

City Clerk File No. Ord. 12-160

Agenda No. 3.A 1st Reading

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



# ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 12-160

TITLE: **ORDINANCE AMENDING CHAPTER A350 (RULES OF ORDER) OF THE JERSEY CITY CODE TO ADD A RULE CONCERNING POLICE PRESENCE DURING COUNCIL MEETINGS TO MAINTAIN ORDER**

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

**WHEREAS**, pursuant to N.J.S.A. 40:69A-180 it is the Municipal Council that determines its rules of procedure; and

**WHEREAS**, pursuant to Chapter A350, Rule VI (B), the Council President is responsible for maintaining order at council meetings; and

**WHEREAS**, in the past, a police officer was to attend council meetings to assist with the maintenance of order and to protect the safety the citizens, and the elected and appointed officials during council meetings; and

**WHEREAS**, due to several recent controversial agenda items, the disorder which occurred during a recent council meeting in Newark, as well as the charged political atmosphere likely to arise as the result of the City's upcoming municipal elections, the Council should undertake preventative measures to insure the protection of all participants at its council meetings; and

**WHEREAS**, a police officer should be assigned to attend council meetings to assist with maintaining order during council meetings.

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

A. The following amendments to Chapter A350(Rules of Order) are hereby adopted:

§§ A350-1 through A350-7 No Change

§ A350-8.- Rule VI.i: Maintaining order

In addition to the Presiding Officer who is required to preserve strict order and decorum at all meetings under Rule A350-7, a police officer shall be assigned to attend at all council meetings and remain in attendance for thirty (30) minutes following its adjournment.

§§ A350-8 through A350-29 shall be renumbered accordingly

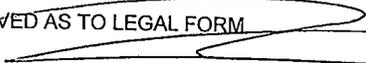
B. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

- C. This ordinance shall be a part of the Jersey City Code as though codified and fully set forth therein. The City shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.
- D. This ordinance shall take effect at the time and in the manner as provided by law.
- E. The City Clerk and the Corporation Counsel be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.

Note: All new material is underlined For purposes of advertising only, new matter is indicated by **boldface** and repealed matter by *italic*.

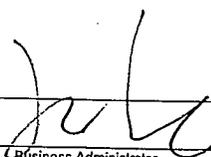
JM/kk

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. 12-160

TITLE: 3.A. DEC 19 2012 4.A. JAN 09 2013



Ordinance amending Chapter A350 (Rules of Order) of the Jersey City Code to add a rule concerning Police presence during Council meetings to maintain order.

RECORD OF COUNCIL VOTE ON INTRODUCTION											
DEC 19 2012 8-1											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
DONNELLY	✓			FULOP		✓		LAVARRO	✓		
LOPEZ	✓			RICHARDSON	✓			COLEMAN	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING											
JAN 09 2013 9-0											
Councilperson <u>BRENNAN</u>				moved, seconded by Councilperson <u>GAUGHAN</u>				to close PH.			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
DONNELLY	✓			FULOP	✓			LAVARRO	✓		
LOPEZ	✓			RICHARDSON	✓			COLEMAN	✓		

✓ Indicates Vote YVONNE BALZER  
JASON BURG

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				LAVARRO			
LOPEZ				RICHARDSON				COLEMAN			

✓ Indicates Vote

N.V.-Not Voting (Abstain)

RECORD OF FINAL COUNCIL VOTE											
JAN 09 2013 8-1											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
DONNELLY	✓			FULOP		✓		LAVARRO	✓		
LOPEZ	✓			RICHARDSON	✓			COLEMAN	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on DEC 19 2012

Adopted on second and final reading after hearing on JAN 09 2013

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on JAN 09 2013

Robert Byrne  
Robert Byrne, City Clerk

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

\*Amendment(s):

Date: JAN 09 2013  
APPROVED:

Jerramiah T. Healy  
Jerramiah T. Healy, Mayor

Date: JAN 11 2013

Date to Mayor JAN 10 2013



# CITY OF JERSEY CITY

JERRAMIAH T. HEALY, MAYOR

11 January 2013

**TO:** COUNCIL PRESIDENT PETER BRENNAN  
MEMBERS OF THE CITY COUNCIL

**FROM:** JERRAMIAH T. HEALY  
MAYOR

**RE:** ORDINANCE 12-161

I am vetoing Ordinance 12-161 for the same reasons that are in my veto message of 28 December 2012 (see attached).

**Cc:** Robert Byrne, City Clerk  
Rosemary Mc Fadden, Chief of Staff  
William Matsikoudis, Corporation Counsel

OFFICE OF THE MAYOR



# CITY OF JERSEY CITY

JERRAMIAH T. HEALY, MAYOR

28 December 2012

TO: COUNCIL PRESIDENT PETER BRENNAN  
MEMBERS OF THE CITY COUNCIL

FROM: JERRAMIAH T. HEALY  
MAYOR

A handwritten signature in black ink, appearing to read "J. Healy".

RE: ORDINANCE 12-158

Over the past months, the City Council has considered four separate ordinances that would revise Jersey City's existing pay to play laws that are widely considered the strictest in the State of New Jersey. The original impetus to amend the pay to play laws came from the public in response to a no-bid contract awarded by the Board of Education to an insurance firm that is a contributor and major fundraiser in Jersey City municipal elections, even though that firm did not score the highest on a matrix established by the Board of Education or provide the lowest bid.

Accordingly, the first of the many pay to play proposals to be considered was introduced with my support and would have restricted firms that have no bid contracts with the Board of Education from making donations to candidates for the city council and for mayor.

However, in light of legal concerns expressed by the Law Department, public interest lawyers and the Citizens Campaign, that the City could not legally implement such a regulation, this ordinance was modified to simply restrict firms that have no bid city contracts from contributing to candidates for the Board of Education. This proposal was subsequently tabled by the City Council.

The other ordinances, including the one that I am vetoing today, would extend the restriction on campaign contributions to candidates for State Senate and the General Assembly in certain circumstances. While the wisdom as to the policy behind this ordinance may be debatable, what is clear is that there is confusion amongst the members of the City Council as to what this ordinance would do and that there are serious legal and constitutional questions concerning this ordinance in its current form.

Indeed, the Citizens' Campaign and Civic JC, the two organizations with the most credibility on the issue of pay to play, supported an alternative ordinance that the City Council rejected. Additionally, a group

OFFICE OF THE MAYOR

of respected public interest lawyers, including the lawyer who drafted the current version that is before me, have been working on a revised version but their work was left incomplete because the City Council rushed to pass an ordinance that is simply not ready and suffers from potentially fatal legal deficiencies.

We should not legislate by trial and error. Therefore, I am vetoing ordinance 12-158.

