City Clerk File No. Ord. 17-023

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 17-023

TITLE: **AN ORDINANCE OF THE CITY OF JERSEY CITY IN THE COUNTY OF HUDSON, STATE OF NEW JERSEY, AUTHORIZING THE TRANSFER OF CERTAIN CITY-OWNED REAL PROPERTY, IDENTIFIED ON THE TAX MAP OF THE CITY OF JERSEY CITY AS BLOCK 21504, LOT 6, TO THE JERSEY CITY REDEVELOPMENT AGENCY (65 PHILLIP STREET)**

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

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the "**Redevelopment Law**") authorizes a municipality to determine whether certain property within the municipality constitutes an "area in need of redevelopment"; and

WHEREAS, in accordance with the Redevelopment Law, the municipal council (the "**City Council**") of the City of Jersey City (the "**City**") designated the Liberty Harbor Redevelopment Area (the "**Redevelopment Area**"), which Redevelopment Area consists of, among several parcels, certain property identified as Block 21504, Lot 6, on the tax map of the City, otherwise commonly known as 65 Phillip Street in the City (the "**Property**"); and

WHEREAS, the Property is currently owned by the City and lies within the legally established boundaries of the Redevelopment Area; and

WHEREAS, it has been determined that the Property is not needed for any municipal public purpose or use; and

WHEREAS, the City Council adopted, at its meeting in March 1973, the Liberty Harbor Redevelopment Plan; and

WHEREAS, the Jersey City Redevelopment Agency (the "**Agency**") has the responsibility of acquiring property within the Redevelopment Area to effectuate the redevelopment and revitalization of the Redevelopment Area; and

WHEREAS, the Agency has deemed it necessary to acquire the Property from the City to accomplish the objectives of the Liberty Harbor Redevelopment Plan; and

WHEREAS, the City may transfer the Property to the Agency pursuant to N.J.S.A. 40A:12A-39(a) and (f); and

WHEREAS, the Agency intends to further transfer the Property to the designated redeveloper in connection with the proposed Scitech Scity Redevelopment Project (the "**Project**") to be undertaken by a non-profit affiliate of the Liberty Science Center (the "**Redeveloper**") pursuant to a Redevelopment Agreement to be entered by and between the Agency and the Redeveloper; and

WHEREAS, the Agency, as an express condition of transfer to the Redeveloper, shall include a restrictive covenant in the deed to the Property (the "**Deed**") requiring that the fee simple interest in the Property shall remain with a non-profit entity in perpetuity; and

AN ORDINANCE OF THE CITY OF JERSEY CITY IN THE COUNTY OF HUDSON, STATE OF NEW JERSEY, AUTHORIZING THE TRANSFER OF CERTAIN CITY-OWNED REAL PROPERTY, IDENTIFIED ON THE TAX MAP OF THE CITY OF JERSEY CITY AS BLOCK 21504, LOT 6, TO THE JERSEY CITY REDEVELOPMENT AGENCY

WHEREAS, the Agency shall also include a clause in the Deed which shall provide that title to the Property shall revert back to the Agency in the event the Project is not completed in accordance with the terms of the Redevelopment Agreement between the Agency and the redeveloper; and

WHEREAS, when and if the annual Surplus accumulates over time to an amount that exceeds the Philanthropic Funds donated and/or contributed to develop the Project then any additional Surplus shall be shared annually between the City of Jersey City and the Buyer, with fifty percent (50%) of such Surplus allocated and distributed on an annual basis to the City of Jersey City (the "**City**") and fifty percent (50%) of such Surplus allocated and distributed on an annual basis to the Buyer, until the City receives an accumulated total equal to the Appraised Value of the Property as of the date of the Closing. The "**Appraisal Value**" shall be an amount determined by an independent licensed appraiser selected by the Parties within ninety (90) days from date of Closing; and

WHEREAS, when and if the accumulated Surplus over time exceeds 1) the Philanthropic Funds donated and/or contributed and 2) the City receives accumulated payments equal to the Appraised Value, then any additional Surplus thereafter shall be shared annually between the City and the Buyer, with twenty percent (20%) of such Surplus allocated and distributed on an annual basis to the City and eighty percent (80%) of such Surplus allocated and distributed on an annual basis to the Buyer; and

WHEREAS, the Agency shall further obligate the Redeveloper to share future revenues with the City and/or Agency as consideration for the initial sale of such Property for nominal consideration.

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

Section 1. The foregoing recitals are incorporated herein as though fully set forth at length. The City Clerk shall have this Ordinance codified and incorporated in the official copies of the Jersey City Code.

Section 2. Pursuant to N.J.S.A. 40A:12A-39(a) and (f), the transfer of Property known as Block 21504, Lot 6 on the tax map of the City of Jersey City to the Jersey City Redevelopment Agency, for ONE DOLLAR ($1.00), is hereby authorized for the purpose of implementing the Liberty Harbor Redevelopment Plan, provided that the Deed to the Property includes the terms described in the above recitals, included but not limited to the following:

a) when and if the annual Surplus accumulates over time to an amount that exceeds the Philanthropic Funds donated and/or contributed to develop the Project then any additional Surplus shall be shared annually between the City of Jersey City and the Buyer, with fifty percent (50%) of such Surplus allocated and distributed on an annual basis to the City of Jersey City (the "**City**") and fifty percent (50%) of such Surplus allocated and distributed on an annual basis to the Buyer, until the City receives an accumulated total equal to the Appraised Value of the Property as of the date of the Closing. The "**Appraisal Value**" shall be an amount determined by an independent licensed appraiser selected by the Parties within ninety (90) days from date of Closing; and

b) when and if the accumulated Surplus over time exceeds 1) the Philanthropic Funds donated and/or contributed and 2) the City receives accumulated payments equal to the Appraised Value, then any additional Surplus thereafter shall be shared annually between the City and the Buyer, with twenty percent (20%) of such Surplus allocated and distributed on an annual basis to the City and eighty percent (80%) of such Surplus allocated and distributed on an annual basis to the Buyer.

AN ORDINANCE OF THE CITY OF JERSEY CITY IN THE COUNTY OF HUDSON, STATE OF NEW JERSEY, AUTHORIZING THE TRANSFER OF CERTAIN CITY-OWNED REAL PROPERTY, IDENTIFIED ON THE TAX MAP OF THE CITY OF JERSEY CITY AS BLOCK 21504, LOT 6, TO THE JERSEY CITY REDEVELOPMENT AGENCY

Section 3. The Mayor, Business Administrator, and/or other necessary City officials and representatives are authorized to carry out all actions reasonably necessary to execute the Deed and all necessary or appropriate instruments to convey and effectuate the transfer of the aforesaid Property to the Agency.

Section 4. If any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Ordinance.

A. All Ordinances and part of Ordinances inconsistent herewith are hereby repealed.

B. The City Clerk and the Corporation counsel are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of the 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.

C. A copy of this Ordinance shall be available for public inspection at the offices of the City Clerk.

D. This Ordinance shall take effect as required by law.

BD
2/16/17
3/09/17

APPROVED AS TO LEGAL FORM

Corporation Counsel

APPROVED: _____

APPROVED: _____
Business Administrator

Certification Required ☐
Not Required ☐

616709

Ordinance FACT SHEET – NON-CONTRACTUAL

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

Full Title of Ordinance

AN ORDINANCE OF THE CITY OF JERSEY CITY IN THE COUNTY OF HUDSON, STATE OF NEW JERSEY, AUTHORIZING THE TRANSFER OF CERTAIN CITY-OWNED REAL PROPERTY, IDENTIFIED ON THE TAX MAP OF THE CITY OF JERSEY CITY AS BLOCK 21504, LOT 6, TO THE JERSEY CITY REDEVELOPMENT AGENCY

Initiator

Department/Division	Jersey City Redevelopment Agency	
Name/Title	David Donnelly, Executive Director	
Phone/email	**201-761-0819, ddonnelly@jcnj.org**	

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

Ordinance Purpose

Mayor Fulop and the executive director of the Liberty Science Center, Paul Hoffman, have forged a vision to create a transformative project near the Liberty Science Center. This project will consist of a K-12 school, a scientific business innovation center and a scholars' village. The City will transfer title to the Jersey City Redevelopment Agency (JCRA). The JCRA will then transfer the property to the designated developer for the SciTech Scity Redevelopment Project. The designated developer is a non-profit affiliate arm of the Liberty Science Center.

The JCRA has entered into a redevelopment agreement that includes certain restrictive covenants. Most importantly these restrictions include that title must be held by a non-profit in perpetuity, a reverter clause should the project not be completed in a timely manner in accordance with the redeveloper agreement and the entity must share future revenues with the City for the initial sale of the property for nominal consideration.

I certify that all the facts presented herein are accurate.

2/13/207

Signature of Department Director **Date**

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

ORDINANCE NO. Ord. 17-023
TITLE: 3.A MAR 8 2017 4.A MAR 2 2 2017

An Ordinance of the City of Jersey City in the County of Hudson, State of New Jersey, authorizing the transfer of certain City-Owned Real Property, identified on the Tax Map of the City of Jersey City as Block 21504, Lot 6, to the Jersey City Redevelopment Agency (65 Phillip Street).

RECORD OF COUNCIL VOTE ON INTRODUCTION MAR 0 8 2017 7-2

COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN		✓		RIVERA	✓		
GADSDEN	✓			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO		✓		ROBINSON	✓			LAVARRO, PRES.	✓		

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING MAR 2 2 2017 9-0

Councilperson OSBORNE moved, seconded by Councilperson WATTERMAN to close P.H.

COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
GADSDEN	✓			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	✓		

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

SPEAKERS:

LAVERN WASHINGTON
HENRY GAGE
GILBERT MOORE
LORENZO RICHARDSON
MONICA K. ANDREWS
BRUCE ALSTON
IOANNIS KOROSIDIS
DANIEL SEXTON
SAM PESIN
RAFAEL TORRES
MANUKUMAR PATEL
ERNEST SMITH

JOSEPHINE PAIGE
BONITA BLANEY
CAMILLE CHAMBERS
KAREE SKARSTEN
SUKI WHANG
MILDRENNY RIVERA
KATHY ZUCAR
JOE BROWN
NICOLAS HORNYAK
ALEJANDRO MELENDEZ
DEEPSH DHINGRA
IOWAKA BARBER

MARY MILLS
MORGAN SPAN
ESTHER WINTNER
LINDA MORAN
ANDREA CONNELLY
BILL MATSIKOUDIS
RONALD GRECO
MARIA SCARIATTI
DANIEL SICARDI
CARMEN CHEN
JIM MOORE
MARY McDONALD
KABILI TAYARI

MIA SCANGA
GERALD McCANN
JUNE JONES
JOHN FROHLING
MATT SCHAPIRO
JOAN TERRELL
ELLEN SIMON
JULIE MOSTAFA
YVONNE BALCER
BILL HOFFMAN
KULOWSKI

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY

Councilperson_____ moved to amend* Ordinance, seconded by Councilperson_____ & adopted_____

COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI				YUN				RIVERA			
GADSDEN				OSBORNE				WATTERMAN			
BOGGIANO				ROBINSON				LAVARRO, PRES.			

RECORD OF FINAL COUNCIL VOTE MAR 2 2 2017 6-3

COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN		✓		RIVERA	✓		
GADSDEN		✓		OSBORNE	✓			WATTERMAN	✓		
BOGGIANO		✓		ROBINSON	✓			LAVARRO, PRES.	✓		

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

Adopted on first reading of the Council of Jersey City, N.J. on MAR 0 8 2017

Adopted on second and final reading after hearing on MAR 2 2 2017

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on MAR 2 2 2017

Robert Byrne, City Clerk

*Amendment(s):

APPROVED:

Rolando R. Lavarro, Jr., Council President

Date MAR 2 2 2017

APPROVED:

Steven M. Fulop, Mayor

Date MAR 23 2017

Date to Mayor MAR 2 3 2017

City Clerk File No. Ord. 17-025

Agenda No. 3.B. 1st Reading

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

ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 17-025

TITLE:

CALENDAR YEAR 2017
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to .5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

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

WHEREAS, the Municipal Council of the City of Jersey City in the County of Hudson finds it advisable and necessary to increase its CY 2017 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Municipal Council hereby determines that a 3.0 % increase in the budget for said year, amounting to $13,397,080. in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

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

NOW THEREFORE BE IT ORDAINED, by the Municipal Council of the City of Jersey City, in the County of Hudson, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2017 budget year, the final appropriations of the City of Jersey City shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to $ 15,629,927, and that the CY 2017 municipal budget for the City of Jersey City be approved and adopted in accordance with this ordinance; and,

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

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

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

APPROVED AS TO LEGAL FORM

Corporation Counsel

APPROVED: Donna Maria Ca

APPROVED:

Business Administrator

Certification Required ☐

Not Required ☐

RESOLUTION FACT SHEET – NON-CONTRACTUAL

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

Full Title of Ordinance/Resolution

CALENDAR YEAR 2017
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)

Initiator

Department/Division	Administration	Management & Budget
Name/Title	Donna Mauer	Chief Financial Officer
Phone/email	201-547-5042	DonnaM@jcnj.org

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

Ordinance Purpose

An annual COLA is authorized under the original 1977 budget cap law, currently reflected as N.J.S.A. 40A:45-45.1a. The COLA for CY 2017 budget is one-half percent (.5%). Pursuant to N.J.S.A. 40A:4-45.2, "municipalities and counties shall be prohibited from increasing their final budget by more than 2.5% or the cost-of-living adjustment, **whichever is less**…" unless action is taken by the governing body to increase their final appropriations subject to the cap to the statutorily permitted 3.5%.

A municipality by ordinance may increase the COLA percentage up to 3.5% or bank (for up to two years) the difference between its final appropriation subject to the cap and 3.5%. CAP banking is not automatic. This ordinance can be used to accomplish both activities; increasing appropriations cap and banking any unappropriated balance. Cap bank balances from 2015 and 2016 are available for use in 2017.

I certify that all the facts presented herein are accurate.

Donna Mauer CFO — 2/28/17

Signature of Department Director — **Date**

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

ORDINANCE NO. Ord. 17-025 MAR 2 2 2017
TITLE: 3.B MAR 8 2017 4.B

An Ordinance to exceed the Municipal Budget Appropriation Limits and the establish a Cap Bank.

RECORD OF COUNCIL VOTE ON INTRODUCTION MAR 0 8 2017 9-0

COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
GADSDEN	✓			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	✓		

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING MAR 2 2 2017 8-0

Councilperson RIVERA **moved, seconded by Councilperson** LAVARRO **to close P.H.**

COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
GADSDEN	✓			OSBORNE	✓			WATTERMAN	ABSENT		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	✓		

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

SPEAKERS:

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY

Councilperson_____ **moved to amend* Ordinance, seconded by Councilperson**_____ **& adopted**_____

COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI				YUN				RIVERA			
GADSDEN				OSBORNE				WATTERMAN			
BOGGIANO				ROBINSON				LAVARRO, PRES.			

RECORD OF FINAL COUNCIL VOTE MAR 2 2 2017 9-0

COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
GADSDEN	✓			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	✓		

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

Adopted on first reading of the Council of Jersey City, N.J. on MAR 8 2017

Adopted on second and final reading after hearing on MAR 2 2 2017

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on MAR 2 2 2017

Robert Byrne, City Clerk

*Amendment(s):

APPROVED:

Rolando R. Lavarro, Jr., Council President

Date MAR 2 2 2017

APPROVED:

Steven M. Fulop, Mayor

Date MAR 2 3 2017

Date to Mayor MAR 2 3 2017

City Clerk File No. Ord. 17-026

Agenda No. 3.C. 1st Reading

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

ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 17-026

TITLE:

ORDINANCE ESTABLISHING THE OPEN SPACE RECREATION AND HISTORIC PRESERVATION TRUST FUND PURSUANT TO N.J.S.A. 40:12-15.7

COUNCIL, offered and moved adoption of the following ordinance:

WHEREAS, N.J.S.A. 40:12-15.7 authorizes the governing body of municipalities to submit to its voters a referendum concerning the imposition of an annual levy at a rate deemed appropriate for any of the following purposes, or any combination thereof: a) acquisition of lands for recreation and conservation; b) development of lands acquired for recreation and conservation; c) maintenance of lands acquired for recreation and conservation; d) historic preservation of historic properties, structures, facilities, sites, areas, or objects, and the acquisition of such properties, structures, facilities, sites, areas, or objects; e.) Blue Acres projects and/or f.) to providing funding for the payment of debt service incurred or issued for any of the purposes set forth in subsections a.) through e.) above;

WHEREAS, in the November 2016 General Election the voters approved the imposition of the annual open space levy via a non-binding referendum to allow the City to establish a municipal open space recreation and historic property preservation trust fund to be funded by an annual tax not to exceed two cents ($0.02) per one hundred ($100) dollars of total municipal assessed real property valuation; and

WHEREAS, pursuant to N.J.S.A. 40:12-15.7, the City is required to adopt an ordinance to formally adopt the voter's approval of the annual levy and to set up a trust fund to administer the tax proceeds.

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

1. Imposition of Tax for Recreation, Conservation and Historic Preservation

The City hereby imposes an annual levy not to exceed two cents ($0.02) per one hundred ($100) dollars of total municipal assessed real property.

2. Purpose of Levy; allocation of funds among each purpose

A. Pursuant to N.J.S.A. 40:12-15.7, the annual levy shall be used for the following purposes:

a) acquisition of lands for recreation and conservation;
b) development of lands acquired for recreation and conservation;

c) maintenance of lands acquired for recreation and conservation;
d) preservation of historic properties, structures, facilities, sites, areas, or objects, and the acquisition of such properties, structures, facilities, sites, areas, or objects;
e.) Blue Acres Projects; and/or
f.) to providing funding for the payment of debt service incurred or issued for any of the purposes set forth in subsections a.) through e.) above.

B. The Council shall determine the appropriate amount to be allocated to each purpose after holding one or more hearings thereon.

3. Municipal Open Space, Recreation and Historic Preservation Trust Fund

The City hereby establishes an Open Space Recreation and Historic Preservation Trust Fund (the "Trust Fund") to administer all proceeds derived from imposition of the annual open space levy pursuant to N.J.S.A. 40:12-15.7(c). The Trust Fund shall be permitted to accept donations, testamentary bequests and other funds where appropriate and permitted by law.

4. Severability.

If any provision of this Ordinance or application thereof to any person or circumstance is judged invalid, the invalidity shall not affect other provisions or applications of the Ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared severable.

I. All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed.

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

III. This Ordinance shall take effect **20** days after enactment.

IV. The City Clerk and the Corporation Counsel be and hereby are authorized and directed to change any chapter numbers, article numbers and section numbers in the event the codification of this Ordinance reveals that there is conflict between those numbers and the existing code.

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

APPROVED AS TO LEGAL FORM

Corporation Counsel

APPROVED: _____

APPROVED: _____
Business Administrator

Certification Required ☐
Not Required ☐

RESOLUTION FACT SHEET – NON-CONTRACTUAL

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

Full Title of Ordinance/Resolution

ORDINANCE ESTABLISHING THE OPEN SPACE RECREATION AND HISTORIC PRESERVATION TRUST FUND PURSUANT TO N.J.S.A. 40:12-15.7

Initiator

Department/Division	Department of Administration	
Name/Title	Robert Kakoleski	Business Administrator
Phone/email	(201) 547-4642	rkakoleski@jcnj.org

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

Ordinance Purpose

To establish the open space recreation and historic preservation trust fund pursuant to statute. In the November 2016 General Election voters approved an annual tax levy not to exceed two cents per one hundred dollars for such purposes.

I certify that all the facts presented herein are accurate.

Signature of Department Director **Date** 3/1/17

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

ORDINANCE NO. Ord. 17-026
TITLE: 3.C MAR 8 2017 4.C MAR 2 2 2017

An Ordinance establishing the Open Space Recreation and Historic Preservation Trust Fund pursuant to N.J.S.A. 40:12-15.7.

RECORD OF COUNCIL VOTE ON INTRODUCTION MAR 0 8 2017 9-0

COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
GADSDEN	✓			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	✓		

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING MAR 2 2 2017 8-0

Councilperson RIVERA **moved, seconded by Councilperson** LAVARRO **to close P.H.**

COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
GADSDEN	✓			OSBORNE	✓			WATTERMAN	ABSENT		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	✓		

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

SPEAKERS:

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY

Councilperson_____**moved to amend* Ordinance, seconded by Councilperson**_____**& adopted**_____

COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI				YUN				RIVERA			
GADSDEN				OSBORNE				WATTERMAN			
BOGGIANO				ROBINSON				LAVARRO, PRES.			

