

Introduced by:

Seconded by:

**CITY OF HOBOKEN**

**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION OF THE CITY OF HOBOKEN, COUNTY OF HUDSON  
REQUESTING PLANNING BOARD REVIEW OF A RESOLUTION DESIGNATING  
CERTAIN PROPERTY IN THE CITY AS AN AREA IN NEED OF REHABILITATION**

**WHEREAS**, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the "LRHL") authorizes municipalities to determine whether certain parcels of land in the municipality constitute areas in need of rehabilitation; and

**WHEREAS**, in accordance with the LRHL, the Municipal Council of the City of Hoboken (the "City Council") determined that the following property should be designated as an area in need of rehabilitation pursuant to the LRHL under N.J.S.A. 40A:12A-14(a):

The property commonly known as Block 2, Lots 12 through and including 26, Block 2.1, Lots 1 through and including 10 on the tax map of the City of Hoboken, that portion of the public right of way of Observer Highway from and including the intersection with Jefferson Street to and including the intersection with Hudson Street, that portion of the public right of way of Willow Avenue from and including the intersection with Observer Highway to and including the intersection with Newark Street, and that portion of the public right of way of Newark Street from and including the intersection with Willow Avenue (collectively, the "Property"); and

**WHEREAS**, a delineated area may be determined to be in need of rehabilitation if the City Council determines by resolution that a program of rehabilitation pursuant to the LRHL under N.J.S.A. 40A:12A-14(a) may be expected to prevent further deterioration and promote the overall development of the community when any one of the enumerated conditions set forth in the statute are met which includes N.J.S.A. 40A:12A-14(a)6 a majority of the water and sewer infrastructure in the delineated area is at least 50 years old and is in need of repair or substantial maintenance; and

**WHEREAS**, the City has confirmed that the property within the delineated area meets the criteria of N.J.S.A. 40A:12A-14(a)6 wherein a majority of the water and sewer infrastructure in the delineated area is at least 50 years old and is in need of repair or substantial maintenance; and

**WHEREAS**, the LRHL pursuant to N.J.S.A. 40A:12A-14(a), provides that prior to the adoption of a resolution designating the delineated area as an area in need of rehabilitation, the City Council must first submit a copy of the proposed resolution designating the delineated area as an area in need of rehabilitation to the City Planning Board for its review; and

**WHEREAS**, the City intends to designate the delineated area as an area in need of rehabilitation by the adoption of the resolution substantially in the form attached hereto as Exhibit A; and

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Hoboken as follows:

**Section 1.** The aforementioned recitals are incorporated herein and made a part hereof as though fully set forth at length.

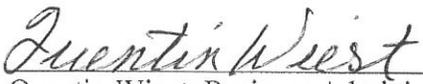
**Section 2.** The City Council hereby directs that the City Clerk transmit a copy of this resolution inclusive of Exhibit A to the City Planning Board for its review and providing its recommendation to the City Council within forty-five (45) days of the receipt of this resolution, under the LRHL pursuant to N.J.S.A. 40A:12A-14(a)

**Section 3.** A copy of this resolution shall be available for public inspection at the offices of the City.

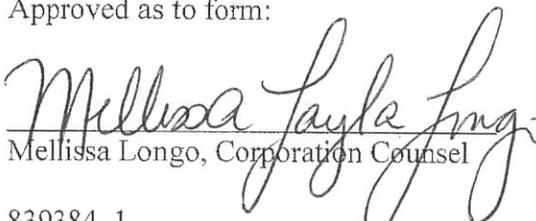
**Section 4.** This resolution shall take effect immediately.

Meeting Date: October 1, 2014

Department of Administration

  
Quentin Wiest, Business Administrator

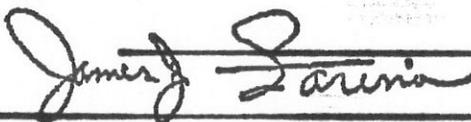
Approved as to form:

  
Mellisa Longo, Corporation Counsel

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**A TRUE COPY OF A RESOLUTION ADOPTED BY  
THE COUNCIL OF THE CITY OF HOBOKEN, N.J.  
AT A MEETING HELD ON:**

**OCT 01 2014**

  
CITY CLERK

Councilperson	Yea	Nay	Abstain	No Vote
Ravi Bhalla	/			
Theresa Castellano	/			
Peter Cunningham	/			
James Doyle	/			/
Elizabeth Mason				/
David Mello	/			
Tim Occhipinti	/			
Michael Russo	/			
President Jen Giattino	/			

Introduced by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

**CITY OF HOBOKEN**

**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION OF THE CITY OF HOBOKEN, COUNTY OF HUDSON  
DESIGNATING CERTAIN PROPERTY IN THE CITY  
AS AN AREA IN NEED OF REHABILITATION**