Cc: Robert Byrne, City Clerk  
William Matsikoudis, Corporation Counsel  
Rosemary Mc Fadden, Chief of Staff

City Clerk File No. Ord. 12-161  
3.B  
Agenda No. \_\_\_\_\_ 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 12-161

AN ORDINANCE AMENDING CHAPTER 3 (ADMINISTRATION AND  
TITLE: GOVERNMENT) ARTICLE VI (REDEVELOPER'S PAY TO PLAY REFORM  
ORDINANCE) ADDING ADDITIONAL PROHIBITED DONATIONS TO CERTAIN  
COMMITTEES AND CANDIDATES

### §3-51.2.-Redevelopment pay-to-play reform.

A. Prohibition of entering into or amending redevelopment agreements with certain contributors.

(1) Any other provision of law to the contrary notwithstanding, the City of Jersey City or any of its purchasing agents or agencies or those of its independent authorities, as the case may be, shall not enter into an agreement, amend an agreement, or otherwise contract with any redeveloper, as defined in section (3) below, for the planning, re-planning, construction or undertaking of any redevelopment project, including the acquisition or leasing of any public property in conjunction with the redevelopment of any area within the City of Jersey City pursuant to the Local Redevelopment and Housing Law, if that redeveloper has made any "contribution" (as such term is defined at N.J.A.C. 19:25-1.7, which definition includes loans, pledges and in-kind contributions) (hereafter "contribution"), to:

- (a) A candidate, candidate committee or joint candidates committee of any candidate for elective municipal office in Jersey City, any candidate for City of Jersey City elective Board of Education office, or a holder of public office having ultimate responsibility for arranging, entering into, or approving the redevelopment agreement, or for appointing those who enter into the agreement on behalf of the City of Jersey City, or
- (b) To any candidate committee or joint candidate committee established by a candidate or office holder for Assembly or Senate elected office which represents a district encompassing Jersey City and which has given direct monetary or in kind support to any candidate or office holder of any Jersey City elective municipal office in the twelve months prior to the award of, or during the term of, a contract subject to this ordinance, or
- (b) (c) To any Jersey City or Hudson County political committee or political party committee, or
- (d) To every political party or committee of the City of Jersey City; every state or county political party committee; every legislative leadership committee; every political committee, continuing political committee, or other organization, entity or form of association required to register annually with ELEC that has undertaken any of the following actions in the twelve (12) months prior to the award of, or during the term of, a contract subject to this ordinance: (1) made a direct monetary contribution in excess of \$200.00 or in kind contribution, to any candidate committee established for the benefit of a candidate for City of Jersey City municipal election; (2) transfers more

~~than five percent (5%) of its assets to a candidate committee established for the benefit of a candidate for City of Jersey City municipal election of any candidate for City of Jersey City municipal election; (4) engages in voter identification initiatives within the City of Jersey City; or (5) engages in voter registration and get-out-the-vote activities defined by 11 C.F.R. 100.133 within the City of Jersey City. To any continuing political committee or political action committee that regularly engages in the support of jersey City municipal or Hudson County elections and/or Jersey City municipal or Hudson County candidates, candidate committees, joint candidate committees, political committees, political parties, political party committees, (hereinafter "PAC"), during the applicable time period which, for purposes of this section, shall be defined as three (3) months prior to applying to enter into the redevelopment agreement, amended agreement, or contract (hereinafter "agreement").~~

(2) All redevelopment agreements or amendments thereto entered into by the City of Jersey City shall contain a provision prohibiting redevelopers, as defined in section (3) below, to solicit or make any contribution to:

- (a) A candidate, candidate committee or joint candidates committee of any candidate for elective municipal office in Jersey City or any candidate for City of Jersey City elective Board of Education office, or a holder of public office having ultimate responsibility for arranging, entering into, or approving the redevelopment agreement, or for appointing those who enter into the agreement on behalf of the City of Jersey City, or
- (b) To any candidate committee or joint candidate committee established by a candidate or office holder for Assembly or Senate elected office which represents a district encompassing Jersey City and which has given direct monetary or in kind support to any candidate or office holder of any Jersey City elective municipal office in the twelve months prior to the award of, or during the term of, a contract subject to this ordinance, or
- (b) (c) To any Jersey City or Hudson County political committee or political party committee, or
- (d) To every political party or committee of the City of Jersey City; every state or county political party committee; every legislative leadership committee; every political committee, continuing political committee, or other organization, entity or form of association required to register annually with ELEC that has undertaken any of the following actions in the twelve (12) months prior to the award of, or during the term of, a contract subject to this ordinance: (1) made a direct monetary contribution in excess of \$200.00 or in kind contribution, to any candidate committee established for the benefit of a candidate for City of Jersey City municipal election; (2) transfers more than five percent (5%) of its assets to a candidate committee established for the benefit of a candidate for City of Jersey City municipal election of any candidate for City of Jersey City municipal election; (4) engages in voter identification initiatives within the City of Jersey City; or (5) engages in voter registration and get-out-the-vote activities defined by 11 C.F.R. 100.133 within the City of Jersey City. To any continuing political committee or political action committee that regularly engages in the support of jersey City municipal or Hudson County elections and/or Jersey City municipal or Hudson County candidates, candidate committees, joint candidate committees, political committees, political parties, political party committees, (hereinafter "PAC"), between application to enter into a redevelopment project and the later of the termination of negotiations or rejection of any proposal, or the completion of all matters or time period specified in the redevelopment agreement.

(3) As defined in N.J.S.A. 40A:12A-3, a "redevelopers" mean any person, firm, corporation, partnership, limited liability company, organization, association, or public body that shall enter into or propose to enter into an agreement with a municipality or other redevelopment entity for the redevelopment or rehabilitation of an area in need of redevelopment, or an area in need of rehabilitation, or any part thereof, under the provisions of this act, or for any construction or other work forming part of a redevelopment or rehabilitation project. For the purposes of this ordinance the definition of redeveloper also includes all principals who own ten percent (10%) of more of the equity in the corporation or business trust as well as partners and officer of the redeveloper and any affiliates or subsidiaries directly controlled by the redeveloper. Spouses and any child/children shall also be included.

(4) For the purposes of this section, the office that is considered to have responsibility for arranging and entering into the redevelopment agreement under the Act shall be:

- (a) The Jersey City Council if the redevelopment agreement requires approval or appropriation from the Council or a public officer who is responsible for arranging or entering into the redevelopment agreement if that public officer is appointed by the Council, or
- (b) The Mayor of Jersey City if the redevelopment agreement requires the approval of the Mayor or a public officer who is responsible for arranging or entering into the redevelopment agreement if that public officer is appointed by the Mayor, or
- (c) A designated redevelopment entity, if the redevelopment agreement requires the approval of the redevelopment entity.

B. Contributions made prior to the effective date. No contribution or solicitation of contributions made prior to the effective date of this section shall be deemed to give rise to a violation of this section.

C. Contribution statement of redeveloper; notice given by municipality.

(1) Prior to arranging and entering into the redevelopment agreement with any redeveloper the City of Jersey City or any of its purchasing agents or agencies or independent authorities, as the case may be, shall receive a sworn statement from the redeveloper:

- (a) That the redeveloper has not made any contribution in violation of subsection A.(1) above and
- (b) That all persons or entities representing or in the employ or acting as an agent of the redeveloper have agreed to be bound by the terms of this section. The City of Jersey City, through any appropriate redevelopment agent, agency, officer, authority, or department, shall be responsible for informing the City Council that the aforementioned sworn statement has been received and that the redeveloper is not in violation of this ordinance, prior to awarding the agreement. Furthermore, the redeveloper shall have a continuing duty to report any violations of this ordinance that may occur while arranging and entering into the redevelopment agreement, and until all specified terms or time period of the agreement have been completed. The certification required under this subsection shall be made prior to entry into the agreement with the municipality and shall be in addition to any other certifications that may be required by any other provisions of law.

(2) It shall be the municipality's continuing responsibility to give notice of this section when the municipality gives notice of redevelopment pursuant to 40A:12A-6 and when the municipality adopts a resolution directing the planning board to prepare a redevelopment plan and at the time that the municipality adopts the ordinance to implement the redevelopment plan.

D. Disclosure requirement applicability to consultants.

(1) The contribution and disclosure requirements in this section shall apply to all redevelopers as well as professionals, consultants or lobbyists contracted or employed by the business entity ultimately designated as the redeveloper to provide services related to the:

- (a) Lobbying of government officials in connection with the examination of an area and its designation as an area in need of redevelopment or in connection with the preparation, consultation and adoption of the redevelopment plan;
- (b) Obtaining the designation or appointment as redeveloper;
- (c) Negotiating the terms of a redevelopment agreement or any amendments or modifications thereto; and
- (d) Performing the terms of a redevelopment agreement.

