

City Clerk File No. Ord. 13.100

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 13.100

**TITLE:           ORDINANCE REAPPROPRIATING \$784,600 PROCEEDS  
OF OBLIGATIONS NOT NEEDED FOR THEIR ORIGINAL  
PURPOSES IN ORDER TO PROVIDE FOR VARIOUS  
CAPITAL IMPROVEMENTS IN AND BY THE CITY OF  
JERSEY CITY, IN THE COUNTY OF HUDSON, NEW  
JERSEY**

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. Pursuant to N.J.S.A. 40A:2-39, it is hereby determined that \$784,600 of the proceeds of obligations originally made available pursuant to bond ordinance No. 09-097 of the City of Jersey City, in the County of Hudson, New Jersey (the "City"), finally adopted by the Municipal Council of the City on October 24, 2009 (the "2009 Ordinance") is no longer necessary for the purpose for which the obligations previously were authorized.

Section 2. The \$784,600 described in Section 1 and made available pursuant to N.J.S.A. 40A:2-39 from the 2009 Ordinance is hereby reappropriated to provide for (i) the acquisition and installation of a multipurpose synthetic field (for use for various sports, including, soccer, football and baseball), (ii) acquisition of site furniture, including, but not limited to picnic tables, benches and bicycle racks; and (iii) various park improvements, including, but not limited to the installation of lighting, trees and other landscaping improvements.

Section 3. The capital budget of the City is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

Section 4. Section 5(b) of the 2009 Ordinance shall be amended to read as follows:

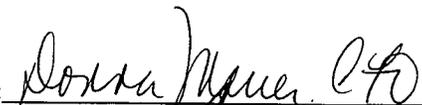
"(b) The period of usefulness of the improvements or purposes within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this ordinance, is 37.7454 years."

Section 5. This ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

APPROVED AS TO LEGAL FORM

Certification Required   
Not Required

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

APPROVED: 

APPROVED: 

\_\_\_\_\_  
Business Administrator

City Clerk File No. Ord. 13.101

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 13.101

TITLE:

**AN ORDINANCE AMENDING CHAPTER 307, ARTICLE I (TAXICABS),  
OF THE JERSEY CITY MUNICIPAL CODE INCREASING THE NUMBER OF  
TAXI CAB LICENSES AND OFFERING THE LICENSES FOR SALE AT  
PUBLIC AUCTION**

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

**WHEREAS**, it is in the City's best interest to ensure the safety, health and welfare of the residents of the City of Jersey City by updating the City Code to reflect the changing needs of the public, protect its welfare and comply with state statutes as amended and supplemented; and

**WHEREAS**, changes and shifts in population and increased use in new developments and transportation areas as well as additional travelers and visitors to our city have increased the need for additional taxicab licenses; and

**WHEREAS**, the City of Jersey City wishes to add additional taxicab licenses to provide additional services to the residents and visitors of the City; and

**WHEREAS**, Article I of Chapter 307 of the Code of the City of Jersey City needs to be amended to provide for additional taxicab licenses in accordance with the procedures permitted by recent changes to New Jersey State Statute, specifically N.J.S.A. 48:16-2.3 which allows municipalities to sell taxicab licenses to the highest qualified bidder at a public auction conducted by the municipal clerk; and

**WHEREAS**, the City of Jersey City wishes to amend the Code of the City of Jersey City to provide for the auction of said additional taxicab licenses in accordance with the procedures permitted N.J.S.A. 48:16-2.3.

**WHEREAS**, the City of Jersey City wishes to amend the Code of the City of Jersey City to provide for the auction of said additional taxicab licenses in accordance with the procedures permitted by New Jersey State Statute.

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

A. The following amendments to Chapter 307 (taxicabs) Section 307-2 (Certificate of Public Convenience and Necessity Required) and Chapter 307 (taxicabs) Section 307-27(c) (Taxi stands; establishment; designated stand; open stand; use) are hereby adopted.

**§307-2. Certificate of Public Convenience and Necessity required.**

A. No private vehicle or limousine shall be used as a taxicab. No person shall operate or

permit a taxicab owned or controlled by him or her to be operated as a vehicle for hire without having first obtained a Certificate of Public Convenience and Necessity from the Division of Commerce. The number of outstanding certificates shall be limited to a total of ~~[one hundred four (104) cabs]~~ one hundred twenty-four (124) taxis. Any additional licenses authorized by this Ordinance shall be issued to the highest qualified bidder at auction in accordance with N.J.S.A. 48:16-2.1, et seq., as amended and no more, unless adequate service to the public shall require more and such additions are approved by the Municipal ~~[Court]~~ Council.

- B. The Municipal Clerk is authorized to advertise for sale the additional twenty (20) licenses in accordance with N.J.S.A. 48:16-2.1, et seq. Such licenses shall be offered for sale at public auction, after advertising thereof in the Jersey Journal and the Hudson Reporter.
- C. Such licenses shall be offered for sale at public auction, after advertising thereof in the Jersey Journal and the Hudson Reporter.
- D. The minimum bid price shall be as follows for the following designated taxi stand locations:
1. Journal Square taxi stand an additional (3) three license minimum bid price \$100,000.00.
  2. Grove Street taxi stand an additional (2) two licenses minimum bid price \$80,000.00.
  3. Town Square Place (FKA Pavonia Avenue) an additional (4) four licenses minimum bid price \$80,000.00.
  4. Exchange Place taxi stand an additional (2) two licenses minimum bid price \$50,000.00.
- E. The minimum bid price for the additional (9) nine licenses that are not designated to a closed taxi stand location shall be \$50,000.00 each.
- F. Ten (10) percent of the minimum bid price shall be paid to the Municipal Clerk by teller's or certified check at the conclusion of the bidding. The balance shall be paid within seventy two (72) hours of the later of (1) council resolution accepting a bid and (2) issuance of an owner's license pursuant to this chapter. The Municipal Council reserves the right to reject all bids where the highest bid is not accepted.
- G. Any new license issued pursuant to subsection (B) of this section may not be transferred within two years after issuance unless such transfer is approved on the basis of death, disability, serious illness or severe financial hardship by resolution of the Municipal Council.

**§ 307-27. Taxi stands; establishment; designated stand; open stand; use.**

- A. No change.
- B. No change.
- C. Any newly created designated taxi stand or any assigned space at an existing designated taxi stand which becomes available through retirement, revocation or other means shall be ~~[filled through a lottery system]~~ offered for sale at public auction, after advertising thereof in the Jersey Journal and the Hudson Reporter. The procedures, rules and regulations for such an ~~[lottery system]~~ auction shall be announced by directive issued by the Director of the Division of Commerce with the approval of the Business Administrator and may be amended as deemed necessary to ensure the fair and equitable disposition of designated taxi stand assignments. The auction shall be conducted by the City Clerk. A holder aggrieved by any decision made pursuant to § 307-27(b) or § 307-

27(c) herein may appeal in writing to the Business Administrator within twenty (20) days of such decision. A hearing shall be scheduled upon at least ten (10) days' notice to such holder.

- D. No change.
- E. No change.
- F. No change.
- G. No change.

**§ 307-27(d)-§ 307-31.1 No change.**

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

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

JH/igp  
9/18/13

APPROVED AS TO LEGAL FORM

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

Certification Required   
Not Required

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



STEVEN M. FULOP  
MAYOR OF JERSEY CITY

CITY OF JERSEY CITY  
DEPARTMENT OF LAW

CITY HALL | 280 GROVE STREET | JERSEY CITY, NJ 07302  
P: 201 547 5229 | F: 201 547 5230



JEREMY FARRELL  
CORPORATION COUNSEL

MEMORANDUM

**TO:** Council President Lavarro and the Members of the Municipal Council

**FROM:** John Hallanan, Assistant Corporation Counsel 

**RE:** Ordinance amending Chapter 307, Article I (Taxicabs), of the Jersey City Municipal Code increasing the number taxicab licenses and offering the licenses for sale at public auction.

**DATE:** September 18, 2013

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The Division of Commerce wishes to expand the number of taxicab licenses granted by the City to reflect the changing needs of the public, and to change the existing language of the Municipal Code regarding taxicabs to reflect changes in the State's statutes regarding the issuance of such taxi licenses.

According to the Division of Commerce, the current under-supply of taxicabs has created lengthy waiting times and sometimes prevented customers from obtaining taxi service at all. The current ratio between the number of taxicabs and population is extremely high when compared to neighboring municipalities (see spreadsheet). Ridership at Jersey City's four Path Stations have experienced steady growth since November of 2001 when the City last issued new taxi licenses (see spreadsheet). Several New Jersey Transit Light Rail Stations have been added throughout the City since November of 2001 and several hotels have been built in the past 10 years as well. Accordingly, the Division of Commerce believes that an increase in the number of taxi license is justified.

The Division of Commerce wishes to increase the number of taxicabs in Jersey City from 104 to 124. The relevant language of N.J.S.A. 48:16-2.1 allows cities such as Jersey City the ability to determine how many taxi licenses it wishes to grant, and the newly adopted statute N.J.S.A. 48:16-2.3 municipalities to sell taxicab licenses to the highest qualified bidder at a public auction conducted by the municipal clerk rather than award the license by lottery.

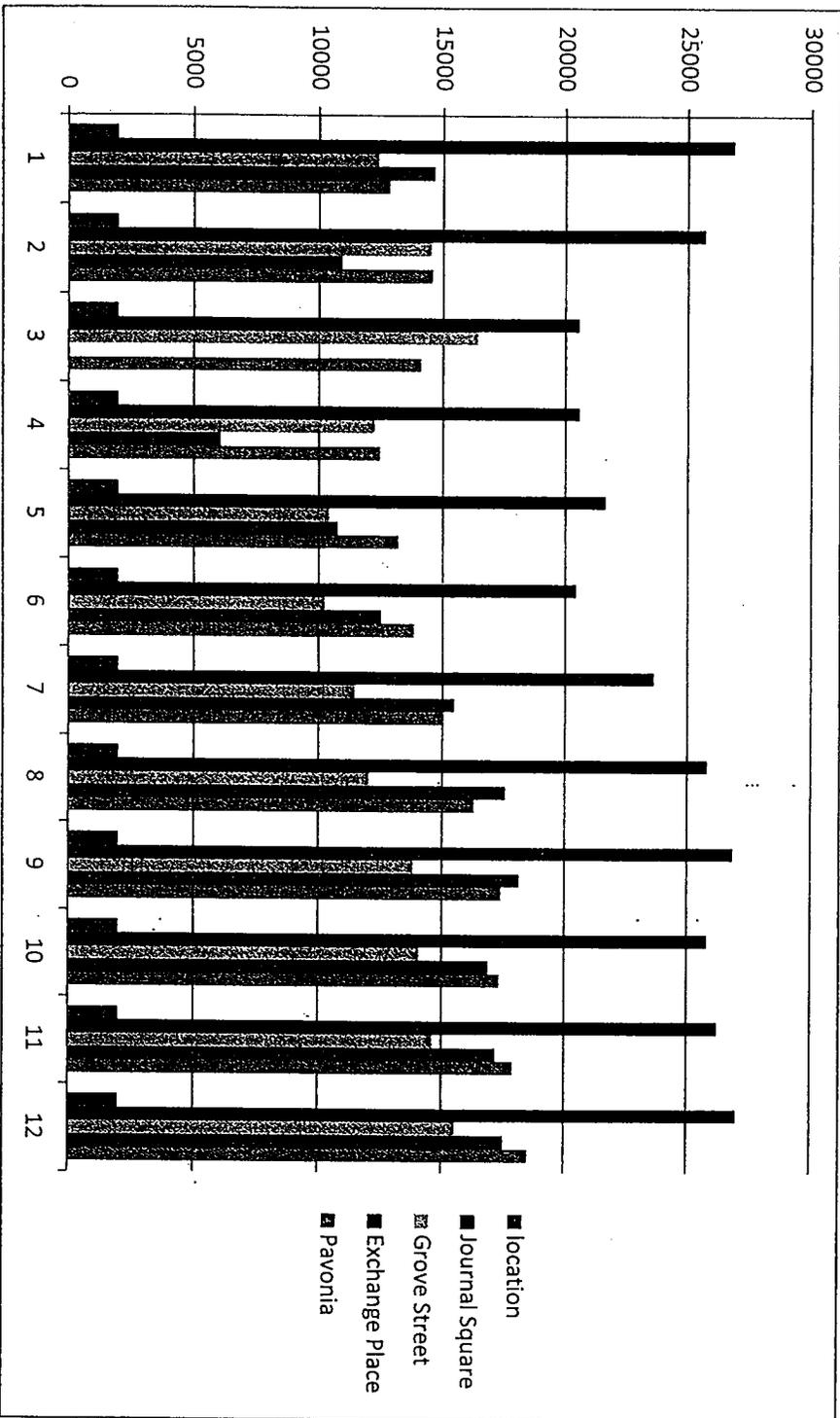
# Ratio of Taxicabs to Population

<u>Municipality</u>	<u>Population</u>	<u># of Taxicabs</u>	<u>Ratio</u>
Bayonne	62,000	57	1 per 1087
Union City	80,000	105	1 per 762
Newark	278,000	400	1 per 695
*excludes 200 taxicabs that are assigned to Newark Airport			
Elizabeth	125,000	67	1 per 1866
*excludes 97 taxicabs that are assigned to Newark Airport			
Hoboken	50,000	75	1 per 667
total	595,000	704	1 per 845
<b>Jersey City</b>	<b>247,600</b>	<b>104</b>	<b>1 per 2381</b>

Proposed

**PATH TRAIN STATION  
Average Weekday Traffic**

Location	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
Journal Square	26,877	25,719	20,579	20,604	21,655	20,464	23,671	25,822	26,869	25,831	26,240	27,017
Grove Street	12,417	14,559	16,466	12,273	10,429	10,266	11,473	12,070	13,849	14,096	14,652	15,578
Exchange Place	14,661	10,923	0	6,066	10,756	12,537	15,512	17,593	18,154	16,911	17,208	17,539
Pavonia	12,841	14,574	14,118	12,475	13,216	13,844	15,056	16,318	17,413	17,353	17,910	18,523



Location	% +/- 2000/2011
Journal Square	0.5%
Grove Street	25.5%
Exchange Place	19.6%
Pavonia	44.2%

City Clerk File No. Ord. 13.102

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 13.102

**TITLE: ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE LIBERTY HARBOR NORTH REDEVELOPMENT PLAN TO ADD DOG AND CAT DAYCARE AND OVERNIGHT BOARDING AS A PERMITTED USE WITH SPECIFIC RESTRICTIONS**

**WHEREAS**, the Local Redevelopment and Housing Law, NJSA 40A:12A-1et seq. permits municipalities to adopt and amend regulations dealing with areas declared to be “in need of redevelopment” and “in need of rehabilitation”; and

**WHEREAS**, the Municipal Council of the City of Jersey City adopted a redevelopment plan for the Liberty Harbor North Redevelopment Plan Area on March 2, 1983; and

**WHEREAS**, the Liberty Harbor North Redevelopment Plan has been amended periodically since its adoption with sweeping changes made in 2002 by the adoption of the Duany Plater-Zyberk Master Plan; and

**WHEREAS**, the Municipal Council of the City of Jersey City wishes to assure continued high quality design and development within the Liberty Harbor North Redevelopment Plan area; and

**WHEREAS**, This ordinance adopts amendments to the use regulations to allow dog & cat day care and overnight boarding to be permitted provided specific use and building improvement characteristics are all incorporated into the facility; and

**WHEREAS**, the Planning Board of Jersey City, at its meeting of August 20, 2013, reviewed this amendment and found there to be many advantages. The board unanimously recommended that the Municipal Council adopt the proposed amendments; and

**NOW, THEREFORE, BE IT ORDAINED** by the Municipal Council of the City of Jersey City that the proposed Amendments, attached hereto, as Recommended by the Jersey City Planning Board on August 20, 2013 be, and hereby is, adopted.

**BE IT FURTHER ORDAINED THAT:**

- A. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- B. This ordinance shall be a part of the Jersey City Code as though codified and set forth fully herein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.
- C. This ordinance shall take effect at the time and in the manner as provided by law.
- D. The City Clerk and the Corporation Council be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible repealers of existing provisions.
- E. The City Planning Division is hereby directed to give notice at least ten days prior to the hearing on the adoption of this Ordinance to the Hudson County Planning board and to all other persons entitled thereto pursuant to N.J.S. 40:55D-15 and N.J.S. 40:55D-63 (if required). Upon the adoption of this Ordinance after public hearing thereon, the City Clerk is hereby directed to publish notice of the passage thereof and to file a copy of the Ordinance as finally adopted with the Hudson County Planning Board as required by N.J.S. 40:55D-16. The clerk shall also forthwith transmit a copy of this Ordinance after final passage to the Municipal Tax Assessor as required by N.J.S. 40:49-2.1.

Robert D. Cotter, PP, FAICP, Planning Director

APPROVED AS TO LEGAL FORM

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

APPROVED:

  
\_\_\_\_\_  
Business Administrator

Certification Required

Not Required

**ORDINANCE FACT SHEET**

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

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE LIBERTY HARBOR NORTH REDEVELOPMENT PLAN TO ADD DOG AND CAT DAYCARE AND OVERNIGHT BOARDING AS A PERMITTED USE WITH SPECIFIC RESTRICTIONS

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

Anthony Cruz, Director, Department of Housing, Economic Development, and Commerce

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

The Liberty Harbor North Redevelopment Area is approximately bounded by Grand Street on the North, Jersey Avenue on the West, the Tidewater Basin to the South and Luis Munoz Marin Boulevard on the East.

This ordinance adopts amendments to the use regulations to allow dog & cat day care and overnight boarding to be permitted provided specific use and building improvement characteristics are all incorporated into the facility.

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

1. The dog and cat day care facility located at Gulls Cove requests to expand to provide overnight services. The current plan prohibits this use;
2. The amendments responds to the reality of changing demand for this service;
3. The redevelopment Plan needs to contain specific provisions to and adequately manage this new use.
4. The owner has demonstrated substantial demand for the use;
5. There is support for the use by new residents of the area.

**5. Anticipated Benefits to the Community:**

1. Allows for inclusion of modern uses in the area
2. Requires conformance with sound, smell, drainage and other health related issues associated with dog & cat day care and overnight boarding.

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

No expense to the city.

**7. Date Proposed Program or Project will commence:**

It will commence upon approval of the redevelopment plan amendment.

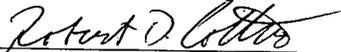
**8. Anticipated Completion Date: N/A**

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

Robert D. Cotter, Director, City Planning 547-5050  
Maryann Bucci-Carter, City Planning 547-4499

**10. Additional Comments: None**

I Certify that all the Facts Presented Herein are Accurate.

  
Division Director

Sept 16, 2013  
Date

  
Department Director Signature

9/17/13  
Date

**Proposed Amendments to the Liberty Harbor North Redevelopment Plan  
As recommended by the Planning Board at their meeting of August 20, 2013**

1. Revise Uses Prohibited section as follows:

**USES PROHIBITED:**

- ~~Commercial Kennels and animal husbandry facilities.~~

2. Revise Permitted Use section as by adding the following use paragraph:

**V.11 USE STANDARDS:**

*Dog & Cat day care and overnight boarding may be permitted provided all of the following use characteristics are all included, and also provided the characteristics remain in place and functioning properly.*

- 1. Kennel space shall be located below the garage level of a building and not below any residential unit. Associated uses other than kennel space, such as, retail sales and services, office, and veterinary space may be located under residential space;*
- 2. There shall be initial and periodic testing of sound levels. The results shall be shared with the Planning and Zoning Division and the proprietor shall construct all improvements needed to provide for the sound attenuation of the animals throughout the building. Construction specifications, mechanical specifications, and material details must all be provided on the site plans and floor plans in a manner that demonstrates conformance with the use characteristics provided herein.*
- 3. There shall be initial and annual testing of ventilation levels & air changes. The results shall be shared with the Directors of City Planning, Zoning, the Construction Code Official, and; the proprietor shall construct all improvements needed to eliminate the animal odors from traveling throughout the building. Construction specifications, mechanical specifications and material details must all be provide on the site plans and floor plans in a manner that demonstrates conformance with the use characteristics provided herein.*
- 4. There shall be high performance hair filters in all drains to insure there is no added burden on the building plumbing and waste system. They shall meet all plumbing, drainage and health codes.*
- 5. All interior spaces where pets may be present shall be designed with non-permeable durable washable surface equipped with spray down and drain facilities.*
- 6. There shall be on-site outdoor space fitted with non-permeable durable washable surface equipped with spray down and drain facilities. Animal brought to this outdoor space must remain silent or utilize indoor services only. The facility on Block 15901 Lot 10, Unit 2A of Phase 1 is exempt from the outdoor space requirement provided it does not expand beyond the current floor area.*
- 7. Each facility shall be limited to a maximum number of one (1) pet per 30 sq. ft. of floor area configured in a minimum area of 350 square feet of free unencumbered indoor play space; (floor area dedicated to crate space is not included).*
- 8. Leash walking by facility employees on public and private rights-of-way and parks shall be prohibited;*
- 9. Surveillance and safety mechanisms are required when there is no overnight attendant in the facility;*
- 10. Doors to pet areas shall be fitted with double safely gauges at all entrances and exits;*

*11. The blocking of windows to obscure the view indoors thru the facility is prohibited. Where some blockage may be necessary for sound buffering, vitrines filled with attractive window displays are required and such vitrines must be maintained to include regular display changes to avoid fading and dirt build-up. Unfinished walls and beams shall not be visible.*

*12. If the Zoning Officer or the City Health Officer finds that these standards are not met, the operation may be ordered to cease until the problems are corrected.*

*13. The Zoning Officer and Health Officer shall inspect the premises once a year.*

Text to be deleted is depicted with a strikethrough, ~~thusly~~

Text to be added is depicted in bolded italic, ***thusly***

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



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**Memorandum**

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**DATE:** September 16, 2013

**TO:** Rolando Lavarro, Council President  
Member of the Municipal Council

**FROM:** Robert D. Cotter, PP, FAICP; Planning Director *RDC*  
Maryann Bucci-Carter, PP, AICP; Supervising Planner *MB*

**SUBJECT:** Ordinance Adopting Amendments to the Liberty Harbor North  
Redevelopment Plan to add dog and cat daycare and overnight boarding as a  
permitted use with specific restrictions

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Club Barks is an existing dog & cat day care facility located in the ground floor of the Gulls Cove Condominium building. The owner has petitioned the City to amend the Liberty Harbor North Redevelopment Plan standards to permit overnight stays in addition to day care services. To respond to the request, the Planning Division Staff researched industry standards and guidelines for review.

