

City Clerk File No. Ord. 08-148

Agenda No. 3.D 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 08-148

TITLE:

**AN ORDINANCE OF THE CITY OF JERSEY CITY, IN THE COUNTY OF HUDSON, NEW JERSEY, PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS FOR THE CITY OF JERSEY CITY AND APPROPRIATING \$41,925,000, THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$39,928,555 IN GENERAL IMPROVEMENT BONDS OR NOTES OF THE CITY OF JERSEY CITY TO FINANCE THE SAME.**

**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 improvements or purposes described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the City of Jersey City, in the County of Hudson, New Jersey (the "City") as general improvements. For the several improvements or purposes described in Section 3 hereof, there are hereby appropriated the respective sums of money therein stated as the appropriations made for each improvement of purpose, such sums amounting in the aggregate to \$41,925,000, including the aggregate sum of \$1,996,445 as the several down payments for the improvements or purposes required by the Local Bond Law. The down payments have been made available by virtue of the provision for down payment in the capital improvement fund in one or more previously adopted budgets.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments or otherwise provided for hereunder, negotiable bonds are hereby authorized to be issued in the principal amount of \$39,928,555 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

(a) (1) Purpose: The reconstruction, renovation, rehabilitation and improvement of various public parks and fields for use as places of public resort and recreation in the City including acquisition of necessary real property, rights-in-land and easements, and miscellaneous City-wide repairs and improvements including construction of service facilities, reconstruction of playground facilities, lighting, acquisition and installation of security cameras, sidewalks, fencing, landscaping and tree planting, benches, renovation and improvement of buildings and all work, materials furnishings, equipment and appurtenances necessary and suitable therefore are hereby authorized. Said improvements shall be made in accordance with plans, drawings and specifications prepared or to be prepared therefore by the City Engineer and/or a consulting Engineer and filed in the Office of the City Engineer.

The City Engineer may modify or amend the proposed list to include additional parks and/or fields from time to time upon filing a statement of such additions with the City Clerk and the Chief Financial Officer without amending this ordinance.

<u>Appropriation and Estimated Cost:</u>	\$8,880,000
<u>Estimated Maximum Amount of Bonds or Notes:</u>	\$8,457,140
<u>Period or Average Period of Usefulness:</u>	15 years
<u>Amount of Down Payment:</u>	\$422,860

(2) Purpose: The substantial reconstruction, rehabilitation, improvement and repair of various public buildings owned and used by the City, buildings of not less than Class "B" construction as defined in Section 40A:2-22 of the Local Bond Law; including various Firehouses and Police Precincts located in the City; and the acquisition of necessary real property, construction of new buildings including, where necessary, reconstruction, rehabilitation, restoration, heating, air conditioning, and ventilation systems, interior vehicular exhaust systems, facades, pointing, new roofs, windows and doors, environmental testing, evaluation, remedial and disposal work, asbestos and other hazardous material removal, abatement and containment, utility services and elevator improvement, together with all work, appurtenances, furnishings and equipment necessary and suitable for the use and purposes of such reconstructed and newly constructed buildings are hereby authorized. Said improvements shall be made in accordance with plans, drawings and specifications prepared or to be prepared therefore by the City Engineer and/or a Consulting Engineer to the buildings and at the locations filed in the Offices of the City Engineer, Chief Financial Officer and City Clerk.

<u>Appropriation and Estimated Cost:</u>	\$18,930,000
<u>Estimated Maximum Amount of Bonds or Notes:</u>	\$18,028,570
<u>Period or Average Period of Usefulness:</u>	26.20 years
<u>Amount of Down Payment:</u>	\$901,430

(3) Purpose: The reconstruction, resurfacing, widening and construction of various public streets in and for the City, with a pavement at least as durable as a Class "A" road as defined in Section 40A:2-22 of the Local Bond Law, various City-wide improvements including, but not limited to, curbing, sidewalks, landscaping, installation of handicapped ramps and related studies and the acquisition of traffic signals and related equipment and machinery for the Division of Engineering, Traffic and

Transportation, and including all work, labor, materials and appurtenances necessary and suitable for such purposes are hereby authorized and said street improvements shall be made at the locations shown on the plans prepared or to be prepared therefor by the City Engineer or under the supervision of the City Engineer and on file or to be filed in the office of the City Engineer.

<u>Appropriation and Estimated Cost:</u>	\$8,485,000
<u>Estimated Maximum Amount of Bonds or Notes:</u>	\$8,080,950
<u>Period or Average Period of Usefulness:</u>	18.902 years
<u>Amount of Down Payment</u>	\$ 404,050

- (4) Purpose: The acquisition of new automotive vehicles and equipment, for use by the Jersey City Police Department, including, but not limited to, an E-1 Wagon for Emergency Services Unit and Cargo Vans. A record of such vehicles and equipment acquired shall be prepared and maintained in the Office of the Chief Financial Officer of the City.

<u>Appropriation and Estimated Cost:</u>	\$225,000
<u>Estimated Maximum Amount of Bonds or Notes:</u>	\$214,285
<u>Period or Average Period of Usefulness:</u>	5 years
<u>Amount of Down Payment:</u>	\$ 10,715

- (5) Purpose: The acquisition and installation of various software and computer equipment for the Division of Information Services and Technology. A record of such software and equipment acquired shall be prepared and maintained in the Office of the Chief Financial Officer of the City.

<u>Appropriation and Estimated Cost:</u>	\$3,860,000
<u>Estimated Maximum Amount of Bonds or Notes:</u>	\$3,676,190
<u>Period or Average Period of Usefulness:</u>	7 years
<u>Amount of Down Payment</u>	\$ 183,810

- (6) Purpose: The rehabilitation of the Main Library and the Greenville Library Branch and all work, materials furnishings, equipment and appurtenances necessary and suitable therefore are hereby authorized. Said improvements shall be made in accordance with plans, drawings and specifications prepared or to be prepared therefore by the City Engineer and/or a consulting Engineer and filed in the Office of the City Engineer.

<u>Appropriation and Estimated Cost:</u>	\$1,500,000
<u>Estimated Maximum Amount of Bonds or Notes:</u>	\$1,428,570
<u>Period or Average Period of Usefulness:</u>	15 years
<u>Amount of Down Payment:</u>	\$ 71,430

- (7) Purpose: The acquisition of various equipment including, but not limited to, a postage machine for City Hall and a copier for the Division of Architecture, including all work, materials and appurtenances necessary and suitable therefore are hereby authorized.