(2) It shall be a breach of the consultant's contract, and shall require immediate termination, for a consultant to violate the contribution limits and disclosure requirements in this section.

(3) A redeveloper who participates in, or facilitates, the circumvention of the contribution restrictions through consultants, professionals or agents shall be deemed to be in breach.

E. Return of excess contributions. A redeveloper or municipal candidate or officeholder or municipal or county party committee or "PAC" referenced in this ordinance may cure a violation of subsection A. of this section, if, within thirty (30) days after the date on which the applicable ELEC report is published, the redeveloper notifies the Municipal Council in writing and seeks and receives reimbursement of a contribution from the recipient of such contribution.

F. Penalty.

(1) It shall be a breach of the terms of the City of Jersey City redevelopment agreement for a redeveloper to:

- (a) Make or solicit a contribution in violation of this ordinance;
- (b) Knowingly conceal or misrepresent a contribution given or received;
- (c) Make or solicit contributions through intermediaries for the purpose of concealing or misrepresenting the source of the contribution;
- (d) Make or solicit any contribution on the condition or with the agreement that it will be contributed to a candidate, candidate committee or joint candidates committee of any candidate for elective municipal office in Jersey City, or a holder of public office having ultimate responsibility for arranging, entering into, or approving the redevelopment agreement, or for appointing those who enter into the agreement on behalf of the City of Jersey City, or any Jersey City or Hudson County political committee or political party committee, or any "PAC";
- (e) Engage or employ a lobbyist or consultant with the intent or understanding that such lobbyist or consultant would make or solicit any contribution, which if made or solicited by the redeveloper itself, would subject that entity to the restrictions of this section;
- (f) Funds contributions made by third parties, including consultants, attorneys, family members, and employees;

- (g) Engage in any exchange of contributions to circumvent the intent of this ordinance; or
- (h) Directly or indirectly, through or by any other person or means, do any act which would subject that entity to the restrictions of this section.

(2) Furthermore, any redeveloper who violates (a) ii-viii shall be disqualified from eligibility for future Jersey City redevelopment agreements for a period of four (4) calendar years from the date of the violation.

G. Severability. If any provision of this section, or the application of any such provision to any person or circumstances, shall be held invalid, the remainder of this section to the extent it can be given effect, or the application of such provision to persons or circumstances other than those to which it is held invalid shall not be affected thereby, and to this extent the provisions of this section are severable. The drafters of this section, the persons signing the petition in support of this section, and the persons who cast votes in favor of the section, declare that they would have supported the section and each section, subsection, sentence, clause, phrase, or provision or application thereof, irrespective of the fact that any one (1) or more sections, subsections, sentences, clauses, phrases, or provisions or applications thereof may be held invalid.

H. Repealer. All ordinances or parts of ordinances which are inconsistent with any provisions of this section are hereby repealed as to the extent of such inconsistencies.

I. Effective date. This section shall become effective twenty (20) days following the final adoption thereof by the Municipal Council of the City of Jersey City.

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 12-161  
 TITLE: 3.B. DEC 19 2012 4.B. JAN 09 2013



An ordinance amending Chapter 3 (Administration and Government) Article VI (Redeveloper's Pay to Play Reform Ordinance) adding additional prohibited donations to certain committees and candidates.

RECORD OF COUNCIL VOTE ON INTRODUCTION											
DEC 19 2012 5-4											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO		✓		GAUGHAN		✓		BRENNAN		✓	
DONNELLY	✓			FULOP	✓			LAVARRO	✓		
LOPEZ	✓			RICHARDSON		✓		COLEMAN	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING											
JAN 09 2013 9-0											
Councilperson <u>RICHARDSON</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	✓			LAVARRO	✓		
LOPEZ	✓			RICHARDSON	✓			COLEMAN	✓		

✓ Indicates Vote

JASON BURG  
YVONNE BALLER  
WILLIAM DORRITTY  
JOHN SEBEROWSKI

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				LAVARRO			
LOPEZ				RICHARDSON				COLEMAN			

✓ Indicates Vote

N.V.-Not Voting (Abstain)

RECORD OF FINAL COUNCIL VOTE											
JAN 09 2013 5-4											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO		✓		GAUGHAN		✓		BRENNAN		✓	
DONNELLY	✓			FULOP	✓			LAVARRO	✓		
LOPEZ	✓			RICHARDSON		✓		COLEMAN	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on DEC 19 2012

Adopted on second and final reading after hearing on JAN 09 2013

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on JAN 09 2013

Robert Byrne  
 Robert Byrne, City Clerk

APPROVED:

Peter M. Brennan  
 Peter M. Brennan, Council President

Date: JAN 09 2013

APPROVED:

Jerramiah T. Healy, Mayor

Date \_\_\_\_\_

Date to Mayor JAN 10 2013

City Clerk File No. Ord. 12-163

Agenda No. 3.D 1st Reading

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



## ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE

offered and moved adoption of the following ordinance:

CITY ORDINANCE 12-163

**TITLE: AN ORDINANCE VACATING A PORTION OF GROVE SQUARE CONSISTING OF APPROXIMATELY 1,910 SQUARE FEET IN ORDER TO ALIGN THE STREET GRID WITH THE LIBERTY HARBOR NORTH REDEVELOPMENT PLAN**

**WHEREAS**, on March 23, 2005, the Municipal Council of the City of Jersey City finally adopted Ordinance 05-032, vacating a portion of Canal Street and of Grove Street, consisting of approximately 18,968.4618 square feet, and accepting a portion of the vacated area measuring approximately 11,992.9684 square feet, therein designated as "Grove Square", in order to effectuate the street grid contained in the Liberty Harbor North Redevelopment Plan as in effect on that date; and

**WHEREAS**, the Liberty Harbor North Redevelopment Plan was subsequently amended with respect to the street grid; and

**WHEREAS**, on May 15, 2012, the Planning Board of the City of Jersey City granted preliminary and final major subdivision approval (the "**Subdivision Approval**", a copy of which is file with the City Clerk) to Grand LHN III Urban Renewal, LLC "to subdivide four existing lots into five lots, including two lots for the extension of rights of way in connection with the property located at 237 Grand Street, 'Grand Street', 1 Canal Street and the 'Grove Square' right-of-way, also known on the Jersey City Tax Maps as Block 15901, Lots 1, 2, 3, 4 and 'Grove Square' " in order to "create development lots and right-of-way extensions consistent with the Liberty Harbor North Redevelopment Plan"; and

**WHEREAS**, in order to effectuate the terms of the Liberty Harbor North Redevelopment Plan and the Subdivision Approval, the Jersey City Redevelopment Agency (the "**Petitioner**") has requested the vacation of a portion of Grove Square measuring approximately 1,910 square feet (the "**Vacation Parcel**"), as depicted on that certain map prepared by Birdsall Services Group, dated August 9, 2012, and entitled "Vacation of a Portion of Grove Square (Lot 5.10)", (the "**Map**", a copy of which is attached hereto as Exhibit A), and as described in that certain metes and bounds description prepared by Birdsall Services Group, dated September 19, 2012 and entitled "Description of Right-of-Way Vacation Portion of Grove Square City of Jersey City, Hudson County, New Jersey" (the "**Description**", a copy of which is attached hereto as Exhibit B); and

**WHEREAS**, immediately prior to the dedication of the Vacation Parcel to the City, the Petitioner was the owner of the Vacation Parcel; and

**WHEREAS**, the Vacation Parcel is not necessary for general public use, and the rights of the public will not be injuriously or adversely affected by the requested vacation; and

**WHEREAS**, the new street pattern has been approved by the City Council in its adoption of the amendments to the Liberty Harbor North Redevelopment Plan, and by the Jersey City Planning Board in its granting of the Subdivision Approval; and

**WHEREAS**, upon adoption of this Ordinance, and filing of the Ordinance and the Map with the Hudson County Register, title to the Vacation Parcel shall vest in the Petitioner; and

**WHEREAS**, all publication and notice requirements having been met,

**NOW THEREFORE, BE IT ORDAINED** by the Municipal Council of the City of Jersey City as follows:

AN ORDINANCE VACATING A PORTION OF GROVE SQUARE CONSISTING OF APPROXIMATELY 1,910 SQUARE FEET IN ORDER TO ALIGN THE STREET GRID WITH THE LIBERTY HARBOR NORTH REDEVELOPMENT PLAN

**Section 1.** All of the recitals hereto are hereby incorporated herein as if set forth at length.

**Section 2.** All of that part or portion of Grove Square as depicted on the Map attached hereto as Exhibit A as the Vacation Parcel, and described in the Description attached hereto as Exhibit B, measuring approximately 1,910 square feet shall be and is hereby vacated and the public easement and the rights therein shall be and are hereby extinguished.

