

City Clerk File No. Ord. 10-079

Agenda No. 3.A. 1st Reading

Agenda No. 4.A. 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 10-079

TITLE: AN ORDINANCE SUPPLEMENTING CHAPTER 26(VEHICLES AND TRAFFIC) ARTICLE X(SCHEDULES) OF THE JERSEY CITY CODE AMENDING SCHEDULE 3(NO PARKING ANY TIME) REPEALING THE NO PARKING ANY TIME PROHIBITION ON CERTAIN SECTIONS OF BOTH THE EAST AND THE WEST SIDE OF GROVE STREET BETWEEN EIGHTEENTH STREET AND THE HOBOKEN CITY LINE AND AMENDING SCHEDULE 5(STOPPING OR STANDING PROHIBITED DURING CERTAIN HOURS, DAILY, EXCEPT SATURDAYS, SUNDAYS AND HOLIDAYS) DESIGNATING SECTIONS ON BOTH THE EAST AND WEST SIDE OF GROVE STREET BETWEEN EIGHTEENTH STREET AND THE HOBOKEN CITY LINE AS NO STOPPING OR STANDING, DAILY EXCEPT SATURDAYS, SUNDAYS AND HOLIDAYS FROM 7:00 A.M. TO 6:00 P.M.

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

1. Chapter 26 (Vehicles and Traffic) Article X (Schedules) of the Jersey City Code is hereby supplemented as follows:

Section 26-95

Section 26-69

**SCHEDULE 3
NO PARKING ANY TIME**

No person shall park a vehicle on any of the streets or parts thereof described.

Name of Street	Sides	Limits
Grove Street	West	<u>[From Sixteenth Street to the Hoboken City Line]</u> <u>Beginning at the Hoboken City Line and extending to a point 133 feet southerly therefrom.</u> <u>Beginning at a point approximately 238 feet south of the Hoboken City Line and extending to a point 498 feet southerly therefrom.</u> <u>Beginning at a point approximately 620 feet south of the Hoboken City Line and extending south to Eighteenth Street.</u>
	East	<u>[From Sixteenth Street to a point approximately 440 feet north of Eighteenth Street</u> <u>From a point approximately 520 feet north of Eighteenth Street and extending to the Hoboken City Line]</u> <u>From Sixteenth Street to a point 150 feet north of Eighteenth Street</u> <u>Beginning at a point approximately 238 feet north of Eighteenth Street and extending to a point 429 feet northerly therefrom.</u> <u>Beginning at a point approximately 554 feet north of Eighteenth Street and extending north to the Hoboken City Line</u>

Continued.....

JDS:pc1
(05.19.10)

Section 26-71

SCHEDULE 5

NO STOPPING OR STANDING PROHIBITED CERTAIN HOURS

No person shall stop or stand a vehicle between the hours specified on any day (except Saturdays, Sundays and Public Holidays) upon any of the streets or parts of streets described

Name of Street	Sides	Hours	Limits
Grove Street	Both	7:00 a.m. to 9:00 a.m.	From Sixteenth Street to Fourteenth Street
	<u>East</u>	<u>7:00 a.m. to 6:00 p.m.</u>	<u>Beginning at a point approximately 150 feet north of Eighteenth Street and extending to a point 233 feet northerly therefrom.</u> <u>Beginning at a point approximately 429 feet north of Eighteenth Street and extending to a point 554 feet northerly therefrom.</u>
	<u>West</u>	<u>7:00 a.m. to 6:00 p.m.</u>	<u>Beginning at a point 133 feet south of the Hoboken City Line and extending to a point 238 feet southerly therefrom.</u> <u>Beginning at a point approximately 498 feet south of the Hoboken City Line and extending to a point 620 feet southerly therefrom.</u>

- 2. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- 3. This ordinance shall be a part of the Jersey City Code as though codified and incorporated in the official copies of the Jersey City Code.
- 4. The City Clerk and the Corporation Counsel may change any chapter numbers, article numbers and section numbers if codification of this ordinance reveals a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.