<u>Appropriation and Estimated Cost:</u>	\$45,000
<u>Estimated Maximum Amount of Bonds or Notes:</u>	\$42,850
<u>Period or Average Period of Usefulness:</u>	15 years
<u>Amount of Down Payment:</u>	\$ 2,150

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the several improvements or purposes is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; 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. The chief financial officer shall determine all matters in connection with notes issued pursuant to this bond ordinance, and the chief financial officer'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 subject to the provisions of N.J.S.A. 40A:2-8.1. The chief financial officer is hereby authorized to sell part or all of the notes from time to time, at not less than par and accrued interest, 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 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 bond 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. The capital budget or temporary capital budget (as applicable) of the City is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency and amendment, the resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget or amended temporary capital budget (as applicable) and capital program as approved by the Director of the Division of Local Government Services is on file with the City Clerk and is available there for public inspection.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The several improvements or purposes described in Section 3 of this bond ordinance are not current expenses. They are improvements or purposes the City may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The average period of usefulness of the several improvements or purposes, within the limitations of the Local Bond Law, computed on the basis of the respective amounts or

obligations authorized for each improvement or purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 20.056 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. 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 bond ordinance by \$39,928,555, that the net debt of the City determined as provided in the Local Bond Law is increased by \$39,928,555, and the obligations authorized herein will be within all debt limitation prescribed by that Law.

(d) An aggregate amount not exceeding \$7,000,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

(e) The City reasonably expects to commence acquisition and/or construction of the project described in Section 3 hereof, and to advance all or a portion of the costs in respect thereof, prior to the issuance of bonds or notes hereunder. To the extent such costs are advanced, the City further reasonably expects to reimburse such expenditures from the proceeds of the bonds or notes authorized by this bond ordinance, in an aggregate not to exceed the amount of bonds or notes authorized in Section 2 hereof.

Section 7. Any grant moneys received for the purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

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 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. After passage upon first reading of this bond ordinance, the City Clerk is hereby directed to publish the full text of the bond ordinance, together with the notice set forth below entitled: "NOTICE OF PENDING BOND ORDINANCE" (with appropriate completions, insertions and corrections), at least once in a newspaper qualified under N.J.S.A. 40A:2-19, at

least seven days prior to the date set for public hearing and further consideration for final passage (which date shall be at least ten days after introduction and first reading). The City Clerk is further directed to comply with all provisions of N.J.S.A. 40A:2-17(b) regarding postings, publications, and the provision of copies of this bond ordinance.

Section 10. After final adoption of this bond ordinance by the Municipal Council, the City Clerk is hereby directed to publish the full text of this bond ordinance, as finally adopted, together with the notice set forth below entitled: "NOTICE OF ADOPTION OF BOND ORDINANCE" (with appropriate completions, insertions and corrections), at least once in a newspaper qualified under N.J.S.A. 40A:2-19.

Section 11. To the extent that any previous ordinance or resolution is inconsistent herewith or contradictory hereto, said ordinance or resolution is hereby repealed or amended to the extent necessary to make it consistent herewith.

Section 12. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by Section 10 hereof and the Local Bond Law.

APPROVED AS TO LEGAL FORM

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

APPROVED: Alonna Mauer, CFO

APPROVED: B. O'Reilly  
Business Administrator

Certification Required   
Not Required

<b>FY 2009 CAPITAL PLAN</b>		
<b>Division of Architecture</b>		
<b>Purpose 1 - Various City Parks</b>		
Bayside Park		\$2,300,000
Berry Lane Recreation Project		1,200,000
Hamilton Park Playground Improvements		3,200,000
Fisk/Riverview Park Design		1,200,000
Misc. Parks Repairs (fencing and security cameras included)		350,000
Boyd McGuiness Design & Construction		250,000
Columbia Park Playground		320,000
	220 Costs	60,000
	<b>Total Public Parks</b>	<b>\$8,880,000</b>
<b>Purpose 2 -General Buildings</b>		
Public Buildings - Repairs and Renovations (see schedule A)		\$2,950,000
<b>Firehouse:</b>		
Acquisition - Kearney Avenue		1,800,000
<b>Police Districts:</b>		
Bishop Street Communications Facility		3,000,000
New West District - Construction		11,000,000
	220 Costs	180,000
	<b>Total General Buildings :</b>	<b>\$18,930,000</b>
<b>Division of Engineering, Traffic &amp; Transportation</b>		
<b>Purpose 3 - Engineering</b>		
Waterfront Access Corridor (Reconstruct Columbus Drive)		\$1,500,000
Street Resurfacing (All Wards)		6,000,000
Curbs/Sidewalks/Handicapped Ramps/Landscaping		250,000
Professional Services (Staff Augmentation)		225,000
General Infrastructure Improvements		200,000
Traffic Signals/Equipment		250,000
	220 Costs	60,000
	<b>Total Engineering :</b>	<b>\$8,485,000</b>
<b>Purpose 4 - Division of Automotive</b>		
<b>JCPD</b>		
E-1 Wagon for ESU		\$135,000
3 Cargo Vans (TITAN teams, GREAT program, IT)		90,000
	<b>Total Automotive - City wide:</b>	<b>\$225,000</b>
<b>Purpose 5 - Division of Information Technology</b>		
Various Software and Computer Equipment (Including Zefron)		\$2,000,000
UPS/Generator Project (1 Journal Square)		800,000
Replacement - SAN Computer Storage System		400,000
Replacement - Email System		600,000
Routers, Switches, Fat Pipe for Network Infrastructure - Police		60,000
	<b>Total Information Technology :</b>	<b>\$3,860,000</b>
<b>Purpose 6 - Library</b>		
Main Library & Greenville Branch Rehab		\$1,500,000
	<b>Total Library:</b>	<b>\$1,500,000</b>
<b>Purpose 7 - General Equipment</b>		
Postage Machine - City Hall		\$25,000
Full Size Copier - Division of Architecture		20,000
	<b>Total General Equipment:</b>	<b>\$45,000</b>
<b>TOTAL CITY CAPITAL PLAN</b>		<b>\$41,925,000.00</b>
<b>DOWN PAYMENT</b>		<b>1,996,445</b>
<b>TOTAL AMOUNT ISSUED</b>		<b>\$39,928,555.00</b>

## **Schedule A**

Elevators - City Hall  
Pershing Field Pool Repairs  
Municipal Court Building Repairs  
Bethune Center - 2nd Floor HVAC  
Engine 15 (Sip Avenue) - Building Repairs  
Heating Valves - City Hall  
Security - Police Precincts  
Furniture/Furnishings - 2 Bergen Avenue



City Clerk File No. Ord. 08-149

Agenda No. 3.A 1st Reading

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



## ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 08-149

TITLE:

**ORDINANCE AUTHORIZING THE RENEWAL OF A LEASE AGREEMENT BETWEEN THE CITY OF JERSEY CITY AS LESSEE AND 18 ASH STREET REALTY, LLC., AS LESSOR, FOR FIRE AND EMERGENCY STORAGE SPACE IN THE PREMISES LOCATED AT LOCATED AT 46 STATE STREET, JERSEY CITY, NEW JERSEY**

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

**WHEREAS**, the City of Jersey City ("City") has and continues to have need of storage space for equipment used by the City's Fire and Emergency Services; and

**WHEREAS**, 18 Ash Street Realty, LLC, as lessor, entered into a one-year lease (the "Lease") with the City, as lessee, for 6,000 square feet of storage space at 46 State Street, Jersey City, New Jersey (the "Premises") under the authority of Ordinance 06-033, another one-year renewal lease (the "First Renewal Lease") under the authority of Ordinance 07-051, and a second one-year renewal lease (the "Second Renewal Lease"), under the authority of Ordinance 07-181; and