We found that the permitted expansion of this use raised several issues of concern regarding inherent conflict between this use and residential dwellings, specifically, with regard to sound and smell. This recommended amendment applied what was learned from this research and incorporated further recommendation made by the Jersey City Planning Board at their public hearing on August 20, 2013. The amendment will permit the use provided specific building improvements and characteristics are all incorporated into the facility. These characteristics are outlined in the attached amendment and include such requirements as; this use being located below the garage level of a building and not below any residential unit; periodic testing of sound levels; periodic testing of ventilation levels & air changes; and annual inspection by the Zoning Office and Health Officer.

The owner has demonstrated substantial demand for the use and there is support for the use by residents of the building.

We feel this amendment conscientiously responds to the reality of changing demand for this service.

## **SUMMARY STATEMENT**

### **ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE LIBERTY HARBOR NORTH REDEVELOPMENT PLAN TO ADD DOG AND CAT DAYCARE AND OVERNIGHT BOARDING AS A PERMITTED USE WITH SPECIFIC RESTRICTIONS**

The Liberty Harbor North Redevelopment Area is approximately bounded by Grand Street on the North, Jersey Avenue on the West, the Tidewater Basin to the South and Luis Munoz Marin Boulevard on the East.

This ordinance adopts amendments to the use regulations to allow dog & cat day care and overnight boarding to be permitted provided specific use and building improvement characteristics are all incorporated into the facility.

City Clerk File No. Ord. 13.103

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 13.103

**TITLE: ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY  
ADOPTING AMENDMENTS TO THE MORRIS CANAL REDEVELOPMENT PLAN TO  
PROHIBIT LIQUOR STORES**

**WHEREAS**, the Municipal Council of the City of Jersey City adopted the Morris Canal Redevelopment Plan in March of 1999, and amended the Plan numerous times subsequently, most recently on June 27, 2012; and

**WHEREAS**, with the last amendment to this Plan, definitions were removed from in order that our city-wide glossary could be used; and

**WHEREAS**, in the course of the previous amendment, a prohibition of liquor stores was inadvertently stricken; and

**WHEREAS**, it is now appropriate to add the prohibition of liquor stores back into the language of the Plan; and

**WHEREAS**, the Planning Board, at its meeting of September 10, 2013, determined that the Morris Canal Redevelopment Plan should be amended to prohibit liquor stores and the previous deletion of this language was in error; and

**WHEREAS**, a copy of the Planning Board's recommended amendments to the Morris Canal Redevelopment Plan is attached hereto, and made a part hereof, and is available for public inspection at the office of the City Clerk, City Hall, 280 Grove Street, Jersey City, NJ;

**NOW, THEREFORE, BE IT ORDAINED** by the Municipal Council of the City of Jersey City that the aforementioned amendments to the Morris Canal Redevelopment Plan be, and hereby are, adopted.

**BE IT FURTHER ORDAINED THAT:**

- A. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- B. This ordinance shall be a part of the Jersey City Code as though codified and set forth fully herein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.
- C. This ordinance shall take effect at the time and in the manner as provided by law.
- D. The City Clerk and the Corporation Council be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible repealers of existing provisions.
- E. The City Planning Division is hereby directed to give notice at least ten days prior to the hearing on the adoption of this Ordinance to the Hudson County Planning board and to all other persons entitled thereto pursuant to N.J.S. 40:55D-15 and N.J.S. 40:55D-63 (if required). Upon the adoption of this Ordinance after public hearing thereon, the City Clerk is directed to publish notice of the passage thereof and to file a copy of the Ordinance as finally adopted with the Hudson County Planning Board as required by N.J.S. 40:55D-16. The clerk shall also forthwith transmit a copy of this Ordinance after final passage to the Municipal Tax Assessor as required by N.J.S. 40:49-2.1.

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

APPROVED AS TO LEGAL FORM  
\_\_\_\_\_  
Corporation Counsel

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

Certification Required

Not Required



Summary Sheet:

**ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY  
CITY ADOPTING AMENDMENTS TO THE MORRIS CANAL  
REDEVELOPMENT PLAN TO PROHIBIT LIQUOR STORES**

This ordinance amends the Morris Canal Redevelopment Plan to prohibit liquor stores. Previously the definitions included this prohibition, but subsequent to the recent reorganization of a city-wide glossary, the prohibition must be incorporated into the Plan text.

# Morris Canal

## Redevelopment Plan

*(formerly known as the Garfield - Lafayette Redevelopment Plan)*

As adopted by the Municipal Council of the City of Jersey City

March 1999

Amended February 27, 2002

Amended March 27, 2002

Amended July 26, 2002

Amended November 13, 2002

Amended August 11, 2004

Amended January 11, 2006

Amended October 16, 2006

Amended March 14, 2007

Amended May 28, 2008 – Ord. 08-060

Amended June 25, 2008 – Ord 08-084

Amended December 17, 2008 – Ord 08-169

Amended January 28, 2009 – Ord 09-006

Amended June 17, 2009 – Ord 09-071

Amended May 12, 2010 – Ord 10-064

Amended August 25, 2010 – Ord 10-104

Amended September 29, 2010 – Ord 10-115

Amended November 23, 2010 – Ord 10-156

Amended February 23, 2011 - Ord 11-024

Amended June 29, 2011 – Ord. 11-071

Amended June 27, 2012 – Ord. 12-083

*Proposed 9/5/13*

**DIVISION OF CITY PLANNING  
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## *INTRODUCTION*

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NO CHANGE

### ***I. Boundary Description***

No change

### ***II. Redevelopment Plan Goals***

No change

### ***III. Parks and Greenspace Objectives***

No change

### ***IV. General Traffic Circulation and Parking Objectives***

No change

### ***V. Strategic Plan***

No change

### ***VI. Community Empowerment***

No change

### ***VII. Types of Proposed Redevelopment Actions***

No Change

### ***VIII. General Administrative Provisions***

No change

## **IX. General Design and Land Use Standards and Requirements**

No change

## **X. Off-Street Parking And Loading Requirements**

No change

## **XI. Land Use Zones And Specific Land Use Provisions**

**A. No Change**

**B. No Change**

**C. No Change**

**D. Mixed Use – A**

*Residential and Neighborhood Retail  
(Communipaw and Pacific Avenues Area)*

The zone shall encompass all lands that are contained within the following: All tax lots on the north side of Communipaw Avenue that abut Communipaw Avenue at the time of adoption of this Plan between Manning Avenue and Monitor Street, and all tax lots on south side of Communipaw Avenue that abut Communipaw Avenue at the time of adoption of this redevelopment plan between Woodward Street and Pine Street with the exception of Block 20201 Lots 29, 30, 31, 32, 33, 34, and 35 which shall be in the Residential zone. All tax lots on the south side of Pacific Avenue between Communipaw Avenue and Maple Street that abut Pacific Avenue at the time of adoption of this Plan. The additional tax lots on Pacific Avenue of: Block 20004, Lots 16, 17, 18, 19, and 20. On Johnston Avenue, the additional tax lots of: Block 19002 Lot 1. The north side of Communipaw Avenue between Woodward and Manning Avenue may be developed as Mixed Use A or Residential; however the block can only be developed as one or the other as a whole.

Purpose: A locus of the historic Lafayette community, this area provides shops, services, homes, and a vibrant pedestrian streetscape. This existing pattern of mixed uses and other positive elements shall be protected and encouraged by this Plan. A future historic district may serve to provide even greater conservation of this area, and further study of the area from an historic preservation perspective is duly warranted.

### **1. Permitted Principal Use**

- a. Artist studio workspace
- b. Community Facility
- c. Day Care Center
- d. Funeral Parlor

- e. Health Care Facility. Prohibited: Health Care Facility that provides any type of residential accommodation.
- f. House of Worship
- g. *Neighborhood Retail sales of goods and services, except for drive-through pick-up widows and liquor stores*
- h. Office
- i. Commercial Parking
- j. Residential (above the first floor)
- k. Residential on the first floor, on a parcel that was occupied by a structure with a first floor residential use at the time of adoption of this Plan or on the ground floor in the rear of the building, provided the building depth is 80 feet or greater, and that retail is maintained along all street frontages averaging 30 feet deep into the building.
- m. Restaurants, category 1 and 2
- n. Combination of any of the above
- o. Park
- q. Public Utilities, except that natural gas transmission lines shall be prohibited

**2. Accessory use**

- a. Parking.

**3. Design Standards and Requirements – refer to Section VII**

**4. Area, yard and bulk requirements**

- a. All existing lots of record at the time of the adoption of this Plan are considered conforming. After the adoption of this plan, the minimum lot size in this district shall be 2,500 square feet, with a minimum lot width of twenty five 25 feet, for any lots that are to be subdivided.
- b. Minimum yards
  - (1) Front Yard – shall be determined by prevailing setbacks, but no front yard shall exceed 10 feet. (Block 2000, Lot 16 must maintain a setback of five feet to match the residential setback)
  - (2) Side Yards – 0 feet
  - (3) Rear Yards – 15 feet, 0 feet for corner lots
- c. Maximum height shall not exceed 45 feet, except for steeples on houses of worship, and provided that no deviation from this height limit will be cognizable by the Planning Board.

**E. Mixed Use - B**

*Neighborhood Retail and Residential  
(Grand Street North Side)*

The zone shall encompass all lands contained within the following boundary description: Beginning at the point of intersection of the centerlines of Fairmount Avenue and Grand Street; thence northwesterly along the centerline of Fairmount Avenue until it intersects the extended northwestern lot line of Lot 16 Block 15401; thence proceeding westerly along said NW lot line of Lot 16 Block 15401 until it intersects the northerly lot line of Lot 18, Block 15401; thence following a line extending the said lot line of Lot 18, Block 15401 westerly across the southern portions of Lots 19, 20 , 21, and 22 of Block 15401

across Johnston Avenue and a southeastern portion of Block 15402 to a point of intersection with the NE corner of Lot 13, Block 15403; thence westerly along the northern lot line of lot 12 to its intersection with Lot 11; thence in a southwesterly direction along the easterly line of Lot 11 to its intersection with lot 15; thence at an angle extending the said northern lot line of lot 12 westerly across the southern portions of lots 16, 17, and 18, Block 15403 and State Street until its point of intersection with NE corner of lot 3, Block 17205; thence southwesterly along the northwesterly lot lines of lots 3 and 4, Block 17205 until it intersects the south westerly lot line of lot 4; thence southeasterly along said SW lot line of lot 4 and extended until its intersection with the centerline of Grand Street; thence easterly along the centerline of Grand Street until it intersects the centerline of Fairmount Avenue, the POINT AND PLACE OF BEGINNING.

Purpose: To provide shopping and restaurant facilities at a pedestrian scale for nearby residents, and workers from the neighboring Industrial - A zone. In addition, by placing these uses along Grand Street, a buffer of retail uses will be created between Grand Street and the Industrial - A zone. This strip will likely have less of a residential component than other mixed use residential and retail sections of this Plan. Nevertheless, appropriate residential uses are encouraged.

To avoid disrupting the flow of traffic, no curb cuts should be permitted along Grand Street. Instead, consideration should be given to constructing multiple user accessory parking lots that are accessible from the side streets of State Street, Bishop Street, or Johnston Avenue. However, all building facades should front Grand Street, and building sides that face the side streets should be aesthetically pleasing.

### **1. Permitted Principal Use**

- a. Community Facility
- b. Day Care Center
- c. Health Care Facility (that does not provide any type of residential accommodation)
- d. ~~Neighborhood~~ Retail *sales of goods and services, except for drive-through pick-up widows and liquor stores*
- e. Office
- f. Commercial Parking
- g. Residential (above the first floor)
- h. Combination of the above, subject to approval by the planning board
- i. Public Utilities, except that natural gas transmission lines shall be prohibited

### **2. Accessory use**

- a. Parking.

### **3. Design Standards**

- a. Buildings should front on Grand Street. All parking shall be located to the side or rear of all buildings. Any parking that fronts on Grand Street must be screened with a low, brick-faced wall, black metal fence and evergreen hedge row, except for existing parking lots, which may continue as they exist.
- b. Free standing signs are not permitted. See signage standards, Section VII.

- c. All mixed use buildings should be multi-story, with the retail, community facility and/or day care use on the ground floor and the residential and/or office use above.
- d. Only masonry materials may be used for exterior cladding, except in the event of an overhang. Brick shall be the predominant material used for any façade visible from Grand Street, except for the existing gas station which, should it be rehabilitated, may utilize other materials, subject to Planning Board acceptance that such materials are commonly used and associated with the particular brand in service.
- e. All lots shall contain at least 15 % landscaped area, of which at least one-third shall be in the front (Grand St) half of the lot.

**4. Area, yard and bulk requirements**

- a. Maximum height: 4 stories
- b. Minimum Lot size: 20,000 sf
- c. Minimum Yards
  - (1) front yard: 0 feet
  - (2) Side Yard: 10 feet
  - (3) rear yard: 10 feet

**F. Mixed Use - C**

*Residential and Neighborhood Retail  
(The Junction)*

The zone shall encompass all lands contained within Block 17202.

Purpose: As a gateway to the Lafayette community, design considerations are a priority. However, planning for redevelopment of the block is challenged by the limited land area and the high volume of surrounding vehicular traffic. The purpose of the district shall be to preserve the historic character of the block by strengthening the remaining buildings, and constructing infill residential and commercial mixed uses of a scale and style that are appropriate to the remaining structures. A gateway park that contains a sculpture and landscaping may also be appropriate at the intersection of Grand Street and Communipaw Avenue. Should a building be constructed here, façade design should incorporate the idea of a gateway.

The slope of the land may be used to provide rear access, below grade, carport style parking for a building that may be constructed on Block 17202 Lot 1, and adjacent parcels. Any such parking area should share street access with a parking area that serves the other parcels on the block, so that there is a single curb cut along Communipaw Avenue, and a single curb cut along Summit Avenue, for shared ingress and egress to all accessory and public parking within the block.

**1. Permitted Principal Use**

- a. Artist Studio Workspace
- b. Community Facility
- c. ~~Neighborhood Retail~~ *sales of goods and services, except for drive-through pick-up widows and liquor stores*
- d. Office
- e. Commercial Parking

- 
- c. Residential above the first floor (required west of Bishop Street except when the building is dedicated to medical offices)
  - d. Medical Office Buildings
  - e. Combination of the above, subject to approval by the Planning Board

- f. Public Utilities, except that natural gas transmission lines shall be prohibited
2. **Accessory Use**
- a. Parking.
3. **Required Uses fronting on Grand Street and Garfield Avenue, West of Bishop Street**
- a. Ground floor ~~neighborhood~~ retail *sales of goods and services, except for drive-through pick-up widows and liquor stores*, or
  - b. Ground floor office Commercial, or
  - c. Ground floor child care center
  - d. Ground floor community facility
  - e. Ground floor combination of one or more of the above
4. **Development & Design Requirements**
- a. The former Morris Canal land shall be developed as a park and/or circulation alley contemporaneous with the adjacent residential development. There shall also be a 30' wide alley constructed parallel to the canal open space park. Its minimum length shall be between Bishop Street and Westervelt Place in order to eliminate dead ends and provide a continual traffic loop.
  - b. No curb cuts shall be permitted along Grand Street. Instead, four (4) new access streets shall be constructed. These shall include: Bishop street on the former R-O-W, extensions of State Street and Westervelt Place, and the new circulation alley as described above. All streets shall provide twenty-four hour (24), unobstructed access and be offered to the City for dedication.
  - c. All building facades shall be treated as a front façade. Entrances shall be provided to all adjacent streets from ground floor units. In addition, placement and exterior design of structures should be done in such a way as to provide an aesthetically pleasing and historically compatible face to passersby within any park that may be developed atop or adjacent to the former Morris Canal.
  - d. All parking shall be located below or partially below grade level and interior to the principal building. Exterior walls shall show no evidence of parking within. The only exception to this shall be for medical building parking which shall be permitted to be exterior surface parking but shall be located in the rear yard of the building and completely screened from view from adjacent lots and decoratively screened from any adjoining streets. Decorative metal fencing and a minimum of 5' planting strip shall be provided around the perimeter.
  - e. All fencing and walls shall be brick-faced with black metal fence and evergreen hedge row.
  - f. Free standing signs are not permitted. Signs shall be as regulated in Signage Standards, Section VII.
  - g. Maximum residential height shall be five stories. Maximum medical office height shall four stories. Minimum Height for all uses shall be three (3) stories.

- h. Only masonry materials may be used for exterior cladding. Brick shall be the predominant material used for any façade.
- i. Roof lines shall be generally flat. They may contain modified dormers and other architectural accents, upon review and approval of the Planning Board.
- j. Residential Parking shall be encouraged to utilize the new on-street parking created by newly improved streets.

**5. Area, yard and bulk requirements**

- a. Maximum Height
  - (1) Except for Medical offices: 55 feet and five stories. 4 of the stories must be of the principal use. One story may be of an accessory use.
  - (2) Medical offices: 55 feet and 4 stories
- b. Minimum lot area: 20,000 square feet
- c. Minimum front yard: 0 feet
- d. Minimum side yard: 0 feet
- e. Minimum rear yard: 10 feet
- f. Maximum density: 80 units per acre east of Bishop St., 65 units per acre West of Bishop St.
- g. Minimum sidewalk width: 15 feet along Grand Street, 10 feet on side streets

**6. Parking**

For residential uses within the Mixed Use – E District, on-street parallel parking on new streets may be counted toward parking compliance. The parking requirement shall be as follows: 1 space per residential dwelling unit.

**I. Rail Transportation Corridor**

The zone shall encompass all lands as follows: Block 19903 Lots 11, 23, and 24; Block 21503 Lot 1; Block 19903 Lot 10; Block 21501 Lot 1; Block 15802, Lots 5, 8 and 19; Block 15801, Lot 1. In addition, all tax lots that are contained within an area described by a line that follows the centerlines of Johnston Avenue, Gateway Drive, the New Jersey Turnpike Extension, and the extended centerline of Communipaw Avenue, plus all tax lots that are between Block 15801, Lot 1, the centerline of Johnston Avenue, the centerline of the New Jersey Turnpike Extension, and the extended centerline of Whiton Street, plus all tax lots that are between the extended centerline of Communipaw Avenue, the centerline of the New Jersey Turnpike Extension, the extended south-southwesterly block limit of Block 21503, and the extended block limit of Block 21503 in the direction it extends in its first one-hundred (100) feet south of Communipaw Avenue.

Purpose: It is appropriate to plan for additional stops along the LRT line that join with facilities that provide services to the nearby residents and workers who will utilize the stops. A cluster of small scale neighborhood retail with a newsstand, florist and small restaurant or café can be a desirable amenity to a neighborhood LRT stop. In addition, the planned narrow walkway that provides pedestrian access to the LRT stop will provide a convenient and pleasant route for residents to walk or bicycle to the various LRT stations in the area.

**1. Permitted Principal Use**

- a. Light Rail Right of Way
- b. Light Rail Station or Stop
- c. ~~Neighborhood~~ Retail *sales of goods and services, except for drive-through pick-up widows and liquor stores*
- d. Other Rail Right of Way
- e. Park
- f. Walkway and Bikeway
- g. Public Utilities, except that natural gas transmission lines shall be prohibited

**2. Accessory use**

- a. Outdoor seating.
  - b. Parking.
3. Please refer to Design standards, Section VII for design requirements.
4. Please refer to Mixed Use – A district for area, yard and bulk requirements. The LRT ROW shall be considered the same as the street for all design, area, yard, bulk and screening requirements.
5. Structures on sites that are adjacent to planned LRT stops should provide public pedestrian access from the LRT stop to the building entrance.

