

City Clerk File No. Ord. 13-049

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 13-049

TITLE: ORDINANCE DEDICATING THAT THE INTERSECTION OF 5TH STREET AND MANILA AVENUE ALSO BE KNOWN AS

Edgar Sanchez Sr. Way

WHEREAS, Edgar Sanchez was born on April 21, 1949 in Florida, Puerto Rico to Evangelista Jimenez and Eliezer Sanchez Sr. At three months old, Edgar, his oldest brother Eliezer Sanchez Jr. and parents in pursuit of a better life, journeyed to the United States where they began their new life in Manhattan, New York. Edgar attended Booker T. Washington School throughout grade school. His family relocated to Jersey City and Edgar attended Ferris High School; and

WHEREAS, Edgar Sanchez was drafted into the military at the age of 18. He was inducted on September 5, 1968 and was granted an Honorable Discharge 2 years later on the September 4, 1970. Edgar fought on foreign soil of the Republic of Vietnam. He battled heroically, honorably and proudly alongside the men of Recon Platoon 2/60th Infantry 9th Division. Edgar's unyielding acts of bravery, love for his country and the welfare of his much loved and respected fellow comrades during his horrific year of combat in Vietnam earned him several prestigious medals, such as the Vietnam Service Medal with Bronze Service stars; Republic of Vietnam Campaign Medal; National Defense Service Medal; Army Commendation Medal with Oak Leaf Cluster and Valor Device; Purple Heart; Air Medal; Bronze Star Medal (the fourth highest-ranked armed forces award); Vietnam Cross of Gallantry with Palm; Combat Infantryman Badge; Expert (Rifle) and Expert K-60MG; and

WHEREAS, Edgar Sanchez returned to civilian life and resumed his previous occupation as a Bookbinder Machine Operator Supervisor at Ay-One Book Bindery Inc. in Manhattan, New York, where he worked for more than 34 years; and

WHEREAS, Edgar Sanchez was a loving, supportive father, grandfather, family man. He married Nancy Rolon, a teacher in the Jersey City School System on December 30, 1972 and was an extraordinary, devout husband committed to marriage for 39 years. The loving couple raised three phenomenal children; Edgar Sanchez Jr., Saraida Sanchez and Samuel Sanchez in the Downtown section of Jersey City in Villa Borinquen. Edgar Sr. was also the proud grandfather of Ashlee, Aliyah, Alyssa, Alexia and Jaily; and

WHEREAS, Edgar Sanchez Sr. was a man of great integrity, faith and good will. He instilled in everyone he touched to be the best and do the best to their ability, whatever the endeavor may be. Edgar spent many years coaching and mentoring many neighborhood children in the Roberto Clemente Little League just a block away at the Roberto Clemente Field located on 6th Street; and

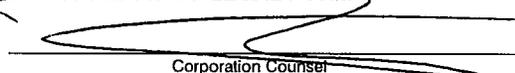
WHEREAS, Edgar Sanchez Sr. loved his country. He loved life and lived it his way till his peaceful passing surrounded by his loving family and friends on April 4, 2012. His legacy of joy, laughter and celebration of life lives on through all who had the pleasure of knowing him.

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the City of Jersey City deems it fitting and proper to dedicate that the intersection of 5th Street and Manila Avenue also be known as Edgar Sanchez Sr. Way.

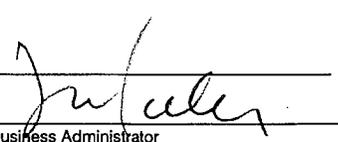
- A. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- B. This ordinance shall be a part of the Jersey City Code as though codified and fully set forth therein. The City shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.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

G:\WPDOC\S\TOLONDA\RESOS\RENAME\Edgar Sanchez Sr.docx

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. 13-049

TITLE: 3.A. APR 24 2013 4.A. MAY 08 2013



Ordinance dedicating that the intersection of 5th Street and Manila Avenue also known as Edgar Sanchez Sr. Way.

RECORD OF COUNCIL VOTE ON INTRODUCTION											
APR 24 2013 8-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
DONNELLY	✓			FULOP	✓			LAVARRO	✓		
LOPEZ	✓			RICHARDSON	ABSENT			COLEMAN	✓		

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

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING											
MAY 08 2013 8-0											
Councilperson <u>RICHARDSON</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	ABSENT			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											
MAY 08 2013 8-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	ABSENT			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 APR 24 2013

Adopted on second and final reading after hearing on MAY 08 2013

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on MAY 08 2013

Robert Byrne, City Clerk

APPROVED:

Peter M. Brennan, Council President

Date: MAY 08 2013

APPROVED:

Jerramiah T. Healy, Mayor

MAY 13 2013

Date _____

MAY 09 2013

Date to Mayor _____

City Clerk File No. Ord. 13-051

Agenda No. 3.C 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 13-051

TITLE: **ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY
AMENDING THE SAINT FRANCIS HOSPITAL REDEVELOPMENT PLAN TO
CHANGE THE NAME TO HAMILTON SQUARE REDEVELOPMENT PLAN AND
TO REVISE DEVELOPMENT STANDARDS**

WHEREAS, the Municipal Council adopted the St. Francis Hospital Adaptive Re-Use Redevelopment Plan on April 26, 2006 via Ordinance 06-052, and

WHEREAS, substantial redevelopment has taken place in the area since the plan's adoption leaving no trace of the abandoned hospital visible to new comers to the area; and

WHEREAS, the pedestrian extension of Pavonia Avenue to McWilliams Place and Hamilton Park deserves the support of a new name fitting for the new neighborhood square and the proposed amendment is minor in nature and chiefly altering the bulk and height of the Hamilton Sq. South building and allows rehabilitation of the garage; and

WHEREAS, the Planning Board of Jersey City, at its meeting of April 16, 2013, reviewed this amendment, found there to be many advantages to the proposed amendment, and unanimously recommended that the Municipal Council adopt the amendment as proposed; and

WHEREAS, a copy of the Proposed amendments to the St. Francis Hospital Redevelopment Plan, dated March 27, 2013 is attached hereto, and made a part hereof, and is 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 proposed Amendments and Map revisions, attached hereto, as Recommended by the Jersey City Planning Board on April 16, 2013 be, and hereby is, adopted.

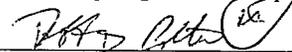
BE IT FURTHER ORDAINED THAT:

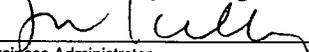
- A. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- B. This ordinance shall be a part of the Jersey City Code as though codified and set forth fully herein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.
- C. This ordinance shall take effect at the time and in the manner as provided by law.
- D. The City Clerk and the Corporation Council be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible repealers of existing provisions.
- E. The City Planning Division is hereby directed to give notice at least ten days prior to the hearing on the adoption of this Ordinance to the Hudson County Planning board and to all other persons entitled thereto pursuant to N.J.S. 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 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.

APPROVED AS TO LEGAL FORM



Corporation Counsel


Robert D. Cotter, PP, FAICP, Director
APPROVED: _____
Division of City Planning

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
AMENDING THE SAINT FRANCIS HOSPITAL REDEVELOPMENT PLAN TO
CHANGE THE NAME TO HAMILTON SQUARE REDEVELOPMENT PLAN AND TO
REVISE DEVELOPMENT STANDARDS**

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

Carl S. Czapliski, Director, Department of Housing, Economic Development, and Commerce

3. Concise Description of the Plan Proposed in the Ordinance:

- ✓ Change the Name from St. Francis Hospital Redevelopment Plan to Hamilton Square Redevelopment Plan.
- ✓ Amend Maps 4a & 4b to adjust building height by making it lower but more uniform throughout.
- ✓ Allow for the garage parking to be in new construction or a rehabilitated building.
- ✓ Allow schools as a permitted use within the plan area

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

Slight altering of the development standards to best meet the needs of this fast growing neighborhood by accommodating school, parking and Modern architectural design needs.

5. Anticipated Benefits to the Community:

Advancement of private investment in the Redevelopment Area and continued implementation of the redevelopment plan.

6. Cost of Proposed Plan, etc.:

\$0.00 all work performed in house

7. Date Proposed Plan will commence:

Upon approval

8. Anticipated Completion Date: N/A

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

Robert D. Cotter, PP, FAICP Director, City Planning	547-5050
Maryann Buccic-Carter, PP, AICP	547-4499

10. Additional Comments: None

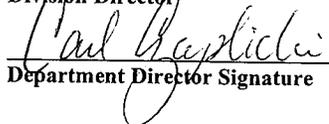
I Certify that all the Facts Presented Herein are Accurate.



Division Director

4/17/13

Date



Department Director Signature

4/17/13

Date

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

ORDINANCE NO. Ord. 13-051
 TITLE: 3.C. APR 24 2013 4.B. MAY 08 2013



Ordinance of the Municipal Council of the City of Jersey City amending the Saint Francis Hospital Redevelopment Plan to change the name to Hamilton Square Redevelopment Plan and to revise development standards.

RECORD OF COUNCIL VOTE ON INTRODUCTION											
APR 24 2013 8-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
DONNELLY	✓			FULOP	✓			LAVARRO	✓		
LOPEZ	✓			RICHARDSON	ABSENT			COLEMAN	✓		

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

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING											
MAY 08 2013 8-0											
Councilperson <u>RICHARDSON</u>				moved, seconded by Councilperson <u>DONNELLY</u>				to close P.H.			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	ABSENT			BRENNAN	✓		
DONNELLY	✓			FULOP	✓			LAVARRO	✓		
LOPEZ	✓			RICHARDSON	✓			COLEMAN	✓		

✓ Indicates Vote JAYSON BURG FLETCHER GENSAMER N.V.-Not Voting (Abstain)
YVONNE BALLER

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)

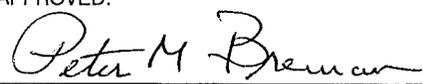
RECORD OF FINAL COUNCIL VOTE											
MAY 08 2013 8-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	ABSENT			BRENNAN	✓		
DONNELLY	✓			FULOP	✓			LAVARRO	✓		
LOPEZ	✓			RICHARDSON	✓			COLEMAN	✓		

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

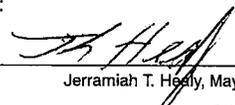
Adopted on first reading of the Council of Jersey City, N.J. on APR 24 2013
 Adopted on second and final reading after hearing on MAY 08 2013

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on MAY 08 2013

 Robert Byrne, City Clerk

APPROVED:

 Peter M. Brennan, Council President

*Amendment(s):

Date: MAY 08 2013
 APPROVED:

 Jerramiah T. Healy, Mayor

Date MAY 13 2013

Date to Mayor MAY 09 2013

City Clerk File No. Ord. 13-052

Agenda No. 3.D 1st Reading

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



ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 13-052

**TITLE: ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING
AMENDMENTS TO THE NEWARK AVENUE DOWNTOWN REDEVELOPMENT PLAN**

WHEREAS, the Municipal Council of the City of Jersey City, adopted the Newark Avenue Downtown Redevelopment Plan at its meeting of September 24, 2008; and

WHEREAS, the Municipal Council seeks to advance and promote mixed use construction within the Newark Avenue Downtown Redevelopment Plan; and

WHEREAS, a copy of the amended text is attached hereto and made a part hereof, and is available for public inspection at the Offices of the City Clerk, City Hall, 280 Grove Street, Jersey City, NJ; and

WHEREAS, the following amendments to the Newark Avenue Downtown Redevelopment Plan have been reviewed by the Jersey City Planning Board at its meeting of April 16, 2013; and

WHEREAS, the Planning Board voted to recommend adoption of these amendments by the Municipal Council;

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Jersey City that the recommended amendments to the Newark Avenue Downtown Redevelopment Plan be, and hereby are, adopted.

