

City Clerk File No. Ord. 18-144

Agenda No. 3.K 1st Reading

Agenda No. 3.J 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE

offered and moved adoption of the following ordinance:

CITY ORDINANCE 18-144

TITLE: AN ORDINANCE (1) REAFFIRMING THE ACCEPTANCE OF THE KATYN FOREST MASSACRE MEMORIAL AS A GIFT TO THE CITY; (2) RESCINDING ORDINANCE McC-299 WHICH APPROVED THE PLACEMENT OF THE KATYN FOREST MASSACRE MEMORIAL ON THE MEDIAN STRIP DIRECTLY OPPOSITE 75 MONTGOMERY STREET WEST OF THE INTERSECTION OF MONTGOMERY STREET & WASHINGTON STREET, AND (3) ORDAINING THAT THE KATYN FOREST MASSACRE MEMORIAL REMAIN IN ITS CURRENT LOCATION WITHIN THE PUBLIC RIGHT OF WAY AT THE EASTERN TERMINUS OF EXCHANGE PLACE IN PERPETUITY

THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY DOES ORDAIN:

WHEREAS, on September 25, 1986, the Municipal Council approved Ordinance McC-299 accepting the Katyn Forest Massacre Memorial ("Memorial") as a gift to the City; and

WHEREAS, Ordinance McC-299, attached hereto as Exhibit "A", specified that the Memorial would be installed on the median strip opposite 75 Montgomery Street just west of the intersection of Montgomery Street and Washington Street; and

WHEREAS, the sheer size of the Memorial made installing it at this location impossible; and

WHEREAS, on April 13, 1989, without having rescinded Ordinance McC-299, the Municipal Council approved Resolution C-4271, attached hereto as Exhibit "B", and which specified that the Memorial would be installed in the Exchange Place Plaza directly across from the southern entrance to the Exchange Place PATH Station; and

WHEREAS, the Memorial was never installed where the Resolution dictated it should go either, but rather the Memorial was installed at the eastern terminus of Exchange Place Plaza instead; and

WHEREAS, the Municipal Council never approved installation of the Memorial at the eastern terminus of Exchange Place Plaza nor did it ever rescind Ordinance McC-299 but nonetheless the Memorial has stood in its current location since 1989; and

WHEREAS, the community has made it abundantly clear that it wishes for the Katyn Forest Massacre Memorial to remain in its current location at the eastern terminus of Exchange Place Plaza and it therefore in the City's best interest that the Katyn Forest Massacre Memorial's location be formally codified and all contrary Ordinances be rescinded.

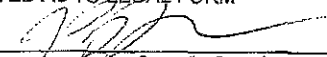
NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Jersey City that (1) the City reaffirms its acceptance of the Katyn Forest Massacre Memorial as a gift to the City (2) the Municipal Council hereby rescinds Ordinance McC-299; and (3) the Municipal Council hereby ordains that the Katyn Forest Massacre Memorial shall remain in its current location within the public right of way at the eastern terminus of Exchange Place in perpetuity.

I. All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed.

- II. 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.
- III. This ordinance shall take effect at the time and in the manner as provided by law.
- IV. 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 material is new. Therefore, underlining has been omitted.

APPROVED AS TO LEGAL FORM



Corporation Counsel

APPROVED: _____


APPROVED: _____
Business Administrator

Certification Required

Not Required

EXHIBIT A

City Clerk File No. C-1268 (A)
Agenda No. H.F. 1st Reading
Agenda No. S.F. 2nd Reading & Final Passage

ORDINANCE
OF
JERSEY CITY, N.J.



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

CITY ORDINANCE-299
TITLE: AN ORDINANCE SUPPLEMENTING CHAPTER 21 (SPECIAL ORDINANCES) ARTICLE VII (MISCELLANEOUS ORDINANCES) OF THE JERSEY CITY CODE ACCEPTING A GIFT OF THE KATYN FOREST MASSACRE MEMORIAL BY THE CITY OF JERSEY CITY

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

A. The following supplements to Chapter 31 (Special Ordinances) Article VII (Miscellaneous Ordinances) of the Jersey City Code are adopted.

ARTICLE VII. MISCELLANEOUS ORDINANCES.

Sec. 31-7. Reserved for Miscellaneous Ordinances.

WHEREAS, pursuant to N.J.S.A. 40A:12-5 the City of Jersey City does hereby provide for the acquisition of the Katyn Forest Massacre Memorial by gift donated by the Katyn Forest Massacre Memorial Committee; and

WHEREAS, the Katyn Forest Massacre Memorial Committee will be responsible for all costs including, but not limited to, those incurred in connection with construction of the foundation and erection of the memorial.

WHEREAS, the Katyn Forest Massacre Memorial will face the Hudson River and be located on the west side of Washington Street at the intersection of Montgomery Street on the median strip directly in front of 75 Montgomery Street.

B. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

C. 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.

D. This ordinance shall take effect at the time and in the manner as provided by law.

E. 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.

860817

M/ph
/8/86

APPROVED AS TO LEGAL FORM

APPROVED: _____

Thomas Justice
Corporation Counsel

9-7-86

APPROVED: _____

John J. Kella
Business Administrator

Certification Required
Not Required

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

ORDINANCE NO. C-299



TITLE: **AN ORDINANCE SUPPLEMENTING CHAPTER 21 (SPECIAL ORDINANCES) ARTICLE VII (MISCELLANEOUS ORDINANCES) OF THE JERSEY CITY CODE ACCEPTING A GIFT OF THE KATYN FOREST ASSAÇRE, E. ORIAL BY THE CITY OF JERSEY CITY.**

INTRODUCED 9-0

RECORD OF COUNCIL VOTE ON INTRODUCTION SEPTEMBER 11, 1986

COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
Aviles Aviles	✓			KAMINSKI	✓			THOMPSON	✓		
FRICCHIONE	✓			O'REILLY LANDO	✓			VAZQUEZ	✓		
HART	✓			O'DEA	✓			CUNNINGHAM, Pres.	✓		

✓ Indicates Vote N.V.—Not Voting (Abstain)

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING SEP 25 1986

Councilperson Hart moved, seconded by Councilperson: Fricchione, to close P.H. *8-0*

COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
Aviles Aviles	✓			KAMINSKI	✓			THOMPSON	✓		
FRICCHIONE	✓			O'REILLY LANDO	✓			VAZQUEZ	✓		
HART	✓			O'DEA	<i>absent</i>			CUNNINGHAM, Pres.	✓		

✓ 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.
Aviles Aviles				KAMINSKI				THOMPSON			
FRICCHIONE				O'REILLY LANDO				VAZQUEZ			
HART				O'DEA				CUNNINGHAM, Pres.			

✓ Indicates Vote N.V.—Not Voting (Abstain)

RECORD OF FINAL COUNCIL VOTE SEP 25 1986

Adopted: 8-0

COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
Aviles Aviles	✓			KAMINSKI	✓			THOMPSON	✓		
FRICCHIONE	✓			O'REILLY LANDO	✓			VAZQUEZ	✓		
HART	✓			O'DEA	<i>absent</i>			CUNNINGHAM, Pres.	✓		

✓ Indicates Vote N.V.—Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J., on SEPTEMBER 11, 1986

Adopted on second and final reading after hearing on SEP 25 1986

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting of the 25th day of SEPTEMBER, 1986

Shirley A. Smith
City Clerk

APPROVED: *William D. Cunningham*
Council President

Date SEP 25 1986

CERTIFIED to be a true copy of RESOLUTION adopted by the Municipal Council of the City of Jersey City at its meeting of

Thomas F. Smith
City Clerk

APPROVED: *Anthony P. Cucchi*
Mayor

Date Oct. 4, 1986

Date To Mayor SEP 28 1986

EXHIBIT B

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

City Clerk File No. C-4271

Agenda No. 10.z.87

TITLE:



COUNCIL as a whole (except Fricchione & Kaminski, O'Reilly, Lando, Cunningham absent) OFFERED AND MOVED ADOPTION FOLLOWING RESOLUTIONS

RESOLUTION ESTABLISHING A PLAZA FOR THE PLACEMENT OF A MONUMENT TO HONOR THE BRAVE MEMBERS OF THE POLISH OFFICER CORP. WHO WERE SUBJECT TO MASS EXECUTION AT THE HANDS OF THE SOVIET GOVERNMENT IN APRIL OF 1940

WHEREAS, the brave members of the Officer Corp of the free Polish Army, who had bravely and tenaciously stood in the path of the Nazi onslaught in defense of Polish Independence, were taken prisoner by the Russian Army only to be subject to mass execution and burial at the hands of evil Stalinist Empire under the auspices of the Russian Army in April of 1940; and

WHEREAS, the Polish American Community and the citizens of the City of Jersey City wish to permanently honor the memory of these brave soldiers and to erect a monument in their memory .

NOW THEREFORE BE IT RESOLVED, by the Municipal Council of the City of Jersey City that there is hereby established a Plaza for the placement of a monument to honor the brave deceased members of the Polish Officer Corp. which Plaza shall be known as the Katyn Monument Plaza and which shall be located on the southerly side of Exchange Place opposite the Path Station in the area designated on the attached Exchange Place Center Engineering drawing and map.

APPROVED: _____

APPROVED AS TO LEGAL FORM

APPROVED: [Signature]
Business Administrator

[Signature] 4-13-89
Corporation Counsel

Certification Required

Not Required

890359

APPROVED 5-0

RECORD OF COUNCIL VOTE ON FINAL PASSAGE

4/13/89

COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
AVILES	✓			KAMINSKI	ABSENT			THOMPSON	✓		
FRICCHIONE	ABSENT			O'REILLY LANDO	ABSENT			VAZQUEZ	✓		
HART	✓			O'DEA	✓			CUNNINGHAM, Pres.	ABSENT		

✓ Indicates Vote

N.V.—Not Voting (Abstain)

Adopted at a meeting of the Municipal Council, of the City of Jersey City, N.J.