**J. No Change**

**K. No Change**

**L. NO CHANGE**

**M. ADAPTIVE REUSE OVERLAY ZONES**

To provide options for property owners of certain significant and appropriate structures, and/or certain outmoded institutional and industrial structures, that existed at the time of adoption of this redevelopment plan to have greater flexibility in use than would be permitted by the underlying residential, retail or industrial district. Adaptive Reuse Overlay - Zone A and Adaptive Reuse Overlay - Zone D consists of certain properties that are contained within the Plan Residential zone. Adaptive Reuse Overlay - Zone B consists of a property that crosses the boundary between an Industrial zone and Mixed Use - B zone (Neighborhood Retail and Residential). Adaptive Reuse Overlay - Zone C consists of a property that exists within an Industrial zone, but is on the cusp of an adjacent R-2 zone that is outside the Plan Area, and is across the street from parcels that are planned for parkland by this Plan.

The Adaptive Reuse Overlay Zones shall be in addition to, and not supersede, the underlying zoning categories. Furthermore, the Adaptive Reuse Overlay Zone shall apply only to those structures that existed at the time of adoption of this Plan, as listed within each Overlay Zone category of this Plan, or new construction on vacant land within the

Overlay Zones which permit new construction as outlined elsewhere in this section. Should said structures be demolished, or the exterior be significantly altered, except in compliance with the requirements of this section, the subject parcel shall no longer be considered part of an Adaptive Reuse Overlay Zone, and the underlying Plan zoning requirements shall be in effect.

## 1. Design Standards

- a. For the adaptation, rehabilitation, and/or reuse of existing buildings (existing lower portions, not including any permitted vertical additions), the design standards contained within the Section VII for this district shall apply. Existing buildings shall implement rehabilitation that restores the building's exterior façade to its original profile to the extent possible within reasonable engineering methods and cost. Restoration of original window and door openings is encouraged to the extent feasible.
- b. For new construction as a vertical addition on top of existing buildings, the following shall apply:
  - (1) Vertical additions are only permitted on flat-roof buildings, and buildings free of decorative elements (such as domes, cupolas, cones, belvederes, towers, turrets, etc.)
    - i. Vertical additions shall not be made to replicate the original building in materials or color. Additions shall be primarily of glass and steel with other modern material details. Glazing on additions must be a minimum of 85%.
    - ii. All buildings shall incorporate flat roofs, except where existing roofs are sloped, gabled, or turreted or otherwise decoratively treated, in which case they shall remain.
      - (a) Roofs may contain HVAC equipment, provided however, that the equipment must be enclosed or screened. Constructed screening shall be executed in a matter that is sympathetic with the architecture of the building, and shall not be visible from an elevation of five feet above the sidewalk on the opposite side of the public right-of-way.
      - (b) Roofs shall include open space for building residents. Terraces, decked areas, seating areas, and landscaping should be included.
  - (2) Rehabilitated buildings shall include the following amenities:
    - i. Laundry facilities. A minimum of one (1) washer and dryer for every ten (10) units with a minimum of one (1) washer and dryer on each residential floor must be provided; OR a washer and dryer in each residential unit.
    - ii. Bicycle storage. An appropriately sized bicycle storage room or locker area must be situated on the first floor or garage of all rehabilitated buildings.

## 2. Area, yard and bulk standards

- a. The adaptive re-use of these properties shall exempt the property from all area, yard and bulk requirements, provided that the lot size is not reduced from that which existed at the time of the adoption of this Plan; that the coverage is not increased by more than 5%; and that the height is not increased by more than two stories or penthouse floors or a single floor with a mezzanine, either not to

exceed 20 feet, unless the specific Overlay Zone allows new construction within the zone.

**3. List of Adaptive Reuse Overlay Zones and Permitted Uses:**

**a. Adaptive Reuse Overlay – Zone A**

Block	Lot	Address
15802	37	68 Monitor Street
19902	9 and 10	279 Pine Street
17503	1	125 Monitor Street

**(1) Permitted Principal Use**

- (a) Artist studio workspace
- (b) Banquet or Catering Facility
- (c) Community Facility
- (d) Indoor Recreational Facility
- (e) Residential
- (f) Restaurants/Cafés: sit-down only
- (g) Senior Residential Facility
- (h) Combination of the above, subject to approval by the Planning Board
- (i) Work/live craftsperson studio is permitted for 68 Monitor Street only
- (j) Public Utilities, except that natural gas transmission lines shall be prohibited
- (k) New Construction of residential buildings in a townhouse style shall be permitted on the southern portion of Block 17503 provided that the total unit count on Block 17503 does not exceed 180 dwelling units and subject to the following criteria:
  - 1. A total of fourteen (14) townhouses shall be permitted, with one (1) unit fronting on Monitor Street, eight (8) units on fronting on Johnston Avenue, and five (5) units fronting on Pine Street.
  - 2. The depth of each townhouse shall be at least 30 feet, but not more than 40 feet.
  - 3. The width of each townhouse shall be at least 20 feet, but not more than 32 feet.
  - 4. The foot print area of each townhouse style unit shall be at least 750 square feet and the minimum unit size for each dwelling unit shall be at least 2,250 square feet.
  - 5. Maximum Height – 3 & ½ stories and 45 feet.
  - 6. Density – Not more than 14 townhouse type dwelling units shall be constructed along the combined frontages of Monitor Street, Johnston Avenue and Pine Street, and the total unit count on Block 17503 shall not exceed 180 units.

**(2) Accessory use**

- (a) Off-street parking- One parking space for each dwelling unit for Block 17503. Basement level parking shall be exempt from all

setback requirements. Underground parking shall not count as coverage.

- (b) Home occupations

**b. Adaptive Reuse Overlay – Zone B**

Block	Lot	Address
15402	4	614-630 Grand Street

**(1) Permitted Principal Use**

- (a) Artist studio workspace
- (b) Banquet or Catering Facilities
- (c) Business Incubators
- (d) Light Industrial
- (e) Neighborhood Retail *sales of goods and services, except for drive-through pick-up widows and liquor stores*
- (f) Offices
- (g) Restaurants/Cafés: category 1.
- (h) Combination of the above, subject to approval by the Planning Board
- (i) Public Utilities, except that natural gas transmission lines shall be prohibited

**(2) Accessory use**

- (a) Off-street parking

**c. Adaptive Reuse Overlay – Zone C**

Block	Lot	Address
17205	1 partial	26 Cornelison Avenue and State Street (for a depth of 195' east along State from Cornelison and 173' at the western lot line from Cornelison parallel to State.)

**(1) Permitted Principal Use**

- (a) Residential
- (b) Community Facility
- (c) Senior Residential Facility
- (d) Office
- (e) Incubator
- (f) Light Industrial
- (g) Public Utilities, except that natural gas transmission lines shall be prohibited
- (h) Combination as follows:
  - (1) Any combination of (a) Residential, (b) Community Facility, and (c) Senior Residential Facility; **OR**

(2) Any combination of (d) Office, (e) Incubator, and (f) Light Industrial.

**(2) Accessory use**

(a) Off-street parking.

**(3) Prohibited Uses**

(a) Narcotic and drug abuse treatment center.

**(4) Parking Standards**

(a) Residential – minimum 1 parking space per unit.

(b) Office – a minimum of one (1) parking space per 1,000 square feet of gross floor area; except that the first 5,000 square feet of any individual office shall be exempt from this standard.

**d. Adaptive Reuse Overlay – Zone D**

Block	Lot	Address
15802	25	300 Communipaw Avenue
15802	26	40 Monitor Street

**(1) Permitted Principal Use**

**A. Ground (First) Floor and Floor Immediately Above**

- (a) Artist studio workspace
- (b) Catering Facility
- (c) Community Facility
- (d) Health Club, maximum 5,000 square feet total floor area.
- (e) Residential
- (f) Restaurants, category 1 and 2
- (g) Work/live artist studio with up to 3 full time employees
- (h) Work/live craftsperson studio
- (i) home occupation with up to 5 full time employees
- (j) Office
- (k) Studios for Film Production and the Performing Arts
- (l) Public Utilities, except that natural gas transmission lines shall be prohibited

**B. Upper Floors**

- (a) Residential
- (b) Work/live artist studio

**C.** A combination of the above uses are permitted, subject to approval by the Planning Board.

**D.** Lot 26 in Block 15802 may only be used as open space and/or to provide a pedestrian entrance news to the development on site.

**(2) Accessory Uses**

- A. Home Occupation
- B. Off-street parking
- C. Retail sales of goods and services, limited to the ground floor of the existing building fronting on Monitor Street, and only when operated as part of a Work/live artist or craftsman studio and limited to art, craft or goods produced on site.
- D. Ancillary Storage Areas for residential units shall be required to be provided on the ground floor of the building for the storage of personal and household items, bicycles, etc.

**(3) Parking Standards**

- A. Office, retail and other commercial uses shall provide a minimum of one (1) parking space per 1,000 square feet of gross floor area; except that the first 5,000 square feet of any individual retail establishment shall be exempt from this standard.
- B. Residential – 0.5 parking spaces per unit.
- C. Recognizing the preexisting nature of the building within this district and the intent of this Plan to preserve this building in place and accommodate its redevelopment; the shared use of parking spaces between residential and commercial uses shall be permitted upon submittal of a parking management plan describing how the parking spaces will be assigned and upon Site Plan review and approval of the Planning Board.

**(4) Additional Design Standards**

- A. In addition to the Design Standards contained within Section -VII, which apply to all Adaptive Reuse Overlay Zones, the building located at 300 Communipaw Avenue shall maintain the existing entrance located along Communipaw Avenue as a functional means of ingress and egress to at least the first floor (i.e. the floor above the ground floor) of the building. The appearance of this entrance as a “Main Entrance” to the building and focal point in the Communipaw Avenue façade shall be maintained. The design of this entrance shall be in keeping with the architectural style and character of the building.

**e. Adaptive Reuse Overlay – Zone E**

Block	Lot	Address
20005	3	305 Whiton Street

**(1) Permitted Principal Use**

- (a) Residential

**(2) Accessory Uses**

- A. Parking

- B. Patio & Landscaping
- C. Fences and Walls

**XII. Design and Sign Standards**

No Change

**XIII. ACQUISITION**

No Change

**XIV Other Provisions to Meet State and Local Requirements**

No Change

**XIV. Procedure for Amending the Plan**

No Change

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



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**Inter-Office Memorandum**

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**DATE:** September 5, 2013

**TO:** Rolando R. Lavarro, Jr. Council President  
Members of the Municipal Council

**CC:** John Thieroff, Deputy Mayor  
Jeremy Farrell, Law Dept.  
Anthony Cruz, Director, HEDC  
Bob Cotter, Director, Division of City Planning

**FROM:** Kristin J. Russell, PP, AICP

**SUBJECT:** Morris Canal Redevelopment Plan Amendments

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In early 2013, the City adopted a city-wide glossary for Planning and Development Definitions. As part of that adoption, any individual redevelopment plan which included its own glossary was amended to have that language stricken.

Morris Canal Redevelopment Plan was one such Plan that had the glossary removed. It has been brought to our attention, however, that in so doing a "permitted/prohibited use" was removed as a result.

Specifically, the Morris Canal Plan prohibited liquor stores through language located in the definitions section of the Plan. At this time, we are seeking to amend the plan to add the language back in to the use categories. It is the wish of the community to retain this prohibition, and it was never intended to be removed.

RECEIVED  
2013 SEP -6 P 1:16  
CITY CLERK'S OFFICE  
JERSEY CITY, N.J.

City Clerk File No. Ord. 13.104

Agenda No. 3.E 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 13.104  
TITLE: AN ORDINANCE SUPPLEMENTING CHAPTER 332(VEHICLES AND TRAFFIC)  
ARTICLE III(PARKING, STANDING AND STOPPING) OF THE JERSEY CITY  
CODE AMENDING SECTION 332-24(PARKING PROHIBITED CERTAIN  
HOURS) DESIGNATING NO PARKING 7:00 A.M. TO 9:00 A.M. AND 2:00 P.M.  
TO 4:00 P.M., SCHOOL DAYS, ON THE SOUTH SIDE OF YORK STREET IN  
THE VICINITY OF THE ENTRANCE TO OUR LADY OF CZESTOCHOWA  
GRAMMAR SCHOOL

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

1. Chapter 332 (Vehicles and Traffic) Article III (Parking, Standing and Stopping) of the Jersey City Code is hereby supplemented as follows:

Section 332-24 PARKING PROHIBITED CERTAIN HOURS  
No person shall park a vehicle between the hours specified upon any of the streets or parts thereof listed below.

Name of Street	Side	Days of Week	Hours	Limits
<u>York St</u>	<u>South</u>	<u>School Days</u>	<u>7:00 a.m. to 9:00 a.m.</u> <u>2:00 p.m. to 4:00 p.m.</u>	<u>35 east of Marin Blvd and extend 50 feet east</u>

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

SH:pc1  
(09.09.13)

APPROVED AS TO LEGAL FORM

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

Certification Required

Not Required

APPROVED: Stanley Shuang  
Acting Director  
Engineering, Traffic and Transportation

APPROVED: [Signature] 9-9-13  
Director, Dept. of Public Works

APPROVED: [Signature]  
Business Administrator

**FACT SHEET**

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

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

AN ORDINANCE SUPPLEMENTING CHAPTER 332(VEHICLES AND TRAFFIC) ARTICLE III(PARKING, STANDING AND STOPPING) OF THE JERSEY CITY CODE AMENDING SECTION 332-24(PARKING PROHIBITED CERTAIN HOURS) DESIGNATING NO PARKING 7:00 A.M. TO 9:00 A.M. AND 2:00 P.M. TO 4:00 P.M., SCHOOL DAYS, ON THE SOUTH SIDE OF YORK STREET IN THE VICINITY OF THE ENTRANCE TO OUR LADY OF CZESTOCHOWA GRAMMAR SCHOOL

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

Lee D. Klein, P.E., PTOE, Assistant City Engineer, Division of Engineering, Traffic and Transportation, Department of Public Works, 201.547.4470 at the request of Anna Mae Stefanelli, Principal, on behalf of OLC School, 248 Marin Blvd, JCNJ 07302

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

Designate "no parking" 7 a.m. to 9 a.m. and 2 p.m. to 4 p.m., School Days on the south side of York Street beginning 35 feet east of Marin Blvd and extending 50 feet easterly.

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

Clear the entrance to OLC Grammar School located on York St to facilitate the drop-off and pick-up of students attending the school.

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

Increased traffic and pedestrian safety on York St. Keep motorists from double parking their vehicles while dropping off or picking up their children attending the school.

**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 \$100.00 per u-post and sign installation.  
Two (2) signs and one (1) u-post are needed at a total cost of \$300.00

**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, Department of Public Works, 201.547.4492

**10. Additional comments:**

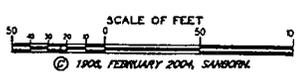
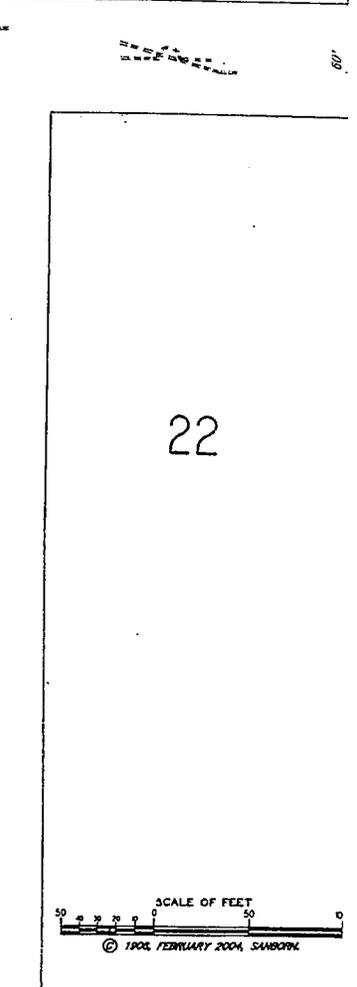
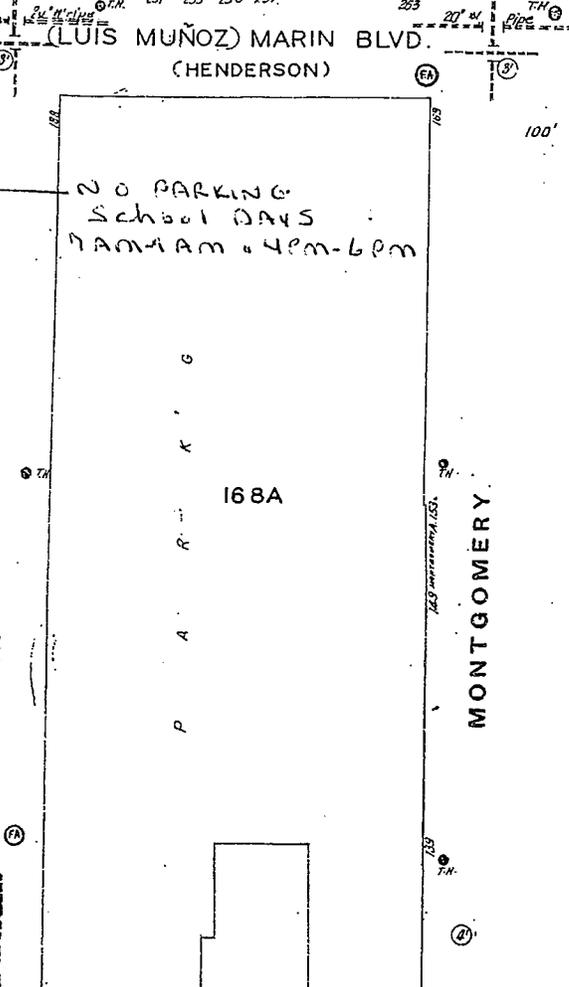
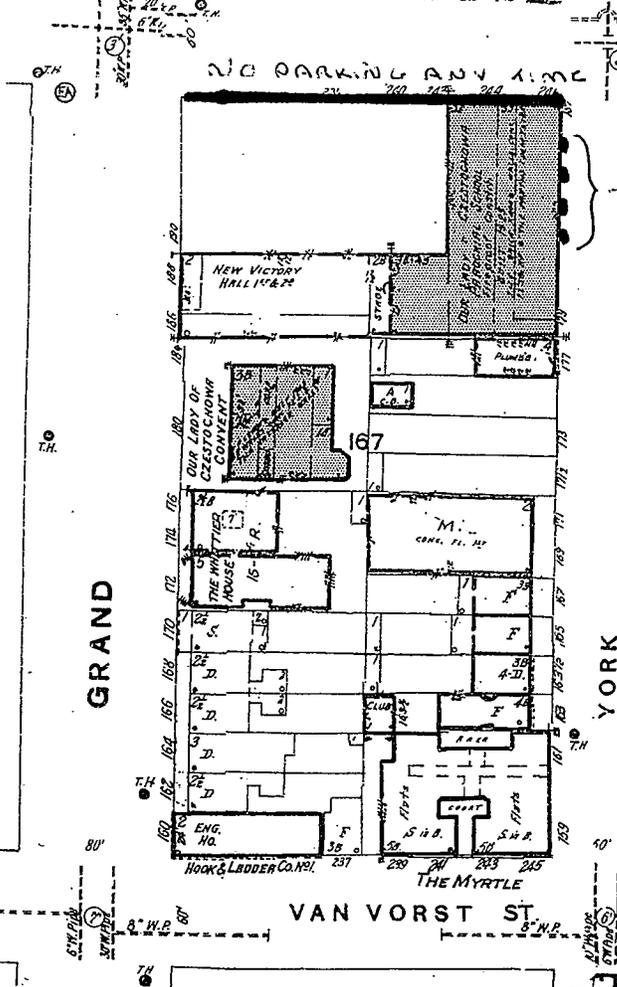
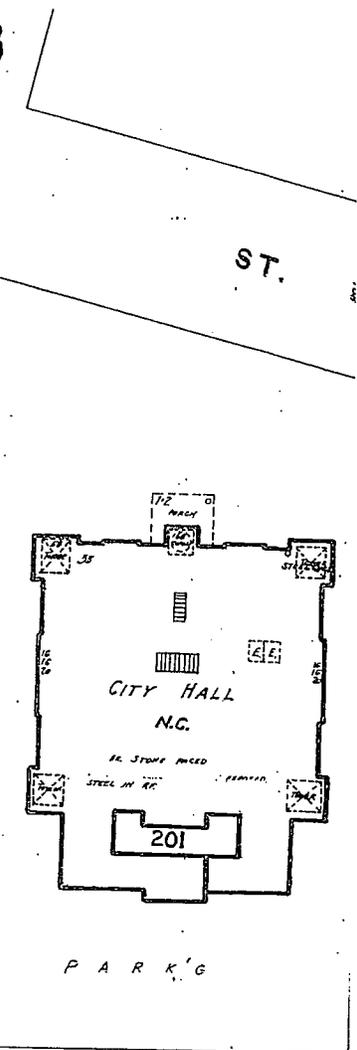
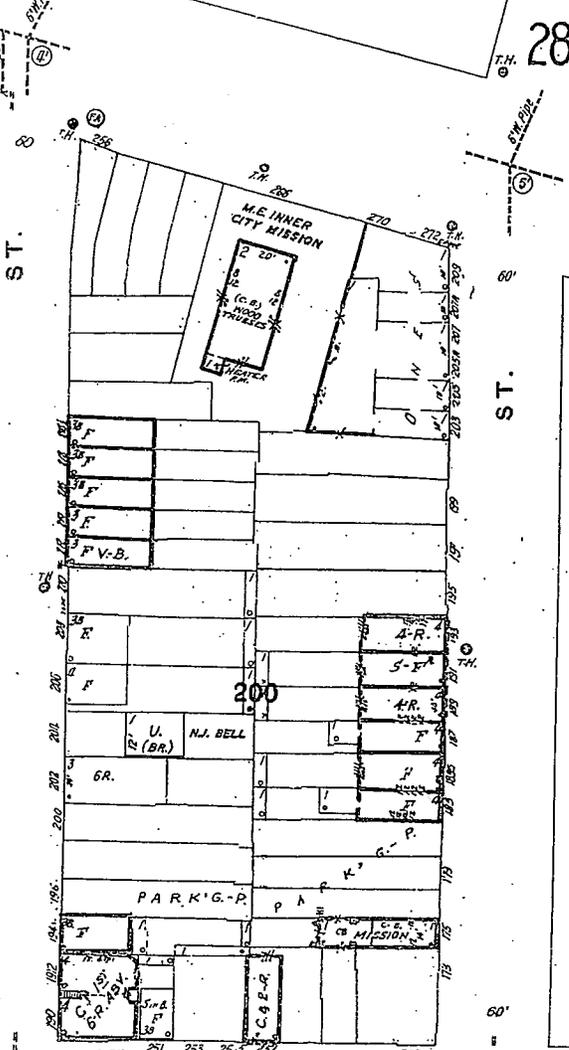
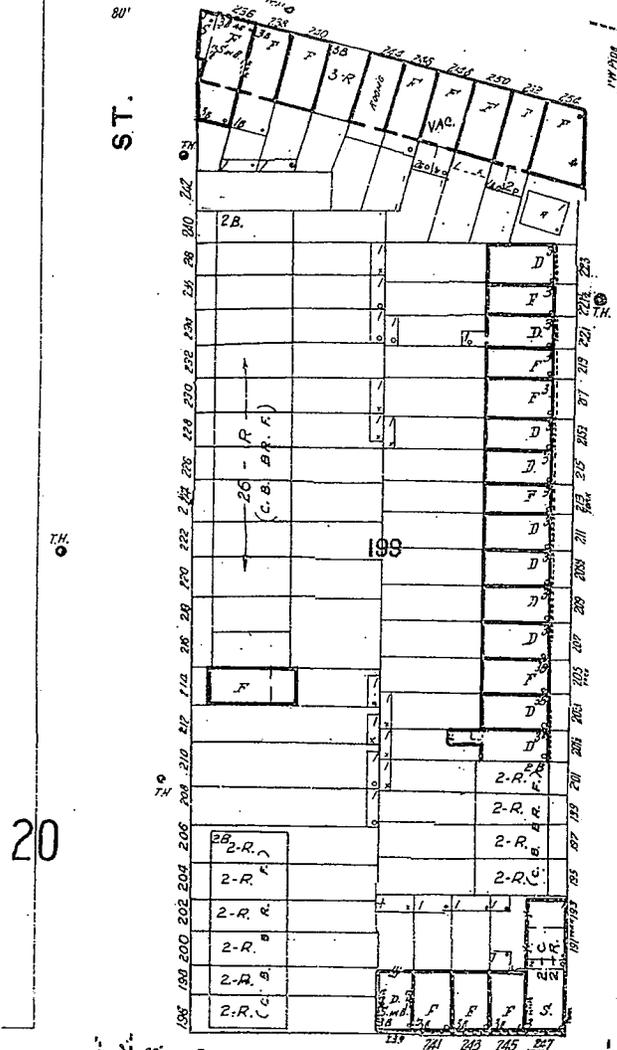
Based on the information provided to me, I certify that all the facts presented herein are accurate, to the best of my knowledge.