**Section 3.** All costs and expenses incidental to the introduction, passage, and publication of this Ordinance shall be borne by Petitioner, if and to the extent such costs are not waived by the City because the Petitioner is a municipal agency.

**Section 4.** Petitioner shall file this Ordinance, the Map and the Description with the Hudson County Register within sixty days of the effective date of this Ordinance. Upon filing of this Ordinance, the Map and the Description with the Hudson County Register, title to the Vacation Parcel shall vest in Petitioner.

**Section 5.** This Ordinance shall be subject to the following:

- (a) In the event the utilities, if any, presently located under the Vacation Parcel 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", *N.J.S.A. 48:5A-1 et seq.*, for the purpose of ingress and egress over and upon the area subject to this 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 Vacation Parcel.
- (b) 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 unless and until those utilities are relocated and/or abandoned.
- (c) In the event that the utilities, if any, presently lying in the Vacation Parcel are relocated, then the easement otherwise created hereby shall immediately terminate and the same shall be considered abandoned by the respective utility company.

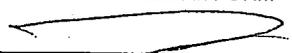
**Section 6.** All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed.

**Section 7.** 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 8.** This Ordinance shall take effect at the time and in the manner provided by law.

**Section 9.** 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 repeal of the existing provisions.

APPROVED AS TO LEGAL FORM

  
\_\_\_\_\_  
Corporation Counsel

APPROVED: \_\_\_\_\_

APPROVED:   
\_\_\_\_\_  
Business Administrator

Certification Required   
Not Required

**ORDINANCE/RESOLUTION FACT SHEET**

This summary sheet is to be attached to the front of any ordinance, resolution, cooperation agreement or contract that is submitted for Council consideration. Incomplete or 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/Resolution/Cooperation Agreement:**  
AN ORDINANCE VACATING A PORTION OF GROVE SQUARE CONSISTING OF APPROXIMATELY 1,910 SQUARE FEET IN ORDER TO ALIGN THE STREET GRID WITH THE LIBERTY HARBOR NORTH REDEVELOPMENT PLAN
2. **Name and Title of Person Initiating the Ordinance/Resolution, etc.:**  
Robert P. Antonicello, Executive Director, Jersey City Redevelopment Agency, 201-547-4781.
3. **Concise Description of the Program, Project or Plan Proposed in the Ordinance/Resolution:**  
This Ordinance will authorize the vacation of a portion of Grove Square in order to effectuate the terms of the Liberty Harbor North Redevelopment Plan as amended which provide for a new street pattern.
4. **Reasons (Need) for the Proposed Program, Project, etc.:**  
The Jersey City Redevelopment Agency has been charged with the responsibility of carrying out the Liberty Harbor North Redevelopment Plan and the vacation of a portion of Grove Square is necessary to complete the extension and alignment of a street to be constructed as required by the Redevelopment Plan.
5. **Anticipated Benefits to the Community:**  
Construction of a new street for current and future residents and commercial tenants.
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 contributions.):**  
N/A
7. **Date Proposed Program or Project will Commence:**  
Upon adoption of this Ordinance
8. **Anticipated Completion Date:**  
Approximately 5 - 7 years for complete build out of surrounding development parcels.
9. **Person Responsible for Coordinating Proposed Program, Project, etc.:**  
Robert P. Antonicello, Executive Director, JCRA
10. **Additional Comments:**

I certify that all the Facts Presented Herein are Accurate.

  
 \_\_\_\_\_  
 Signature of ROBERT P. ANTONICELLO  
 Executive Director  
 Jersey City Redevelopment Agency

9-24-12  
 \_\_\_\_\_  
 Date

  
 \_\_\_\_\_  
 Signature of CARL CZAPLICKI  
 Director, Department of Housing, Economic  
 Development and Commerce

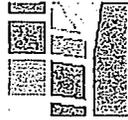
9/26/12  
 \_\_\_\_\_  
 Date

COMMISSIONERS

HON. MICHAEL J. SOTTOLANO  
Chairman

PIYUSH M. AMIN  
Vice Chairman

EVELYN FARMER  
HON. ROLANDO R. LAVARRO, JR.  
TIMOTHY N. MANSOUR  
JOHN SPINELLO  
RUSSELL J. VERDUCCI



**JERSEY CITY**  
REDEVELOPMENT AGENCY

EXECUTIVE

ROBERT P. ANTONICELLO  
Executive Director

JOHN J. CURLEY, ESQ.  
General Counsel

HON. JERRAMIAH T. HEALY  
Mayor

September 26, 2012

Via Hand Delivery:

Robert Byrne, RMC  
City Clerk  
City of Jersey City  
280 Grove Street  
Jersey City, New Jersey 07302

**Re: Proposed Vacation of a Portion of Grove Square**

Dear Mr. Byrne:

On September 18, 2012, the Agency's Board of Commissioners adopted a resolution setting forth the Agency's desire to seek the vacation of a portion of Grove Square measuring approximately 1,910 square feet, in order that the street grid in that area will become consistent with that contained in the Liberty Harbor North Redevelopment Plan, as currently enacted, and the terms of that certain subdivision approval granted to Grand LHN III Urban Renewal, LLC by the Planning Board of the City of Jersey City on May 15, 2012.

In furtherance of the foregoing, enclosed please find a petition for vacation of a portion of Grove Square, as well as a proposed form of vacation ordinance for the City's consideration. In accordance with the City's requirements, enclosed please also find twenty-nine copies of a map depicting the proposed vacation parcel, and well as a legal description of the same, both prepared by Birdsall Engineering Services. It is our understanding that the customary application fee is not required as the petitioner is a municipal agency.

Thank you for your attention to this matter. Please do not hesitate to contact me if there are any questions or if you require any further information.

