

City Clerk File No. Ord. 08-043

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 08-043

TITLE:

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING THE HOPKINS & CENTRAL AVENUES REDEVELOPMENT PLAN

WHEREAS, the Municipal Council of the City of Jersey City, by Resolution 07-244, adopted April 11, 2007, authorized the Jersey City Planning Board to conduct a preliminary investigation and hold a Public Hearing to determine if the area known as the Hopkins and Central Avenues Study Area met the criteria necessary to be declared a Redevelopment Area; and

WHEREAS, the Municipal Council, upon the recommendation of the Jersey City Planning Board did declare, by Resolution, the Hopkins and Central Avenues Study Area to be "an area in need of redevelopment"; and

WHEREAS, pursuant to *NJSA 40A:12A-4.a.(3)*, the governing body is empowered to adopt a redevelopment plan to regulate development within an area declared in need of redevelopment; and

WHEREAS, the Planning Board of Jersey City, at a public hearing on March 25, 2008, reviewed and amended the proposed Hopkins and Central Avenues Redevelopment Plan and voted to recommend that the Municipal Council adopt the Hopkins and Central Avenues Redevelopment Plan; and

WHEREAS, the proposed Hopkins and Central Avenues Redevelopment Plan, attached hereto and made a part hereof is available for public inspection in the Office of the City Clerk, City Hall, Jersey City, NJ;

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Jersey City that the above referenced Hopkins and Central Avenues Redevelopment Plan be, and hereby is, adopted as recommended by the Jersey City Planning Board.

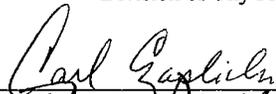
BE IT FURTHER ORDAINED THAT:

- A. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.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


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

APPROVED AS TO LEGAL FORM


Corporation Counsel

APPROVED: 

APPROVED: 
Business Administrator

Certification Required

Not Required

Summary

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING THE HOPKINS & CENTRAL AVENUES REDEVELOPMENT PLAN

This ordinance adopts a redevelopment plan for the Hopkins and Central Avenues Study Area that permits the development of residential structures.

The Hopkins & Central Avenues Study Area is located on the western end of Central Avenue between Hopkins Avenue and Beacon Avenue. The specific Blocks and Lots involved are as follows:

Block	Lots
569	12.A, 12.B, 75, 76, 77, 78.A

Hopkins and Central Avenues

Redevelopment Plan

City of Jersey City

**Recommended by the
Jersey City Planning Board
To the Municipal Council
March 25, 2007**

**DIVISION OF CITY PLANNING
Version 02-28-08**

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Map 1 – Boundary Map

HOPKINS AND CENTRAL AVENUES REDEVELOPMENT PLAN

I. INTRODUCTION

The Hopkins and Central Avenues Redevelopment Area (hereinafter also referred to as the Redevelopment Area or the Area) was determined to be “an area in need of redevelopment”, pursuant to the New Jersey Local Housing and Redevelopment Law (N.J.S.A. 40A:12A-1 et seq.) by resolution of the Jersey City Municipal Council following a recommendation by the Jersey City Planning Board.

The Redevelopment Area includes the entire east side of Central Avenue between Hopkins and Beacon Avenues extending east approximately 127 feet. The Redevelopment Area itself is characterized by an auto body shop, surface parking lot, and two detached residential structures.

It would now appear to be appropriate for the City to take a more pro-active approach to redevelopment in this Area, in a manner that is more consistent with the mixed residential and commercial uses found in this area.

II. BOUNDARIES

The Hopkins and Central Avenues Redevelopment Area is located in the heights section of Jersey City, two blocks north of the “covered” roadway. The Area is generally located in the northern portion of Jersey City.

The Area consists of the following Tax Blocks and Lots:

Block 569, Lots 12A, 12B, 75, 76, 77, and 78A

The boundary of the Redevelopment Area is also depicted on Map 1 – Boundary Map.

III. REDEVELOPMENT OBJECTIVES AND REQUIREMENTS OF ANY DEVELOPMENT AND CONSTRUCTION WITHIN THE PLAN AREA

- A. The planning and development of the Redevelopment Area as a residential area with limited ground floor retail along Central Avenue and accessory parking.
- B. To integrate new development within the Area into the surrounding community by encouraging the creation of a viable residential development that will complement the existing residential community.
- C. Encourage the assemblage of lots within the Area in order to create a suitable site for more comprehensive development.

- D Provide on-site parking, while at the same time recognizing the availability of mass transit in order to take advantage of the Redevelopment Area's proximity to local bus routes and the Journal Square Transportation Center.
- E The improvement of the pedestrian environment and traffic circulation for the contemplated new development by reducing the number of curb cuts within in the Redevelopment Area, and the provision of new side walks, street trees and other pedestrian amenities within the existing street rights-of-way.

IV. PROPOSED REDEVELOPMENT ACTIONS

These actions are proposed to substantially improve and upgrade the Redevelopment Area through a combination of redevelopment measures that will provide a uniform and consistent attack on blight within the Area by systematically removing blighting influences in an orderly manner and allowing for new construction. These will include but not be limited to:

- A. Acquisition of vacant land, and/or acquisition and demolition of structures, determined to be impediments to sound and comprehensive redevelopment.
- B. The consolidation and/or re-subdivision of land within the Redevelopment Area into suitable parcels for development for the new land uses where necessary.
- C. Provision for a full range of public and/or private infrastructure necessary to service and support new development in the Area and adjacent areas.
- D. Construction of new structures and complementary facilities that will complement the land use patterns in the surrounding area.

V. GENERAL ADMINISTRATIVE REQUIREMENTS

The following provisions shall apply to all property located within the Hopkins and Central Avenues Redevelopment Area.

- A. Prior to the commencement of: (a) any new construction, (b) reconstruction, (c) rehabilitation (d) any change in the use of any structure or parcel, or (e) any change in the intensity of use of any structure or parcel; a site plan for such shall be submitted by the developer or property owner to the Planning Board for review and site plan approval. No temporary or permanent Building Permit shall be issued for any work associated with (a) through (e) above, without prior site plan review and approval of such work by the Planning Board. Nothing in this section is intended to require site plan review and approval for minor modifications to the interior floor plan, such as the relocation or modification of partition walls, which are commonly done to accommodate new tenancies or during lease renewals.

- B. The provisions of this Plan specifying the redevelopment of the Area and the requirements and restrictions with respect thereto shall be in effect for a period of twenty (20) years from the original date of approval of this Plan by the Jersey City Municipal Council. Subsequent amendments hereto shall not alter or extend this period of duration, unless specifically extended by such amendments.
- C. Approval requirements of the Planning Board - Site plan review shall be conducted by the Planning Board, pursuant to NJSA 40:55D-1 et. seq. Site plan review shall consist of a preliminary and final site plan application. Submission of a site plan and site plan application shall conform to the requirements of the Jersey City Zoning Ordinance and this Plan. Applications may be submitted for an entire project or in phases. Final Site plan approval for any phase shall entitle an applicant to building permits. Final site plan approval for any phase shall not be granted until performance guarantees for site improvements for that phase have been furnished by the redeveloper in accordance with NJSA 40:55D-53
- D. As part of final site plan approval, the Planning Board shall require a developer to furnish performance guarantees pursuant to NJSA 40:55D-53. Such performance guarantees shall be in favor of the City of Jersey City, and be in a form approved by the Planning Board attorney. The amount of any such performance guarantees shall be determined by the City Engineer in conformance with applicable law, and shall be sufficient to assure completion of site improvements within one (1) year of final site plan approval, or such other time period as determined by the Planning Board if particular circumstances dictate a longer time frame.
- E. No Certificate of Occupancy (CO) of any type, either permanent or temporary, shall be issued for any construction until performance bonds, in an amount identified by the Planning Board and the City Engineer, have been posted with City.
- F. Any subdivision of lots and parcels of land within the Redevelopment Area shall be in accordance with this Plan and the Jersey City Land Subdivision Ordinance.
- G.. No development or redevelopment of any parcel in the Redevelopment Area that will result in an increase in wastewater from that parcel shall be permitted unless and until the planned project wastewater piping and systems for the removal of effluent and storm water are approved by the City of Jersey City Division of Engineering and the Municipal Utilities Authority; and the municipal wastewater piping and systems for the removal of effluent and storm water are certified by the City of Jersey City Division of Engineering and the Municipal Utilities Authority as being of sufficient capacity and good condition to accommodate uses that will occupy said parcel. Such approval may be contingent upon requisite improvements to the drainage system in the street, as reasonably determined by the Division of Engineering.
- H.. Interim uses may be permitted, subject to site plan review and approval by the Planning Board. The Planning Board shall only permit uses that it finds will not have an adverse effect upon surrounding existing or contemplated development during the interim use period. Interim uses must be approved by the Planning Board. The Board shall establish

an interim use period of up to three (3) years in duration. The Planning Board may grant additional one (1) year renewals of interim uses upon application, review, and approval.

- I. Deviation Clause - The Planning Board may grant deviations from the regulations contained within this 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, the strict application of any area, yard, bulk or design objective or regulation adopted pursuant to this 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 a deviation from the regulations contained within this Plan related to a specific piece of property where the purposes of this Plan would be advanced by such deviation from the strict application of the requirements of this Plan; and the benefits of granting the deviation would outweigh any detriments. The Planning Board may grant exceptions or waivers from design standards, from the requirements for site plan or subdivision approval as may be reasonable and within the general purpose and intent of the provisions for site plan review and/or subdivision approval within this Plan, if the literal enforcement of one or more provisions of the plan is impracticable or would exact undue hardship because of peculiar conditions pertaining to the site. No deviations may be granted under the terms of this section unless such deviations can be granted without resulting in substantial detriment to the public good and will not substantially impair the intent and purpose of this Plan. No deviations may be granted which will result in permitting: (1) a use or principal structure in a district restricted against such use or principal structure, (2) an expansion of a non-conforming use, (3) an increase in height of a principal structure which exceeds by 10 feet or 10% the maximum height permitted in the district, (4) an increase in the permitted floor area ratio, (5) an increase in the permitted density.

An application requesting a deviation from the requirements of this Plan shall provide public notice of such application in accordance with the public notice requirements set forth in NJSA 40:55D-12.a. & b.

- L No building shall be constructed over an easement in the Redevelopment Area without site plan review and approval of the Jersey City Planning Board and prior written approval of the Redevelopment Agency and the Division of Engineering.
- K If any word, phrase, clause, section or provision of this Plan shall be found by a court of competent jurisdiction to be invalid, illegal or unconstitutional, such word, phrase, clause, section or provision shall be deemed severable and the remainder of the ordinance shall remain in full force and effect.

VI. GENERAL DESIGN REQUIREMENTS AND RESTRICTIONS

The following standards and requirements shall apply to all applications, including but not limited to: developments, re-developments, rehabilitation, and or re-use applications within the Redevelopment Plan area:

- A. All utility service connections to utility distribution lines within the Redevelopment Area; and all utility appliances, regulators and metering devices shall be located underground or within the building. No utility boxes or structure shall be permitted in sidewalk areas or exterior to the building. Remote readers are required for all utilities, in lieu of external location of the actual metering devices. Developers are required to arrange for connections to public and private utilities.
- B. Chain link fencing shall be prohibited within the Redevelopment Area, except during construction. Chain link fencing for construction shall be dismantled and removed prior to the issuance of a Certificate of Occupancy.
- C. No Billboard shall be permitted on any property within the Redevelopment Area.
- D. No signage shall be permitted within the Redevelopment Area, which includes flashing, blinking or otherwise animated lights and/or parts, spinners, pennants, reflective materials, which sparkle or twinkle and/or similar materials; except for seasonal holiday decorations.
- E. No advertising shall be permitted on parking meters, light poles, or on benches or other street furniture within the public right-of-way.
- F. Upon demolition of any existing structures, the site shall be graded, planted, sodded, and/or developed, in accordance with this Plan.
- G. All trash dumpsters and/or compactors shall be located within a building. All outdoor storage shall be prohibited.
- H. All buildings within the Redevelopment Area must display the street address of the building such that it is clearly visible from the adjoining street right of way.
- I. In order to facilitate the overall redevelopment of the Hopkins and Central Avenues Redevelopment Area, the surrounding area, and the City of Jersey City in general, all advertising, signage and other promotion of the resulting project, whether undertaken by the City, the Redevelopment Agency, or private developers, shall contain references to the proposed project's location. They all shall clearly state it to be within the City of Jersey City so as to promote the positive external effects for not only the project, but the Redevelopment Area and the City as well.

