. The Division of City Planning shall have the authority to refer any application to other *any applicable review* agencies or individuals for comments or recommendations. ***A current and complete list of review agents may be obtained from the Division of City Planning.***

(no changes in remainder of section)

§ 345-24 Final approval of major subdivision and site plan review procedures

A. Submission Requirements.

1. Submission requirements for preliminary major subdivision and preliminary site plan approval are provided in the Final Major Subdivision and Final Major Site Plan Checklist.

~~2. The applicant shall forward copies of the application to the following for review and comment, where appropriate:~~

- ~~a. Division of City Planning;~~
- ~~b. Construction Code Official;~~
- ~~c. Division of Engineering;~~
- ~~d. Department of Fire and Emergency Services;~~
- ~~e. Historic Preservation Commission;~~
- ~~f. Police Department;~~
- ~~g. Municipal Utilities Authority;~~
- ~~h. Division of Traffic and Street Maintenance;~~
- ~~i. Environmental Commission;~~
- ~~j. United Water Company.~~

23. The Division of City Planning shall have the authority to refer any application to other *any applicable review* agencies or individuals for comments or recommendations. *A current and complete list of review agents may be obtained from the Division of City Planning.*

(no changes in remainder of section)

Definition:

Mural: an art installation on the wall of a building or structure

§345-60 Supplementary Zoning Regulations

E. Zoning Standard Calculations: When a numerical calculation of zoning standards for a particular lot results in a fractional number, such numbers shall be rounded down to the next whole number for fractions less than .500 and rounded up for fractions .500 and above.

E.F. Frontage Upon a Street

F.G. Height Exceptions

G.H. Accessory Structures and Uses unless regulated elsewhere in this chapter

H.I. Conditional Uses

J. Murals

1. Design standards:

- a. Murals must be adhered directly to the structure and project no more than four (4) inches, consisting of paint, canvas, wood, tiles, metal or glass with no electric, electronic, or lighted elements.***
- b. Murals shall be reversible and shall not permanently damage the façade of the structure being used.***
- c. Murals shall not advance or promote any business product, activity, or service, and thus shall not contain advertising nor logo insignias with the exception of a sponsorship signature which may be a maximum of 1% of the mural area or 10 sf, whichever is less.***
- d. Murals shall not provide direct or indirect profit to any party other than the contributing artist(s).***
- e. Murals shall not depict illegal activity.***
- f. Murals in historic districts and on buildings listed on, or eligible to be listed on, the national, state, or municipal historic registry, are subject to review and approval by the Historic Preservation Commission.***

2. Procedures

- a. Prior to the installation of a Mural, as defined, a sketch of the proposed artwork is to be provided to the Zoning Officer and the Division of City Planning.***
- b. If within a historic district or on, eligible to be listed on the national, state, or municipal historic registry, a sketch of the proposed artwork is to be provided to the Historic Preservation Commission.***
- c. Division of City Planning, and Historic Preservation Commission when required, will review and provide a Certificate of Mural Approval to the***

Zoning Officer, confirming that the proposal is a mural and not a sign. A Certificate of Mural Approval may then be signed by the Zoning Officer.

- I.K** Child Care Centers
- J.L** Family Daycare Homes
- K.M** Senior Housing
- L.N** Essential Services
- M.O** Community Residences
- N.P** Conversions of First Floor Commercial Uses to a Dwelling Unit.
- O.Q** Wireless Communications
- P.R** Group Homes
- Q.S** Restaurant Overlay
- R.T** Satellite Earth Stations
- S.U** Nonconforming Uses, Structures and Lots