**WHEREAS**, the Second Renewal Lease ends on December 31, 2009, but, at paragraph 2, permits the City to exercise an option for a third renewal of the Lease for the time period between January 1, 2009 and December 31, 2009 (the "Third Renewal Lease") under the same terms, provisions, covenants and conditions as set forth in the Second Renewal Lease; and

**WHEREAS**, the City will, therefore, pay to the lessor the same rent as it paid the lessor under the Second Renewal Lease i.e. the monthly base rent of \$4,190.00, which is \$50,280.00, annually; and

**WHEREAS**, N.J.S.A. 40A:12-5 provides that a municipality may by ordinance, acquire property by lease; and

**WHEREAS**, funds in the amount of \$12,570.00 are available in Account No. 17-289-56-000-002.

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

1. Subject to such modifications as may be deemed necessary or appropriate by Corporation Counsel, the Mayor or Business Administrator is authorized to execute the attached Lease Agreement with 18 Ash St, LLC for storage space for equipment used by the City's Fire and Emergency Services located at 46 State Street, Jersey City, New Jersey.
2. The term of the Lease shall be one (1) year commencing on January 1, 2009 and ending on December 31, 2009.
4. The total rental fee shall not exceed \$50,280.00 and shall be payable in 12 equal installments of \$4,190.00, payable on the first day of each month.

**ORDINANCE AUTHORIZING THE RENEWAL OF A LEASE AGREEMENT BETWEEN THE CITY OF JERSEY CITY AS LESSEE AND 18 ASH STREET REALTY, LLC., AS LESSOR, FOR FIRE AND EMERGENCY STORAGE SPACE IN THE PREMISES LOCATED AT LOCATED AT 46 STATE STREET, JERSEY CITY, NEW JERSEY**

- 5. Funds in the amount of \$12,570.00 are available in Account No. 01-201-31-432-304, and the balance of the lease funds shall be made available in the 2009 fiscal year permanent budget and in the 2010 fiscal year budget.
  - A. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
  - B. This Ordinance shall be a part of the Jersey City Code as though codified and fully set forth therein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.
  - C. This ordinance shall take effect at the time and in the manner as provided by law.
  - D. The City Clerk and the Corporation Counsel be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.

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

I, \_\_\_\_\_ Donna Mauer, Chief Financial Officer, certify that funds in the amount of \$50,280.00 are available in Account No. 17-289-56-000-002.

JD/cw  
10/14/08

APPROVED AS TO LEGAL FORM

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

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

APPROVED: B. O'Keefe  
Business Administrator

Certification Required   
Not Required

# CITY OF JERSEY CITY

<b>Requisition #</b>
<b>0141037</b>

<b>Assigned PO #</b>

Vendor

## Requisition

**Dept. Bill To**  
 FIRE HEADQUARTERS  
 465 MARIN BLVD.  
 JERSEY CITY NJ 07302

**Dept. Ship To**  
 465 MARIN BLVD.  
 JERSEY CITY NJ 07302

## Contact Info

ROBERT  
 0000004264

Quantity	UOM	Description	Account	Unit Price	Total
1.00	1	LEASE	17-288-56-000-002	50,280.00	50,280.00
1 YEAR LEASE FOR WAREHOUSE PROPERTY AT 44-46 STATE ST. JERSEY CITY, NJ					

**Requisition Total 50,280.00**

Req. Date: 07/01/2008

Requested By: ROBERT

Buyer Id:

Approved By: \_\_\_\_\_

### This Is Not A Purchase Order

### **THIRD RENEWAL LEASE**

**WHEREAS**, on January 1, 2006, the City of Jersey City, 280 Grove St., Jersey City, New Jersey 07302, as Lessee (the "City"), and 18 Ash Street Realty, LLC, having an office at 18 Ash Street, Jersey City, New Jersey 07304, as Lessor, entered into an Agreement of Lease (the "Lease Agreement") wherein the City rented 1,000 sq. ft. of space located at 46 State Street, Jersey City, New Jersey (the "Premises"), for the term of one-year at the base rent of \$45,600.00 (the "Base Rent"), the Lease Agreement being a "net lease" with taxes and other costs paid directly by the City; and

**WHEREAS**, the Premises have been used for storage space for the City's Fire and Emergency Services;

**WHEREAS**, the Lease Agreement was authorized by City Council Ordinance 06-033; and

**WHEREAS**, the Lease Agreement was twice thereafter renewed (the "Renewal Lease" and the "Second Renewal Lease"), approved by the City Council as Ordinance 07-051 and Ordinance 07-181, respectively; and

**WHEREAS**, the Second Renewal Lease provided for an option for a third renewal lease under the same terms, provisions, covenants, and conditions as that set forth in the Second Renewal Lease with no increase in rent so long as the rent was current; and

**WHEREAS**, the City has determined that it is in its best interests to again renew the Lease Agreement on the terms and provisions heretofore approved by City Ordinances as set forth above.

**NOW, THEREFORE**, in consideration of the Premises, the rent payable hereunder, and other good and valuable consideration, the parties hereto agree as follows:

1. Commencing on January 1, 2009, the base rent payable to the landlord shall be \$50,280.00 per annum (the "Rent"), payable in twelve (12) equal monthly installments of \$4,190.00, with all

other costs, including utilities and taxes paid by the lessee to the persons or entities to whom they are due.

2. The lessor agrees to give the lessor a "Fourth Renewal Lease" for the next ensuing year, January 1, 2010 through December 31, 2010 with a five percent (5%) increase in the Rent for the calendar year 2010, which shall be \$52,800.00, payable in twelve (12) equal monthly installments of \$4,400.00.

3. All other terms, provisions, covenants, and conditions contained in the original Lease Agreement dated January 1, 2006 will remain in full force and effect.

TENANT:  
CITY OF JERSEY CITY

By: \_\_\_\_\_  
Mayor or Business Administrator

LANDLORD:  
18 ASH STREET REALTY, LLC

By: \_\_\_\_\_  
Peter Gargiulo, Managing Member

ATTEST:

\_\_\_\_\_  
Robert Byrne, City Clerk

ATTEST:

\_\_\_\_\_

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

ORDINANCE NO. Ord. 08-149  
**3.A. OCT 22 2008** *4.B.*



Ordinance authorizing the renewal of a lease agreement between the City of Jersey City as lessee and 18 Ash Street Realty, LLC., as lessor for Fire and Emergency storage space in the premises located at 46 State Street, Jersey City, New Jersey.