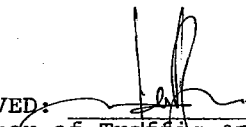
NOTE: All new material to be inserted is underscored; material to be repealed is in [brackets].


JDS:pcl
(05.19.10)


APPROVED AS TO LEGAL FORM



Corporation Counsel

APPROVED: 
Director of Traffic & Transportation

APPROVED: 
Municipal Engineer

APPROVED: 
Business Administrator

Certification Required

Not Required

This summary sheet is to be attached to the front of any ordinance, resolution, cooperation agreement or contract that is submitted for Council consideration. Incomplete or sketchy summary sheets will be returned with the resolution or ordinance. The Department, Division or Agency responsible for the overall implementation of the proposed project or program should provide a concise and accurate statement of facts.

1. Full title of ordinance/resolution/cooperation agreement:

An ordinance supplementing Chapter 26(Vehicles and Traffic) Article X(Schedules) of the Jersey City code amending Schedule 3(No Parking Any Time) repealing the no parking any time prohibition on certain sections of both the east and the west side of Grove Street between Eighteenth Street and the Hoboken City Line and amending Schedule 5(Stopping or Standing Prohibited During Certain Hours, Daily Except Saturdays, Sundays and Holidays) designating sections on both the east and west side of Grove Street between Eighteenth Street and the Hoboken City Line as no stopping or standing, daily, except Saturdays, Sundays and Holidays from 7:00 a.m. to 6:00 p.m.

2. Name and title of person initiating the ordinance/resolution, etc.:

Joao D'Souza, Director of Traffic & Transportation, Division of Engineering, Traffic and Transportation at the request of Councilman Fulop on behalf of the residents of 700 Grove Street Condominium

3. Concise description of program, project or plan proposed in the ordinance/resolution:

Prohibit stopping or standing between the hours of 7:00 a.m. and 6:00 p.m. Daily, except Saturdays, Sundays and Public Holidays on sections of both sides of Grove Street between the Hoboken City Line and Eighteenth Street
Repeal the no parking any time prohibition on sections of both sides of Grove Street between the Hoboken City Line and Eighteenth Street

4. Reasons (need) for the proposed program, project, etc.:

The parking prohibition is necessary to offer more parking to residents of Grove Street between the Hoboken City Line and Eighteenth Street from 6:00 p.m. to 7:00 a.m. Monday through Friday and on Saturdays, Sundays and Holidays

5. Anticipated benefits to the community:

Increase parking availability on both sides of Grove Street from the Hoboken City Line to Eighteenth Street.

6. Cost of proposed program, project, etc. (Indicate the dollar amount of City, state, and Federal Funds to be used, as well as match and in-kind contribution:

Approximately \$200.00 per sign/post installation. (8 channels & 8 signs required)
Total: \$1,600.00

7. Date proposed program, or project will commence:

Pending adoption by the Jersey City Municipal Council

8. Anticipated completion date:

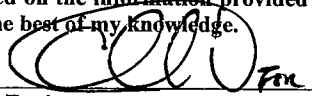
Twenty days after adoption by the Jersey City Municipal Council

9. Person responsible for coordinating proposed program, project, etc.:

Patricia Logan, Supervising Traffic Investigator, Division of Engineering, Traffic and Transportation ex. 4492

10. Additional comments:

Based on the information provided to me, I certify that all the facts presented herein are accurate, to the best of my knowledge.