**WHEREAS**, the Local Redevelopment and Housing Law pursuant to, N.J.S.A. 40A:12A-1 et seq. (the "LRHL") authorizes municipalities to determine whether certain parcels of land in the municipality constitute areas in need of rehabilitation; and

**WHEREAS**, in accordance with the LRHL, the Municipal Council of the City of Hoboken (the "City Council") determined that the following property should be designated as an area in need of rehabilitation pursuant to the LRHL under N.J.S.A. 40A:12A-14:

The property commonly known as Block 2, Lots 12 through and including 26, Block 2.1, Lots 1 through and including 10 on the tax map of the City of Hoboken, that portion of the public right of way of Observer Highway from and including the intersection with Jefferson Street to and including the intersection with Hudson Street, that portion of the public right of way of Willow Avenue from and including the intersection with Observer Highway to and including the intersection with Newark Street, and that portion of the public right of way of Newark Street from and including the intersection with Willow Avenue (collectively, the "Property"); and

**WHEREAS**, the LRHL pursuant to N.J.S.A. 40A:12A-14(a), provides that prior to the adoption of a resolution designating the Property as an area in need of rehabilitation, the City Council shall first submit a copy of the proposed resolution designating the Property as an area in need of rehabilitation to the City Planning Board for its review; and

**WHEREAS**, on October 1, 2014 the City Council, acting by resolution, referred a copy of this resolution to the City Planning Board for review and comment pursuant to the LRHL under, N.J.S.A. 40A:12A-14(a); and

**WHEREAS**, the City Planning Board received and reviewed a report from the Planning Board Engineer confirming that a majority of the water and sewer infrastructure within the property is at least 50 years old and is in need of repair or substantial maintenance and that a program of rehabilitation under the

LRHL may be expected to prevent further deterioration and promote the overall development of the community. (the "Report"); and

**WHEREAS**, based on the Report, the Planning Board found that the Property satisfied the statutory criteria to be designated as an area in need of rehabilitation under the LRHL pursuant to N.J.S.A 40A:12A-14(a)6; and

**WHEREAS**, the Planning Board reviewed the proposed resolution and recommends its adoption and the designation of the Property as an area in need of rehabilitation in accordance with the LRHL pursuant to N.J.S.A. 40A:12A-14(a).

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Hoboken as follows:

**Section 1.** The aforementioned recitals are incorporated herein and made a part hereof as though fully set forth at length.

**Section 2.** The City Council is in receipt and has considered the report of the Planning Board Engineer.

**Section 3.** The City Council hereby designates the Property as an area in need of rehabilitation pursuant to the LRHL under N.J.S.A 40A:12A-14(a).

**Section 4.** The City Council hereby directs that the City Clerk transmit a copy of this resolution to the Commissioner of the Department of Community Affairs for review in accordance with the LRHL.

**Section 5.** A copy of this resolution shall be available for public inspection at the offices of the City.

**Section 6.** This resolution shall take effect in accordance with the LRHL pursuant to N.J.S.A. 40A:12A-14(a).

Meeting Date: October 1, 2014

Department of Administration

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Quentin Wiest, Business Administrator

Approved as to form:

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Melissa Longo, Corporation Counsel

# **EXHIBIT A**

ORDER ON MOTION  
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R. NEUMANN & CO.  
VS  
CITY OF HOBOKEN ET AL

SUPERIOR COURT OF NEW JERSEY  
APPELLATE DIVISION  
DOCKET NO. A-002775-12T1  
MOTION NO. M-000602-14  
BEFORE PART B  
JUDGE(S): JANE GRALL  
WILLIAM E. NUGENT  
ALLISON E. ACCURSO

MOTION FILED: 09/22/2014 BY: CITY OF HOBOKEN

ANSWER(S)  
FILED:

SUBMITTED TO COURT: September 22, 2014

ORDER  
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THIS MATTER HAVING BEEN DULY PRESENTED TO THE COURT, IT IS, ON THIS  
22nd day of September, 2014, HEREBY ORDERED AS FOLLOWS:

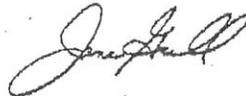
MOTION BY RESPONDENT

MOTION TO DISMISS APPEAL DENIED AND OTHER

SUPPLEMENTAL:

The opinion addresses issues of public importance.

FOR THE COURT:



\_\_\_\_\_  
JANE GRALL, P.J.A.D.

# **EXHIBIT B**

NOT FOR PUBLICATION WITHOUT THE  
APPROVAL OF THE APPELLATE DIVISION

SUPERIOR COURT OF NEW JERSEY  
APPELLATE DIVISION  
DOCKET NO. A-2775-12T1

R. NEUMANN & CO.,

Plaintiff-Appellant,

v.

CITY OF HOBOKEN, CITY COUNCIL OF  
THE CITY OF HOBOKEN, DAWN ZIMMER,  
MAYOR OF THE CITY OF HOBOKEN, and  
PLANNING BOARD OF THE CITY OF HOBOKEN,

Defendants-Respondents.