Sincerely,

**ROBERT P. ANTONICELLO**  
Executive Director

**Encl.**

cc: William Matsikoudis, Esq. Corporation Counsel  
Rosemary McFadden, Deputy Mayor  
Commissioner James Simpson, Department of Transportation

## PETITION

### TO THE MUNICIPAL COUNCIL OF JERSEY CITY, NEW JERSEY

Your petitioner, Jersey City Redevelopment Agency (the “**Petitioner**”), having an address of 30 Montgomery Street, Room 900, Jersey City, New Jersey 07302, respectfully shows:

**WHEREAS**, on March 23, 2005, the Municipal Council of the City of Jersey City finally adopted Ordinance 05-032 (the “**2005 Ordinance**”, a copy of which is attached as Exhibit A hereto), vacating a portion of Canal Street and of Grove Street, consisting of approximately 18,968.4618 square feet, and accepting a portion of the vacated area measuring approximately 11,992.9684 square feet, therein designated as “Grove Square”, in order to effectuate the street grid contained in the Liberty Harbor North Redevelopment Plan as in effect on that date; and

**WHEREAS**, the Liberty Harbor North Redevelopment Plan was subsequently amended with respect to the street grid; and

**WHEREAS**, on May 15, 2012, the Planning Board of the City of Jersey City granted preliminary and final major subdivision approval (the “**Subdivision Approval**”, a copy of which is attached hereto as Exhibit B) to the Company “to subdivide four existing lots into five lots, including two lots for the extension of rights of way in connection with the property located at 237 Grand Street, ‘Grand Street’, 1 Canal Street and the ‘Grove Square’ right-of-way, also known on the Jersey City Tax Maps as Block 15901, Lots 1, 2, 3, 4 and ‘Grove Square’ ” in order to “create development lots and right-of-way extensions consistent with the Liberty Harbor North Redevelopment Plan”; and

**WHEREAS**, in order to effectuate the terms of the Liberty Harbor North Redevelopment Plan and the Subdivision Approval, the Petitioner seeks the vacation of a portion of Grove Square measuring approximately 1,910 square feet (the “**Vacation Parcel**”), as depicted on that certain map prepared by Birdsall Services Group, dated August 9, 2012, and entitled “Vacation of a Portion of Grove Square (Lot 5.10)” (the “**Map**”, a copy of which is attached hereto as Exhibit C), and as described in that certain metes and bounds description prepared by Birdsall Services Group, dated September 19, 2012 and entitled “Description of Right-of-Way Vacation Portion of Grove Square City of Jersey City, Hudson County, New Jersey” (the “**Description**”, a copy of which is attached hereto as Exhibit D); and

**WHEREAS**, immediately prior to the dedication of the Vacation Parcel to the City, the Petitioner was the owner of the Vacation Parcel; and

**WHEREAS**, the Vacation Parcel is not necessary for general public use, and the rights of the public will not be injuriously or adversely affected by the requested vacation; and

**WHEREAS**, the new street pattern has been approved by the City Council in its adoption of the amendments to the Liberty Harbor North Redevelopment Plan, and by the Jersey City Planning Board in its granting of the Subdivision Approval,

**NOW THEREFORE**, your Petitioner respectfully requests that the Municipal Council of the City of Jersey City ordain the vacation of the Vacation Parcel for the reasons set forth herein.

**WITNESS**

**JERSEY CITY REDEVELOPMENT AGENCY**

*Mary Pat Noonan*



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

ORDINANCE NO. Ord. 12-163  
 3.D. DEC 19 2012 4.D. JAN 09 2013



An ordinance vacating a portion of Grove Square consisting of approximately 1,910 square feet in order to align the street grid with the Liberty Harbor North Redevelopment Plan.

RECORD OF COUNCIL VOTE ON INTRODUCTION											
DEC 19 2012 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
DONNELLY	✓			FULOP	✓			LAVARRO	✓		
LOPEZ	✓			RICHARDSON	✓			COEEMAN	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING											
JAN 09 2013 9-0											
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	✓			LAVARRO	✓		
LOPEZ	✓			RICHARDSON	✓			COLEMAN	✓		

✓ 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				LAVARRO			
LOPEZ				RICHARDSON				COLEMAN			

✓ Indicates Vote

N.V.-Not Voting (Abstain)

RECORD OF FINAL COUNCIL VOTE											
JAN 09 2013 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
DONNELLY	✓			FULOP	✓			LAVARRO	✓		
LOPEZ	✓			RICHARDSON	✓			COLEMAN	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on DEC 19 2012

Adopted on second and final reading after hearing on JAN 09 2013

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on JAN 09 2013

Robert Byrne, City Clerk

APPROVED:

Peter M. Brennan, Council President

Date: JAN 09 2013

APPROVED:

Jeremiah T. Healy, Mayor

Date: JAN 11 2013

Date \_\_\_\_\_

Date to Mayor JAN 10 2013

City Clerk File No. Ord. 12-164  
Agenda No. 3.E 1st Reading  
Agenda No. 4.E. 2nd Reading & Final Passage



## ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 12-164

TITLE:  
**ORDINANCE CONSENTING TO THE SALE AND ASSIGNMENT OF THE TAX EXEMPTION AND FINANCIAL AGREEMENT FROM CHOWANEC URBAN RENEWAL, LLC, TO 179 WARREN STREET URBAN RENEWAL CO., LLC, PURSUANT TO SECTION 9.1 OF THE FINANCIAL AGREEMENT AND N.J.S.A. 40A:20-22 OF THE LONG TERM TAX EXEMPTION LAW**

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

**WHEREAS**, Chowanec Urban Renewal, LLC, is 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. [Entity]; and

**WHEREAS**, the Entity owns certain property known as Block 14205, Lots 24 and 24X (formerly known as Block 130, Lot 91) on the City's Official Tax map, and more commonly known by the street address of 171 Warren Street, Jersey City, New Jersey [Property], all of which is located within the boundaries of the Tidewater Basin Redevelopment Plan; and

**WHEREAS**, by the adoption of Ordinance 02-107 on October 9, 2002, the Municipal Council of the City of Jersey City approved a 20 year tax exemption and authorized the execution of a financial agreement for a project to consist of a four (4) story building to contain three (3) market rate residential units and one (1) commercial retail unit; and

**WHEREAS**, the Entity proposed to pay a service charge calculated as 2% of total project cost, which sum is subject to Staged Adjustments and Periodic Increases over the term of the tax exemption; and

**WHEREAS**, the Entity and the City executed a Financial Agreement on October 16, 2002 [Financial Agreement], with a minimal annual service charge of \$20,000, plus an administrative fee; and

**WHEREAS**, on October 24, 2012, the Entity applied to the City for its consent to the sale of the project to 179 Warren Street 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. [New Entity]; and

**WHEREAS**, the New Entity has agreed to assume all obligations of the Entity under the Financial Agreement; and

**WHEREAS**, pursuant to Section 9.1 of the Financial Agreement, upon written application by the Entity, the City is required to consent to the sale or transfer of a tax exemption if: 1) the New Entity does not own any other tax exempt project; 2) the New Entity is formed and eligible to operate under the Law; 3) the existing Entity is not in default of its financial agreement or the Law; 4) the New Entity agrees to assume all obligations of the existing Entity; and 5) the Entity pays the City 1% of the value of the Project (Land and Improvements) which is represented to be \$26,500.00; and

**WHEREAS**, the New Entity will continue to pay a service charge of 2% of total project cost which in 2011 was approximately \$20,000.00.

**ORDINANCE CONSENTING TO THE SALE AND ASSIGNMENT OF THE TAX EXEMPTION AND FINANCIAL AGREEMENT FROM CHOWANEC URBAN RENEWAL, LLC, TO 179 WARREN STREET URBAN RENEWAL CO., LLC, PURSUANT TO SECTION 9.1 OF THE FINANCIAL AGREEMENT AND N.J.S.A. 40A:20-22 OF THE LONG TERM TAX EXEMPTION LAW**

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

A. The Application of Chowanec 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., attached hereto, for Block 14205, Lots 24 and 24X (formerly known as Block 130, Lot 91), and more commonly known by the street address of 171 Warren Street, to sell the project and transfer the tax exemption, is hereby approved, subject to the receipt of the transfer fee of \$26,500.00 from the Entity, and an assumption agreement from the New Entity.

B. The Mayor or Business Administrator is hereby authorized to execute a consent to consignment to assignment and assumption agreement with 179 Warren Street Urban Renewal Co., LLC in substantially the form attached, as well as any other documents appropriate or necessary to effectuate the sale and transfer of the Project and the tax exemption financial agreement, and the purposes of this ordinance.

C. All agreements and documents shall be subject to approval by Corporation Counsel.

D. All ordinances and parts of ordinances inconsistent herewith 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.

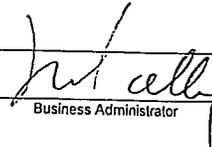
F. This ordinance shall take effect at the time and in the manner provided by law.