City Engineer

5/24/10

Date

Signature of Department Director

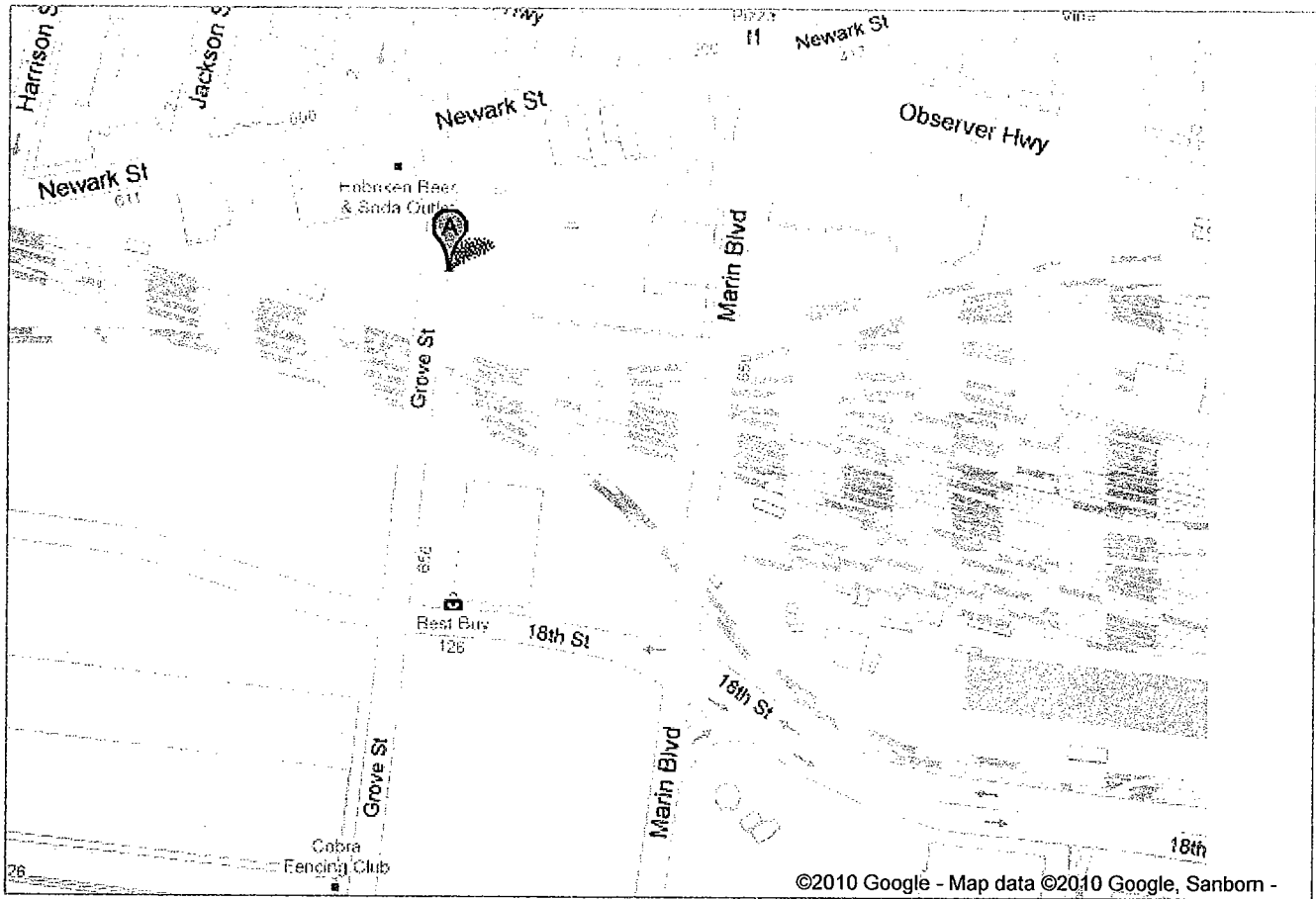
Date

Google maps Address

To see all the details that are visible on the screen, use the "Print" link next to the map.

[Get Directions](#) [My Maps](#)

[Print](#) [Send](#) [Link](#)



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

ORDINANCE NO. Ord. 10-079
3.A. JUN 09 2010 4.A.



An ordinance supplementing Chapter 26 (Vehicles and Traffic) Article X (Schedules) of the Jersey City Code amending Schedule 3 (No Parking Any Time) repealing the (No Parking Any Time) prohibition on certain sections of both the east and the west side of Grove Street between 18th Street and the Hoboken City Line and amending Schedule 5 (Stopping or Standing Prohibited during certain hours, daily except Saturdays, Sundays and Holidays) designating sections on both the east and west side of Grove Street between 18th Street and the Hoboken City Line as No Stopping or Standing, daily except Saturdays, Sundays and Holidays from 7:00 a.m. to 6:00 p.m.