APPROVED FOR PUBLICATION

September 23, 2014

APPELLATE DIVISION

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Argued December 4, 2013 - Decided September 23, 2014

Before Judges Grall, Nugent and Accurso.

On appeal from Superior Court of New Jersey,  
Law Division, Hudson County, Docket No.  
L-6146-11.

Peter D. Dickson argued the cause for  
appellant (Potter and Dickson, attorneys; R.  
William Potter and Mr. Dickson, on the  
brief).

Ronald D. Cucchiaro argued the cause for  
respondents (Weiner Lesniak, LLP, attorneys;  
Mr. Cucchiaro, of counsel and on the brief;  
Richard Brigliadoro, on the brief).

The opinion of the court was delivered by

GRALL, P.J.A.D.

This appeal concerns Resolution No. 1 of the City Council of the City of Hoboken (Council) adopted pursuant to the Local Redevelopment and Housing Law (LRHL), N.J.S.A. 40A:12A-1 to -49. With that resolution, the Council delineated an "area in need of rehabilitation" (AINreh), which "means any area determined to be in need of rehabilitation pursuant to [N.J.S.A. 40A:12A-14]."  
This AINreh includes public streets and private properties, some of which are owned by plaintiff R. Neumann & Co. (Neumann) and known as the "Neumann's Leathers" properties. The Council adopted the resolution on October 19, 2011.

In delineating this AINreh, the Council relied on N.J.S.A. 40A:12A-14(a)(2)-(3) (recodified as N.J.S.A. 40A:12A-14(a)(6) by L. 2013, c. 159 approved on Sept. 6, 2013). Those portions of N.J.S.A. 40A:12A-14 permit a governing body to delineate an AINreh if it determines that "a majority of the water and sewer infrastructure in the delineated area is at least [fifty] years old and is in need of repair or substantial maintenance" and further determines that a "program of rehabilitation, as defined in [N.J.S.A. 40A:12A-3], may be expected to prevent further deterioration and promote the overall development of the community." Ibid. (emphasis added). As defined in N.J.S.A. 40A:12A-3, "'[r]ehabilitation' means an undertaking, by means of extensive repair, reconstruction or renovation of existing

structures, with or without the introduction of new construction or the enlargement of existing structures, in any area that has been determined to be in need of rehabilitation or redevelopment . . . ." (emphasis added). The rehabilitation must be undertaken "to eliminate substandard structural or housing conditions and arrest the deterioration of that area." Ibid.<sup>1</sup>

N.J.S.A. 40A:12A-14 also prescribes procedures a governing body must follow prior to adopting a resolution delineating an AINreh, and the Council followed them. The Council submitted two draft resolutions to the City's Planning Board (Board) for its consideration and recommendations as required by N.J.S.A. 40A:12A-14 – one in April and one in June 2011 that expanded the

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<sup>1</sup> The language emphasized is misquoted at page 46 of Neumann's brief in an argument supporting its claim that the trial court misapplied a provision of the LRHL. Neumann's quotation omits the words "rehabilitation or."

It is important to stress that the LRHL distinguishes between AINrehs and areas in need of redevelopment (AINreds). "'Redevelopment area' or 'area in need of redevelopment' means an area determined to be in need of redevelopment pursuant to [N.J.S.A. 40A:12A-5 and 40A:12A-6] or [previously] determined . . . to be a 'blighted area' pursuant to [L. 1949, c. 187, N.J.S.A. 40:55-21.1 et al.] repealed by this act, both determinations as made pursuant to the authority of Article VIII, Section III, paragraph 1 of the Constitution, [which is the Blighted Areas Clause]. . . ." N.J.S.A. 40A:12A-3. While rehabilitation may be undertaken in both areas, the LRHL grants a municipality authority to take or acquire property in an AINred but expressly precludes exercise of eminent domain based on delineation of an AINreh. See N.J.S.A. 40A:12A-15 (quoted in footnote 8); N.J.S.A. 40A:12A-8(c).

initial proposed area to include additional private properties and the public streets that delineate the boundaries of the area. The Council also directed the Board to conduct a public hearing on the proposed resolution after giving notice by publication and by mailing to the owners of record of properties with 200 feet of the proposed delineated area, steps not expressly required by N.J.S.A. 40A:12A-14.

On July 2, 2011, the Council passed a resolution extending the forty-five-day statutory deadline for the Planning Board to provide its recommendations, N.J.S.A. 40A:12A-14, and the Board conducted a hearing and approved the draft resolution without recommending any change on September 27, 2011.<sup>2</sup> The Council adopted Resolution No. 1 after accepting public comment at its regular meeting.