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  
11/30/12

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. 12-164  
 TITLE: 3.E. DEC 19 2012 4.E. JAN 09 2013



Ordinance consenting to the sale and assignment of the tax exemption and financial agreement from Chowance Urban Renewal, LLC, to 179 Warren Street Urban Renewal Co., LLC, pursuant to Section 9.1 of the financial agreement and N.J.S.A. 40A:20-22 of the Long Term Tax Exemption Law.

RECORD OF COUNCIL VOTE ON INTRODUCTION											
DEC 19 2012 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
DONNELLY	✓			FULOP	✓			LAVARRO	✓		
LOPEZ	✓			RICHARDSON	✓			COLEMAN	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING											
JAN 09 2013 9-0											
Councilperson <u>GAUGHAN</u>				moved, seconded by Councilperson <u>RICHARDSON</u>				to close PH.			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
DONNELLY	✓			FULOP	✓			LAVARRO	✓		
LOPEZ	✓			RICHARDSON	✓			COLEMAN	✓		

✓ Indicates Vote

*JASON BURG  
IVONNE BALKER*

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				LAVARRO			
LOPEZ				RICHARDSON				COLEMAN			

✓ Indicates Vote

N.V.-Not Voting (Abstain)

RECORD OF FINAL COUNCIL VOTE											
JAN 09 2013 7-2											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
DONNELLY	✓			FULOP		✓		LAVARRO		✓	
LOPEZ	✓			RICHARDSON	✓			COLEMAN	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on DEC 19 2012

Adopted on second and final reading after hearing on JAN 09 2013

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on JAN 09 2013

*Robert Byrne*  
 Robert Byrne, City Clerk

APPROVED:

*Peter M. Brennan*  
 Peter M. Brennan, Council President

\*Amendment(s):

Date: JAN 09 2013

APPROVED:

*Jerramiah T. Healy*  
 Jerramiah T. Healy, Mayor

Date JAN 11 2013

Date to Mayor JAN 10 2013

City Clerk File No. Ord. 12-165  
Agenda No. 3.F 1st Reading  
Agenda No. 4.F 2nd Reading & Final Passage



## ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 12-165

TITLE: AN ORDINANCE SUPPLEMENTING CHAPTER 332 (VEHICLES AND TRAFFIC) ARTICLE III (PARKING, STANDING AND STOPPING) AND ARTICLE IX (PARKING FOR THE DISABLED) OF THE JERSEY CITY CODE DESIGNATING A RESERVED PARKING SPACE AT 115 ARLINGTON AVENUE; 204-206 BARTHOLDI AVENUE; 645 BERGEN AVENUE; 34 BLEECKER STREET; 16 CATOR AVENUE; 54 CARLTON AVENUE; 541 CENTRAL AVENUE; 79 COLGATE STREET; 300 EIGHTH STREET; 28 ½ GRANT AVENUE; 170 GRIFFITH STREET; 66-68 LINDEN AVENUE; 169 MANHATTAN AVENUE; 396 MANILA AVENUE; 152-154 RANDOLPH AVENUE; 60A ROSE AVENUE; 154 SHERMAN AVENUE; 30-32 SHERMAN PLACE; 404 SUMMIT AVENUE; 183 THORNE STREET; 27 VAN HOUTEN AVENUE; 169-171 WEGMAN PARKWAY AND 109 WESTERN AVENUE AND REPEAL THE RESERVED PARKING SPACE AT 141 AUDUBON AVENUE; 355 DANFORTH AVENUE AND 29 LONG STREET

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

1. Chapter 332 (Vehicles and Traffic) Article III (Parking, Standing and Stopping) and Article IX (Parking for the Disabled) of the Jersey City Code is hereby supplemented as follows:

Section 332-29 Disabled Parking Manual  
Section 332-69 Restricted parking zones in front of or near residences of disabled drivers.

### 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.

Anne Marie Mersereau  
Robert Donnelly  
Ramon A. Guerrero  
Yvette Manning  
Rebecca Bland  
Jon Jaeger  
John Trezza  
Anthony Kelly  
John McKee  
William Pickett  
Lidia Anthony  
Camille Stapinski  
Robert Chichester  
Angel V. Rodriguez  
Annie P. Williams  
Marion Santos  
Teresa Pineiro  
Maher Dib

115 Arlington Avenue  
204-206 Bartholdi Avenue  
645 Bergen Avenue  
34 Bleecker Street  
16 Cator Avenue [29 Long Street]  
54 Carlton Avenue  
541 Central Avenue  
79 Colgate Street  
300 Eighth Street  
28 ½ Grant Avenue  
170 Griffith Street  
66-68 Linden Avenue  
169 Manhattan Avenue  
396 Manila Avenue  
152-154 Randolph Avenue  
60A Rose Avenue  
154 Sherman Avenue  
30-32 Sherman Place [355 Danforth Avenue]

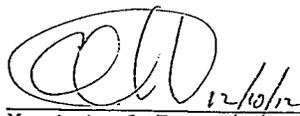
Darryl E. Barte  
Charles Flynn  
Gregory Laval, Sr.  
Evelyn Wilson  
John Pantoliano

404 Summit Avenue [141 Audubon Avenue]  
183 Thorne Street  
27 Van Houten Street  
169-171 Wegman Parkway  
109 Western Avenue

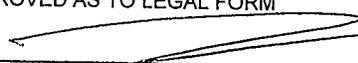
- 2. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- 3. This ordinance shall be a part of the Jersey City Code as though codified and incorporated in the official copies of the Jersey City Code.
- 4. This ordinance shall take effect at the time and in the manner as 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.

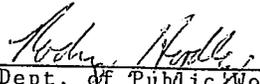
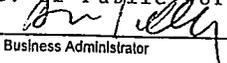
NOTE: The new material to be inserted is underscored; the material to be repealed is in [brackets].

CFL:pc1  
(12.10.12)

APPROVED:  12/10/12  
Municipal Engineer

APPROVED AS TO LEGAL FORM

  
Corporation Counsel

APPROVED:   
Director, Dept. of Public Works  
APPROVED:   
Business Administrator

Certification Required   
Not Required

**FACTSHEET**

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 III (PARKING, STANDING AND STOPPING) AND ARTICLE IX (PARKING FOR THE DISABLED) OF THE JERSEY CITY CODE DESIGNATING A RESERVED PARKING SPACE AT 115 ARLINGTON AVENUE; 204-206 BARTHOLDI AVENUE; 645 BERGEN AVENUE; 34 BLEECKER STREET; 16 CATOR AVENUE; 54 CARLTON AVENUE; 541 CENTRAL AVENUE; 79 COLGATE STREET; 300 EIGHTH STREET; 28 1/2 GRANT AVENUE; 170 GRIFFITH STREET; 66-68 LINDEN AVENUE; 169 MANHATTAN AVENUE; 396 MANILA AVENUE; 152-154 RANDOLPH AVENUE; 60A ROSE AVENUE; 30-32 SHERMAN PLACE; 404 SUMMIT AVENUE; 183 THORNE STREET; 27 VAN HOUTEN AVENUE; 169-171 WEGMAN PARKWAY AND 109 WESTERN AVENUE AND REPEAL THE RESERVED PARKING SPACE AT 141 McADOO AVENUE; 355 DANFORTH AVENUE AND 29 LONG STREET**

**2. Name and title of person initiating the ordinance:**

Lee D. Klein, P.E., PTOE, Division of Engineering, Traffic and Transportation, Department of Public Works on behalf of the Municipal Council Committee for Disabled Parking

**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. Remove from the Disabled Parking Manual reserved parking signs that are no longer warranted and the signs have been removed.