[Signature]
President of Council

[Signature]
City Clerk

ORDINANCE FACT SHEET

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

Full Title of Ordinance

AN ORDINANCE (1) REAFFIRMING THE ACCEPTANCE OF THE KATYN FOREST MASSACRE MEMORIAL AS A GIFT TO THE CITY; (2) RESCINDING ORDINANCE M_cC-299 WHICH APPROVED THE PLACEMENT OF THE KATYN FOREST MASSACRE MEMORIAL ON THE MEDIAN STRIP DIRECTLY OPPOSITE 75 MONTGOMERY STREET WEST OF THE INTERSECTION OF MONTGOMERY STREET & WASHINGTON STREET, AND (3) ORDAINING THAT THE KATYN FOREST MASSACRE MEMORIAL REMAIN IN ITS CURRENT LOCATION WITHIN THE PUBLIC RIGHT OF WAY AT THE EASTERN TERMINUS OF EXCHANGE PLACE IN PERPETUITY

Initiator

Department/Division	Office of the Municipal Council	Office of Councilman Michael Yun
Name/Title	Michael Yun	Councilman
Phone/email	201-222-3534	myun@jcnj.org

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

Ordinance Purpose

This Ordinance reaffirms the acceptance of the Katyn Massacre Memorial as a gift to the City, and ordains that the Katyn Massacre Memorial is to remain in its current location within the public right of way at the eastern terminus of Exchange Place, in perpetuity.

I certify that all the facts presented herein are accurate.

Michael Yun
Councilman, Ward D

November 20, 2018
Date

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



ORDINANCE NO. Ord. 18-144
 TITLE: 3.K NOV 20 2018 4.J DEC 19 2018

An ordinance (1) Reaffirming the acceptance of the Katyn Forest Massacre Memorial as a gift to the City; (2) Rescinding Ordinance McC-299 which approved the placement of the Katyn Forest Massacre Memorial on the median strip directly opposite 75 Montgomery Street West of the intersection of Montgomery Street & Washington Street; and (3) Ordaining that the Katyn Forest Massacre Memorial remain in its current location within the public right of way at the Eastern Terminus of Exchange Place in perpetuity.

RECORD OF COUNCIL VOTE ON INTRODUCTION											
NOV 20 2018 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
RIDLEY	✓			YUN	✓			RIVERA	✓		
PRINZ-AREY	✓			SOLOMON	✓			WATTERMAN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	✓		

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING											
DEC 19 2018											
Councilperson <u>RIVERA</u> moved, seconded by Councilperson <u>LAVARRO</u> to close P.H.											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
RIDLEY	✓			YUN	✓			RIVERA	✓		
PRINZ-AREY	✓			SOLOMON	✓			WATTERMAN	✓		
BOGGIANO	✓			ROBINSON	ABSENT			LAVARRO, PRES.	✓		

✓ Indicates Vote N.V.--Not Voting (Abstain)

SPEAKERS:

JEANNE DALY
 KRZYSZTOF NOWAK
 WIESLAW BURDZY
 JOHN CZOP
 MIKE KULOWSKI
 MARIA SCARIATI
 KRYSZYNA PIORKOWSKA
 VICTORIA CAMBRANES
 JAN SPOLEK
 JACK KOPYCZNSKI

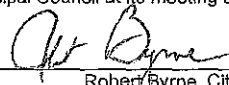
BARTEY SZYMANSKI
 PIOTR ULAZKA
 SLAWEK PLATTA

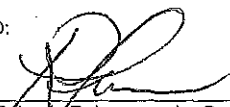
RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY											
Councilperson _____ moved to amend* Ordinance, seconded by Councilperson _____ & adopted											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
RIDLEY				YUN				RIVERA			
PRINZ-AREY				SOLOMON				WATTERMAN			
BOGGIANO				ROBINSON				LAVARRO, PRES.			

RECORD OF FINAL COUNCIL VOTE											
DEC 19 2018 8-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
RIDLEY	✓			YUN	✓			RIVERA	✓		
PRINZ-AREY	✓			SOLOMON	✓			WATTERMAN	✓		
BOGGIANO	✓			ROBINSON	ABSENT			LAVARRO, PRES.	✓		


✓ Indicates Vote N.V.--Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on NOV 20 2018
 Adopted on second and final reading after hearing on DEC 19 2018

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on DEC 19 2018

 Robert Byrne, City Clerk

APPROVED: 
 Rolando R. Lavarro, Jr., Council President
 Date DEC 19 2018

*Amendment(s):

APPROVED: 
 Steven M. Fulop, Mayor
 Date DEC 21 2018
 Date to Mayor DEC 20 2018