

City Clerk File No. Ord. 14.015

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:

CITY ORDINANCE 14.015

**TITLE: ORDINANCE AUTHORIZING THE CANCELLATION OF TAXES
PURSUANT TO N.J.S.A. 54:4-3.6c FOR PROPERTY OWNED BY
SAINT JOHN'S SCHOOL AND LOCATED AT 3026 KENNEDY BLVD,
ON BLOCK 6501, LOT 1, QUALIFIER X**

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

WHEREAS, Saint John's School is the owner of 3026 Kennedy Blvd, Block 6501, Lot 6501, Lot 1, Qualifier X; and

WHEREAS, although Saint John's School ceased operation as a school in 2010, the property was continuing to be used as a meeting place for parish events and other nonprofit activities; for storage and was also subject to renovation for its continued use as a public charter school; and

WHEREAS, Saint John's School failed to timely file an amendment to its Further Statement on or before November 2009, pursuant to N.J.S.A. 54:4-4.4, indicating the above facts which would have entitled it to a continuation of its exemption from real property taxes; and

WHEREAS, as the result of the failure to file, the property was returned to the tax rolls beginning in tax year 2010 and continuing until 2011, after which Saint John's School filed a its Further Statement; and

WHEREAS, in January 2013, Saint John's School finally filed an amended Further Statement, together a certification indicating good cause for the late filing, which certification is attached hereto; and

WHEREAS, if the amended Further Statement had been timely filed, the tax exemption would have continued in effect for 2010 and 2011; and

WHEREAS, pursuant to N.J.S.A. 54:4-3.6c, the Municipal Council may cancel the principal amount of taxes which were levied against tax exempt property for up to three (3) years, provided good cause has been shown for the late filing of the Further Statement and proof is submitted and the Tax Assessor confirms that the subject property would have been tax exempt had the Further Statement been timely filed; and

WHEREAS, Saint John's School has agreed to reimburse the City the sum of \$3,052.41 representing the statutory penalty and legal fees which will have to be repaid to the purchaser of the tax lien certificate 2011-0174.

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

ORDINANCE AUTHORIZING THE CANCELLATION OF TAXES PURSUANT TO N.J.S.A. 54:4-3.6c FOR PROPERTY OWNED BY SAINT JOHN'S SCHOOL AND LOCATED AT 3026 KENNEDY BLVD, ON BLOCK 6501, LOT 1, QUALIFIER X

1. Good cause has been shown for the late filing of the amended Further Statement for 2010-2011 for property owned by Saint John's School and located at 3026 Kennedy Blvd, on Block 6501, Lot 1, Qualifier X; and
 2. Pursuant to N.J.S.A. 54:4-3.6c, the Tax Collector is hereby authorized to cancel the real estate taxes that were levied in 2010 through 2011, subject to confirmation by the Tax Assessor that the subject property would have been eligible for tax exempt status in 2010 through 2011, but for the late filing of the Further Statement; and
 3. Saint John's School has agreed to pay the City the sum of \$3,052.41 representing the statutory penalties and legal fees that accrued to the tax lien, which lien was sold without interest, to a third party who will be entitled to be reimbursed.
- A. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- B. This ordinance shall be a part of the Jersey City Code as though codified and fully set forth therein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.
- C. This ordinance shall take effect at the time and in the manner as provided by law.
- D. The City Clerk and the Corporation Counsel be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.

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

JM/he
1/13/14

APPROVED AS TO LEGAL FORM

Corporation Counsel

APPROVED: _____

APPROVED: _____

Business Administrator

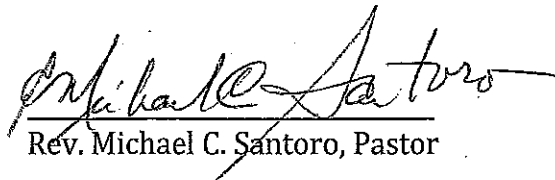
Certification Required

Not Required

CERTIFICATION OF THE PASTOR OF SAINT JOHN THE BAPTIST CHURCH AND SCHOOL, CONCERNING THE CONTINUATION OF THE TAX EXEMPT STATUS OF SAINT JOHN'S SCHOOL PROPERTY LOCATED AT 3026 KENNEDY BLVD

I, Rev. Michael C. Santoro, Pastor, being of full age, certify as follows:

1. I am the pastor of St John's Church that is part of Saint John's School located at 3026 Kennedy Blvd., Block 6501, Lot 1 which is the property that is the subject of the within certification.
2. I am familiar with the use of St John's School since at least 2009.
3. Even after the school closed, the school continued to be used for church and other nonprofit purposes such as parish meetings and socials; weekly religious education classes; weekly boy scout meetings; weekly meetings of alcoholics anonymous; and twice a week Zumba exercise lessons for the parish community.
4. After the school closed, part of the first floor and all of the second and third floors were used for the storage of equipment, furnishings, and supplies of the former school since the rehabilitation and continuation of the use of property for a nonprofit school was always anticipated and actively sought.
5. A lease with The Golden Door Charter School, a nonprofit entity, which required substantial renovations to the property, was executed, and the active reuse of the property as a school commenced, on August 1, 2010.
4. Neither I nor the Parish Secretary can recall receiving any notice warning that the tax status of the property would change. So we were not aware that we should also have filed an amended further statement in order to continue the tax exemption for the property once the school closed. Upon receiving the first conventional tax bill, I personally forwarded it to the Office of Property Management and the Archdiocesan Legal Department.
5. I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.


Rev. Michael C. Santoro, Pastor

Dated: Feb. 3, 2014

RESOLUTION FACT SHEET – NON-CONTRACTUAL

This summary sheet is to be attached to the front of any resolution that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the resolution.

Full Title of Ordinance/Resolution

CANCELLATION OF 2012 REAL ESTATE TAXES ON BLOCK 6501 LOT 1 ALSO KNOWN AS 3026 KENNEDY BLVD OWNED BY ST. JOHN'S CHURCH

Initiator

Department/Division	Administration	Tax Collection
Name/Title	Trisha Greco	Asst. Tax Collector
Phone/email	201-547-5526	Trisha@jcnj.org

Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

Resolution Purpose

TO CANCEL THE 2013 TAXES THAT WERE ERRONEOUSLY ASSESSED ON A PROPERTY OWNED BY ST. JOHN'S CHURCH WHICH IS BEING USED AS A SCHOOL AND SHOULD BE TAX EXEMPT AS PER THE TAX ASSESSOR ED TOLOZA.

I certify that all the facts presented herein are accurate.

Trisha Greco, Asst. CTC
Signature of Department Director

FEB. 6, 2014
Date

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



ORDINANCE NO. Ord. 14.015
 TITLE: 3.B FEB 11 2014 4.B FEB 26 2014

Ordinance authorizing the cancellation of taxes pursuant to
N.J.S.A. 54:4-3.6c for property owned by Saint John's School
 and located at 3026 Kennedy Boulevard, on Block 6501, Lot 1.
 Qualifier X.

RECORD OF COUNCIL VOTE ON INTRODUCTION											
				FEB 11 2014				9-0			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING											
				FEB 26 2014				8-0			
Councilperson <u>LAVARRO</u>			moved, seconded by Councilperson <u>RIVERA</u>			to close P.H.					
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			COLEMAN	ABSENT			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

SPEAKERS:

PAT O'MELIA

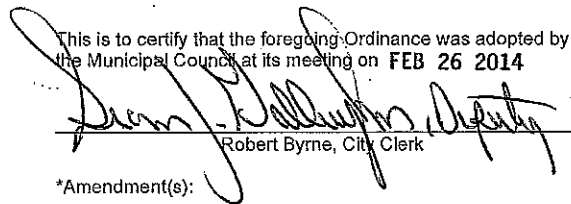
RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY											
Councilperson			moved to amend* Ordinance, seconded by Councilperson			& adopted					
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI				YUN				RIVERA			
RAMCHAL				OSBORNE				WATTERMAN			
BOGGIANO				COLEMAN				LAVARRO, PRES.			

RECORD OF FINAL COUNCIL VOTE											
				FEB 26 2014				9-0			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

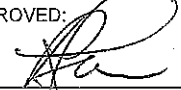
✓ Indicates Vote

N.V.--Not Voting (Abstain)


Adopted on first reading of the Council of Jersey City, N.J. on FEB 11 2014
 Adopted on second and final reading after hearing on FEB 26 2014

This is to certify that the foregoing Ordinance was adopted by
 the Municipal Council at its meeting on FEB 26 2014

 Robert Byrne, City Clerk

*Amendment(s):

APPROVED: 
 Rolando R. Lavarro, Jr., Council President

Date FEB 26 2014

APPROVED: 
 Steven M. Fulop, Mayor

Date FEB 28 2014

Date to Mayor FEB 27 2014