  
\_\_\_\_\_  
Acting Director, Engineering, Traffic and Transportation

9/9/13  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Director, Dept of Public Works

9-9-13  
\_\_\_\_\_  
Date



**CITY OF JERSEY CITY**  
**DEPARTMENT OF PUBLIC WORKS**  
**Division of Engineering, Traffic and Transportation**  
**MEMORANDUM**

---

**DATE:** September 17, 2012  
**TO:** Robert Kakoleski, Acting Business Administrator  
**FROM:** Patricia Logan, Supervising Traffic Investigator  
**SUBJECT: PROPOSED ORDINANCE**  
**YORK STREET – NO PARKING CERTAIN HOURS**

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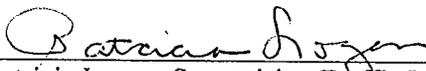
At the request of Anna Mae Stefanelli, Principal of Our Lady of Czestochowa School, attached for your review and signature is an Ordinance proposed by this Division, supplementing Chapter 332(Vehicles and Traffic) of the Jersey City Code.

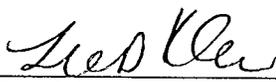
The proposed legislation designates 50 feet of no parking, 7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m., school days, on the south side of York Street at the entrance to the school. This area will be used to drop-off and pick-up students attending the school and keep parents from double parking their vehicles along York Street.

It is anticipated that this Ordinance will be on the Agenda for the September 25, 2013 Municipal Council meeting.

If you have any questions, feel free to contact Daniella Gordon, Traffic Analyst at extension 5021.

Thank you.

  
\_\_\_\_\_  
Patricia Logan, Supervising Traffic Investigator

  
\_\_\_\_\_  
Lee D. Klein, P.E., PTOE, Asst. City Engineer

C: Stanley Huang, P.E., Acting Director, Engineering, Traffic and Transportation  
Brian Weller, LLA, ASLA, Director, Architecture  
Robert Byrne, City Clerk  
Michael Razzoli, Director, DPW

**CITY OF JERSEY CITY**  
**DEPARTMENT OF PUBLIC WORKS**  
**Division of Engineering, Traffic and Transportation**  
**MEMORANDUM**

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**DATE:** September 9, 2013  
**TO:** Director Michael Razzoli, DPW  
**FROM:** Patricia Logan, Supervising Traffic Investigator  
**SUBJECT: PROPOSED ORDINANCE**  
**YORK STREET – NO PARKING CERTAIN HOURS**

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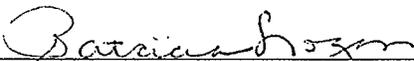
At the request of Anna Mae Stefanelli, Principal of Our Lady of Czestochowa School, attached for your review and signature is an Ordinance proposed by this Division, supplementing Chapter 332(Vehicles and Traffic) of the Jersey City Code.

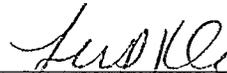
The proposed legislation designates 50 feet of no parking, 7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m., school days, on the south side of York Street at the entrance to the school. This area will be used to drop-off and pick-up students attending the school and keep parents from double parking their vehicles along York Street.

It is anticipated that this Ordinance will be on the Agenda for the September 25, 2013 Municipal Council.

If you have any questions, feel free to contact Daniella Gordon, Traffic Analyst, at extension 5021.

Thank you.

  
\_\_\_\_\_  
Patricia Logan, Supervising Traffic Investigator

  
\_\_\_\_\_  
Lee D. Klein, P.E., PTOE, Asst. City Engineer

C: Stanley Huang, Acting Director, Engineering, Traffic and Transportation  
Brian Weller, LLA, ASLA, Director, Architecture  
Robert Kakoleski, Assistant Business Administrator  
Robert Byrne, City Clerk

**CITY OF JERSEY CITY**  
**Department of Public Works**  
**Division of Engineering, Traffic and Transportation**  
**MEMORANDUM**

---

**DATE:** September 9, 2013

**TO:** City Clerk Robert Byrne  
Councilwoman Candice Osborne

**FROM:** Patricia Logan, Supervising Traffic Investigator

**SUBJECT: PROPOSED ORDINANCE**  
**YORK STREET – NO PARKING CERTAIN HOURS**

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At the request of Anna Mae Stefanelli, Principal of Our Lady of Czestochowa School, attached for your review is a copy of an Ordinance proposed by this Division, supplementing Chapter 332(Vehicles and Traffic) of the Jersey City Code.

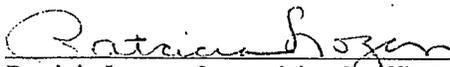
The proposed legislation designates 50 feet of no parking, 7:00 a.m. to 9:00 a.m. and 2:00 p.m. to 4:00 p.m., school days, on the south side of York Street at the entrance to the school. This area will be used to drop-off and pick-up students attending the school and keep parents from double parking their vehicles along York Street.

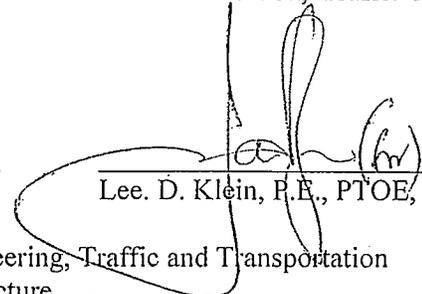
The proposed legislation has been forwarded to the Acting Business Administrator for his review and signature.

It has been requested that this legislation be on the Agenda for the September 25, 2013 Municipal Council Meeting.

If you have any questions feel free to contact Daniella Gordon, Traffic Analyst, @ extension 5021.

Thank you.

  
Patricia Logan, Supervising Traffic Investigator

  
Lee. D. Klein, P.E., PTOE, Asst. City Engineer

C: Stanley Huang, P.E., Acting Director, Engineering, Traffic and Transportation  
Brian Weller, LLA, ASLA, Director, Architecture  
Robert Kakoleski, Acting Business Administrator ✓  
Muhammed Akil, Chief of Staff  
Director Michael Razzoli, DPW  
Mary Spinello-Paretti, CEO, J.C.P.A.  
Council President LaVarro, Jr.      Councilwoman Watterman      Councilman Rivera  
Councilman Gajewski              Councilman Ramchal              Councilman Boggiano  
Councilman Yun                      Councilwoman Coleman

City Clerk File No. Ord. 13.105

Agenda No. 3.F 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 13.105

TITLE:

AN ORDINANCE SUPPLEMENTING CHAPTER 332 (VEHICLES AND TRAFFIC) ARTICLE VIII (PERMIT PARKING) AMENDING SECTION 332-58 OF THE JERSEY CITY TRAFFIC CODE EXTENDING ZONE 1 RESIDENTIAL PERMIT PARKING TO INCLUDE FOURTH STREET BETWEEN MERSELES STREET AND NEWARK AVENUE; MERSELES STREET BETWEEN NEWARK AVENUE AND FIRST STREET AND NEWARK AVENUE BETWEEN BRUNSWICK STREET AND MERSELES STREET

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

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

Article VIII PERMIT PARKING  
Sec. 332-58 Parking restrictions in residential zones.

A.. No person shall park a vehicle in excess of two (2) hours; between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, except public holidays, without a valid permit upon any of the streets or parts of streets as described below.

### Zone 1

<u>Name of Street</u>	<u>Limits</u>
Barrow St	Between Grand St and Newark Av
Bright St	North side; between Monmouth St and Jersey Av Both sides; between Jersey Av and Grove St
Brunswick St	Between Newark Av and Columbus Dr
Coles St	Between Columbus Dr and Second St
Colgate St	Between First St and Third St
Columbus Dr	Between Grove St and Brunswick St
First St	Between Merseles St and Newark Av
<u>Fourth St</u>	<u>Between Merseles St and Newark Av</u>
Grove St	Between Grand St and Newark Av
Jersey Av	Between Grand St and Newark Av
Marin Blvd	Between the southern terminus and Columbus Dr
Maxwell St	Between Jersey Av and Coles St
Mercer St	Between Marin Blvd and Monmouth St
<u>Merseles St</u>	<u>Between Newark Av and First St</u>
Monmouth St	Between Bright St and Newark Av
Montgomery St	Between Warren St and Monmouth St
Newark Av	Between <u>Merseles St</u> [ <i>Brunswick St</i> ] and Marin Blvd
Second St	Between Coles St and Merseles St
Third St	Between Merseles St and Coles St
Wayne St	Between Marin Blvd and Varick St
York St	Between Warren St and Monmouth St
Varick St	Between Bright St and Columbus Dr

SH:pcl  
09.11.13

Zone 2	No Change
Zone 3	No Change
Zone 4	No Change
Zone 5	No Change
Zone 6	No Change
Zone 7	No Change
B.	No Change
Zone 9	No Change
C.	No Change
Zone 10	No Change

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:** The new material to be inserted is underscored; the material to be repealed is in [brackets].

SH:pc1  
09.11.13

APPROVED: *Stanley Nunn*  
Acting Director  
Engineering, Traffic and Transportation

APPROVED AS TO LEGAL FORM

*[Signature]*  
Corporation Counsel

APPROVED: *[Signature]* 9-13-13  
Director, Dept. of Public Works  
APPROVED: *[Signature]*  
Business Administrator

Certification Required   
Not Required

**FACT SHEET**

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

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

**AN ORDINANCE SUPPLEMENTING CHAPTER 332 (VEHICLES AND TRAFFIC) ARTICLE VIII (PERMIT PARKING) AMENDING SECTION 332-58 OF THE JERSEY CITY TRAFFIC CODE EXTENDING ZONE 1 RESIDENTIAL PERMIT PARKING TO INCLUDE FOURTH STREET BETWEEN MERSELES STREET AND NEWARK AVENUE; MERSELES STREET BETWEEN NEWARK AVENUE AND FIRST STREET AND NEWARK AVENUE BETWEEN BRUNSWICK STREET AND MERSELES STREET**

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

Lee D. Klein, P.E., PTOE, Assistant City Engineer, Division of Engineering, Traffic and Transportation, Department of Public Works at the request of Gigi Gazon, Executive Assistant to the Mayor on behalf of Mayor Fulop.

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

Designate Zone 1 Residential Permit Parking on Fourth Street between Merseles Street and Newark Avenue; Merseles Street between Newark Avenue and First Street and extend Zone 1 Residential Permit Parking on Newark Avenue from Brunswick St, west to Merseles Street

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

Make more parking available to the residents and employees of the Zone 1 area.

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

To better serve the community by making more parking available to both residents and employees in the neighborhood and preventing commuters from parking their vehicles on these streets while going off to work elsewhere.

**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:**

City funds for the signs. Approximately 12 signs and 8 u-posts at a cost of \$2,000.00  
Parking Authority funds for the permits

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

Pending adoption by the Jersey City Municipal Council

**8. Anticipated completion date:**

Twenty days after adoption of the Ordinance 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, Department of Public Works 201.547.4492 for the sign installations  
Mary Spinello-Peretti, CEO, JCPA, 201.653.6969 for administering the program

**10. Additional comments:**

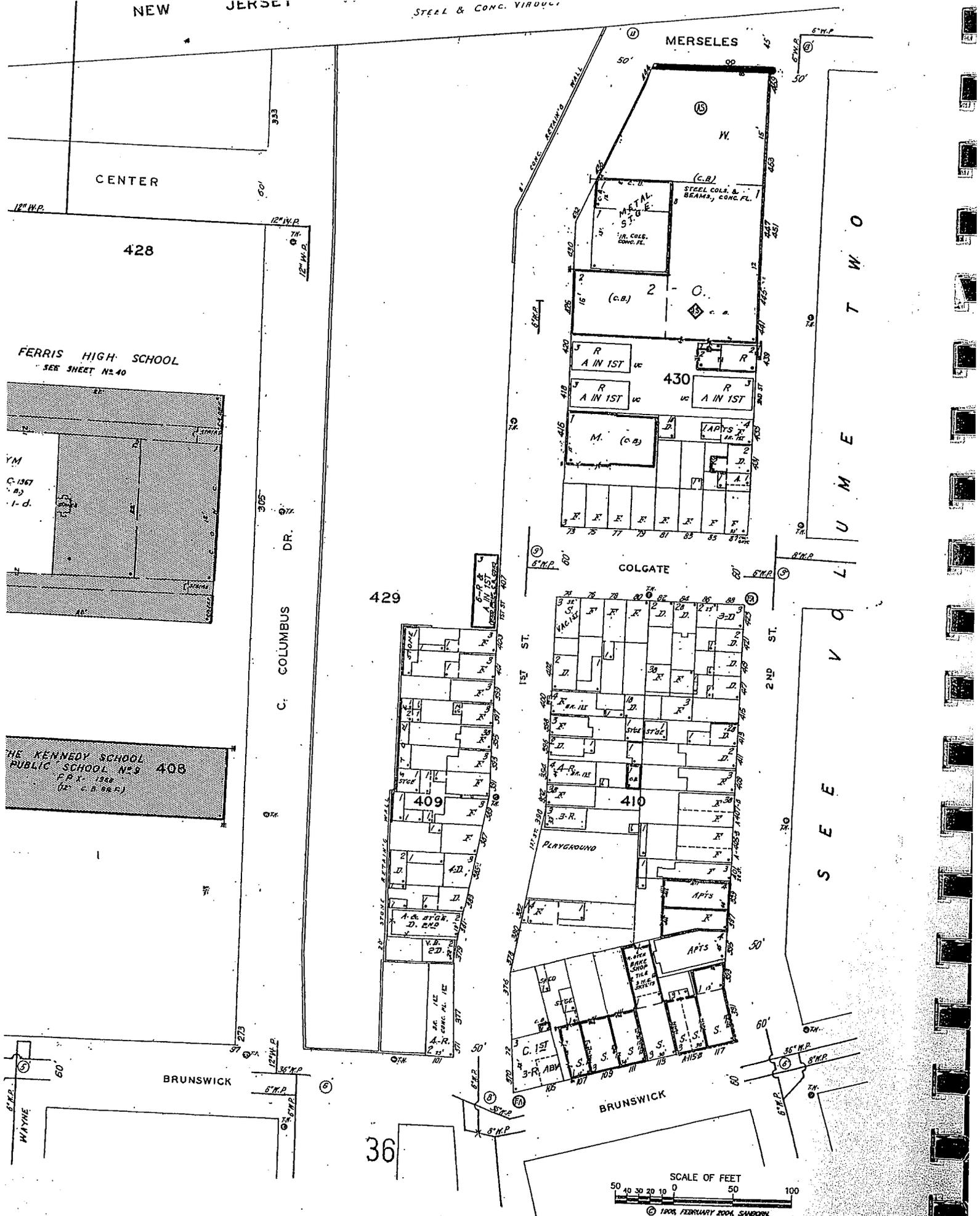
Based on the information provided to me, I certify that all the facts presented herein are accurate, to the best of my knowledge.

  
\_\_\_\_\_  
Acting Director, Engineering, Traffic and Transportation

9/12/13  
Date

  
\_\_\_\_\_  
Director, Dept. of Public Works

9-13-13  
Date



CENTER

428

FERRIS HIGH SCHOOL  
SEE SHEET NO. 40

YM  
C-1267  
A-2  
1-d.

THE KENNEDY SCHOOL  
PUBLIC SCHOOL NOS 408  
C.P.Y. 1268  
(12" C.B. 68.6)

C. COLUMBUS DR.

429

36

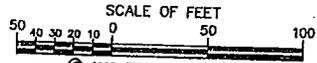
BRUNSWICK

BRUNSWICK

MERSELES

COLGATE

T W O  
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L  
S E E



© 1908, FEBRUARY 2004, SANDORP



**CITY OF JERSEY CITY**  
**DEPARTMENT OF PUBLIC WORKS**  
**Division of Engineering, Traffic and Transportation**  
**MEMORANDUM**

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**DATE:** September 11, 2013  
**TO:** Robert Kakoleski, Assistant Business Administrator  
**FROM:** Patricia Logan, Supervising Traffic Investigator  
**SUBJECT: ZONE 1 RESIDENTIAL PERMIT PARKING ORDINANCE**

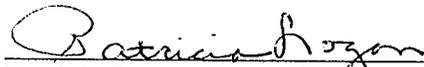
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Attached for your review and signature is an Ordinance proposed by this Division, at the request of GiGi Gazon, Executive Assistant to the Mayor, on behalf of Mayor Fulop, (for the Council's consideration) amending the Zone 1 Residential Permit Parking Program. Zone 1 residential permit parking will be extended to include Fourth Street between Merseles Street and Newark Avenue; Merseles Street between Newark Avenue and First Street and Newark Avenue between Brunswick Street and Merseles Street.

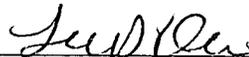
This proposed legislation will deter commuters from parking their vehicles on these neighborhood streets and thereby make more parking available to residents and employees of the area.

It is anticipated that the proposed legislation will be listed on the Agenda for the September 25, 2013 Municipal Council Meeting.

Feel free to contact me at ex. 4492 if you have any questions regarding the legislation.



Patricia Logan, Supervising Traffic Investigator



Lee D. Klein, P.E., PTOE, Asst. City Engineer

C: Stanley Huang, P.E., Acting Director, Engineering, Traffic and Transportation  
Brian Weller, LLA, ASLA, Director, Architecture  
Michael Razzoli, Director, DPW  
Robert Byrne, City Clerk  
GiGi Gazon, Executive Assistant to the Mayor

**CITY OF JERSEY CITY**  
**DEPARTMENT OF PUBLIC WORKS**  
**Division of Engineering, Traffic and Transportation**  
**MEMORANDUM**

---

**DATE:** September 11, 2013  
**TO:** Director Michael Razzoli, DPW  
**FROM:** Patricia Logan, Supervising Traffic Investigator  
**SUBJECT: ZONE 1 RESIDENTIAL PERMIT PARKING ORDINANCE**

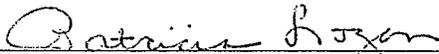
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Attached for your review and signature is an Ordinance proposed by this Division at the request of GiGi Gazon, Executive Assistant to the Mayor, on behalf of Mayor Fulop, (for the Council's consideration) amending the Zone 1 Residential Permit Parking Program. Zone 1 residential permit parking will be extended to include Fourth Street between Merseles Street and Newark Avenue; Merseles Street between Newark Avenue and First Street and Newark Avenue between Brunswick Street and Merseles Street.