BE IT FURTHER ORDAINED THAT:

- A. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- B. This ordinance shall be a part of the Jersey City Code as though codified and set forth fully herein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.
- C. This ordinance shall take effect at the time and in the manner as provided by law.
- D. The City Clerk and the Corporation Council be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible repealers of existing provisions.
- E. The City Planning Division is hereby directed to give notice at least ten days prior to the hearing on the adoption of this Ordinance to the Hudson County Planning board and to all other persons entitled thereto pursuant to N.J.S. 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 hereby 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, FAICP, Director of Planning

APPROVED AS TO LEGAL FORM

Corporation Counsel

APPROVED:

Business Administrator

Certification Required

Not Required

ORDINANCE FACT SHEET

1. Full Title of Ordinance/Resolution/Cooperation Agreement:

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE NEWARK AVENUE DOWNTOWN REDEVELOPMENT PLAN

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

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

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

The amendment will adopt new bulk standards for portions of the redevelopment plan area. The amendment will also add to the list of permitted uses and clarify various design requirements and bonus provisions.

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

To accommodate the consolidation of various lots into a single development site.

5. Anticipated Benefits to the Community:

Development of attractive mixed use construction in a transit accessible location .

6. Cost of Proposed Program, Project, etc.:

No expense to the city. All work done by in house staff.

7. Date Proposed Program or Project will commence:

Upon approval of the redevelopment plan amendment.

8. Anticipated Completion Date: N/A

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

Robert D. Cotter, Director, City Planning 547-5050
Jeff Wenger, City Planning 547-5453

10. Additional Comments: None

I Certify that all the Facts Presented Herein are Accurate.



Division Director

4/15/13

Date



Deputy Department Director Signature

APRIL 15, 2013

Date

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

ORDINANCE NO. Ord. 13-052
3.D. APR 24 2013 4.C. MAY 08 2013



Ordinance of the Municipal Council of the City of Jersey
 City adopting amendments to the Newark Avenue
 Downtown Redevelopment Plan.

RECORD OF COUNCIL VOTE ON INTRODUCTION APR 24 2013 8-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
DONNELLY	✓			FULOP	✓			LAVARRO	✓		
LOPEZ	✓			RICHARDSON	ABSENT			COLEMAN	✓		

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

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING MAY 08 2013 8-0											
Councilperson <u>BRENNAN</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	ABSENT			BRENNAN	✓		
DONNELLY	✓			FULOP	✓			LAVARRO	✓		
LOPEZ	✓			RICHARDSON	✓			COLEMAN	✓		

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

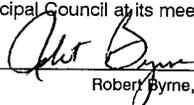
RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY											
Councilperson _____				moved to amend* Ordinance, seconded by Councilperson _____				& adopted			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO				GAUGHAN				BRENNAN			
DONNELLY				FULOP				LAVARRO		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

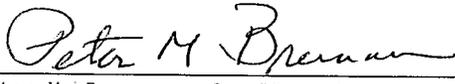
✓ Indicates Vote N.V.-Not Voting (Abstain)

RECORD OF FINAL COUNCIL VOTE MAY 08 2013 8-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	ABSENT			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 APR 24 2013
 Adopted on second and final reading after hearing on MAY 08 2013

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on MAY 08 2013

 Robert Byrne, City Clerk

APPROVED:

 Peter M. Brennan, Council President

*Amendment(s):

Date: MAY 08 2013
 APPROVED:


 Jerramiah T. Healy, Mayor
MAY 13 2013
 Date _____

Date to Mayor MAY 09 2013

City Clerk File No. Ord. 13-053

Agenda No. 3.E 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 13-053

TITLE:

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE LAND DEVELOPMENT ORDINANCE PERTAINING TO SIGNAGE

WHEREAS, the Municipal Council, pursuant to N.J.S.A. 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, the Municipal Council adopted the Land Development Ordinance, Chapter 345 of the Code of the City of Jersey City, on April 11, 2001, (Ordinance No. 01-042), and several amendments since then; and

WHEREAS, Article V includes Signage Zoning Standards for all districts, which lists several types of prohibited signage; and

WHEREAS, the existing Signage Standards would benefit from adding a prohibition on signage above the second story of any building other than hotels in order to control excess, inappropriate, and unwanted signage citywide; and

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

WHEREAS, the Planning Board at its meeting of April 16, 2013 did vote to recommend that the Municipal Council amend the Land Development Ordinance Section V as it pertains to Signage; 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 Land Development Ordinance, be and hereby is amended as per the attached document;

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 Planning Division is hereby directed to give notice at least ten days prior to the hearing on the adoption of this Ordinance to the Hudson County Planning board and to all other persons entitled thereto pursuant to N.J.S. 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 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, FAICP, PP, Director
Division of City Planning

APPROVED AS TO LEGAL FORM

Corporation Counsel

APPROVED:

APPROVED:
Business Administrator
ASST.

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 THE LAND DEVELOPMENT ORDINANCE PERTAINING TO SIGNAGE

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:

This Ordinance will amend Article V of the Land Development Ordinance (Zoning Ordinance) to modify the Signage Standards prohibit signs above the second floor of any building other than hotels.

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

Signage is undesirable on upper stories and along rooflines.

5. Anticipated Benefits to the Community:

This ordinance will help ensure appropriate and attractive signage.

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
Nick Taylor, Acting Director, Division of Zoning

10. Additional Comments: None

I Certify that all the Facts Presented Herein are Accurate.



Division Director

APRIL 11, 2013

Date



Department Director Signature

4/11/13

Date

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

ORDINANCE NO. Ord. 13-053
 TITLE: 3.E. APR 24 2013 4.D. MAY 08 2013



Ordinance of the Municipal Council of the City of Jersey
 City adopting amendments to the Land Development
 Ordinance pertaining to signage.

RECORD OF COUNCIL VOTE ON INTRODUCTION											
APR 24 2013 8-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
DONNELLY	✓			FULOP	✓			LAVARRO	✓		
LOPEZ	✓			RICHARDSON	ABSENT			COLEMAN	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING											
MAY 08 2013 8-0											
Councilperson <u>LAVARRO</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	ABSENT			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											
MAY 08 2013 8-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	ABSENT			BRENNAN	✓		
DONNELLY	✓			FULOP	✓			LAVARRO	✓		
LOPEZ	✓			RICHARDSON	✓			COLEMAN	✓		

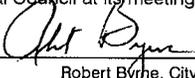
✓ Indicates Vote

N.V.-Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on APR 24 2013

Adopted on second and final reading after hearing on MAY 08 2013

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on MAY 08 2013


 Robert Byrne, City Clerk

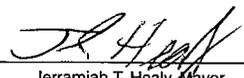
APPROVED:


 Peter M. Brennan, Council President

*Amendment(s):

Date: MAY 08 2013

APPROVED:


 Jerramiah T. Healy, Mayor
MAY 13 2013

Date _____

MAY 09 2013
 Date to Mayor _____

City Clerk File No. Ord. 13-054

Agenda No. 3.F 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 13-054

TITLE: ORDINANCE AUTHORIZING THE EXECUTION OF A DEED OF CONSERVATION EASEMENT FOR THE PROPERTIES LOCATED AT BROADWAY AND SIP AVENUE AND IDENTIFIED AS BLOCK 1627, LOTS 1.P, 2.A, 3.B, 5.A AND BLOCK 1639.A, LOTS 1.C, 3, 4, 4.C, 6.A, 7, COLLECTIVELY KNOWN AS THE HACKENSACK RIVER WATERFRONT PARK ACQUISITION PROPERTY

COUNCIL offered and moved adoption of the following Ordinance:

WHEREAS, the City of Jersey City (City) is the owner of certain land designated as Block 1627, Lots 1.P, 2.A, 3.B, 5.A and Block 1639.A, Lots 1.C, 3, 4, 4.C, 6.A and 7, located between Broadway and Sip Avenue, collectively known as the Hackensack River Waterfront Park Acquisition [the Property]; and

WHEREAS, the Property will be designated on the City's Recreation and Open Space Inventory (ROSI); and

WHEREAS, the County of Hudson provides grants to municipal governments for assistance in the development of lands for outdoor recreation and conservation purposes from the County's Open Space Trust Fund; and

WHEREAS, Resolution 09-990, approved on December 16, 2009 authorized the City to execute a Grant Agreement with the County of Hudson to accept funds in the amount of \$1,125,000.00 from the County Trust Fund for purposes of increasing the availability of recreational resources at the Property; and

WHEREAS, as a condition of the Grant Agreement dated August 16, 2011, the County of Hudson requires the City to execute a Deed of Conservation Easement (Easement) to assure that the Property be preserved and maintained in its natural and open space condition and to prevent any use of the Property that will significantly impair or interfere with the conservation values of the Property; and

WHEREAS, the dimensions and terms of the Easement are described in the Deed of Easement including a metes and bounds description, attached hereto as Exhibit A; and

WHEREAS, the City intends that this Easement will confine the use of the Property to such activities as are consistent with the purpose of this Easement; and

WHEREAS, the County of Hudson agrees to maintain the Property in a manner that is consistent with the use of the property as provided for in the Deed of Conservation Easement; and

WHEREAS, N.J.S.A. 40A:12-4 and N.J.S.A. 40A:12-5 permit the City to convey by ordinance, a Deed of Conservation Easement to the County of Hudson; and