RECORD OF FINAL COUNCIL VOTE MAR 2 2 2017

COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
GADSDEN	✓			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	✓		

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

Adopted on first reading of the Council of Jersey City, N.J. on MAR 0 8 2017

Adopted on second and final reading after hearing on MAR 2 2 2017

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on MAR 2 2 2017

Robert Byrne, City Clerk

*Amendment(s):

APPROVED:

Rolando R. Lavarro, Jr., Council President

Date MAR 2 2 2017

APPROVED:

Steven M. Fulop, Mayor

Date MAR 2 3 2017

Date to Mayor MAR 2 3 2017

City Clerk File No. Ord. 17-027

Agenda No. 3. D. 1st Reading

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

ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 17-027

TITLE: **ORDINANCE AUTHORIZING THE CONVEYANCE OF SEVEN (7) RESIDENTIAL CONDOMINIUM UNITS (A, B, C, D, E, F.1 & G) WITHIN BLOCK 11612, LOT 2, AND MORE COMMONLY KNOWN BY THE STREET ADDRESS OF 311 WASHINGTON STREET, TO THE JERSEY CITY REDEVELOPMENT AGENCY**

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

WHEREAS, after extensive litigation by Washington Commons, the original owner of 311 Washington Street, and after the Courts determined the City of Jersey City [City] to be the owner of seven (7) residential condominium units (A, B, C, D, E, F.1 and G) designated as affordable housing for artists, within Block 11612, Lot 2, and more commonly known by the street address of 311 Washington Street, [Property], the City determined to authorize a settlement agreement with the prior owners; and

WHEREAS, as the result of the Settlement Agreement executed in February 2017, a copy of which is attached hereto, and approved by Ordinance 17-003, the prior owner agreed to repair all of the units, provided the City agreed to convey title to two (2) of the units (2E and 2F) to the prior owner for no consideration, with the stipulation that the units could be sold at fair market value, without affordable controls; and

WHEREAS, the Jersey City Redevelopment Agency [JCRA] is willing to acquire the Property from the City and effectuate the Settlement Agreement since it will serve to implement in part the Power House Arts District Redevelopment Plan within which boundaries the Property is now located; and

WHEREAS, in accordance with the settlement agreement and the conditions imposed by the Zoning Board as part of its variance approvals, the JCRA has agreed to (A) convey title to Units 2E and 2F to the prior owner; (B) oversee the prior owner's renovation of the five (5) City units (C) sell the five (5) City units for fair market value and (D) deposit the net proceeds of the sale of the City units into the City's Affordable Housing Trust Fund [AHTF] to be used for low and moderate income in accordance with N.J.S.A. 40A:12A-4.1, the Fair Housing Act, NJSA 52:27D-301et seq and Section 304-32 et seq of the Municipal Code; and

WHEREAS, the JCRA will endeavor to consult with the prior owner to fully implement the Settlement Agreement as soon as practicable but no later than December 31, 2017; and

WHEREAS, the Jersey City Redevelopment Agency is authorized to acquire the Property from the City of Jersey City, pursuant to N.J.S.A. 40A:12A-8 and 22, implement redevelopment plans and provide for the disposition of property on behalf of the municipality; and

WHEREAS, the City of Jersey City is authorized to transfer Property to the Jersey City Redevelopment Agency for consideration pursuant to N.J.S.A. 40A:12A-39(a) and N.J.S.A. 40A:12-13(b)(1).

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

ORDINANCE AUTHORIZING THE CONVEYANCE OF SEVEN (7) RESIDENTIAL CONDOMINIUM UNITS (A, B, C, D, E, F.1 & G) WITHIN BLOCK 11612, LOT 2, AND MORE COMMONLY KNOWN BY THE STREET ADDRESS OF 311 WASHINGTON STREET, TO THE JERSEY CITY REDEVELOPMENT AGENCY

1. The conveyance to the Jersey City Redevelopment Agency of certain lands and buildings designated on Jersey City's Official Tax Assessment Map as Block 11612, Lot 2, consisting of seven (7) residential condominium units **A, B, C, D, E, F.1 & G** , and more commonly known by the street address of 311 Washington Street, Units A, B, C, D, E, F.1 and G, within the Power House Arts District Redevelopment Plan, is hereby approved, subject to the Settlement Agreement dated February 2017, attached hereto and to the following:

   (a) Conveyance of Units 2E and 2F to the prior owner;

   (b) Renovation of the five (5) City Units units so they are eligible for Certificates of Occupancy;

   (c) Sale of the five (5) City units for the fair market value with all sale proceeds to be deposited, no later than 60 days after closing, into the City's Affordable Housing Trust Fund to be used to subsidize the construction of seven (7) for low and moderate income artists and the balance, of low and moderate income housing ; and

   (d) The settlement shall be fully implemented on or before December 31, 2017.

2. The Mayor or Business Administrator is directed to execute a Cooperation Agreement(s) with the Jersey City Redevelopment Agency, and any other documents, including deed(s) that are deemed legally necessary or appropriate by the Corporation Counsel to effectuate the transfer of the Property to the Jersey City Redevelopment Agency on or before April 1, 2017, in accordance with the above terms.

A. All Ordinances and parts of Ordinances inconsistent herewith, are hereby repealed.

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

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

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

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*.

APPROVED AS TO LEGAL FORM

Corporation Counsel

APPROVED:

APPROVED:

Business Administrator

Certification Required ☐

Not Required ☐

ORDINANCE FACT SHEET

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

Full Title of Ordinance/Resolution

ORDINANCE AUTHORIZING THE CONVEYANCE OF SEVEN (7) RESIDENTIAL CONDOMINIUM UNITS (A, B, C, D, E, F.1 & G) WITHIN BLOCK 11612, LOT 2, AND MORE COMMONLY KNOWN BY THE STREET ADDRESS OF 311 WASHINGTON STREET, TO THE JERSEY CITY REDEVELOPMENT AGENCY

Initiator

Department/Division	Law	Law
Name/Title	Jeremy Farrell	Corporation Counsel
Phone/email	(201) 547-4667	JFarrell@jcnj.org

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

Ordinance Purpose

This ordinance authorizes the conveyance of all City owned units at 311 Washington to the JCRA. As a result of the Settlement Agreement approved by Ordinance 17-003, the prior owner agreed to repair all of the units, provided the City agreed to convey title to two (2) of the units (2E and 2F) to the prior owner for no consideration, with the stipulation that the units could be sold at fair market value, without affordable controls. The Jersey City Redevelopment Agency [JCRA] is willing to acquire the Property from the City and effectuate the Settlement Agreement since it will serve to implement in part the Power House Arts District Redevelopment Plan within which boundaries the Property is now located.

I certify that all the facts presented herein are accurate.

Signature of Department Director **Date**

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

ORDINANCE NO. Ord. 17-027
TITLE: 3.D MAR 8 2017 4.D MAR 2 2 2017

An Ordinance authorizing the conveyance of seven (7) residential condominium units (a, b, c, d, e, f.1 & g) within Block 11612, Lot 2, and more commonly known by the street address of 311 Washington Street, to the Jersey City Redevelopment Agency.

RECORD OF COUNCIL VOTE ON INTRODUCTION MAR 0 8 2017 9-0

COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
GADSDEN	✓			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	✓		

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING MAR 2 2 2017 8-0

Councilperson WATTERMAN **moved, seconded by Councilperson** OSBORNE **to close P.H.**

COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
GADSDEN	✓			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	ABSENT		

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

SPEAKERS:

MIKE KULOWSKI

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY

Councilperson_____**moved to amend* Ordinance, seconded by Councilperson**_____**& adopted**_____

COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI				YUN				RIVERA			
GADSDEN				OSBORNE				WATTERMAN			
BOGGIANO				ROBINSON				LAVARRO, PRES.			

RECORD OF FINAL COUNCIL VOTE MAR 2 2 2017 9-0

COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
GADSDEN	✓			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	✓		

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

Adopted on first reading of the Council of Jersey City, N.J. on MAR 0 8 2017

Adopted on second and final reading after hearing on MAR 2 2 2017

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on MAR 2 2 2017

Robert Byrne, City Clerk

*Amendment(s):

APPROVED:

Rolando R. Lavarro, Jr., Council President

Date MAR 2 2 2017

APPROVED:

Steven M. Fulop, Mayor

Date MAR 2 3 2017

Date to Mayor MAR 2 3 2017

City Clerk File No. Ord. 17-028

Agenda No. 3.E. 1st Reading

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

ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 17-028

TITLE: **AN ORDINANCE SUPPLEMENTING CHAPTER 332 (VEHICLES AND TRAFFIC) OF THE JERSEY CITY TRAFFIC CODE ESTABLISHING ARTICLE XII (PERMISSIBLE PARKING DISTANCES); SECTION 332-84 DEFINITIONS AND SECTION 332-85 GENERAL PROVISIONS**

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

WHEREAS, pursuant to New Jersey State Statute (N.J.S.A.) 39:4-138.6 a municipality may mandate by ordinance the permissible distance a person may park a motor vehicle from a crosswalk, side line of a street or intersecting highway, or "stop" sign. A municipality may not, however, permit parking within 25 feet of a crosswalk or side line of a street or intersection highway or within 50 feet of a "stop" sign in a school zone during hours when school is in session; and

WHEREAS, on-street parking is valuable for both residents and businesses and intersection safety will not be compromised by reducing the permissible distance a person may park a motor vehicle from a "stop" sign from 50 feet to 25 feet outside of school zones.

1. Chapter 332 (Vehicles and Traffic) Article XII (Permissible Parking Distances) of the Jersey City Traffic Code is hereby established as follows:

Section: 332-84 Definitions

As used in this article, the following terms shall have the meanings indicated:

SCHOOL ZONE — That portion of a highway which is either contiguous to territory occupied by a school building or is where school crossings are established in the vicinity of a school, upon which are maintained appropriate "school signs" in accordance with specifications adopted by the chief administrator and in accordance with law.

Section: 332-85 General Provisions

A. Pursuant to N.J.S.A. 39:4-138.6, the permissible distance a person may park a motor vehicle from a "stop" sign is 25 feet except when the intersection is located in a school zone, in which case the mandated parking distance is 50 feet, pursuant to N.J.S.A. 39:4-138(h). All intersections otherwise posted prior to the adoption of this Ordinance shall remain in effect. Only the Municipal Engineer, or his designee, shall reserve the right to modify the distance at any of these locations.

B. Vehicles shall at all times comply with all other parking regulations, including but not limited to regulations on parking permits, street cleaning, and parking along emergency snow routes.

C. The City of Jersey City shall not be required to install or maintain any markings, signs or other indications for permissible parking distances; it shall be incumbent upon the driver to ensure that no vehicle is parked within the permissible parking distances at any time.

D. All other provisions of N.J.S.A. 39:4-138 shall apply.

JDS:pcl
(02.14.17)

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

3. This ordinance shall be a part of the Jersey City Code as though codified and incorporated in the official copies of the Jersey City Code.

4. This ordinance shall take effect at the time and in the manner as prescribed by law.

5. The City Clerk and the Corporation Counsel 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 and therefore not underscored.

JDS:pcl
(2.14.17)

APPROVED:
Director of Traffic & Transportation

APPROVED AS TO LEGAL FORM

APPROVED: Jose R. Cunha
Municipal Engineer

APPROVED:

Corporation Counsel

Business Administrator

Certification Required ☐
Not Required ☐

ORDINANCE FACT SHEET – NON-CONTRACTUAL

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

Full Title of Ordinance

AN ORDINANCE SUPPLEMENTING CHAPTER 332 (VEHICLES AND TRAFFIC) OF THE JERSEY CITY TRAFFIC CODE ESTABLISHING ARTICLE XII (PERMISSIBLE PARKING DISTANCES); SECTION 332-84 DEFINITIONS AND SECTION 332-85 GENERAL PROVISIONS

Initiator

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

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

Ordinance Purpose

The purpose of this Ordinance is to reduce the permissible distance a person may park a motor vehicle from a "stop" sign from 50 feet to 25 feet outside of school zones.

Pursuant to New Jersey State Statute 39:4-138.6 a municipality may mandate by ordinance the permissible distance a person may park a motor vehicle from a crosswalk, side line of a street or intersecting highway, or "stop" sign. A municipality may not, however, permit parking within 25 feet of a crosswalk or side line of a street or intersection highway or within 50 feet of a "stop" sign in a school zone during hours when school is in session.

Reducing the permissible distance a person may park a motor vehicle from a "stop" sign creates more on-street parking citywide without compromising safety.

Please note that permissible parking distances at other locations outside of school zones are not being reduced to less than 25 feet to allow for adequate intersection sight lines and adequate turning radii for large emergency vehicles, buses, and snow removal operations.

I certify that all the facts presented herein are accurate.

Director of Traffic & Transportation	2/14/17 **Date**
Signature of Department Director	3/1/17 **Date**

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

ORDINANCE NO. Ord. 17-028
TITLE: 3.E MAR 8 2017 4.E MAR 2 2 2017

An Ordinance supplementing Chapter 332 (Vehicles and Traffic) of the Jersey City Traffic Code establishing Article XII (Permissible Parking Distances); Section 332-84 Definitions and Section 332-85 General Provisions.

RECORD OF COUNCIL VOTE ON INTRODUCTION MAR 0 8 2017 9-0

COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
GADSDEN	✓			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	✓		

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING MAR 2 2 2017 8-0

Councilperson WATTERMAN moved, seconded by Councilperson OSBORNE to close P.H.

COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
GADSDEN	✓			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	ABSENT		

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

SPEAKERS:

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY

Councilperson_____ moved to amend* Ordinance, seconded by Councilperson_____ & adopted_____

COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI				YUN				RIVERA			
GADSDEN				OSBORNE				WATTERMAN			
BOGGIANO				ROBINSON				LAVARRO, PRES.			

RECORD OF FINAL COUNCIL VOTE MAR 2 2 2017 9-0

COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
GADSDEN	✓			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	✓		

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

Adopted on first reading of the Council of Jersey City, N.J. on MAR 0 8 2017

Adopted on second and final reading after hearing on MAR 2 2 2017

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on MAR 2 2 2017

Robert Byrne, City Clerk

*Amendment(s):

APPROVED:

Rolando R. Lavarro, Jr., Council President

Date MAR 2 2 2017

APPROVED:

Steven M. Fulop, Mayor

Date MAR 2 3 2017

Date to Mayor MAR 2 3 2017

City Clerk File No. Ord. 17-029

Agenda No. 3. F. 1st Reading

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

ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 17-029

TITLE: **AN ORDINANCE SUPPLEMENTING CHAPTER 332 (VEHICLES AND TRAFFIC) OF THE JERSEY CITY TRAFFIC CODE ARTICLE II (TRAFFIC REGULATIONS) AMENDING SECTION 332-9 (STOP INTERSECTIONS) DESIGNATING JAMES AVENUE AND VAN KEUREN AVNEUE AS A STOP INTERSECTION**

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

1. Chapter 332 (Vehicles and Traffic) Article II (Traffic Regulations) Section 332-9 (Stop Intersections) of the Jersey City Traffic Code is hereby supplemented as follows:

Section: 332-9 Stop Intersections.

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

Street 1 (Stop Sign On)	**Direction of Travel**	**Street 2 (At Intersection)**
James Av	North	Van Keuren Av

2. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
3. This ordinance shall be a part of the Jersey City Code as though codified and incorporated in the official copies of the Jersey City Code.
4. This ordinance shall take effect at the time and in the manner as prescribed by law.
5. The City Clerk and the Corporation Counsel 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 the material to be inserted is new and underscored.

JDS:pcl
(02.16.17)

APPROVED: _____
Director of Traffic & Transportation

APPROVED AS TO LEGAL FORM

_____
Corporation Counsel

APPROVED: Jose R. Cunta
Municipal Engineer

APPROVED: _____
Business Administrator

Certification Required ☐
Not Required ☐

ORDINANCE FACT SHEET – NON-CONTRACTUAL

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

Full Title of Ordinance

AN ORDINANCE SUPPLEMENTING CHAPTER 332 (VEHICLES AND TRAFFIC) OF THE JERSEY CITY TRAFFIC CODE ARTICLE II (TRAFFIC REGULATIONS) AMENDING SECTION 332-9 (STOP INTERSECTIONS) DESIGNATING JAMES AVENUE AND VAN KEUREN AVNEUE AS A STOP INTERSECTION

Initiator

Department/Division	Administration	Engineering, Traffic and Transportation
Name/Title	Jose R. Cunha, P.E., C.M.E., C.P.W.M., C.R.P.	Municipal Engineer
Phone/email	201.547.4470	JOAO@jcnj.org

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

Ordinance Purpose

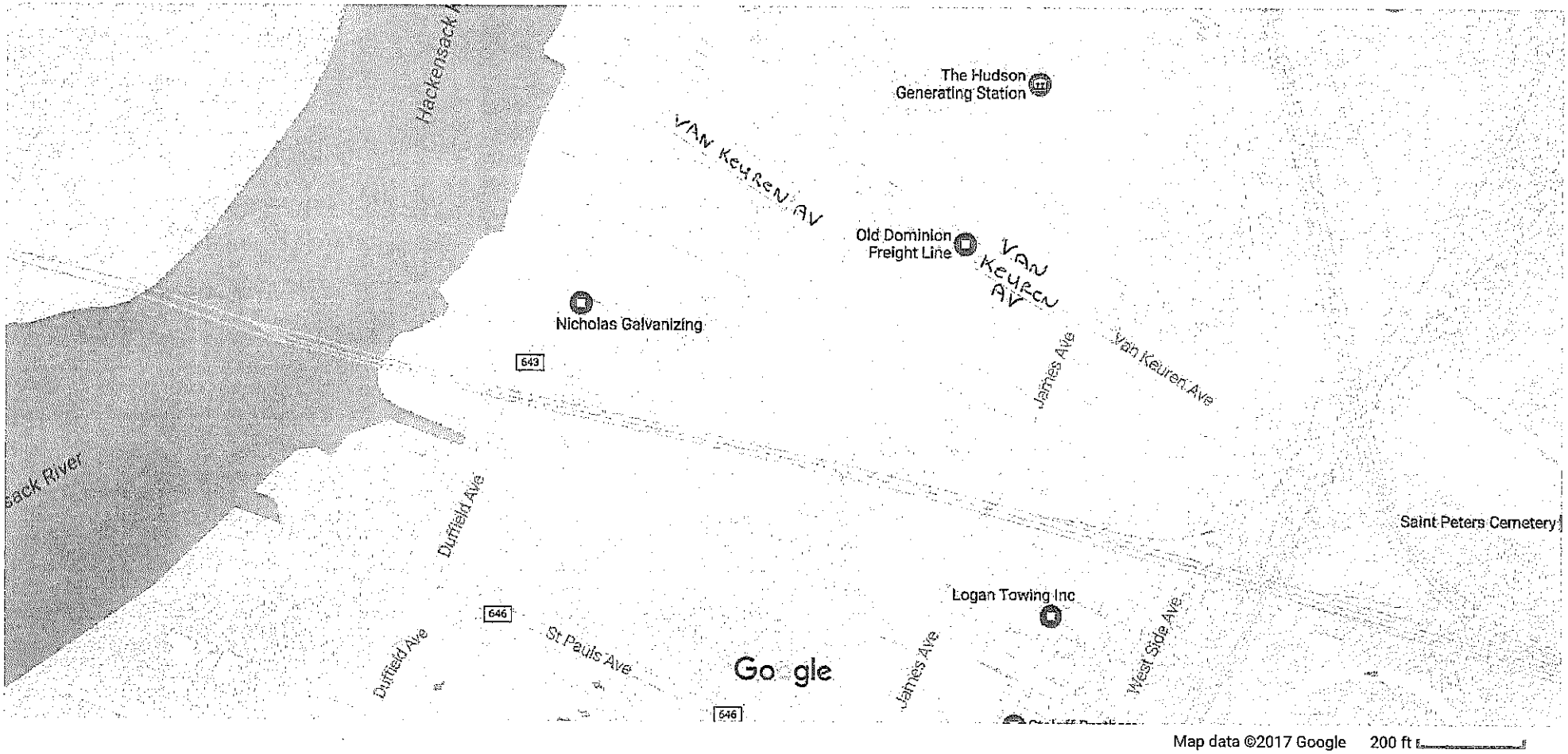
As PSEG's Hudson Generating Station moves through the decommissioning phase, there will be more PSEG employees and contractors using the local roadways and traversing through this intersection.

Designating Van Keuren Avenue and James Avenue as a "stop" intersection, stopping traffic on James Avenue, will increase traffic safety at this intersection.

I certify that all the facts presented herein are accurate.

Director of Traffic & Transportation — **Date** 2/15/17

Signature of Department Director — **Date** 3/1/17



Map data ©2017 Google 200 ft

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

ORDINANCE NO. Ord. 17-029
TITLE: 3.F MAR 8 2017 4.F MAR 2 2 2017

An Ordinance supplementing Chapter 332 (Vehicles and Traffic) of the Jersey City Traffic Code Article II (Traffic Regulations) amending Section 332-9 (Stop Intersections) designating James Avenue and Van Keuren Avenue as a stop intersection.

RECORD OF COUNCIL VOTE ON INTRODUCTION MAR 0 8 2017 9-0

COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
GADSDEN	✓			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	✓		

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING MAR 2 2 2017 9-0

Councilperson WATTERMAN **moved, seconded by Councilperson** OSBORNE **to close P.H.**

COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
GADSDEN	✓			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	✓		

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

SPEAKERS:

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY

Councilperson_____ **moved to amend* Ordinance, seconded by Councilperson**_____ **& adopted**_____

COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI				YUN				RIVERA			
GADSDEN				OSBORNE				WATTERMAN			
BOGGIANO				ROBINSON				LAVARRO, PRES.			

