

City Clerk File No. Ord. 14.180
Agenda No. 3.0 1st Reading
Agenda No. 4.0. 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 14.180

TITLE: ORDINANCE AUTHORIZING THE EXECUTION OF AN EMERGENCY ACCESS EASEMENT AGREEMENT WITH JOURNAL SQUARE ASSOCIATES, LLC ("JSA") AND THE PORT AUTHORITY TRANS-HUDSON CORPORATION ("PATH") PERMITTING EMERGENCY VEHICLES OF THE CITY OF JERSEY CITY TO TRAVEL ACROSS PROPERTY OWNED BY JSA AND PATH

COUNCIL offered and moved adoption of the following Ordinance:

WHEREAS, Journal Square Associates, LLC ("JSA") is the owner of real property located in Jersey City, County of Hudson, and State of New Jersey, designated as Block 9501, Lot 2.01 on the Jersey City Tax Map that is located near the westerly end of Magnolia Avenue; and

WHEREAS, the Port Authority Trans-Hudson Corporation ("PATH") is the owner of real property located in Jersey City, County of Hudson, and State of New Jersey, designated as Block 9501, Lot 1 on the Jersey City Tax Map that is located near the westerly end of Magnolia Avenue; and

WHEREAS, PATH operates a rail transit system that provides mass transit services between Newark, New Jersey and New York, New York, which includes the station platform at Journal Square ("Journal Square Transportation Center"); and

WHEREAS, there presently exists a public street known as Magnolia Avenue which is adjacent to and dead-ends at the Journal Square Transportation Center; and

WHEREAS, JSA intends to develop a real estate project on its property, which project is adjacent to the Journal Square Transportation Center, consisting of up to three (3) buildings and related improvements, and, also, on property owned by PATH and the City, JSA intends to develop a pedestrian plaza ("Plaza") on and along Magnolia Avenue up to the entrance of the Journal Square Transportation Center; and

WHEREAS, in connection with the construction of the Plaza, the City of Jersey City ("City"), in order for emergency vehicles to achieve a safe passage along the Plaza to access the Journal Square Transportation Center, requires that PATH and JSA grant easements to the City along their respective portions of the Plaza for the ingress and egress of emergency vehicles to and from the Journal Square Transportation Center; and

WHEREAS, the City is authorized to accept easements pursuant to N.J.S.A. 40A:12-5.

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

1. Subject to such modifications as deemed necessary or appropriate by Corporation Counsel, the Mayor or Business Administrator is authorized to execute the Emergency Access Easement Agreement, in substantially the form of the attached, with the Port Authority Trans-Hudson Corporation ("PATH") and Journal Square Associates, LLC ("JSA") which grants the City of Jersey City ("City") a non-exclusive right to access on, over, across and through portions of PATH's and JSA's properties solely for ingress, egress, and access to provide fire and police, ambulance and rescue services and other lawful governmental or private emergency services from Summit Avenue to the Journal Square Transportation Center; and

**ORDINANCE AUTHORIZING THE EXECUTION OF AN EMERGENCY ACCESS
EASEMENT AGREEMENT WITH JOURNAL SQUARE ASSOCIATES, LLC ("JSA")
AND THE PORT AUTHORITY TRANS-HUDSON CORPORATION ("PATH")
PERMITTING EMERGENCY VEHICLES OF THE CITY OF JERSEY CITY TO TRAVEL
ACROSS PROPERTY OWNED BY JSA AND PATH**

2. Subject to such modifications a may be deemed necessary or appropriate by Corporation Counsel, the Mayor or Business Administrator is authorized to execute such other documents necessary or appropriate to effectuate the purposes of this ordinance.
- 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*.

RR;he
12-8-14

APPROVED AS TO LEGAL FORM

Certification Required ☐
Not Required ☐

APPROVED: _____

APPROVED: _____

Corporation Counsel

Business Administrator

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

ORDINANCE AUTHORIZING THE EXECUTION OF AN EMERGENCY ACCESS EASEMENT AGREEMENT WITH JOURNAL SQUARE ASSOCIATES, LLC ("JSA") AND THE PORT AUTHORITY TRANS-HUDSON CORPORATION ("PATH") PERMITTING EMERGENCY VEHICLES OF THE CITY OF JERSEY CITY TO TRAVEL ACROSS PROPERTY OWNED BY JSA AND PATH NEAR THE WESTERLY END OF MAGNOLIA AVENUE

Initiator

Department/Division	HEDC/Law	Planning
Name/Title	Jeffrey Wenger	Principal Planner
Phone/email	(201) 547-5453	jwenger@jcnj.org

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

Resolution Purpose

Journal Square Associates ("JSA") intends to develop a real estate project on its property, which project is adjacent to the Journal Square Transportation Center. As part of the project, on property owned by JSA and Port Authority Trans-Hudson Corp. (PATH), JSA intends to develop a pedestrian plaza ("Plaza") on and along Magnolia Avenue up to the entrance of the Journal Square Transportation Center. The City requires that PATH and JSA grant easements along their respective portions of the Plaza for the ingress and egress of emergency vehicles to and from the Journal Square Transportation Center.

I certify that all the facts presented herein are accurate.

Signature of Department Director

Date

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



ORDINANCE NO. Ord. 14.180
 TITLE: 3.0 DEC 17 2014 4.0. JAN 14 2015

Ordinance authorizing the execution of an emergency access
 easement agreement with Journal Square Associates, LLC
 ("JSA") and the Port Authority Trans-Hudson Corporation
 ("PATH") permitting emergency vehicles of the City of
 Jersey City to travel across property owned by JSA and
 PATH

RECORD OF COUNCIL VOTE ON INTRODUCTION DEC 17 2014 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMANN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING JAN 14 2015 9-0											
Councilperson <u>COLEMAN</u> moved, seconded by Councilperson <u>OSBORNE</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	✓			WATTERMANN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

SPEAKERS:

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				WATTERMANN			
BOGGIANO				COLEMAN				LAVARRO, PRES.			

RECORD OF FINAL COUNCIL VOTE JAN 14 2015 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMANN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on DEC 17 2014
 Adopted on second and final reading after hearing on JAN 14 2015

This is to certify that the foregoing Ordinance was adopted by
 the Municipal Council at its meeting on JAN 14 2015

Robert Byrne, City Clerk

*Amendment(s):

APPROVED:
 Rolando R. Lavarro, Jr., Council President
 Date JAN 14 2015

APPROVED:
 Steven M. Fulop, Mayor
 Date JAN 15 2015

Date to Mayor JAN 15 2015