**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 an approximate total of \$7,500.00		
44 disabled parking signs	@ \$100.00 ea.	\$4,400.00
30 channels (approximate count)	@ \$100.00 ea.	\$3,000.00

**7. Date proposed program, or project will commence:**

Pending adoption by the Jersey City Municipal Council

**8. Anticipated completion date:**

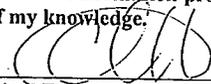
Twenty days after adoption by the Jersey City Municipal Council

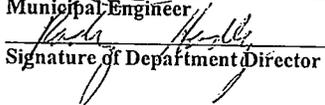
**9. Person responsible for coordinating proposed program, project, etc.:**

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

**10. Additional comments:**

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

  
 \_\_\_\_\_  
 Signature of Department Director

12/10/12  
 \_\_\_\_\_  
 Date

12/12/12  
 \_\_\_\_\_  
 Date

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

ORDINANCE NO. Ord 12-165  
3.F. DEC 19 2012 4.F. JAN 09 2013



TITLE: An ordinance supplementing Chapter 332 (Vehicles and Traffic) Article III (Parking, Standing and Stopping) and Article IX (Parking for the Disabled) of the Jersey City Code designating a reserved parking space at 115 Arlington Avenue; 204-206 Bartholdi Avenue; 645 Bergen Avenue; 34 Bleecker Street; 16 Cator Avenue; 54 Carlton Avenue; 541 Central Avenue; 79 Colgate Street; 300 Eighth Street; 28 1/2 Grant Avenue; 170 Griffith Street; 66-68 Linden Avenue; 169 Manhattan Avenue; 396 Manila Avenue; 152-154 Randolph Avenue; 60A Rose Avenue; 154 Sherman Avenue; 30-32 Sherman Place; 404 Summit Avenue; 183 Thorne Street; 27 Van Houten Avenue; 169-171 Wegman Parkway and 109 Western Avenue and repeal the reserved parking space at 141 Audubon Avenue; 355 Danforth Avenue and 29 Long Street.

RECORD OF COUNCIL VOTE ON INTRODUCTION											
				DEC 19 2012				9-0			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
DONNELLY	✓			FULOP	✓			LAVARRO	✓		
LOPEZ	✓			RICHARDSON	✓			COLEMAN	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING											
				JAN 09 2013				9-0			
Councilperson <u>RICHARDSON</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	✓			LAVARRO	✓		
LOPEZ	✓			RICHARDSON	✓			COLEMAN	✓		

✓ 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				LAVARRO			
LOPEZ				RICHARDSON				COLEMAN			

✓ Indicates Vote

N.V.-Not Voting (Abstain)

RECORD OF FINAL COUNCIL VOTE											
				JAN 09 2013				9-0			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
DONNELLY	✓			FULOP	✓			LAVARRO	✓		
LOPEZ	✓			RICHARDSON	✓			COLEMAN	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on DEC 19 2012

Adopted on second and final reading after hearing on JAN 09 2013

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on JAN 09 2013

Robert Byrne  
 Robert Byrne, City Clerk

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

\*Amendment(s):

Date: JAN 09 2013

APPROVED:  
Jerramiah T. Healy  
 Jerramiah T. Healy, Mayor

Date: JAN 11 2013

Date to Mayor JAN 10 2013

City Clerk File No. Ord. 12-166

Agenda No. 3.G 1st Reading

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



# ORDINANCE OF JERSEY CITY, N.J.

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

### CITY ORDINANCE 12-166

TITLE: AN ORDINANCE SUPPLEMENTING CHAPTER 332 (VEHICLES AND TRAFFIC) ARTICLE III (PARKING, STANDING AND STOPPING) AMENDING SECTION 332-23 (NO STOPPING OR STANDING) OF THE JERSEY CITY CODE DESIGNATING NO STOPPING OR STANDING ON THE SOUTH SIDE OF NEWPORT PARKWAY BEGINNING 35 FEET EAST OF WASHINGTON BOULEVARD AND EXTENDING TO A POINT 255 FEET EAST AND SUPPLEMENTING ARTICLE VII (METERED PARKING) AMENDING SECTION 332-48 (DESIGNATION OF PARKING SPACES) REPEALING METERED PARKING ON THE SIDE OF NEWPORT PARKWAY FROM WASHINGTON BOULEVARD TO NORTH BOULEVARD

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

1. Chapter 332 (Vehicles and Traffic) Article III (No stopping or standing) of the Jersey City Code is hereby supplemented as follows:

**Section 332-23 NO STOPPING OR STANDING**  
No person shall stop or stand a vehicle upon any of the streets or parts thereof listed below.

Name of Street	Side	Limits
Newport Pkwy	Both <u>South</u>	[ <u>West of</u> ] Washington Blvd to <u>Marin Blvd</u> <u>35 feet east of Washington Blvd to 255 feet easterly</u>

2. Chapter 332 (Vehicles and Traffic) Article XII (Metered Parking) of the Jersey City Code is hereby supplemented as follows:

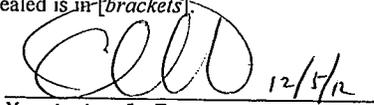
**Section 332-48 METERED PARKING**  
A. On-street parking meter zones. Parking or standing a vehicle in a parking meter space in the on-street parking meter zones described below shall be lawful during the hours specified only upon the deposit of the such amount as is indicated for each specified period of time.

Name of Street	Parking Meter Zones Limits
[ <u>Newport Parkway</u> ]	<u>South side; Washington Boulevard to North Boulevard</u> ]

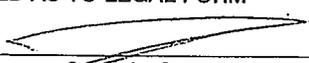
- 2. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- 3. This ordinance shall be a part of the Jersey City Code as though codified and incorporated in the official copies of the Jersey City Code.
- 4. The City Clerk and the Corporation Counsel may change any chapter 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.

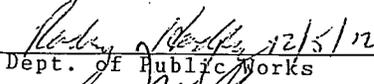
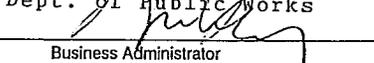
NOTE: All new material to be inserted is underscored; material to be repealed is in [brackets].

CFL:pc1  
(12.4.12)

APPROVED:  12/17/12  
Municipal Engineer

APPROVED AS TO LEGAL FORM

  
Corporation Counsel

APPROVED:  12/15/12  
Director, Dept. of Public Works  
APPROVED:   
Business Administrator

Certification Required

Not Required

FACTSHEET

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/resolution/cooperation agreement:**

AN ORDINANCE SUPPLEMENTING CHAPTER 332 (VEHICLES AND TRAFFIC) ARTICLE III (PARKING, STANDING AND STOPPING) AMENDING SECTION 332-23 (NO STOPPING OR STANDING) OF THE JERSEY CITY CODE DESIGNATING NO STOPPING OR STANDING ON THE SOUTH SIDE OF NEWPORT PARKWAY BEGINNING 35 FEET EAST OF WASHINGTON BOULEVARD AND EXTENDING TO A POINT 255 FEET EAST AND SUPPLEMENTING ARTICLE VII (METERED PARKING) AMENDING SECTION 332-48 (DESIGNATION OF PARKING SPACES) REPEALING METERED PARKING ON THE SIDE OF NEWPORT PARKWAY FROM WASHINGTON BOULEVARD TO NORTH BOULEVARD

**2. Name and title of person initiating the ordinance/resolution, etc.:**

Lee D. Klein, P.E., PTOE, Assistant City Engineer, Division of Engineering, Traffic and Transportation, Department of Public Works at the request of Walter Kierce, Director of OEM on behalf of The Depository Trust and Clearing Corporation relocating from New York to JP Morgan Chase, 570 Washington Boulevard.