This AINreh is a flag-shaped area in part of the southwestern section of Hoboken that includes and is demarked by

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<sup>2</sup> The record provided on appeal includes a transcript of the September 27, 2011 public hearing before the Board and the vote of its members on a motion. Just prior to the vote, the Board's attorney described the motion as follows: "[T]he Board will recommend, that the study area be declared . . . an area in need of rehabilitation based upon the findings of the Board and the reports provided the Board's Planner and the Board's Engineer which will be forwarded to the City Council . . . for their use and that we're making that finding pursuant to the [LRHL]." The record provided to us on appeal does not include a resolution or correspondence transmitting its vote or the referenced materials to the Council. But the Council's resolution indicates that the reports were received.

public streets. The flag's pole is Observer Highway from its intersection with Jefferson Street easterly to its intersection with Hudson Street. The triangular-shaped flag runs northerly from and includes the intersection of Observer Highway's intersection with Willow Avenue, and from that intersection north to and including its intersection with Newark Street and from that intersection along Newark Street in a southwesterly direction to and including its intersection with Observer Highway.

The private properties included in this AINreh are known as Block 2, Lots 12 through and including Lot 26, and Block 2.1, Lots 1 through and including Lot 10. The total area, including the streets, is about 11.5 acres in area, only 3.3 of which are private property.

The Neumann Leathers properties, which Neumann describes as older industrial buildings, include all of the designated Lots in Block 2 and Lots 1 through 4 plus Lots 9 and 10 in Block 2.1. It does not include some private properties at the southwestern tip of the triangle formed where Newark Street meets Observer Highway. Neumann refers to the excluded properties as a "hole" in the flag portion of the AINreh. According to defendants, the shape is attributable to the exclusion of newer buildings and prior designations of AINrehs and AINreds in the areas on the

far side of the bordering streets. According to Neumann, the shape is the consequence of the Council's true purpose - protection of the artists, artisans and musicians that rent space in Neumann's buildings and serve the City's interest in cultural activities and retention of old industrial buildings that have historical significance as reminders of the industry that built the City. Those interests and concerns about the sewer system are expressed in the City's 2004 Master Plan, its 2010 Reexamination Report and numerous press releases and public statements from the mayor.

Following the adoption of Resolution No. 1 on October 19, 2011, Neumann filed a complaint naming as defendants the City of Hoboken, the Council, the City's Mayor, Dawn Zimmer, and the Board. The complaint asserts three claims in lieu of prerogative writs, in which Neumann contends that Resolution No. 1 is not supported by adequate evidence, is motivated by a pretextual purpose and is inconsistent with the LRHL. Neumann's complaint also includes four counts seeking damages alleging interference with its rights to property, free speech and equal protection and asserting a "de facto taking" amounting to an inverse condemnation. No testimony was taken in the trial court, and the case was decided and the record developed before

the Planning Board and Council, as supplemented by the motions and motions for reconsideration in the trial court.

This appeal is from the trial court's order of January 11, 2013. With that order, the court denied Neumann's second motion to reconsider a July 2, 2012 judgment dismissing the prerogative writs claims with prejudice, and the court granted defendant's summary judgment on the claims for damages.<sup>3</sup> Because Neumann presents no argument on appeal claiming error in the dismissal of its claims for damages, any related error is deemed abandoned. Muto v. Kemper Reinsurance Co., 189 N.J. Super. 417, 420-21 (App. Div. 1983).

On appeal, Neumann challenges the court's disposition of the prerogative writ claims on six grounds: the court applied the wrong standard of review; the water and sewer infrastructure is not on the Neumann's Leathers property; the City does not own the infrastructure and, therefore, a program of rehabilitation cannot be expected to prevent further deterioration or promote development of the community; the court misapplied Riggs v. Township of Long Beach, 109 N.J. 601 (1998), in denying relief based on pretextual motivation; the Legislature intended to permit delineation of an AINreh based on the age and condition

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<sup>3</sup> Following the denial of its second motion for reconsideration, Neumann filed a motion for leave to appeal, which this court denied on October 5, 2012.

of a majority of water and sewer infrastructure only if a majority of the housing stock is also at least fifty years old; and this AINreh violates the Blighted Areas Clause of the State Constitution, N.J. Const. art. VIII, § 3, ¶ 1.