RECORD OF COUNCIL VOTE ON INTRODUCTION											
OCT 22 2008 8-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
SPINELLO	✓			FULOP	✓			FLOOD	<b>ABSENT</b>		
LIPSKI	✓			RICHARDSON	✓			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 OCT 22 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 \_\_\_\_\_



# ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 08-150

TITLE:

**ORDINANCE AUTHORIZING THE RENEWAL OF A LEASE AGREEMENT BETWEEN THE CITY OF JERSEY CITY AS LESSEE AND 255-261 KEARNEY AVENUE, LLC AS LESSOR FOR FIRE HOUSE/GARAGE SPACE LOCATED AT 255-261 KEARNEY AVENUE, JERSEY CITY FOR THE JERSEY CITY FIRE DEPARTMENT**

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

**WHEREAS**, the City of Jersey City ("City") needed fire house/garage space for the Department of Fire and Emergency Services; and

**WHEREAS**, Ordinance 07-169 approved on October 24, 2007 authorized a one (1) year lease commencing on December 1, 2007 and ending on November 30, 2008 with 255-261 Kearney Avenue, LLC for 9,840 square feet of fire house/garage space at 255-261 Kearney Avenue, Jersey City; and

**WHEREAS**, the lease agreement provided the City with the option to renew the lease for one (1) additional year for the same rent as the base year which is 9,840 square feet of space at \$10.00 per square foot for a monthly base rent of \$8,200.00 or \$98,400.00 annually; and

**WHEREAS**, the City will continue to pay for the electric, gas and property taxes; and

**WHEREAS**, N.J.S.A. 40A:12-5 provides that a municipality may by ordinance, acquire property by lease; and

**WHEREAS**, funds in the amount of \$24,600.00 are available in Account No. 01-201-31-432-304; and

**WHEREAS**, the balance of the funds for the lease will be appropriated in the 2009 fiscal year permanent budget and in the 2010 fiscal year budget.

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

1. Subject to such modifications as may be deemed necessary or appropriate by Corporation Counsel, the Mayor or Business Administrator is authorized to execute the attached Lease Agreement with 225-261 Kearney Avenue, LLC for fire house/garage space at 255-261 Kearney Avenue, Jersey City.
2. The term of the Lease shall be one (1) year commencing on December 1, 2008 and ending on November 30, 2009.
4. The total rental fee shall not exceed \$98,400.00 and shall be payable in 12 equal installments of \$8,200.00 payable on the first day of each month.
5. Funds in the amount of \$24,600.00 are available in Account No. 01-201-31-432-304, and the balance of the lease funds shall be made available in the 2009 fiscal year permanent budget and in the 2010 fiscal year budget.

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

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

I, \_\_\_\_\_ Donna Mauer, Chief Financial Officer, certify that funds in the amount of \$24,600.00 are available in Account No. 01-201-31-432-304.

RR/cw  
10/10/08

APPROVED: \_\_\_\_\_ APPROVED AS TO LEGAL FORM

APPROVED: \_\_\_\_\_  
Business Administrator Corporation Counsel

Certification Required

Not Required

# CITY OF JERSEY CITY

Requisition #

0142556

Assigned PO #

## Requisition

**Vendor**  
255-261 KEARNEY AVE LLC  
506 PALISADE AVENUE  
PO BOX 17364  
JERSEY CITY NJ 07307  
TW556140

**Dept. Bill To**  
REAL ESTATE  
280 GROVE STREET  
JERSEY CITY NJ 07302

**Dept. Ship To**  
280 GROVE STREET  
JERSEY CITY NJ 07302

**Contact Info**  
PEGGY RAUSCH X5234  
0000000000

Quantity	UOM	Description	Account	Unit Price	Total
1.00	EA	SEE ATTACHED	01-201-31-432-304	24,600.00	24,600.00

THIS PURCHASE ORDER IS ISSUED FOR ENCUMBRACY PURPOSES ONLY TO ESTABLISH FUNDING FOR NAME OF CONTRACT: 255-261 KEARNEY AVENUE, LLC FOR THE FIRE DEPT. AND EMERGENCY SERVICES DATE OF CONTRACT: DECEMBER 1, 2008 TOTAL AMOUNT OF CONTRACT: \$98,400.00 TEMPORARY ENCUMBRACY: \$24,600.00 TO COVER FROM 12/1/08 THRU 2/1/09 MAONTHLY PAYMENTS WILL BE MADE FROM TIME TO TIME ON PARTIAL PAYMENT VOUCHERS.

Requisition Total 24,600.00

Req. Date: 09/23/2008

Requested By: PEGGYR

Approved By: \_\_\_\_\_

Buyer Id:

**This Is Not A Purchase Order**

## **LEASE AGREEMENT**

THIS LEASE AGREEMENT made this \_\_\_\_\_ day of December, 2008 between **255-261 Kearney Avenue, LLC. (Landlord)**, having its principal place of business at 506 Palisade Avenue, Jersey City, New Jersey 07307, and the **CITY OF JERSEY CITY (City)**, having its principal place of business at 280 Grove Street, in the County of Hudson, in the City of Jersey City, and State of New Jersey.

1. **PROPERTY**

The Landlord does hereby lease to the City and the City does hereby rent a portion of the following Property:

Block 1788, Lot 40 more commonly known as 255-261 Kearney Avenue.  
Schedule A attached hereto, describes with specificity that portion of the Property subject to this Lease.

2. **TERM**

For a term of one (1) year commencing on December 1, 2008 and terminating on November 30, 2009, subject to one option to renew for an additional one (1) year period. Notwithstanding the foregoing, the City shall have the right to terminate the lease at its convenience without cause by giving written notice to the Landlord sixty (60) days prior to the effective date of termination.

3. **USE**

The City shall use the Property for the following purposes and for no other purpose whatsoever:

Fire House and Storage of Emergency Equipment

4. **RENT**

The City covenants and agrees to pay to the Landlord, as rent for and during the term hereof, the sum of \$10.00 a sq. ft. x 9,840 sq. ft. or \$98,400.00 per year. The rent shall be paid in twelve (12) equal installment payments of \$8,200.00 each, on the first of each month.

5. **MAINTENANCE AND REPAIRS**

The Landlord shall take good care of the property and shall at its own cost and expense, make all repairs, and maintain the property, including the heating system, water service,

roof and common areas, in good condition and state of repair, during the term of the lease. The Landlord shall be responsible for keeping the exterior property and all parts thereof in a clean and sanitary condition and free from trash, inflammable material, and other objectionable matter, and shall keep the sidewalks and parking areas in front of the property free of ice, snow and debris. During the term of this Lease, the City shall deliver up the Property in good order and condition, wear and tear from a reasonable use thereof, and damage by the elements not resulting from the neglect or fault of the City excepted.

6. **DAMAGE**

In case of the construction of or any damage of any kind whatsoever to the Property, caused by the carelessness, negligence or improper conduct on the part of Landlord or its agents, employees, guests, licensees, invitees, assignees or successors, the Landlord shall repair the damage or replace or restore any destroyed parts of the Property, as speedily as possible, at the Landlord's own cost and expense.

7. **SIGNS**

The Landlord shall provide a suitable place for a sign, indicating the location of the City's agency. The City shall place such signs in or about the Property or any part thereof, including the design and structure thereof as the City deems appropriate or necessary.