RECORD OF FINAL COUNCIL VOTE MAR 2 2 2017 9-0

COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
GADSDEN	✓			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	✓		

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

Adopted on first reading of the Council of Jersey City, N.J. on MAR 0 8 2017

Adopted on second and final reading after hearing on MAR 2 2 2017

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on MAR 2 2 2017

Robert Byrne, City Clerk

*Amendment(s):

APPROVED:

Rolando R. Lavarro, Jr., Council President

Date MAR 2 2 2017

APPROVED:

Steven M. Fulop, Mayor

Date MAR 2 3 2017

Date to Mayor MAR 2 3 2017

City Clerk File No. Ord. 17-030

Agenda No. 3.G. 1st Reading

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

ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 17-030

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

TITLE:

A FRANCHISE ORDINANCE GRANTING PERMISSION TO 225 BAY STREET, LLC, SUCCESSOR IN INTEREST TO BAY CITY CONDO, LLC, ITS SUCCESSORS AND ASSIGNS, TO MAKE PRIVATE IMPROVEMENTS IN THE PUBLIC RIGHT-OF-WAY OF BAY STREET ADJACENT TO THE PROPERTY LOCATED AT 213-225 BAY STREET, JEREY CITY, NEW JERSEY, ALSO KNOWN ON THE TAX MAPS OF THE CITY OF JERSEY CITY AS BLOCK 241, LOTS A, 18, 20, AND 33D.

WHEREAS, 225 Bay Street, LLC, successor in interest to Bay City Condo, LLC, having offices located 29 Cleverdon Road, P.O. Box 25, Ho-Ho-Kus 07423, is the owner of the property located at 213-225 Bay Street, Jersey City, New Jersey and known as Block 241, Lots A, 18, 20 and 33D, on the current tax map of the City of Jersey City (the "Property"); and

WHEREAS, pursuant to a Resolution for the Preliminary and Final Site Plan Approval, Case # Z06-003.1, the Planning Board granted conditional approval to construct, among other things, a five (5) story building with thirty-four (34) residential units, a roof top deck, a 6th floor enclosed community room and thirty-four (34) on-site parking spaces.

WHEREAS, part of the development approval granted in Case #Z06-003.1 includes the following site improvements within the area of right-of-way of Bay Street; four individual Bay Windows all being 2' by 12.17', with the four Bay Windows being a total of 98 Square Feet, that all encroach over the southerly right of way line of Bay Street, as more fully set forth on the Surveyor's Description attached hereto as Exhibit 1 and the drawing of same attached hereto as Exhibit 2, respectively; and three Planters, all being 5' wide with most westerly one being 22.76' long; the middle one being 44.50' long and the most easterly one being 29.59' long, with the three Planters being a total of 484 Square Feet that all encroach over the southerly right of way line of Bay Street, as more fully set forth on the Surveyor's Description attached hereto as Exhibit 3 and the drawing of same attached hereto as Exhibit 4; and

WHEREAS, the construction of private improvements to accommodate four Bay Windows and three Planters within the Bay Street right-of-way will all promote public purposes and utility of the Property; and

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

WHEREAS, there will remain sufficient area in the right-of-way for pedestrian use and the proposed private improvements will not impede or have a negative impact on typical pedestrian use; and

WHEREAS, 225 Bay Street, LLC has filed a Petition for relief and represented to the Municipal Council of the City of Jersey City that the passage of this Ordinance is in the best interests and essential for the completion of the construction of the development; and

WHEREAS, after due notice was given in accordance with law, a public hearing was held on the Petition filed by 225 Bay Street, LLC to grant permission to construct private improvements within the public rights-of-way for the following purposes:

1. The contemplated improvements will include the construction of four individual Bay Windows all being 2' by 12.17', with the four Bay Windows being a total of 98 Square Feet, that all encroach over the southerly right of way line of Bay Street; and three Planters, all being 5' wide with most westerly one being 22.76' long; the middle one being 44.50' long and the most easterly one being 29.59' long, with the three Planters being a total of 484 Square Feet that all encroach over the southerly right of way line of Bay Street, all of which are necessary to complete and construct the proposed development consistent with the development approvals, and will benefit the Petitioner's Property, the adjacent property owners, the surrounding area and the neighborhood.

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

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

WHEREAS, a Franchise Ordinance is required to permit the completion of the construction of the private improvements within the public rights-of-way; and

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

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

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

SECTION I. Permission be, and is hereby granted to 225 Bay Street, LLC, its successors and assigns, to complete private improvements to a portion of lands located within the public rights of way adjacent to 213-225 Bay Street, Jersey City, New Jersey and known as Block 241, Lots A, 18, 20 and 33D, on the current tax map of the City of Jersey City, said areas being more particularly described by the metes and bounds descriptions and surveys attached hereto as Exhibits 1,2,3 and 4 respectively.

1. The contemplated improvements will include the construction of private improvements in the Bay Street public rights-of-way to accommodate four individual Bay Windows all being 2' by 12.17', with the four Bay Windows being a total of 98 Square Feet, that all encroach over the southerly right of way line of Bay Street; and three Planters, all being 5' wide with most westerly one being 22.76' long; the middle one being 44.50' long and the most easterly one being 29.59' long, with the three Planters being a total of 484 Square Feet that all encroach over the southerly right of way line of Bay Street.

2. There will remain sufficient area in the right-of-way for pedestrian use.

3. The contemplated improvements will be constructed consistent with the development plans approved by the Jersey City Planning Board, the Jersey City Zoning Officer and Building Department.

4. All costs associated with these improvements will be incurred by the Petitioner.

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

SECTION II. All the work herein authorized shall be done under the supervision of the proper department or departments of the City of Jersey City. Further, all the work herein authorized shall comply with any State of New Jersey Uniform Construction Code requirements. The construction plans shall be submitted to the City Engineer for his review and comments prior to the start of construction. After construction there shall remain no damage to the sidewalk or roadway or interference with the free and safe flow of pedestrian traffic and vehicular traffic. 225 Bay Street, LLC and its successors and assigns, shall maintain all improvements installed by it for the entire term of this Franchise at no cost to the City.

SECTION III. This Ordinance shall remain in full force and effect for a period of ninety-nine (99) years subject to the City of Jersey City's reservation of rights to make modifications to the public plaza areas so long as any such modifications do not affect access to 213-225 Bay Street (a/k/a Block 241, Lots A, 18, 20 and 33D). This Ordinance shall take effect upon final passage and publication according to law. In the event that the Municipal Council determines that this Ordinance must be canceled in whole or in part because of a public purpose, the City reserves the right to cancel this Ordinance or any part thereof by giving written notice to the Petitioner one year prior to the date of cancellation.

SECTION IV. All costs and expenses incident to the introduction, passage and publication of this Ordinance shall be borne and paid by 225 Bay Street, LLC.

SECTION V. In accepting the privileges of this Ordinance and the installation, maintenance and use hereby authorized, 225 Bay Street, LLC, its successors and assigns hereby agree to assume full, complete and undivided responsibility for any and all injury or damage to persons or property by reason of said installation, maintenance and use, and to indemnify and hold the City of Jersey City harmless from all injury or damage to persons or property by reason of such installation, maintenance or use (except such injury or damage which is caused by the negligence or misconduct of the City or its officers, employees or agents) for the term of this Ordinance. 225 Bay Street, LLC, its successors and assigns, shall maintain in effect, during the term of this franchise, liability insurance naming the City of Jersey City, its officers and employees as additional insured, covering the use and occupancy of the public property subject to this franchise. A certificate of insurance, in the amount of $2,000,000.00, or in such amount and type as the City's Risk Manager may reasonably require from time to time, and in a form deemed acceptable by the Risk Manager, shall be delivered to the Risk Manager before use and occupancy of the Premises subject to this Franchise Ordinance.

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

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

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

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

SECTION X.

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

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

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

4. 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 Franchise Ordinance reveals that there is a conflict between those numbers and the existing Code, in order to avoid confusion and possible accidental repeals of existing provisions.

APPROVED AS TO LEGAL FORM

Corporation Counsel

APPROVED: _____

APPROVED: _____
Business Administrator

Certification Required ☐
Not Required ☐

PETITION

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

Your Petitioner, 225 Bay Street, LLC, successor in interest to Bay City Condo, LLC, having offices located 29 Cleverdon Road, P.O. Box 25, Ho-Ho-Kus 07423 respectfully says that:

1. Petitioner is the owner of the property located at 213-225 Bay Street, Jersey City, New Jersey and known as Block 241, Lots A, 18, 20 and 33D, on the current tax map of the City of Jersey City (the "Property"). The Petitioner is constructing a five (5) story building with thirty four (34) residential units, a roof top deck, a 6th floor enclosed community room and thirty-four (34) on-site parking spaces.

2. The Jersey City Planning Board approved the development plans with certain private improvements being constructed within the public right of way and as a condition of said approval, that a Franchise Ordinance be required for those portions of the site plan that provide for improvements to be constructed in the public right of way.

3. Petition proposes to make the following site improvements within the area of the public right of way of Bay Street: four individual Bay Windows all being 2' by 12.17', with the four Bay Windows being a total of 98 Square Feet, that all encroach over the southerly right of way line of Bay Street, as more fully set forth on the Surveyor's Description attached hereto as Exhibit 1 and the drawing of same attached hereto as Exhibit 2, respectively; and three Planters, all being 5' wide with most westerly one being 22.76' long; the middle one being 44.50' long and the most easterly one being

29.59' long, with the three Planters being a total of 484 Square Feet that all encroach over the southerly right of way line of Bay Street, as more fully set forth on the Surveyor's Description attached hereto as Exhibit 3 and the drawing of same attached hereto as Exhibit 4.

4. Petitioner has presented the proposed improvements to the Jersey City Planning Officer, which has approved the proposed improvements conditioned upon the Petitioner being granted a Franchise Ordinance by the City Council of the City of Jersey City.

5. All costs associated with the granting of said Franchise Ordinance shall be incurred by the Petitioner.

6. The contemplated improvements are necessary to complete and construct the proposed development consistent with the development approvals, and will benefit the Petitioner's Property, the adjacent property owners, the surrounding area and the neighborhood.

WHEREFORE, your Petitioner respectfully petitions for itself, its successors and assigns, for the enactment of a Franchise Ordinance to allow it to make private improvements within the public right of way of Bay Street, all as more particularly shown on Exhibits 1, 2, 3 and 4 which are annexed hereto and made a part hereof.

Dated: December 19, 2016

REEVE & VAN HORNE, ESQS.
Attorneys for Petitioner

By: _____
JOHN L. VAN HORNE III, ESQ.

Exhibit 1

FIRST SIGHT SURVEYING

10 North Fifth Street
Park Ridge, NJ 07656
p: 201.505.8905
www.firstsightsurveying.com

December 8, 2016
FS 14-169

SURVEYOR'S DESCRIPTION
OF A PROPOSED FRANCHISE AREA
SITUATED WITHIN BAY STREET
TO BE GRANTED BY THE CITY OF JERSEY CITY
TO
LOT 6 IN TAX BLOCK 11404
CITY OF JERSEY CITY
COUNTY OF HUDSON
STATE OF NEW JERSEY

2' WIDE BAY WINDOW EASEMENT

This Easement is intended to describe four (4) individual Bay Windows, being 2' x 12.17' that encroaches over the southerly right of way line of Bay Street as granted per Site Plan approval.

Being more particularly described as follows:

BEGINNING at a point on the southerly line of Bay Street, being 60 feet wide at the dividing line of Lot 6 and Lot 9 in Tax Block 11404, said point being distant 70.35 feet on a course of North 83°41'50" West from the corner formed by the westerly line of Grove Street, being 60 feet wide with said southerly line of Bay Street and running westerly along the southerly line of Bay Street North 83°41'50" West a distance of 10.42 feet to the **True Point and Place of BEGINNING** of the herein described easement; thence

1. North 6°18'10" East a distance of 2.00 feet; thence
2. North 83°41'50" West a distance of 12.17 feet; thence
3. South 6°18'10" West a distance of 2.00 feet to the southerly line of Bay Street; thence
4. Along the southerly line of Bay Street, North 83°41'50" West a distance of 30.58 feet; thence
5. North 6°18'10" East a distance of 2.00 feet; thence
6. North 83°41'50" West a distance of 12.17 feet; thence
7. South 6°18'10" West a distance of 2.00 feet to the southerly line of Bay Street; thence
8. Along the southerly line of Bay Street, North 83°41'50" West a distance of 21.83 feet; thence
9. North 6°18'10" East a distance of 2.00 feet; thence
10. North 83°41'50" West a distance of 12.17 feet; thence

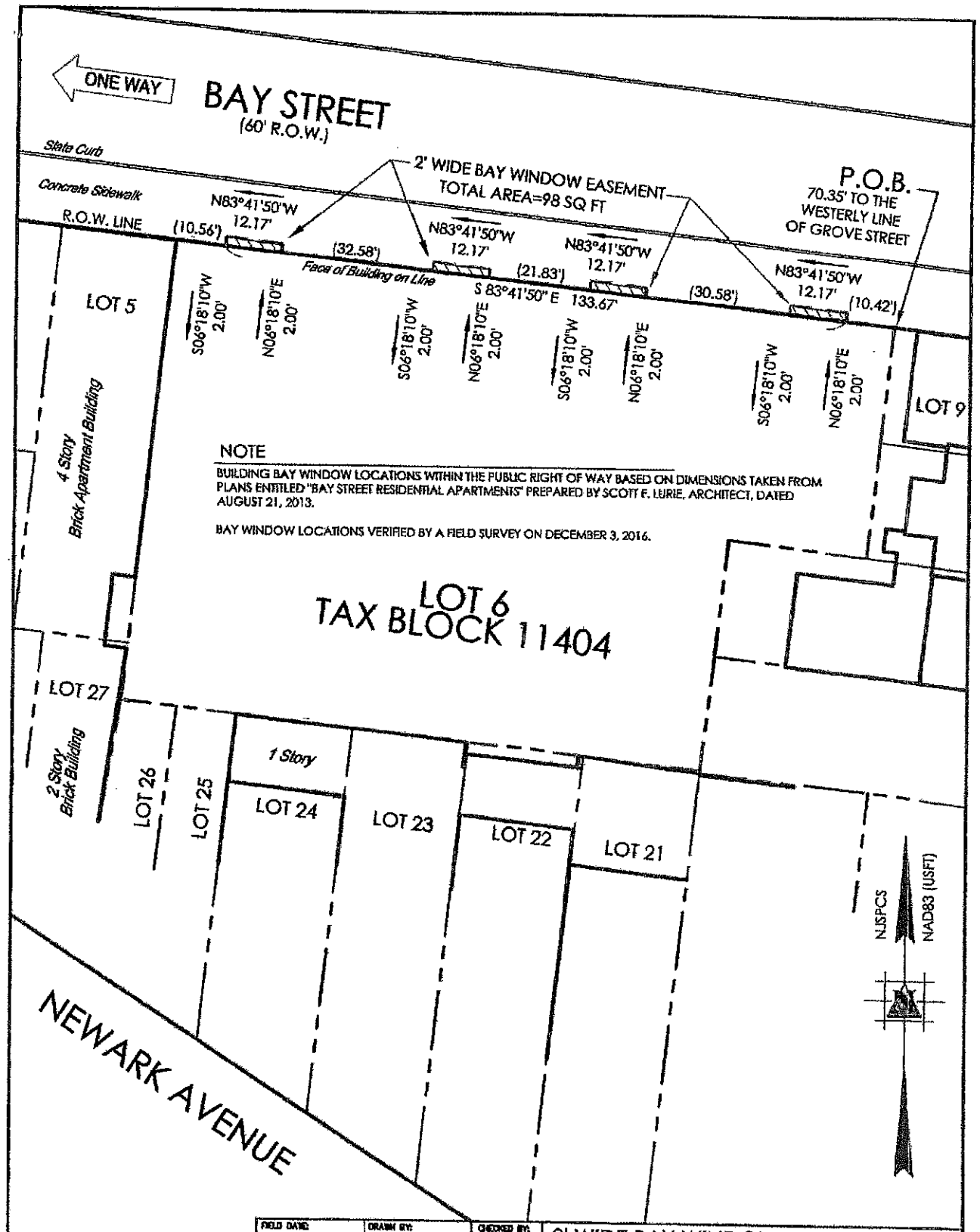
11. South 6°18'10" West a distance of 2.00 feet to the southerly line of Bay Street; thence
12. Along the southerly line of Bay Street, North 83°41'50" West a distance of 32.58 feet; thence
13. North 6°18'10" East a distance of 2.00 feet; thence
14. North 83°41'50" West a distance of 12.17 feet; thence
15. South 6°18'10" West a distance of 2.00 feet to the southerly line of Bay Street; thence
16. Easterly along the southerly line of Bay Street, South 83°41'50" East a distance of 133.67 feet to the **True Point and Place of BEGINNING.**

Containing 98 square feet

In accordance with a certain plan entitled "2' Wide Bay Window Easement Plan, 213-225 Bay Street, Lot 6 in Block 11404, City of Jersey City, County of Hudson, NJ" prepared by First Sight Surveying, LLC dated December 8, 2016, Sheet No. ES-3.

Miloslav Rehak
NJ Professional Land Surveyor
No. 43233

Exhibit 2



GRAPHIC SCALE

20 0 10 20

(IN FEET)
1 inch = 20 ft.

FIELD DATE: 12/03/2016	DRAWN BY: M.R.	CHECKED BY: M.R.	2' WIDE BAY WINDOW EASEMENT PLAN
CERT. OF AUTH. 24GA28149900	FIELD CREW: M.R.	REVISIONS NO. DATE	213-225 BAY STREET

I HEREBY CERTIFY THAT THIS SURVEY HAS BEEN PERFORMED IN THE FIELD BY ME, AND TO THE BEST OF MY KNOWLEDGE, BELIEF, AND INFORMATION, THAT THIS SURVEY HAS BEEN PERFORMED IN ACCORDANCE WITH CURRENTLY ACCEPTED ACCURACY STANDARDS.

MILOSLAV REHAK
N.J. PROFESSIONAL LAND SURVEYOR NO. 43233

LOT 6 IN BLOCK 11404
CITY OF JERSEY CITY
COUNTY OF HUDSON STATE OF NEW JERSEY

FIRST SIGHT SURVEYING LLC
10 NORTH FIFTH STREET
PARK RIDGE, NJ 07656
P 201-505-8905
www.firstsightsurveying.com

SCALE:	DATE:	PROJECT NO:	SHEET NO:
1" = 20'	DEC. 8, 2018	FS14-169	ES-3

Exhibit 3

FIRST SIGHT SURVEYING

10 North Fifth Street
Park Ridge, NJ 07656
p: 201.505.8905
www.firstsightsurveying.com

December 8, 2016
FS 14-169

SURVEYOR'S DESCRIPTION
OF A PROPOSED FRANCHISE AREA
SITUATED WITHIN BAY STREET
TO BE GRANTED BY THE CITY OF JERSEY CITY
TO
LOT 6 IN TAX BLOCK 11404
CITY OF JERSEY CITY
COUNTY OF HUDSON
STATE OF NEW JERSEY

5' WIDE PLANTER EASEMENT

This Easement is intended to describe three (3) individual Planter Boxes, which encroach over the southerly right of way line of Bay Street as granted per Site Plan approval.