I

Where, as here, there is a challenge to a determination of a municipal agency, "an appellate court is bound by the same scope of review" as the trial court. Charlie Brown of Chatham, Inc. v. Bd. of Adj. for Chatham Tp., 202 N.J. Super. 312, 321 (App. Div. 1985). Municipal action "bears with it a presumption of regularity." Forbes v. Bd. of Tr. of Tp. of S. Orange Vill., 312 N.J. Super. 519, 532 (App. Div.), certif. denied, 156 N.J. 411 (1998). Thus, "when reviewing a decision of a municipal agency the trial court must recognize that the Legislature has vested discretion in the municipal agency to make that decision." Charlie Brown, supra, 202 N.J. Super. at 321; see Booth v. Bd. of Adj., Rockaway Tp., 50 N.J. 302, 306 (1967). "[B]ecause of their peculiar knowledge of local conditions," they "must be allowed wide latitude in the exercise of their delegated discretion." Ibid. A panel of this court "need not determine if [it] would have concurred in the designation but

only if it is supported by substantial evidence." Forbes,  
supra, 312 N.J. Super. at 532.<sup>4</sup>

The Supreme Court has recognized that "the extent to which the various elements that informed persons say enter into the blight decision-making process are present in any particular area is largely a matter of practical judgment, common sense and sound discretion." Lyons v. City of Camden, 52 N.J. 89, 98 (1968). In such circumstances, "courts realize that the Legislature has conferred on the local authorities the power to make the determination. If their decision is supported by

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<sup>4</sup> It is important to note that it is the governing body's, not the planning board's, determination that a court reviews. N.J.S.A. 40A:12A-14(a) vests the authority to delineate an AINreh in the governing body not the planning board. The role the Legislature has assigned to the planning board is advisory. The governing body must submit a resolution to the municipal planning board before adopting it, and give the planning board forty-five days to submit "its recommendations regarding the proposed resolution, including any modifications" it may recommend. Ibid. But upon receipt of the recommendations, or after forty-five days if none are received, the governing body "may adopt the resolution, with or without modification." Ibid. Thus, the Legislature has delegated the responsibility, power and discretion to delineate an AINreh in conformity with the statute to the governing body. To the extent the trial court concluded that the planning board's action was under review, the court erred. See Kane Prop., LLC v. City of Hoboken, 214 N.J. 199, 226-28 (2013) (concluding, in another context, that where the governing body makes the final decision on a land use matter — when the governing body has elected to entertain appeals from a zoning board's grant of a use variance as authorized by N.J.S.A. 40:55D-17 — the courts review the decision of the governing body not the zoning board).

substantial evidence, the fact that the question is debatable does not justify substitution of the judicial judgment for that of the local legislators." Ibid.; see also Gallenthin Realty Development, Inc. v. Borough of Paulsboro, 191 N.J. 344, 372 (2007).<sup>5</sup>

Some determinations about conditions that qualify an area as one in need of rehabilitation are similarly a matter of practical judgment and sound discretion. In fact, in Bryant v. City of Atlantic City, 309 N.J. Super. 596, 614-16 (App. Div. 1998), we rejected a challenge to a governing body's delineation of an AINreh under an earlier iteration of N.J.S.A. 40A:12A-14. In Bryant, the City adopted a resolution setting forth the statutory criteria on which it relied. 309 N.J. at 615-16. We concluded that "[t]he City sufficiently complied with the

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<sup>5</sup> Defendants have urged us to consider unpublished opinions of this court that suggest consideration of the adequacy of the support in the record is not required. In discussing arbitrary decision making by a State officer, the Supreme Court noted that parties "concede[d] that the arbitrary, capricious, or unreasonable standard applicable in the review of administrative agency decisions subsumes the need to find sufficient support in the record to sustain the decision," and the Court went on to state that the "point is beyond argument." In the Matter of Proposed Quest Academy Charter School of Montclair Founders Group, 216 N.J. 370, 386 (2013). To the extent the unpublished opinions of this court addressing delineations of AINrehs suggest otherwise, we would not follow them. Bryant v. City of Atlantic City, 309 N.J. Super. 596, 616 (App. Div. 1998) (noting that there was "more than sufficient evidence to support the City's" determination and discussing the evidence).

requirements of N.J.S.A. 40A:12A-14, which, by its plain language, requires only that the City determine by resolution that the conditions exist before an area can be designated as one in need of rehabilitation." Id. at 616. And, we noted our agreement with the trial court's "conclusion that there was more than sufficient evidence to support the City's conclusion in this respect." Ibid.

We cannot take the approach adopted in Bryant in this case, because it is not at all clear that the Council applied the statutory criteria and because aspects of the criteria upon which the Council relied are quite specific and leave little room for discretion. Governing bodies of municipalities are "creations of the State" and as such are "capable of exercising only those powers of government granted to them by the Legislature." Wagner v. Mayor & Mun. Council of City of Newark, 24 N.J. 467, 474 (1957). Thus, substantial evidence supporting municipal action prevents judicial interference, but only "so long as the power exists to do the act complained of." Kramer v. Bd. of Adj., Sea Girt, 45 N.J. 268, 296 (1965).