8. **UTILITIES**

All utilities, property taxes and services furnished in the Property for the benefit of the City shall be by the City. The City will have a separate PSE&G gas and electric meter installed for the space.

9. **INITIAL IMPROVEMENTS**

The Landlord will provide the initial improvements based on the City Architect's layout and approval of all work.

10. **ACCESS**

The City will have access prior to the start of the term, to install telephone, services, furniture and other similar services.

11. **COMPLIANCE WITH LAWS**

The Landlord shall promptly comply with all laws, ordinances, rules, regulations, requirements and directives for the Federal, State and Municipal Governments or Public Authorities and of all their departments, bureaus and subdivisions, applicable to and affecting the Property, their use and occupancy, for the correction, prevention and abatement of nuisance, violations or other grievances in, upon or connected with the Property, during the term hereof; and shall promptly comply with all orders, regulations, requirements, requirements and directives of the Board of Fire Underwriters, or similar authority and of any insurance companies which have issued or are about to issue policies of insurance covering the Property and its contents, for the prevention of fire or other casualty, damage or injury, at the Landlord's own cost and expense

12. **INDEMNIFICATION**

The City agrees to and shall save, hold and keep harmless the Landlord from and for any and all payments, expenses, costs, attorney fees, and from and for any and all claims and liability for losses or damage to property or injuries to persons occasioned wholly or in part by or resulting from any errors, omissions or negligent acts by the City or the City's agents, employees, guests, licensees, invitees, subtenants, assignees or successors arising out of the occupancy by the City and the conduct of the City's business.

13. **ASSIGNMENT – SUBLEASE**

The City may, upon prior written notice to the Landlord, assign, mortgage or hypothecate this Lease, or sublet or sublease the Property or any part thereof.

14. **RESTRICTION OF USE**

The City shall not occupy or use the Property or any part thereof, nor permit or suffer the same to be occupied or used for any purposes other than as herein limited, nor for any purpose deemed unlawful, disreputable, or extra hazardous, on account of fire or other casualty.

15. **INSPECTION AND REPAIR**

The City agrees that the Landlord and the Landlord's agents, employees or other Representatives, shall have the right to enter into and upon the Property or any part thereof, at all reasonable hours, for the purpose of examining the same or making such repairs or alterations therein as may be necessary for the safety and preservation thereof. This clause shall not be deemed to be a covenant by the City nor be construed to create an obligation on the part of the City to make such inspection or repairs.

16. **VALIDITY OF LEASE**

The terms, conditions, covenants and provisions of this Lease shall be deemed to be severable. In any clause or provision herein contained shall be adjudged to be invalid or unenforceable by a court of competent jurisdiction or by operation of any applicable law, it shall not affect the validity of any other clause or provision herein, but such other clauses or provisions shall remain in full force and effect.

17. **NOTICES**

All notices required under the terms of this Lease shall be given and shall be complete by mailing such notices by certified or registered mail, return receipt requested, or by hand delivery to the address of the parties as shown at the head of this Lease, or to such other address as may be designated in writing, which notice of change of address shall be given in the same manner.

18. **TITLE AND QUIET ENJOYMENT**

The Landlord covenants and represents that it is the owner of the Property and has the right and authority to enter into, execute and deliver this Lease; and does further covenant that the City on paying the rent and performing the conditions and covenants herein contained, shall and may peaceably and quietly have, hold and enjoy the Property for the term aforementioned.

19. **ENTIRE CONTRACT**

This Lease contains the entire contract between the parties. No representative, agent or employee of the City has been authorized to make any representations or promises with reference to the within letting or to vary, alter or modify the terms hereof. No additions, changes or modifications, renewals or extensions hereof, shall be binding unless reduced to writing and signed by the City and the Landlord.

20. **WAIVER OF SUBROGATION RIGHTS**

The Landlord waives all rights of recovery against the City or City's agents, employees or other representatives, for any loss, damages or injury of any nature whatsoever to property or persons for which the Landlord is insured.

**IN WITNESS WHEREOF**, the parties hereto have hereunto set their hands and seals, or caused these presents to be signed by their proper corporate officers and their proper corporate seal to be hereunto affixed, the day and year first above written.

**ATTEST:**

**CITY OF JERSEY CITY**

\_\_\_\_\_  
**Robert Byrne,**  
**City Clerk**

\_\_\_\_\_  
**Brian O'Reilly,**  
**Business Administrator**

**ATTEST:**

**18 ASH STREET REALTY, LLC**

\_\_\_\_\_  
**Peter Gargiulo,**  
**Managing Member**

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

Ord. 08-150

ORDINANCE NO. \_\_\_\_\_

**3. B. OCT 22 2008**      4.C.

TITLE:

Ordinance authorizing the renewal of a lease agreement between the City of Jersey City as lessee and 255-261 Kearney Avenue, LLC., as lessor for Fire House/garage space located at 255-261 Kearney Avenue, Jersey City, for the Jersey City Fire Department.



RECORD OF COUNCIL VOTE ON INTRODUCTION											
OCT 22 2008 8-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
SPINELLO	✓			FULOP	✓			FLOOD	ABSENT		
LIPSKI	✓			RICHARDSON	✓			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)

**OCT 22 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: \_\_\_\_\_

APPROVED:

\*Amendment(s):

\_\_\_\_\_  
Jerramiah T. Healy, Mayor

Date \_\_\_\_\_

Date to Mayor \_\_\_\_\_

City Clerk File No. Ord. 08-151

Agenda No. 3.C 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 08-151

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

**WHEREAS**, Bay City Condo, LLC, having offices located 6401 Park Ave., West New York, New Jersey, 07093, is the owner of the property located at 213-225 Bay Street, Jersey City, and known as Block 241, Lots A, 18, 20 and 33D on the current tax maps of the City of Jersey City; and

**WHEREAS**, pursuant to a Resolution for the Final Site Plan Amendment Approval, Case # Z06-03.1, Bay City Condo, LLC was granted approval to develop a five (5) story building with thirty-four (34) residential units, a roof top deck and 6<sup>th</sup> floor enclosed community room and thirty-four (34) on site parking spaces in connection with the property; and

**WHEREAS**, part of the initial development approval granted in Case #Z06-03, and the subsequent Final Site Plan Amendment Approval (Z06-03.1) includes the construction of four separate planting beds enclosed in fencing and outward opening entrance doors within a portion of the Bay Street public right-of-way, which is more particularly depicted and described in the Franchise Plans, Exhibit A, and Current Survey with Metes and Bounds Description, Exhibit B, attached hereto; and

**WHEREAS**, the construction of the planting and fencing areas is the result of the recommendation of the Division of Planning staff for aesthetic purpose to match existing fence lines along the street, as seen on the Resolutions attached hereto as Exhibit C; and

**WHEREAS**, the Petitioner was required to file the Petition for a Franchise Ordinance as a condition of its approval; and

**WHEREAS**, part of the development also includes the construction of foundation footings to be located approximately four (4) feet below the surface, extending into the subsurface of the Bay Street public right-of-way, which is more particularly depicted and described in the Foundation Plans, Exhibit D and Current survey with Metes and Bounds Description, Exhibit B, attached hereto; and

**WHEREAS**, there will remain sufficient area in the right-of-way for pedestrian use (at least five (5) feet, and the proposed private improvements will not impede or have a negative impact on typical pedestrian use; and

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

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

1. The contemplated improvements will include the installation of four (4) separate planting beds with fencing and outward-opening entrance doors to be located within the public right-of-way.
2. The contemplated improvements will also include the construction of foundation footings to be located underneath the public right-of-way.
3. All costs associated with these improvements will be incurred by the Petitioner, and there being no objections thereto.