Being more particularly described as follows:

BEGINNING at a point on the southerly line of Bay Street, being 60 feet wide at the dividing line of Lot 6 and Lot 9 in Tax Block 11404, said point being distant 70.35 feet on a course of North 83°41'50" West from the corner formed by the westerly line of Grove Street, being 60 feet wide with said southerly line of Bay Street and running westerly along the southerly line of Bay Street North 83°41'50" West a distance of 21.80 feet to the **True Point and Place of BEGINNING** of the herein described easement; thence

1. North 6°18'10" East a distance of 5.00 feet; thence
2. North 83°41'50" West a distance of 29.59 feet; thence
3. South 6°18'10" West a distance of 5.00 feet to the southerly line of Bay Street; thence
4. Along the southerly line of Bay Street, North 83°41'50" West a distance of 16.00 feet; thence
5. North 6°18'10" East a distance of 5.00 feet; thence
6. North 83°41'50" West a distance of 44.50 feet; thence
7. South 6°18'10" West a distance of 5.00 feet to the southerly line of Bay Street; thence
8. Along the southerly line of Bay Street, North 83°41'50" West a distance of 16.00 feet; thence
9. North 6°18'10" East a distance of 5.00 feet; thence
10. North 83°41'50" West a distance of 22.76 feet; thence

FIRST SIGHT SURVEYING

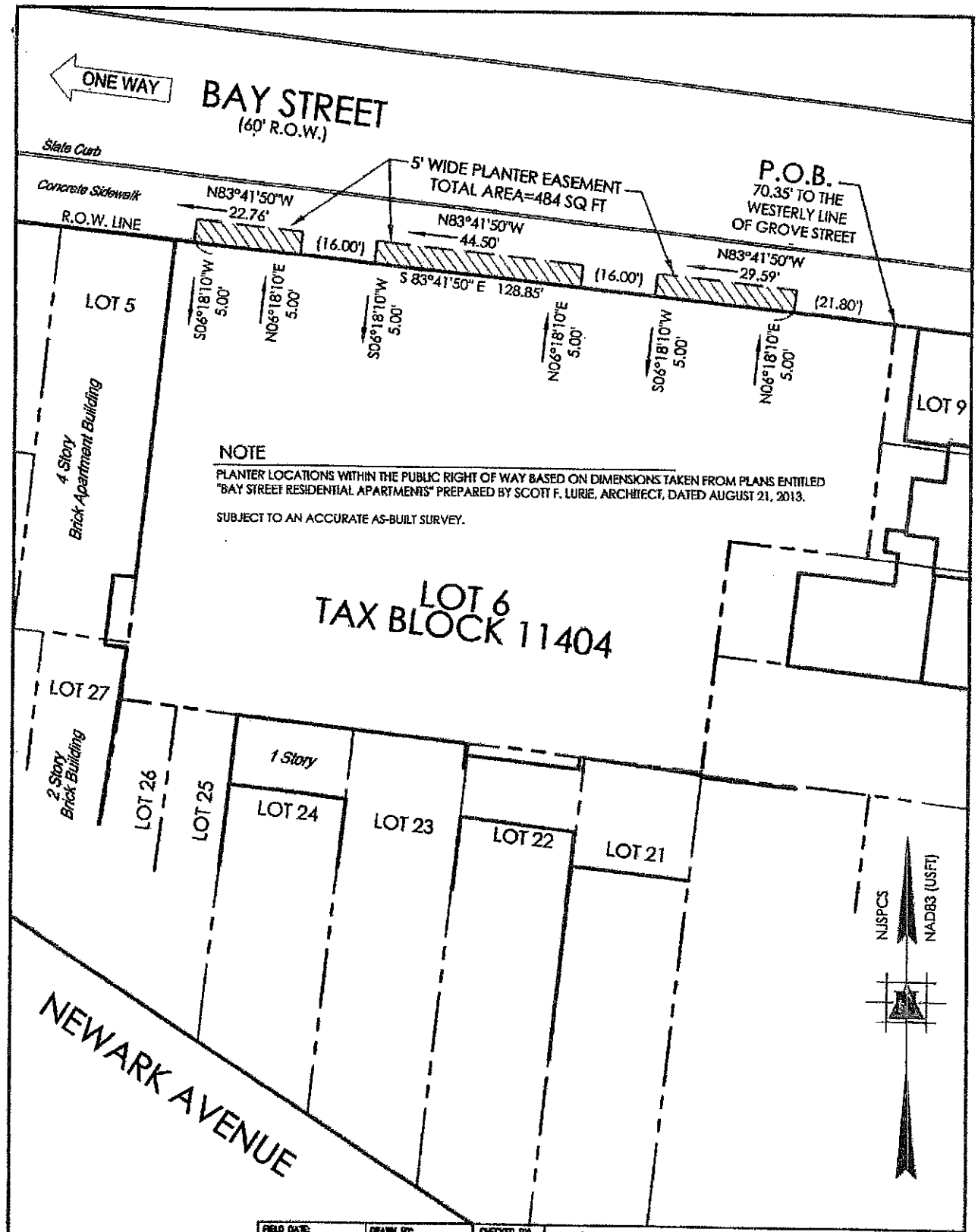
11. South 6°18'10" West a distance of 5.00 feet to the southerly line of Bay Street; thence
12. Easterly along the southerly line of Bay Street, South 83°41'50" East a distance of 128.85 feet to the **True Point and Place of BEGINNING.**

Containing 484 square feet

In accordance with a certain plan entitled "5' Wide Planter Easement Plan, 213-225 Bay Street, Lot 6 in Block 11404, City of Jersey City, County of Hudson, NJ" prepared by First Sight Surveying, LLC dated December 8, 2016, Sheet No. ES-2.

Miloslav Rehak
NJ Professional Land Surveyor
No. 43233

Exhibit 4



GRAPHIC SCALE

20 0 10 20

(IN FEET)
1 inch = 20 ft.

FIELD DATE:	DRAWN BY: M.R.	CHECKED BY: M.R.	5' WIDE PLANTER EASEMENT PLAN
CERT. OF AUTH. 24GA28149000	FIELD CREW: M.R.	REVISIONS NO. DATE	213-225 BAY STREET

I HEREBY CERTIFY THAT THIS SURVEY HAS BEEN PERFORMED IN THE FIELD BY ME, AND TO THE BEST OF MY KNOWLEDGE, BELIEF, AND INFORMATION, THAT THIS SURVEY HAS BEEN PERFORMED IN ACCORDANCE WITH CURRENTLY ACCEPTED ACCURACY STANDARDS.

NOT VALID WITHOUT THE SEAL

MILOSLAV REHAK
N.J. PROFESSIONAL LAND SURVEYOR NO. 43233

LOT 6 IN BLOCK 11404
CITY OF JERSEY CITY
COUNTY OF HUDSON STATE OF NEW JERSEY

FIRST SIGHT SURVEYING LLC
10 NORTH FIFTH STREET
PARK RIDGE, NJ 07656
P 201-505-8905
www.firstsightsurveying.com

SCALE:	DATE:	PROJECT NO:	SHEET NO:
1" = 20'	DEC. 8, 2016	FS14-169	ES-2

Exhibit 1

FIRST SIGHT SURVEYING

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Park Ridge, NJ 07656
p: 201.505.8905
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December 8, 2016
FS 14-169

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2' WIDE BAY WINDOW EASEMENT

This Easement is intended to describe four (4) individual Bay Windows, being 2' x 12.17' that encroaches over the southerly right of way line of Bay Street as granted per Site Plan approval.

Being more particularly described as follows:

BEGINNING at a point on the southerly line of Bay Street, being 60 feet wide at the dividing line of Lot 6 and Lot 9 in Tax Block 11404, said point being distant 70.35 feet on a course of North 83°41'50" West from the corner formed by the westerly line of Grove Street, being 60 feet wide with said southerly line of Bay Street and running westerly along the southerly line of Bay Street North 83°41'50" West a distance of 10.42 feet to the **True Point and Place of BEGINNING** of the herein described easement; thence

1. North 6°18'10" East a distance of 2.00 feet; thence
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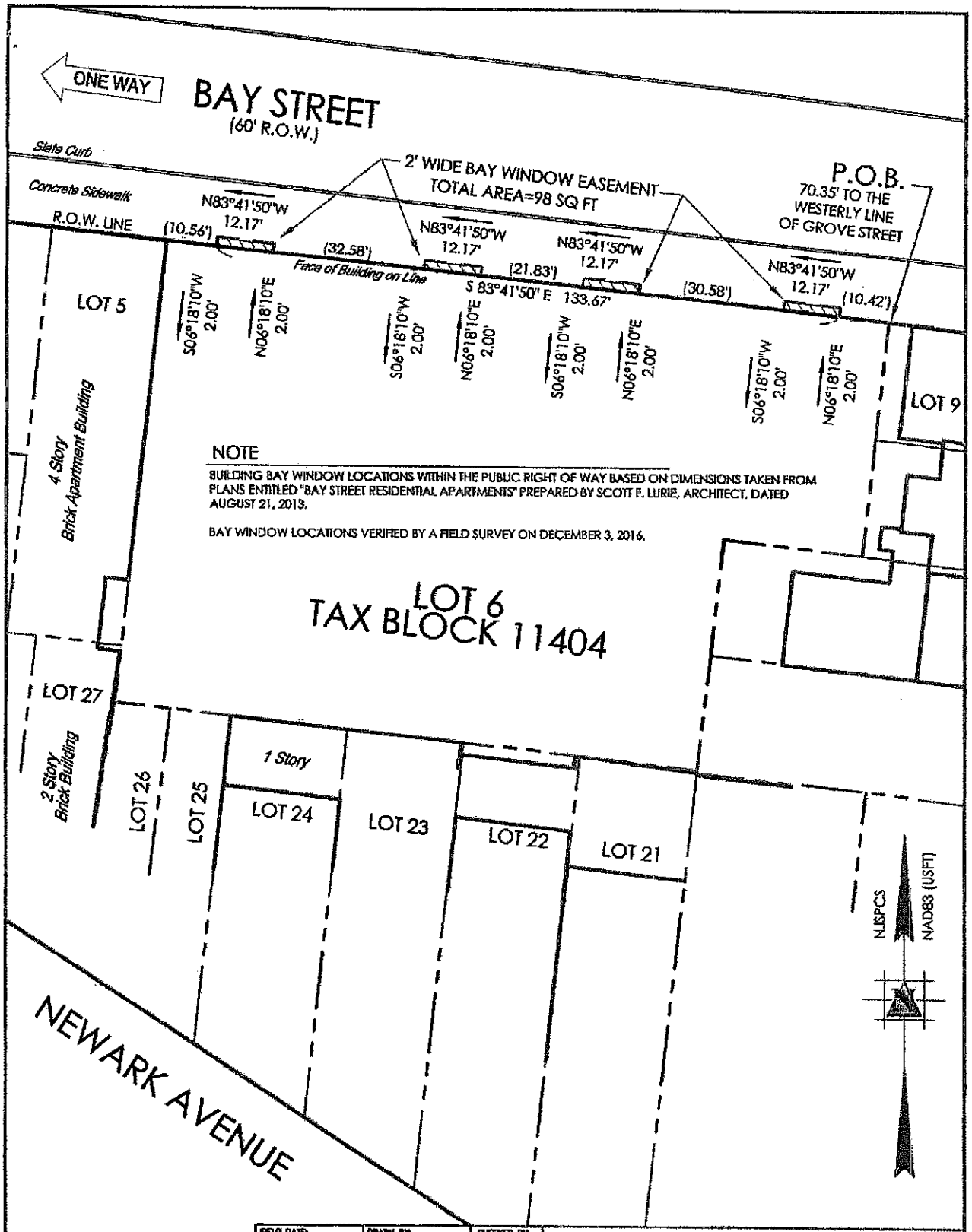
Containing 98 square feet

In accordance with a certain plan entitled "2' Wide Bay Window Easement Plan, 213-225 Bay Street, Lot 6 in Block 11404, City of Jersey City, County of Hudson, NJ" prepared by First Sight Surveying, LLC dated December 8, 2016, Sheet No. ES-3.

Miloslav Rehak
NJ Professional Land Surveyor
No. 43233

Exhibit 2



NOTE

BUILDING BAY WINDOW LOCATIONS WITHIN THE PUBLIC RIGHT OF WAY BASED ON DIMENSIONS TAKEN FROM PLANS ENTITLED "BAY STREET RESIDENTIAL APARTMENTS" PREPARED BY SCOTT F. LURIE, ARCHITECT, DATED AUGUST 21, 2013.

BAY WINDOW LOCATIONS VERIFIED BY A FIELD SURVEY ON DECEMBER 3, 2016.

GRAPHIC SCALE

20 0 10 20

(IN FEET)
1 inch = 20 ft.

FIELD DATE: 12/03/2016	DRAWN BY: M.R.	CHECKED BY: M.R.	2' WIDE BAY WINDOW EASEMENT PLAN
CERT. OF AUTH. 24GA28149000	FIELD CREW: M.R.	REVISIONS NO. DATE	213-225 BAY STREET

I HEREBY CERTIFY THAT THIS SURVEY HAS BEEN PERFORMED IN THE FIELD BY ME, AND TO THE BEST OF MY KNOWLEDGE, BELIEF, AND INFORMATION, THAT THIS SURVEY HAS BEEN PERFORMED IN ACCORDANCE WITH CURRENTLY ACCEPTED ACCURACY STANDARDS.

MILOSLAV REHAK
N.J. PROFESSIONAL LAND SURVEYOR NO. 43233

LOT 6 IN BLOCK 11404
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COUNTY OF HUDSON STATE OF NEW JERSEY

FIRST SIGHT SURVEYING LLC
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P 201-505-8905
www.firstsightsurveying.com

SCALE: 1" = 20'	DATE: DEC. 8, 2016	PROJECT NO: FS14-169	SHEET NO.: ES-3

Exhibit 3

FIRST SIGHT SURVEYING

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December 8, 2016
FS 14-169

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5. North 6°18'10" East a distance of 5.00 feet; thence
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9. North 6°18'10" East a distance of 5.00 feet; thence
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FIRST SIGHT SURVEYING

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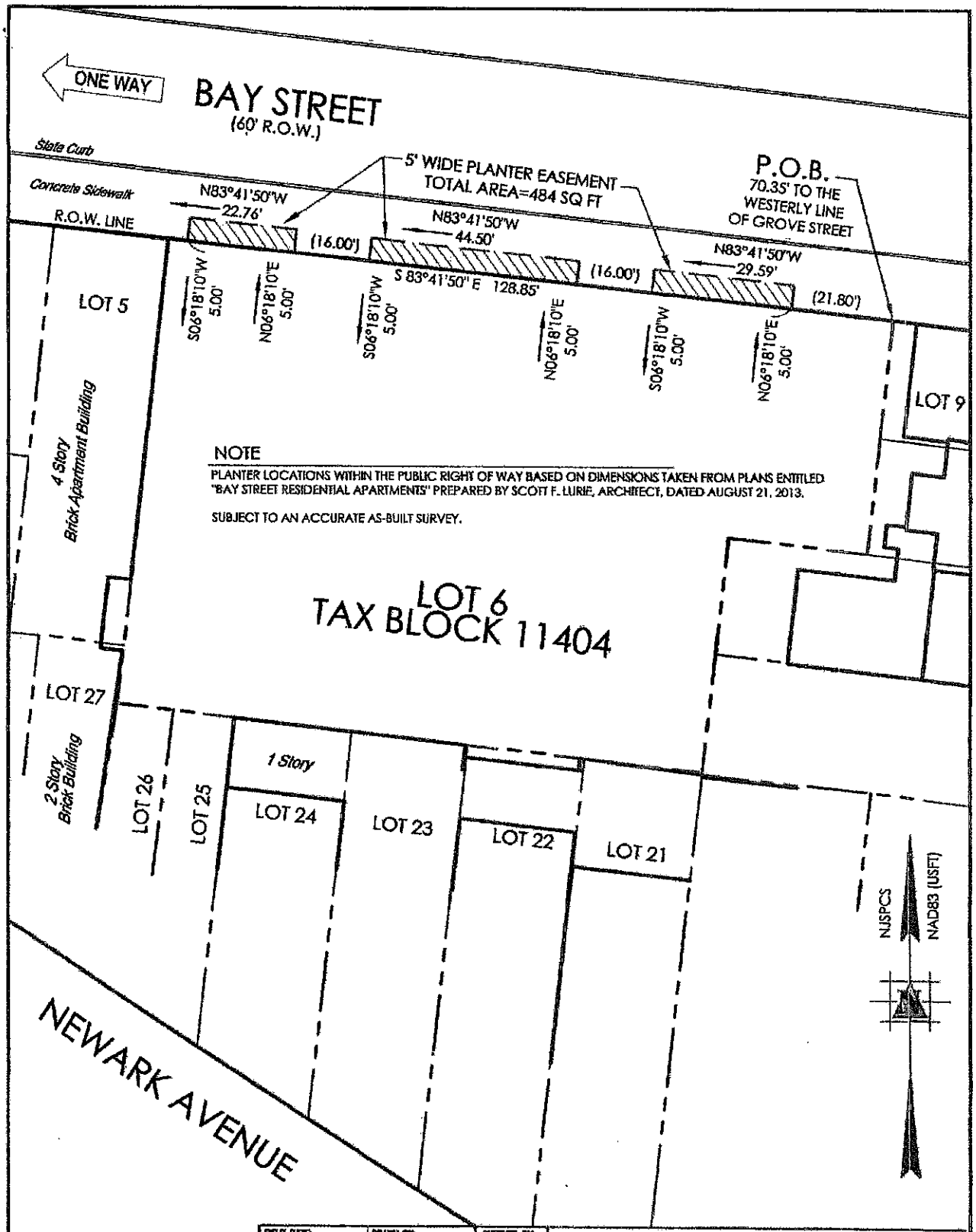
Miloslav Rehak
NJ Professional Land Surveyor
No. 43233

Exhibit 4



NOTE

PLANTER LOCATIONS WITHIN THE PUBLIC RIGHT OF WAY BASED ON DIMENSIONS TAKEN FROM PLANS ENTITLED "BAY STREET RESIDENTIAL APARTMENTS" PREPARED BY SCOTT F. LURIE, ARCHITECT, DATED AUGUST 21, 2013.

SUBJECT TO AN ACCURATE AS-BUILT SURVEY.

GRAPHIC SCALE

20 0 10 20

(IN FEET)
1 inch = 20 ft.

FIELD DATE:	DRAWN BY: M.R.	CHECKED BY: M.R.
CERT. OF AUTH. 24GA28149000	FIELD CREW: M.R.	REVISIONS NO. DATE

I HEREBY CERTIFY THAT THIS SURVEY HAS BEEN PERFORMED IN THE FIELD BY ME, AND TO THE BEST OF MY KNOWLEDGE, BELIEF, AND INFORMATION, THAT THIS SURVEY HAS BEEN PERFORMED IN ACCORDANCE WITH CURRENTLY ACCEPTED ACCURACY STANDARDS.

MILOSLAV REHAK
N.J. PROFESSIONAL LAND SURVEYOR NO. 43233

5' WIDE PLANTER EASEMENT PLAN

213-225 BAY STREET

LOT 6 IN BLOCK 11404
CITY OF JERSEY CITY
COUNTY OF HUDSON STATE OF NEW JERSEY

FIRST SIGHT SURVEYING LLC
10 NORTH FIFTH STREET
PARK RIDGE, NJ 07656
P 201-505-8905
www.firstsightsurveying.com

SCALE: 1" = 20'	DATE: DEC. 8, 2016	PROJECT NO: FS14-169	SHEET NO.: ES-2

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

ORDINANCE NO. Ord. 17-030
TITLE: 3.G MAR 8 2017 4.G MAR 2 2 2017

A Franchise Ordinance granting permission to 225 Bay Street, LLC, successor in interest to Bay City Condo, LLC, its successors and assigns, to make private improvements in the public right-of-way Bay Street adjacent to the property located at 213-225 Bay Street, Jersey City, New Jersey, also known on the Tax Maps of the City of Jersey City as Block 241, Lots A, 18, 20 and 33D.

RECORD OF COUNCIL VOTE ON INTRODUCTION MAR 0 8 2017 9-0

COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
GADSDEN	✓			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	✓		

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING MAR 2 2 2017 9-0

Councilperson WATTERMAN **moved, seconded by Councilperson** OSBORNE **to close P.H.**

COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
GADSDEN	✓			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	✓		

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

SPEAKERS:

MIKE KULOWSKI

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY

Councilperson _____ **moved to amend* Ordinance, seconded by Councilperson** _____ **& adopted** _____

COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI				YUN				RIVERA			
GADSDEN				OSBORNE				WATTERMAN			
BOGGIANO				ROBINSON				LAVARRO, PRES.			

RECORD OF FINAL COUNCIL VOTE MAR 2 2 2017 9-0

COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
GADSDEN	✓			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	✓		

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

Adopted on first reading of the Council of Jersey City, N.J. on MAR 0 8 2017

Adopted on second and final reading after hearing on MAR 2 2 2017

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on MAR 2 2 2017

Robert Byrne, City Clerk

*Amendment(s):

APPROVED:

Rolando R. Lavarro, Jr., Council President

Date MAR 2 2 2017

APPROVED:

Steven M. Fulop, Mayor

Date MAR 2 3 2017

Date to Mayor MAR 2 3 2017

City Clerk File No. Ord. 17-031

Agenda No. 3.H. 1st Reading

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

ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 17-031

TITLE:

ORDINANCE AUTHORIZING THE EXECUTION OF A CORRECTIVE DEED FOR BLOCK 16302, LOT 40 IN THE CITY OF JERSEY CITY PURSUANT TO GREEN ACRES REQUIREMENTS

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

WHEREAS, the City used a grant from the New Jersey Department of Environmental Protection's "Green Acres" program in 2009 towards the acquisition of Block 16302, Lot 40 (formerly known as Block 1825.A, Lots A.6 and A.7) now commonly known as Boyd McGuinness Park; and

WHEREAS, the Green Acres program requires deeds for properties that were acquired with Green Acres program funding to contain restrictive language that states that "the lands being conveyed herein are being purchased with Green Acres funding and are subject to Green Acres restrictions as provided at N.J.S.A. 13:8C-1 et seq. and N.J.A.C. 7:36, as may be amended and supplemented, and the grantee herein agrees to accept these lands with the Green Acres restrictions, including restrictions against disposal or diversion to a use for other than recreation and conservation purposes."; and

WHEREAS, the recorded deed did not include the above quoted required restrictive language by the Green Acres program; and

WHEREAS, the City must file a Corrective Deed in order to include the restrictive language and a corrected and updated property description pursuant to the Green Acres program requirements; and

WHEREAS, no additional consideration is to be paid pursuant to the execution of the Corrective Deed; and

WHEREAS, a Corrective Deed is to be used for corrective or confirmatory purposes for deeds that need to be recorded or re-recorded due to a typographical, clerical, property description or other scrivener error or omission.

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

1. Subject to such modifications as may be deemed necessary or appropriate by Corporation Counsel, the Mayor or Business Administrator is authorized to execute the documents in substantially the form attached in order to execute and record a Corrective Deed for Block 16302, part of Lot 40 (formerly known as Block 1825.A, Lots A.6 and A.7) now commonly known as Boyd McGuinness Park.