RECORD OF COUNCIL VOTE ON INTRODUCTION											
JUN 09 2010 8-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
DONNELLY	ABSENT			FULOP	✓			FLOOD	✓		
LOPEZ	✓			RICHARDSON	✓			VEGA	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING											
Councilperson				moved, seconded by Councilperson				to close P.H.			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO				GAUGHAN				BRENNAN			
DONNELLY				FULOP				FLOOD			
LOPEZ				RICHARDSON				VEGA			

✓ 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			
DONNELLY				FULOP				FLOOD			
LOPEZ				RICHARDSON				VEGA			

✓ Indicates Vote

N.V.-Not Voting (Abstain)

RECORD OF FINAL COUNCIL VOTE											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO				GAUGHAN				BRENNAN			
DONNELLY				FULOP				FLOOD			
LOPEZ				RICHARDSON				VEGA			

✓ Indicates Vote

N.V.-Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on JUN 09 2010

Adopted on second and final reading after hearing on _____

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

APPROVED:

 Robert Byrne, City Clerk

 Peter M. Brennan, Council President

*Amendment(s):

Date: _____
 APPROVED:

 Jerramiah T. Healy, Mayor

Date _____

Date to Mayor _____

City Clerk File No. Ord. 10-080

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 10-080

TITLE: **ORDINANCE AUTHORIZING THE EXECUTION OF AN EASEMENT AGREEMENT BETWEEN THE CITY OF JERSEY CITY (CITY) AND HONEYWELL INTERNATIONAL, INC. (HONEYWELL) PERMITTING HONEYWELL TO ENTER ONTO UNDERWATER PROPERTY OWNED BY THE CITY TO PERFORM REMEDIATION WORK**

WHEREAS, the City of Jersey City (City) is the owner of underwater property located in the Hackensack River which is a section of Block 1746.5, Lot H2 and Block 1751, Lot12 (Property); and

WHEREAS, pursuant to the Consent Order Regarding Sediments and Financial Assurances entered by the United States District Court for the District of New Jersey in the matter of Interfaith Community Organization, et al v. Honeywell International, et al, Civ. No. 95-2097(DMC) Honeywell International, Inc. (Honeywell) is conducting remediation of chromium ore processing residue and chromium impacted sediments subject to the oversight of the Court and a Special Master appointed by the Court; and

WHEREAS, Honeywell's remediation is also being conducted in accordance with the Administrative Consent Order I and Administrative Consent Order II entered into with the New Jersey Department of Environmental Protection in The Matter of AlliedSignal, Inc. and the Hudson County Chromate Chemical Production Wastes Sites; and

WHEREAS, Honeywell agrees to remediate sediments located on the underwater lands which are section of the City's Property; and

WHEREAS, pursuant to United States District Court Order in Interfaith Community Organization, et al v. Honeywell International, et al and the Administrative Consent Orders I and II in The Matter of AlliedSignal, Inc. and the Hudson County Chromate Chemical Production Wastes Sites the City is authorized to convey an interest in its real property to Honeywell; and

WHEREAS, it is in the best interests of the City to grant an easement to Honeywell so that it can investigate, remediate, and monitor the Property.

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 the Business Administrator or Corporation Counsel, the Mayor or Business Administrator is hereby authorized to execute the non-exclusive Easement Agreement attached hereto permitting Honeywell to enter the City's underwater Property to perform environmental remediation work.
2. Subject to review and approval by Corporation Counsel, execute such other documents which may be necessary 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, underling has been omitted.
 For purposes of advertising only, new matter is indicated
 By bold face and repealed matter by italic.