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

ORDINANCE NO. Ord. 10-007
 TITLE: 3.G. JAN 13 2010 4.F. JAN 27 2010



Ordinance of the Municipal Council of the City of Jersey City adopting amendments to Article I (Definitions), Article III (Procedures and Checklists), and Article V (Supplemental Zoning Regulations). (Art Murals)

| RECORD OF COUNCIL VOTE ON INTRODUCTION | | | | | | | | | | | |
|--|-----|-----|------|---------------|-----|-----|------|---------------|-----|-----|------|
| JAN 13 2010 | | | | | | | | | | | |
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| SOTTOLANO | ✓ | | | GAUGHAN | ✓ | | | BRENNAN | ✓ | | |
| DONNELLY | ✓ | | | FULOP | ✓ | | | FLOOD | ✓ | | |
| LOPEZ | ✓ | | | RICHARDSON | ✓ | | | VEGA | ✓ | | |

✓ Indicates Vote

N.V.-Not Voting (Abstain)

| RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING | | | | | | | | | | | |
|--|-----|-----|------|---|-----|-----|------|---------------|--------|-----|------|
| JAN 27 2010 8-0 | | | | | | | | | | | |
| Councilperson <u>SOTTOLANO</u> | | | | moved, seconded by Councilperson <u>BRENNAN</u> | | | | to close PH. | | | |
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| SOTTOLANO | ✓ | | | GAUGHAN | ✓ | | | BRENNAN | ✓ | | |
| DONNELLY | ✓ | | | FULOP | ✓ | | | FLOOD | ✓ | | |
| LOPEZ | ✓ | | | RICHARDSON | ✓ | | | VEGA | ABSENT | | |

✓ Indicates Vote

N.V.-Not Voting (Abstain)

| RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY | | | | | | | | | | | |
|--|-----|-----|------|--|-----|-----|------|---------------|-----|-----|------|
| Councilperson | | | | moved to amend* Ordinance, seconded by Councilperson | | | | & adopted | | | |
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| SOTTOLANO | | | | GAUGHAN | | | | BRENNAN | | | |
| DONNELLY | | | | FULOP | | | | FLOOD | | | |
| LOPEZ | | | | RICHARDSON | | | | VEGA | | | |

✓ Indicates Vote

N.V.-Not Voting (Abstain)

| RECORD OF FINAL COUNCIL VOTE | | | | | | | | | | | |
|------------------------------|-----|-----|------|---------------|-----|-----|------|---------------|--------|-----|------|
| JAN 27 2010 8-0 | | | | | | | | | | | |
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| SOTTOLANO | ✓ | | | GAUGHAN | ✓ | | | BRENNAN | ✓ | | |
| DONNELLY | ✓ | | | FULOP | ✓ | | | FLOOD | ✓ | | |
| LOPEZ | ✓ | | | RICHARDSON | ✓ | | | VEGA | ABSENT | | |

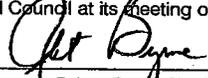
✓ Indicates Vote

N.V.-Not Voting (Abstain)

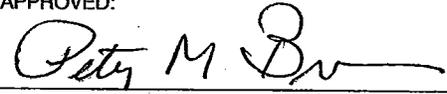
Adopted on first reading of the Council of Jersey City, N.J. on JAN 13 2010

Adopted on second and final reading after hearing on JAN 27 2010

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on JAN 27 2010

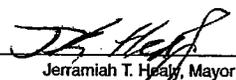

 Robert Byrne, City Clerk

APPROVED:


 Peter M. Brennan, Council President

Date: JAN 27 2010

APPROVED:


 Jerramiah T. Healy, Mayor

FEB 1 2010

Date _____

JAN 28 2010

Date to Mayor _____



ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 10-008

TITLE:

**STATE FISCAL YEAR 2010
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS
AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A:4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S.A. 40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Municipal Council of the City of Jersey City in the County of Hudson finds it advisable and necessary to increase its SFY 2010 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Municipal Council hereby determines that a 1 % increase in the budget for said year, amounting to \$3,736,484.60 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the Municipal Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Municipal Council of the City of Jersey City, in the County of Hudson, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the SFY 2010 budget year, the final appropriations of the City of Jersey City shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by 3.5 %, amounting to \$13,077,696.10 and that the SFY 2010 municipal budget for the City of Jersey City be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