ORDINANCE AUTHORIZING THE EXECUTION OF A CORRECTIVE DEED FOR BLOCK 16302, LOT 40 IN THE CITY OF JERSEY CITY PURSUANT TO GREEN ACRES REQUIREMENTS

2. The Mayor or Business Administrator is authorized to execute any such additional documents as may be necessary or appropriate to effectuate the implementation of the requirements of the Green Acres program in connection with the original acquisition of Block 16302, part of Lot 40.

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

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

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

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

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*.

APPROVED AS TO LEGAL FORM

Corporation Counsel

APPROVED: _____

APPROVED: _____
Business Administrator

Certification Required ☐
Not Required ☐

RESOLUTION FACT SHEET – NON-CONTRACTUAL

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

Full Title of Ordinance/Resolution

ORDINANCE AUTHORIZING THE EXECUTION OF A CORRECTIVE DEED FOR BLOCK 16302, LOT 40 IN THE CITY OF JERSEY CITY PURSUANT TO GREEN ACRES REQUIREMENTS

Initiator

Department/Division	Office of Business Administrator	
Name/Title	Robert J. Kakoleski	Business Administrator
Phone/email	201-547-4642	RJkakoleski@jcnj.org

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

Resolution Purpose

In 2009, the City used a grant from the New Jersey Department of Environmental Protection's "Green Acres" program towards the acquisition of Block 16302, Lot 40 (formerly known as Block 1825.A, Lots A.6 and A.7) now commonly known as "Boyd McGuinness Park." The recorded deed did not include required restrictive language by the Green Acres program. This Ordinance will authorize the Mayor or Business Administrator to execute a Corrective Deed to include the language required by the Green Acres program and an updated accurate property description.

I certify that all the facts presented herein are accurate.

Signature of Department Director 3/1/17 **Date**

GIT/REP-4a
(6-10)

State of New Jersey

WAIVER OF SELLER'S FILING REQUIREMENT OF GIT/REP FORMS AND PAYMENT FOR CORRECTED DEED WITH NO CONSIDERATION

(C.55, P.L. 2004)

(Please Print or Type)

OWNER(S) INFORMATION

Name(s)

City of Jersey City

Current Resident Address:

280 Grove Street

City, Town, Post Office	State	Zip Code
City of Jersey City	NJ	07302

PROPERTY INFORMATION (Brief Property Description)

Block(s)	Lot(s)	Qualifier
16302	Part of Lot 40	

Street Address:

2565 DUNCAN AVENUE

City, Town, Post Office	State	Zip Code
City of Jersey City	NJ	07306

OWNER(S) DECLARATION

The undersigned is (are) the title owner(s) of the real property identified under the "Property Information" section above. By presenting this declaration fully completed and signed by me (us), I (we) represent that the deed to which this form is attached is for corrective or confirmatory purposes only. In other words, the deed needs to be recorded or re-recorded solely due to a typographical, clerical, property description or other scrivener error or omission and there is no consideration for the corrective or confirmatory deed. The county recording officer will accept this form for recording along with such deed. The recording officer may also, however, continue to accept the GIT/REP-4 form with the Division's raised seal in lieu of the GIT/REP-4A. By checking this box ☐ I certify that the Power of Attorney to represent the seller(s) has been previously recorded or is being recorded simultaneously with the deed to which this form is attached.

This waiver form may be presented to the appropriate county recording officer for recording along with the deed of the owner as identified in the information above. Accordingly, the county recording officer is hereby authorized to accept this waiver form in lieu of any other GIT/REP form without any further payment of any tax on estimated income gain pursuant P.L. 2004, c. 55.

Date _____ Signature (Owner) Please indicate if Power of Attorney or Attorney in Fact _____

Date _____ Signature (Owner) Please indicate if Power of Attorney or Attorney in Fact _____

Waiver of Seller's Filing Requirement Instructions

This form is only to be completed by a title owner recording a deed to which this form is attached for corrective or confirmatory purposes only which needs to be recorded or re-recorded due to a typographical, clerical, property description or other scrivener error or omission and there is no consideration for the corrective or confirmatory deed that is subject to the Gross Income Tax estimated payment requirements under C.55, P.L. 2004 and is not covered by one of the other GIT/REP forms. The information to be put on the form includes:

Name(s): Name of owner(s) listed on the deed as the grantee(s).

Address: Owner(s) primary residence or place of business.

Property Information: Information as listed on the corrective or confirmatory deed being recorded.

Signature: Seller(s) must sign and date the declaration. If the seller's representative is signing the declaration either (1) a Power of Attorney executed by the seller(s) to the representative must be previously recorded or recorded simultaneously with the deed to which this form is attached, or (2) a letter signed by the seller(s) granting authority to the representative to sign this form must be attached.

All information requested on this form must be completed. Failure to complete the form in its entirety will result in the deed not being recorded.

The owner or owner's attorney must submit the original Waiver of Seller's Filing Requirement of GIT/REP-4A form to the County Clerk at the time of recording the corrective or confirmatory deed. Failure to submit this form or a Nonresident Seller's Tax Declaration (GIT/REP-1) or a Nonresident Seller's Tax Prepayment Receipt (GIT/REP-2) or a Seller's Residency Certification (GIT/REP-3) or other waiver form (GIT-REP-4) will result in the deed not being recorded.

The county clerk will attach this form to the deed when recording the deed.

EKA ASSOCIATES, P.A.

328 Park Avenue
P.O. Box 208
Scotch Plains, NJ 07076

Phone: 908.322.2030
Fax: 908.322.0505

DEED DESCRIPTION
BOYD McGUINESS PARK PROJECT
LANDS N/F OF THE CITY OF JERSEY CITY
TAX BLOCK 16302 PART OF TAX LOT 40
CITY OF JERSEY CITY
2565 DUNCAN AVENUE
CITY OF JERSEY CITY, HUDSON COUNTY, NEW JERSEY

All that certain tract, lot or parcel of land situate, lying and being in the City of Jersey City, County of Hudson, State of New Jersey, bounded and described as follows:

BEGINNING at a point in the southwesterly line of Duncan Avenue (60 feet wide), said point being distant 79.55 feet northwesterly from the intersection of the southwesterly line of Duncan Avenue and the northwesterly line of Kennedy Boulevard (100 feet wide), now evidenced by an iron pin with an aluminum surveyors cap set by EKA Associates, land surveyor license number 30750, and running thence

1. South 43 degrees 49 minutes 26 seconds West, a distance of 125.05 feet to a point now evidenced by a concrete monument set by EKA Associates, land surveyor license number 30750, thence;

2. North 48 degrees 00 minutes 00 seconds West, a distance of 83.90 feet to a Point evidenced by an iron bar with surveyors cap set by EKA Associates, land surveyor license number 30750, in the concrete footing of a fence post, thence;

3. North 42 degrees 00 minutes 00 seconds East, a distance of 125.00 feet to the southwesterly line of Duncan Avenue, evidenced by a concrete monument set by EKA Associates, land surveyor license number 30750, thence;

4. Along the southwesterly line of Duncan Avenue, South 48 degrees 00 minutes 00 seconds East, a distance of 87.50 feet to the point and place of BEGINNING.

CONTAINING 10,712 square feet or 0.246 acres of land, more or less.

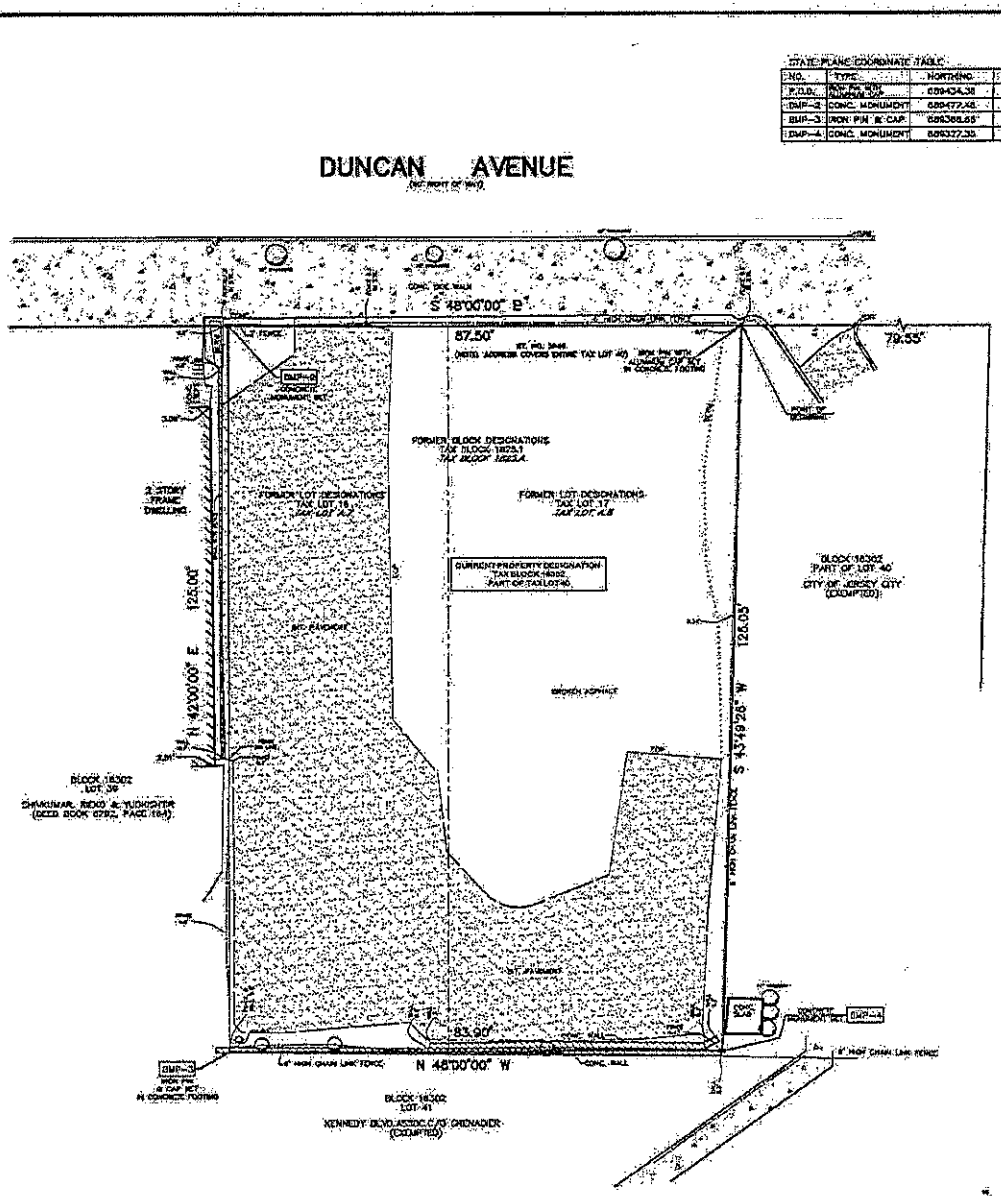
The above description was written pursuant to a survey of property designated as Tax Block 16302 part of Tax Lot 40 on the municipal tax map of the City of Jersey City, Hudson County, New Jersey. Said survey was prepared by the undersigned surveyor for the firm of EKA Associates, P.A., 328 Park Avenue, Scotch Plains, NJ 07076, dated August 16, 2014 and is marked as Job No. 843477. A reduced copy of the said plan is attached hereto and made a part hereof.

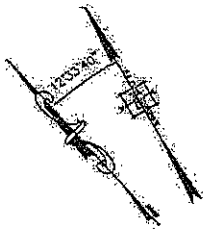
James R. Watson 8-16-2014

James R. Watson, P.L.S. — Date
N.J.P.L.S. 30750
N.Y.P.L.S. 5019
N.J.P.P. 3363

STATE PLANE COORDINATE TABLE

NO.	TYPE	NORTHING	EASTING	LATITUDE	LONGITUDE
P.O.B.	IRON PIN W/ ALUMINUM CAP	689434.38	610238.97	40°43'31.33"	-74°04'25.90"
DMP-2	CONC. MONUMENT	689472.48	610160.82	40°43'31.76"	-74°04'26.78"
BMP-3	IRON PIN & CAP	689368.65	610059.23	40°43'30.69"	-74°04'27.97"
DMP-4	CONC. MONUMENT	689327.35	610172.78	40°43'30.25"	-74°04'26.64"





LOCATION MAP
SCALE 1" = 2000'
JERSEY CITY QUAD MAP

LEGEND OF ACQUISITION LOCAL UNIT OR NON PROFIT

PROJECT INFORMATION

PROJECT NAME: BOYD McGUINESS PARK PROJECT
PROJECT NUMBER: [illegible]
SELLER'S NAME: [illegible] CITY OF JERSEY CITY
LEADING AGENCY/ENTITY:

PARCEL INFORMATION

MUNICIPALITY: CITY OF JERSEY CITY COUNTY: HUDSON
TAX BLOCK: 16302 LOT: PART OF LOT 40 (FORMERLY BLOCK 1825.A, LOT A.6)
INTEREST ACQUIRED: FEE ___ EASEMENT ___ TYPE OF EASEMENT: ___
ENTIRE ___ or PART ___ OF LOT: PORTION OF LOT ACQUIRED: [illegible] AGRES [illegible]

PARCEL INFORMATION

MUNICIPALITY: CITY OF JERSEY CITY COUNTY: HUDSON
TAX BLOCK: 16302 LOT: PART OF LOT 40 (FORMERLY BLOCK 1825.A, LOT A.7)
INTEREST ACQUIRED: FEE ___ EASEMENT ___ TYPE OF EASEMENT: ___
ENTIRE ___ or PART ___ OF LOT: PORTION OF LOT ACQUIRED: [illegible] AGRES [illegible]

AREA SUMMARY

	(SQ.FT.) (ACRES)
TOTAL GROSS AREA SURVEYED:	
SUBJECT TO:	
AREA WITHIN MC ROADWAY	0 ACRES
AREA SUBJECT TO RIPARIAN CLAIM OF NEW JERSEY	0 ACRES
TOTAL AREA UNDER NAVIGABLE FRESH WATERS	0 ACRES
AREA SUBJECT TO TITLE OVERLAPS	0 ACRES
AREA SUBJECT TO TITLE GAPS	0 ACRES
AREA SUBJECT TO PHYSICAL ENCROACHMENTS	0 ACRES
NET AREA OF GROSS ACRES EXAMINED:	0.344 ACRES

GENERAL NOTES:

1. THIS BOUNDARY SURVEY INCLUDES INFORMATION INCLUDING STATE PLANE COORDINATE DATA, TAKEN FROM A TOPOGRAPHIC SURVEY PROVIDED BY:

   JERSEY CITY DIVISION OF ARCHITECTURE
   [illegible] ROUTE [illegible]
   JERSEY CITY, NJ 07306
   ON 10/15/2013 (UNDATED)

2. THIS PLAN REPRESENTS DIMENSIONS OF THE EXISTING BUILDING AND IMPROVEMENTS. IT IS INTENDED FOR APPLICATION FOR A PERMIT AS MAY BE REQUIRED BY THE RELATIVE MUNICIPALITY.

3. THIS SURVEY AND PLAN IS MADE FOR AND CERTIFIED TO THE PARTIES NAMED HEREON FOR THE PURPOSE(S) STATED, NO OTHER PURPOSE IS INTENDED OR IMPLIED. THE UNDERSIGNED SURVEYOR IS NEITHER RESPONSIBLE NOR LIABLE FOR THE USE OF THIS SURVEY FOR ANY OTHER PURPOSE INCLUDING, BUT NOT LIMITED TO USE OF SURVEY FOR SURVEY STRAIGHT, SCALE OF PROPERTY, OR TO ANY OTHER PERSON NOT LISTED IN THE CERTIFICATION, EITHER DIRECTLY OR INDIRECTLY.

4. IF THIS DOCUMENT DOES NOT CONTAIN A RAISED IMPRESSION SEAL OF THE PROFESSIONAL IT IS NOT AN AUTHENTIC ORIGINAL AND MAY HAVE BEEN ALTERED.

5. PARCEL CONTAINS 15,012 S.F. OR 0.344 ACRE ±.

RECORD DED. ___ TAX MAP
DEED BOOK 0894, PAGE 832 SHEET 383

REFERENCE
N/A

FLOOD MAP DATA
"MAP OF 48 BUILDING LOTS SITUATED IN THE 10TH WARD OF JERSEY CITY, BELONGING TO C.G. NELSON," FILED JULY 2, 1870 AS MAP No. 394

I HEREBY CERTIFY TO STATE OF NEW JERSEY, TO THE CITY OF JERSEY CITY, AND TO PURCHASER AND ON BEHALF OF PURCHASER, TO PURCHASER'S TITLE INSURER THAT THIS PLAN, SURVEY, AND A CORRESPONDING METES AND BOUNDS DESCRIPTION HAVE BEEN PREPARED UNDER MY IMMEDIATE SUPERVISION IN ACCORDANCE WITH A WRITTEN CONTRACT WITH NJEDA THAT THIS PLAN IS A CORRECT AND ACCURATE REPRESENTATION OF CONDITIONS EXISTING AS OF AUGUST 19, 2014, SUBJECT TO SUCH NOTES AS MAY APPEAR HEREON.

I DO FURTHER CERTIFY THAT THE MONUMENTS AS DESIGNATED AND SHOWN HEREON HAVE BEEN SET.

JAMES R. WATSON, P.L.S., P.P.
PROFESSIONAL LAND SURVEYOR — PROFESSIONAL PLANNER
N.J. LICENSE NO. 30700 — N.J. LICENSE NO. 3363
N.Y. LICENSE NO. 049706

GRAPHIC SCALE
(IN FEET)
1 inch = 10 ft.

PLAN OF SURVEY
BOYD McGUINESS PARK PROJECT
PART OF TAX LOT 40 BLOCK 16302
FORMERLY TAX LOTS A.6 & A.7, BLOCK 1825.A
CITY OF JERSEY CITY, HUDSON COUNTY, NEW JERSEY

EKA ASSOCIATES, P.A.
Engineers • Surveyors • Planners
328 Park Avenue, Scotch Plains, N.J. 07076
908-322-2030

REVISIONS:

JAMES R. WATSON, P.L.S., P.P.
PROFESSIONAL LAND SURVEYOR — PROFESSIONAL PLANNER
N.J. LICENSE NO. 30700 — N.J. LICENSE NO. 3363
N.Y. LICENSE NO. 049706

Job No. 84507 | Date 8/18/2014 | Scale 1" = 10' | Drawn SMA | Dwg No. PLS | Sheet 1 of 1

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

ORDINANCE NO. Ord. 17-031
TITLE: 3.H MAR 8 2017 4.H MAR 2 2 2017

An Ordinance authorizing the execution of a corrective deed for Block 16302, Lot 20 in the City of Jersey City pursuant to Green Acres requirements.

RECORD OF COUNCIL VOTE ON INTRODUCTION MAR 0 8 2017 9-0

COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
GADSDEN	✓			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	✓		

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING MAR 2 2 2017 9-0

Councilperson RIVERA **moved, seconded by Councilperson** WATTERMAN **to close P.H.**

COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
GADSDEN	✓			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	✓		

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

SPEAKERS:

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY

Councilperson_____ **moved to amend* Ordinance, seconded by Councilperson**_____ **& adopted**_____

COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI				YUN				RIVERA			
GADSDEN				OSBORNE				WATTERMAN			
BOGGIANO				ROBINSON				LAVARRO, PRES.			

RECORD OF FINAL COUNCIL VOTE MAR 2 2 2017 9-0

COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
GADSDEN	✓			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	✓		

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

Adopted on first reading of the Council of Jersey City, N.J. on MAR 0 8 2017

Adopted on second and final reading after hearing on MAR 2 2 2017

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on MAR 2 2 2017

Robert Byrne, City Clerk

APPROVED:

Rolando R. Lavarro, Jr., Council President

Date MAR 2 2 2017

APPROVED:

Steven M. Fulop, Mayor

Date MAR 2 3 2017

Date to Mayor MAR 2 3 2017

*Amendment(s):

City Clerk File No. Ord. 17-032

Agenda No. 3.I 1st Reading

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

ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 17-032

TITLE: **ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO JERSEY AVENUE PARK REDEVELOPMENT PLAN TO CREATE THE EMERSON DISTRICT**

WHEREAS, the Municipal Council of the City of Jersey City adopted the Jersey Avenue Park Redevelopment Plan in March of 2007, and amended the Plan numerous times subsequently, most recently on May 15, 2015; and

WHEREAS, the proposed amendments revise plan objectives, requirements, provisions as well as create specific regulations for the Emerson District; and

WHEREAS, the proposed amendments require developers within the Emerson District to fulfill certain performance standards and provide numerous community benefits for the successful implementation of the redevelopment plan; and

WHEREAS, the Planning Board, at its meeting of February 14, 2017, determined that the Jersey Avenue Park Redevelopment Plan should be amended to revise plan objectives, requirements, provisions as well as create specific regulations for the Emerson District; and

WHEREAS, the Planning Board, at its meeting of February 14, 2017, recommended a floor amendment to codify a community notice requirement in the plan.