VII. URBAN DESIGN REQUIREMENTS

A. Building Design Requirements

1. All structures within the Redevelopment Area shall be situated with proper consideration of their relationship to other buildings, both existing and proposed, in terms of light, air and usable open space, access to public rights of way and off-street parking, height and bulk. Buildings shall be designed to be attractive from all vantage points, such that identical façade materials and detailing is used on all facades.
2. Building entrances shall be oriented toward the street and shall have direct access to public sidewalk.
3. Buildings shall have a clear base, middle and top. Architectural devices, such as providing stringcourses, cornices and sub-cornices, and horizontally differentiating surface treatments, shall be used to achieve the necessary transitions.
4. The windows and glazing of a building are a major element of the building and therefore, they shall contain an articulated lintel and sill and they shall be recessed the depth of one brick wyghe. Additionally, they shall contain the following:
 - a. Residential: Windows in residential portions of a building shall be arranged such that the vertical dimension, or height, is greater than the horizontal dimension, or width. However, bay windows, bow windows or other window features may also be incorporated into the façade to provide architectural interest and character, provided that the overall verticality of the structure is not adversely affected. Scattered window facades shall not be allowed. Each façade shall present a unified, rational composition. Corner buildings shall have windows on both street frontages. All frontages shall be treated as a primary façade. The window sill of any residential window sill facing a public street shall not be less than 5 feet above the elevation of the adjoining sidewalk, except where a low fence, a min of 5 feet from the window face, defines the edge of the sidewalk and the private garden area adjacent to the windows.
 - b. Commercial: Windows and glazing on ground floor commercial uses should be broad and expansive providing views into the store and display areas. At least seventy-five (75%) percent of the storefront façade shall be glass. 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 closed, and be of the open grate style.
5. All balconies shall be recessed, with no greater than 18in projection. Railings to be used on balconies and terraces shall be designed to screen the view from the street onto the balconies. Railings shall be compatible with materials used within the building and they shall not be tubular fencing or appear similar to same.
6. EIFS (Exterior Insulating Finishing Systems, artificial stone and artificial brick veneer (“Permastone” & “Brickface”), vinyl, plastic, or other cementitious type artificial siding

or cladding panels materials are prohibited on any building face within this Redevelopment Area.

7. All electronic communication equipment , mechanical equipment, generators, HVAC equipment and similar 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 zones. They shall be located interior to the building where ever possible and entirely screened from view from surrounding streets and buildings if located on a rooftop. 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 or complimentary materials as approved by the Planning Board, 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.
8. Cellular antennas / wireless communication antennas and facilities are not permitted within this Redevelopment Area. Reference shall be made to the Wireless Communications section of the Jersey City Land Development Ordinance for appropriate permitted locations for these facilities.
9. All ground level mechanical equipment or equipment on 1st or second story roof tops are prohibited.

B. Streetscape, Landscape, and Lighting Requirements

1. A streetscape plan is required for all projects and shall include proposed sidewalk and curbing materials and treatments, street trees, tree pit grates and/or treatments, and any proposed street furniture, lighting or other features to be provided. The streetscape plan shall be submitted to the Jersey City Planning Board for its review and approval as part of the site plan application and implemented as part of the construction of the project.
2. Sidewalks and curbs shall be charcoal gray. Tree pits a minimum of 12 sq. ft. in size.
3. Decorative concrete paving materials shall be incorporated into the design and pedestrian scale lighting is required. At a minimum, decorative elements shall be introduced at building entrances at street corners and along the curb line to accent and channel pedestrian flow. There shall be one handicapped ramp on each corner that tapers to the corner radius.
4. All plant material used must be able to withstand the urban environment and shall be planted, balled and burlapped as established by the American Association of Nurserymen. A planting schedule shall be provided by the developer and approved by the Planning Board. All landscaping shall be guaranteed for a period of two (2) years. Any landscaping which is not resistant to the urban environment or that dies during this period shall be replaced by the developer or property owner.

5. Street trees shall be planted along all curb lines of streets within the Redevelopment Area at a maximum of 30 feet on center, and be a minimum caliper of 3 1/2 in. Each tree pit shall contain a decorative metal grate and/or decorative paving treatment.
6. All areas not covered by a building, plaza or sidewalk shall be landscaped with trees, shrubs, groundcovers or other appropriate plant material.
8. Lighting within the Redevelopment Area shall sufficiently illuminate all areas to prevent "dark corners". All lighting sources shall be shielded to prevent and eliminate any glare. The area of illumination shall have a uniform pattern of at least one-half (0.5) foot-candles.

C. Off-street Parking Design and Loading Requirements

1. Parking shall be internal to the building and be located at least 1/2 below ground level of the proposed building. Ingress and egress to the parking area shall be limited to no more than one ingress and one egress location. Access is prohibited from Central Avenue.
2. The façade of the parking level(s) shall be designed so as to have an attractive, finished appearance compatible with that of the upper levels and/or ground floor commercial components of the building. Each façade, whether or not it fronts on a street, shall be treated as being of equal importance in terms of material selection and architectural design. Materials shall remain the same on all sides.
3. All window openings in the parking level street facade shall appear to contain an active permitted use behind them. They shall be consistent with the rhythm of the window openings serving the principal uses within the building. The glass tint and/or reflectivity may be different so as to decrease the visibility of the garage use within. In lieu of glass, the openings may be covered by a hinged solid metal plate/shutter. Where louvers are needed, they shall be placed in the least visible location, and covered with decorative grills sufficient in design and detail to hide the louver from view. Blind windows shall also be required where there is a blank wall feature.
4. In order to preserve the maximum number of on-street parking spaces possible, driveway widths and curb cuts shall be limited to the minimum width and number necessary. Driveway / curb cut widths leading to parking areas should be no more than twelve (12) feet for one way access and no more than twenty (20) feet for two way access.
5. All required parking spaces must be a minimum of 8.5 feet wide by 18 feet deep. The placement of a curb up to two (2) feet within the required 18 foot depth of the parking space is permitted, provided that there is adequate area for an automobile occupying the parking space to over-hang said curb a like distance without infringing on required landscaping or pedestrian areas. All aisles shall be a minimum of 22 feet wide. Compact spaces may be provided only with the approval of the Planning Board and shall be a minimum of 8 feet wide by 16 feet deep.

6. Off-street parking and loading areas shall be coordinated with the public street system serving the Redevelopment Area in order to avoid conflicts with vehicular traffic and/or obstruction to pedestrian walkways and thoroughfares.
7. Light fixtures within any parking level shall be screened so as to not be visible from the exterior of the building either from the street or from other surrounding buildings and properties. Identification of the internal fixture and its location must be provided in order for any application to the Planning Board for site plan to be deemed complete.
8. Developers shall demonstrate to the Board's satisfaction that sufficient off-street loading is provided to meet the needs of the proposed uses.
9. Parking provided within the Redevelopment Area shall be for the use of the residents or tenants of the building in which the parking is located.
10. The number of required and/or permitted parking spaces for each use is indicated in Section VIII of this Plan.

D. Signage

1. Permitted Signage:

- a. Each residential building shall display the street address of the building on the front facade or front door of the building such that it is visible from the adjoining street right-of-way.
- b. Each residential building may provide any necessary signage required for proper mail delivery indicating the name(s) of the resident(s) of the building on the mailbox or doorbell, all of which shall be within the lobby of the building. Bundled exterior mailboxes shall be prohibited.
- c. Each major residential building, i.e. buildings on lots of 10,000 square feet or more, may have one (1) exterior sign flush mounted to the façade at the entrance to the building indicating the building's name, if any, not to exceed twenty (20) square feet.
- d. Home occupations shall have no external signage.
- e. Commercial Uses - Each such use fronting on a public street may be allowed one (1) exterior wall mounted sign not to exceed not to exceed twenty (20) square feet. In addition, each commercial tenant may be permitted one blade sign. Each blade sign shall not exceed a maximum of 10 square feet and shall be externally lit. Blade sign are required to be located on the building facade directly on the sidewalk frontage and shall be placed such that the lowest portion of the sign hangs at least 8 feet above the sidewalk.

2. Additional Signage Regulations and Requirements:

- a. All signs are subject to minor site plan review when not included as part of a major site plan application.

- b. All signs shall be flush mounted and project no more than twelve (12) inches although blade signs may be attached to the first floor façade.
 - c. All signs may be attached to the first floor level of the building only.
 - d. Permitted signage material includes: 1.) Painted wood; 2.) Painted metals including aluminum and steel; 3.) Brushed finished aluminum, stainless steel, brass, or bronze; 4.) Carved wood or wood substitute.
 - e. Sign Lighting: Signs may be lit from gooseneck fixtures, backlit halo, up-lights. Internally lit signs and sign boxes are prohibited.
 - f. Temporary construction and marketing signs shall be permitted subject to the following regulations: Temporary construction and marketing signs shall not exceed thirty-two (32) square feet; no person shall exhibit more than one (1) such sign per property, advertising the name of the building or project, general contractor, subcontractor, financing institution, public agencies and officials, and professional personnel; and such signs shall only be permitted beginning with the issuance of a building permit and terminating with the issuance of a certificate of occupancy for the building or project.
3. **Prohibited Signage:** The following signs and devices shall not be permitted within the Hopkins and Central Avenues Redevelopment Area: monument signs and internally or externally illuminated box signs, flashing or animated signs, spinners, pennants, reflective materials that sparkle or twinkle, roof signs, billboards, signboards, window signs, posters, plastic or paper that appear to be attached to the window, pole signs, free-standing signs, fluorescent and/or glowing paint for any signage or building within the redevelopment area, waterfall style awnings, plastic awnings, product advertising signage of any kind. Product advertising signage is defined here to include, but not be limited to signage on: parking meters, signage in windows, on light poles, benches or other street furniture within the redevelopment area. Nothing in this paragraph shall be deemed to prohibit either lamppost mounted seasonal banners or traditional holiday decorations.

VIII. SPECIFIC LAND USE REGULATIONS

The following regulations shall apply within the Redevelopment Area as found in this Plan.

- A. Principal Permitted Uses: Multi-family Residential
- B. Uses incidental and accessory to the principal use, including:
 - 1. Off-street parking, on the ground level of the principal building, a minimum of ½ below grade
 - 2. Commercial uses, such as retail sales of goods and services and restaurants, restricted to the ground floor.
 - 3. Fences and walls.
 - 4. Other uses customarily associated with and subordinate and incidental to a residential development; such as: meeting rooms, laundry rooms, recreational areas, rooftop amenity areas and other similar facilities.
- C. Maximum Permitted Density – 110 d.u. per acre (Note: that this density may not be achievable given the site constraints of the area)
- D. Maximum Permitted Height – 4 1/2 stories; 4 residential stories over 1/2 level of parking
 - 1. Additional Height Regulations:
 - a. All residential floors above the first (or ground) floor shall have a minimum floor to ceiling height of nine (9) feet. The first (or ground) floor shall have a minimum floor to ceiling height of ten (10) feet.
 - b. Parapets, bulkheads and other roof-top appurtenances may exceed the permitted height within the limitations imposed by the Jersey City Land Development Ordinance, but shall be located so as not to be visible from surrounding public R-O-W's.
- E. Minimum Lot Size – 15,000 sq. ft.
- F. Maximum Permitted Coverage

Building Coverage	85%
Lot Coverage	95%
- G. Minimum Setbacks
 - 1. No setback along street frontages for building of 3 1/2 stories or less.
 - 2. A minimum of 5 feet setback for building over 3 1/2 stories
 - 3. Interior Lot Line Setback- 20 feet
 - 4. Minimum Parking Requirements – ,75 parking space per dwelling unit.