To the extent Resolution No. 1 addresses the basis for the delineation of the AINreh, it misstates the statutory standard upon which the Council relied. Resolution No. 1 includes "WHEREAS" clauses citing the Council's statutory authority to

determine whether certain areas are in need of rehabilitation, identifying the area "it believes" is in need of rehabilitation, and noting its obligation to refer the question to the Planning Board and its compliance on June 1, 2011. Following those recitals Resolution No. 1 states:

WHEREAS, the City Planning Board received a report from the Planning Board Engineer and the Planning Board Planner that within the Property the water and sewer lines are at least [fifty] years old or are in need of substantial maintenance; and that a program of rehabilitation is expected to prevent further deterioration and to promote the overall development of the City (the "Report"); and

WHEREAS, based on the Report, the Planning Board found that the Property satisfied the statutory criteria to be designated as an area in need of rehabilitation under Section 14 of the Redevelopment Law, N.J.S.A. 40[A]:12A-14(a); and

WHEREAS, the Planning Board reviewed this resolution and recommends its adoption and the designation of the Property as an area in need of rehabilitation in accordance with Section 14 of the Redevelopment Law, N.J.S.A. 40[A]:12A-14(a).

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Hoboken as follows:

Section 1. The aforementioned recitals are incorporated herein as though fully set forth at length.

Section 2. The City Council hereby designates the Property as an area in need of rehabilitation pursuant to Section 14 of

the Redevelopment Law, N.J.S.A. 40[A]:12A-14(a).

Section 3. The City Council hereby directs that the City Clerk transmit a copy of this resolution to the Commissioner of the Department of Community of [sic] Affairs for review in accordance with the Redevelopment Law.

Section 4. A copy of this resolution shall be available for public inspection at the offices of the City.

Section 5. This resolution shall take effect immediately.

[(emphasis added).]

The statute, N.J.S.A. 40A:12A-14, as it was written prior to the adoption of L. 2013, c. 159, set forth the criteria for delineation of an AINreh related to water and sewer infrastructure as follows:

a. A delineated area may be determined to be in need of rehabilitation if the governing body of the municipality determines by resolution that there exist in that area conditions such that . . . (2) more than half of the housing stock in the delineated area is at least [fifty] years old, or a majority of the water and sewer infrastructure in the delineated area is at least [fifty] years old and is in need of repair or substantial maintenance; and (3) a program of rehabilitation, as defined in [N.J.S.A. 40A:12A-3], may be expected to prevent further deterioration and promote the overall development of the community.

Resolution No. 1 indicates that the Council relied on a report from the Planning Board Engineer and the Planning Board

Planner "that within the Property the water and sewer lines are at least [fifty] years old or are in need of substantial maintenance." (emphasis added). But clause (2) provides, "or a majority of the water and sewer infrastructure in the delineated area is at least [fifty] years old and is in need of repair or substantial maintenance." (emphasis added). The statute simply cannot be read to permit a determination based on either the age of the majority of the infrastructure or the infrastructure's being "in need of repair or substantial maintenance." If there were any doubt about whether the structure of clause (2), with its reference to the age of housing stock and infrastructure, permitted a reading of the "and" in clause (2) as an "or," there no longer is.

After this appeal was fully briefed but before it was argued, the Legislature amended the LRHL with Chapter 159 of the Laws of 2013. L. 2013, c. 159 (approved September 6, 2013). Defendants, as authorized by Rule 2:6-11(d), filed a letter bringing Chapter 159 to our attention in May 2014, and Neumann filed a response.<sup>6</sup> In land use cases, "[a]n agency or reviewing court will apply the law in effect at the time of its decision rather than the law in effect when the issues were initially

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<sup>6</sup> Neither party requested an opportunity to brief the relevance of the revisions to Chapter 159.

presented," Maragliano v. Land Use Bd. of Tp. of Wantage, 403 N.J. Super. 80, 83 (App. Div. 2008), certif. denied, 197 N.J. 476 (2009); see also Manalapan Realty, L.P. v. Tp. of Manalapan, 140 N.J. 366, 378-79 (1995); Riggs v. Tp. of Long Beach, 101 N.J. 515, 521 (1986). Accordingly, we apply the law as it stands now.

As amended by section 4 of Chapter 159, the portion of clause (2) of subsection a. of N.J.S.A. 40A:12A-14 addressing aged housing stock is addressed in clause (2), but aged water and sewer infrastructure is addressed separately in clause (6) as follows: "a majority of the water and sewer infrastructure in the delineated area is at least [fifty] years old and is in need of repair or substantial maintenance." (emphasis added). The amendment eliminates the need to ponder what the Legislature intended here. The statute is unambiguous and must be applied in accordance with the plain meaning of its terms, which is the best indicator of the Legislature's intention. Gallenthin, supra, 191 N.J. at 359, 365.

There is absolutely nothing in the Resolution indicating that the Council determined that the area it delineated is in need of rehabilitation in conformity with N.J.S.A. 40A:12A-14(a)(6), as it is written now, or with N.J.S.A. 40A:12A-14(a)(2)-(3), as those provisions were written prior to the

adoption of L. 2013, c. 159. In short, Resolution No. 1 must be vacated, because we cannot conclude the Council "determine[d] by resolution [that an] enumerated condition exists." Bryant, supra, 309 N.J. Super. at 615.