RR
 6-2-10

APPROVED AS TO LEGAL FORM

 Corporation Counsel

APPROVED: _____

APPROVED: B. O'Reilly
 Business Administrator

Certification Required
 Not Required

EXHIBIT A
EASEMENT

Prepared by:

Edward F. McTiernan
Gibbons PC

THIS EASEMENT is made on this _____ day of _____, 2010, by **CITY OF JERSEY CITY** having an address of 280 Grove Street, Jersey City, New Jersey 07302 (“Grantor”) to and for the benefit of **HONEYWELL INTERNATIONAL INC.** having offices at 101 Columbia Road, Morristown, New Jersey 07962 (“Honeywell”).

RECITALS

A. By Deed dated November 4, 1954 recorded on in Deed Book 2610, page 190 in the Office of the Hudson County Clerk, Grantor acquired title to those portions of the real Property commonly known as Lot H2 in Block 1746.5 and Lot 12 in Block 1751, Jersey City, Hudson County, more specifically identified on Schedule A annexed hereto that fall below the mean high water line (the “Underwater Property”);

B. Grantor desires to provide Honeywell the right pursuant to a Remediation Agreement dated [DATE] to enter upon the Underwater Property to perform certain environmental remediation.

NOW THEREFORE, for the mutual promises contained herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Grantor grants to Honeywell an easement subject to the following terms and conditions:

1. Rights Granted - Grantor hereby declares that the Underwater Property is subject to and encumbered by a non-exclusive, perpetual easement in, to, upon the Underwater Property subject to the terms and conditions hereafter set forth ("Easement").

2. Limitations on Grantee's Activities - Honeywell, and its contractors, representatives and agents, as well as any governmental officials performing inspections or oversight related to Honeywell's activities, may, enter upon, occupy or use the Underwater Property or any portion thereof to perform all investigative and remedial activities necessary or desirable to comply with the Consent Order Regarding Sediments and Financial Assurances, entered by the United States District Court for the District of New Jersey in the matter of *Interfaith Community Organization, et al. v. Honeywell International Inc., et al.*, Civ. No. 95-2097 (DMC), the New Jersey Department of Environmental Protection, Administrative Consent Order I and Administrative Consent Order II In The Matter Of AlliedSignal Inc. and the Hudson County Chromate Chemical Production Waste Sites, each dated June 17, 1993 and as amended by a Supplemental Administrative Consent Order dated November 1993, and any other federal, state, or local agency permits, authorizations, directives, orders, or judgments related to the investigation and remediation of chromium impacted sediments on the Underwater Property or the monitoring or maintenance of remedial measures implemented thereon. Honeywell's activities may include, without limitation, performing such environmental sampling, tests, borings, surveys, engineering studies, the placement of a sand and gravel cover, the construction of wetlands, tidal marsh, combined sewer improvements, and aquatic habitat improvements thereon as Honeywell may deem necessary or advisable to otherwise construct, install, repair, maintain, and replace to address chromium impacted sediments. Nothing in this Easement shall be construed to convey a general public right of access to or use of the Underwater Property.

3. Enforcement - In the event of any violation of the terms and conditions of this Easement, either party may institute any proceedings to enforce these terms and conditions including the institution of suit to enjoin such violations and to compel compliance.

4. Successors and Assigns - The terms and conditions of this Easement and the rights and obligations created as a result thereof, shall run with the land and shall be binding upon any person to whom title to the Underwater Property is transferred as well as upon the successors, assigns, agents, designees, personal or legal representatives of all such persons. Whenever in this Easement any party shall be designated or referred to by name or general reference, such designation shall have the same interpretation and effect as if the words "successors, assigns, agents, designees or personal or legal representatives" have been inserted after each and every designation.

5. Entire Agreement - This Easement represents the entire understanding of the parties on this matter and no oral statements or collateral documents may modify this Easement.

6. Governing Law - This Easement shall be governed by and construed in accordance with the laws of the State of New Jersey.

This Easement is signed by Grantor's duly authorized representative as of the date first written above.

Witness/Attest

CITY OF JERSEY CITY

Name:

Name:
Title:

