

City Clerk File No. Ord. 16.175

Agenda No. 3.C 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 16.175

TITLE:

**ORDINANCE AMENDING ORDINANCE 16.073 ACCEPTING
FROM UNITY ENVIRONMENTAL CORP. A DEDICATION OF
CERTAIN ROADWAYS, SIDEWALKS AND UTILITIES
LOCATED AT THE INTERSECTION OF FRANKLIN STREET
AND PATERSON PLANK ROAD**

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

WHEREAS, Brass Works Urban Renewal Company, LLC ("Brass Works") applied for and received approvals on February 20, 2003 for Preliminary and Final Major Site Plan with "c" and "d" variances, to rehabilitate and convert a pre-existing non-conforming five (5) story warehouse into 124 residential dwelling units (the "Development") on property located at 100 Paterson Plank Road, also referred to as Block 4001, Lot 1; and

WHEREAS, in connection with the Development, Brass Works was obligated to reconfigure the intersection of Franklin Street and Paterson Plank Road (the "Improvements"); and

WHEREAS, some of the Improvements were constructed on portions of Lots 11 and 13 in Block 5103 which are privately owned properties that were thought to be owned by Unity Environmental Corp. ("Unity"); and

WHEREAS, Ordinance 16.073, adopted on May 11, 2016, authorized the City of Jersey City ("City") to accept a deed of easement from Unity dedicating portions of Lots 11 and 13 in Block 5103 as part of the public right of way; and

WHEREAS, a title search recently provided by Brass Works indicates that Lot 11 in Block 5103 is owned by Ponte Equities, Inc. ("Ponte"); and

WHEREAS, it necessary to amend Ordinance 16.073 to authorize the City to accept a deed of easement from Ponte; and

WHEREAS, the City is authorized pursuant to N.J.S.A. 40:67-1 and N.J.S.A. 40A:12-5 to accept the conveyance and dedication of land and appurtenances for public purposes.

NOW, THEREFORE BE IT ORDAINED by the Municipal Council of the City of Jersey City that Ordinance 16.073 is amended to authorize the City to accept from Ponte Equities, Inc. a deed of easement dedicating a portion of Lot 11 in Block 5103 as part of the public right of way.

- A. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.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

RR
10-31-16

APPROVED AS TO LEGAL FORM

Joanne Monahan
Corporation Counsel

APPROVED: _____

APPROVED: _____

Business Administrator

Certification Required ☐

Not Required ☒

RR
10-31-16

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 AMENDING ORDINANCE 16.073 ACCEPTING FROM UNITY ENVIRONMENTAL CORP. A DEDICATION OF CERTAIN ROADWAYS, SIDEWALKS AND UTILITIES LOCATED AT THE INTERSECTION OF FRANKLIN STREET AND PATERSON PLANK ROAD

Initiator

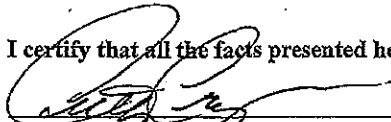
Department/Division	HEDC Law	City Planning Law
Name/Title	Maryann Bucci-Carter Raymond Reddington	Acting Director Supervisory Asst. Corp. Counsel
Phone/email	547-5010 547-5063	MCarter@jcnj.org RaymondR@jcnj.org

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

Resolution Purpose

Brass Works Urban Renewal Company, LLC ("Brass Works") received approvals on February 20, 2003 to rehabilitate and convert a pre-existing non-conforming five (5) story warehouse into 124 residential dwelling units (the "Development") on property located at 100 Paterson Plank Road. In connection with the Development, Brass Works was obligated to reconfigure the intersection of Franklin Street and Paterson Plank Road (the "Improvements"). Some of the Improvements were constructed on portions of Lots 11 and 13 in Block 5103 which are privately owned properties that were thought to be owned by Unity Environmental Corp. ("Unity"). Ordinance 16.073, adopted on May 11, 2016, authorized the City to accept a deed of easement from Unity dedicating portions of Lots 11 and 13 in Block 5103 as part of the public right of way. A title search recently provided by Brass Works indicates that Lot 11 in Block 5103 is owned by Ponte Equities, Inc. ("Ponte"). It is necessary to amend Ordinance 16.073 to authorize the City to accept a deed of easement from Ponte.

I certify that all the facts presented herein are accurate.


Signature of Department Director

11/1/16
Date

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



ORDINANCE NO. Ord. 16.175
TITLE: 3.C NOV 9 2016 4.B **NOV 2 2 2016**

Ordinance amending Ordinance 16.073 accepting from Unity Environmental Corp., a dedication of certain roadways, sidewalks and utilities located at the intersection of Franklin Street and Paterson Plank Road.

RECORD OF COUNCIL VOTE ON INTRODUCTION NOV 0 9 2016 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
HALLANAN	✓			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING NOV 2 2 2016 8-0											
Councilperson <u>WATTERMAN</u> moved, seconded by Councilperson <u>RIVERA</u> to close P.H.				COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
GADSDEN	✓			OSBORNE	<u>ABSENT</u>			WATTERMAN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

SPEAKERS:

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

RECORD OF FINAL COUNCIL VOTE NOV 2 2 2016 8-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
GADSDEN	✓			OSBORNE	<u>ABSENT</u>			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 NOV 0 9 2016
Adopted on second and final reading after hearing on NOV 2 2 2016

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on **NOV 2 2 2016**

Robert Byrne
Robert Byrne, City Clerk

*Amendment(s):

APPROVED:

Rolando R. Lavarro, Jr., Council President

Date NOV 2 2 2016

APPROVED:

Steven M. Fulop, Mayor

Date NOV 2 3 2016

Date to Mayor NOV 2 3 2016