APPROVED AS TO LEGAL FORM

Raymond Reddick
Attorney Corporation Counsel

APPROVED:

Kathleen D. Dealey

APPROVED:

Business Administrator

Certification Required
Not Required

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

ORDINANCE NO. Ord. 10-008
 TITLE: 3.H. JAN 13 2010 4.G. JAN 27 2010



Ordinance to exceed the Municipal Budget appropriation limits and to establish a Cap Bank (N.J.S.A.40A:4-45.14).

| RECORD OF COUNCIL VOTE ON INTRODUCTION | | | | | | | | | | | |
|--|-----|-----|------|---------------|-----|-----|------|---------------|-----|-----|------|
| JAN 13 2010 9-0 | | | | | | | | | | | |
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| SOTTOLANO | ✓ | | | GAUGHAN | ✓ | | | BRENNAN | ✓ | | |
| DONNELLY | ✓ | | | FULOP | ✓ | | | FLOOD | ✓ | | |
| LOPEZ | ✓ | | | RICHARDSON | ✓ | | | VEGA | ✓ | | |

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

| RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING | | | | | | | | | | | |
|--|-----|-----|------|---|-----|-----|------|---------------|--------|-----|------|
| JAN 27 2010 8-0 | | | | | | | | | | | |
| Councilperson <u>SOTTOLANO</u> | | | | moved, seconded by Councilperson <u>GAUGHAN</u> | | | | to close P.H. | | | |
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| SOTTOLANO | ✓ | | | GAUGHAN | ✓ | | | BRENNAN | ✓ | | |
| DONNELLY | ✓ | | | FULOP | ✓ | | | FLOOD | ✓ | | |
| LOPEZ | ✓ | | | RICHARDSON | ✓ | | | VEGA | ABSENT | | |

✓ Indicates Vote N.V.-Not Voting (Abstain)
YVONNE BALCER AMY ERTTEL CANDICE OSBORNE
NORRICE RAYMAKER CATHERINE GRIMM WARREN CURTIN
SEVERN WILLIS

| RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY | | | | | | | | | | | |
|--|-----|-----|------|---------------|-----|-----|------|---------------|-----|-----|------|
| Councilperson _____ moved to amend* Ordinance, seconded by Councilperson _____ & adopted | | | | | | | | | | | |
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| SOTTOLANO | | | | GAUGHAN | | | | BRENNAN | | | |
| DONNELLY | | | | FULOP | | | | FLOOD | | | |
| LOPEZ | | | | RICHARDSON | | | | VEGA | | | |

✓ Indicates Vote N.V.-Not Voting (Abstain)
ERIC MASON PHILIP CARRINGTON
BOB McLAUGHLIN
JASON BURG

| RECORD OF FINAL COUNCIL VOTE | | | | | | | | | | | |
|------------------------------|-----|-----|------|---------------|-----|-----|------|---------------|--------|-----|------|
| JAN 27 2010 5-3 | | | | | | | | | | | |
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| SOTTOLANO | ✓ | | | GAUGHAN | ✓ | | | BRENNAN | ✓ | | |
| DONNELLY | ✓ | | | FULOP | | ✓ | | FLOOD | ✓ | | |
| LOPEZ | | ✓ | | RICHARDSON | | ✓ | | VEGA | ABSENT | | |

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

Adopted on first reading of the Council of Jersey City, N.J. on JAN 13 2010

Adopted on second and final reading after hearing on JAN 27 2010

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on JAN 27 2010

Robert Byrne
 Robert Byrne, City Clerk

APPROVED:
Peter M Brennan
 Peter M. Brennan, Council President

Date: JAN 27 2010
 APPROVED:

J. Healy
 Jeremiah T. Healy, Mayor

FEB - 1 2010

Date _____

Date to Mayor JAN 28 2010

*Amendment(s):