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

0 2 0 1 3 0 6 1

ORDINANCE AUTHORIZING THE EXECUTION OF A DEED OF CONSERVATION EASEMENT FOR THE PROPERTIES LOCATED AT BROADWAY AND SIP AVENUE AND IDENTIFIED AS BLOCK 1627, LOTS 1.P, 2.A, 3.B, 5.A AND BLOCK 1639.A, LOTS 1.C, 3, 4, 4.C, 6.A, 7, COLLECTIVELY KNOWN AS THE HACKENSACK RIVER WATERFRONT PARK ACQUISITION PROPERTY

1. Subject to such modifications as deemed necessary or appropriate by the Business Administrator or Corporation Counsel, the Mayor or Business Administrator is hereby authorized to execute the Deed of Conservation Easement attached hereto granting the County of Hudson a conservation easement for Block 1627, Lots 1.P, 2.A, 3.B, 5.A and Block 1639.A, lots 1.C, 3,4,4.C, 6.A and 7, located between Broadway and Sip Avenue, collectively known as the Hackensack River Waterfront Park Acquisition to assure that the Property be preserved and maintained in its natural and open space condition consistent with the terms of the Deed of Conservation Easement, attached as Exhibit A; and
2. Subject to review and approval by Corporation Counsel, execute such other documents which may be necessary to effectuate the purposes of this ordinance.
3. All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed.
4. 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.
5. This Ordinance shall take effect at the time and in the manner as provided by law but in no event prior to the adoption of the Ordinance approving the Morris Canal Redevelopment Plan.
6. 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 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*.

IW/he
04/17/13

APPROVED AS TO LEGAL FORM



Corporation Counsel

APPROVED:



Business Administrator

Certification Required
Not Required

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

ORDINANCE NO. Ord. 13-054
 TITLE: 3.F APR 24 2013 4.E. MAY 08 2013



Ordinance authorizing the execution of a deed of conservation easement for the properties located at Broadway and Sip Avenue and identified as Block 1627, Lots 1.P, 2.A, 3.B, 5.A and Block 1639.A, Lots 1.C, 3, 4, 4.C, 6.A, 7 collectively known as the Hackensack River Waterfront Park acquisition property.

RECORD OF COUNCIL VOTE ON INTRODUCTION											
								APR 24 2013 8-0			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
DONNELLY	✓			FULOP	✓			LAVARRO	✓		
LOPEZ	✓			RICHARDSON	ABSENT			COLEMAN	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING											
								MAY 08 2013 8-0			
Councilperson <u>LAVARRO</u>				moved, seconded by Councilperson <u>FULOP</u>				to close PH.			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	ABSENT			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											
								MAY 08 2013 8-0			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	ABSENT			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 APR 24 2013

Adopted on second and final reading after hearing on MAY 08 2013

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on MAY 08 2013

 Robert Byrne, City Clerk

APPROVED:

 Peter M. Brennan, Council President

Date: MAY 08 2013

APPROVED:
 style="text-align: center;">

 Jerramiah T. Healy, Mayor

Date: MAY 13 2013

Date to Mayor MAY 09 2013

City Clerk File No. Ord. 13-055

Agenda No. 3.6 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 13-055

TITLE:ORDINANCE AUTHORIZING THE EXECUTION OF A DEED OF CONSERVATION EASEMENT FOR THE PROPERTY KNOWN AS BLOCK 1825.A, LOTS A.6 AND A.7, MORE COMMONLY KNOWN AS 91-95 DUNCAN AVENUE (THE BOYD MCGUINNESS PARK EXPANSION)

COUNCIL offered and moved adoption of the following Ordinance:

WHEREAS, the City of Jersey City (City) is the owner of certain land designated as Block 1825.1, Lot C1, more commonly known by the street address on the City's Official Tax Assessment Map as 2565 Kennedy Boulevard, also known as the Boyd McGuinness Park which is designated on the City's Recreation and Open Space Inventory (ROSI); and

WHEREAS, Ordinance 08-013, adopted on March 26, 2008, authorized the City to acquire Block 1825.A, Lots A.6 and A.7, more commonly known by the street address of 91-95 Duncan Avenue, for expansion of the Park [the Boyd McGuinness Park Expansion, hereinafter, the "Property"]; and

WHEREAS, the Property shall be designated on the City's ROSI; and

WHEREAS, the Hudson of County provides grants to municipal governments for assistance in the development of lands for outdoor recreation and conservation purposes from the County's Open Space Trust Fund; and

WHEREAS, Resolution 08-975, approved on December 17, 2008, authorized the City to execute a Grant Agreement with the County of Hudson to accept funds in the amount of \$150,000.00 from the County Trust Fund for purposes of increasing the availability of recreational resources at the Property; and

WHEREAS, as a condition of the Grant Agreement executed on August 14, 2008, the County of Hudson requires the City to execute a Deed of Conservation Easement (Easement) to assure that the Property be preserved and maintained in its natural and open space condition and to prevent any use of the Property that will significantly impair or interfere with the conservation values of the Property; and

WHEREAS, the dimensions and terms of the Easement are described in the Deed of Conservation Easement including a metes and bounds description, attached hereto as Exhibit A; and

WHEREAS, the City intends that this Easement will confine the use of the Property to such activities as are consistent with the purpose of this Easement; and

WHEREAS, the County of Hudson agrees to maintain the properties in a manner that is consistent with the use of the Property as provided for in the Deed of Conservation Easement; and

WHEREAS, N.J.S.A. 40A:12-4 and N.J.S.A. 40A:12-5 permit the City to convey by ordinance, a Deed of Conservation Easement to the County of Hudson; and

0 2 0 1 3 0 6 2

ORDINANCE AUTHORIZING THE EXECUTION OF A DEED OF CONSERVATION EASEMENT FOR THE PROPERTY KNOWN AS BLOCK 1825.A, LOTS A.6 AND A.7, MORE COMMONLY KNOWN AS 91-95 DUNCAN AVENUE (THE BOYD MCGUINNESS PARK EXPANSION)

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

1. Subject to such modifications as deemed necessary or appropriate by the Business Administrator or Corporation Counsel, the Mayor or Business Administrator is hereby authorized to execute the Deed of Conservation Easement attached hereto granting the County of Hudson a conservation easement for Block 1825.A, Lots A.6 and A.7, also known as 91-95 Duncan Avenue [the Boyd McGuinness Park Expansion] to assure that the Property be preserved and maintained in its natural and open space condition consistent with the terms of the Deed of Conservation Easement, shown in Exhibit A; and
2. Subject to review and approval by Corporation Counsel, execute such other documents which may be necessary to effectuate the purposes of this ordinance.
3. All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed.
4. 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.
5. This Ordinance shall take effect at the time and in the manner as provided by law but in no event prior to the adoption of the Ordinance approving the Morris Canal Redevelopment Plan.
6. 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 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*.

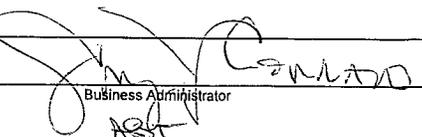
W/he
04/17/13

APPROVED AS TO LEGAL FORM



Corporation Counsel

APPROVED:



Business Administrator

Certification Required
Not Required

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

ORDINANCE NO. Ord. 13-055
3.G. APR 24 2013 4.F. MAY 08 2013



Ordinance authorizing the execution of a deed of conservation easement for the property known as Block 1825.A, Lots A.6 and A.7, more commonly known as 91-95 Duncan Avenue (The Boyd McGuinness Park Expansion).

RECORD OF COUNCIL VOTE ON INTRODUCTION											
APR 24 2013 8-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
DONNELLY	✓			FULOP	✓			LAVARRO	✓		
LOPEZ	✓			RICHARDSON	ABSENT			COLEMAN	✓		

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

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING											
MAY 08 2013 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	ABSENT			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											
MAY 08 2013 8-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	ABSENT			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 APR 24 2013

Adopted on second and final reading after hearing on MAY 08 2013

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on MAY 08 2013

Robert Byrne, City Clerk

APPROVED:

Peter M. Brennan, Council President

Date: MAY 08 2013

APPROVED:

Jerramiah T. Healy, Mayor
MAY 13 2013

Date _____

MAY 09 2013

Date to Mayor _____

City Clerk File No. Ord. 13-056

Agenda No. 3.H 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 13-056

TITLE: ORDINANCE AMENDING CHAPTER 239 (PARKS) AND CHAPTER 242 (PEACE AND GOOD ORDER) ARTICLE VI (ROLLER SKATES, IN-LINE SKATES, SKATEBOARDS AND BICYCLES) OF THE JERSEY CITY MUNICIPAL CODE

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

A. The following amendments to Chapter 239 (Parks) are hereby adopted:

PARKS

§239-1 through §239-6 No Change

§239-7 - Use of Bicycles

No person in a park shall:

A. Ride a bicycle on other than a paved vehicular road or path designated for that purpose. A bicyclist shall be permitted to wheel or push a bicycle by hand over any grassy area or wooded trail or on any paved area reserved for pedestrian use.

~~B. Ride a bicycle other than on the right-hand side of the road paving as close as conditions permit, and bicycles shall be kept in single file when two or more are operating as a group. Bicyclists shall at all times operate their machines with reasonable regard to the safety of others, signal all turns, pass to the right of any vehicle they are overtaking, and pass to the right of any vehicles they may be meeting.~~

~~[C. Ride any other person on a bicycle.]~~

~~fD]B.~~ Leave a bicycle in a place other than a bicycle rack when such is provided and there is a space available.

~~fE]C.~~ Leave a bicycle lying on the ground or paving, set against trees or in any place or position where other persons may trip over or be injured by it.

239-8 through 239-17 No Change

B The following amendments to Chapter 242 (Peace and Good) Article VI (Roller Skates, In-Line Skates, Skateboards and Bicycles) are hereby adopted:

0 2 0 1 3 0-5-6

**PEACE AND GOOD
ARTICLE VI
Roller Skates, In-Line Skates, Skateboards and Bicycles**

§ 242-8. - Helmet use and safety.

- A. No one under 18 years of age may ride upon in-line skates, bicycles, roller blades, roller skates, skateboards or similar devices without wearing a properly fitted and fastened helmet which meets the standards of the American National Standards Institute (ANSI Z 90.4 bicycle helmet standard), the United States Consumer Product Safety, or the Snell Memorial Foundation's 1984 standard for protective head gear for use in bicycling or a helmet designed for use with the particular device being used.