WHEREAS, a copy of the Planning Board's recommended amendments to the Jersey Avenue Park Redevelopment Plan 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 aforementioned amendments to the Jersey Avenue Park 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 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.

3/03/17

Maryann Bucci-Carter, PP, AICP
Acting Director, Division of City Planning

APPROVED AS TO LEGAL FORM

Corporation Counsel

APPROVED:

APPROVED:

Business Administrator

Certification Required ☐
Not Required ☐

RESOLUTION FACT SHEET – NON-CONTRACTUAL

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

Full Title of Ordinance/Resolution

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO JERSEY AVENUE PARK REDEVELOPMENT PLAN TO CREATE THE EMERSON DISTRICT

Initiator

Department/Division	HEDC	City Planning
Name/Title	Maryann Bucci-Carter, PP, AICP	Acting Director
	Matt Ward, PP, AICP	Senior Planner
Phone/email	201-547-5010	maryannb@jcnj.org / mward@jcnj.org

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

Resolution Purpose

The proposed amendments revise the Jersey Avenue Park Redevelopment Plan. This amendment will create specific requirements for the Emerson District. The boundaries on the Emerson District are 13th street, vacated portions of Monmouth Street, 16th street and Coles Street. Numerous community benefits will be required of developments in this district including but not limited to: open space improvements, roadway construction and rededications, adaptive reuse and preservation, and a public use facility. Other amendments include updates to the Design Objectives and Requirements, Plan Maps, Traffic Circulation Objectives and Requirements, and General Provisions. There is additional language specifically added to improve the road network through a special assessment and provisions to require community notice.

I certify that all the facts presented herein are accurate.

Signature of Division Director — **Date** 2/23/17

Signature of Department Director — **Date** 2/23/17

Summary Sheet:

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO JERSEY AVENUE PARK REDEVELOPMENT PLAN TO CREATE THE EMERSON DISTRICT

The proposed amendments revise the Jersey Avenue Park Redevelopment Plan. This amendment will create specific requirements for the Emerson District. The boundaries on the Emerson District are 13th street, vacated portions of Monmouth Street, 16th street and Coles Street. Numerous community benefits will be required of developments in this district including but not limited to: open space improvements, roadway construction and rededications, adaptive reuse and preservation, and a public use facility. Other amendments include updates to the Design Objectives and Requirements, Plan Maps, Traffic Circulation Objectives and Requirements, and General Provisions. There are provisions to improve the road network through a special assessment and require community notice.

Department of Housing, Economic Development & Commerce
Division of City Planning

Inter-Office Memorandum

DATE: 2/23/ 2016

TO: Council President Lavarro, Anthony Cruz, Maryann Bucci-Carter

FROM: Matt Ward, PP, AICP MW

SUBJECT: Jersey Avenue Park Redevelopment Plan amendments

The proposed amendments revise the Jersey Avenue Park Redevelopment Plan. This amendment will create specific requirements for the Emerson District and update general objectives and provisions of to the plan.

The boundaries on the Emerson District are 13th Street to the south, vacated portions of Monmouth Street to the west, 16th street to the north and Coles Street to the east. Numerous community benefits will be required of developments in this district including but not limited to: open space improvements, roadway construction and rededications, adaptive reuse and preservation, and a public use facility.

As a growing community this amendment is intended to meet a need for open space and public services in the growing downtown area.

Other amendments include updates to the Design Objectives and Requirements, Plan Maps, Street Sections, Traffic Circulation Objectives and Requirements, and General Provisions. There is additional language specifically added to improve the road network through a special assessment and provisions to require community notice.

The proposed amendment received a favorable recommendation to the Municipal Council on its February 14th meeting. The Board made a floor amendment to codify community notice of the Jersey Avenue Park Neighborhood Association.

Proposed Amendments to the Jersey Avenue Park Redevelopment Plan
Emerson District

February 1, 2017 (Floor Amendment February 15, 2017)

Text to be deleted is indicated as a ~~strikethrough~~.
Text to be added is indicated as ***Bold Italic***.
A yellow highlight has been added to proposed changes for ease of identification.
Sections which are not to be altered or amended are noted as **NO CHANGE.**
Text to be added as a floor amendment is indicated as ***Bold Italic and Underline***
A green highlight has been added to proposed floor amendments for ease of identification.

INTRODUCTION

NO CHANGE

I. BOUNDARY DESCRIPTION

The boundary of the Jersey Avenue Park Redevelopment Area is presented on the ~~Redevelopment Area Boundary~~ ***Land Use District*** Map. The boundary of the Redevelopment Area can generally be described as beginning at the intersection of the centerlines of Hoboken Avenue and Jersey Avenue to the north and continuing south along Jersey Avenue to 14th Street, thence turning southwest along 14th Street to the centerline of Coles Street, thence turning south along Coles to the centerline of 12th Street, thence heading west along the centerline of 12th Street to the centerline of Hoboken Avenue, thence following the centerline of Hoboken Avenue to the north and turning east until reaching the beginning point at the centerline of Jersey Avenue.

II. REDEVELOPMENT PLAN REQUIREMENTS

NO CHANGE

III. TYPES OF PROPOSED REDEVELOPMENT ACTIONS

NO CHANGE

IV. DESIGN OBJECTIVES AND REQUIREMENTS

A. Building Design

NO CHANGE

B. Improved Open Space

NO CHANGE for paragraphs 1. Through 10. Add new paragraph

11. The construction of bikeways and public open spaces including the Coles Street Park as depicted on the Circulation, Bikeways and Open Space Map included within this Redevelopment Plan, at such time when the land required to construct the Coles Street Park has been dedicated, conveyed, and

accepted by the City of Jersey City; and the Emerson Park as depicted on the Circulation, Bikeways and Open Space Map included within this Redevelopment Plan at such time when the land required to construct the Emerson Park is no longer being used for its current use. Open spaces within the area shall be designed to introduce a range of functional, passive and recreational elements to the District. Pedestrian walkways and bikeways shall be designed to link open spaces, residential, transit, office and retail elements within this and adjoining neighborhoods. Open space shall contain designed landscaping and lawns, play equipment, high architectural materials and finishes for fencing, decorative walls, pedestrian pathways, seating, lighting and other hardscape furnishings. When designing open spaces access entry points shall take into consideration the location of ground floor uses at neighboring structures. The timing, construction and public input for the construction of the improvements outlined above shall be governed by a Developer Agreement negotiated and entered into between the city of Jersey City, the Jersey City Planning Board and any developer within the Plan area after it has obtained a site plan approval from the Jersey City Planning Board. The Developer Agreement shall be in recordable form. Final design of the park improvements shall be determined by the Planning Board. Any developer who constructs improved open space on public lands shall be granted an easement by the city of Jersey City for the purposes of entering onto designated property as conveyed, dedicated and accepted by the city of Jersey City.

C. Landscaping and Lighting

NO CHANGE for paragraphs 1. Through 11. Add new paragraph as below:

12. It is recommended that the areas under and adjacent to the New Jersey Turnpike and Routes 1&9 overpasses, including the areas along Twelfth Street, Thirteenth Street, Fourteenth Street, Coles Street and Monmouth Street, be constructed and improved with new lighting, landscaping, paint, and other decorative features as part of any redevelopment undertaken in this area.

D. Rehabilitation of Existing Structures

NO CHANGE

V. TRAFFIC CIRCULATION OBJECTIVES AND REQUIREMENTS

NO CHANGE for paragraphs A. Through I. Add new paragraphs as below:

J. Open Monmouth Street to extend from Thirteenth Street to Hoboken Avenue with a right-of-way width of 60-70 feet. The City shall work with the property owners adjacent to Monmouth Street north of Thirteenth Street to accomplish the reopening of any portions of the roadway that were previously vacated. Typical Cross Sections for Monmouth Street are included within this Redevelopment Plan illustrating the full 60-70 foot wide right-of-way shall be constructed as determined by the planning board.

K. The City shall work to re-establish a public right-of-way (formerly Fourteenth Street) between Coles Street and Monmouth Street on Lot 1 of Block 6903, currently owned by the New Jersey Turnpike Authority. The Cross Section for the Fourteenth Street right-of-way shall be reviewed and approved by the Planning Board.

L. It is recommended that the areas under and adjacent to the New Jersey Turnpike and Routes 1&9 overpasses, including the areas along Twelfth Street, Thirteenth Street, Fourteenth Street, Coles Street and Monmouth Street, be improved with new lighting,

landscaping, paint, and other decorative features as part of any redevelopment undertaken in this area.

M. Fifteenth Street will be re-opened between Coles Street and Monmouth Street as part of the redevelopment of the Emerson District. Typical Cross Sections for Fifteenth Street and Coles Street are included within this Redevelopment Plan.

VI. OFF-STREET PARKING AND LOADING REQUIREMENTS

NO CHANGE

VII. RESIDENTIAL DENSITY BONUS

NO CHANGE

VIII. INTERIM USES

NO CHANGE

IX. GENERAL PROVISIONS

NO CHANGE for paragraphs A. through K. Add the following paragraphs below

L. Required Community Notice Requirements:

1. ***The Jersey Avenue Park Neighborhood Association (JAPNA) shall serve as a community notification venue for all development applications within the redevelopment plan area.***
2. ***Within five (5) business days of filing an application for development with the Division of City Planning, all applicants must provide (via hand delivery, US Mail, Email, or commercial delivery service) a copy of the application, along with all associated documents including architectural drawings, to Jersey Avenue Park Neighborhood Association. The applicant must submit an affidavit certifying notice to the JAPNA to the Division of City Planning.***
3. ***Failure to complete the required notice pursuant to this section shall deem an application incomplete.***
4. ***Upon receipt of notice of an application submittal, JAPNA shall have 30 calendar days to review plans and submit any comments to the Planning Board.***
5. ***JAPNA shall receive a copy of Planning Board agendas from the Division of City Planning.***
6. ***These requirements may be waived by the Planning Board for a specific redevelopment project if JAPNA has submitted to the Planning Board, in writing, its approval of that project.***
7. ***JAPNA may hold a public meeting to review development applications, however notice of such meetings must be made to the applicant at least 5 business days in advance so they may have the opportunity to answer questions about the project and provide a presentation to the community or review committee.***
8. ***JAPNA shall update the following contact information through the Division of City Planning. The Division of City Planning is directed to update the contact information listed below without amendment by the Municipal Council. JAPNA can be currently contacted at:***

   Jersey Avenue Park Neighborhood Association c/o Geoff Carol, Trustee

837 Jersey Avenue, Apt. 6L
Jersey City, NJ 07310

9. Contact information and instructions for carrying out the community notice requirements of this plan shall be updated as necessary in the Jersey City General Development Application without amendment by the Municipal Council.

X. SPECIFIC LAND USE PROVISIONS

- Development regulations for the Redevelopment Plan Area consist of two interrelated parts, land use district regulations and the Land Use District Map. The land use districts are designated as the Medium Rise District, the Mixed Use District, ***the Emerson District*** and the Commercial Strip District. The area at Monmouth Street between Seventeenth and Fourteenth Streets has been dedicated solely to the Newport Electrical Substation. Uses in this area shall be necessary or ancillary to the Electrical Substation function, and shall be reviewed and approved by the Planning Board. ***Land within the substation area may also be utilized to re-open Monmouth Street to a 60-70 foot right-of-way width.***

  The Planning Board may grant deviations from the regulations contained within this redevelopment plan, where, by reason of exceptional narrowness, shallowness or shape of a specific piece of property, or by reason of exceptional topographic conditions, pre-existing structures or physical features uniquely affecting a specific piece of property, or by reason of an extraordinary and exceptional situation uniquely affecting a specific piece of property, the strict application of any area, yard, bulk or design objective or regulation adopted pursuant to this redevelopment plan, would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon, the developer of such property. The Planning Board may also grant such relief in an application relating to a specific piece of property where the purposes of this redevelopment plan would be advanced by a deviation from the strict requirements of this plan and the benefits of the deviation would outweigh any detriments. No relief may be granted under the terms of this section unless such deviation or relief can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of this redevelopment plan.

  Notice, pursuant to NJSA 40:55D-12.a. and b., shall be given by an applicant seeking such relief.

- This redevelopment plan authorizes the planning Board to identify, review, and approve the site improvements and building improvements, including the façade design of all buildings and parking garages within the redevelopment plan area.
- The following uses are prohibited from all districts within the plan area:
  i. Junk, scrap and/or salvage yards
  ii. Recycling facilities, storage yards or centers
  iii. Gasoline stations outside the Commercial District [Service Station]
  iv. Discos, Rock Clubs, Dance or Karaoke Clubs

- Formula Business Objectives
  a. All commercial retail areas within each structure or within a single tax lot shall limit formula business establishments, as defined by the Land Development Ordinance, to a maximum of 30% of ground floor gross leasable commercial area. For the purposes of this area restriction, the formula business definition shall apply to the following uses, whether functioning as a principal or accessory use:

1. Retail sales of goods and services
2. Restaurants, all categories.
3. Bars.
4. Financial Service Facilities and Banks

b. Grocery Stores greater than 15,000 square feet may exceed 30% of gross leasable commercial area, but shall be the only formula business within such structure or lot.

- ***This redevelopment plan requires a developer of Property within the Redevelopment Plan Area to petition the City of Jersey City to implement a special assessment or special improvement district within the Redevelopment Plan Area to fund the completion of any Traffic Circulation and Open Space Objectives and Requirements or other community benefits called for under this Plan and any applicant that files any application for development within the plan area agrees to take part in the implementation of the special assessment. The special assessment or improvement district may, subject to City Council approval, include a special assessment levied against any property within the boundary of the Jersey Avenue Park Redevelopment Area to fund the costs of these improvements. Developers may petition the City for a special assessment in phases. To the extent any developer undertakes construction of any traffic circulation improvements or other community benefits called for under this plan, that developer may apply to the special improvement district for reimbursement of all or a portion of the cost of doing such improvement.***

A. Medium Rise District

NO CHANGE

B. Commercial Strip District

NO CHANGE

C. Mixed Use District

NO CHANGE

D. Emerson District

1. This district is intended to provide regulations for the redevelopment of the former Emerson Radio Corporation factory as a mixed-use neighborhood, utilizing New Urbanism planning and design principals.

2. The developer(s) will be required to fulfill certain performance standards, including but not limited to the obligation to provide community benefits for the successful implementation of the objectives of the redevelopment plan. These benefits to the community include, but are not limited to:

a. Restoration and adaptive reuse of the original 1920's, 5-story Structure with no apparent change to the building's height;
b. The provision of public uses in the district to help administer public services to a growing neighborhood and greater Jersey City;

c. The construction of Monmouth Street, a 60'-70' right-of-way between 13th and 16th Streets;
d. The construction of the 15th Street right-of-way between Coles and Monmouth Streets;
e. The improvement of the 16th Street right-of-way between Coles and Monmouth Streets;
f. Dedication of 30'-40' of land on the west side of the property between 14th and 16th Streets for the reopening of Monmouth Street;
g. Dedication or public easement and construction of a 60' wide section of land between Monmouth and Coles Street for the reopening of 15th Street;
h. The dedication of publicly accessible open and recreational land south of 14th Street for the Emerson Park after the expiration of its current use.
i. The detailed reconstruction of the Art Deco Entrances at the corners of 14th Street, 15th Street and Coles Street at the base of the new southern structure; and
j. Construction and dedication of a Public Use Facility as further outlined in this district; and
k. Construction of the Coles Street Park in accordance with the Design Objectives and Requirements for Improved Open Space of the Jersey Avenue Park Redevelopment Plan, at such time when the land required to construct the Coles Street Park has been dedicated conveyed and accepted by the City of Jersey City
l. Construction of the Emerson Park in accordance with the Design Objectives and Requirements for Improved Open Space of the Jersey Avenue Park Redevelopment Plan after the expiration of its current use.

3. In connection with any development within this district, there shall be a master site plan application filed with the Division of City Planning which shall include all of the properties and phases of the entire Emerson District and the Coles Street Park as depicted on Circulation, Bikeways, and Open Space Map of this plan. The Planning Board shall approve the phasing of the sites in the district and phasing of community benefits. The open space provisions, traffic circulation objectives and other community benefits must be constructed as part of the first phase of development, unless noted elsewhere within this Redevelopment Plan, subject to the discretion of the Planning Board to permit portions of the community benefits to be deferred to later phases so as to be constructed contemporaneously with adjacent improvements.

4. Permitted Uses: Please also refer to the Ground Floor Frontage Map for the location of Required Retail Frontages and other ground floor uses. The permitted uses in areas indicated as Retail required shall be commercial uses that serve to activate the building frontages and streetscape such as Retail Sales of Goods and Services, Restaurants, Bars and Night Clubs, and other similar uses.

a. Multi-Family Residential
b. Offices, including Medical Offices.
c. Schools
d. Retail Sales of Goods and Services
e. Restaurants, Bars and Night Clubs
f. Banks and financial institutions (limited to a maximum of 25' street frontage)
g. Theaters, Performing Arts Centers, Galleries and Museums
h. Day Care Centers
i. Health Clubs
j. Open Space and Parks
k. Public Uses

l Billboard (limited to one billboard within the Emerson District of a size, shape geographic location, and orientation similar to the pre-existing billboard near the corner of Coles Street and 14th Street as determined by the Planning Board and provided that the pre-existing billboard is removed)
m. Mixed-use of the above

5. *Accessory Uses:*

   a. *Off-street Structured Parking and Loading – required off-street parking may be provided on-site or on another property within the District. Excess parking may be leased to businesses, commuters or residents.*
   b. *Home occupations.*
   c. *Such other uses customarily associated with and subordinate and incidental to a permitted use within the district.*

6. *Prohibited Uses:*

   a. No use or re-use shall be permitted which, when conducted under proper and adequate conditions and safeguards, will produce corrosive, toxic or noxious fume, glare, electro-magnetic disturbance, radiation, smoke, cinders, odors, dust or waste, undue noise or vibration, or other objectionable features so as to be detrimental to the public health, safety or general welfare.
   b. Drive-thru facilities for banks, restaurants, pharmacies, and other commercial uses shall be prohibited.

7. *Permitted Height:*

   a. *Building heights within this zone shall be as indicated on the proposed height map for the Emerson District and paragraph 8 and 9 of this Plan.*

   b. *That portion of the former Emerson Building to be retained and indicated on the Adaptive Reuse and Demolition Plan Map shall remain as a 5-story structure, although mezzanine or loft levels may be incorporated into the redesign of the interior of the building to accommodate the anticipated residential and commercial reuse of the building. No change to the apparent bulk or height of the retained building is permitted as visible from the adjacent rights-of-way.*

8. *Additional Height Requirements and Standards:*

   a. *a. All residential floors above the first floor shall have a minimum floor to ceiling height of 9 feet and a maximum of 12 feet. Floors containing amenity spaces; such as recreation rooms, meeting rooms, etc. may have a maximum floor to ceiling height of 14 feet. In addition, up to 6 residential floors in the district may include a mezzanine level, which shall not be counted as a floor. Any floor taking advantage of having a mezzanine level shall have a maximum overall floor to ceiling height of 23'. Ground floor commercial areas shall have a minimum floor to ceiling height of 12 feet. In addition, ground floor commercial space may include a mezzanine level, which shall not be counted as a floor. The maximum floor to ceiling height of the*

commercial ground floor area shall not exceed 24 feet.

b. *The floor of all residential uses provided on the first floor of any building shall be located at least 30 inches above finished grade adjoining the building.*

c. *Uses other than residential uses located above the ground floor shall have a minimum floor to ceiling height of 9 feet and a maximum of 15 feet.*

d. *The above requirements shall not apply to the rehabilitation of the Emerson Building. Rather the existing floor to floor heights, character of the building and other similar factors shall be considered*

e. *Parapets, guard rails, stair and elevator bulkheads may exceed the permitted height within the limitations imposed by the City of Jersey City Land Development Ordinance.*

f. *Roof top amenity space shall also be permitted and shall not count as a floor provided that not more than 20% of the roof area is enclosed amenity space.*

g. *Existing rooftop water tower(s) on the structure to remain, as well as one (1) to be replicated on the south tower, are exempt from the height requirements listed above.*

9. *Permitted Intensity of Development –*
The maximum permitted units for the entire Emerson District shall not exceed 1,100 residential dwelling units. The maximum permitted number of units may be distributed among the development parcels or phases, such that permitted units not used on one parcel may be transferred to another parcel.

10. *Open Space Requirements – The Developer shall, as part of the first phase or building of any development in the Emerson District construct the Coles Street Park in accordance with the Design Objectives and Requirements for Improved Open Space of this plan at such time when the land to construct the Coles Street Park has been dedicated conveyed and accepted by the City of Jersey City.. Any developer who constructs the Coles Street Park shall be entitled to utilize all present and future funds available through the Jersey Avenue Park Open Space Fund for the construction and completion of the Coles Street Park.*

11. *Required Setbacks*

    a. *Buildings shall be setback from the street line the distance necessary to provide a minimum of a 15 foot wide sidewalk adjacent to all streets. Existing buildings which are being rehabilitated under this plan are exempt from this requirement provided that no building shall be expanded in such a way as to reduce the existing sidewalk width.*

    b. *Where two or more high rise buildings are constructed the minimum distance between the facades of high rise buildings facing each other shall be at least 60 feet.*

12. *Public Use Facility Requirement - Subject to a Developer's agreement with the City of Jersey City, the redeveloper(s) shall construct and dedicate a shell space for a new Public Use Facility to service the Redevelopment Area and the*

community at-large. The shell space construction will include the concrete floor, windows, perimeter walls and roof of the enclosed premises and will include rough utilities to the space including water, gas, sanitary and electric service appropriately sized for the square footage based on commercial use. The shell space shall be at least 20,000 square feet not to exceed 29,000 square feet and include a minimum of 40 easily accessible assigned parking spaces. This facility shall occupy a portion of the ground floor and may occupy a portion of the mezzanine level of the building identified on the Ground Floor Frontage Map. Before the issuance of any certificate of occupancy for this development parcel, the public use facility shall be constructed and dedicated to the City of Jersey City for one dollar. The Public Use Facility is not subject to condo fees except for those related to the operation of the public use facility like utilities or HVAC as further detailed in the developer's agreement. Public uses include but are not limited to: Police district headquarters, Emergency Management offices, or other City offices (the "Public Use Facility"). Final design of the facility shall be subject to planning board approval.

13. *Building Design Requirements*

a. *That portion of the Emerson Building lying north of the former Fifteenth Street right-of-way shall be retained as indicated on the Adaptive Reuse and Demolition Plan Map for this Zone. Existing architectural features of the building are to be retained and restored. The rehabilitation of the northern portion of the Emerson Building shall be carried out in a manner that respects the industrial character of the existing building utilizing in-kind materials and finishes. Care shall be taken in selecting replacement windows, doors, and other materials in order to maintain the architectural style and industrial character of the structure. Replacement windows shall match the original size and have similar window patterning. Additions to the existing building, such as rooftop bulkheads and amenity space, and new buildings adjacent to the existing structure, may be done in a contemporary manner and with contemporary materials such as metal and glass to differentiate the new additions from the existing structure; while respecting the character and design of the existing building.*

b. *The roof of the Emerson Building that is to be retained may be used for rooftop amenity and recreation space for the proposed development. Rooftop elevator and stairway bulkheads, roof decks, enclosed amenity space, and perimeter guardrails required by construction codes, are permitted rooftop additions and shall meet the height requirements as setforth above.*

c. *Prior to the demolition of the southern portion of the Emerson Building, the 5-story art deco entrance shall be documented through photography and field measurements. This art deco entrance shall be replicated and incorporated into the design of the base of the new southern building. The replicated entrances shall be located at the corner of 14th and Coles Street and near the corner of 15th and Coles Street.*

d. *The existing water towers currently located on top of the Emerson Building are required elements to be retained and restored. It is recognized that these structures may have to be removed and rehabilitated in order to re-use them.*

e. *Notwithstanding the reopening of Fifteenth Street, the redeveloper shall be permitted to construct an enclosed pedestrian bridge or other similar structural connection over Fifteenth Street between the portion of the Emerson building to be retained on the northern side of Fifteenth Street and the new building to be constructed on the portion of the site south of Fifteenth Street. Final design to be approved by Planning Board.*

f. *All new structures within the District shall be situated with proper consideration of their relationship to other buildings, both existing and proposed, in terms of materials, light, air, usable open space, access to public rights-of-way and off-street parking, height, setback and bulk.*

g. *Buildings shall be designed so as to be attractive from all vantage points, such that the materials, fenestration and detailing used on all faces and sides of the building are of comparable quality. Excessive expanses of blank walls shall not be permitted on any building.*

h. *Buildings shall have a clear base, middle and top. This may be achieved through the use of architectural devises, such as string courses, cornices, lintels, sills, and/or horizontally differentiating surface treatments and/or materials when traditional architectural design is incorporated into proposed buildings. Buildings using a contemporary approach to design may use contemporary architectural treatments and design to accomplish the differentiation of the base, middle and top , but more than just a band or color change.*

i. *Building face materials used on all sides shall be of high architectural style and quality such as metal panels, natural stone, brick and/or other such materials as acceptable to the Planning Board. EIFS (Exterior Insulating Finishing Systems, CMU size/type block, vinyl and/or aluminum siding, and artificial brick veneer such as permastone or brickface, and plastic type artificial siding materials shall be prohibited as building cladding within this Redevelopment Area.*

j. *Parking levels shall be masked from the street by habitable building areas,, either commercial or residential, to the greatest extent practical. Where screening by habitable building areas is not practical, the building shall be articulated to resemble habitable building uses in a manner consistent with the architectural design of the building.*

k. *Building areas used to house transformers and other mechanical equipment or utilities shall be architecturally masked in a manner consistent with the design of the building, incorporating such elements as false windows and dispersed venting to maintain the window rhythm and building pattern design. (A wall of venting for mechanical rooms is not acceptable.) Any louvers must be screened with decorative grates.*

l. Main building entries shall be prominent, easily identifiable and connect to the public sidewalk so as to contribute to the overall liveliness of the pedestrian environment.

m. The windows and glazing of a building are a major element of style that gives character to the building. Windows and glazing on ground floor commercial uses, if any, should be broad and expansive providing views into the store and display areas. At least seventy (70%) percent of the storefront façade shall be glass. This requirement may be modified as necessary for compliance with flood proofing or mitigation within flood hazard areas. Corner buildings shall have windows on both street frontages. If security gates are used on any part of the building or window, they shall be installed on the interior side of the window, hidden from view when not in use, and be of the open grate style. Similarly, windows and doors into residential lobby areas should be broad and expansive allowing views to and from the adjoining streets.

n. Windows in residential portions of a building shall be arranged in an organized manner. Window headers shall be emphasized more than sills. The tops of windows and doors shall be designed to avoid confusing perspective views. Windows shall not be scattered in a haphazard manner in the façade. Bay windows or other window features may be incorporated into the façade to provide architectural interest and character. Bays may be designed vertically or horizontally and may be angular. Random window patterns are prohibited. Corner buildings shall have windows on both street frontages.

o. Balconies along a right-of-way are prohibited. Balconies and terraces shall be permitted along side walls and facing into the interior of the block. All railings shall be designed to be semi-opaque in order to screen the view onto the balconies. All balconies shall be subject to review and approval by the Planning Board.

p. All mechanical equipment, generators, HVAC equipment and similar equipment shall be visually screened such that they are not visible from adjacent buildings or public areas. Said screening shall be constructed in a manner that is consistent with the architecture of the building, and shall utilize the same or complimentary materials used in the construction of the building, such that the screening appears to be an integral part of the building. Interior locations must be utilized where mechanically possible. Additionally, this equipment shall be acoustically buffered such that any noise generated by the equipment shall be within the applicable standards as defined by the State of New Jersey for residential locations.

q. All electronic communication equipment shall be visually buffered such that they are screened from view. This shall be achieved through creative disguises within the basic architecture of the building, such that it does not negatively impact the appearance of the building. Said screening shall be constructed in a manner that is consistent with the architecture of the building, and shall utilize the same materials used in the construction of the

building, such that the screening appears to be an integral part of the building. Said equipment shall be located so as to minimize or eliminate the need for screening. Reference shall be made to the Wireless Communications section of the Jersey City Land Development Ordinance for appropriate permitted locations for these facilities.

r. All trash and recycling areas shall be located within the buildings or parking structures. Design of the garbage and recycling facilities shall be coordinated with the Jersey City Division of Sanitation before an application is finalized and heard before the Planning Board.

s. Required open space and/or landscaped areas may be provided at grade or on rooftop areas; excepted that any open space intended to be used by the general public shall be located at grade in order to be more inviting to the general public and facilitate public access and identified by a public access plaque.

~~D~~*E*. Signage

NO CHANGE

~~E~~*F*. Parking

NO CHANGE

~~F~~*G*. Landscaping

NO CHANGE

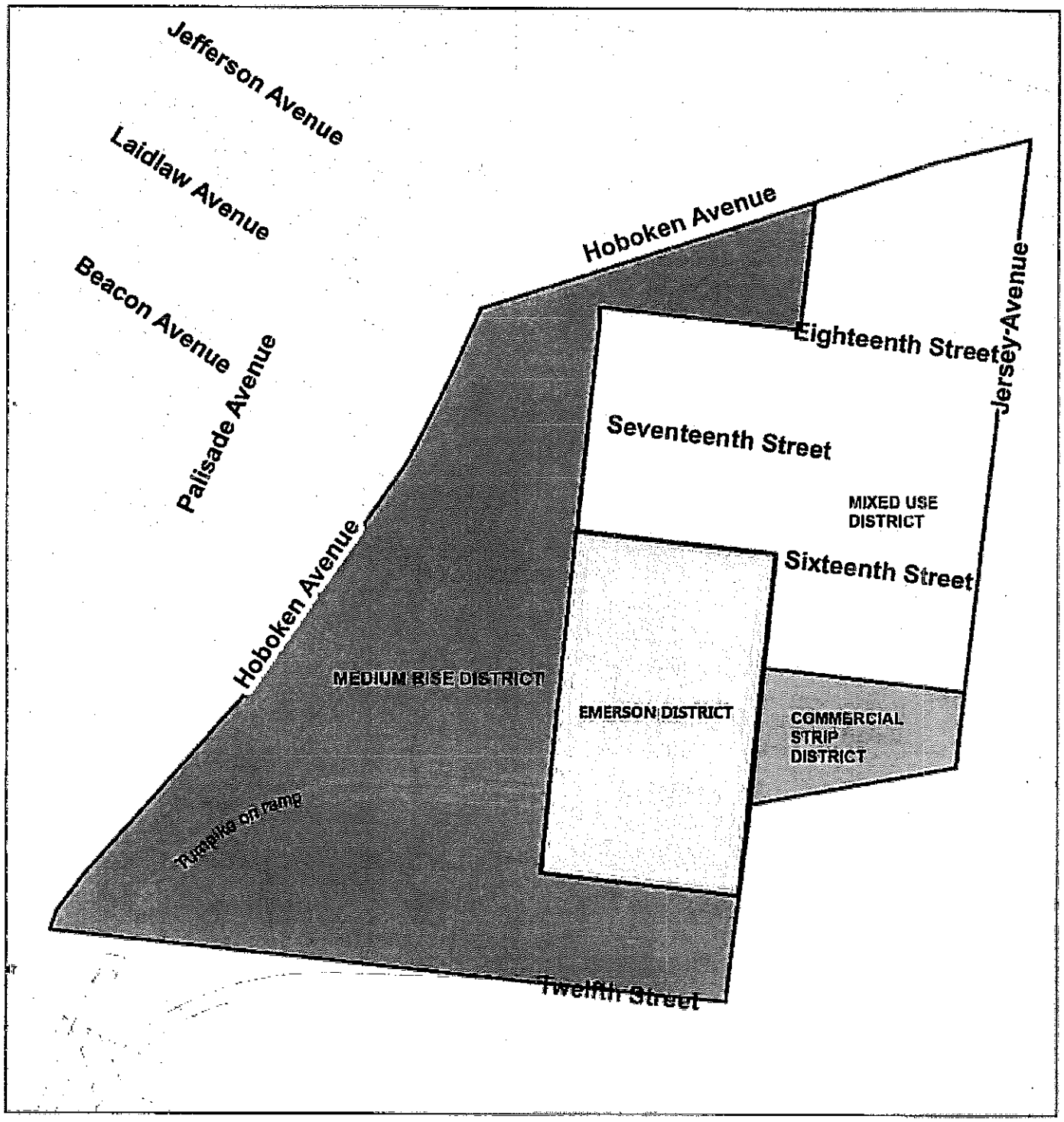
XI. OTHER PROVISIONS NECESSARY TO MEET REQUIREMENTS OF STATE AND LOCAL LAWS

NO CHANGE

XII. PROCEDURE FOR CHANGES IN APPROVED PLAN

NO CHANGE

MAPPING CHANGES: SEE ATTACHED AMENDED "LAND USE DISTRICT MAP"; AND PROPOSED HEIGHT PLAN, PROPOSED FRONTAGE PLAN and PROPOSED GREEN SPACE / BIKE PATHWAYS MAP FOR THE EMERSON REHABILITATION and MIXED USE DISTRICT. ALSO INCLUDED ARE PROPOSED CROSS SECTIONS FOR FIFTEENTH STREET, COLES STREET AND MONMOUTH STREET.



Jersey Avenue Park Redevelopment Plan
Land Use District Map

Legend

- Commercial Strip District
- Medium Rise District
- Mixed Use District
- Emerson District

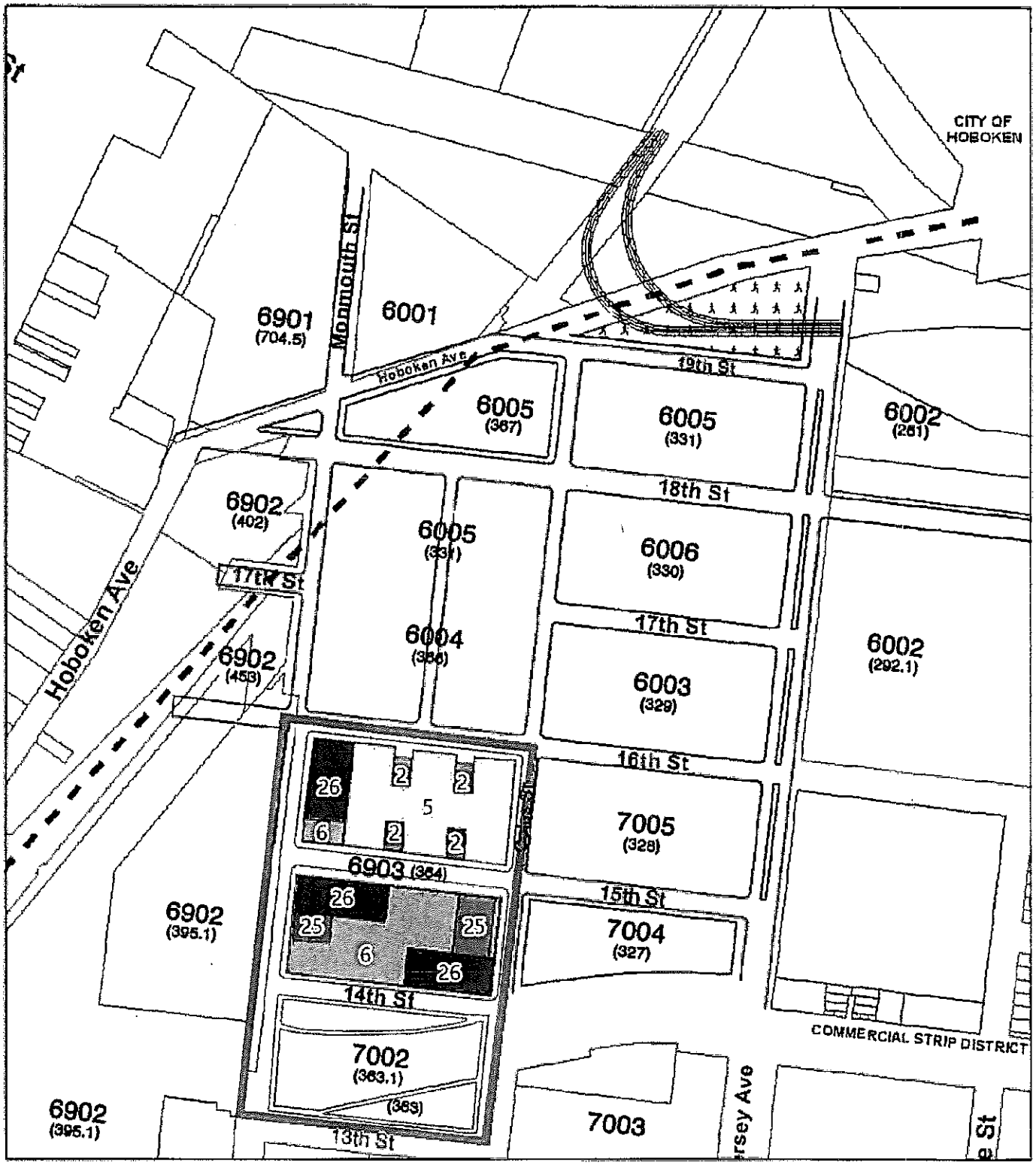
N

Jersey City
City Planning Division
30 Montgomery Street Suite 1400
Jersey City, NJ 07302-3821
Phone 201 547 5010
Fax 201 547 4355