H. Open Space

- a. A Minimum of 50% of the roof top area shall incorporate outdoor recreation space for the residents of the building.

IX. ACQUISITION PLAN

All properties within the Redevelopment Area are listed as To Be Acquired.

X. RELOCATION PLAN

It is anticipated that most acquisition within the Redevelopment Area will be conducted by private means, thereby reducing the amount of necessary relocation. However, should relocation of persons or businesses become necessary, the process of relocating the affected persons and businesses will receive the careful attention of local officials and the Jersey City Redevelopment Agency, and be conducted in accordance with the requirements of all applicable Federal, State and Local laws.

XI. CIRCULATION PLAN

All streets and rights of way within the redevelopment area shall remain open to the public. No modification of the street configuration or rights of way is permitted, however, re-construction and street and sidewalk replacement may be required.

All streets should provide on street parking on both sides of the street unless restricted by local ordinance. After construction is complete, all R-O-W's adjacent to the project or any needing street opening as a result of this project shall be re-surfaced from curb to curb to meet City Engineering specifications.

XII. OTHER PROVISIONS TO MEET STATE AND LOCAL REQUIREMENTS

In accordance with NJSA 40A:12A-1 et seq., Chapter 79, Laws of New Jersey 1992, known as "The Local Redevelopment and Housing Law", the following statements are made:

- A. The Plan herein has delineated a definite relationship to local objectives as to appropriate land uses, density of population, and improved traffic and public transportation, public utilities, recreation and community facilities and other public improvements.
- B. The Plan has laid out various strategies needed to be implemented in order to carry out the objectives of this Plan.
- C. The Plan has given proposed land uses and building requirements for the Redevelopment Area.
- D. The Acquisition Plan (Section IX), which is a part of this Plan, indicates all property to be acquired as a result of this Plan.
- E. The Plan is in general compliance with the Master Plan of the County of Hudson. The Hudson County Master Plan encourages "the redevelopment process to target specific

neighborhoods for development assistance” as well as encouraging “municipalities to use creative planning tools such as redevelopment, special improvement districts (SID’s) and urban enterprise zones to promote their goals and objectives.”

The Plan is not contrary to the goals and objectives of the Jersey City Master Plan. The Master Plan states that residential neighborhoods should be protected and preserved from the intrusion of non-residential uses. Additionally, the Master Plan encourages residential uses over commercial uses in this area.

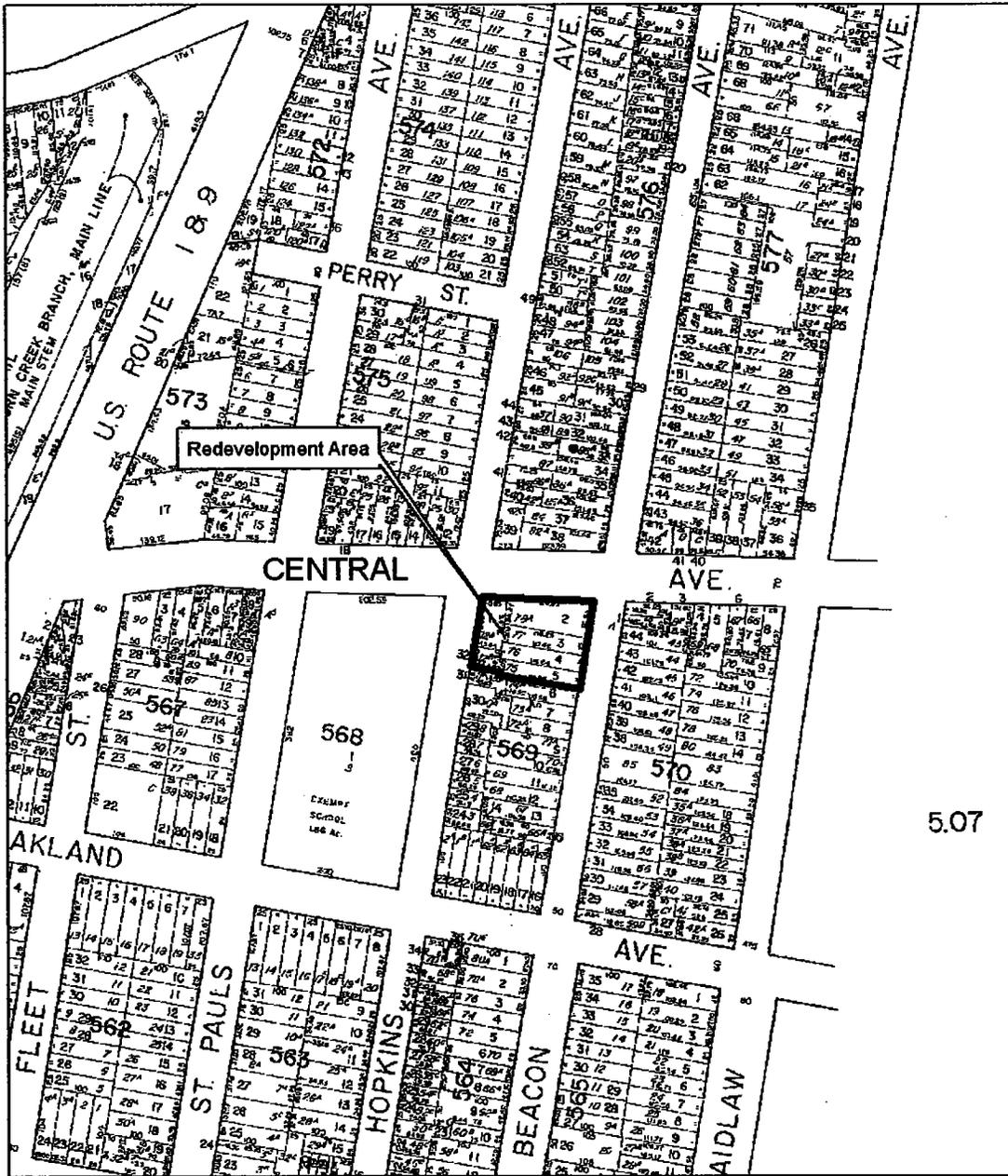
The Plan complies with the goals and objectives of the New Jersey Development and Redevelopment Plan in that this Plan and the State's plan both recognize the need to redevelop urban land.

- F. This Redevelopment Plan shall supersede all provisions of the Jersey City Zoning Ordinance that are specifically addressed herein. Any zoning related question that is not addressed herein shall refer to the Jersey City Zoning Ordinance for clarification. No variance from the requirements herein shall be cognizable by the Zoning Board of Adjustment. The Planning Board alone shall have the authority to grant deviations from the requirements of this plan, as provided herein. Upon final adoption of this Plan by the Municipal Council of Jersey City, the Jersey City Zoning Map shall be amended to rezone the Redevelopment Area covered by this Plan as a Redevelopment Area, and all underlying zoning will be voided.

XIII. PROCEDURE FOR AMENDING THE PLAN

- A. This Plan may be amended from time to time upon compliance with the requirements of law. A fee of one thousand dollars (\$1,000), plus all costs for copying and transcripts shall be payable to the City of Jersey City for any request to amend this Plan. If there is a designated developer, as provided for under NJSA 40A: 12A-1 et. seq., said developer shall pay these costs. If there is no developer the appropriate agency shall be responsible for any and all costs.
- B. No amendment to this Plan shall be approved without the review and recommendation of the Planning Board, and a public hearing and adoption by Municipal Council. A copy of any proposed change to the Plan shall be filed with the Office of the City Clerk.

XV
MAPS



**HOPKINS AND CENTRAL AVENUES REDEVELOPMENT AREA
BLOCK 569 LOTS 12A, 12B, 75, 76, 77, and 78A**

MAP 1: BOUNDARY MAP

LEGEND



BOUNDARY



North Not to Scale

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

Ord. 08-043

ORDINANCE NO. 3.A. APR 09 2008 4.A.

TITLE:

Ordinance of the Municipal Council of the City of Jersey
City adopting the Hopkins & Central Avenues
Redevelopment Plan.



RECORD OF COUNCIL VOTE ON INTRODUCTION											
APR 09 2008 8-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
SPINELLO	✓			FULOP	✓			FLOOD	✓		
LIPSKI	✓			RICHARDSON	ABSENT			VEGA, PRES.	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

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

✓ Indicates Vote

N.V.-Not Voting (Abstain)

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

✓ Indicates Vote

N.V.-Not Voting (Abstain)

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

✓ Indicates Vote

N.V.-Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on APR 09 2008

Adopted on second and final reading after hearing on _____

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

APPROVED:

Robert Byrne, City Clerk

Mariano Vega, Jr., Council President

Date: _____

APPROVED:

*Amendment(s):

Jerramiah T. Healy, Mayor

Date _____

Date to Mayor _____

City Clerk File No. Ord. 08-044

Agenda No. 3.B 1st Reading

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



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE CITY ORDINANCE 08-044
offered and moved adoption of the following ordinance:

**AN ORDINANCE AUTHORIZING THE TRANSFER OF CITY-OWNED
PROPERTY AT 429-431 PACIFIC AVENUE (BLOCK 2091, LOTS; D & E)
WITHIN THE LAFAYETTE PARK REDEVELOPMENT AREA TO THE JERSEY
CITY REDEVELOPMENT AGENCY**

TITLE:

WHEREAS, the City of Jersey City is the owner of certain parcels of real property known and designated as:

<u>BLOCK</u>	<u>LOT</u>	<u>STREET ADDRESS</u>
2091	D	429 Pacific Ave.
	E	431 Pacific Ave.

situated in the City of Jersey City, Hudson County, New Jersey; and as more particularly shown on the Official Assessment Map and referenced in the designation assigned to individual tax lots in the records of the Tax Assessor (hereinafter "Property"); and

WHEREAS, the Municipal Council of the City of Jersey City has declared, that the Properties contained within the Lafayette Park Study Area are areas deemed "in need of redevelopment" pursuant to N.J.S.A. 40A:55-12 et. seq.; and

WHEREAS, on November 1987, the Municipal Council, adopted the Lafayette Park Redevelopment Plan and which plan was subsequently extended and amended; and

WHEREAS, the Property lies within the legally established boundaries of the Lafayette Park Redevelopment Plan Area; and

WHEREAS, the Jersey City Redevelopment Agency has the responsibility of acquiring various properties within the Lafayette Park Redevelopment Plan Area to effectuate the rehabilitation, redevelopment and revitalization of the Monticello Avenue Redevelopment Area; and

WHEREAS, the Jersey City Redevelopment Agency has deemed it necessary to acquire the Property from the City of Jersey City to accomplish the objectives of the Lafayette Park Redevelopment Plan Area; and

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

AN ORDINANCE AUTHORIZING THE TRANSFER OF CITY-OWNED PROPERTY AT 429-431 PACIFIC AVENUE (BLOCK 2091, LOTS; D & E) WITHIN THE LAFAYETTE PARK REDEVELOPMENT AREA TO THE JERSEY CITY REDEVELOPMENT AGENCY

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

1. Pursuant to N.J.S.A. 40A:12A-39(a) & (f) the transfer of the following Properties to the Jersey City Redevelopment Agency is hereby authorized:

<u>BLOCK</u>	<u>LOT</u>	<u>STREET ADDRESS</u>
2091	D	429 Pacific Ave.
	E	431 Pacific Ave

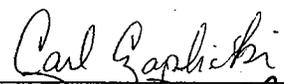
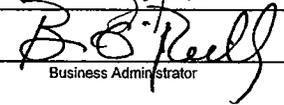
2. That the Mayor, Business Administrator and appropriate Division of the municipality are hereby authorized and directed to execute a deed and all necessary or appropriate instruments to convey and effectuate the transfer of the aforesaid Property to the Jersey City Redevelopment Agency.