- B. No person operating a bicycle shall allow another person to ride as a passenger on a bicycle unless:
 - (1) Such passenger is carried in a proper bike seat, trailer or other bicycle accessory that complies with the Snell Memorial Foundation, the Safety Equipment Institute, or the United States Consumer Produce Safety Commission, and contains adequate provision for retaining the passenger in place and for protecting the passenger from moving parts of the bicycle; and such bike seat, trailer or other bicycle accessory is used in accordance with manufacturer's age and weight requirements and limitations; and

 - (2) Such passenger is wearing a properly fitted and fastened helmet meeting the standards in §242-8(A)

- C. No passenger on a bicycle shall be carried in a pack fastened to the operator.

§ 242-9. - Violations and penalties.

- A. Anyone who violates a requirement of [this article] §242.8 shall be warned of the violation by the enforcing official. His or her parent or legal guardian may be fined a maximum of \$50 [~~\$25 for the first offense and a maximum of \$100 for each subsequent offense.~~] There shall be a presumption that the parent or guardian failed to exercise reasonable supervision or control over the person's conduct. A fine may be waived if an offender or his or her parent or legal guardian presents suitable proof that an approved helmet or bike seat has been purchased since the violation occurred.]

§ 242-9.1. - Definitions; bicycle riders subject to traffic regulations; riding bicycles on business district public sidewalks prohibited; riding bicycles on public sidewalks in areas outside of business districts prohibited, except for minors age nine and under; use of bicycle lanes regulated; and safety of cyclist.

- A. As used herein, "bicycle" means a vehicle propelled by human power upon which a person may ride, having two tandem wheels, either of which is twelve (12) inches or more in diameter, and may be any vehicle generally recognized as a bicycle though equipped with two front or rear wheels.

- B. As used herein, "business district" is defined as an area that is a designated Special Improvement District or is zoned for retail use.

B.C. All persons operating bicycles shall have all of the rights and shall obey all applicable laws of the State of New Jersey and ordinances of this city, particularly those regulating traffic. Bicycle riders shall obey the same rules as the drivers of motor vehicles unless inapplicable.

- (1) Any person operating a bicycle within a roadway shall obey the instructions of the official traffic control signs, and other control devices applicable to vehicles, unless otherwise directed by a police officer.
- (2) No person shall ride or operate a bicycle within a roadway in any direction except that permitted of vehicular traffic traveling on the same side of the roadway, or that permitted in a bike lane.
- (3) Any person operating a bicycle within a roadway or bike lane shall stop for pedestrians in crosswalks.

D. Every person riding a bicycle within a roadway shall ride as near to the right roadside as practicable exercising due care when passing a standing vehicle or one proceeding in the same direction. A bicyclist may move left under any of the following conditions:

- (1) To make a left turn from a left turn lane or pocket;
- (2) To avoid debris, drains, or other hazardous conditions on the right;
- (3) To pass a slower moving vehicle;
- (4) To occupy any available lane when traveling at the same speed as other traffic;
- (5) To travel no more than two abreast when traffic is not impeded, but otherwise ride in single file;

[E.]E. It shall be unlawful for any person to operate or ride a bicycle in any of the following places:

- (1) On any public property where signs are posted by the Traffic Engineer prohibiting such use;
- (2) On private property where a sign prohibiting bicycle riding has been posted by the owner, lessee or person in charge of such property;
- (3) On sidewalks in business districts;
- (4) On sidewalks outside of business district areas, except for minors age nine and under.

F. Use of bicycle lanes. Whenever a bicycle lane has been established on a roadway, any person operating a bicycle upon the roadway at a speed less than the normal speed of traffic moving in the same direction shall ride within the bicycle lane, except that such person may move out of the lane under any of the following situations:

- (1) Whenever overtaking or passing another bicycle, vehicle or pedestrian within the lane or about to enter the lane if such overtaking and passing cannot be done safely within the lane.
- (2) When preparing for a turn at an intersection or into a private road or driveway.
- (3) When reasonably necessary to leave the bicycle lane to avoid debris or other hazardous conditions.

G. No person operating a bicycle shall leave a bicycle lane until the movement can be made with reasonable safety and then only after giving an appropriate signal.

H. In addition to bicyclists, the following are permitted to use bicycle lanes:

- (1) Individuals using roller blades, scooters, and skateboards; and
- (2) Individuals using motorized wheelchairs with an orange safety flag at least five feet above the street level; and
- (3) Bicyclists with attached trailers for children with an orange safety flag attached to the rear of the portage vehicle at least five feet above the street level.

I. Equipment. It shall be unlawful for the driver of the bicycle to wear more than one earphone attached to an audio device while operating a bicycle.

J. Carry Articles. No person operating a bicycle shall carry any package, device, or article which prevents the rider from keeping both hands upon the handles bars.

K. Clinging to moving motor vehicles is prohibited.

L. Lamps and equipment on bicycles.

- (1) Bicycles in use when dark shall be equipped with a lamp on the front which shall omit a white light visible from a distance of at least 500 feet to the front and with a red reflector on the rear of a type which shall be visible from 50 feet to 300 feet to the rear. A lamp omitting a red light visible from distance of 500 feet to the rear may be used in addition to the red reflector.
- (2) Bicycles shall be equipped with a brake which will enable the operator to make the braked wheel skid on dry, level, clean pavement.
- (3) Bicycles shall be equipped with a bell to serve as audible signal to vehicles, pedestrians, and other bicyclists.

~~[§ 242-9.2. - Violations and penalties.]~~

~~[A. Any person, except a minor who violates §242-9.1 shall be submit to a minimum fine of fifty dollars (\$50.00) and a maximum fine as provided in Chapter 1- General Provisions. §1-25.]~~

~~[B. Any minor who violates and provisions of § 242-9.1 shall, upon a first offense, receive a written warning addressed to the minor's parents or guardian. The minor and the parent may also be advised that a second violation will make them liable for a fifty-dollar (\$50.00) fine or community service as provided in Chapter 1- General Provisions § 1-25, and that a third or subsequent offense will make them liable to a minimum fine of one hundred dollars (\$100.00) and a maximum fine as provided in Chapter 1- General Provisions, § 1-25.]~~

§ 242-9.3. - Use restricted. No Change

§ 242-9.4. - Definitions. No Change

§ 242-9.5 - Violations and penalties.

[A. Any person who violates this article shall be subject to a fine of not less than twenty-five dollars (\$25.00) for the first offense and not more than two hundred fifty dollars (\$250.00) for subsequent offenses.]

A. Any person, except a minor, who violates this article shall be subject to a minimum fine of fifty dollars (\$50.00) and a maximum fine as provided in Chapter 1, General Provisions § 1-25.

B. Any minor who violates any provision of §242-9.1 and §242-9.3 shall, upon a first offense, receive a written warning addressed to the minor's parents or guardian. The minor and the parent may also be advised that a second violation will make them liable for a fifty-dollar (\$50.00) fine or community service as provided in Chapter 1. General Provisions § 1-25, and that a third or subsequent offense will make them liable to a minimum fine of one hundred dollars (\$100.00) and a maximum fine as provided in Chapter 1. General Provisions. § 1-25.

[B:]C. In addition to subsection (A) of this section, any member of the Police Department who witnesses a violation of this subsection shall confiscate the motorized scooter, motorized skateboard, or motorized roller skates which shall remain in police custody until such time as the matter is adjudicated in the Municipal Court and the violator pays any fine that is ordered. Should the defendant be found guilty of the alleged violation, the vehicle will be forfeited.

D. A police officer shall only issue a fine for a violation of any provision of §242-9.1 and §242-9.3 by a person less than fourteen years of age to the parent or guardian of such person if the violation by such person occurs in the presence of such person's parent or guardian. Such fines shall only be issued to such parent or guardian.

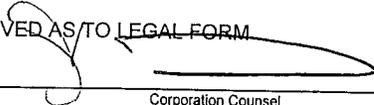
C. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

D. 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.

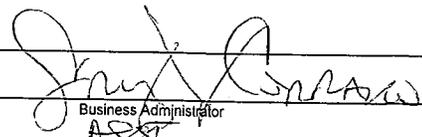
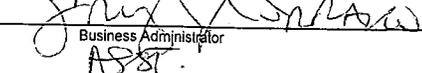
E. This ordinance shall take effect in the manner as prescribed by law.

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

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

APPROVED AS TO LEGAL FORM


Corporation Counsel

APPROVED: 
APPROVED: 
Business Administrator
ASST.

Certification Required
Not Required



CITY OF JERSEY CITY OFFICE OF THE MAYOR

MEMORANDUM

TO: PETER BRENNAN, COUNCIL PRESIDENT AND THE
MEMBERS OF THE MUNICIPAL COUNCIL

FROM: DOUGLAS GREENFELD, AICP/PP, SUPERVISING PLANNER *D.G.*

SUBJECT: PROPOSED AMENDMENTS TO BICYCLE RIDING ORDINANCES

DATE: APRIL 15, 2013

CC: ROSEMARY MCFADDEN, CHIEF OF STAFF; BILL MATSIKLOUDIS,
CORPORATION COUNSEL; ZAHIRE ESTRELLA, ASSISTANT
CORPORATION COUNSEL; JACK KELLY, BUSINESS
ADMINISTRATOR

We submit for your consideration a proposed ordinance which amends the City's current ordinances that pertain to bicycle riding in Jersey City.

The original version of this proposed ordinance was prepared by the Bicycle Infrastructure Working Group. However, some members of the municipal council have objected to permitting bicyclists to ride on public sidewalks throughout the city, and especially in business districts.

The National Highway Traffic Safety Administration (NHTSA) states that the safest place for bicycle riding is on the street, where bicycles are expected to follow the same rules of the road as motorists, and ride in the same direction. However, NHTSA also states that children less than 10 years old are not mature enough to make the decisions necessary to safely ride in the street, and that those children less ten years old are better off riding on the sidewalk.

We have modified the original proposed ordinance such that it now prohibits bicycling on all public sidewalks in the city, except for minors age nine and under in areas outside of business districts. It prohibits all bicycling on public sidewalks in business districts. It

defines business districts as any area that is a designated special improvement district or that is zoned for retail use.

Additionally, the proposed ordinance makes the following changes to the current ordinances:

- Adds requirement for any passengers on bicycles to be carried in a proper bike seat, trailer or other equipment that complies with established standards for safety. This is particularly pertinent to children as passengers.
- Adds rules for bicycling in the roadway to match state law.
- Establishes rules for bicycling within bicycle lanes, using the same rules that the City of Hoboken has already established to avoid confusion for cyclists.
- Establishes requirements for safety equipment for bicycles, including: a brake, a bell, and when dark front and rear lamps.
- Prohibits carrying any item which prevents both hands from being on the handle bars.
- Clarifies the violations section and makes it more consistent with the violations section of Chapter 242.