**WHEREAS**, the Jersey City Zoning Officer and Building Department approved the construction of the improvements at the subject property conditioned upon the Petitioner being granted a franchise ordinance by the City Council of the City of Jersey City; and

**WHEREAS**, a franchise ordinance is required to permit the completion of the construction of the private improvements within the public right-of-way; and

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

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

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

**SECTION I.** Permission be, and is hereby granted to Bay City Condo, LLC, its successors and assigns, to complete private improvements to a portion of lands located within the public right of way adjacent to 213-225 Bay Street, Jersey City, and known as Block 241, Lots A, 18, 20 and 33D on the current tax maps of the City of Jersey City, said areas being more particularly described as follows and on the plan, survey with metes and bounds description and foundation plan attached hereto as Exhibit A, Exhibit B and Exhibit D respectively.

1. The contemplated improvements will include the installation of four (4) separate planting beds with fencing and outward-opening entrance doors to be located within the public right-of-way.
2. The contemplated improvements will also include the construction of foundation footings to be located underneath the public right-of-way that will extend into the subsurface of the Bay Street right-of-way.
3. There will remain sufficient area in the right-of-way (at least 5 feet) for typical pedestrian use.
4. The contemplated improvements will be constructed consistent with the Plans approved by the Jersey City Zoning Board of Adjustment, the Jersey City Zoning Officer and Building Department.
5. All costs associated with these improvements will be incurred by the Petitioner.
6. The contemplated improvements are necessary to construct the proposed development consistent with the development approvals and will greatly benefit the Petitioner's property and the surrounding neighborhood.

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

**SECTION III.** This Ordinance shall remain in full force and effect for a period of ninety-nine (99) years. This Ordinance shall take effect upon final passage and publication

according to law. In the event that the Municipal Council determines that this Ordinance must be canceled in whole or in part because of a public purpose, the City reserves the right to cancel this Ordinance or any part thereof by giving written notice to the Petitioners one year prior to the date of cancellation.

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

**SECTION V.** In accepting the privileges of this Ordinance and the installation, maintenance and use hereby authorized, Bay City Condo, LLC, its successors and assigns hereby agree to assume full, complete and undivided responsibility for any and all injury or damage to persons or property by reason of said installation, maintenance and use, and to indemnify and hold the City of Jersey City harmless from all injury or damage to persons or property by reason of such installation, maintenance and use (except such injury or damage which is caused by the negligence or misconduct of the City or its officers, employees or agents) for the term of this Ordinance. Bay City Condo, LLC, its successors and assigns, shall maintain in effect, during the term of this franchise, liability insurance naming the City of Jersey City, its officers and employees as additional insured, covering the use and occupancy of the public property subject to this franchise. A certificate of insurance, in the amount of \$1,000,000.00 in a form deemed acceptable by the City's Risk Manager, shall be delivered to the Risk Manager before use or occupancy of the premises subject to this Franchise Ordinance.

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

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

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

lines and telephone, electrical and cable television wires and poles which may be located either beneath or above the surface of the area subject to this Franchise Ordinance.

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

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

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

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

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

APPROVED AS TO LEGAL FORM

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

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

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

Certification Required

Not Required

**PETITION**

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

Your Petitioner, Bay City Condo, LLC having offices located 6401 Park Ave., West New York, New Jersey, 07093, respectfully says that:

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

2. Petitioner proposes to make the following site improvements within the areas of the public right-of-way:

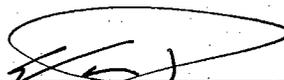
- A. The contemplated improvements will include the installation of four (4) separate planting beds with fencing and outward-opening entrance doors to be located within the public right-of-way.
- B. The contemplated improvements will also include the construction of foundation footings to be located underneath the public right-of-way.
- C. All costs associated with these improvements will be incurred by the Petitioner, and there being no objections thereto.

Petitioner has presented the proposed improvements to the Jersey City Zoning Officer and Building Department, which have approved proposed improvements conditioned upon the Petitioner being granted a franchise ordinance by the City Council of the City of Jersey City.

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

**WHEREFORE**, your Petitioner respectfully prays for itself, its successors and assigns, for the enactment of a Franchise Ordinance to allow it to make private improvements within and under the sidewalk area of the public right-of-way of Bay Street, all as more particularly shown on the plans annexed hereto and made a part hereof.

By: \_\_\_\_\_



o/b/o Bay City Condo, LLC  
William D. Deveau  
Attorney for the Petitioner



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

Ord. 08-151

ORDINANCE NO. 3.C. OCT 22 2008 4.D

TITLE:

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



RECORD OF COUNCIL VOTE ON INTRODUCTION											
OCT 22 2008 8-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
SPINELLO	✓			FULOP	✓			FLOOD	ABSENT		
LIPSKI	✓			RICHARDSON	✓			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 OCT 22 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. 08-152

Agenda No. 3.D 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 08-152

**TITLE: AN ORDINANCE SUPPLEMENTING CHAPTER 332 (VEHICLES AND TRAFFIC) OF THE JERSEY CITY CODE, AMENDING SCHEDULE XVI (PARKING PROHIBITED DURING CERTAIN HOURS, DAILY, EXCEPT SATURDAYS, SUNDAYS AND HOLIDAYS) PROHIBITING PARKING MONDAY THROUGH FRIDAY, FOR EASTBOUND TRAFFIC FROM 7:00 A.M. TO 9:00 A.M. THE ON THE SOUTH SIDE OF COLUMBUS DRIVE AND FROM 4:00 P.M. TO 6:00 P.M. FOR WESTBOUND TRAFFIC ON THE NORTH SIDE OF COLUMBUS DRIVE FROM BRUNSWICK STREET TO MONMOUTH STREET**

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

1. Chapter 332 (Vehicles and Traffic) Article XI (Schedules) of the Jersey City Code is hereby supplemented as follows:

Section 332-10

### SCHEDULE XVI PARKING PROHIBITED CERTAIN HOURS

No person shall park a vehicle between the hours specified any day (except Saturdays, Sundays and holidays) upon any of the streets or parts of streets described.