This proposed legislation will deter commuters from parking their vehicles on these neighborhood streets and thereby make more parking available to residents and employees of the area.

Upon your signature the Ordinance will be sent to the Acting Business Administrator for his review and signature. It is anticipated that the proposed legislation will be listed on the Agenda for the September 25, 2013 Municipal Council Meeting.

Feel free to contact me at ex. 4492 if you have any questions regarding the legislation.

  
\_\_\_\_\_  
Patricia Logan, Supervising Traffic Investigator

  
\_\_\_\_\_  
Lee D. Klein, P.E., PTOE, Asst. City Engineer

C: Stanley Huang, P.E., Acting Director, Engineering, Traffic and Transportation  
Brian Weller, LLA, ASLA, Director, Architecture  
Michael Razzoli, Director, DPW  
Robert Byrne, City Clerk  
GiGi Gazon, Executive Assistant to the Mayor

**CITY OF JERSEY CITY**  
**DEPARTMENT OF PUBLIC WORKS**  
**Division of Engineering, Traffic and Transportation**  
**MEMORANDUM**

---

**DATE:** September 11, 2013

**TO:** Councilwoman Candice Osborne, Ward E  
Robert Byrne, City Clerk

**FROM:** Patricia Logan, Supervising Traffic Investigator

**SUBJECT: ZONE 1 RESIDENTIAL PERMIT PARKING ORDINANCE**

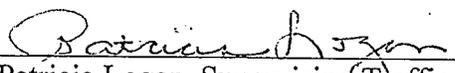
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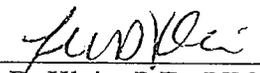
Attached is an Ordinance proposed by this Division, at the request of GiGi Gazon, Executive Assistant to the Mayor, on behalf of Mayor Fulop, (for the Council's consideration) amending the Zone 1 Residential Permit Parking Program. Zone 1 residential permit parking will be extended to include Fourth Street between Merseles Street and Newark Avenue; Merseles Street between Newark Avenue and First Street and Newark Avenue between Brunswick Street and Merseles Street.

This proposed legislation will deter commuters from parking their vehicles on these neighborhood streets and thereby making more parking available to residents and employees of the area.

It is anticipated that the proposed legislation will be listed on the Agenda for the September 25, 2013 Municipal Council Meeting.

Feel free to contact me at ex. 4492 if you have any questions regarding the legislation.

  
Patricia Logan, Supervising Traffic Investigator

  
Lee D. Klein, P.E., PTOE, Asst. City Engineer

C: Stanley Huang, P.E., Acting Director, Engineering, Traffic and Transportation  
Brian Weller, LLA, ASLA, Director, Architecture  
Michael Razzoli, Director, DPW  
Robert Kakoleski, Assistant Business Administrator  
Muhammed Akil, Chief of Staff  
GiGi Gazon, Executive Assistant to the Mayor  
Chief Executive Officer Mary Spinello-Paretti, J.C.P.A.  
Council President Lavarro, Jr.      Councilwoman Watterman      Councilman Rivera  
Councilman Gajewski              Councilman Ramchal              Councilman Boggiano  
Councilman Yun                      Councilwoman Coleman

City Clerk File No. Ord. 13.106

Agenda No. 3.6 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 13.106

**TITLE:**

**ORDINANCE AMENDING ORDINANCE 12-124 AUTHORIZING A FOURTH AMENDMENT TO THE CITY'S LEASE WITH JOURNAL SQUARE PLAZA URBAN RENEWAL ASSOCIATES FOR ONE JOURNAL SQUARE PLAZA, BLOCK 586.5, LOT PLOT .B TO AMEND THE CONSTRUCTION COSTS OF IMPROVEMENTS TO INCLUDE THE ARCHITECT FEES BY THE LANDLORD**

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

**WHEREAS**, the City of Jersey City [City] needs office space for various Departments; and

**WHEREAS**, N.J.S.A. 40A:12-5 provides that a municipality may by ordinance authorize a lease of real property if it determines it is needed for municipal purposes; and

**WHEREAS**, Journal Square Plaza Urban Renewal Associates is the owner of Block 586.5, Lot Plot. B, more commonly known by the street address of One Journal Square Plaza (Property); and

**WHEREAS**, by the adoption of Ordinance 05-015, the City approved a lease with Journal Square Plaza Urban Renewal Associates [Landlord] for ten (10) years for approximately 28,202 square feet of space at the Property, consisting of the entire 2<sup>nd</sup> and 3<sup>rd</sup> floors of the Property; and

**WHEREAS**, the lease expires on May 31, 2015; and

**WHEREAS**, the rent for the space was \$21.25 per square foot or \$599,292.50 per year for the last five (5) years of the term of the lease; and

**WHEREAS**, by the adoption of Ordinance 06-008 the parties amended the lease, effective March 1, 2006, and increased the Premises by 3,200 square feet, located on the 4<sup>th</sup> floor; and

**WHEREAS**, by the adoption of Ordinance 12-076, the parties amended the lease, effective June 1, 2012, to add the remainder of the 4<sup>th</sup> floor, which increases the total leased premises consisting of all of the 2<sup>nd</sup>, 3<sup>rd</sup> and 4<sup>th</sup> floors of the property to 42,326 square feet; and

**WHEREAS**, the total annual rent for the entire 42,326 square feet, shall be \$787,456.50 each year; and

**WHEREAS**, in addition, the Landlord will construct improvements to the Premises for the benefit of the City provided the City pays for same as additional rent; and

**WHEREAS**, Resolution 12-124, adopted on October 10, 2012, authorized a third amendment to amend the lease to include as additional rent the constructions costs of improvements to be performed by Landlord; and

**WHEREAS**, the construction costs estimated at \$212,152.25, attached hereto as Exhibit A, did not include the architect fees for the contract plans, drawings and required permits for the improvements; and

**ORDINANCE AMENDING ORDINANCE 12-076 AUTHORIZING A FOURTH AMENDMENT TO THE CITY'S LEASE WITH JOURNAL SQUARE PLAZA URBAN RENEWAL ASSOCIATES FOR ONE JOURNAL SQUARE PLAZA, BLOCK 586.5, LOT PLOT .B TO AMEND THE CONSTRUCTION COSTS OF IMPROVEMENTS TO INCLUDE ARCHITECT FEES BY THE LANDLORD AS ADDITIONAL RENT**

**WHEREAS**, the estimated architect fees of \$19,500, attached hereto as Exhibit B, shall be part of the construction costs, payable to Landlord upon the completion of the improvements; and

**WHEREAS**, the architect fees have been reviewed by the City's Division of Architecture and determined to be reasonable and necessary for the use by the various Departments utilizing the Premises; and

**WHEREAS**, funds in the amount of \$19,500 for the architect fees are available in the Municipal rent Account No. 01-203-31-432-304 to pay, the cost of the within Ordinance.

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

1. The Mayor or Business Administrator is authorized to execute a Fourth Amendment to the Lease Agreement with Journal Square Plaza Urban Renewal Associates to amend the construction costs of improvements to the Premises estimated at \$212,152.25 to include architect fees estimated at \$19,500. The architect fees of \$19,500 shall be payable to the Landlord upon the completion of the improvements.
2. The Fourth Amendment to the Lease shall be in substantially the form attached, subject to such modifications as may be deemed necessary or appropriate by the Business Administrator or Corporation Counsel.
3. All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed.
4. This Ordinance shall be a part of the Jersey City Code as though codified and fully set forth therein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.
5. This Ordinance shall take effect at the time and in the manner as provided by law.
6. The City Clerk and the Corporation Counsel be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this Ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.

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

I hereby certify that there are sufficient funds available in Municipal Rent Account No. 01-203-31-432-304, P.O. # 107747 in the amount of \$19,500 for payment of this Ordinance.

\_\_\_\_\_  
Donna Mauer, Chief Financial Officer

APPROVED AS TO LEGAL FORM  
\_\_\_\_\_  
Corporation Counsel

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

Certification Required   
Not Required

**FOURTH AMENDMENT TO THE LEASE BETWEEN JOURNAL SQUARE PLAZA URBAN RENEWAL ASSOCIATES [LANDLORD] AND THE CITY OF JERSEY CITY [TENANT]**

**WHEREAS**, by Lease Agreement dated March, 2005, [the Lease] Landlord leased certain Premises, including the entire second and third floors of the building and outside parking spaces commonly known as One Journal Square Plaza, Jersey City, New Jersey [the Premises] to Tenant; and

**WHEREAS**, the lease expires on May 31, 2015; and

**WHEREAS**, by the First Amendment to the Lease effective as of March 1, 2006, the Lease was amended so as to add a portion of the 4<sup>th</sup> floor of the Premises consisting of an additional 3,200 square feet of space, which increased the Tenant's Rent and share of Additional Rent, as more particularly set forth therein; and

**WHEREAS**, by the Second Amendment to the effective June 1, 2012, the Lease was amended to include the fourth floor, increasing the total leased premises by Tenant to 42,326 square feet and the annual rent to \$787,456.50; and

**WHEREAS**, in addition, the Landlord will construct improvements to the Premises for the benefit of Tenant provided Tenant pays for same as additional rent; and

**WHEREAS**, by the Third Amendment, the Lease was amended to include the total construction costs of improvements estimated at \$212,152.25, attached hereto as Exhibit A; and

**WHEREAS**, the construction cost estimate did not include the architect fees for the contract plans, drawings and required permits for the improvements; and

**WHEREAS**, the architect fees estimated at \$19,500 are itemized in the proposal dated June 18, 2012, attached hereto as Exhibit B; and

**WHEREAS**, the improvement costs of \$212,152.25 shall be modified to include the architect fees of \$19,500, for a total estimate of \$231,652.25, which shall be payable to Landlord upon the completion of the improvements; and

**WHEREAS**, the architect fees shall be paid from the Municipal rent Account No. 01-201-31-432-304 in the amount of \$19,500; and

**NOW THEREFORE**, in consideration of the covenants and conditions herein contained, the parties hereto agree as follows:

1. Commencing \_\_\_\_\_, 2013, the Lease is modified as follows:
  - (a) Landlord will construct improvements at the Premises for the benefit of

Tenant provided Tenant pays for same as additional rent; and

- (b) The renovations to be performed by Landlord at the Premises itemized in the proposal dated September 18, 2012 did not include the architect fees, attached hereto as Exhibit A; and
- (c) The construction costs of improvements shall be modified to include the architect fees of \$19,500, attached hereto as Exhibit B, for a total construction cost for improvements of \$231,652.25; and
- (d) Tenant shall reimburse Landlord for the architect fees estimated at \$19,500 and payable upon the completion of said improvements by Landlord.

- 2. This Fourth Amendment shall become effective only after execution hereof by both Landlord and Tenant.
- 3. Except as herein modified, all of the terms and conditions of the Lease and the First and Second Amendments to Lease shall remain in full force and effect.

**WITNESS:**

**Landlord**  
**Journal Square Plaza Urban Renewal Associates**  
**By: JSQ REALTY, LLC, General Partner**

\_\_\_\_\_

**By: \_\_\_\_\_**  
**Joseph A. Panepinto, Managing Member**

**WITNESS:**

**Tenant**  
**City of Jersey City**

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

\_\_\_\_\_  
**Robert J. Kakoleski**  
**Acting Business Administrator**

**CITY OF JERSEY CITY  
REAL ESTATE OFFICE  
280 GROVE STREET  
JERSEY CITY, NEW JERSEY 07302  
(201) 547-5234 - FAX (201) 547-5711**

October 16, 2012

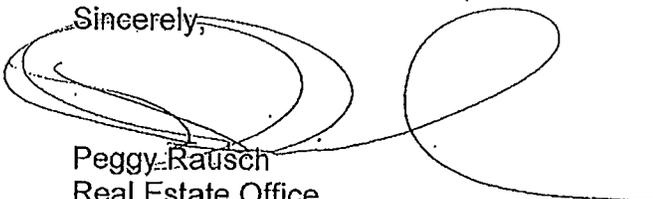
Journal Square Plaza Urban Renewal Asso.  
Harborside Plaza 10, Suite 1203  
Jersey City, New Jersey 07311  
Attn: Aurelia

**RE: ONE JOURNAL SQUARE**

Dear Aurelia:

Attached please find a fully executed original Third Amendment to the Lease Agreement along with Ordinance # 12-124, for the 2<sup>nd</sup>, 3<sup>rd</sup>, and 4<sup>th</sup> floor at One Journal Square.

Sincerely,



Peggy Rausch  
Real Estate Office

Attachments

cc: Hand Delivered  
File

**THIRD AMENDMENT TO THE LEASE BETWEEN JOURNAL SQUARE PLAZA URBAN RENEWAL ASSOCIATES [LANDLORD] AND THE CITY OF JERSEY CITY [TENANT]**

WHEREAS, by Lease Agreement dated March, 2005, [the Lease] Landlord leased certain Premises, including the entire second and third floors of the building and outside parking spaces commonly known as One Journal Square Plaza, Jersey City, New Jersey [the Premises] to Tenant; and

WHEREAS, the lease expires on May 31, 2015; and

WHEREAS, by the First Amendment to the Lease effective as of March 1, 2006, the Lease was amended so as to add a portion of the 4<sup>th</sup> floor of the Premises consisting of an additional 3,200 square feet of space, which increased the Tenant's Rent and share of Additional Rent, as more particularly set forth therein; and

WHEREAS, by the Second Amendment to the effective June 1, 2012, the Lease was amended to include the fourth floor, increasing the total leased premises by Tenant to 42,326 square feet and the annual rent to \$787,456.50; and

WHEREAS, in addition, the Landlord will construct improvements to the Premises for the benefit of Tenant provided Tenant pays for same as additional rent; and

WHEREAS, the total construction costs are estimated at \$212,152.25<sup>\*</sup> which shall be payable to Landlord upon the completion of the improvements; and

*J.P. Swick*

WHEREAS, the improvements shall be paid in part by the Jersey City Police Department in the amount of \$75,000 and by the City's Division of Real Estate in the amount of \$140,000; and

NOW THEREFORE, in consideration of the covenants and conditions herein contained, the parties hereto agree as follows:

1. Commencing June 1, 2012, the Lease is modified as follows:
  - (a) Landlord will construct improvements at the Premises for the benefit of Tenant provided Tenant pays for same as additional rent; and
  - (b) The renovations to be performed by Landlord at the Premises are itemized in the proposal dated September 18, 2012, attached hereto as Exhibit A; and
  - (c) Tenant shall reimburse Landlord for the costs of all improvements to the Premises estimated at \$212,152.25<sup>\*</sup> and payable, upon the completion of said improvements by Landlord.
2. This Third Amendment shall become effective only after execution hereof by both

*J.P. Swick*

\*Total construction costs of \$212,152.25 does not include architectural expense of \$19,500 (Exhibit "B" attached hereto) to be approved by separate Resolution

*J.P. Swick*

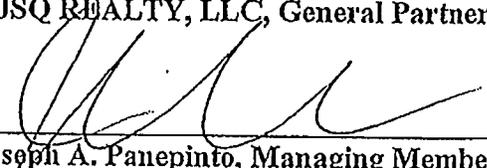
Landlord and Tenant.

3. Except as herein modified, all of the terms and conditions of the Lease and the First and Second Amendments to Lease shall remain in full force and effect.

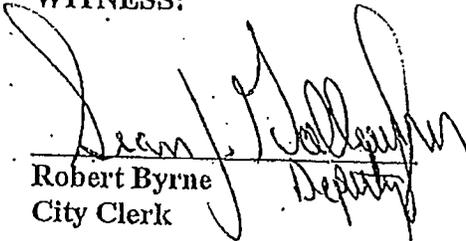
WITNESS:



Landlord  
Journal Square Plaza Urban Renewal Associates  
By: JSQ REALTY, LLC, General Partner

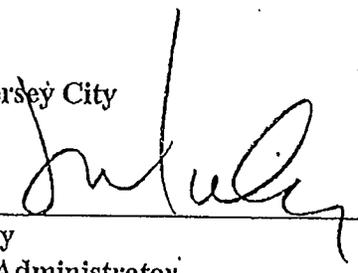
By:   
Joseph A. Panepinto, Managing Member

WITNESS:



Robert Byrne  
City Clerk

Tenant  
City of Jersey City



John Kelly  
Business Administrator

September 18, 2012  
Mr. Brian Weller  
Page 4.

Furnish and install new rooftop exhaust fan with timer for the 3 new bathrooms. Includes all required piping for proper ventilation of the bathrooms. 4,450.00

Furnish and install in each bathroom 1 smoke detector, pull station and horn/strobe. 3,800.00

(As per Chief's request) Supply and install pre-finished hardwood flooring in both the Chief and Deputy Chief's office. 3,460.00

(As per Chief's request) Supply power and raceway for data company to install their jacks at 4 locations in the conference room. Requires drilling 5 holes through the conference room floor to the 3<sup>rd</sup> floor ceiling access and supply and install flush mount receptacles and data jacks in the conference room table. 3,250.00

Cost for 4 <sup>th</sup> Floor	\$153,250.00
15% Profit, Overhead & Insurance	22,987.50
Total Cost 4 <sup>th</sup> Fl	\$176,237.50

Note: Does not include any painting of walls or door frames. Also, most work will be done on Saturdays for safety reasons.

Total Cost for 2 <sup>nd</sup> , 3 <sup>rd</sup> & 4 <sup>th</sup> Floors	\$209,420.75
Permit Fees	<u>2,731.50*</u>
TOTAL:	<u>\$212,152.25</u>

\*Permit fees based on construction costs of \$182,105.00.

Deposits in the amount of \$45,000.00 have already been received toward this job.

Note: The above construction estimate is based on the floor plan provided by the City of Jersey City for the 2<sup>nd</sup> and 3<sup>rd</sup> floors and LWDMR & Associates for the 4<sup>th</sup> floor. Any and all additional work requested by Tenant and/or required by the Jersey City Building Department, not specified in the attached plans, will be considered a "Change Order" and the cost of said "Change Order" will be submitted to Tenant and Landlord for approval prior to work commencing. The cost of any such "Change Order" will be in addition to the above Total Cost of Labor & Material of \$209,420.75 and will be billed separately.

Triple S Building & Electrical Service, LLC

98 East Pierrepont Avenue  
Rutherford, New Jersey 07070  
(201) 842-1695

---

September 18, 2012

Mr. Brian Weller  
City of Jersey City  
DPW, Division of Architecture  
575 Route 440  
Jersey City, New Jersey 07305

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The following is the breakdown for the 2<sup>nd</sup>, 3<sup>rd</sup> & 4<sup>th</sup> floors at 1 Journal Square Plaza. This proposal reflects blueprint changes to the 4<sup>th</sup> floor work dated August 9, 2012 prepared by LWDMR & Associates. No Changes have been made to the May 26, 2012 blueprints for the 2<sup>nd</sup> and 3<sup>rd</sup> floors. All work related to the lobby has also been deleted from this proposal. A proposal for the roll down or sliding security gate in front of the police desk will be provided at a later date, if required.

2nd Floor

Demolition of the existing 12' wall and debris removal. (Already completed)  
625.00

Constructed a 9' x 36' wall to the under-side of the suspended ceiling with 5/8" sheetrock and sound insulation. New wall had been taped but only first coat of spackle had been applied. (Already completed). Wall was not ready for paint.  
4,890.00

Furnished and installed 1 - 3-0 x 6-8 solid core birch door with metal frame, lock and hardware. (Already completed).  
860.00

Rough wiring has been done for 4 new receptacles and 1 new switch to separate existing light fixtures in Nydia Lopez' office. (Already completed).  
1,250.00

Note: All work was done on a Saturday to avoid interference with people working in the area and for safety concerns.

*Exhibit A*

September 18, 2012

Mr. Brian Weller

Page 2.

Work needed to finish on 2<sup>nd</sup> floor: Finish coat of spackling on new wall. Installation of receptacles and switches. Cut and properly install ceiling tiles and vinyl base trim along new wall. (The cost of these items is included above)

Cost for 2 <sup>nd</sup> Floor	\$7,625.00
15% Profit, Overhead & Insurance	1,143.75
Total Cost 2 <sup>nd</sup> Fl	\$8,768.75

3<sup>rd</sup> Floor

Remove approximately 15' of base and top cabinets from the 3<sup>rd</sup> floor kitchen and debris removal.

675.00

Cap the existing plumbing pipes (hot & cold water and vent pipe).

350.00

Remove approximately 520 sq. ft. of ceramic tiles in the kitchen.

2,700.00

Patch floor where needed and supply & Install new carpeting to match Lori Disbrow's office.

2,350.00

Remove the double doors as per the new floor plan and construct new offices and record room for new layout. All new walls will be built to under-side of the ceiling with metal framing, 5/8" sheet rock, sound insulation and metal door frames. Walls will be prepped and ready for paint.