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

On the south side of Newport Parkway, east of Washington Boulevard, repeal the metered parking spaces in front of the building and beginning 35 feet east of Washington Boulevard and extending to a point 255 feet easterly designate this area as "no stopping or standing."

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

Due to the sensitivity and the nature of DTCC's business, in order to maintain optimum security, it is necessary to prohibit vehicles from stopping or standing on the Newport Parkway side of their new location, 570 Washington Boulevard.

**5. Anticipated benefits to the community:**

Increase safety on Newport Parkway.

**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 for the channel/sign installation (3 signs needed)  
Approximate Cost: \$300.00

**7. Date proposed program, or project will commence:**

Pending adoption by the Jersey City Municipal Council

**8. Anticipated completion date:**

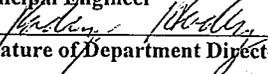
Twenty days after adoption by the Jersey City Municipal Council

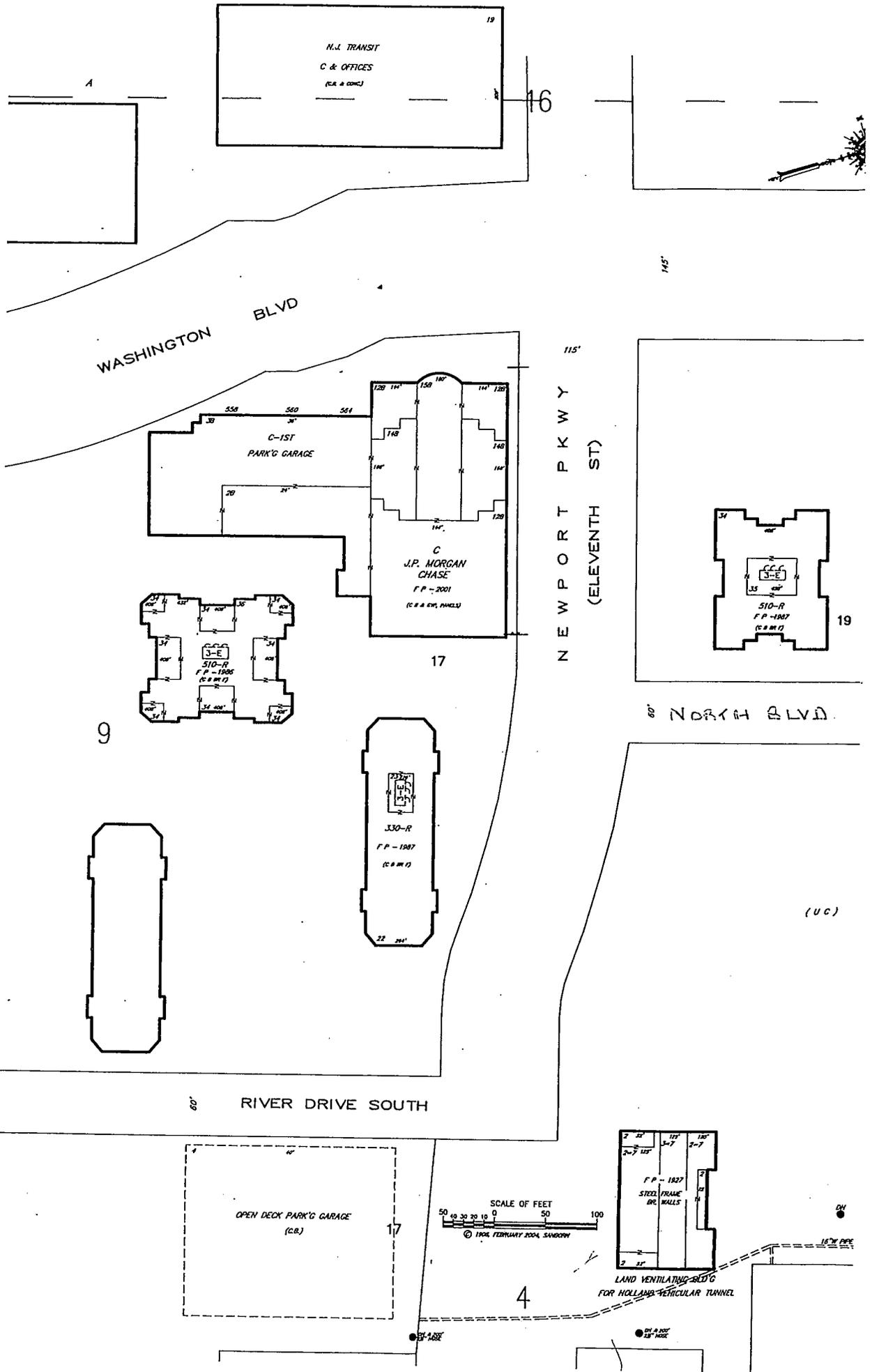
**9. Person responsible for coordinating proposed program, project, etc.:**

Patricia Logan, Supervising Traffic Investigator, Division of Engineering, Traffic and Transportation, Department of Public Works

**10. Additional comments:**

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

	<u>12/5/12</u>
Municipal Engineer	Date
	<u>12/5/12</u>
Signature of Department Director	Date



N.J. TRANSIT  
C & OFFICES  
(C.B. & CONC)

WASHINGTON BLVD

RIVER DRIVE SOUTH

NEWPORT PKWY  
(ELEVENTH ST)

NORTH BLVD.

SCALE OF FEET

LAND VENTILATING BLD'G  
FOR HOLLAND TETRACULAR TUNNEL

OPEN DECK PARK'G GARAGE  
(C.B.)

F.P. - 1827  
STEEL FRAME  
BR. WALLS

18" PIPE

18" PIPE

9

17

330-R  
F.P. - 1987  
(C.B. & CONC)

22 24'

17

4

(U.C.)

19

16

145'

115'

A

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

ORDINANCE NO. Ord. 12-166  
3.G. DEC 19 2012 4.G. JAN 09 2013



TITLE: An ordinance supplementing Chapter 332 (Vehicles and Traffic) Article III (Parking, Standing and Stopping) amending Section 332-23 (No Stopping or Standing) of the Jersey City Code designating (No Stopping or Standing) on the south side of Newport Parkway beginning 35 feet east of Washington Boulevard and extending to a point 255 feet east and supplementing Article VII (Metered Parking) amending Section 332-48 (Designation of Parking spaces) repealing metered parking on the side of Newport Parkway from Washington Boulevard to North Boulevard.

RECORD OF COUNCIL VOTE ON INTRODUCTION											
DEC 19 2012 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
DONNELLY	✓			FULOP	✓			LAVARRO	✓		
LOPEZ	✓			RICHARDSON	✓			COLEMAN	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING											
JAN 09 2013 9-0											
Councilperson <u>BRENNAN</u>				moved, seconded by Councilperson <u>RICHARDSON</u>				to close PH.			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
DONNELLY	✓			FULOP	✓			LAVARRO	✓		
LOPEZ	✓			RICHARDSON	✓			COLEMAN	✓		

✓ Indicates Vote YVONNE BALZER

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				LAVARRO			
LOPEZ				RICHARDSON				COLEMAN			

✓ Indicates Vote

N.V.-Not Voting (Abstain)

RECORD OF FINAL COUNCIL VOTE											
JAN 09 2013 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
DONNELLY	✓			FULOP	✓			LAVARRO	✓		
LOPEZ	✓			RICHARDSON	✓			COLEMAN	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on DEC 19 2012

Adopted on second and final reading after hearing on JAN 09 2013

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on JAN 09 2013

*Robert Byrne*  
 Robert Byrne, City Clerk

APPROVED:

Peter M. Brennan, Council President

Date: JAN 09 2013

APPROVED:

*Jerramiah T. Healy*  
 Jerramiah T. Healy, Mayor

Date JAN 11 2013

Date

Date to Mayor JAN 10 2013

Date to Mayor