Name of Street	Sides	Hours	Location
<u>Columbus Drive</u>	<u>South</u>	<u>7:00 a.m. to 9:00 a.m.</u> <u>Monday thru Friday</u>	<u>Brunswick Street to Monmouth Street</u>
	South	Monday thru Friday 8:30 a.m. to 4:30 p.m.	Beginning at a point approximately 283 feet east of the southeast curb line of Barrow Street and extending to a point 25 feet easterly therefrom.
	<u>North</u>	<u>4:00 p.m. to 6:00 p.m.</u> <u>Monday thru Friday</u>	<u>Brunswick Street to Monmouth Street</u>
	North	Monday thru Friday 8:00 a.m. to 9:30 a.m.	Jersey Avenue to Grove Street

continued.....

JDS:pcl  
(10.10.08)

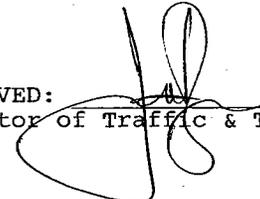
2. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

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

4. The City Clerk and the Corporation Counsel may change any chapter numbers, article numbers and section numbers if codification of this ordinance reveals a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.

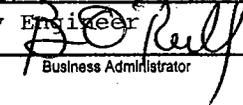
NOTE: All material to be inserted is new and underscored.

JDS:pcl  
(10.10.08)

APPROVED:   
Director of Traffic & Transportation

APPROVED AS TO LEGAL FORM

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

APPROVED:  10.16.08  
City Engineer  
APPROVED:   
Business Administrator

Certification Required   
Not Required

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

**1. Full title of ordinance/ resolution/cooperation agreement:**

An ordinance supplementing Chapter 332(Vehicles and Traffic) Article XI (Schedules) of the Jersey City Code amending Schedule XVI (parking prohibited during certain hours, daily except Saturdays, Sundays, and holidays) prohibiting parking Monday through Friday, for eastbound traffic from 7:00 a.m. to 9:00 a.m. on the south side of Columbus Drive and from 4:00 p.m. to 6:00 p.m. for westbound traffic on the north side of Columbus Drive from Brunswick Street to Monmouth Street

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

Joao D'Souza, Director of Traffic & Transportation.

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

Prohibit parking during peak travel times on the south side of Columbus Drive from 7:00 a.m. to 9:00 a.m. and on the north side from 4:00 p.m. to 6:00 p.m. between Brunswick Street and Monmouth Street

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

Part of the Fifteen Million (\$15,000,000.00) Dollar Waterfront Access Project, there are on-going changes in the traffic pattern as well as a new street scape being constructed along Columbus Drive from Merseles Street easterly to the Waterfront  
Phase I of Project # 04-002

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

Increased traffic safety and capacity for eastbound traffic during the morning peak travel hours and for westbound traffic during the evening peak travel hours.

**6. Cost of proposed program, project, etc. (Indicate the dollar amount of City, State and Federal funds to be used, as well as match and in-kind contribution:**

NO COST TO THE CITY  
Reimbursement by the New Jersey Department of Transportation - Project No. 04-002

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

Pending adoption by the Jersey City Municipal Council

**8. Anticipated completion date:**

Twenty days after adoption by The Municipal Council.

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

Daniel Gordon, P.E., Senior Engineer, Division of Engineering, Traffic & Transportation

**10. Additional comments:**

Legislation proposed at the request of Director D'Souza

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

Wm R Goble  
City Engineer

10.16.08  
Date

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

\_\_\_\_\_  
Date



City Clerk File No. Ord. 08-153

Agenda No. 3.E 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 08-153

**TITLE: AN ORDINANCE SUPPLEMENTING CHAPTER 332 (VEHICLES AND TRAFFIC) ARTICLE XI (SCHEDULES) SCHEDULE 25 (PARKING FOR THE DISABLED) OF THE JERSEY CITY CODE DESIGNATING A RESERVED PARKING SPACE AT 562 BRAMHALL AVENUE; 11 CASPER COURT; COLDEN STREET; 5 EMORY STREET; 189 FAIRVIEW AVENUE; 31 GIFFORD AVENUE; 23-25 GRAHAM STREET; 256 HALLADAY STREET; 194-196 HUTTON STREET; 13 MONITOR STREET; 27 MONITOR STREET; 41-43 MONTROSE AVENUE; 28 PAMRAPO AVENUE; 358 STEGMAN PARKWAY; 408-410 SUMMIT AVENUE AND 3 WARNER AVENUE AND REPEAL THE RESERVED PARKING SPACES AT 103-105 COLUMBIA AVENUE; 84 HARMON STREET; 133 SHERMAN PLACE AND 209-211 SUMMIT AVENUE**

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

1. Chapter 332 (Vehicles and Traffic) Article XI (Schedules) of the Jersey City Code is hereby supplemented as follows:

Section 332-77

### SCHEDULE 25

#### PARKING FOR THE DISABLED

Restricted parking spaces, (measuring approximately 22 feet in length) in front of residential building for use by persons who have been issued special vehicle identification cards by the Division of Motor Vehicles and handicapped parking permits issued by the Traffic Division.

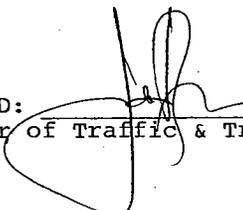
<u>Spencer Griffin</u>	<u>562 Bramhall Avenue</u>
<u>Epifania S. Bautista</u>	<u>11 Casper Court</u>
<u>Essie L. Davis</u>	<u>Colden Street</u>
<u>Beginning at a point 112 feet east of the northeast curb line of Fremont Street and extending to a point 22 feet easterly therefrom</u>	
<u>Deborah King</u>	<u>5 Emory Street</u>
<u>Tri M. Nguyen</u>	<u>189 Fairview Avenue [209-211 Summit Avenue]</u>
<u>Tashia Graves</u>	<u>31 Gifford Avenue</u>
<u>Jane Rahim</u>	<u>23-25 Graham Street</u>
<u>George Jefferson</u>	<u>256 Halladay Street</u>
<u>Rene Arevalo</u>	<u>194-196 Hutton Street</u>
<u>Leonard Lacina</u>	<u>13 Monitor Street</u>
<u>Tina Wilson</u>	<u>27 Montitor Street [84 Harmon Street]</u>
<u>Antoinette Miele</u>	<u>41-43 Montrose Avenue</u>
<u>Carrie Slade</u>	<u>28 Pamrapo Avenue</u>
<u>Magdalene Herbert</u>	<u>358 Stegman Parkway [133 Sherman Place]</u>
<u>Darryl Barte</u>	<u>408-410 Summit Avenue [103-105 Columbia Avenue]</u>
<u>Minnie Searcy</u>	<u>3 Warner Avenue</u>

continued....  
JDS:pcl  
(10.10.08)

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

**NOTE:** New material to be inserted is underscored, the material to be repealed is in [*brackets*].

JDS:pc1  
(10.10.08)

APPROVED:   
Director of Traffic & Transportation

APPROVED AS TO LEGAL FORM

APPROVED:   
City Engineer  
APPROVED:   
Business Administrator

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

Certification Required   
Not Required

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

**1. Full title of ordinance/ resolution/cooperation agreement:**

An ordinance supplementing Chapter 332(Vehicles and Traffic) Article XI(Schedules)Schedule 25(Parking for the Disabled) of the Jersey City Code designating the reserved parking space at 562 Bramhall Avenue; 11 Casper Court; Colden Street; 5 Emory Street; 189 Fairview Avenue; 31 Gifford Avenue; 23-25 Graham Street; 256 Halladay Street; 194-196 Hutton Street; 13 Monitor Street; 27 Monitor Street; 41-43Montrose Avenue; 28 Pamrapo Avenue; 358 Stegman Parkway; 408-410 Summit Avenue and 3 Warner Avenue and repeal the reserved parking space at 103-105 Columbia Avenue; 84 Harmon Street; 133 Sherman Place and 209-211 Summit Avenue

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

Joao D'Souza, Director of Traffic & Transportation

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

Designate and or delete a reserved parking space at various locations throughout the City

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

To provide a reserved parking space for those individuals who are disabled to the degree that their mobility is limited and repeal the reserved parking spaces no longer warranted.