It is our belief that these changes will support bike riding in Jersey City and make safety a top priority.

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

ORDINANCE NO. Ord. 13-056
3.H. APR 24 2013 4.G. MAY 08 2013



Ordinance amending Chapter 239 (Parks) and Chapter 242 (Peace and Good Order) Article VI (RollerSkates, In-Line Skates, Skateboards and Bicycles) of the Jersey City Municipal Code.

RECORD OF COUNCIL VOTE ON INTRODUCTION											
APR 24 2013 8-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
DONNELLY	✓			FULOP	✓			LAVARRO	✓		
LOPEZ	✓			RICHARDSON	ABSENT			COLEMAN	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING											
MAY 08 2013 8-0											
Councilperson <u>RICHARDSON</u>				moved, seconded by Councilperson <u>DONNELLY</u>				to close PH.			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	ABSENT			BRENNAN	✓		
DONNELLY	✓			FULOP	✓			LAVARRO	✓		
LOPEZ	✓			RICHARDSON	✓			COLEMAN	✓		

✓ Indicates Vote YVONNE BALCER
JAYSON 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											
MAY 08 2013 8-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	ABSENT			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 APR 24 2013

Adopted on second and final reading after hearing on MAY 08 2013

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on MAY 08 2013

Robert Byrne
Robert Byrne, City Clerk

APPROVED:

Peter M Brennan
Peter M. Brennan, Council President

Date: MAY 08 2013

APPROVED: JT Hedly
Jerramiah T. Hedly, Mayor

MAY 13 2013

Date _____

MAY 09 2013

Date to Mayor _____

City Clerk File No. Ord. 13-057

Agenda No. 3.I 1st Reading

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



ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 13-057

TITLE: ORDINANCE APPROVING A 12 YEAR TAX EXEMPTION FOR A MARKET RATE MIXED USE RENTAL PROJECT TO BE CONSTRUCTED BY CHOSEN CONDOMINIUMS URBAN RENEWAL, LLC, AN URBAN RENEWAL ENTITY, PURSUANT TO THE LONG TERM TAX EXEMPTION LAW N.J.S.A. 40A:20-1 ET SEQ.

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

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

WHEREAS, the Entity owns certain vacant land property known as Block 6304, Lot 5, on the City's Official Tax Map, consisting of approximately 0.50 acres, more commonly known by the street address of 3075 Kennedy Boulevard, and more specifically described by metes and bounds, in the application (Property); and

WHEREAS, the Property is located within the Journal Square 2060 Redevelopment Plan Area and is therefore eligible for a tax exemption under N.J.S.A. 40A:20-4 and N.J.S.A. 40A:12A-5(g); and

WHEREAS, the Entity applied for a 12 year long term tax exemption, a copy of which is on file in the office of the City Clerk, to construct two (2) new six (6) story multiple dwellings, to consist of approximately eighty-three (83) market rate residential rental units; approximately 3,700 square feet of ground floor commercial/retail/office space and a garage unit to contain approximately nineteen (19) parking spaces; and

WHEREAS, the Project received site plan approval from the Planning Board on June 19, 2012; and

WHEREAS, Chosen Condominiums Urban Renewal, LLC, has agreed to:

1. pay the greater of (i) the Minimum Annual Service Charge or (ii) 10% of the Annual Gross Revenue for years 1 through 6, which sum is estimated to be \$143,180; and 12% of Annual Gross Revenue for years 7 through 12, and which Service Charge shall be subject to statutory staged increases over the term of the tax exemption; and
2. pay an annual sum equal to 2% of each prior year's Annual Service Charge as an Administrative Fee; and
3. provide employment and other economic opportunities for City residents and businesses; and
4. pay to the City, for remittance to Hudson County, an amount equal to 5% of the Annual Service Charge upon receipt of that charge; and
5. pay the sum of \$130,050 to the City's Affordable Housing Trust Fund; and

02013065

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

1. the current real estate taxes generate revenue of only \$22,882, whereas, the Annual Service Charge as estimated, will initially generate revenue of more than \$143,180 to the City;
2. it is expected that the Project will create approximately 32 jobs during construction and 2 new permanent jobs;
3. the Project will stabilize and contribute to the economic growth of businesses in the surrounding area;
4. the Project will further the overall redevelopment objectives of the Journal Square 2060 Redevelopment Plan;
5. the City's impact analysis, on file with the Office of the City Clerk, indicates that the benefits of the Project will likely outweigh the costs to the City; and

WHEREAS, the City hereby determines that the tax exemption is important to the development of the project and will influence the locational decisions of probable occupants for the following reasons:

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

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

WHEREAS, this Ordinance will sunset and the Tax Exemption will terminate unless construction of the Project begins before May 24, 2015.

WHEREAS, on April 16, 2013, the Tax Exemption Committee recommended the approval of the tax exemption to the Mayor.

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

A. The application of Chosen Condominiums Urban Renewal, LLC, an urban renewal company, formed and qualified to do business under the provisions of the Long Term Tax Exemption Law of 1992, as amended and supplemented, N.J.S.A. 40A:20-1 et seq. a copy of which is on file in the office of the City Clerk, for Block 6304, Lot 5, more commonly known by the street address of 3075 Kennedy Boulevard, and more specifically described by metes and bounds in the application, is hereby approved.

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

1. Term: the earlier of 14 years from the adoption of the within Ordinance or 12 years from the date the project is Substantially Complete;
2. Annual Service Charge: each year the greater of:

- (a) the Minimum Annual Service Charge equal to (i) \$100,000 upon substantial completion of the first building; or (ii) \$143,180 upon the earlier of: substantial completion of the second building or two (2) years after the first building is substantially complete; all of which shall be due and payable, whether or not the Project is complete or occupied; or
 - (b) 10% of Annual Gross Revenue for years 1 through 6, which sum is estimated to be \$143,180; and 12% of Annual Gross Revenue for years 7 through 12, and which shall be subject to statutory increases during the term of the tax exemption.
3. Administrative Fee: 2% of the prior year's Annual Service Charge;
 4. County Payment: 5% of the Annual Service Charge estimated to be \$7,159, to the City for remittance by the City to Hudson County;
 5. Project: A new multiple dwelling, market rate residential rental project, which will consist of two(2) six (6) story buildings with approximately eighty-three (83) market rate residential rental units; approximately 3,700 square feet of ground floor commercial/retail/office space and a garage to contain approximately nineteen (19) parking spaces;
 6. Affordable Housing Trust Fund: \$1,500 per unit or \$124,500 plus \$1.50 per square foot x 3,700 square feet or \$5,550, for a total of \$130,050;
 7. An obligation to execute a Project Employment and Contracting Agreement to insure employment and other economic benefits to City residents and businesses;
 8. This Ordinance will sunset and the Tax Exemption will terminate unless construction of the Project begins on or before May 24, 2015.
- C. The City Clerk shall deliver a certified copy of the Ordinance and Financial Agreement to the Tax Assessor and Director of the Division of Local Government Services.
- D. The application is on file with the office of the City Clerk. The Financial Agreement and Project Employment and Contracting Agreement shall be in substantially the form on file in the Office of the City Clerk, subject to such modification as the Business Administrator or Corporation Counsel deems appropriate or necessary.
- E. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- F. This ordinance shall be part of the Jersey City Code as though codified and fully set forth therein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.
- G. This ordinance shall take effect at the time and in the manner provided by law.
- H. The City Clerk and Corporation Counsel be and 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*.

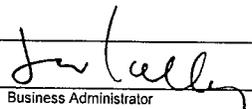
JM/he
4/18/13

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. 13-057
 TITLE: 3.I. APR 24 2013 4.H. MAY 08 2013



Ordinance approving a 12 year tax exemption for a market rate mixed use rental project to be constructed by Chosen Condominiums Urban Renewal, LLC, an urban renewal entity, pursuant to the Long Term Tax Exemption Law N.J.S.A. 40A:20-1 et seq.

RECORD OF COUNCIL VOTE ON INTRODUCTION											
APR 24 2013 8-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
DONNELLY	✓			FULOP	✓			LAVARRO	✓		
LOPEZ	✓			RICHARDSON	ABSENT			COLEMAN	✓		

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

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING											
MAY 08 2013 8-0											
Councilperson <u>RICHARDSON</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	ABSENT			BRENNAN	✓		
DONNELLY	✓			FULOP	✓			LAVARRO	✓		
LOPEZ	✓			RICHARDSON	✓			COLEMAN	✓		

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

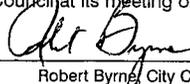
RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY											
Councilperson _____				moved to amend* Ordinance, seconded by Councilperson _____				& adopted			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO				GAUGHAN				BRENNAN			
DONNELLY				FULOP				LAVARRO		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

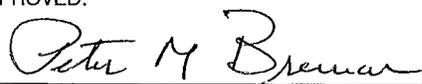
✓ Indicates Vote N.V.-Not Voting (Abstain)

RECORD OF FINAL COUNCIL VOTE											
MAY 08 2013 8-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	ABSENT			BRENNAN	✓		
DONNELLY	✓			FULOP	✓			LAVARRO	✓		
LOPEZ	✓			RICHARDSON	✓			COLEMAN	✓		

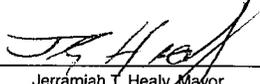
✓ Indicates Vote N.V.-Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on APR 24 2013
 Adopted on second and final reading after hearing on MAY 08 2013

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on MAY 08 2013

 Robert Byrne, City Clerk

APPROVED:

 Peter M. Brennan, Council President

*Amendment(s):

Date: MAY 08 2013
 APPROVED:

 Jerramiah T. Healy, Mayor
MAY 13 2013

Date _____
 Date to Mayor MAY 09 2013

City Clerk File No. Ord. 13-058

Agenda No. 3.J 1st Reading

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



ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 13-058

TITLE ORDINANCE APPROVING A 12 YEAR TAX EXEMPTION FOR A MARKET RATE RESIDENTIAL RENTAL PROJECT TO BE CONSTRUCTED BY LAIDLAW PROPERTIES URBAN RENEWAL, LLC, AN URBAN RENEWAL ENTITY, PURSUANT TO THE LONG TERM TAX EXEMPTION LAW N.J.S.A. 40A:20-1 ET SEQ.

