

City Clerk File No. _____ Ord. 09-069

Agenda No. _____ 3.A _____ 1st Reading

Agenda No. _____ 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 09-069

TITLE:

AN ORDINANCE OF THE CITY OF JERSEY CITY, IN THE COUNTY OF HUDSON, NEW JERSEY, PROVIDING FOR THE ACQUISITION OF VARIOUS FIRE DEPARTMENT EQUIPMENT AND APPARATUS BY MEANS OF A LOAN FROM THE HUDSON COUNTY IMPROVEMENT AUTHORITY AND APPROPRIATING \$2,000,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$2,000,000 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 improvement or purpose described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the City of Jersey City, in the County of Hudson, New Jersey (the "City") as a general improvement. For the improvement or purpose described in Section 3 hereof, there is hereby appropriated the sum of \$2,000,000. No down payment is required in connection with the authorization of bonds and notes pursuant to N.J.S.A. 40A:2-11(c) as this bond ordinance authorizes obligations in accordance with N.J.S.A. 40A:2-7(d).

Section 2. In order to finance the cost of the improvement or purpose, negotiable bonds are hereby authorized to be issued in the principal amount of \$2,000,000 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 improvement hereby authorized and the purpose for which the bonds or notes are to be issued is the acquisition of various fire department apparatus and equipment,

including, but not limited to, a combination of pumper and ladder trucks, including all work and materials necessary therefor or incidental thereto.

(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 improvement or purpose 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 improvement or purpose described in Section 3 of this bond ordinance is not a current expense. It is an improvement or purpose the City may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose, within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 10 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 \$2,000,000, that the net debt of the City determined as provided in the Local Bond Law is increased by \$2,000,000, and the obligations authorized herein will be within all debt limitation prescribed by that Law.

(d) An aggregate amount not exceeding \$30,000 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) This bond ordinance authorizes obligations of the City solely for a purpose described in N.J.S.A. 40A:2-7(d). This purpose is in the public interest and is for the health, welfare, convenience or betterment of the inhabitants of the City. The amounts to be expended for this purpose pursuant to this bond ordinance are not unreasonable or exorbitant, and the issuance of the obligations authorized by this bond ordinance will not materially impair the credit of the City or substantially reduce its ability to pay punctually the principal of and the interest on its debts and to supply other essential public improvements and services. The Local Finance Board in the Division of Local Government Services of the Department of Community Affairs of the State of New Jersey has heretofore made a determination to this effect and has caused its consent to be endorsed upon a certified copy of this bond ordinance as passed upon first reading.

(f) 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

APPROVED: Norma Haver, CFO
APPROVED: B. O'Reilly

Corporation Counsel

Business Administrator

Certification Required
Not Required

City Clerk File No. Ord. 09-070

Agenda No. 3.B 1st Reading

Agenda No. _____ 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 09-070

**TITLE: ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY
ADOPTING AN AMENDMENT TO THE LAND DEVELOPMENT ORDINANCE §345-31 –
APPLICATION AND CHECKLISTS**

WHEREAS, the Municipal Council of the City of Jersey City last amended the Land Development Ordinance on June 11, 2008; and

WHEREAS, this amendment incorporates an application procedure for review of Solid Waste and Recycling Management for all multi-family buildings citywide; and

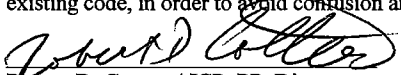
WHEREAS, the Planning Board of Jersey City has reviewed said amendment and voted unanimously to recommend its adoption to the Municipal Council at their meeting of May 26, 2009; and

WHEREAS, the recommended amendment to the Land Development Ordinance is attached hereto and made a part hereof, which amendment 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 amendment to the Morris Canal Redevelopment Plan be, and hereby is, adopted.

BE IT FURTHER ORDAINED THAT:

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


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

APPROVED AS TO LEGAL FORM

Corporation Council

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
ADOPTING AN AMENDMENT TO THE LAND DEVELOPMENT ORDINANCE –
GENERAL APPLICATION PACKAGE**

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 Program, Project or Plan Proposed in the Ordinance:

This ordinance amends the Land Development Ordinance §345-34 Application and Checklists. The amendment will add an application procedure for review of Solid Waste and Recycling Management for all multi-family buildings citywide.

4. Reasons for the Proposed Project:

To bring municipal site plan review of Solid Waste and Recycling Management into conformity with State, County, and Local Ordinances.

5. Anticipated Benefits to the Community:

Solid Waste and Recycling Management review for the health of the community and environment.

6. Cost of Proposed Program, Project, etc.: \$0.00, all work was done in house

7. Date Proposed Program or Project will commence: Upon Adoption

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 547-4499

10. Additional Comments: None

I Certify that all the Facts Presented Herein are Accurate.


Division Director

MAY 26, 2009
Date


Department Director Signature

5/26/09
Date

Summary

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AN AMENDMENT TO THE LAND DEVELOPMENT ORDINANCE §345-31 – APPLICATION AND CHECKLISTS

This ordinance amends the Land Development Ordinance. The amendment will incorporate an application procedure for review of Solid Waste and Recycling Management for all multi-family buildings citywide.