8,965.00

Supply and install 4 solid core pre-finished birch doors with locks and hardware.

3,440.00

Install 7 new receptacles and 4 new light switches to separate existing light fixtures in the newly constructed rooms and offices.

2,750.00

Note: For safety reasons, most of the work will take place on Saturdays.

Cost for 3 <sup>rd</sup> Floor	\$21,230.00
15% Profit, Overhead & Insurance	3,184.50
Total Cost 3 <sup>rd</sup> Fl	\$24,414.50

September 18, 2012

Mr. Brian Weller

Page 3.

4<sup>th</sup> Floor

Demolition as per plan (Includes walls, ceilings, removal of carpeting, etc.).  
9,600.00

Electrical work includes the wiring of 3 new bathrooms and all other areas within the new floor plan (disconnecting and removal of light fixtures, switches, receptacles and emergency / exit lights. Installation of new electrical wiring and fixtures as required).  
17,250.00

Construction costs include labor & material as per plan including new walls, new ceiling (to match existing), installation of doors with frames, standard hardware including locks at new construction. (Note: Providing doors and hardware at existing walls is not included). Furnish and install new kitchen cabinets. Install sheetrock, tape and patch in new construction only. Install bathroom accessories, signs for 3 bathrooms and all related work to complete the job. Saturday work will be necessary.  
43,915.00

Plumbing for 3 new bathrooms – 3 new toilets, 3 new sinks and (Chief's request) 1 shower area (all ADA fixtures). Plumbing for 2 bathrooms @ \$5,400.00, bathroom w/shower \$6,600.00).  
17,400.00

Prep floor to receive new tiles in the 3 new bathrooms. Furnish and install new 8x8 ceramic floor tiles and 4" sanitary base. Includes labor & Material for the new shower in one of the bathrooms (as requested by the Chief). Floor tile installation for each of 2 bathrooms @\$1,475.00; bathroom w/ tiled shower area \$2,450.00.  
5,400.00

Bathroom accessories for each bathroom: new mirrors, grab bars, toilet paper holders, soap dispensers and other related items. Garbage disposal cans not included. Cost per bathroom approximately \$935.00).  
2,800.00

Connect new sink in 4<sup>th</sup> floor kitchen.  
425.00

Supply and install medium grade carpet squares (in customer color choice) throughout the 4<sup>th</sup> floor.  
32,000.00

Allowance for HVAC for 4<sup>th</sup> floor  
9,500.00



140 Bay Street Suite 4  
Jersey City NJ 07302  
201 333 5017 / 5309 fax

224 North High Street  
Millville NJ 08332  
856 293 9554 / 1571 fax

lwdmr.com

June 18, 2012

Mr. Joe D'icristo  
255 Warren Street  
Jersey City, NJ, 07302

Re: JSQ Plaza 1 – Police Headquarters  
Architectural / Engineering Services Proposal

Dear Joe:

We are pleased to present you with this fee proposal to provide professional architectural & Engineering services for the build-out/upgrades for the Police Headquarters at Journal Square Plaza 1..

**PROJECT OVERVIEW:**

Our architectural and engineering services will be based on the latest drawings prepared by the Jersey City Division of Architecture and include all code related work.

**PROFESSIONAL FEES:**

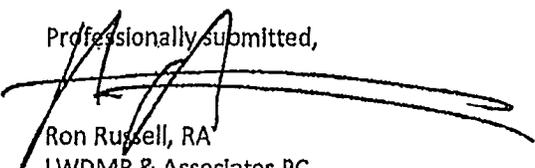
*Our fees are as follows:*

- *Services to date include 4 meetings at 2 hours each, review of plans prepared by Div. of Arch., Preparation of written work scope for contractor- 8 hours at \$205 = \$2,050 (completed)*
  - *Architectural Permit and Contractors drawings – \$8,950*
  - *Engineering Permit and Contractors drawings – \$4,000*
  - *Building Dept Review – \$500*
  - *Limited Construction Period Services - \$3,500*
- Total Fee = \$19,000*  
*Reimbursables Allowance \$500*  
*Total Fee = \$19,500*

**Services not included:**

- Environmental services
- Structural Engineering
- Exterior work
- Presentation to governmental agencies

Professionally submitted,

  
Ron Russell, RA  
LWDMR & Associates PC

ARCHITECTURE ■ ENGINEERING □ URBAN DESIGN  
LINDEMON WINCKELMANN DEUPREE MARTIN RUSSELL & ASSOCIATES PC

*Exhibit B*

City Clerk File No.                      Ord. 12-124  
Agenda No.                      3.B                      1st Reading  
Agenda No. 4.B.                      2nd Reading & Final Passage



## ORDINANCE OF JERSEY CITY, N.J.

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

TITLE: CITY ORDINANCE 12-124  
ORDINANCE AMENDING ORDINANCE 12-076 AUTHORIZING A THIRD AMENDMENT TO THE CITY'S LEASE WITH JOURNAL SQUARE PLAZA URBAN RENEWAL ASSOCIATES FOR ONE JOURNAL SQUARE PLAZA, BLOCK 586.5, LOT PLOT .B TO INCLUDE THE CONSTRUCTION OF IMPROVEMENTS BY THE LANDLORD AS ADDITIONAL RENT

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

WHEREAS, the City of Jersey City [City] needs office space for various Departments; and

WHEREAS, N.J.S.A. 40A:12-5 provides that a municipality may by ordinance authorize a lease of real property if it determines it is needed for municipal purposes; and

WHEREAS, Journal Square Plaza Urban Renewal Associates is the owner of Block 586.5, Lot Plot. B, more commonly known by the street address of One Journal Square Plaza (Property); and

WHEREAS, by the adoption of Ordinance 05-015, the City approved a lease with Journal Square Plaza Urban Renewal Associates [Landlord] for ten (10) years for approximately 28,202 square feet of space at the Property, consisting of the entire 2<sup>nd</sup> and 3<sup>rd</sup> floors of the Property; and

WHEREAS, the lease expires on May 31, 2015; and

WHEREAS, the rent for the space was \$21.25 per square foot or \$599,292.50 per year for the last five (5) years of the term of the lease; and

WHEREAS, by the adoption of Ordinance 06-008 the parties amended the lease, effective March 1, 2006, and increased the Premises by 3,200 square feet, located on the 4<sup>th</sup> floor; and

WHEREAS, by the adoption of Ordinance 12-076, the parties amended the lease, effective June 1, 2012, to add the remainder of the 4<sup>th</sup> floor, which increases the total leased premises consisting of all of the 2<sup>nd</sup>, 3<sup>rd</sup> and 4<sup>th</sup> floors of the property to 42,326 square feet; and

CERTIFIED to be a true copy of an WHEREAS, the total annual rent for the entire 42,326 square feet, shall be \$787,456.50 each  
ORDINANCE adopted by the year; and  
Municipal Council of the City of Jersey WHEREAS, in addition, the Landlord will construct improvements to the Premises for the  
City at the meeting of benefit of the City provided the City pays for same as additional rent; and

10.10.12 *[Signature]*  
City Clerk

APPROVED AS TO LEGAL FORM

*[Signature]*  
Corporation Counsel

Certification Required

Not Required

APPROVED:                     

APPROVED: *[Signature]*

Business Administrator

02012131

ORDINANCE AMENDING ORDINANCE 12-076 AUTHORIZING A THIRD AMENDMENT TO THE CITY'S LEASE WITH JOURNAL SQUARE PLAZA URBAN RENEWAL ASSOCIATES FOR ONE JOURNAL SQUARE PLAZA, BLOCK 586.5, LOT PLOT .B TO INCLUDE THE CONSTRUCTION OF IMPROVEMENTS BY THE LANDLORD AS ADDITIONAL RENT

WHEREAS, the renovations to be performed by Landlord are itemized in the proposal dated September 18, 2012, attached hereto as Exhibit A; and

WHEREAS, the total construction costs are estimated at \$212,152.25, which shall be payable to Landlord upon the completion of the improvements; and

WHEREAS, the costs have been reviewed by the City's Division of Architecture and determined to be reasonable and necessary for the use by the various Departments utilizing the Premises; and

WHEREAS, funds in the amount of \$75,000 are available in Account No. 16-286-56-000-801 to pay in part, the cost of the within Ordinance; and

WHEREAS, funds in the amount of \$140,000 are available in Account No. 01-201-31-432-304 to pay the balance of the cost of the within Ordinance.

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

1. The Mayor or Business Administrator is authorized to execute a Third Amendment to the Lease Agreement with Journal Square Plaza Urban Renewal Associates to include the construction costs of improvements to the Premises estimated at \$212,152.25 as additional rent and payable to the Landlord upon the completion of the improvements.
2. The Third Amendment to the Lease shall be in substantially the form attached, subject to such modifications as may be deemed necessary or appropriate by the Business Administrator or Corporation Counsel.
3. All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed.
4. This Ordinance shall be a part of the Jersey City Code as though codified and fully set forth therein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.
5. This Ordinance shall take effect at the time and in the manner as provided by law.
6. The City Clerk and the Corporation Counsel be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this Ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.

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

I hereby certify that there are sufficient funds available in Account No. 16-286-56-000-801 in the amount of \$75,000 and Account No. 01-201-31-432-304 in the amount of \$140,000 for payment of this Ordinance.

Donna Mauer, Chief Financial Officer

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

ORDINANCE NO. Ord. 12-124  
3.B. SEP 27 2012 4.B. OCT 10 2012



Ordinance amending Ordinance 12-076 authorizing a third amendment to the city's lease with Journal Square Plaza Urban Renewal Associates for 1 Journal Square Plaza, Block 586.5, Lot Plot.B to include the construction of improvements by the landlord as additional rent.

RECORD OF COUNCIL VOTE ON INTRODUCTION											
				SEP 27 2012 8-0							
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
DONNELLY	✓			FULOP	✓			LAVARRO	✓		
LOPEZ	ABSENT			RICHARDSON	✓			MASSEY	✓		

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

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING											
				OCT 10 2012 9-0							
Councilperson <u>SOTTOLANO</u>			moved, seconded by Councilperson <u>BRENNAN</u>			to close PH.					
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
DONNELLY	✓			FULOP	✓			LAVARRO	✓		
LOPEZ	✓			RICHARDSON	✓			MASSEY	✓		

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

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

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

RECORD OF FINAL COUNCIL VOTE											
				OCT 10 2012 9-0							
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
DONNELLY	✓			FULOP	✓			LAVARRO	✓		
LOPEZ	✓			RICHARDSON	✓			MASSEY	✓		

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

Adopted on first reading of the Council of Jersey City, N.J. on SEP 27 2012.

Adopted on second and final reading after hearing on OCT 10 2012

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on OCT 10 2012

Robert Byrns, City Clerk

APPROVED:  
  
 Peter M. Brennan, Council President

\*Amendment(s):

Date: OCT 10 2012

APPROVED:

Jeremiah T. Healy, Mayor

Date OCT 12 2012

Date to Mayor OCT 11 2012

City Clerk File No. Ord. 13.107

Agenda No. 3.H 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 13.107

**TITLE: AN ORDINANCE AUTHORIZING THE EXECUTION OF A DEED OF EASEMENT AGREEMENT WITH PUBLIC SERVICE ELECTRIC AND GAS COMPANY FOR NO CONSIDERATION TO PERMIT THE INSTALLATION, USE, MAINTENANCE AND REPAIR OF A GAS LINE TO SERVICE THE LINDEN AVENUE MUNICIPAL COMPLEX.**

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

**WHEREAS**, the Public Service Electric and Gas Company [PSE&G] requires a twenty (20) foot wide easement from the City in order to install, use, maintain and repair a gas line under certain City owned property located within Block 30304, Lot 30 to provide necessary gas service to the proposed Municipal Complex at Linden Avenue; and

**WHEREAS**, pursuant to N.J.S.A. 48:9-17, PSE&G is authorized to install facilities for conducting gas through the streets, alleys, squares and public places in a municipality where it has obtained the consent of municipality to do so; and

**WHEREAS**, the City is authorized to contract with PSE&G to provide gas service pursuant to N.J.S.A. 40A:11-5(1)(f); and

**WHEREAS**, the City is authorized to sell or dispose of its real property pursuant to N.J.S.A. 40:69A-29(c); and

**WHEREAS**, it is in the best interest of the City to grant this proposed easement to PSE&G for no consideration because the City needs the gas that PSE&G will provide in order to operate the City's Municipal Complex at Linden Avenue, and PSE&G requires this easement in order to lay the pipe necessary to provide the gas.

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

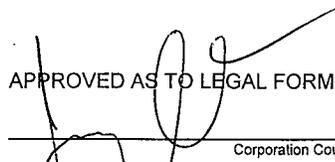
1. The City of Jersey City is hereby authorized to grant an easement to Public Service Electric and Gas Company for no consideration under a twenty (20) foot wide section across certain Jersey City owned property known on the Tax Assessor's map as Block 30304, Lot 30, more particularly depicted on the Survey of Mountain View Layout, dated August 7, 2013 and attached hereto as exhibit A and more commonly known as the Linden Avenue Municipal Complex.
2. Subject to such modification as the Business Administrator and the Corporation Counsel may deem necessary or appropriate, the mayor or Business Administrator is hereby authorized to execute an Easement Agreement substantially similar to the form attached hereto, and to execute any and all documents which may be necessary to effectuate the purposes of this Ordinance, subject to the review and approval of these documents by the Business Administrator or Corporation Counsel.
3. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

- 4. This ordinance shall be a part of the Jersey City Code as though codified and incorporated in the official copies of the Jersey City Code.
- 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.
- 6. This Ordinance shall take effect at the time and in the manner provided by law.
  - A. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
  - B. 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 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 new material is underlined; words in [brackets] are omitted.  
For purposes of advertising only, new matter is **boldface** and repealed matter by *italics*.

JH/igp  
9/18/13

APPROVED AS TO LEGAL FORM

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

Certification Required   
Not Required

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



Prepared by:  
(Customer name)

### *Corporation Grant of Easement*

**THIS INDENTURE**, made this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, between [CORPORATION THAT OWNS LAND] \_\_\_\_\_, with an office at \_\_\_\_\_, (hereinafter called "Grantor"), and **PUBLIC SERVICE ELECTRIC AND GAS COMPANY**, a corporation of the State of New Jersey, having its office at 80 Park Plaza, Newark, New Jersey 07102 (hereinafter called "Grantee").

**WHEREAS**, Grantor is the owner in fee simple of a certain tract of real property situated in \_\_\_\_\_, County of \_\_\_\_\_ and State of New Jersey, commonly known as Block \_\_\_\_\_, Lot \_\_\_\_\_ (hereinafter the "Property"); and

**WHEREAS**, Grantee is a public utility of the State of New Jersey, engaged in furnishing utility service to subscribers in the State of New Jersey; and

**WHEREAS**, the Grantor does agree to convey an easement in perpetuity to Grantee for its use, occupancy and enjoyment and the use, occupancy and enjoyment of its licensees, successors in interest and assigns, in connection with the provision of utility service thereto and for the conduct of its business, all in accordance with and for the purposes set forth in this Grant of Easement, for the mutual benefit of both Grantor and Grantee;

**NOW THEREFORE, WITNESSETH:** In consideration of these premises and the sum of ONE (\$1.00) DOLLAR, paid to the Grantor by the Grantee, the receipt of which is hereby acknowledged, and in further consideration of the mutual conditions, covenants, promises and terms hereinafter contained, it is agreed that:

1. Grantor does hereby grant and convey unto Grantee an easement in perpetuity in, under, through, upon, over and across the hereinbefore described Property of Grantor, with full rights, privileges and authority for Grantee to enter upon same from time to time, for the purpose of inspecting, locating, relocating, installing, altering, extending, constructing, repairing, replacing, rebuilding, removing and perpetually operating, maintaining mains, pipes, manholes, handholes, regulator vent poles and other fixtures, appurtenances and facilities (hereinafter the "Facilities") which Grantee may, in its exclusive discretion and sole judgment, deem necessary or proper for the transmission and distribution of gas, together with such free and unlimited access to, egress and ingress in, from and over all points of said Property, as is reasonable or necessary for the full use, occupancy and enjoyment of said easement. Said easement area and the Facilities to be installed therein are more particularly shown on Drawing No. \_\_\_\_\_ attached hereto and made a part hereof.

2. Grantor does further grant and convey to Grantee the right, privilege and authority to trim, cut and remove such tree branches, roots, shrubs, plants, trees and vegetation which might, within the exclusive discretion and sole judgment of Grantee, interfere with or threaten

the safe, proper or convenient use, maintenance or operation of said Facilities within the easement area. Grantee shall not be responsible for any damage to any trees or other vegetation due to the installation of the Facilities.

3. Grantor shall have the right to use, occupy and enjoy the surface and air space around the easement area for any purpose which does not interfere or threaten the safe, proper or convenient use, occupancy or enjoyment of same by Grantee. Grantor agrees, however, that the no buildings or structures shall be erected over or within ten (10) feet of said Facilities of Grantee.

4. Grantor shall have the right to allow other utilities to use the said easement area for any purpose which does not in any way interfere with the accessibility and safe operation of said Facilities of Grantee, and subject to the consent of Grantee. Grantor's right to allow other utilities to use the easement area does not include the right to allow other utilities to use the Facilities that Grantee has installed in the easement. Grantor's right to allow other utilities to use the easement area shall in no way limit the rights granted to Grantee in this Easement.

5. Grantee shall perform all work in connection with the rights, privileges and authority herein granted and conveyed in a workmanlike manner and with a minimum of inconvenience to the Grantor; and any damage done to the land or premises of Grantor shall be promptly repaired and restored to its condition immediately prior to damage, at the sole cost and expense of Grantee.

6. If Grantor shall, at any time after the initial installation of said Facilities, request Grantee to relocate said Facilities to a different location or locations, it shall do so at such location or locations as shall be mutually satisfactory to the parties hereto, at the sole cost and expense of Grantor, Grantee to have the same rights and privileges in the new location or locations as in the former location or locations.

7. Grantor covenants to warrant generally the rights above granted, will execute such further assurance of the same as may be required, and that Grantee shall have the quiet possession thereof free from all encumbrances.

8. Grantee shall defend and indemnify Grantor against, and shall save Grantor harmless from, and shall reimburse Grantor with respect to, any and all claims, demands, actions, causes of action, injuries, orders, losses, liabilities (statutory or otherwise), obligations, damages, fines, penalties, costs and expenses (including without limitation, reasonable attorneys' fees and expenses) incurred by, imposed upon or asserted against Grantor by reason of any accident, injury (including death at any time resulting therefrom) or damage to any person or property arising out of or resulting from any acts or omissions of Grantee or by any employee, licensee, invitee or agent of Grantee.

9. This Grant of Easement shall be governed by and construed in accordance with the laws of the State of New Jersey and recorded on the title to the Property.

10. By the acceptance of this instrument, Grantee agrees to abide by the terms and conditions herein on its part to be performed and shall be deemed signatory hereto, and the provisions of this indenture shall inure to the benefit of and be obligatory upon the respective parties hereto and their successors and assigns.

IN WITNESS WHEREOF, Grantor has duly signed these presents the day and year first above written.

ATTEST:

GRANTOR (Corporation):

By: \_\_\_\_\_  
Name:  
Title:

By: \_\_\_\_\_  
Name:  
Title:

STATE OF NEW JERSEY        )  
  : SS.  
COUNTY OF                    )

BE IT REMEMBERED, that on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me, the subscriber, a Notary Public of the State of \_\_\_\_\_, personally appeared [name of person who signed] who, I am satisfied, is [Title] of [Corporation Name], the corporation named in and which executed the foregoing instrument and is the person who signed said instrument as such officer for and on behalf of said corporation and sealed with its corporate seal, as the voluntary act and deed of said corporation, by virtue of authority from its Board of Directors. The full and actual consideration paid or to be paid for the transfer of title to realty evidenced by the within easement, as such consideration is defined in P.L. 1968, c. 49, Sec. 1(c), is less than \$100.00.

\_\_\_\_\_  
Notary

Easement Sketch Approved by: \_\_\_\_\_  
PSE&G Associate

Grant of Easement Form Reviewed by: \_\_\_\_\_  
PSE&G Associate



STEVEN M. FULOP  
MAYOR OF JERSEY CITY

CITY OF JERSEY CITY  
DEPARTMENT OF LAW

CITY HALL | 280 GROVE STREET | JERSEY CITY, NJ 07302  
P: 201 547 5229 | F: 201 547 5230



JEREMY FARRELL  
CORPORATION COUNSEL

**MEMORANDUM**

**TO:** Council President Lavarro and the Members of the Municipal Council

**FROM:** John Hallanan, Assistant Corporation Counsel *JH*

**RE:** Ordinance authorizing the execution of a deed of easement agreement between Public Service Electric and Gas Company for no consideration to permit the installation, use, maintenance and repair of a gas line to service the Linden Avenue Municipal Complex.

**DATE:** September 18, 2013

The City of Jersey City is building a new Municipal Complex located at Linden Avenue (Block 30304, Lot 30). In order to service the building with gas, Public Service Electric and Gas Company [PSE&G] requires a twenty (20) foot wide easement from the City in order to install, use, maintain and repair a gas line under the City's property on Linden Avenue. The City needs the gas that PSE&G will provide in order to operate the City's Municipal Complex at Linden Avenue, and PSE&G requires this easement in order to lay the pipe necessary to provide the gas.

Under N.J.S.A. 48:9-17, PSE&G is authorized to install facilities for conducting gas through the streets, alleys, squares and public places in a municipality where it has obtained the consent of municipality to do so. Furthermore, the City is authorized to contract with PSE&G to provide gas service pursuant to N.J.S.A. 40A:11-5(1)(f) and the City is authorized to sell or dispose of its real property pursuant to N.J.S.A. 40:69A-29(c). Accordingly, it is in the best interest of the City to grant this easement to PSE&G without consideration because without this easement the City cannot operate its Municipal Complex at Linden Avenue. Moreover, the City does not need any consideration for this easement as the City will ultimately be the party enjoying the greatest benefit from the easement's creation.

City Clerk File No. Ord. 13.108

Agenda No. 3.I 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 13.108

TITLE:

**ORDINANCE AMENDING CHAPTER 239 (PARKS) OF THE JERSEY CITY CODE TO MODIFY THE CITY'S RECREATIONAL AND OPEN SPACE INVENTORY TO INCLUDE THE NEW BLOCK AND LOT DESIGNATIONS OF THE PROPERTIES**

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

**WHEREAS**, the New Jersey Green Acres and Recreation Opportunities Act provides for the making of loans and grants by the Commissioner of the Department of Environmental Protection [NJDEP] to local units of government for assistance for assistance in the acquisition and development of lands for outdoor recreation/conservation purposes; and

**WHEREAS**, the Green Acres Program has been used to fund the rehabilitation and purchase of property for the recreational uses of the residents of Jersey City; and

**WHEREAS**, Green Acres Rules and Regulations set forth in the New Jersey Administrative Code requires the City of Jersey City [City] to maintain and file a Recreation and Open Space Inventory [ROSI] of land either owned or rented by the City that is dedicated to recreational and open space purposes; and

**WHEREAS**, the properties are designated and protected as parklands for public recreation and are eligible for grants from the NJDEP used to develop parklands for public recreation for the use of residents of the community; and

**WHEREAS**, the City's Tax Assessor has designated new block and lot information for the properties on the ROSI; and

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

the following amendments and supplements to Chapter 239 (Parks) of the Jersey City Code are adopted:

Municipal Location	Name	Former Block	New Block	Former Lot	New Lot	Acres
York St. & Exchange Pl.	York St. Park (portion HRWW)	8	11605	portion	2	0.5
Hudson River	J. Owen Grundy Park (aka Exchange Pl. Park)	8	11605	6 portion	2	0.39
226 Washington St.	Paulus Hook Park	68	14304	1	1	0.92
236 Washington St.		69	14303	50	4	
93-99 Grand St.		100	14305	D	8	
92-98 Grand St.		101	14306	M	12	
280 Grove St	City Hall Park	201	12904	CH portion	1	0.48
111 Newark Ave.	Fitzgerald Holota Park (aka Grove St. Park)	204	13004	1	1	0.14
17 Laurel Ct.	Laurel Ct. Park (aka Philippine Plaza)	208	11501	65	9	0.05
450 Manila Ave.	Roberto Clemente Park	213	11601	A	1	1.84

268 Erie St	Sixteenth St. Park	258	7102	19	1	0.46
270 Erie St.		258	7102	20	1	
272 Erie St.		258	7102	21	1	
274 Erie St.		258	7102	22	1	
276 Erie St		258	7102	23	1	
278 Erie St		258	7102	24	1	
215 16th St.		258	7102	25	1	
213 16th St.		258	7102	26	1	
257-287 Montgomery St.	Van Vorst Park	270.5	12805	5	1	1.84
84 Wayne St.	Angel Ramos Park	273	12705	22	17	0.23
86 Wayne St.	(formerly Wayne St. Park)	273	12705	23	18	
88 Wayne St.		273	12705	24	19	
90 Wayne St.		273	12705	25	20	
25 W. Hamilton Pl.	Hamilton Park	283.1	10003	PK	1	5.57
366 Grand St.	Alexander F. Santora Path	303	13905	A.1	1	0.15
364 Grand St	(formerly Meluso Park)	303	13905	A.2	1	
362 Grand St.		303	13905	A.3	1	
360 Grand St.		303	13905	A.4	1	
174 Brunswick Street		389	9905	19	8	0.0565
176 Brunswick Street		389	9905	20	9	0.0459
388 1st St.	First St. Park	410	11006	25	26	0.12
386 1st St.		410	11006	26	25	
384 1st St.		410	11006	27	24	
237 Brunswick St.	Roberto Clemente Sports Complex	418	8504	A.PL	11	6.43
8th St.	(aka Enos Jones Park)	418	8504	PL.F	11	
376 8th St.	(includes Oakley Oval)	418	8504	9	11	
378-380 8th St.	(includes Ed Franco Field)	418	8504	10	11	
381 8th St.	(includes John DeSalvo Plgnd.)	418	8504	12.A	11	
Newark & Merseles	Mary Benson Park Complex	439	10901	A	119	2.95
Merseles & 3rd St.		439	10901	PT.3	132	
96 Palisade Ave.	Sgt. Anthony Park	551	6901	17	11	0.58
90 Palisade Ave.		551	6901	18	10	
109-115 Ogden Ave.	Janet Moore Park	722.B	5202	3.99	29	0.3
105-107 Ogden Ave.	(formerly Cuneo Pl. Park)	722.B	5202	7.A	28	
285 Ogden Ave.		768	3002	54	2	0.0342
Riverview Park	Riverview-Fisk Park	768	3002	VAR	1	5.53
Riverview Park		769	3003	VAR	1	
201 Central Ave.	Pershing Field	835	4802	N	2	13.45
Hillside Rd.	Edward Crincoli, R.A., Park	922	2002	19	13	0.45
Terrace Ave.	(formerly Terrace Ave. Park)	922	2002	19	13	
Hillside Rd.		922	2002	19	13	
Terrace Ave.		922	2002	19	13	
Terrace Ave.		922	2002	19	13	
Hillside Rd.		922	2002	19	13	
Terrace Ave.		922	2002	19	13	
Terrace Ave.		922	2002	19	13	
Terrace Ave.		922	2002	19	13	
Terrace Ave.		922	2002	19	13	

Hillside Rd.		922	2002	19	13	
Terrace Ave.		922	2002	19	13	
3305-65 Kennedy Blvd.	Leonard Gordon Park	935	3501	30	14	5.81
30 Sycamore Rd.	Thomas McGovern Park (formerly Country Village Park, includes College LL Field)	1253.7	29003	A.1	1	2.5
259-265 Linden Ave.	Woodland Ave. Park	1267	28003	105	1	0.17
179 West Side Ave.	Metro Field (includes C. Fricchione playground)	1275.1	21902	1	11	2.33
103-129 Bergen Ave.	Audubon Park (aka Maj. John Desmond Park)	1283.5	23902	4	1	3.43
Broadman Pkwy.	Lt. R.B. Grover Memorial Park	1300.A	22201	84.B	16	0.39
Broadman Pkwy.		1300.B	22302	10.D	29	
146 Wilkinson Ave.	Dr. Edith Bland Phillips Park	1304	23501	A.6	76	0.3
152 Wilkinson Ave.	(formerly Wilkinson Ave. Park)	1305	23501	D.7	78	
150 Wilkinson Ave.		1305	23501	D.8	77	
125 ML King Dr.		Fulton Ave. Park	1337	24903	6.B	16
90 Van Nostrand Ave.	Muhammad Ali Path	1342	25801	15.DUP	38	0.5
92 Van Nostrand Ave.		1342	25801	16.A	39	
102 Van Nostrand Ave.		1342	25801	21.DUP	44	
104-106 Van Nostrand Ave.		1342	25801	22.A	1	
108 Van Nostrand Ave.		1342	25701	24.A	22	
110 Van Nostrand Ave.		1342	25701	25	23	
93 Armstrong Ave.		1342	25801	43	8	
91 Armstrong Ave.		1342	25801	44	9	
66 ML King Dr.		Vernater Watson Park (formerly Stevens Ave. Park)	1346	26402	29.B	36
64 ML King Dr.	1346		26402	31.B	35	
62 ML King Dr.	1346		26402	32.B	34	
13 Ludlow St.	Ralph Taylor Memorial Park	1360.75	28201	A.1	10	0.26
9 Ludlow St.		1360.75	28201	A.3	12	
7 Ludlow St.		1360.75	28201	A.4	13	
5 Ludlow St.		1360.75	28201	A.5	14	
3 Ludlow St.		1360.75	28201	A.6	15	
1 Ludlow St.		1360.75	28201	A.7	16	
250 Old Bergen Rd.	Ferris Triangle Park	1366.1	28205	62.B	1	0.23
1626-38 Kennedy Blvd.	Columbia Park (aka Greenville Memorial Park)	1374	29202	WB	1	4.72
31 Old Bergen Rd.	Martiniak-Enright Park (aka Pamrapo Ave. Park)	1379	29801	23A.PT	47	0.21
		1379	29801	2E3.99	47	
480 Garfield Ave.	Bayside Park	1466	26001	8	1	9.23
Ft. of Richard St.		1466	26001	8	1	
16 Wilkinson Ave.	Skinner Memorial Park	1485	23703	3.99	1	0.14
Chapel Ave. & Caven Pt. Rd.	Caven Point Complex	1500	27401	16	27	17.81
Property of the Jersey City Board of Education. Leased, managed and maintained by the City of Jersey City						
2565 Kennedy Blvd.	Boyd McGuinness Park	1825.1	16302	C.1	40	0.22

88a DeKalb Ave.	La Pointe Park	1839	13201	37.C	17	0.28
53-55 Stuyvesant Ave.		1839	13201	38	6	
90-92 DeKalb Ave.		1839	13201	39	17	
57 Stuyvesant Ave.		1839	13201	40.A	5	
94 DeKalb Ave.		1839	13201	41.A	17	
1020 West Side Ave.	Pavonia Marion Park	1852	10501	59	1	3.4
901 Pavonia Ave.	(includes Pavonia Pool)	1852	10501	59	1	
903 Pavonia Ave.	(includes Martucci LL Field)	1852	10501	59	1	
901 Pavonia Ave.	(includes Marion Plygrd.)	1852	10501	59	1	
899 Pavonia Ave.	(includes Gus DiSanto Ct.)	1852	10501	59	1	
Corbin Ave.		1852	10501	59	1	
Corbin Ave.		1852	10501	59	1	
Corbin Ave.		1852	10501	59	1	
Corbin Ave.		1852	10501	59	1	
Corbin Ave.		1852	10501	59	1	
West Side Ave.		1852	10501	59	1	
West Side Ave.		1852	10501	59	1	
West Side Ave.		1852	10501	59	1	
West Side Ave.		1852	10501	59	1	
West Side Ave.		1852	10501	59	1	
1040 West Side Ave.		1853	9306	41	3	
West Side & Corbin Ave.		1853	9306	41	3	
848 Pavonia Ave.	Brett Triangle	1856.1	9302	1	1	0.02
298 Academy St.	Apple Tree House	1871	12106	34	11	0.48
8-9 Foye Pl.	McGinley Square Park	1896	14902	29	3	0.3
722 Montgomery St.		1896.5	14903	A	1	
531 Communipaw Ave.	Harmon St. Pool	1941	18702	17	9	0.52
1025-1031 Garfield Ave.	Terry DeHere Park (aka Garfield Ave. Park)	1947	19703	G.27	41	0.4
785 Grand St.	Arlington Park (aka William Thorton Park)	1949	18802	P	1	3.52
38 Madison Ave.	38 Madison Ave. (formerly Madison Ave. Park)	1950	18801	R	52	0.91
36 Monticello Ave.	Monticello Ave. Park	1951	18604	39	15	0.16
566 Bramhall Ave.	Izetta Hill-McDuffy Park (formerly Bramhall Park)	1952	18601	40.A	1	0.07
568 Bramhall Ave.		1952	18601	41.A	1	
514 Jackson Ave.		1952	18601	41.B	1	
285 Arlington Ave.	Arthur Ashe Park	1969	21303	97.A	19	0.12
Minerva St.	(formerly Arlington/Minerva Park)	1969	21303	98.A	19	
80 Virginia Ave.	Virginia Ave. Park	1978	21101	48	50	0.23
78 Virginia Ave.		1978	21101	49	49	
76 Virginia Ave.		1978	21101	50	48	
74 Virginia Ave.		1978	21101	51	47	
124 Lafayette St.	Rev. Ercel F. Webb Park (aka Lafayette Park)	2066.1	17405	PK	1	4.43
335 Johnston Ave.	Dr. Lena Edwards Park	2074	19002	34	3	0.77
333 Johnston Ave.		2074	19002	34	3	
331 Johnston Ave.		2074	19002	34	3	
329 Johnston Ave.		2074	19002	34	3	

327 Johnston Ave.		2074	19002	34	3		
325 Johnston Ave.		2074	19002	34	3		
285 Pine St.		2074	19002	35	8		
283 Pine St.		2074	19002	35	8		
368 Whiton St.		2074	19002	36	23		
370 Whiton St.		2074	19002	36	23		
372 Whiton St.		2074	19002	36	23		
382 Whiton St.		2074	19002	36	23		
384 Whiton St.		2074	19002	36	23		
386 Whiton St.		2074	19002	36	23		
388 Whiton St.		2074	19002	36	23		
390 Whiton St.		2074	19002	36	23		
Inside Lot Gateway Park Complex		2134	13701	F	4	6.3	
Bright St. & Merseles St.	(aka Bright St. Gateway Park)	2134	13701	5-15, 17-24, PI-25	4		
Bright St.	(includes Dick Seay Field)	2134	13701	25.PT, 26-32	4		
40 Merseles Ave.		2134.5	13702	PL.2	1		
24 Merseles Ave.		2137	13702	PL.2	4		
17-31 Merseles Ave.		2138	13701	8	4		
490-504 Grand St.		2139	13703	A3.PL	2		
Lincoln Park	Lincoln Park West	1702.1	16002	1 portion	1	8	
<b>Subtotal of Acres Developed .....</b>						120.76	
<b>Wholly Undeveloped Lands Held for Recreation and Conservation Purposes</b>							
24-32 Hudson St.	Veteran Park	2	14502	A	11	0.34	
New York Ave.	Tumulty Park	723	5202	21.B	26	0.49	
New York Ave.		723	5202	21.C	27		
Hillside Rd.	Terrace Ave.	923	2001	5.B	8	0.09	
Hillside Rd.		923	2001	12.B	1		
Hackensack R. & Clendenny	Hackensack River Greenway	1746.5	16001	H2	2	33.88	
Hackensack River		1751	16001	I2	1		
52 Summit Ave.	Summit Cornelison Park	1916	17102	I	1	0.5	
113-116 Central Ave.	Reservoir 3	835	4802	S portion	1	9	
770-776 Ocean Avenue	Oak Street Park	1970	21302	K.2	43		
				21302	L.1	43	
				21302	47.5	43	
				21302	M.1	42	Survey to be provided
Berry Lane	Berry Lane	2040	18901	A	18		
				18901	B.1	18	
				18901	C.16	18	
				18901	H	18	
				18901	G.1	18	
				18901	E	18	
				18901	J.1	18	
				18901	K	18	6.59
<b>Subtotal of Acres Undeveloped .....</b>						50.89	
<b>Total Acres of developed and open space from all pages .....</b>						171.65	

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

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

- C. This ordinance shall take effect at the time and in the manner as provided by law.
- D. The City Clerk and the Corporation Counsel be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.

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*.

IW

APPROVED AS TO LEGAL FORM

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

Certification Required   
Not Required

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

City Clerk File No. Ord. 13.110

Agenda No. 3.K 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 13.110

TITLE: **ORDINANCE AMENDING CHAPTER 182 HEALTH AND SANITATION, ARTICLE IV (SMOKING) OF THE JERSEY CITY CODE TO PROHIBIT SMOKING IN CITY PARKS**

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

**WHEREAS**, the legislature of the State of New Jersey has declared that tobacco is the leading cause of preventable disease and death in the State and that tobacco, including exposure to second hand smoke, constitutes a substantial health hazard to the non-smoking majority of the public; and

**WHEREAS**, smoking in an indoor public places is already prohibited by State law pursuant to N.J.S.A. 26:3D-58; and

**WHEREAS**, however, the State expressly authorizes municipalities to enact even stricter ordinances to further regulate smoking pursuant to N.J.S.A. 40:48 and N.J.S.A. 26:3D-63; and

**WHEREAS**, in addition, N.J.S.A. 2C:33-13B provides that the owner of public places, such as public parks and recreational areas, may prohibit smoking on such property; and

**WHEREAS**, the appearance of City parks will be enhanced, and the limited resources of the Department of Public Works will be conserved, if smoking is banned from parks, thereby keeping such areas free of the litter typically generated by the smoking of cigarettes, such as cigarette butts, ashes and packaging; and

**WHEREAS**, the City finds that the prohibition of smoking in the City parks will protect the health, safety and welfare of the public and its employees.

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

A. The following amendments and supplements to Chapter 182 (Health and Sanitation), Article IV (Smoking) and of the Jersey City Code are adopted.

**§182-29. [Smoking in Council Chambers.] Definitions.**

~~[No person shall smoke or carry any lighted cigar, cigarette or pipe in the City Council Chambers of City Hall during any meeting of the City Council.]~~

A. For the purposes of this Chapter, the following terms shall have the following meanings:

CITY PARK means any City-owned or leased property (including any gazebos, streets and sidewalks therein), designated for use as a public playground, baseball diamond, soccer field, bleacher and spectator area, trails, picnic area and other active or passive recreation.

INTERNATIONAL NO-SMOKING SYMBOL means a pictorial representation of a burning cigarette enclosed in a red circle with a diagonal red line through its cross section.

SMOKING means the burning of, inhaling from, exhaling the smoke from, or the possession of a lighted cigar, cigarette, pipe or any other matter or substance which contains tobacco or any other matter that can be smoked, or the inhaling or exhaling of smoke or vapor from an electronic smoking device.

**ORDINANCE AMENDING CHAPTER 182 HEALTH AND SANITATION, ARTICLE IV (SMOKING) OF THE JERSEY CITY CODE TO PROHIBIT SMOKING IN CITY PARKS**

**§182-29.1. Smoking Prohibited in City Parks.**

- A. Smoking shall be prohibited in all City Parks. Signs with the words "No-Smoking" or the International No-Smoking Symbol shall be clearly, and conspicuously posted at each City Parks entrance.
- B. Smoking shall be prohibited within a thirty-five (35) foot radius of all entrances of all City Parks. No smoking signs or the International No-Smoking Symbol shall be clearly, and conspicuously posted at the entrances to all City Parks.

**§182-29.2. No-Smoking Signs.**

All signs shall be located so as to be clearly visible to the public and shall contain letters at least one inch in height stating "No Smoking" or the International No-Smoking Symbol. The letters or symbol should contrast by color with the sign indicating that smoking is prohibited. The sign shall also indicate that violators are subject to a fine.

**§182-29.3. Enforcement.**

This ordinance shall be enforced by the Police Director or his designee or any other person authorized by this Code or under State law.

**§182-29.4. Violations and Penalties.**

- A. A warning may be issued for the first offense.
- B. Any person who violates any provision of this ordinance shall be subject to a fine of not less than two hundred fifty dollars (\$250.00) for the first offense; five hundred dollars (\$500.00) for the second offense; and one thousand dollars (\$1,000.00) for each subsequent offense.
- C. Any municipal employee found in violation of this ordinance may also be subject to discipline in accordance with the provisions of the City's policies, procedures, labor laws and agreements.
- B. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- C. This ordinance shall become 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 **boldface** and repealed matter by *italics*.

JM/igp/he  
9/19/13

APPROVED AS TO LEGAL FORM

APPROVED

APPROVED

Certification Required  
Signature

Business Admin

City Clerk File No. Ord. 13.109

Agenda No. 3.J 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 13.109

TITLE:

**ORDINANCE AUTHORIZING THE CITY OF JERSEY CITY TO EXECUTE A  
LEASE AGREEMENT WITH HARWOOD CORPORATION FOR PARKING  
SPACES LOCATED AT 2854 KENNEDY BOULEVARD.**

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

**WHEREAS**, the City of Jersey City (City) Police Department moved its headquarters from 8 Erie Street to office space at 1 Journal Square Plaza in July, 2012; and

**WHEREAS**, the City needs parking spaces for Police Department personnel working at 1 Journal Square Plaza; and

**WHEREAS**, Harwood Corporation agrees to provide twenty (20) unreserved parking spaces at its facility located at 2854 Kennedy Boulevard, Jersey City for \$120.00 per space per month for a total monthly cost of \$2,400.00; and

**WHEREAS**, the parking spaces rented by the City will be exempt from the City's tax on parking lot spaces pursuant to section 304-1 et seq. of the City Code; and

**WHEREAS**, the lease term shall be for sixteen (16) months effective September 1, 2013 and ending December 31, 2014; and

**WHEREAS**, the sum of \$8,000.00 is available in Account No. 01-201-31-432-304; and

**WHEREAS**, the balance of the lease funds will be made available in the 2014 permanent budget and in subsequent Calendar Year budgets.