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

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

WHEREAS, the Entity owns two (2) existing commercial/industrial structures on certain property known as Block 5901, Lot 1 (f/k/a Block 702, Lots 32, T.1 and V), on the City's Official Tax map, consisting of approximately .9 acres, and more commonly known by the street address of 66 Laidlaw Avenue and also known as 136-138 Oakland Avenue, and more specifically described by metes and bounds, in the application [Property]; and

WHEREAS, the Property is located within an Urban Enterprise Zone as required by N.J.S.A. 40A:20-4 and N.J.S.A. 40A:12A-5(g); and

WHEREAS, by adoption of Ordinance 05-012 on February 23, 2005, the City of Jersey City [City] approved a 20 year long term tax exemption for 78 residential condominium units with a service charge equal to sixteen percent (16%) of annual gross revenue formula with a term of twenty (20) years; and

WHEREAS, Laidlaw Properties Urban Renewal, LLC, then advised that despite making good faith efforts, due to the economic turndown in the real estate market, it was never able to secure financing for a residential condominium project at that location in order to proceed with the project; and gave the City notice that the Entity was not able to commence the project due to difficulties it had financing, and thus was abandoning the project; and

WHEREAS, by the adoption of Ordinance 09-005 on January 28, 2009, the City rescinded Ordinance 05-012 approving the tax exemption for Laidlaw Properties Urban Renewal, LLC, and the City of Jersey City; and

WHEREAS, on March 26, 2013, the Entity applied for a new 12 year long term tax exemption, a copy of which is on file in the office of the City Clerk, to renovate the buildings, add 2 and 3 stories, and construct approximately ninety-five (95) market rate residential rental units and approximately one hundred three (103) on site parking spaces located on the Property [Project]; and

WHEREAS, the Project received site plan approval from the Planning Board on February 16, 2012; and

WHEREAS, Laidlaw Properties Urban Renewal, LLC, has agreed to:

1. pay the greater of (i) the Minimum Annual Service Charge, as defined in the agreement as on less than the estimated Annual Service Charge, or (ii) 10% of Annual Gross Revenue for years 1-6, which sum is estimated to be approximately \$138,728; and 12% of Annual Gross Revenue for years 7-12; and which shall be subject to statutory staged increases over the term of the tax exemption; and
2. pay an annual sum equal to 2% of each prior year's Annual Service Charge as an Administrative Fee; and

3. provide employment and other economic opportunities for City residents and businesses; and
4. pay to the City, for remittance to Hudson County, an amount equal to 5% of the Annual Service Charge upon receipt of that charge; and
5. pay the sum of \$142,500 to the City's Affordable Housing Trust Fund; and

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

1. the current real estate taxes generate revenue of only \$66,824, of which only \$22,491 is allocated to the land, whereas, the Annual Service Charge as estimated, will initially generate revenue of more than \$138,728 to the City;
2. it is expected that the Project will create approximately 50 jobs during construction and 2 new permanent jobs;
3. the Project will stabilize and contribute to the economic growth of businesses in the surrounding area;
4. the Project will further the overall redevelopment objectives of the Jersey City Master Plan;
5. the City's impact analysis, on file with the Office of the City Clerk, indicates that the benefits of the Project outweigh the costs to the City; and

WHEREAS, the City hereby determines that the tax exemption is important to the development of the project and will influence the locational decisions of probable occupants for the following reasons:

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

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

WHEREAS, this Ordinance will sunset and the Tax Exemption will terminate unless construction of the Project begins before May 24, 2015; and

WHEREAS, on April 16, 2013, the Tax Exemption Committee recommended the approval of the tax exemption to the Mayor by an unanimous vote.

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

A. The application of Laidlaw Properties Urban Renewal, LLC, an urban renewal company, formed and qualified to do business under the provisions of the Long Term Tax Exemption Law of 1992, as amended and supplemented, N.J.S.A. 40A:20-1 et seq. a copy of which is on file in the office of the City Clerk, for Block 5901, Lot 1 (f/k/a Block 702, Lots 32, T.1 and V), more commonly known by the street address of 66 Laidlaw Avenue and also known as 136-138 Oakland Avenue, and more specifically described by metes and bounds in the application, is hereby approved.

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

1. Term: the earlier of 14 years from the adoption of the within Ordinance or 12 years from the date the project is Substantially Complete;
2. Annual Service Charge: each year the greater of:
 - (a) the Minimum Annual Service Charge equal to \$138,728 upon Project Completion, whether or not the Project is occupied; or

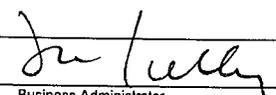
- (b) 10% of Annual Gross Revenue for years 1 through 6, which sum is estimated to be \$138,728; and 12% of Annual Gross Revenue for years 7 through 12, and which shall be subject to statutory increases during the term of the tax exemption.
- 3. Administrative Fee: 2% of the prior year's Annual Service Charge;
- 4. County Payment: 5% of the Annual Service Charge to the City for remittance by the City to Hudson County;
- 5. Project: renovate and expand an existing industrial commercial building with approximately ninety-five (95) market rate residential rental units and approximately one hundred three (103) on site parking spaces;
- 6. Affordable Housing Trust Fund: \$1,500 per unit x 95 units, or \$142,500;
- 7. An obligation to execute a Project Employment and Contracting Agreement to insure employment and other economic benefits to City residents and businesses;
- 8. This Ordinance will sunset and the Tax Exemption will terminate unless construction of the Project begins before May 24, 2015.
- C. The City Clerk shall deliver a certified copy of the Ordinance and Financial Agreement to the Tax Assessor and Director of the Division of Local Government Services.
- D. The application is on file with the office of the City Clerk. The Financial Agreement and Project Employment and Contracting Agreement shall be in substantially the form on file in the Office of the City Clerk, subject to such modification as the Business Administrator or Corporation Counsel deems appropriate or necessary.
- E. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- F. This ordinance shall be part of the Jersey City Code as though codified and fully set forth therein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.
- G. This ordinance shall take effect at the time and in the manner provided by law.
- H. The City Clerk and Corporation Counsel be and 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
4/18/13

APPROVED AS TO LEGAL FORM

Corporation Counsel

APPROVED: 
Business Administrator

Certification Required
Not Required

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

ORDINANCE NO. Ord. 13-058
 TITLE: 3.J. APR 24 2013 4.I. MAY 08 2013



Ordinance approving a 12 year tax exemption for a market rate residential rental project to be constructed by Laidlaw Properties Urban Renewal, L.L.C., an urban renewal entity, pursuant to the Long Term Tax Exemption Law N.J.S.A. 40A:20-1 et seq.

RECORD OF COUNCIL VOTE ON INTRODUCTION											
APR 24 2013 8-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
DONNELLY	✓			FULOP	✓			LAVARRO	✓		
LOPEZ	✓			RICHARDSON	ABSENT			COLEMAN	✓		

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

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING											
MAY 08 2013 8-0											
Councilperson <u>BRENNAN</u>				moved, seconded by Councilperson <u>COLEMAN</u>				to close PH.			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	ABSENT			BRENNAN	✓		
DONNELLY	✓			FULOP	✓			LAVARRO	✓		
LOPEZ	✓			RICHARDSON	✓			COLEMAN	✓		

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

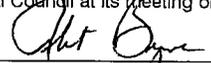
RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY											
Councilperson _____				moved to amend* Ordinance, seconded by Councilperson _____				& adopted			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO				GAUGHAN				BRENNAN			
DONNELLY				FULOP				LAVARRO		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

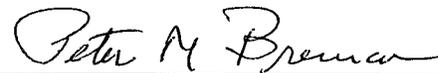
✓ Indicates Vote N.V.-Not Voting (Abstain)

RECORD OF FINAL COUNCIL VOTE											
MAY 08 2013 8-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	ABSENT			BRENNAN	✓		
DONNELLY	✓			FULOP	✓			LAVARRO	✓		
LOPEZ	✓			RICHARDSON	✓			COLEMAN	✓		

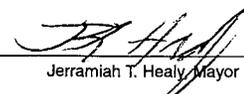
✓ Indicates Vote N.V.-Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on APR 24 2013
 Adopted on second and final reading after hearing on MAY 08 2013

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on MAY 08 2013

 Robert Byrnes, City Clerk

APPROVED:

 Peter M. Brennan, Council President

*Amendment(s):

Date: MAY 08 2013
 APPROVED:

 Jerramiah T. Healy, Mayor

Date MAY 13 2013

Date to Mayor MAY 09 2013

City Clerk File No. Ord. 13-059

Agenda No. 3.K 1st Reading

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



ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 13-059

TITLE: ORDINANCE TO 1) EXTEND THE SUNSET PROVISION OF ORDINANCE 11-084 THAT APPROVED A 30 YEAR TAX EXEMPTION FOR A LOW AND MODERATE INCOME SENIOR CITIZEN AFFORDABLE HOUSING PROJECT TO BE CONSTRUCTED BY THE MONTGOMERY SENIOR LIVING CENTER URBAN RENEWAL ASSOCIATES, L.P.; AND 2) AMEND THE FINANCIAL AGREEMENT TO INCREASE THE PERCENTAGE OF THE ANNUAL SERVICE CHARGE

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

WHEREAS, Montgomery Senior Living Center Urban Renewal Associates, L.P., is an urban renewal entity, formed and qualified to do business under the provisions of the Long Term Tax Exemption Law of 1992, as amended and supplemented, N.J.S.A. 40A:20-1 et seq. [Entity]; and

WHEREAS, Montgomery Senior Living Center Urban Renewal Associates, L.P. is the ground lessee of certain property owned by the Jersey City Housing Authority (JCHA) known as: Block 2116, Lot P1; to be known as Block 13102, Lot 1.02, on City's Tax map and more commonly known by the street address of 561 Montgomery Street, Jersey City, New Jersey [Property]; and

WHEREAS, by an application dated June 8, 2011, Montgomery Senior Living Center Urban Renewal Associates, L.P., applied for a 30 year tax exemption to rehabilitate an existing unoccupied ten (10) story high rise building containing 70 dwelling units for occupancy by and at rents affordable to senior citizens of low or moderate income affordable housing as defined by the United States Department of Housing and Urban Development [Project]; and

WHEREAS, because the Project is a low and moderate income affordable housing project, it is eligible for tax exemption pursuant to N.J.S.A. 40A:20-4, even though it is in neither a redevelopment area or an urban enterprise zone; and