City Clerk File No. Ord. 09-071

Agenda No. 3.C 1st Reading

Agenda No. _____ 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 09-071

TITLE: **ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY
ADOPTING AN AMENDMENT TO THE MORRIS CANAL REDEVELOPMENT PLAN**

WHEREAS, the Municipal Council of the City of Jersey City last amended the Morris Canal Redevelopment Plan on January 28, 2009; and

WHEREAS, this amendment encourages adaptive reuse of industrial buildings by permitting additional stories, regulates residential yard setbacks and height, and permits ground floor residential uses; and

WHEREAS, the Planning Board of Jersey City has reviewed said amendment and voted unanimously to recommend its adoption to the Municipal Council at their meeting of May 19, 2009; and

WHEREAS, the recommended amendment to the Morris Canal Redevelopment Plan is attached hereto and made a part hereof, which amendment 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 amendment to the Morris Canal Redevelopment Plan be, and hereby is, adopted.

BE IT FURTHER ORDAINED THAT:

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


Robert D. Cotter, AICP, 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
ADOPTING AN AMENDMENT TO THE MORRIS CANAL REDEVELOPMENT PLAN**

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 Program, Project or Plan Proposed in the Ordinance:

This ordinance amends the Morris Canal Redevelopment Plan. The amendment will encourage the adaptive reuse of industrial buildings by permitting additional stories, regulates residential yard setbacks and height, and permits ground floor residential uses on the commercial main street for easier compliance with the Americans with Disabilities Act (ADA).

4. Reasons for the Proposed Project:

To allow for the development and reuse of vacant industrial buildings, to protect the light, air, and open space in existing residential sub-districts, and allow of easier conformity with the ADA act.

5. Anticipated Benefits to the Community:

Protection of light, air, and open space in neighborhoods, stimulus of adaptive reuse of vacant industrial buildings.

6. Cost of Proposed Program, Project, etc.: \$0.00, all work was done in house

7. Date Proposed Program or Project will commence: Upon Adoption

8. Anticipated Completion Date: N/A


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

| | |
|---|----------|
| Robert D. Cotter, Director, City Planning | 547-5050 |
| Kristin J. Russell, City Planning | 547-5010 |
| Jeffrey Wenger, City Planning | 547-5010 |

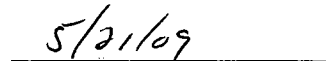
10. Additional Comments: None

I Certify that all the Facts Presented Herein are Accurate.


Division Director


Date


Department Director Signature


Date

Summary

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AN AMENDMENT TO THE MORRIS CANAL REDEVELOPMENT PLAN

This ordinance amends the Morris Canal Redevelopment Plan. The amendment will encourage the adaptive reuse of industrial buildings by allowing additional stories, will regulate residential yard setbacks and building height, and will permit ground floor residential units in the commercial district to ease conformity with the Americans with Disabilities Act.

City Clerk File No. Ord. 09-072

Agenda No. 3.D 1st Reading

Agenda No. _____ 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 09-072

TITLE: AN ORDINANCE GRANTING PERMISSION TO 134 BAY STREET, LLC AND 126-142 MORGAN STREET URBAN RENEWAL, LLC, THEIR SUCCESSORS AND ASSIGNS, TO MAKE PRIVATE IMPROVEMENTS IN THE PROVOST STREET RIGHT OF WAY BETWEEN MORGAN STREET AND BAY STREET ADJACENT TO THE PROPERTY LOCATED AT 10 PROVOST STREET, 143 BAY STREET, AND 332-350 MARIN BOULEVARD, JERSEY CITY, NEW JERSEY, ALSO KNOWN ON THE TAX MAPS OF THE CITY OF JERSEY CITY AS BLOCK 140, LOT 1 AND BLOCK 171 IN ITS ENTIRETY.

WHEREAS, 134 Bay Street, LLC and 126-142 Morgan Street Urban Renewal, LLC ("Petitioners"), having offices located at 33-41 Newark Street, Hoboken, NJ 07030, are the owners of the property located at 10 Provost Street, 143 Bay Street, and 332-350 Marin Boulevard, Jersey City, and known as Block 140, Lot 1 and Block 171 in its entirety on the current tax maps of the City of Jersey City; and

*R.R.
5-27-09*

WHEREAS, pursuant to a Jersey City Planning Board Resolution for Preliminary Major Site Plan Approval with deviations, Case #P08-114, Petitioners were granted approval to develop a mixed-use project containing 925 residential units, consisting of 881 traditional residential units, 12 work/live units (including 1 artist-in-residence unit), and 32 workforce housing units, approximately 44,939 square feet of retail space, an approximately 23,663 square foot performing arts theater (inclusive of art exhibition space), approximately 16,824 square feet of arts-related space, an approximately 26,000 square foot public plaza, and 917 parking spaces, which includes 30 tandem parking spaces ("Project") at 10 Provost Street, 332-350 Marin Boulevard, 143 Bay Street, and 352-358 Marin Boulevard, Jersey City, New Jersey, also known on the Jersey City Tax Maps as Blocks 140 and 171 in their entirety, and Block 172, Lots A, B, C, and D (collectively the "Property"), which is located within the Arts Theater Residence Overlay Zone of the Powerhouse Arts District Redevelopment Plan; and

WHEREAS, as part of the Preliminary Site Plan Approval, the Petitioners must construct a public plaza, totaling approximately 26,184 square feet, which shall consist of approximately 14,117 square feet of Block 140, Lot 1 and approximately 12,067 square feet of the Provost