We are left with a significant doubt about whether Resolution No. 1 is arbitrary, capricious and unreasonable because it rests on the Council's disregard or misunderstanding of the statutory standard. And for that reason, we vacate Resolution No. 1.

We further conclude that it is appropriate to vacate Resolution No. 1 without prejudice to the Council reconsidering the question in light of the pertinent amendments to the LRHL the Legislature made by adopting L. 2013, c. 159. We reach that conclusion because our decision to vacate the Resolution is not based on the inadequacy of the evidence.

## II

In the interest of avoiding unnecessary and costly proceedings in the event that the Council pursues delineation of this AINreh, we address Neumann's claims about the meaning of N.J.S.A. 40A:12A-14. None has sufficient merit to warrant extended discussion.

The LRHL authorizes municipal governing bodies to undertake clearance, replanning, development and redevelopment, directly

or through a redevelopment agency, housing authority or redevelopment entity. N.J.S.A. 40A:12A-3, 40A:12A-4, 40A:12A-11, 40A:12A-21. In adopting the LRHL, the Legislature determined that in some communities in this State there have been and still are

conditions of deterioration in housing, commercial and industrial installations, public services and facilities and other physical components and supports of community life, and improper, or lack of proper, development which result from forces which are amenable to correction and amelioration by concerted effort of responsible public bodies, and without this public effort are not likely to be corrected or ameliorated by private effort.

[N.J.S.A. 40A:12A-2(a).]

The Legislature adopted the LRHL with the intention to "arrest and reverse" such conditions and to "promote the advancement of community interests through programs of redevelopment, rehabilitation and incentives to the expansion and improvement of commercial, industrial and civic facilities." N.J.S.A. 40A:12A-2(b)-(d). Moreover, as the Preamble to Chapter 159 of the Laws of 2013, phrased as "WHEREAS" clauses, makes clear, the Legislature has determined that "[m]unicipalities should be encouraged to engage in economic development initiatives by promoting and facilitating such efforts to create local economic stimulus and job creation through the tools and

incentives available under the" LRHL and, to that end, "should be provided the opportunity to pursue such programs without the use of eminent domain." L. 2013, c. 159 (reprinted as a note following N.J.S.A. 40A:12A-5 in the New Jersey Statutes Annotated).

Contrary to Neumann's argument, the delineation of an AINreh does not convey authority to exercise eminent domain.<sup>7</sup> Upon delineation of an AINred, but not upon delineation of an AINReh, the area is "deemed to be a 'blighted area' for the purposes of Article VIII, Section III, paragraph 1" of the State Constitution. N.J.S.A. 40A:12A-14; compare N.J.S.A. 40A:12A-6(c) and N.J.S.A. 40A:12A-8 with N.J.S.A. 40A:12A-14 and N.J.S.A. 40A:12A-15.<sup>8</sup>

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<sup>7</sup> Sections 2, 3 and 5 of Chapter 159 of the Laws of 2013, amending N.J.S.A. 40A:12A-5, -6, -8 and -15, limit the power of condemnation in AINreds delineated after the effective date of Chapter 159 to instances in which the governing body has given notice that redevelopment determination will authorize the municipality to use the power of eminent domain – that is, a "Condemnation Redevelopment Area," N.J.S.A. 40A:12A-6 (as amended by L. 2013, c. 159, § 2).

<sup>8</sup> In this respect, N.J.S.A. 40A:12A-15 provides:

With respect to a redevelopment project in an area in need of rehabilitation, the municipality or redevelopment entity, upon the adoption of a redevelopment plan for the area, may perform any of the actions set forth in [N.J.S.A. 40A:12A-8], except that with respect to such a project the

(continued)

Moreover, the delineation of an AINreh has no immediate effect. In order to exercise the powers granted in N.J.S.A. 40A:12A-8, other than the power of eminent domain that is not granted with respect to an AINreh, the governing body must adopt a "redevelopment plan" in conformity with N.J.S.A. 40A:12A-7. See N.J.S.A. 40A:12A-15 (providing that a municipality or redevelopment entity "may proceed with clearance, replanning, conservation, development, redevelopment and rehabilitation of an area in need of rehabilitation" but only "[i]n accordance with the provisions of a redevelopment plan adopted pursuant to [N.J.S.A. 40A:12A-7]"). While a "redevelopment plan" may address an AINred, or an AINreh or both, N.J.S.A. 40A:12A-3, that does not mean that a redevelopment plan may provide for the taking or acquisition of property within an AINreh.

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(continued)

municipality shall not have the power to take or acquire private property by condemnation in furtherance of a redevelopment plan, unless: a. the area is within (1) an area determined to be in need of redevelopment prior to the effective date of [L. 2013, c. 159], or (2) a Condemnation Redevelopment Area and the municipality has complied with the notice requirements under [N.J.S.A. 40A:12A-6(b)(5)(e)]; or b. exercise of that power is authorized under any other law of this State.