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

Allow those individuals, whose application was approved by The Municipal Council Committee for Disabled Parking, to have a reserved parking space at or near their residence, therefore, improving the quality of their life.

**6. Cost of proposed program, project, etc. (Indicate the dollar amount of City, State and Federal funds to be used, as well as match and in-kind contribution:**

Approximately \$150.00 per sign/post installation.

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

Pending adoption by the Jersey City Municipal Council

**8. Anticipated completion date:**

Twenty days after adoption by the Jersey City Municipal Council

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

Patricia Logan, Supervising Traffic Investigator, Division of Engineering, Traffic and Transportation

**10. Additional comments:**

Ordinance proposed at the request of The Municipal Council Committee for Disabled Parking

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

William R. Hobbs  
City Engineer

10.16.08  
Date

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

\_\_\_\_\_  
Date

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

Ord. 08-153

ORDINANCE NO. 3.E. OCT 22 2008 4.F.



An ordinance supplementing Chapter 332 (Vehicles and Traffic) Article XI Schedule XI (Schedules) Schedule 25 (Parking for the Disabled) of the Jersey City Code designating a reserved parking space at 562 Bramhall Avenue; 11 Casper Court; Colden Street; 5 Emory Street; 189 Fairview Avenue; 31 Gifford Avenue; 23-25 Graham Street; 256 Halladay Street; 194-196 Hutton Street; 13 Monitor Street; 27 Monitor Street; 41-43 Montrose Avenue; 28 Pamrapo Avenue; 358 Stegman Parkway; 408-410 Summit Avenue and 3 Warner Avenue and repeal the reserved parking spaces at 103-105 Columbus Drive; 84 Harmon Street; 133 Sherman Place and 209-211 Summit Avenue.

RECORD OF COUNCIL VOTE ON INTRODUCTION											
OCT 22 2008 8-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
SPINELLO	✓			FULOP	✓			FLOOD	ABSENT		
LIPSKI	✓			RICHARDSON	✓			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 OCT 22 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. 08-155

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 08-155

TITLE: **ORDINANCE SUPPLEMENTING CHAPTER A351 (EXECUTIVE ORDERS  
AND ORDINANCES) OF THE JERSEY CITY CODE**

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

A. The following supplements to Chapter A351 (Executive Orders and Ordinances) of the Jersey City Code are adopted:

**Labor Grade**

**Title**

\*

**Exterminator Trainee**

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

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

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

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

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

*\*Pursuant to N.J.S.A. 40:69A-43a.*

JM/he  
10-20-08

2008284

APPROVED AS TO LEGAL FORM

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

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

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

Certification Required

Not Required

City of  
**JERSEY CITY**  
**JERRAMIAH T. HEALY, Mayor**  
280 Grove Street  
Jersey City, New Jersey 07302

(201) 547-5000  
Fax (201) 547-4288

E.O. \_\_\_\_\_

\_\_\_\_\_, 2008

**EXECUTIVE ORDER OF THE MAYOR  
OF THE  
CITY OF JERSEY CITY**

**CLASSIFIED POSITIONS FOR CITY EMPLOYEES**

Pursuant to the Faulkner Act, N.J.S.A. 40:69A-48, as amended by L.1985, c.374, the Mayor is now authorized to set the salaries, wages or other compensation of all employees of administrative departments except department directors and employees whose salaries are required to be set by ordinance.

Pursuant to this authorization, I issue the following Executive Order establishing guidelines for salaries and wages of those employees whose salaries are set by the Mayor:

**Labor Grade**

**Title**

5

Exterminator Trainee

This order shall take effect immediately.

Very truly yours,

**JERRAMIAH T. HEALY, MAYOR**

JTH/he

cc: Brian O'Reilly, Business Administrator  
William T. Matsikoudis, Corporation Counsel  
Robert Byrne, City Clerk  
Paul Soyka, Chief Financial Officer  
Larry Ross, Personnel Director

O.K.

20 OCT -8 11:27

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 sketch 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 state of facts.

Full Title of Ordinance/Resolution/Cooperation Agreement:

**Exterminator Trainee**

Name & Title of Person Initiating Ordinance/Resolution, Etc.:

**Larry Ross, Personnel Director**

Concise Description of the Program, Project, or Plan Proposed in the Ordinance:

**To establish a new title in accord with New Jersey Department of Personnel Rules and Regulations.**

Reasons for the Proposed Program, Project, Etc.:

**Efrain Melendez, - Department of Health and Human Service**

Anticipated Benefits to the Community:

Cost of Program, Project, Etc.: (Indicate the dollar amount of City, State, Federal funds to be used as well as match and in-kind contributions.)

Date Proposed Program or Project will Commence: \_\_\_\_\_

Anticipated Completion Date: \_\_\_\_\_

Person Responsible for Coordinating Proposed Program, Project Etc.: \_\_\_\_\_

Additional Comments:

**Union Affiliation- Local 246 Labor Grade 5**

I Certify That All Facts Present Herein Are Accurate.

Date

Department Director

*Efrain Melendez*

Date Submitted to Business Administrator 10/14/08 *lr.*

**NEW TITLE**

**TITLE: EXTERMINATOR TRAINEE**

**LABOR GRADE: 5**

**MIN. \$9,150    MAX. \$39,651**

**UNION: 246**

**DEPT.: HLTH. & HUM. SERVICES**

**EFRAIN MELENDEZ**

**Salary: \$36,200 + 200**

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

Ord. 08-155

ORDINANCE NO. 3.6. OCT 22 2008 4.G.



TITLE: Ordinance supplementing Chapter A351 (Executive Orders and Ordinances) of the Jersey City Code. ( Exterminator Trainee)

RECORD OF COUNCIL VOTE ON INTRODUCTION											
OCT 22 2008 7-0-1											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
SPINELLO	✓			FULOP	ABSTAIN			FLOOD	ABSENT		
LIPSKI	✓			RICHARDSON	✓			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)

OCT 22 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: \_\_\_\_\_

APPROVED:

\*Amendment(s):

\_\_\_\_\_  
Jerramiah T. Healy, Mayor

Date \_\_\_\_\_

Date to Mayor \_\_\_\_\_