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

1. Subject to such modifications as may be deemed necessary or appropriate by Corporation Counsel, the Mayor or Business Administrator is authorized to execute the Lease Agreement attached hereto with Harwood Corporation for twenty (20) unreserved parking spaces at 2854 Kennedy Boulevard, Jersey City.
2. The term of the lease shall be sixteen (16) months and shall take effect as of September 1, 2013 and shall end on December 31, 2014.
3. Harwood Corporation and the City of Jersey City shall have the right to terminate the lease without cause by providing (30) days notice prior to the effective date of termination.
4. The monthly rent for twenty (20) unreserved parking spaces shall be \$120.00 per space for a total monthly amount of \$2,400.00.
5. The parking spaces rented by the City shall be exempt from the parking tax authorized pursuant to Section 304-1 et seq. of the City Code.
6. Funds in the amount of \$8,000.00 are available in Account No. 01-201-31-432-304. The balance of the lease funds will be made available in the 2014 permanent budget and in subsequent Calendar Year budgets

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

I hereby certify that funds in the amount of \$8,000.00 are available for this expenditure in Account # 01-201-31-432-304 in accordance with the Local Budget Law, N.J.S.A. 40:4-1 et seq.

\_\_\_\_\_  
Donna Mauer, Chief Financial Officer

APPROVED AS TO LEGAL FORM

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

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

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

Business Administrator

Certification Required   
Not Required

CITY OF JERSEY CITY

Requisition #
0163367

Assigned PO #

Requisition

**Vendor**  
 HARWOOD CORP.  
 26 JOURNAL SQUARE, STE 804  
 JERSEY CITY NJ 07306

**Dept. Bill To**  
 DIVISION OF REAL ESTATE  
 MUNICIPAL COURT BUILDING  
 365 SUMMIT AVENUE  
 JERSEY CITY NJ 07306

**Dept. Ship To**

HA262477

**Contact Info**  
 PEGGY RAUSCH X5234  
 0000000000

Quantity	UOM	Description	Account	Unit Price	Total
1.00	EA	AS FOLLOWS:	0120131432304	8,000.00	8,000.00
THIS PURCHASE ORDER IS ISSUED FOR ENCUMBRANCY PURPOSES ONLY TO ESTABLISH FUNDING FOR EMPLOYEE PARKING AT 2854 KENNEDY BOULEVARD NAME OF CONTRACT: HARWOOD CORPORATION TOTAL CONTRACT: \$28,800.00 TEMPORARY ENCUMBRANCY: \$8,000.00 TO COVER FROM 9/1/13 THRU 12/31/13 PAYMENTS WILL BE MADE FROM TIME TO TIME ON PARTIAL PAYMENT VOUCHERS.					

Requisition Total 8,000.00

Req. Date: 09/11/2013

Requested By: PEGGYR

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

Buyer Id:

**This Is Not A Purchase Order**

## LEASE AGREEMENT

**THIS LEASE AGREEMENT** made this 1st day of September, 2013 between **HARWOOD CORPORATION** located at 26 Journal Square Suite 804, Jersey City, New Jersey 07306 and the **CITY OF JERSEY CITY (City)**, having its principal place of business at City Hall, 280 Grove Street, Jersey City, New Jersey 07302.

**WHEREAS**, the City requires parking spaces for employees working at the Police Department located at 1 Journal Square Plaza, Jersey City, New Jersey; and

**WHEREAS**, Harwood Corporation agrees to lease the City twenty (20) parking spaces located at 2854 Kennedy Boulevard, Jersey City, New Jersey.

**NOW THEREFORE**, inconsideration of the mutual promises and covenants set forth herein, the parties agree as follows:

### ARTICLE I Premises

Harwood Corporation does hereby lease to the City and the City does hereby rent from Harwood Corporation the following described premises:

A total of twenty parking spaces located at 2854 Kennedy Boulevard.

### ARTICLE II Term

For a term of sixteen (16) months effective as of September 1, 2013 and ending December 31, 2014.

### ARTICLE III Use

Under the terms of this lease, the City shall have the right to use and occupy twenty parking spaces located at 2854 Kennedy Boulevard, Jersey City, New Jersey.

### ARTICLE IV Payment of Rent

The City covenants and agrees to pay the Harwood Corporation rent for and during the term hereof the sum of Two Thousand Four Hundred Dollars (\$2,400.00) per month during the term of this Lease. The sum of Two Thousand Four Hundred Dollars (\$2,400.00) represents the monthly rent due for twenty(20) parking spaces at One Hundred Twenty Dollars (\$120.00) per parking space per month. The parking spaces rented by the City will be exempt from the City's tax on parking lot spaces pursuant to section 304-1 et seq. Of the City Code.

**ARTICLE V**  
**Assignment Sub- Lease**

The City shall not, without the prior written consent of Harwood Corporation, assign mortgagor hypothecate this Lease, or sublet or sublease the premises or any part hereof.

**ARTICLE VI**  
**Termination**

The Term of this Lease is for sixteen (16) months. The City shall have the right at its convenience to terminate the lease at any time during its term by giving thirty (30) days notice prior to the date of termination.

**ARTICLE VII**  
**Validity of Lease**

The terms, conditions, covenants and provisions of this Lease shall be deemed to be severable. If 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 or any other clause or provision herein, but such other clauses or provisions shall remain in full force and effect.

**ARTICLE VIII**  
**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 notice of change of address shall be given in the same manner.

**ARTICLE IX**  
**Entire Contract**

This Lease contains the entire contract between the parties. No representative, agent or employee of Harwood Corporation 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 Harwood Corporation and the City.

**ARTICLE X**

This Lease may not be filed by the City without the prior written consent of the Harwood Corporation.

ARTICLE XI

1. Landlord shall purchase and maintain the following insurance during the term of this Lease:

A. Comprehensive General Liability: including Premises Operations, Products Completed Operations, and Independent Contractor Coverages - covering as insured Landlord with not less than ONE MILLION DOLLARS (\$1,000,000) combined single limit for Bodily Injury and Property Damage Liability. The City of Jersey City, its employees, its agents, and servants shall be named as additional insured.

B. Automobile Liability Coverage: covering as insured Landlord with not less than FIVE HUNDRED THOUSAND DOLLARS (\$500,000) combined single limit for Bodily Injury and Property Damage Liability, including non-owned Automobile Liability Coverage.

C. Workmen's Compensation Insurance: benefit securing compensation for the benefit of the employees of Landlord in the sum of ONE HUNDRED THOUSAND DOLLARS (\$100,000) (Statutory).

D. Garage Liability Coverage: covering as insured Landlord with no less than ONE MILLION DOLLARS (\$1,000,000) combined single limit for Bodily Injury and Property Damage Liability. The City of Jersey City, its employees, its agents, and servants shall be named as additional insureds.

E. Garage Keepers Liability Coverage: covering as insured Landlord with not less than ONE MILLION DOLLARS (\$1,000,000) combined single limit for Bodily Injury and Property Damage Liability. The City of Jersey City, its employees, its agents, and servants shall be named as additional insureds.

Harwood Corporation may pursue the relief or remedy sought in any invalid clause, by conforming the said clause with the provisions of the status or the regulations of any governmental agency in such case made and provided as if the particular provisions of the applicable statutes or regulations were set forth herein at length.

In all references herein to any parties, persons, entities or corporation the use of any particular gender or the plural or singular number is intended to include the appropriate gender or number as the text of the within instrument may require. All the terms, covenants and conditions herein contained shall be for and shall inure to the benefit of and shall bind the respective parties hereto, and their heirs, executors, administrators, personal or legal representatives, successors and assigns.

**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

\_\_\_\_\_  
**ROBERT J. KAKOLESKI**  
Acting Business Administrator

**WITNESS:**

**HARWOOD CORPORATION**

**BY:** \_\_\_\_\_

**BY:** \_\_\_\_\_

City Clerk File No. Ord. 13.111

Agenda No. 3.L 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 13.111

TITLE:

**ORDINANCE APPROVING A 30 YEAR TAX EXEMPTION FOR AN URBAN RENEWAL (1) AFFORDABLE HOUSING PROJECT FOR NEW IMPROVEMENTS TO BE CONSTRUCTED BY SALEM LAFAYETTE URBAN RENEWAL, L.P., AN URBAN RENEWAL ENTITY, PURSUANT TO THE LONG TERM TAX EXEMPTION LAW N.J.S.A. 40A:20-1 ET SEQ. AND (2) RESCINDING THE TAX EXEMPTION APPROVAL BY RESOLUTION ADOPTED ON OCTOBER 5, 1976.**

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

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

**WHEREAS**, the Entity has a contract to purchase certain property known as Block 18601, Lots 24 & 27; Block 18702, Lots 27, 28 & 29; Block 19601, Lot 1; and Block 19604, Lot 2, on the City's Official Tax map, more commonly known by the street addresses of 37 and 29 Monticello Avenue; 98, 102 and 106 Harmon Street; 94 Union Street, 95-129 Union Street, respectively, and more specifically described by metes and bounds, in the application (Property); and

**WHEREAS**, the Property is located within the Jackson Avenue Redevelopment Plan Area as required by N.J.S.A. 40A:20-4 and N.J.S.A. 40A:12A-5(g); and

**WHEREAS**, there currently exists a 30 year exemption on the existing structures, pursuant to Resolution dated October 5, 1976, which is set to expire in 2016; and

**WHEREAS**, on August 19, 2013, the Entity applied for a 30 year long term tax exemption to construct new improvements to the existing 412 unit residential complex consisting of one (1) 15-story building containing 182 units of elderly housing, five (5) low-rise buildings containing 180 units, and five (5) low-rise buildings consisting of 50 units, to be occupied by and affordable to seniors and families of low income within the meaning of the Law; and

**WHEREAS**, the new tax exemption will pay a service charge equal to 6.28% of annual gross revenue plus conventional taxes on the existing improvements; and

**WHEREAS**, upon adoption of the within ordinance, the current tax exemption on the existing structures will become null and void, and the Resolution adopted on October 5, 1976 will be repealed and rescinded; and

**WHEREAS**, upon rescission of the Resolution approving the tax exemption for the new owner Salem Lafayette Community Development Corp., adopted on October 5, 1976, the new owner Salem Lafayette Urban Renewal, L.P., will begin paying real estate taxes on the existing structures and the new improvements which shall be subject to the service charge; and

**WHEREAS**, pursuant to N.J.S.A. 40A:20-9(h) and N.J.S.A. 40A:20-12, because the Project is an affordable housing project, the City is authorized to exempt the land; and

**WHEREAS**, major capital improvements have not been made to the buildings in at least 36 years; and

**WHEREAS**, major improvements are needed to modernize the buildings and keep them safe and habitable; and

**WHEREAS**, Salem Lafayette Urban Renewal, L.P., has agreed to:

1. pay the greater of (i) the Minimum Annual Service Charge or (ii) 6.28% of Annual Gross Revenue, which sum is estimated to be \$536,139, and which shall be subject to statutory staged increases over the term of the tax exemption plus conventional taxes on the existing structure but not the new improvements and conventional taxes on the existing improvement; and
2. pay an annual sum equal to 0.5% of each prior year's Annual Service Charge as an Administrative Fee; and
3. provide employment and other economic opportunities for City residents and businesses; and
4. pay to the City, for remittance to Hudson County, an amount equal to 5% of the Annual Service Charge upon receipt of that charge; and

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

1. the property is currently exempt and generates for the City; however, based on the current assessment, the conventional real estate taxes \$390,000.00 annually would generate revenue of \$93,549.00 on the land and \$950,235 on the proposed improvements, and the Annual Service Charge as estimated, will generate revenue of more than \$536,139 to the City;
2. it is expected that the Project will create approximately 150 jobs during construction and approximately 5 to 8 new permanent jobs;
3. the Project will stabilize and contribute to the economic growth of businesses in the surrounding area;
4. the Project will further the overall redevelopment objectives of the Jackson Avenue Redevelopment Plan;
5. the project provides 412 units of low income affordable housing which advances an inherently beneficial public purpose notwithstanding that the City's impact analysis, on file with the Office of the City Clerk, indicates that the service charge will not support the cost of providing municipal services to the Project but it will not exacerbate the disparity; and

**WHEREAS**, the City hereby determines that the tax exemption is important in obtaining development of the project and influencing the locational decisions of probable occupants for the following reasons:

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

**WHEREAS**, Salem Lafayette Urban Renewal, L.P., has initially complied with Executive Order 2002-005 concerning "Disclosure of Lobbyist Representative Status" by filing a letter in the Office of the City Clerk; and

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

A. The application of Salem Lafayette Urban Renewal, L.P., an urban renewal company, formed and qualified to do business under the provisions of the Long Term Tax Exemption Law of 1992, as amended and supplemented, N.J.S.A. 40A:20-1 et seq. a copy of which is on file in the office of the City Clerk, for Block 18601, Lots 24 & 27; Block 18702, Lots 27, 28 & 29; Block 19601, Lot 1; and Block 19604, Lot 2, more commonly known by the street addresses of 37 and 29 Monticello Avenue; 98, 102 and 106 Harmon Street; 464-490 MLK Drive, 106-133 Union Street, 14-48 Salem-Lafayette Court, and 94 Union Street; and 781-795 Ocean Avenue, 18-48 Oak Street, and 464-490 MLK Drive, respectively, and more specifically described by metes and bounds in the application, is hereby approved.

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

1. Term: the earlier of 33 years from the adoption of the within Ordinance or 33 years from the date the project is Substantially Complete, indicated by the issuance of a temporary or permanent Certificate of Occupancy;
2. Annual Service Charge: each year the greater of:
  - (a) the Minimum Annual Service Charge equal to \$536,139 upon Project Completion, whether or not the Project is occupied; or
  - (b) 6.28% of Annual Gross Revenue, estimated at \$536,139, plus conventional taxes on the existing improvements of approximately \$145,064 annually which shall be subject to statutory increases during the term of the tax exemption.
3. Administrative Fee: 0.5% of the prior year's Annual Service Charge; and
4. Pay to the City, for remittance to Hudson County, an amount equal to 5% of the Annual Service Charge upon receipt of that charge; and
5. An obligation to execute a Project Employment and Contracting Agreement to insure employment and other economic benefits to City residents and businesses.
6. An obligation to pay conventional real estate taxes on the existing structure, once the previous tax exemption ordinance is rescinded.
7. This Ordinance will sunset and the Tax Exemption will terminate unless construction of the Project begins within two (2) years of the adoption of the within Ordinance.

C. The application is on file with the office of the City Clerk. The Financial Agreement and Project Employment and Contracting Agreement shall be in substantially the form on file in the Office of the City Clerk, subject to such modification as the Business Administrator or Corporation Counsel deems appropriate or necessary.

D. All ordinances and parts of ordinances inconsistent herewith including the Resolution adopted on October 5, 1976 that approved a tax exemption for the same property for the Salem Lafayette Community Development Corp. are hereby repealed.

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

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

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

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

DJ/kn  
9/20/13

APPROVED AS TO LEGAL FORM

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

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

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

Certification Required   
Not Required

City Clerk File No. Ord. 13.112

Agenda No. 3.M 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 13.112

**TITLE: ORDINANCE CONSENTING TO THE SALE AND ASSIGNMENT OF MASTER CONDOMINIUM 1 AND THE ASSIGNMENT IN PART OF A TAX EXEMPTION AND FINANCIAL AGREEMENT FROM ACC TOWERS 1A URBAN RENEWAL, LLC TO MANA CONTEMPORARY TRIBECA WEST URBAN RENEWAL, LCC PURSUANT TO SECTION 9.1 OF THE FINANCIAL AGREEMENT AND THE LONG TERM TAX EXEMPTION LAW N.J.S.A. 40A:20-1 ET SEQ.**

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

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

**WHEREAS**, the Entity was the owner of the entire property known as Block 7701, Lot 5 on the City's Official Tax map, and more commonly known by the street address of 50 Dey Street, Jersey City, New Jersey, all of which is located within the boundaries of an urban enterprise zone area; and

**WHEREAS**, by the adoption of Ordinance 06-054 on April 26, 2006, the Municipal Council of the City of Jersey City approved the tax exemption on two sections of a portion of the Project and authorized the execution of a financial agreement for those two sections, which was executed on May 18, 2006; and

**WHEREAS**, on August 9, 2006, the Entity submitted an application to amend its financial agreement to include tax exemption for the entire property; and

**WHEREAS**, by the adoption of Ordinance 06-121 on October 11, 2006, the Municipal Council of the City of Jersey City approved the tax exemption on the entire Project and authorized the execution of an amended financial agreement; and

**WHEREAS**, on May 9, 2008, the Entity submitted an application for a second amended and restated financial agreement to convert the property into seven master condominium units, known as Unit 1 (Block 7701, Lot 5 C0001), Unit 2 (Block 7701, Lot 5 C0002), Unit 3 (Block 7701, Lot 5 C0003), Unit 4 (Block 7701, Lot 5 C0004), Unit 5 (Block 7701 Lot 5 C0005), Unit 6 (Block 7701, Lot 5 C0006), Unit 7 (Block 7701, Lot 5 C0007), by a master deed dated December 2, 2008 to amend the tax exemption and financial agreement; and

**WHEREAS**, by the adoption of Ordinance 08-090 on June 25, 2008, the Municipal Council of the City of Jersey City approved the second amended application and authorized the execution of a second amended and restated financial agreement, for a mixed use project, consisting of 551 residential units, with a service charge calculated as 10% of gross revenue for the first ten (10) years which is presently \$726,553; 12% of gross revenue for the second ten (10) years; and 14% of the gross revenue for the final ten (10) years; and

**WHEREAS**, Master Condominium Unit 2 and Unit 3 were substantially completed and sold to individual condominium unit purchasers; and

**WHEREAS**, the tax exemption for Master Condominium Units 4, 5 and 6 was terminated by the Entity on December 27, 2012; and

**WHEREAS**, the tax exemption for the Master Units (1,2,3 and 7) remaining subject to the Financial Agreement commenced on December 10, 2008; and

**WHEREAS**, in accordance with an agreement of sale dated May 14, 2013, ACC Towers 1A Urban Renewal, LLC has agreed to sell Unit 1 of the Project to Mana Contemporary Tribeca West Urban Renewal, LLC ("Mana") subject to the City's consent to the assignment of the Financial Agreement for Master Condominium Unit 1 to Mana; and

**WHEREAS**, on July 22, 2013, the Entity applied to the City for its consent to the sale of Unit 1 the project to Mana Contemporary Tribeca West Urban Renewal LLC, an urban renewal company formed and qualified to do business under the provisions of the Long Term Tax Exemption Law of 1992, as amended and supplemented, N.J.S.A. 40A:20-1 et seq., which has agreed to assume all obligations of the Entity under the Financial Agreement as amended; and

**WHEREAS**, pursuant to Section 9.1 of the Financial Agreement dated July 15, 2008, upon written application by the Entity, the City is required to consent to the sale or transfer of a tax exemption, or a portion thereof, if: 1) the New Entity does not own any other tax exempt projects; 2) the New Entity is formed and eligible to operate under the Law; 3) the existing Entity is not in default of its financial agreement; and 4) the New Entity agrees to assume all obligations of the existing Entity; and

**WHEREAS**, in addition, pursuant to Section 9.1 of the Financial Agreement, an Entity seeking to sell a project, is also required to pay the City an amount equal to 2% of the annual service charge as consideration for continuation of the tax exemption; and

**WHEREAS**, based upon the current service charge, 2% of the annual service charge is estimated to be \$14,531.00, which sum will be paid at closing, anticipated to occur on or before January 10, 2014; and

**WHEREAS**, the New Entity will continue to pay 10% of gross revenue for years 1-10, which in 2012 was approximately \$726,553; then 12% of gross revenue for the second ten (10) years, and 14% gross revenue for the final ten (10) years.

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

A. The Application of ACC Towers 1A Urban Renewal, LLC, an urban renewal company formed and qualified to do business under the provisions of the Long Term Tax Exemption Law of 1992, as amended and supplemented, N.J.S.A. 40A:20-1 et seq. attached hereto, for the sale of Unit 1, a portion of Block 7701, Lot 5 and more commonly known by the street address of 50 Dey Street, Unit 1, and transfer the tax exemption for Unit 1 to Mana Contemporary Tribeca West Urban Renewal, LLC, for Unit 1 is hereby approved, subject to payment to the City of 2% of the annual service charge estimated to be \$14,531.00.

B. The Mayor or Business Administrator is hereby authorized to execute a consent to assignment with ACC Towers 1A Urban Renewal, LLC, for Unit 1 and an assumption agreement with Mana Contemporary Tribeca West Urban Renewal, LLC, as well as any other documents appropriate or necessary to effectuate the sale and transfer of Unit 1 of the Project and the tax exemption financial agreement for Unit 1, and the purposes of this ordinance.

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

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

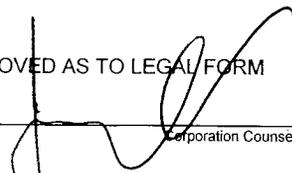
E. This ordinance shall take effect at the time and in the manner provided by law.

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

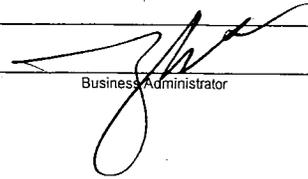
NOTE: All material is new; therefore underlining has been omitted. For purposes of advertising only, new matter is indicated by **bold face** and repealed matter by *italic*.

DJ/kn  
9-18-13

APPROVED AS TO LEGAL FORM

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

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

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

Certification Required   
Not Required