



ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 11-122

TITLE: ORDINANCE AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE PORT AUTHORITY OF NEW YORK AND NEW JERSEY PERTAINING TO A MARINE TERMINAL ON THE PORT JERSEY BOULEVARD, PURSUANT TO N.J.S.A. 32:1-35.31 AND N.J.S.A. 32:1-144

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

WHEREAS, the Port Authority of New York and New Jersey is undertaking the construction of a Marine Terminal in the Port Jersey area of the City of Jersey City, more particularly described on a map attached hereto; and

~~**WHEREAS**, pursuant to N.J.S.A. 32:1-35.31 the Port Authority of New York and New Jersey may not use or acquire any municipally owned real property interest, including property already devoted to a public use, for Marine Terminal purposes without the consent of the municipality; and~~

WHEREAS, the Port Authority of New York and New Jersey has acquired certain real property in Jersey City, more particularly described as Block 1514.C, Lots 301 and 302; and Block 1514.D, Lots 401 and 402, *Block 1514.C, Lot 302 DUP*, which property was traversed by a dedicated public right of way or street, known as a portion of Port Jersey Boulevard and more particularly described in a street vacation ordinance adopted on even date; and

WHEREAS, the Port Authority of New York and New Jersey has determined that the property, including a portion of Port Jersey Boulevard, is necessary, convenient or desirable for Marine terminal purposes; and

~~**WHEREAS**, pursuant to N.J.S.A. 32:1-35.31 in order to obtain the City's consent for the acquisition of its property, a portion of Port Jersey Boulevard, through the adoption of a street vacation the Port Authority of New York and New Jersey has agreed to pay the City an annual fee; and~~

WHEREAS, pursuant to N.J.S.A. 32:1-144, to insure that the City does not suffer undue loss of taxes or assessments, due to the acquisition of non City owned Marine Terminal property, the Port Authority of New York and New Jersey has agreed to pay the City a fair and reasonable annual payment; and

WHEREAS, the City of Jersey City is willing to enter into an agreement whereby, the Port Authority of New York and New Jersey will pay the City total sum of \$1,360,030.

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 an agreement whereby the Port Authority of New York and New Jersey will pay the City the annual sum of \$1,360,030 in consideration of the City's consent to the acquisition of a portion of Port Jersey Boulevard and an amount attributable to the loss of taxes and assessments arising from the acquisition

ORDINANCE AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE PORT AUTHORITY OF NEW YORK AND NEW JERSEY PERTAINING TO A MARINE TERMINAL ON THE PORT JERSEY BOULEVARD, PURSUANT TO ~~N.J.S.A. 32:1-35.31~~ AND N.J.S.A. 32:1-144

of the above described non municipal property for use as a Marine Terminal, all in accordance with ~~N.J.S.A. 32:1-35.31~~ and N.J.S.A. 32:1-144 and any other documents appropriate or necessary to effectuate the purposes of the within ordinance.

2. The agreement shall be in substantially the form attached, subject to such minor modification as the Business Administrator or Corporation Counsel deems appropriate or necessary.
 - A. All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed.
 - B. This Ordinance shall be a part of the Jersey City Code as though codified and fully set forth therein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.
 - C. This Ordinance shall take effect at the time and in the manner as provided by law but in no event prior to the adoption of the Ordinance approving the Morris Canal Redevelopment Plan.
 - D. The City Clerk and the Corporation Counsel be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this Ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.

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

JM/he
9/21/11

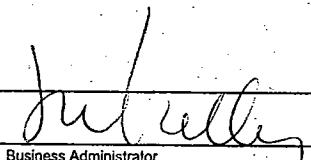
APPROVED AS TO LEGAL FORM



Corporation Counsel

APPROVED: _____

APPROVED: _____



Business Administrator

Certification Required ☐
Not Required ☐

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

ORDINANCE NO. Ord 11-122

TITLE:

3.G. SEP 27 2011

4.F. OCT 12 2011



Ordinance authorizing the execution of an agreement with the Port Authority of New York and New Jersey pertaining to a marine terminal on the Port Jersey Boulevard, pursuant to N.J.S.A. 32:1-35.31 and N.J.S.A. 32:1-144.

RECORD OF COUNCIL VOTE ON INTRODUCTION SEP 27 2011 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
DONNELLY	✓			FULOP	✓			AHMAD	✓		
LOPEZ	✓			RICHARDSON	✓			VELAZQUEZ	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING OCT 12 2011 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	✓			AHMAD	✓		
LOPEZ	✓			RICHARDSON	✓			VELAZQUEZ	✓		

✓ Indicates Vote

YVONNE BALCER
ESTHER WINTNER

N.V.-Not Voting (Abstain)

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY OCT 12 2011											
Councilperson <u>FULOP</u>				moved to amend* Ordinance, seconded by Councilperson <u>SOTTOLANO</u>				& adopted <u>9-0</u>			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
DONNELLY	✓			FULOP	✓			AHMAD	✓		
LOPEZ	✓			RICHARDSON	✓			VELAZQUEZ	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

RECORD OF FINAL COUNCIL VOTE OCT 12 2011 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
DONNELLY	✓			FULOP	✓			AHMAD	✓		
LOPEZ	✓			RICHARDSON	✓			VELAZQUEZ	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on SEP 27 2011

Adopted on second and final reading after hearing on OCT 12 2011

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on OCT 12 2011

Robert Byrne
Robert Byrne, City Clerk

APPROVED:

Peter M. Brennan
Peter M. Brennan, Council President

Date: OCT 12 2011

APPROVED:

Jerramiah T. Healy
Jerramiah T. Healy, Mayor

Date: OCT 17 2011

Date to Mayor OCT 13 2011

*Amendment(s): PAGE 1
3rd Whereas,
add Block 1514, LOT 302DUP
(in italics)
REMOVE 2nd and 5th WHEREAS
REMOVE N.J.S.A. 32:1-35.31 and
from Now, THEREFORE, BE IT ORDAINED
SECTION 1. and title.