1 inch = 300 feet

0 150 300 600 900 1,200 Feet

November 2016



Jersey Avenue Park Redevelopment Plan

Emerson District

Max. Permitted Heights Map

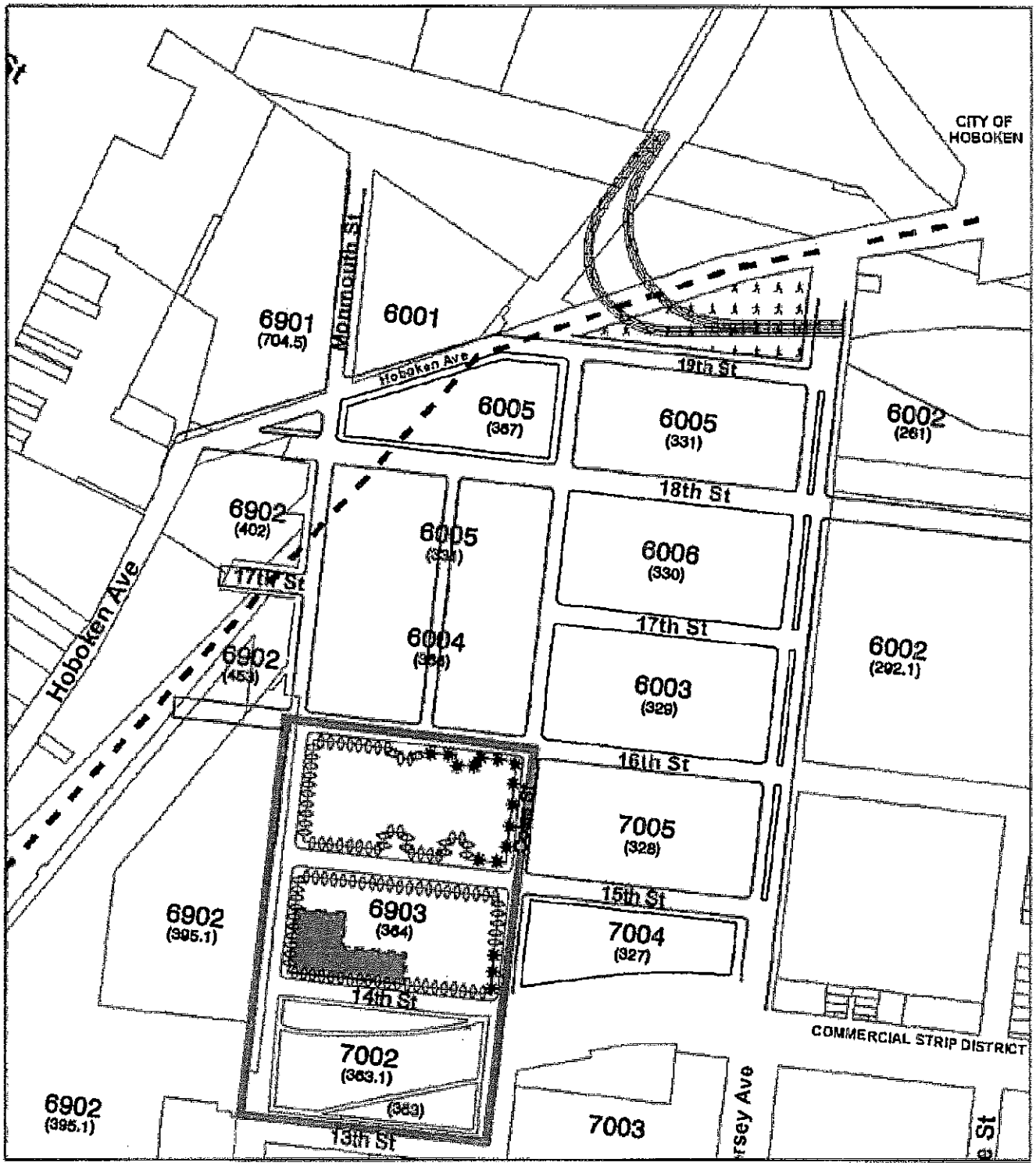
Legend

- Stories
- Palisades Preservation Overlay District
- Emerson District

N

0 125 250 500 Feet

NOVEMBER 2016



Jersey Avenue Park Redevelopment Plan
Emerson District
Ground Floor Frontage Map

0 125 250 500 Feet

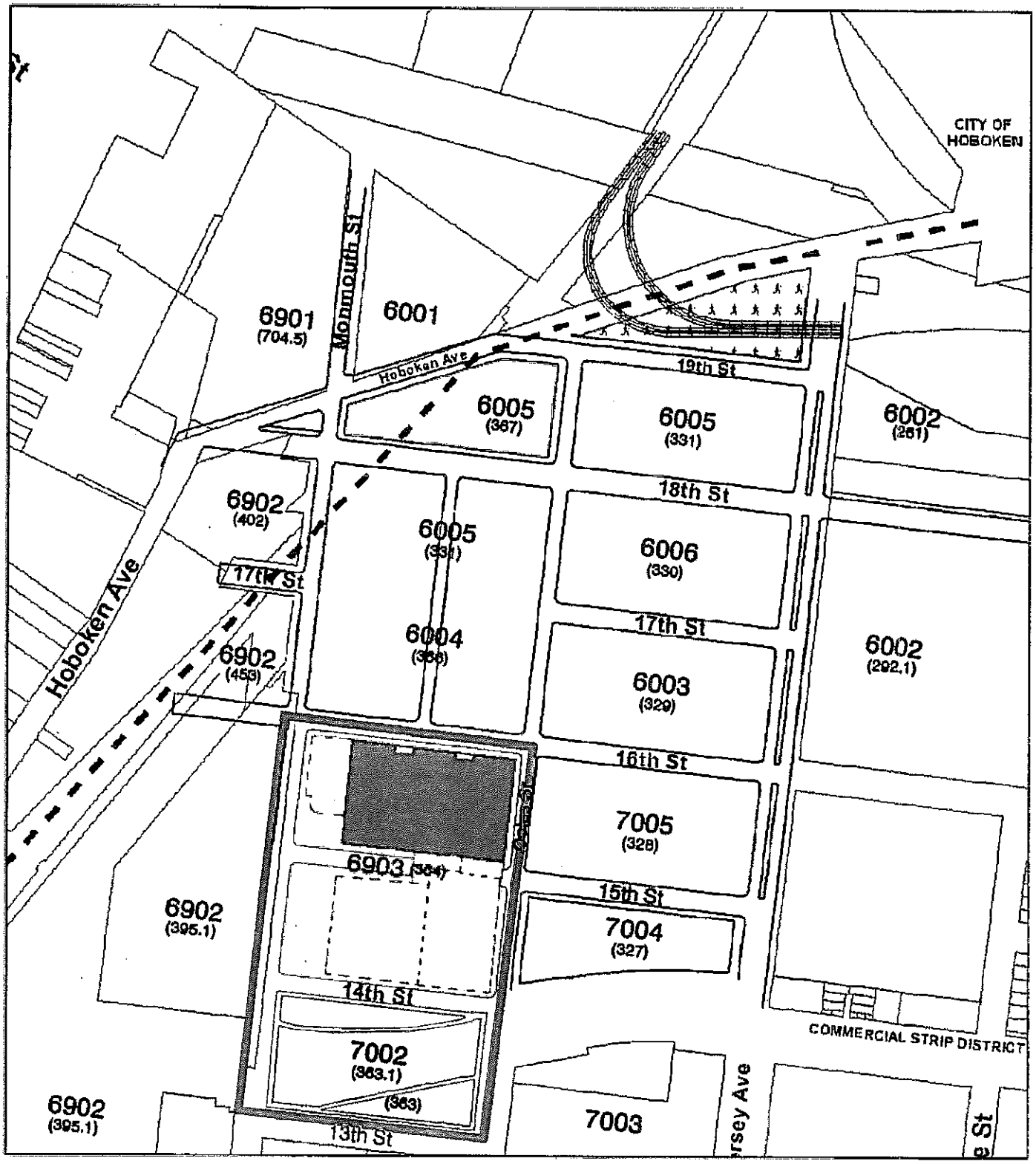
NOVEMBER 2016

Legend

Frontage

- Retail Required
- Retail Permitted
- Emerson District
- Public Use Facility

N



Jersey Avenue Park Redevelopment Plan

Emerson District

Adaptive Reuse and Demolition Map

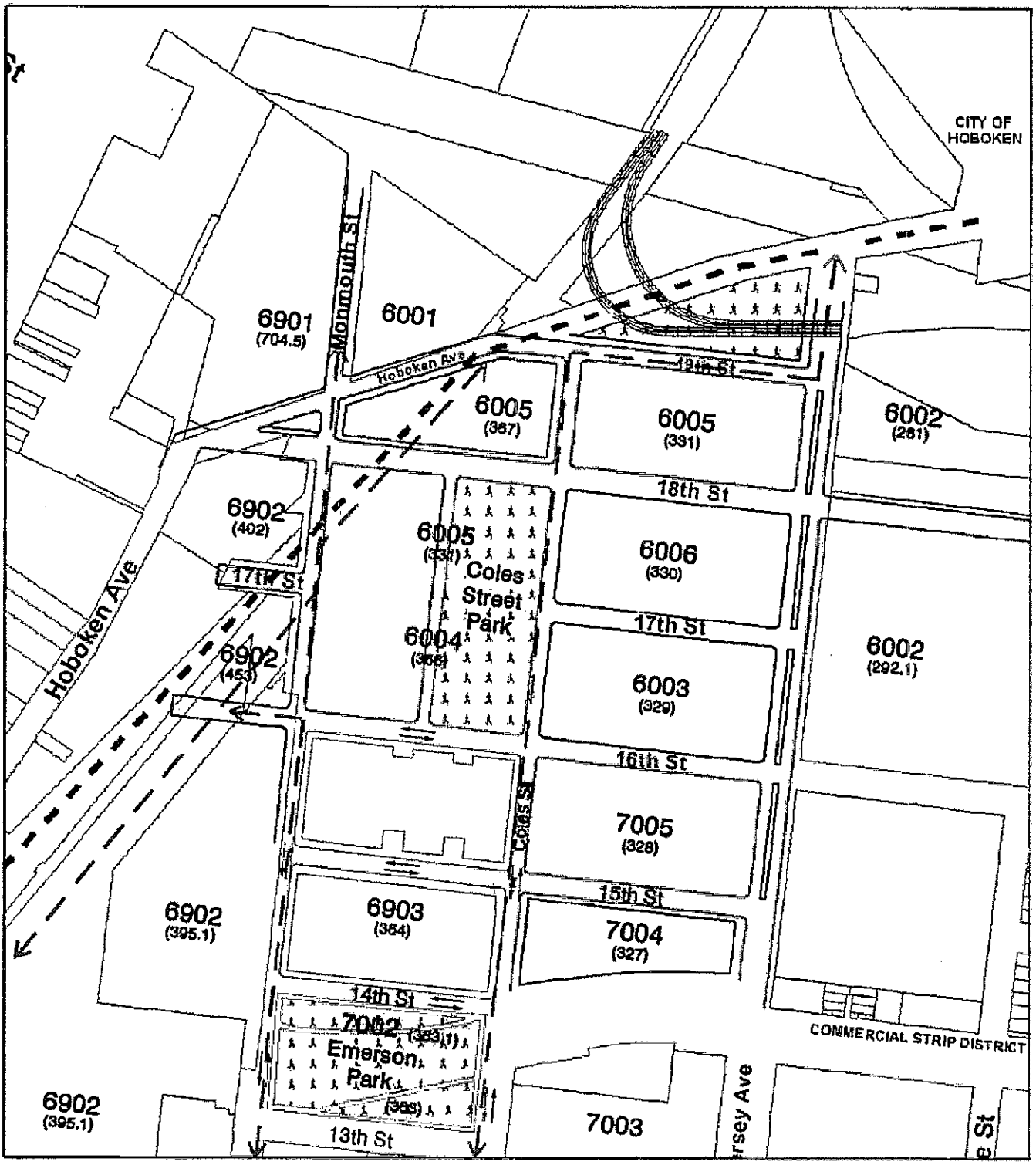
0 125 250 500 Feet

NOVEMBER 2016

Legend

- Permitted To Be Demolished
- Adaptive Reuse to Remain
- Palisades Preservation Overlay District
- Emerson District

N



Jersey Avenue Park Redevelopment Plan
Circulation, Bikeways, and Open Space Map

Legend

Bike Pathway Alternatives

Traffic Direction

Public + Recreational Open Space

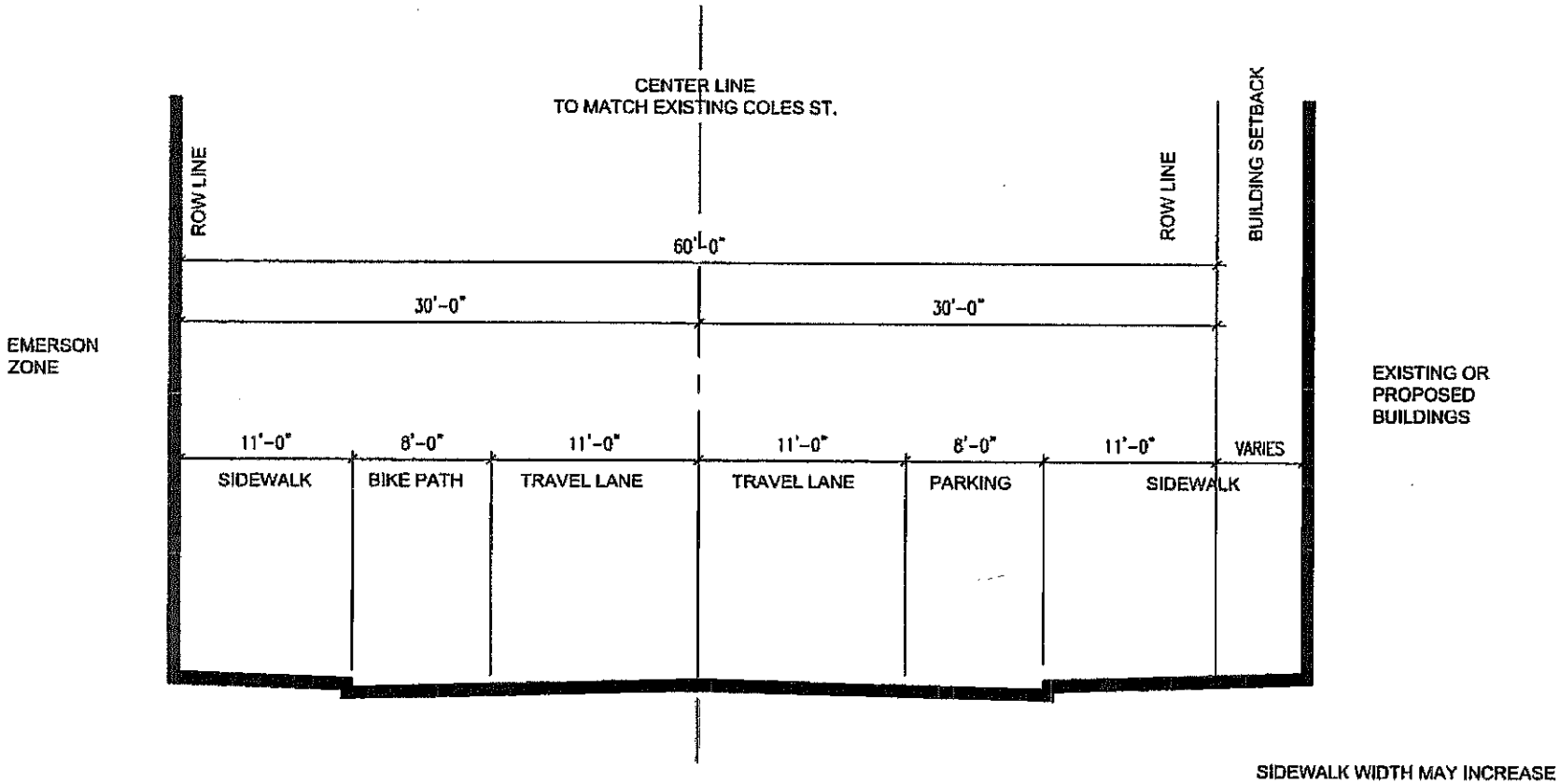
N

0 125 250 500 Feet

NOVEMBER 2016

* Refer to Street Sections attached
Bike Pathways connect to 2nd Street Light Rail Statin

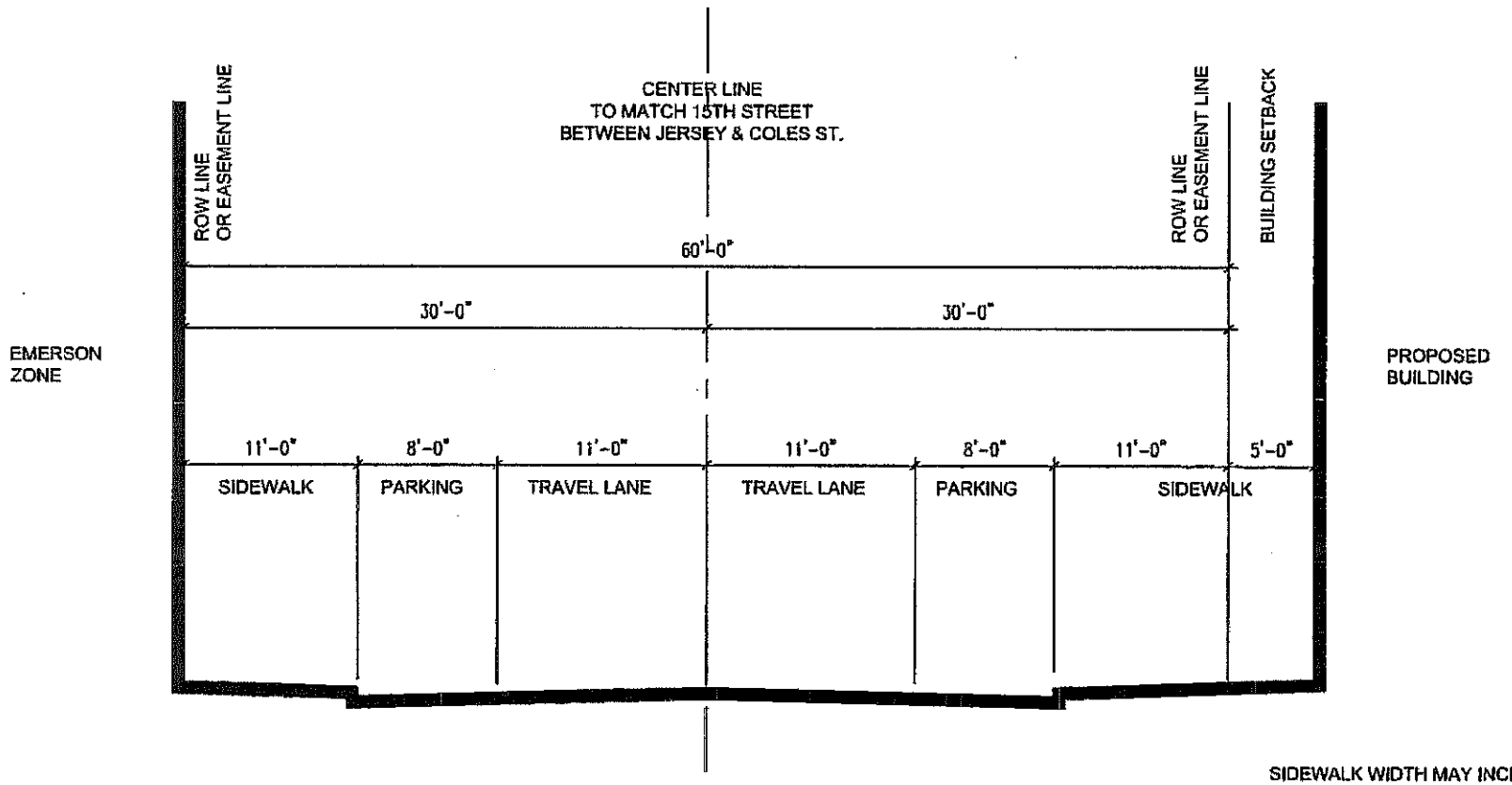
COLES STREET TYPICAL ROADWAY SECTION
FACING NORTH



SIDEWALK WIDTH MAY INCREASE ON PRIVATE PROPERTY

CONCEPTUAL DESIGN SUBJECT TO CHANGE DURING SITE PLAN APPROVAL PERIOD

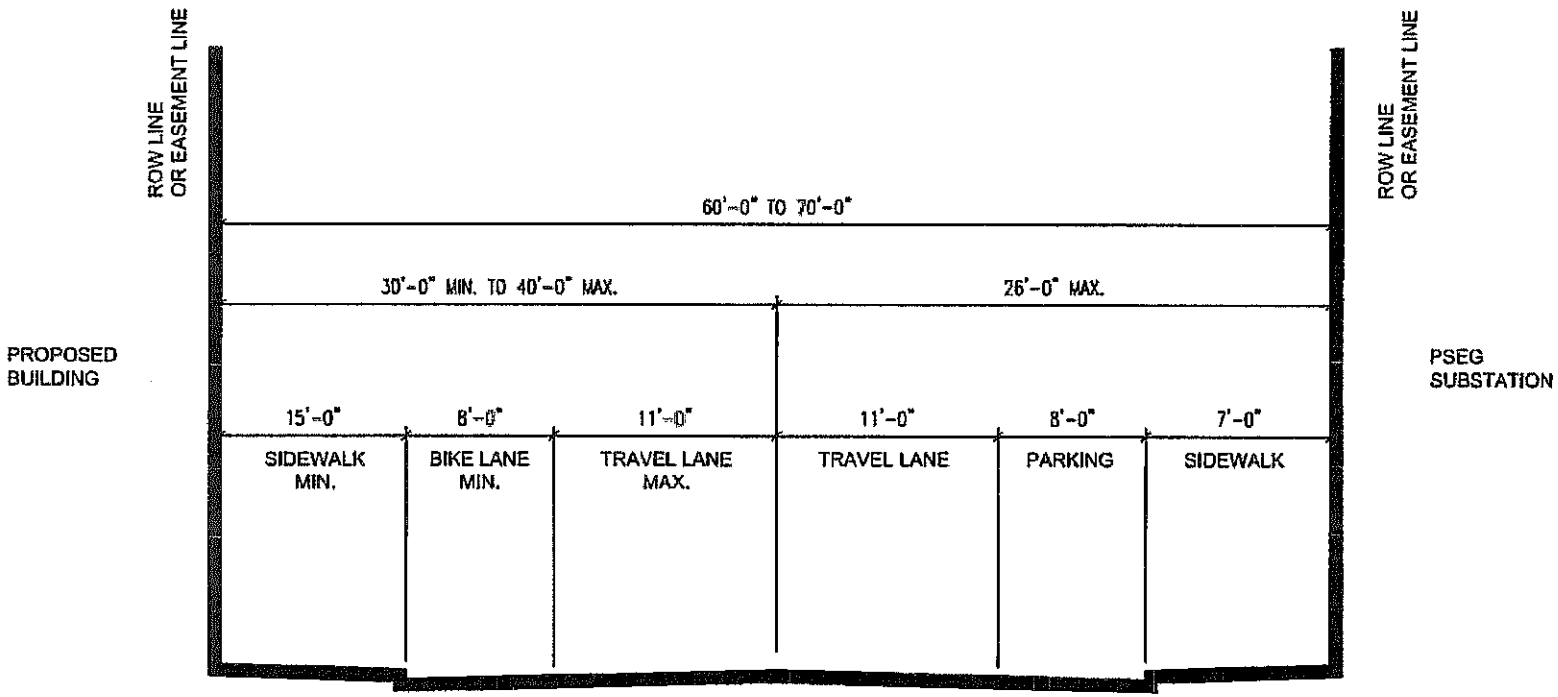
15TH STREET TYPICAL ROADWAY SECTION
BETWEEN COLES STREET & MONMOUTH STREET
FACING EAST



SIDEWALK WIDTH MAY INCREASE
ON PRIVATE PROPERTY

CONCEPTUAL DESIGN SUBJECT
TO CHANGE DURING SITE PLAN
APPROVAL PERIOD

60' TO 70' WIDE MONMOUTH STREET PREFERRED ROADWAY SECTION BETWEEN 14TH STREET & 16TH STREET FACING SOUTH



SIDEWALK WIDTH MAY INCREASE ON PRIVATE PROPERTY

CONCEPTUAL DESIGN SUBJECT TO CHANGE DURING SITE PLAN APPROVAL PERIOD

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

ORDINANCE NO. Ord. 17-032
TITLE: 3.1 MAR 8 2017 4.1 MAR 2 2 2017

An Ordinance of the Municipal Council of the City of Jersey City adopting amendments to Jersey Avenue Park Redevelopment Plan to create the Emerson District.

RECORD OF COUNCIL VOTE ON INTRODUCTION MAR 0 8 2017 9-0

COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
GADSDEN	✓			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	✓		

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING MAR 2 2 2017 9-0

Councilperson GAJEWSKI **moved, seconded by Councilperson** LAVARRO **to close P.H.**

COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
GADSDEN	✓			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	✓		

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

SPEAKERS:

ADRIAN LOEB
GEORGE GARCIA
KULOWSKY

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY

Councilperson_____ **moved to amend* Ordinance, seconded by Councilperson**_____ **& adopted**_____

COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI				YUN				RIVERA			
GADSDEN				OSBORNE				WATTERMAN			
BOGGIANO				ROBINSON				LAVARRO, PRES.			

RECORD OF FINAL COUNCIL VOTE MAR 2 2 2017 9-0

COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
GADSDEN	✓			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	✓		

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

Adopted on first reading of the Council of Jersey City, N.J. on MAR 0 8 2017

Adopted on second and final reading after hearing on MAR 2 2 2017

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on MAR 2 2 2017

Robert Byrne, City Clerk

*Amendment(s):

APPROVED:

Rolando R. Lavarro, Jr., Council President

Date MAR 2 2 2017

APPROVED:

Steven M. Fulop, Mayor

Date MAR 2 3 2017

Date to Mayor MAR 2 3 2017