WHEREAS, by the adoption of Ordinance 11-084 on August 10, 2011, the tax exemption was approved, subject to the approval of financing from the New Jersey Housing and Mortgage Finance Agency [NJHMFA] on or before December 31, 2012; and

WHEREAS, NJHMFA did not approve financing by December 31, 2012, and the tax exemption sunset; and

WHEREAS, by a letter dated April 10, 2013, Montgomery Senior Living Center Urban Renewal Associates, L.P., has applied to revive its application of June 8, 2011 and extend its period of tax exemption in order to now obtain financing from the NJHMFA from May 24, 2015; and

WHEREAS, Montgomery Senior Living Center Urban Renewal Associates, L.P., has also agreed to pay a service charge estimated to be \$36,286, which sum is equal to 9% of Annual Gross Revenue for years 1 through 15; and 12% of Annual Gross Revenue for years 16 through 30, and to provide employment and other economic opportunities for City residents and businesses in accordance with a Project Employment Agreement; and

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

1. The City will apply to receive credit for creating 68 units of low and moderate income rental housing against the units needed within the City of Jersey City as determined by the New Jersey Council on Affordable Housing;
2. There is an especially compelling need for decent safe and affordable housing for low income families, who are currently paying over 30% of their income for housing; and
3. The construction of the improvements will create 55 construction jobs, 2 full-time jobs and 1 part-time job, and stabilize the neighborhood; and

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

1. The reduced tax payments allow the owner to stabilize its operating budget, allowing a high level of maintenance to the building over the life of the Project;
2. The reduction in taxes makes the Project attractive to investors of low income housing tax credits and makes the project eligible for financing from the New Jersey Housing and Mortgage Finance Agency, needed to fund the Project; and
3. The reduced tax payments will also allow the owner to maintain the low income units at the lowest rents possible within the income guidelines; and
4. The Project will provide 68 units of low and moderate income affordable housing which advances an inherently beneficial public purpose, notwithstanding that the City's impact analysis, on file with the Office of the City Clerk, which indicates that the service charge will not support the cost of providing municipal services to the Project; and

WHEREAS, Montgomery Senior Living Center Urban Renewal Associates, L.P., site plan application was approved on May 24, 2011; and

WHEREAS, Montgomery Senior Living Center Urban Renewal Associates, L.P., has certified that the terms of its application dated June 8, 2011 have not changed except that it accepts the Amended Service Charge; and

WHEREAS, on April 16, 2013, the Tax Exemption Committee recommended the approval of the tax exemption to the Mayor with a two (2) year extension of the sunset provision and an amendment to the Service Charge of 9% of Annual Gross Revenue for years 1 through 15; and 12% of Annual Gross Revenue during years 16 through 30.

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

1. The application of Montgomery Senior Living Center Urban Renewal Associates, L.P., 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.; for a tax exemption, a copy of which is on file in the office of the City Clerk, is hereby approved subject to the following terms and conditions:

- (a) Term: 30 years;

- (b) Service Charge: 9% of Annual Gross Revenue for years 1 through 15, estimated to be approximately \$36,286; and 12% of Annual Gross Revenue for years 16 through 30;
- (c) Administrative Fee: 2% of the prior year's Annual Service Charge;
- (d) County Payment: 5% of the Annual Service Charge to the City for remittance by the City to Hudson County;
- (e) Project: 68 units of rental housing for low or moderate income families, especially senior citizens and special needs persons, as defined by United States Department of Housing and Urban Development; and
- (f) Property: Block 2116, Lot P1; to be known as Block 13102, Lot 1.02, on the City's Tax map and more commonly known by the street address of 561 Montgomery Street, Jersey City, New Jersey.

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

3. This Ordinance will sunset and the Tax Exemption will terminate unless the Entity receives approval of financing from the NJHMFA, which must now occur no later than May 24, 2015.

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

5. 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.

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

7. 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
4/18/13

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. 13-059
 TITLE: 3.K. APR 24 2013 4.J. MAY 08 2013



Ordinance to 1) Extend the Sunset Provision of Ordinance 11-084 that approved a 30 year tax exemption for a low and moderate income senior citizen affordable housing project to be constructed by the Montgomery Senior Living Center Urban Renewal Associates, L.P.; and 2) Amend the financial agreement to increase the percentage of the annual service charge.

RECORD OF COUNCIL VOTE ON INTRODUCTION											
				APR 24 2013				8-0			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
DONNELLY	✓			FULOP	✓			LAVARRO	✓		
LOPEZ	✓			RICHARDSON	ABSENT			COLEMAN	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING											
				MAY 08 2013				8-0			
Councilperson <u>RICHARDSON</u>				moved, seconded by Councilperson <u>COLEMAN</u>				to close PH.			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	ABSENT			BRENNAN	✓		
DONNELLY	✓			FULOP	✓			LAVARRO	✓		
LOPEZ	✓			RICHARDSON	✓			COLEMAN	✓		

✓ Indicates Vote

YVONNE BALTER FLETCHER GENSAMER MARIA MAIO
JAYSON BURG CHARLES HARRINGTON

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											
				MAY 08 2013				8-0			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	ABSENT			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 APR 24 2013

Adopted on second and final reading after hearing on MAY 08 2013

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on MAY 08 2013

Robert Byrne
 Robert Byrne, City Clerk

APPROVED:

Peter M. Brennan
 Peter M. Brennan, Council President

Date: MAY 08 2013

APPROVED:

Jerramiah T. Healy
 Jerramiah T. Healy, Mayor

Date: MAY 13 2013

Date to Mayor MAY 09 2013

City Clerk File No. Ord. 13-060

Agenda No. 3.L 1st Reading

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



ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 13-060

TITLE:

ORDINANCE TO 1) EXTEND THE SUNSET PROVISION OF ORDINANCE 11-083 THAT APPROVED A 30 YEAR TAX EXEMPTION FOR A LOW AND MODERATE INCOME AFFORDABLE HOUSING PROJECT TO BE CONSTRUCTED BY THE GLENNVIEW TOWNHOUSES II URBAN RENEWAL ASSOCIATES, L.P.; AND 2) AMEND THE FINANCIAL AGREEMENT TO AMENDMENT THE PERCENTAGE OF THE ANNUAL SERVICE CHARGE

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

WHEREAS, Glennview Townhouses II Urban Renewal Associates, L.P., is an urban renewal entity, formed and qualified to do business under the provisions of the Long Term Tax Exemption Law of 1992, as amended and supplemented, N.J.S.A. 40A:20-1 et seq. [Entity]; and

WHEREAS, Glennview Townhouses II Urban Renewal Associates, L.P. is the ground lessee of certain property owned by the Jersey City Housing Authority (JCHA) known as: Block 2088.1, Lots 5 and 16; to be known as Block 15601, Lots 1 and 6.01, on City's Tax map and more commonly known by the street address of 296 Woodward Street and 511 Grand Street, Jersey City, New Jersey [Property]; and

WHEREAS, on July 11, 2011, Glennview Townhouses II Urban Renewal Associates, L.P., applied for a 30 year tax exemption to construct two (2) residential rental complexes (4 buildings in each complex) containing 64 units of housing, of which 56 units will be occupied by and affordable to families of low income as defined by the United States Department of Housing and Urban Development; and eight (8) units will be market rate units [Project]; and

WHEREAS, because the Project is a low and moderate income affordable housing project, it is eligible for tax exemption pursuant to N.J.S.A. 40A:20-4, even though it is in neither a redevelopment area or an urban enterprise zone; and

WHEREAS, by the adoption of Ordinance 11-083 on August 10, 2011, the tax exemption was approved, subject to the approval of financing from the New Jersey Housing Mortgage and Finance Agency [NJHMFA] on or before December 31, 2012; and

WHEREAS, NJHMFA did not approve financing by December 31, 2012, and the tax exemption sunseted; and

WHEREAS, by letter dated April 10, 2013, Glennview Townhouses II Urban Renewal Associates, L.P., has applied to revive its application of July 11, 2011, and extend its period of tax exemption to obtain financing from the NJHMFA to May 24, 2015; and

WHEREAS, Glennview Townhouses II Urban Renewal Associates, L.P., now agrees to pay a service charge equal to 9% of Annual Gross Revenue for the low and moderate income units for years 1 through 15; and 12% of Annual Gross Revenue for years 16 through 30, and

Annual Gross Revenue for years 16 through 30; and to provide employment and other economic opportunities for City residents and businesses in accordance with a Project Employment Agreement; and

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

1. The City will apply to receive credit for creating 56 units of low and moderate income rental housing against the units needed within the City of Jersey City as determined by the New Jersey Council on Affordable Housing;
2. There is an especially compelling need for decent safe and affordable housing for low income families, who are currently paying over 30% of their income for housing; and
3. The construction of the improvements will create 55 construction jobs, 2 full-time jobs and 1 part-time job, and stabilize the neighborhood; and

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

1. The reduced tax payments allow the owner to stable its operating budget, allowing a high level of maintenance to the building over the life of the Project;
2. The reduction in taxes makes the Project attractive to investors of low income housing tax credits and makes the project eligible for financing from the New Jersey Housing and Mortgage Finance Agency, needed to fund the Project; and
3. The reduced tax payments will also allow the owner to maintain the low and moderate income units at the lowest rents possible within the income guidelines; and
4. The Project will provide 56 units of low and moderate income affordable housing advances an inherently beneficial public purpose notwithstanding that the City's impact analysis, on file with the Office of the City Clerk, indicates that the service charge will not support the cost of providing municipal services to the Project; and

WHEREAS, Glennview Townhouses II Urban Renewal Associates, L.P., site plan application was approved on May 10, 2011; and

WHEREAS, Glennview Townhouses II Urban Renewal Associates, L.P., has certified that the terms of its July 11, 2011 application have not changed except that the Service Charge is amended; and

WHEREAS, on April 16, 2013, the Tax Exemption Committee recommended the approval of the tax exemption to the Mayor with a two (2) year extension of the sunset provision and an increase in the Service Charge to 9% for the low and moderate income housing units for years 1 through 15; and 12% of Annual Gross Revenue for years 16 through 30; and a decrease in the Service Charge to 10% (in years 1 through 15), but an increase to 18% in years 16 through 30 for the market rate units.