- A. All Ordinances and part of Ordinances inconsistent herewith are hereby repealed.
- B. This Ordinance shall be part of the Jersey City Code as though codified and fully set forth therein. The City Clerk shall have this Ordinance codified and incorporated in the official copies of the Jersey City Code.
- C. This Ordinance shall take effect at the time and in the manner 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 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.

APPROVED AS TO LEGAL FORM



Corporation Counsel

APPROVED: 
APPROVED: 

Business Administrator

Certification Required
Not Required

ORDINANCE/RESOLUTION FACT SHEET

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

1. **Full Title of Ordinance/Resolution/Cooperation Agreement:**
An Ordinance authorizing the transfer of city owned property at 429-431 Pacific Ave. (Block 2091, Lots D & E) to the Jersey City Redevelopment Agency.
2. **Name and Title of Person Initiating the Ordinance/Resolution, etc.:**
Denise Bennett, Project Manager, JCRA 201-547-5809
3. **Concise Description of the Program, Project or Plan Proposed in the Ordinance/Resolution:**
This Ordinance will authorize the City of Jersey City, its agents or assigns to transfer City-owned property to the Jersey City Redevelopment for development purposes.
4. **Reasons (Need) for the Proposed Program, Project, etc:**
The Property in question is located within a designated Redevelopment Area.
5. **Anticipated Benefits to the Community:**
Revitalization of an area determined to be an area in need of redevelopment.
6. **Cost of Proposed Program, Project, etc. (Indicate the dollar amount of City, State and Federal Funds to be used, as well as match and in-kind contributions.):**
N/A
7. **Date Proposed Program or Project will Commence:**
Immediately upon adoption of this resolution.
8. **Anticipated Completion Date:**
Approximately 1 year from commencement.
9. **Person Responsible for Coordinating Proposed Program, Project, etc.:**
Robert Antonicello, Executive Director, JCRA
10. **Additional Comments:**

I certify that all the Facts Presented Herein are Accurate.



ROBERT ANTONICELLO,
Executive Director
Jersey City Redevelopment Agency

3/19/08
Date



CARL CZAPLICKI, Director
Department of Housing Economic Development
And Commerce

3/19/08
Date

TURNER ST.

885.37

TURNER ST.

12.05

2088.1

EXEMPT HOUSING AUTHORITY
10.42 Ac.

BARBARA DOCKS

1.33 Ac.

TURKYE EASEMENT

TURNER ST.

12.05

CARBON ST.

2090

HALLADAY ST.

2091

ASH

2092

PACIFIC

2093

WHITON

2094

IS

2095

PINE

2096

AVE.

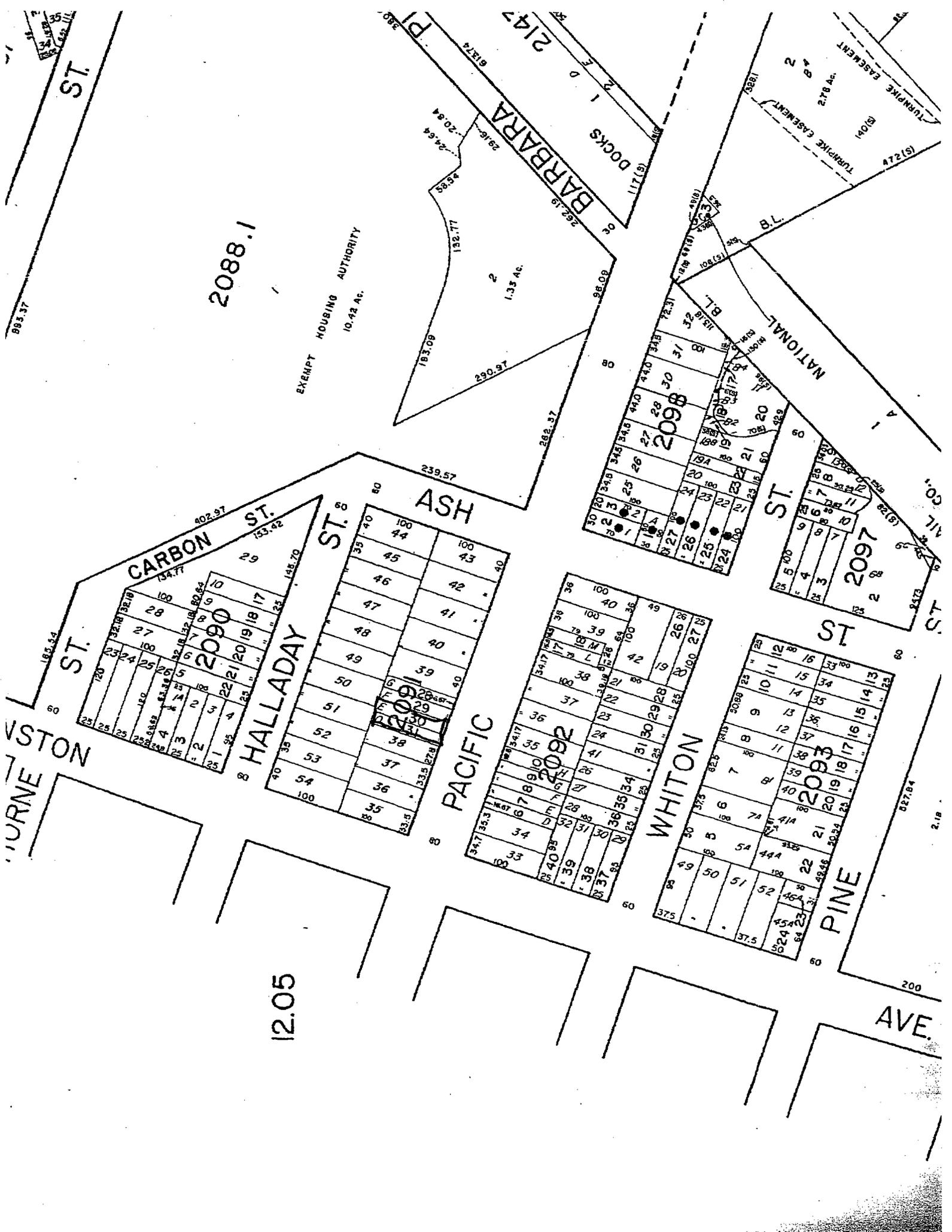
2097

NATIONAL

2098

2099

2100



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

Ord. 08-044

ORDINANCE NO. _____

TITLE: 3.6. APR 09 2008 4.6.



An ordinance authorizing the transfer of city owned property at 429-431 Pacific Avenue (Block 2091, Lots D & E) within the Lafayette Park Redevelopment Area to the Jersey City Redevelopment Agency.

RECORD OF COUNCIL VOTE ON INTRODUCTION								APR 09 2008 8-0			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
SPINELLO	✓			FULOP	✓			FLOOD	✓		
LIPSKI	✓			RICHARDSON	ABSENT			VEGA, PRES.	✓		

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

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

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

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

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

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

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

Adopted on first reading of the Council of Jersey City, N.J. on APR 09 2008

Adopted on second and final reading after hearing on _____

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

APPROVED:

Robert Byrne, City Clerk

Mariano Vega, Jr., Council President

Date: _____

APPROVED:

*Amendment(s):

Jerramiah T. Healy, Mayor

Date _____

Date to Mayor _____

City Clerk File No. Ord. 08-045

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 08-045

TITLE: **ORDINANCE AMENDING CHAPTER 160 (FEES AND CHARGES) OF THE JERSEY CITY CODE**

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

A. The following amendments and supplements to Chapter 160 (Fees and Charges) of the Jersey City Code are hereby adopted:

Chapter 160
FEES AND CHARGES

§ 160-1. Fee schedule established.

Fees shall be as follows:

A. Chapter 3, Administration of Government.

(6) Photocopying fees and fees for documents on file in the Division of City Planning.
[Amended 9-13-2000 by Ord. No. 00-113]

(a) Photocopying documents on file.

[1] One to 10 pages: ~~\$0.35~~ **\$0.75** per page.

[2] Eleven to 20 pages: ~~\$0.25~~ **\$0.50** per page.

[3] All pages over 20: ~~\$0.10~~ **\$0.25** per page.

(b) In lieu of the photocopying fees specified above, the Division of City Planning shall charge the fees listed below for the following documents:

[1] Blight reports and/or redevelopment plans:

a. ~~\$5~~ **\$10.00** per report or plan;

b. **\$20 cd/DVD of plan or report;**

c. **11" X 17" print of plan or report.**

\$20 for a plan of less than 100 pages

\$40 for a plan of 100 - 199 pages

\$60 for a plan of 200 or more pages

[2] **Land Development Zoning Ordinance: \$20 \$40.00.**

[3] **Subdivision Ordinance: \$5 per copy Zoning Map: \$20.00.**

[4] **Zoning Map: \$5 Master Plan \$60.00.**

[5] **Downtown Development Plan: \$10.00.**

[6] Flood Letter: \$20.00.

[7] Building Age Determination Letter: \$40.00.

~~(c) Agendas.~~

~~[1] Copies of Planning Board, Board of Adjustment or Historic District Commission agendas requested to be mailed. \$5.~~

~~[2] Placement on yearly mailing list for agendas of:~~

~~[a] The Planning Board: \$100.~~

~~[b] The Board of Adjustment: \$50.~~

~~[c] The Historic District Commission: \$50.~~

~~[d] Yearly fax transmission of agendas for any land use board: \$50.~~

~~(d) Documents removed from the Division of City Planning for copying elsewhere: \$100 per day.~~

~~(e) Records search: minimum fee for written request: \$20 per address or block and lot searched.~~

~~(f) Computer-generated maps and pictures.~~

Paper Size	Paper Quality:- Standard Black and White	Paper Quality:- Standard Black and White Line	Paper Quality:- Standard Black and White Photo	Paper Quality:- Coated Line	Paper Quality:- Coated Photo	Paper Quality:- Film or Mylar Line	Paper Quality:- Film or Mylar Photo
C, D, E		\$12	\$22	\$18	\$28	\$25	
Tabloid		\$7	\$10	\$10	\$15		
Legal	\$3.50	\$5	\$7	\$7	\$12		
Letter	\$3.50	\$5	\$7	\$7	\$12		

(c) Computer-generated maps and pictures in color or black & white:

Cost - Paper Size

\$20.00 - C, D, E

\$10.00 - Tabloid

\$ 5.00 - Legal

\$ 5.00 - Letter

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

Note: New matter is underlined; deleted matter in {brackets}; For purposes of advertising only, new matter is indicated by **boldface** and repealed matter by *italic*.

APPROVED AS TO LEGAL FORM

Corporation Counsel

APPROVED: Carl Esposito
APPROVED: B. O'Reilly
Business Administrator

Certification Required
Not Required

ORDINANCE FACT SHEET

1. Full Title of Ordinance:

**ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY
ADOPTING THE BRIGHT STREET REDEVELOPMENT PLAN**

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

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

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

Revises Division of City Planning administrative Fees in Chapter 160 of the City Code

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

- Some fees are being eliminated because they have been computerized and are now accomplished via e-mail at no cost.
- There are other new functions and materials, such as , building age determination reviews, and Downtown Development Maps requiring more staff time.
- Most significantly, the demand for color documents, color redevelopment plans, and oversized color maps has risen. These are costly to produce on a large scale and require fee adjustment.

5. Anticipated Benefits to the Community:

Up-dated legislation

6. Cost of Proposed Plan, etc.:

\$0.00 all work performed in house

7. Date Proposed Plan will commence:

Upon approval

8. Anticipated Completion Date: N/A

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

Robert D. Cotter, Director, City Planning	547-5050
Maryann Bucci-Carter, City Planning	547-5010

10. Additional Comments: None

I Certify that all the Facts Presented Herein are Accurate.

Robert D. Cotter
Division Director

MARCH 14, 2008
Date

Carl Czaplicki
Department Director Signature

3/26/08
Date

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

Ord. 08-045

ORDINANCE NO. 3.C. APR 09 2008 4.C.

TITLE:

Ordinance amending Chapter 160 (Fees And Charges) of the Jersey City Code. (Photocopy Charges, City Planning)



RECORD OF COUNCIL VOTE ON INTRODUCTION											
APR 09 2008 8-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
SPINELLO	✓			FULOP	✓			FLOOD	✓		
LIPSKI	✓			RICHARDSON	ABSENT			VEGA, PRES.	✓		

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

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

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

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

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

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

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

APR 09 2008

Adopted on first reading of the Council of Jersey City, N.J. on _____

Adopted on second and final reading after hearing on _____

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

APPROVED:

Robert Byrne, City Clerk

Mariano Vega, Jr., Council President
Date: _____

*Amendment(s):

APPROVED:

Jerramiah T. Healy, Mayor
Date _____
Date to Mayor _____

City Clerk File No. Ord. 08-046

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 08-046

TITLE: ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY AMENDING CHAPTER 345, ARTICLE IV (FEES) OF THE LAND DEVELOPMENT ORDINANCE (ZONING ORDINANCE)

WHEREAS, pursuant to NJSA 40:55D-8 and NJSA 40:55D-53.2 (the Municipal Land Use Law) the Municipal Council of the City of Jersey City may amend a zoning ordinance relating to "reasonable rules and regulations" and may adopt "reasonable" fees and escrow deposits; and

WHEREAS, the Municipal Council did enact Ordinance #05-033 on March 23, 2005 amending chapter 160 (Fees) of the Municipal Code and Article IV of the Land Development Ordinance, repealing the escrow deposit requirements in order to save the city considerable resources, because escrow deposit requirements did not generate the expected source of revenue and accounting procedures required considerable expenditures of City staff time; and

WHEREAS, due to an inadvertent formatting error, the text amendments to Article IV of the Land Development Ordinance contained in Ordinance #05-033 omitted a significant portion of the original text pertaining to fees as well as escrow, apparently deleting sections pertaining to fees not intended to be deleted; and

WHEREAS, the actual text amendments as originally written and intended to be incorporated are contained herein, and the originally proposed amended escrow and fee schedule is also attached hereto, and made a part hereof; and

WHEREAS, a copy of the ordinance is available for public inspection in 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 text amendments and amended fee and escrow schedule that are contained herein and made a part hereof shall be hereby enacted and shall replace the text amendments and fee and escrow schedule enacted as part of Ordinance #05-033.

(Material indicated by strikethrough ~~like this~~ is existing material that is intended to be deleted.

Material indicated by bold italic *like this* is new material that is intended to be enacted.)

§ 345-32. NON-REFUNDABLE APPLICATION FEES

A. There shall be a non-refundable fee for applications to the Jersey City Planning Board, Zoning Board of Adjustment, and Historic Preservation Commission as provided by law and established herein. The fees provided for shall be non-refundable and are for purposes of offsetting the administrative and clerical costs of running these *Boards*.

B. The City of Jersey City and its agencies, such as the Housing Authority, Parking Authority and Board of Education, as well as applications for affordable housing developments and applications for Certificates of Appropriateness and Certificates of No Effect submitted by non-profit entities for property within a designated Historic District are exempt from the fees described herein.

§ 345-33. ESCROW FEES

~~A. Escrow fees shall be in addition to all other fees required by the City.~~

~~B. Escrow deposit fees are established to cover the costs of professional charges for review of applications, review and preparation of documents and inspections of developments under construction, review by outside consultants when an application is of a nature beyond the scope of the expertise of the professionals normally utilized by the City, and/or other purposes under the provisions of P. L. 1975 c. 291 (C.40:55D-1 et. seq.). The City shall not bill an applicant for any clerical or administrative functions, overhead expenses, meeting rooms or any other cost or expenses not associated with an application.~~

~~C. The City of Jersey City and its agencies, such as the Housing Authority, Parking Authority and Board of Education, as well as applications for affordable housing developments and applications for Certificates of Appropriateness and Certificates of No Effect submitted by non-profit entities for property within a designated Historic District are exempt from the fees described herein.~~

~~D. Description of Process.~~

~~1. The required escrow fee is to be deposited with the Division of City Planning upon filing of an Application for Development. Such applications shall be deemed incomplete until the required deposits and fees are received, and no professional review of such applications shall commence until all required fees are received by the Division. Additional deposits may be necessary to cover all reimbursable expenses associated with the review and inspection of applications and development.~~

~~2. The City of Jersey City shall be entitled to be reimbursed for the review of such applications, both as to completeness and content; for the review and preparation of documents such as, but not limited to: resolutions, developers agreements and necessary correspondence with applicant or applicant's professionals; meetings and all communication, including by telephone and e-mail, with applicant, applicant's professionals and/or other City staff or retained professional in the review of such applications, and all time spent reviewing the application submittals.~~

~~3. All City staff and retained professionals shall bill their time in quarter hours increments. In the event that City staff is required to review applications during hours outside the normal work day, such staff shall be compensated for such review work performed during hours outside the normal work day at their base rate of pay, provided that standard labor practices and requirements for overtime payments shall apply, provided, however, that in the case of management employees, straight time and overtime charges may be applied to the escrow account. If such charges are so applied, then the management employees shall be compensated at the same multipliers as non-management employees. Any review work conducted outside the normal work day shall be approved by the division director in the case of division employees, or the department director in the case of division directors, prior to such hours being worked or charged. The escrow account shall be charged two hundred percent (200%) of the hourly base salary at which such employee is compensated, and in the event of overtime pay, the base salary shall be considered as the overtime rate.~~

~~4. The City may charge for the services rendered by staff in the review of development proposals if any such pre-application reviews are requested by any developer prior to the filing of an application for development. Such developers shall be advised, in writing, prior to any such meetings or pre-application reviews, that such charges may be assessed, and, provided further that no staff shall be required to attend such meetings or undertake such reviews unless and until such charges are agreed to by such developers.~~

~~E. A. Schedule of *Applicable* Fees.~~

~~1. Every application for review or hearing before the Zoning Board of Adjustment, Planning Board, or Historic Preservation Commission shall be accompanied by a check for the amount(s) as provided in Fee Table 1.~~

~~2. The applicant shall arrange to provide the Division of City Planning with two copies of the transcript for its files and shall pay the complete cost of the transcript of his or her application. Any balance due the transcription firm engaged by the Division for its services shall be payable immediately upon billing.~~

~~3. Copies of resolutions rendered by either the Board of Adjustment or the Planning Board shall be available to any person requesting them at their sole cost and expense. Any applicant shall receive a copy of the decision rendered at no additional cost. Minutes of either the Board of Adjustment or the Planning Board shall also be available on request to any person or applicant at their sole cost and expense. Amounts charged shall be as provided for in the City's ordinance regulating photocopy and documents fees.~~

~~4. Performance guarantees may be required by the Zoning Board of Adjustment or the Planning~~

Board pursuant to N.J.S.A 40:55D-53.

5. Every application for building permits for projects receiving approval from the Planning Board, Zoning Board of Adjustment, or Historic Preservation Commission shall be accompanied by proof that the escrow deposit has been posted with the Chief Financial Officer when such fees are required by this Section.

F. Escrow Fee Administrative Procedure.

1. Escrow Deposits for Administrative Services.

a. An initial deposit, as outlined in the Schedule of Fees, Fee Table 1, is required to be submitted with the application. The application review and inspection charges shall be limited only to professional charges for review of applications, review and preparation of documents and inspections of development under construction and for review by outside consultants when an application is of a nature beyond the scope of expertise of the professional normally utilized by the City of Jersey City. Whenever an application for Minor Subdivision is filed concurrently with an application for Major or Minor Site Plan and no separate escrow account is established for the subdivision application, charges for review of the subdivision application shall be applied against the Site Plan escrow account. The only cost that shall be added to any such charges shall be actual out of pocket expenses of such professional or consultants including normal and typical expenses incurred in processing applications and inspecting improvements. No applicant shall be charged for any municipal, clerical or administrative functions, overhead expenses except as provided for specifically by statute, nor shall a municipal professional add any such charges to his or her invoice.

b. The deposit shall be placed in an escrow account pursuant to N.J.S.A 40:55D-53.1. Deposits in excess of five thousand dollars (\$5,000.00) shall be held by the Chief Financial Officer (CFO) in a special interest-bearing account, and upon receipt of invoices from staff or retained professional and approval of said invoices as hereinafter provided for, the CFO may use such funds to pay the invoices submitted by such staff or professionals. The City of Jersey City shall not be required to refund an amount of interest paid on a deposit which does not exceed one hundred dollars (\$100.00) for the year. If the amount of interest exceeds one hundred dollars (\$100.00), the entire amount shall belong to the applicant and shall be refunded to him or her by the City of Jersey City annually or at the time the deposit is repaid or applied for the purposes for which it was deposited, as the case may be, except that the City of Jersey City may retain for administrative expenses a sum equivalent to no more than thirty three and one third percent (33 1/3%) of that entire amount, which shall be in lieu of all other administrative and custodial expenses. All sums not actually so expended shall be refunded to the applicant within ninety (90) days after the final decision by the appropriate municipal agency with respect to such application, upon certification by the Board Secretary that such application has been finally decided.

c. Each applicant shall provide the City with a federal tax identification number or federal social security number and enter into an escrow agreement with the City of Jersey City, being incorporated by reference and made part hereof.

2. Draws from the Escrow Account.

a. Each payment charged to an escrow account shall be pursuant to an invoice from the professional performing the service. The invoice shall identify the personnel performing the service, the date the service was performed, and the hours spent to one quarter hour increments, the hourly rate and the expenses incurred.

i. When services are provided by a City employee, the employee shall submit a report to the Chief Financial Officer containing the same information required on an invoice.

ii. When service is provided by an outside consultant retained by the City, he or she shall submit an invoice to the Chief Financial Officer of the City.

iii. All charges shall be limited to actual out of pocket expenses of such professionals or consultants including normal and typical expenses incurred in reviewing applications and inspecting improvements.

b. All professional invoices or employee reports shall be submitted to the Chief Financial Officer on a monthly basis and sent simultaneously to the applicant.

3. The Chief Financial Officer of the City shall prepare and send to the applicant a statement including the accounting of funds listing all deposits, interest earnings, disbursements, and cumulative balance of the escrow account.

a. If monthly charges against the escrow deposit are one thousand dollars (\$1,000.00) or greater, this information shall be provided on a monthly basis.

b. If monthly charges are less than one thousand dollars (\$1,000.00), this information shall be provided on a quarterly basis.

4. If an escrow account contains insufficient funds to cover the costs of charges approved by the Chief Financial Officer against the escrow account, the Chief Financial Officer shall provide the applicant with notice of the insufficient balance requesting that the applicant post a deposit to the account in an amount agreed upon by the City or the approving authority and the applicant.

5. Before work may continue on the development, the amount of additional funds to be posted must be agreed upon and a reasonable time in which these funds shall be posted set, then in the interim, any required health, and safety inspections may be made and charged back against the replenishment of the funds.

G. Escrow Account Close-Out Procedure.

1. The applicant shall send written notice, by certified mail to the Chief Financial Officer, the approving Board's Secretary, and the relevant municipal professionals or their reviewing agencies that the application and/or improvements are completed.

2. Within thirty (30) days the professionals shall render a final report or invoice to the Chief Financial Officer and the applicant.

3. The Chief Financial Officer shall render a written final accounting to the applicant on the uses to which the deposit was put within forty five (45) days of receipt of the final invoice.

H. B. Schedule of Fees.

Fee Table I

Application Type	Application Fees Non-Refundable		Escrow Fee Initial Deposit
Planning Board and Board of Adjustment Applications			
SITE PLAN			
Minor Site Plan	\$350		\$500
Preliminary Major Site Plan; Residential	\$50 per Dwelling Unit or a Minimum of \$500	Sq. ft. of GFA:	
		10,000-25,000	\$1,500
		25,001-50,000	\$2,500
		51,001-200,000	\$3,500
		200,001-500,000	\$5,000
		500,001 & Over	\$7,500
Preliminary Major Site Plan; Non Residential	With principal buildings over 1,000 sq. ft. GFA: \$50 per 1000 sq. ft. GFA or part thereof or a minimum of \$500	Non-Residential with principal buildings over 1,000 sq. ft. Sq. ft. of GFA:	
		1,000-5,000	\$1,500
		5,001-10,000	\$2,500
		10,001-25,000	\$3,500
		25,001-100,000	\$5,000
		100,001 & Over	\$7,500
Preliminary Major Site Plan; Non Residential	Without principal building over 1,000 sq. ft. GFA: \$50 per 1,000 sq. ft. lot	Without principal building over 1,000 sq. ft. GFA: No. of	

	area or part thereof or a minimum of \$500	Aeres:	
		Up to 1 acre	\$2,500
		1 to 4	\$3,500
		5 to 10	\$4,500
		Over 10	\$6,000
Final Major Site Plan	50% of Preliminary Major Site Plan Fee	Replenishment of Preliminary Site Plan account as needed; amount to be determined by planning staff	
Site Plan Amendment	50% of the total original application fee or a minimum of \$1,000		\$1,000
Conceptual Site Plan	\$500 (to be deducted from Fees for formal Application for Development		\$500
Extension of Site Plan Approval	\$300		N/A
SUBDIVISION		If not filed concurrently with Major or Minor Site Plan	\$500
Minor Subdivision	\$300		
Preliminary Major Subdivision	\$500 plus \$100 per lot	No. of Lots:	
		5 to 10 lots	\$1,000
		11 to 20	\$1,500
		21 to 50	\$2,000
		Over 50	\$2,5000
Final Major Subdivision	50% of Preliminary Major Subdivision fee	Replenishment of Preliminary Site Plan account as needed; amount to be determined by planning staff	
Special Meeting Requested by Applicant	\$1,000		None
Rezoning or Redevelopment Plan Amendment requested by developer	Fee as specified in applicable redevelopment plan, or \$1,000, if no fee specified in plan <i>or for rezoning request</i> .		\$1,500
APPEALS, INTERPRETATIONS AND VARIANCES			
"a" & "b" Appeals and Interpretations as per N.J.S.A. 40:55D-70 a & b	\$150	May be waived or reduced by the City Planning Director deemed not to require staff time in excess of five hours	\$1,000
"c" Variance as per N.J.S.A. 40:55D-70(c) & deviation from redevelopment plan	\$300 for the first variance or deviation; \$150 for each additional	For any project on lots:	
		Under 3,000 sq. ft.:	\$500

		On lots 3,000 sq. ft. and over:	\$1,000
"d" Variance as per N.J.S.A. 40:55D-70 (d)	\$500 for the first variance; \$250 for each additional	For any project on lots:	
		Under 3,000 sq. ft.:	\$1,000
		On lots 3,001 to 10,000 sq. ft.:	\$1,500
		On lots 10,001 to 40,000 sq. ft.:	\$2,500
		On lots greater than 40,000 sq. ft.:	\$5,000
Extension of Variance Approval	\$300 (when not filed concurrently with extension of Site Plan)		N/A
Historic Preservation Commission Applications			
CERTIFICATE OF NO EFFECT			
Residential			
All applications except sidewalk repair/replacement when not filed concurrently with other work	\$10 per dwelling unit to a maximum of \$500	a) For projects involving substantial rehabilitation or alteration of a historic façade (as defined in this Chapter):	\$300
Sidewalk repair/replacement when not filed concurrently with other work	\$10 per dwelling unit to a Maximum of \$50	b) For all other projects:	None
Non Residential			
With principal building	\$35 per 1,000 GFA or part thereof		None
Without principal building	\$35 per 1,000 square feet lot area or part thereof		None
Sidewalk repair/replacement when not filed concurrently with other work	\$35 for first 25 linear feet of frontage, additional \$10 for each 25 feet of frontage over 25 or part thereof.		
CERTIFICATE OF APPROPRIATENESS (COA)			
Residential			
New Construction on Vacant Land	\$100		\$500
All Others:			
1-4 Dwelling Units	\$50		
5 Dwelling Units or Over	\$10 per dwelling unit		\$500
Non-Residential			
Sign application only	\$50	Sign application:	\$300
With Principal	\$100 per 1,000 square feet	For all other	\$500

Building	of GFA or part thereof	applications:	
Without Principal Building	\$100 per 1,000 square feet lot area or part thereof	For all other applications:	\$500
Extension of COA Approval	\$150		N/A

BE IT FURTHER ORDAINED THAT:

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


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

APPROVED AS TO LEGAL FORM

 Corporation Counsel

APPROVED: 

APPROVED: _____
 Business Administrator

Certification Required
 Not Required

ORDINANCE FACT SHEET

1. Full Title of Ordinance:

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY AMENDING CHAPTER 345, ARTICLE IV (FEES) OF THE LAND DEVELOPMENT ORDINANCE (ZONING ORDINANCE)

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

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

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

Provides corrected text amendments to Article IV of the Land Development Ordinance that were originally intended to be contained in Ordinance #05-033, which ordinance, due to an inadvertent formatting error, omitted a significant portion of the original text pertaining to fees as well as escrow, apparently deleting sections pertaining to fees not intended to be deleted; and

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

The escrow requirement was rescinded in March 2005 because the procedure never generated the expected funds, and in fact, cost more to administer the program than the revenue it brought in. A corrective ordinance is required to ensure that all of the text pertaining to Fees is retained as intended.

5. Anticipated Benefits to the Community:

Greater accuracy and ease of use with respect to the Land Development Ordinance

6. Cost of Proposed Plan, etc.:

None.

7. Date Proposed Plan will commence:

Upon approval

8. Anticipated Completion Date: N/A

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

Robert D. Cotter, City Planning Director

10. Additional Comments:

I Certify that all the Facts Presented Herein are Accurate.

Robert D. Cotter
Division Director

APRIL 2, 2008
Date

Carl Czaplicki
Department Director Signature

4/2/08
Date

SUMMARY SHEET

**ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY
AMENDING CHAPTER 345, ARTICLE IV (FEES) OF THE LAND DEVELOPMENT
ORDINANCE (ZONING ORDINANCE)**

This ordinance corrects for inadvertent errors in text amendments that previously repealed the escrow deposit requirement for applications for development.

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

Ord. 08-046

ORDINANCE NO. _____
 TITLE: 3.D. APR 09 2008 4.D.



Ordinance of the Municipal Council of the City of Jersey City amending Chapter 345, Article IV (Fees) of the Land Development Ordinance (Zoning Ordinance).

RECORD OF COUNCIL VOTE ON INTRODUCTION											
APR 09 2008 8-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
SPINELLO	✓			FULOP	✓			FLOOD	✓		
LIPSKI	✓			RICHARDSON	ABSENT			VEGA, PRES.	✓		

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

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

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

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

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

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

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

Adopted on first reading of the Council of Jersey City, N.J. on APR 09 2008

Adopted on second and final reading after hearing on _____

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

APPROVED:

 Robert Byrne, City Clerk

 Mariano Vega, Jr., Council President
 Date: _____

*Amendment(s):

APPROVED:

 Jerramiah T. Healy, Mayor
 Date _____
 Date to Mayor _____

City Clerk File No. Ord. 08-047

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 08-047

TITLE:

ORDINANCE SUPPLEMENTING CHAPTER 3 (ADMINISTRATION OF GOVERNMENT) ARTICLE XIII (DEPARTMENT OF HEALTH AND HUMAN SERVICES) OF THE JERSEY CITY CODE

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

WHEREAS, Jersey City's history is that of an industrial city where former industrial sites are often developed into parks and recreations areas; and

WHEREAS, in many sections of Jersey City, houses were built before 1950 and often contain lead based paint and materials; and

WHEREAS, as is the case with most industrial cities, lead contamination has long been a health issue for the city's residents, particularly children in the developmental stages of life; and

WHEREAS, elevated blood lead levels in young children are strongly associated with significant impairments in cognitive functioning (e.g., depressed IQ, learning disabilities, mental retardation) and social-behavioral conduct (i.e., attention-deficit-hyperactivity disorder); and

WHEREAS, children 6 years and younger are most vulnerable to the accumulating toxic effects of lead due to their smaller body mass and rapid growth of their brains; and

WHEREAS, children are a segment of the population with the greatest risk of lead exposure through direct ingestion of soil or paint chips; through indirect ingestion (e.g., hand-to-mouth contact) of soil deposited on hands and toys acquired by playing in contaminated soil; through inhalation of soil particles temporarily made airborne by playing in contaminated soil; and

WHEREAS, if not detected and reversed early in a child's life, elevated blood lead levels may lead to irreversible damage to the central nervous system; and

WHEREAS, exposure to lead is more likely in the homes and soils of older inner cities where homes were built before 1978 and where there is greater exposure risk in and around homes built before 1950 due to the higher concentrations of lead used in pre-1950's paint; and

WHEREAS, elevated lead soil loading in older inner cities is a consequence of years of leaded gasoline vehicle emissions and deposition of deteriorated exterior lead paint and other lead containing products (e.g., as the result of chipping exterior paint or demolition and renovation of older structures harboring lead paint); and

WHEREAS, it is in the best interest of the City of Jersey City to safeguard the health and welfare of its youngest citizens by providing preventive health care information to parents and guardians of all children, but especially those most vulnerable who are enrolled in grades pre-kindergarten through 1st grade.

ORDINANCE SUPPLEMENTING CHAPTER 3 (ADMINISTRATION OF GOVERNMENT) ARTICLE XIII
(DEPARTMENT OF HEALTH AND HUMAN SERVICES) OF THE JERSEY CITY CODE

A. The following supplements to Chapter 3 (Administration of Government) Article XIII (Department of Health and Human Services) of the Jersey City Code are hereby adopted

ARTICLE XIII
Department of Health and Human Services

§3-105. Division of Health.

A. No change.

B. Division of Health; functions.

(1) Under the supervision and direction of the Director of Health and Human Services, the Division of Health shall:

(a) Administer the state laws and provisions of this Code which confer functions, powers and duties upon a board or department of health or a local health officer.

(b) Enforce the state laws and the provisions of the Jersey City Code for the prevention and control of disease and perform the related inspections essential thereto, including any provisions herein and in state laws relating to industrial hygiene and to air pollution.

(c) Prepare and supply statistical and educational material for purposes of internal administration and reporting or for public education.

(d) Administer a public health nursing service and a parochial school health program.

(e) Operate a child health clinics and other public health clinics.

(f) Arrange for the following services, to be performed either in-house or by outside contractor:

[1] For bacteriological and chemical analysis of milk, food and water;

[2] For the diagnosis and control of communicable diseases; and

[3] For research requirements of other city departments.

(g) Establish and implement a sterile syringe access program in the form and manner consistent with state law and in accordance with the Blood Borne Disease Harm Reduction Act.

(h) Administer the lead testing notification program for all licensed Day Care Center operators established under Section — of the Jersey City Code and licensed by the State of New Jersey pursuant to N.J.S.A. 30:5B-3.

(2) All departments and agencies of the City of Jersey City shall cooperate with the Division of Health and provide the Division with any requested information necessary to administer state laws and provisions of this code and to carry out the functions and duties of the Division.

NOTE: All new material is underlined; words in {brackets} are omitted.

For purposes of advertising only, new matter is indicated by boldface and repealed matter by *italic*.

APPROVED AS TO LEGAL FORM

APPROVED: _____

Corporation Counsel

APPROVED: _____
Business Administrator

Certification Required

Not Required

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

Ord. 08-047

ORDINANCE NO. 3.E. APR 09 2008 4.E.

TITLE:

Ordinance supplementing Chapter 3 (Administration of Government) Article XIII (Department of Health and Human Services) of the Jersey City Code.



RECORD OF COUNCIL VOTE ON INTRODUCTION								APR 09 2008 8-0			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
SPINELLO	✓			FULOP	✓			FLOOD	✓		
LIPSKI	✓			RICHARDSON	<i>ABSENT</i>			VEGA, PRES.	✓		

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

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

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

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

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

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

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

Adopted on first reading of the Council of Jersey City, N.J. on APR 09 2008

Adopted on second and final reading after hearing on _____

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

APPROVED:

Robert Byrne, City Clerk

Mariano Vega, Jr., Council President

Date: _____

APPROVED:

*Amendment(s):

Jeremiah T. Healy, Mayor

Date _____

Date to Mayor _____

City Clerk File No. Ord. 08-048
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 08-048

TITLE:

AN ORDINANCE ESTABLISHING A LEAD TESTING NOTIFICATION PROGRAM FOR DAY CARE CENTERS

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

WHEREAS, Jersey City's history is that of an industrial city where former industrial sites are often developed into parks and recreation areas; and

WHEREAS, in many sections of Jersey City, houses were built before 1950 and often contain lead based paint and materials; and

WHEREAS, as is the case with most industrial cities, lead contamination has long been a health issue for the city's residents, particularly children in the developmental stages of life; and

WHEREAS, elevated blood lead levels in young children are strongly associated with significant impairments in cognitive functioning (e.g., depressed IQ, learning disabilities, mental retardation) and social-behavioral conduct (i.e., attention-deficit-hyperactivity disorder); and

WHEREAS, children 6 years and younger are most vulnerable to the accumulating toxic effects of lead due to their bodies developing faster and absorbing lead more easily; and

WHEREAS, children ages nine months through six years of age are a segment of the population with the greatest risk of lead exposure through direct ingestion of soil or paint chips; through indirect ingestion (e.g., hand-to-mouth contact) of soil deposited on hands and toys acquired by playing in contaminated soil; through inhalation of soil particles temporarily made airborne by playing in contaminated soil; and

WHEREAS, if not prevented or detected and reversed early in a child's life, elevated blood lead levels may lead to irreversible damage to the central nervous system and poor social economic outcomes; and

WHEREAS, exposure to lead is more likely in the homes and soils of older inner cities where homes were built before 1978 and where there is greater exposure risk in and around homes built before 1950 due to the higher concentrations of lead used in pre-1950's paint; and

WHEREAS, elevated lead soil loading in older inner cities is a consequence of years of leaded gasoline vehicle emissions and deposition of deteriorated exterior lead paint and other lead containing products (e.g., as the result of chipping exterior paint or demolition and renovation of older structures harboring lead paint); and

AN ORDINANCE ESTABLISHING A LEAD TESTING NOTIFICATION PROGRAM FOR DAY CARE CENTERS

WHEREAS, lead is a developmental toxicant and the harmful effects of lead on children's development can occur without clinical signs, symptoms or abnormal routine laboratory test.

WHEREAS, CDC's Advisory Committee on Childhood Lead Poisoning Prevention, recently issued updated recommendations calling for the nation to focus on primary prevention of childhood lead poisoning. Because the 2010 health objective of eliminating childhood lead poisoning, can be achieved only through primary prevention.

WHEREAS, it is in the best interest of the City of Jersey City to safeguard the health and welfare of its youngest citizens by providing preventive health care information to parents and guardians of all children, but especially those most vulnerable who are enrolled in pre-kindergarten programs and are 1 year to 6 years of age.

A. The following supplement to the Jersey City Code is hereby adopted.

Lead Testing Notification Program for Day Care Centers

A. Day Care Centers

(1) A Lead Testing Notification Program for all Day Care Centers licensed by the State of New Jersey pursuant to N.J.S.A. 30:5B-3 is hereby established.

(2) The owner or operator of a Day Care Center shall be required to notify the parents or guardians of all children enrolled at the Child Care Center that the State of New Jersey will provide free lead testing to children who are uninsured or underinsured.

(3) The owner or operator of a Day Care Center shall be required to notify the parents or guardians of children enrolled at the Child Care Center with health insurance that all primary care physicians are required to screen children for lead.

(4) The owner or operator of a Day Care Center shall have the Notice filed in the child's record on or before October 1st of each year, and made readily available to the Jersey City Department of Health auditors during their annual audit.

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

APPROVED: _____

Corporation Counsel

APPROVED: _____
Business Administrator

Certification Required

Not Required

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

Ord. 08-048

ORDINANCE NO. _____
 TITLE: **3.F. APR 09 2008 4.F.**

An ordinance establishing a lead testing Notification Program for Day Care Centers.



RECORD OF COUNCIL VOTE ON INTRODUCTION								APR 09 2008			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
SPINELLO	✓			FULOP	✓			FLOOD	✓		
LIPSKI	✓			RICHARDSON	ABSENT			VEGA, PRES.	✓		

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

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

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

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

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

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

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

Adopted on first reading of the Council of Jersey City, N.J. on APR 09 2008

Adopted on second and final reading after hearing on _____

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

APPROVED:

 Robert Byrne, City Clerk

 Mariano Vega, Jr., Council President

Date: _____

APPROVED:

*Amendment(s):

 Jerramiah T. Healy, Mayor

Date _____

Date to Mayor _____

City Clerk File No. Ord. 08-049

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 08-049

TITLE:

ORDINANCE DEDICATING THE CORNER OF CLAREMONT AND OCEAN AVENUES TO ALSO BE KNOWN AS DOMINICK CINELLI WAY

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

WHEREAS, *Dominick Cinelli was born on November 29, 1934 to Josephine (Fabio) and Sam Cinelli. Dominic and his brothers, Joseph and Frank, were raised in the Greenville section of Jersey City and graduated Our Lady of Sorrows School and Snyder High School; and*

WHEREAS, *Dominick Cinelli was a lifelong resident of Jersey City. Dominick and his brother, Frank, operated the Victory Pizzeria and Restaurant, located on Ocean Avenue, from 1942 to 1969. Dominick worked as a construction worker and was a member of Local 21 Laborers' Union from 1969 until his retirement; and*

WHEREAS, *Dominick Cinelli was dedicated to Our Lady of Sorrows Parish throughout his life. Dominick, in an effort to help the parish financially and to provide a "safe night out" for people, opened the Thursday Night Bingo in 1960. Still in operation forty-eight years later, Thursday Night Bingo brings the diverse cultural and ethnic groups of Our Lady of Sorrows Parish together; and*

WHEREAS, *Dominick Cinelli was recognized for his many contributions to Our Lady of Sorrows Parish and the City of Jersey City. In 1980 he was named "Father of the Year" by The Jersey Journal; in 2001 the Archdiocese of Newark awarded him the Pro-Meritus Medal; in 2004 he was named Italian Man of the Year and served as Grand Marshall of the Columbus Day Parade. In 2006 Our Lady of Sorrows Parish dedicated the church hall as "The Cinelli Center"; and*

WHEREAS, *most of all, Dominick Cinelli was a family man. Dominick was deeply devoted to his wife, Edith, and daughter, Joann, who pre-deceased him. Dominick was called from this life on February 3, 2008 to be re-united in death with his dear wife and daughter. He is survived by five children: Dominick, Frank, Dorine, Robert and Anthony. His eight grandchildren, brothers and in-laws miss him terribly.*

NOW, THEREFORE BE IT ORDAINED, *that the Municipal Council of the City of Jersey City deems it fitting and proper to honor the memory of Dominick Cinelli by dedicating the corner of Claremont and Ocean Avenues to also be known as Dominick Cinelli Way.*

G:\WPDOCS\UREN\Ordinances\Renaming\Cinelli, Dominick - Renaming Claremont and Ocean Avenues.wpd

APPROVED AS TO LEGAL FORM

APPROVED: _____

Corporation Counsel

APPROVED: _____
Business Administrator

Certification Required

Not Required

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

Ord. 08-049

ORDINANCE NO. _____
3.G. APR 09 2008 4.G.



Ordinance dedicating the corners of Claremont and Ocean Avenues to also be known as Dominick Cinelli Way.

RECORD OF COUNCIL VOTE ON INTRODUCTION								APR 09 2008 8-0			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
SPINELLO	✓			FULOP	✓			FLOOD	✓		
LIPSKI	✓			RICHARDSON	ABSENT			VEGA, PRES.	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

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

✓ Indicates Vote

N.V.-Not Voting (Abstain)

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

✓ Indicates Vote

N.V.-Not Voting (Abstain)

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

✓ Indicates Vote

N.V.-Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on APR 09 2008

Adopted on second and final reading after hearing on _____

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

APPROVED:

 Robert Byrne, City Clerk

 Mariano Vega, Jr., Council President

Date: _____

APPROVED:

*Amendment(s):

 Jerramiah T. Healy, Mayor

Date _____

Date to Mayor _____

City Clerk File No. Ord. 08-050
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 08-050

TITLE:

**REFUNDING BOND ORDINANCE PROVIDING FOR
PAYMENT OF AMOUNTS OWING TO OTHERS FOR TAXES
LEVIED IN AND BY THE CITY OF JERSEY CITY, IN THE
COUNTY OF HUDSON, NEW JERSEY, APPROPRIATING
\$2,200,000 THEREFOR AND AUTHORIZING THE ISSUANCE
OF \$2,200,000 BONDS OR NOTES OF THE CITY OF JERSEY
CITY FOR FINANCING THE COST THEREOF.**

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

Section 1. The City of Jersey City, in the County of Hudson, New Jersey (the "City") is hereby authorized to pay an aggregate amount not exceeding \$2,200,000 for amounts owed by the City to the owners of various properties for taxes levied in the City, as more particularly described on the List of Owners and Properties involved in Tax Appeals available for inspection in the office of the City Clerk, which list is hereby incorporated by reference as if set forth at length herein, and which amounts are due and owing from the City on or before June 30, 2008.

Section 2. An aggregate amount not exceeding \$129,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-51(b) has been included in the aggregate principal amount of refunding bonds authorized herein.

Section 3. In order to finance the cost of the project described in Section 1 hereof, negotiable refunding bonds are hereby authorized to be issued in the principal amount of \$2,200,000 pursuant to the Local Bond Law.

Section 4. In anticipation of the issuance of the refunding bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law. All refunding bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer or the Director of Finance, provided that no note shall mature later than one year from its date. The notes shall bear interest at

such rate or rates and be in such form as may be determined by the Chief Financial Officer or the Director of Finance. The Chief Financial Officer or the Director of Finance shall determine all matters in connection with notes issued pursuant to this ordinance, and the Chief Financial Officer's or the Director of Finance's signature upon the notes shall be conclusive evidence as to all such determinations.

All notes issued hereunder may be renewed from time to time, but all such notes including renewals shall mature and be paid no later than the tenth anniversary of the date of the original notes; provided, however, that no notes shall be renewed beyond the first or any succeeding anniversary date of the original notes unless an amount of such notes, at least equal to the first legally payable installment of the bonds in anticipation of which the notes are issued, determined in accordance with the maturity schedule for the bonds approved by the Local Finance Board, is paid and retired on or before such anniversary date; and provided, further, that the period during which the bond anticipation notes and any renewals thereof and any permanent bonds are outstanding, shall not exceed the period set for the maturity of the bonds by the Local Finance Board.

