



ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 09-089

TITLE: ORDINANCE AUTHORIZING THE PARTIAL ACQUISITION BY PURCHASE OR CONDEMNATION OF BLOCK 1507, LOTS 20, 21 AND 20X (AKA 20T01), AND THE ACQUISITION BY PURCHASE OF EASEMENTS FOR PASSAGE OVER CERTAIN N.J. TURNPIKE AUTHORITY AND CONRAIL RIGHTS OF WAY FOR A NEW MUNICIPAL PUBLIC WORKS FACILITY

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

WHEREAS, certain property known on the City Tax Map as Block 1507, Lots 20, 21 and 20X (AKA 20T01), and more commonly known by street address of Linden Avenue [Property] is currently in private ownership; and

WHEREAS, a portion of the Property would be suitable for access to and the operation of a new public works facility to replace the existing public works facility currently located on the west side of Route 440; and

WHEREAS, pursuant to the Eminent Domain Act of 1971, N.J.S.A. 20:3-1 et seq., a municipality may acquire private property for a public purpose; and

WHEREAS, the operation of a municipal public works facility is a valid public purpose; and

WHEREAS, it is in the best interests of the City of Jersey City to acquire part of the Property either by purchase or condemnation, all in accordance with the Eminent Domain Act of 1971, N.J.S.A. 20L3-1 et seq.; and

WHEREAS, pursuant to the Local Lands and Buildings Law, N.J.S.A. 40A:12-1, et seq., a municipality may acquire easement rights by purchase; and

WHEREAS, it is in the best interests of the City of Jersey City to acquire easements for passage over the New Jersey Turnpike Authority and Consolidated Rail Corporation rights of way to provide ingress and egress between Linden Avenue East and the proposed new public works facility in Block 1510;

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

1. The Corporation Counsel of the City of Jersey City or his duly designated agent, and the Business Administrator are hereby authorized to undertake any actions and execute any documents necessary or appropriate to acquire the following property either by purchase or condemnation in accordance with the Eminent Domain Act of 1971, N.J.S.A. 20:3-1 et seq. for a municipal public works facility:

Part of Block 1507, Lots 20, 21 and 20X (AKA 20T01), more commonly known by the address of Linden Avenue; and

ORDINANCE AUTHORIZING THE PARTIAL ACQUISITION BY PURCHASE OR CONDEMNATION OF BLOCK 1507, LOTS 20, 21 AND 20X (AKA 20T01), AND THE ACQUISITION BY PURCHASE OF EASEMENTS FOR PASSAGE OVER CERTAIN N.J. TURNPIKE AUTHORITY AND CONRAIL RIGHTS OF WAY FOR A NEW MUNICIPAL PUBLIC WORKS FACILITY

2. The Corporation Counsel of the City of Jersey City or his duly designated agent, and the Business Administrator are hereby authorized to undertake such actions and execute any documents necessary or appropriate to acquire easements for passage over the rights of way of the New Jersey Turnpike Authority and Consolidated Rail Corporation by purchase in accordance with the Local Lands and Buildings Law, N.J.S.A. 40A:12-1, et seq., in order to provide ingress and egress between Linden Avenue East and the proposed new public works facility in Block 1510 as authorized by Ordinance No. 09-039;

3. The Corporation Counsel and the Business Administrator are authorized and directed to solicit proposals to engage the services of surveyors, title insurance companies, appraisers and any other professionals whose services are necessary or appropriate to implement the purposes of this ordinance.

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 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 provided by law, but not before the Corporation Counsel certifies that the agreement authorized by separate Resolution has been fully executed.

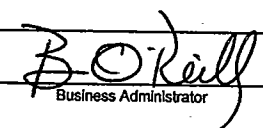
D. The City Clerk and Corporation Counsel be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid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

NOTE: All new material is underlined. Words in [brackets] are omitted. For purposes of advertising only, new matter is indicated by **bold face** and repealed matter by *italic*.

JM/he
7/22/09

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. 09-089
 TITLE: 3.B 7/29/09 4.B AUG 1 2 2009



Ordinance authorizing the partial acquisition by purchase or condemnation of Block 1507, Lots 20, 21 and 20X (AKA 20T01) and the acquisition by purchase of easements for passage over certain N.J. Turnpike Authority and Conrail rights of way for a New Municipal Public Works Facility.

RECORD OF COUNCIL VOTE ON INTRODUCTION											
JUL 29 2009 8-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
KENNY	✓			FULOP	✓			FLOOD	✓		
LOPEZ	✓			RICHARDSON	ABSENT			VEGA, PRES.	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING											
AUG 1 2 2009											
Councilperson <u>SOTTOLANO</u>				moved, seconded by Councilperson <u>GAUGHAN</u>				to close P.H. <u>7-0</u>			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	ABSENT		
KENNY	✓			FULOP	✓			FLOOD	✓		
LOPEZ	✓			RICHARDSON	✓			VEGA, PRES.	ABSENT		

✓ 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			
KENNY				FULOP				FLOOD			
LOPEZ				RICHARDSON				VEGA, PRES.			

✓ Indicates Vote

N.V.-Not Voting (Abstain)

RECORD OF FINAL COUNCIL VOTE											
AUG 1 2 2009 7-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	ABSENT		
KENNY	✓			FULOP	✓			FLOOD	✓		
LOPEZ	✓			RICHARDSON	✓			VEGA, PRES.	ABSENT		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on JUL 29, 2009
 Adopted on second and final reading after hearing on AUG 1 2 2009

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on AUG 1 2 2009

Robert Byrne
 Robert Byrne, City Clerk

APPROVED: Mariano A. Gaughan
 Mariano Vega, Jr., Council President

*Amendment(s):

Date: AUG 1 2 2009
 APPROVED: Jerramiah T. Healy
 Jerramiah T. Healy, Mayor

Date AUG 1 4 2009

Date to Mayor AUG 1 2 2009