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

1. The application of Glennview Townhouses II Urban Renewal Associates, L.P., 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.; for a tax exemption, a copy of which is on file in the office of the City Clerk, is hereby approved subject to the following terms and conditions:

- (a) Term: 30 years;

- (b) Service Charge: 9% of Annual Gross Revenue for years 1 through 15, estimated to be approximately \$38,070 for the 56 low and moderate income housing units; and 12% of Annual Gross Revenue for years 16 through 30; and 10% of Annual Gross Revenue for years 1 through 15, estimated to be approximately \$15,276 for the 8 market rate units, and 18% of Annual Gross Revenue for years 16 through 30;
- (c) Administrative Fee: 2% of the prior year's Annual Service Charge;
- (d) County Payment: 5% of the Annual Service Charge to the City for remittance by the City to Hudson County;
- (e) Project: 56 units of rental housing for low income families; and 8 market rate units; and
- (f) Property: Block 2088.1, Lots 5 and 16; to be known as Block 15601, Lots 1 and 6.01, on the City's Tax map and more commonly known by the street address of 296 Woodward Street and 511 Grand Street, Jersey City, New Jersey.

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

3. This Ordinance will sunset and the Tax Exemption will terminate unless the Entity receives approval of financing from the NJHMFPA, which must now occur no later than May 24, 2015.

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

5. 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.

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

7. The City Clerk and Corporation Counsel be and 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*.

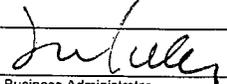
JM/he
4/18/13

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. 13-060
 TITLE: 3.L. APR 24 2013 4.K. MAY 08 2013



Ordinance to 1) Extend the Sunset Provision of Ordinance 11-083 that approved a 30 year tax exemption for a low and moderate income affordable housing project to be constructed by the Glennview Townhouses II Urban Renewal Associates, L.P., an urban renewal entity, pursuant to the Long Term Tax Exemption Law N.J.S.A. 40A:20-1 et Seq; and 2) Amend the financial agreement to increase the percentage of the annual service charge.

RECORD OF COUNCIL VOTE ON INTRODUCTION											
APR 24 2013 8-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
DONNELLY	✓			FULOP	✓			LAVARRO	✓		
LOPEZ	✓			RICHARDSON	ABSENT			COLEMAN	✓		

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

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING											
MAY 08 2013 8-0											
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	ABSENT			BRENNAN	✓		
DONNELLY	✓			FULOP	✓			LAVARRO	✓		
LOPEZ	✓			RICHARDSON	✓			COLEMAN	✓		

✓ Indicates Vote JAYSON BURG MARIA MAIO 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											
MAY 08 2013 8-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	ABSENT			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 APR 24 2013
 Adopted on second and final reading after hearing on MAY 08 2013

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on MAY 08 2013
Robert Byrne
 Robert Byrne, City Clerk

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

*Amendment(s):

Date: MAY 08 2013

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

Date: MAY 13 2013

Date to Mayor MAY 09 2013

City Clerk File No. Ord. 13-061

Agenda No. 3.M 1st Reading

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



ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 13-061

TITLE: ORDINANCE TO 1) EXTEND THE SUNSET PROVISION OF ORDINANCE 11-102 THAT APPROVED A 30 YEAR TAX EXEMPTION FOR A LOW INCOME SENIOR CITIZEN AND SPECIAL NEEDS AFFORDABLE HOUSING PROJECT TO BE CONSTRUCTED BY THE OCEAN GREEN SENIOR APARTMENTS, L.P., A QUALIFIED HOUSING SPONSOR UNDER THE NEW JERSEY MORTGAGE HOUSING FINANCE AGENCY LAW N.J.S.A. 55:14K-1 ET SEQ.; AND 2) AMEND THE PERCENTAGE OF THE SERVICE CHARGE

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

WHEREAS, Ocean Green Senior Apartments, L.P., is the owner of certain property known as: Block 1999, Lots 12.E and 34, on City's Tax map and more commonly known by the street address of 742-748 Ocean Avenue, Jersey City, New Jersey [Property]; and

WHEREAS, Ocean Green Senior Apartments, L.P., is a qualified housing sponsor under the New Jersey Mortgage Housing Finance Agency Law N.J.S.A. 55:14K-1 et seq.; and

WHEREAS, Ocean Green Senior Apartments, L.P., proposed to construct a housing project to be regulated and financed pursuant to the provisions of the New Jersey Housing and Mortgage Finance Agency Law, N.J.S.A. 55:14K-1 et seq. on the Property; and

WHEREAS, by application dated June 22, 2011, Ocean Green Senior Apartments, L.P., applied for a 30 year 10% of Annual Gross Revenue tax exemption for a five (5) story building to be constructed on the Property, to create a total of 44 dwelling units to be occupied by and at rents affordable to, low income families, especially senior citizens, including five (5) special needs units as defined by the United States Department of Housing and Urban Development, one (1) superintendent unit, and 23 off street parking spaces [Project]; and

WHEREAS, by the adoption of Ordinance 11-102 on August 10, 2011, the tax exemption was approved subject to the approval of financing from the New Jersey Housing and Mortgage Finance Agency [NJHMFA] on or before September 1, 2012; and

WHEREAS, NJHMFA did not approve financing by September 1, 2012 and the tax exemption sunsetted; and

WHEREAS, by letter dated April 10, 2013, Ocean Green Senior Apartments, L.P., applied to revive its application of June 22, 2011, and extend its period of tax exemption in order to obtain financing from the NJHMFA; and

WHEREAS, Ocean Green Senior Apartments, L.P., has now agreed to pay a service charge estimated to be \$27,911, which sum is equal to approximately 9% of Annual Gross Revenue for years 1 through 15, and 12% of Annual Gross Revenue for years 16 through 30, and to provide employment and other economic opportunities for City residents and businesses in accordance with a Project Employment Agreement; and

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

1. The City will apply to receive credit for creating 44 units of low income rental housing against the units needed within the City of Jersey City as determined by the New Jersey Council on Affordable Housing;
2. There is an especially compelling need for decent safe and affordable housing for low income families, especially for special needs persons, who are currently paying over 30% of their income for housing; and
3. The construction of the improvements will create 80 construction jobs and 4 full-time jobs and stabilize the neighborhood; and

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

1. The reduced tax payments allow the owner to stabilize its operating budget, allowing a high level of maintenance to the building over the life of the Project;
2. The reduction in taxes makes the Project attractive to investors of low income housing tax credits and makes the project eligible for financing from the New Jersey Housing and Mortgage Finance Agency, needed to fund the Project; and
3. The reduced tax payments will also allow the owner to maintain the low income units at the lowest rents possible within the income guidelines; and
4. The project will provide 44 units of low income affordable housing which advances an inherently beneficial public purpose notwithstanding that the City's impact analysis, on file with the Office of the City Clerk, indicates that the service charge will not support the cost of providing municipal services to the Project; and

WHEREAS, Ocean Green Senior Apartments, L.P., site plan application was approved on August 3, 2011; and

WHEREAS, based upon Ocean Green's certification that the terms of its application have not changed, except the sunset provision and percentage of service charge; and

WHEREAS, on April 16, 2013, the Tax Exemption Committee recommended the approval of the tax exemption to the Mayor with a two (2) year extension of the sunset provision and a decrease in the Service Charge to 9%.

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

1. The application of Ocean Green Senior Apartments, L.P., a qualified housing sponsor under the New Jersey Mortgage Housing Finance Agency Law N.J.S.A. 55:14K-1 et seq.; for a tax exemption, a copy of which is on file in the office of the City Clerk, is hereby approved subject to the following terms and conditions:

- (a) Term: 30 years;
- (b) Service Charge: 9% of Annual Gross Revenue for years 1 through 15, estimated to be \$27,911; and 12% of Annual Gross Revenue for years 16 through 30;
- (c) Administrative Fee: 2% of the prior year's Annual Service Charge, or \$558;

- (d) Project: 44 units of rental housing for low income families, especially senior citizens and 5 units for special needs persons as defined by the United States Department of Housing and Urban Development; and
- (e) Property: Block 1999, Lots 12.E and 34, on the City's Tax map and more commonly known by the street address of 742-748 Ocean Avenue, Jersey City, New Jersey.

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

3. This Ordinance will sunset and the Tax Exemption will terminate unless the Entity receives approval of financing from the NJHMFA, which must now occur no later than May 24, 2015.

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

5. 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.

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

7. The City Clerk and Corporation Counsel be and 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.

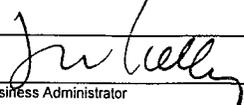
NOTE: All material is new; therefore underlining has been omitted. For purposes of advertising only, new matter is indicated by **bold face** and repealed matter by *italic*.

JM/he
4/18/13

APPROVED AS TO LEGAL FORM



Corporation Counsel

APPROVED: 

Business Administrator

Certification Required
Not Required

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

ORDINANCE NO. Ord. 13-061
 TITLE: 3.M. APR 24 2013 4.L. MAY 08 2013



Ordinance to 1) Extend the Sunset Provision of Ordinance 11-102 that approved a 30 year tax exemption for a low income senior citizen and special needs affordable housing project to be constructed by the Ocean Green Senior Apartments, L.P., a qualified housing sponsor under the New Jersey Mortgage Housing Finance Agency Law N.J.S.A. 55:14K-1 et seq; and 2) amend the percentage of the service charge.

RECORD OF COUNCIL VOTE ON INTRODUCTION											
APR 24 2013 8-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
DONNELLY	✓			FULOP	✓			LAVARRO	✓		
LOPEZ	✓			RICHARDSON	ABSENT			COLEMAN	✓		

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

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING											
MAY 08 2013 7-0											
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	ABSENT			BRENNAN	ABSENT		
DONNELLY	✓			FULOP	✓			LAVARRO	✓		
LOPEZ	✓			RICHARDSON	✓			COLEMAN	✓		

✓ Indicates Vote GENE O'CONNELL N.V.-Not Voting (Abstain)

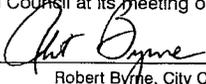
RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY											
Councilperson _____				moved to amend* Ordinance, seconded by Councilperson _____				& adopted			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO				GAUGHAN				BRENNAN			
DONNELLY				FULOP				LAVARRO		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

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

RECORD OF FINAL COUNCIL VOTE											
MAY 08 2013 8-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	ABSENT			BRENNAN	✓		
DONNELLY	✓			FULOP	✓			LAVARRO	✓		
LOPEZ	✓			RICHARDSON	✓			COLEMAN	✓		

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

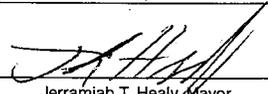
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This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on MAY 08 2013

 Robert Byrne, City Clerk

APPROVED:

 Peter M. Brennan, Council President

*Amendment(s):

Date: MAY 08 2013
 APPROVED:

 Jerramiah T. Healy, Mayor

Date MAY 13 2013

Date to Mayor MAY 09 2013