The Chief Financial Officer or the Director of Finance is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The Chief Financial Officer or the Director of Finance is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. A certified copy of this refunding bond ordinance as adopted on first reading has been filed with the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey prior to final adoption, together with a complete statement in the form prescribed by the Director and signed by the Chief Financial Officer of the City as to the indebtedness to be financed by the issuance of the refunding bonds authorized herein. Such statement shows that the gross debt of the City as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this refunding bond ordinance by \$2,200,000, but

that the net debt of the City determined as provided in the Local Bond Law is not increased by virtue of a deduction pursuant to N.J.S.A. 40A:2-52.

Section 6. To the extent the refunding bonds or notes authorized hereunder are issued as tax-exempt obligations, the City hereby covenants to take any action necessary or refrain from taking such action in order to preserve the tax-exempt status of the refunding bonds and notes authorized hereunder as is or may be required under the Internal Revenue Code of 1986, as amended, and the regulations promulgated thereunder (the "Code"), including compliance with the Code with regard to the use, expenditure, investment, timely reporting and rebate of investment earnings as may be required thereunder. The City reasonably expects to expend general funds or other available moneys for the purpose described in Section 1 hereof prior to the issuance of refunding bonds or notes hereunder. To the extent such funds are spent, the City further reasonably expects to reimburse such expenditures from the proceeds of the refunding bonds or notes authorized by this refunding bond ordinance, in an aggregate not to exceed the amount of refunding bonds or notes authorized in Section 3 hereof.

Section 7. The City hereby covenants to comply with Rule 15c2-12 promulgated under the Securities Exchange Act of 1934 to the extent applicable to the issuance of refunding bonds or notes issued pursuant to this refunding bond ordinance.

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

Section 9. This refunding bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law, provided that the consent of the Local Finance Board has been endorsed upon a certified copy of this ordinance as finally adopted.

APPROVED AS TO LEGAL FORM

Corporation Counsel

APPROVED: *Alanna Marie PTO*
APPROVED: *B. O'Reilly*
Business Administrator

Certification Required
Not Required

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

Ord. 08-050

ORDINANCE NO. _____

3.H. APR 09 2008 4.H.

TITLE: _____

Refunding Bond Ordinance providing for payment of amounts owing to others for taxes levied in and by the City of Jersey City, in the County of Hudson, New Jersey, appropriating \$2,200,000 therefor and authorizing the issuance of \$2,200,000 Bonds or Notes of the City of Jersey City for financing the cost thereof.



RECORD OF COUNCIL VOTE ON INTRODUCTION											
APR 09 2008 8-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
SPINELLO	✓			FULOP	✓			FLOOD	✓		
LIPSKI	✓			RICHARDSON	ABSENT			VEGA, PRES.	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

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

✓ Indicates Vote

N.V.-Not Voting (Abstain)

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

✓ Indicates Vote

N.V.-Not Voting (Abstain)

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

✓ Indicates Vote

N.V.-Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on APR 09 2008

Adopted on second and final reading after hearing on _____

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

APPROVED:

Mariano Vega, Jr., Council President

Date: _____

Robert Byrne, City Clerk

APPROVED:

Jerramiah T. Healy, Mayor

Date _____

*Amendment(s): _____

Date to Mayor _____

City Clerk File No. Ord. 08-051

Agenda No. 3.1 1st Reading

Agenda No. 4.1 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 08-051

TITLE:

ORDINANCE AUTHORIZING THE ACCEPTANCE OF A GIFT OF THE PROPERTY DESCRIBED AS THE AOC 1 OPEN SPACE AREA IN THE CONSENT DECREE REGARDING THE REMEDIATION AND REDEVELOPMENT OF STUDY AREA 6 NORTH IN *JCMUA V. HONEYWELL*, *JCIA V. HONEYWELL* AND *HACKENSACK RIVERKEEPER V. HONEYWELL* AND IN THE ALTERNATIVE AUTHORIZING AN OPTION TO BUY SUCH PROPERTY

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

WHEREAS, on or about December 23, 2005, the Jersey City Municipal Utilities Authority ("JCMUA") filed *Jersey City Municipal Utilities Authority v. Honeywell International Inc.*, D.N.J., Civ. No. 05-955 (DMC), bringing claims against Honeywell International Inc. ("Honeywell") under the Resource Conservation and Recovery Act ("RCRA"), and seeking remediation of chromium contamination on property owned by JCMUA within an area designated by the New Jersey Department of Environmental Protection ("NJDEP") as Study Area 6 North;

WHEREAS, on or about December 28, 2005, the Jersey City Incinerator Authority ("JCIA") filed *Jersey City Incinerator Authority v. Honeywell International Inc.*, D.N.J., Civ. No. 05-5993 (DMC), bringing claims against Honeywell under RCRA, and seeking remediation of chromium contamination on property owned by JCIA within Study Area 6 North;

WHEREAS, on or about January 4, 2006, the Hackensack Riverkeeper, Inc., Captain William Sheehan, Reverend Winston Clark, and Lawrence Baker ("Riverkeeper") filed *Hackensack Riverkeeper, Inc. v. Honeywell International Inc.*, D.N.J., Civ. No. 06-022 (DMC), bringing a claim against Honeywell under RCRA and seeking remediation of chromium contamination to soils, groundwater, surface waters, and sediments associated with various properties collectively designated by NJDEP as Study Areas 5, 6 North, and 6 South;

WHEREAS, the City of Jersey City also owns property that comprises a part of Study Area 6 North;

WHEREAS, Riverkeeper also named as defendants in *Riverkeeper v. Honeywell* the City of Jersey City, JCMUA, and JCIA (collectively the "Jersey City Entities");

WHEREAS, the Jersey City Entities and Honeywell also asserted cross-claims against each other in *Riverkeeper v. Honeywell*;

2008086

WHEREAS, JCMUA v. Honeywell, JCIA v. Honeywell, and Riverkeeper v. Honeywell were consolidated by the United States District Court for the District of New Jersey (hereinafter the "Consolidated Litigation");

WHEREAS, in the Consolidated Litigation, the Jersey City Entities and Riverkeeper have alleged that Honeywell bears responsibility for the presence and remediation of chromite ore processing residue ("COPR") and chromium in soils and groundwater on the Study Area 6 North property;

WHEREAS, the Honeywell, the Jersey City Entities and Riverkeeper have agreed to settle their respective claims regarding Study Area 6 North in the Consent Decree Regarding the Remediation and Redevelopment of Study Area 6 North;

WHEREAS, the Consent Decree Regarding the Remediation and Redevelopment of Study Area 6 North provides for various protections with regard to the area within Study Area 6 North described in the Consent Decree as the AOC 1 Open Space Area; and

WHEREAS, in the Consent Order, the City of Jersey City has agreed to take certain actions for the protection of the AOC 1 Open Space Area.

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

- (1) the Mayor or Business Administrator is authorized to accept as a gift on behalf of the City of Jersey City the property known under the Consent Decree Regarding the Remediation and Redevelopment of Study Area 6 North as the AOC 1 Open Space Area at such time as Bayfront Redevelopment LLC donates such property pursuant to the terms of the Consent Decree; and
- (2) in the event that the circumstances described in the Consent Decree Regarding the Remediation and Redevelopment of Study Area 6 North concerning the option to buy the AOC 1 Open Space Area come to pass, the Mayor or Business Administrator is authorized to exercise the option to buy for \$1,000 or less.

APPROVED AS TO LEGAL FORM



Corporation Counsel

APPROVED: _____

APPROVED: _____
Business Administrator

Certification Required

Not Required

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

Ord. 08-051

ORDINANCE NO. _____

3.1. APR 09 2008 4.1.

TITLE:

Ordinance authorizing the acceptance of a gift of the property described as the AOC 1 Open Space Area in the Consent Decree regarding the remediation and redevelopment of Study Area 6 North in Jersey City Municipal Utilities Authority v. Honeywell, Jersey City Incinerator Authority and Hackensack Riverkeeper v. Honeywell and in the alternative authorizing an option to buy such property.



RECORD OF COUNCIL VOTE ON INTRODUCTION								APR 09 2008 7-0-1			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
SPINELLO	ABSTAIN			FULOP	✓			FLOOD	✓		
LIPSKI	✓			RICHARDSON	ABSENT			VEGA, PRES.	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

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

✓ Indicates Vote

N.V.-Not Voting (Abstain)

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

✓ Indicates Vote

N.V.-Not Voting (Abstain)

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

✓ Indicates Vote

N.V.-Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on APR 09 2008

Adopted on second and final reading after hearing on _____

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

APPROVED:

Mariano Vega, Jr., Council President

Date: _____

Robert Byrne, City Clerk

APPROVED:

Jerramiah T. Healy, Mayor

Date _____

*Amendment(s):

Date to Mayor _____

City Clerk File No. Ord. 08-052

Agenda No. 3.J 1st Reading

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



ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 08-052

TITLE:

Ordinance dedicating the corner of Delaware Avenue and Gautier Avenue to also be known as Irene Wise Way.

Whereas, Irene Wise was born on August 10, 1935 to Elizabeth (Meeghan) and Walter Hart. Irene and her six brothers and sisters were raised in the Hilltop section of Jersey City and attended St. Joseph's Grammar School and St. Bridget's High School.

Whereas, Irene Wise was a lifelong resident of Jersey City. Irene and her husband Harry owned and operated Harry Wise Trucking in Jersey City for more than thirty years.

Whereas, Irene Wise was very active in St. Al's Church and served as both a CCD teacher and a Eucharistic Minister at St. Al's. Irene aided seniors in the area and was a dedicated volunteer for the soup kitchens and food pantries at the church.

Whereas, Irene Wise was a wonderful poet and writer of short stories who wrote numerous books for young children. Irene was honored with the Archdiocesan Catechist of the Year Award and served as a committeewoman for many years.

Whereas, most of all, Irene Wise was devoted to her wonderful family. Irene was deeply devoted to her husband, Harry, and her twelve children, Kathleen, Regina, Margaret, Georgette, Elizabeth, Thomas, Gerard, Mark, David, Harry, Mary and Samantha. Irene was called from this life on May 4, 2007 to be re-united in death with her son Thomas and daughter Margaret. She is survived by her husband Harry and ten surviving children. Her twenty seven grandchildren and great-grandchildren, brothers, sisters and in-laws will miss her terribly.

NOW THEREFORE BE IT RESOLVED, that the Municipal Council of the City of Jersey City deems it fitting and proper to honor the memory of Irene Wise by dedicating the corner of Delaware Avenue and Gautier Avenue to also be known as **Irene Wise Way.**

APPROVED AS TO LEGAL FORM

APPROVED: _____

Corporation Counsel

APPROVED: _____
Business Administrator

Certification Required

Not Required

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

Ord. 08-052

ORDINANCE NO. _____

3.J. APR 09 2008 4.J.

TITLE:

Ordinance dedicating the corner of Delaware Avenue and
Gautier Avenue to also be known as Irene Wise Way.



RECORD OF COUNCIL VOTE ON INTRODUCTION											
APR 09 2008 8-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
SPINELLO	✓			FULOP	✓			FLOOD	✓		
LIPSKI	✓			RICHARDSON	ABSENT			VEGA, PRES.	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

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

✓ Indicates Vote

N.V.-Not Voting (Abstain)

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

✓ Indicates Vote

N.V.-Not Voting (Abstain)

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

✓ Indicates Vote

N.V.-Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on APR 09 2008

Adopted on second and final reading after hearing on _____

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

APPROVED:

Robert Byrne, City Clerk

Mariano Vega, Jr., Council President

Date: _____

APPROVED:

*Amendment(s):

Jerramiah T. Healy, Mayor

Date _____

Date to Mayor _____