(emphasis added; changes adopted in L. 2013, c. 159, § 5 shown in bold).

If there was any reasonable basis for concern about the threat of a municipality's obtaining authorization to effectuate an acquisition or taking as a consequence of a governing body's delineation of AINreh, since the adoption of Chapter 159 there no longer is. To the extent that Neumann argues otherwise, it misunderstands the law. Given that the Council has not, and with this decision may not implement Resolution No. 1, there is no reason to discuss the Blighted Areas Clause.

Neumann also claims that N.J.S.A. 40A:12A-14, as written prior to the adoption of L. 2013, c. 159, applied to old water and sewer infrastructure in need of repair or substantial maintenance only if at least fifty percent of the housing stock was also old. Section 4 of Chapter 159 eliminates any ambiguity that may have allowed Neumann to make that argument. N.J.S.A. 40A:12A-14 now addresses aged housing stock in clause (2), and aged water and sewer infrastructure separately in clause (6) as follows: "a majority of the water and sewer infrastructure in the delineated area is at least [fifty] years old and is in need of repair or substantial maintenance."

To the extent that it was not clear before, which we think it was, as amended by Section 4 of Chapter 159 there is no question now that N.J.S.A. 40A:12A-14 requires a governing body to determine "that a program of rehabilitation, as defined in

[N.J.S.A. 40A:12A-3], may be expected to prevent further deterioration and promote the overall development of the community" in every case. By that we mean the finding is required no matter which one of the six criteria for delineating an AINreh now listed in N.J.S.A. 40A:12A-14 that a governing body applies.<sup>9</sup>

Neumann raises another question about the meaning of N.J.S.A. 40A:12A-14. The contention is that because the sewer and water structure at issue lies under the public streets and rights of way, no other property may be included in this AINreh. The statutory language provides no support for that interpretation. Moreover, as the evidence presented to the

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<sup>9</sup> In pertinent part, as amended by Section 4 of Chapter 159, N.J.S.A. 40A:12A-14 provides:

- a. A delineated area may be determined to be in need of rehabilitation if the governing body of the municipality determines by resolution that a program of rehabilitation, as defined in [N.J.S.A. 40A:12A-3], may be expected to prevent further deterioration and promote the overall development of the community; and that there exist in that area any of the following conditions such that . . . (2) more than half of the housing stock in the delineated area is at least [fifty] years old; . . . or (6) a majority of the water and sewer infrastructure in the delineated area is at least [fifty] years old and is in need of repair or substantial maintenance.

Board and Council demonstrates, planning development and encouraging measures such as open space, stormwater collection and use of pervious pavement on private property are related to the strain on this City's antiquated, combined sanitary and stormwater sewer system. As things stand, the sewer system backs up and leaves untreated sewage in the streets of this portion of the southwestern section of Hoboken and others. Despite evidence that the sewer authority has undertaken projects that have had some minimizing impact on the flooding, there is also evidence suggesting the problem is far from solved.

Given our disposition of the case, it would serve no purpose to discuss Neumann's claim that Resolution No. 1 was adopted as a pretext for an ulterior motive - a purpose impermissible under the LRHL - and one the City cannot ameliorate with a program of rehabilitation because it does not own the sewer or water infrastructure.

Resolution No. 1 is vacated without prejudice to the Council's reconsideration of the question under current law.

I hereby certify that the foregoing  
is a true copy of the original on  
file in my office.

  
CLERK OF THE APPELLATE DIVISION

Introduced by: *[Signature]*

Seconded by: *[Signature]*

**CITY OF HOBOKEN  
RESOLUTION NO. : \_\_\_**

*Authority J.W.*

**RESOLUTION TO AUTHORIZE EXECUTION OF THE ATTACHED AGREEMENT BETWEEN NORTH HUDSON SEWERAGE AND THE  
CITY OF HOBOKEN**

**WHEREAS**, the City wishes to enter into the attached Agreement with North Hudson Sewerage Authority ("NHSA") to design, construct, maintain and operate the H5 Wet Weather Pump Station which will be located on City owned property at 11<sup>th</sup> Street west of Sinatra Drive; and

**WHEREAS**, the City has applied for complete funding for this project through the New Jersey Environmental Infrastructure Trust ("NJEIT") as well as through the State Revolving Loan Fund ("SRF"); and

**WHEREAS**, this project inherently benefits the City, its residents as well as visitors by alleviating flooding in the H5 drainage basin as well as contributing to the City's storm resiliency; and

**WHEREAS**, the Agreement authorizes the City to expend funds for the NHSA pumping station once those funds have been received from the NJET and SRF; and,

**NOW THEREFORE, BE IT RESOLVED**, that the City is authorized to enter into the attached Agreement with North Hudson Sewerage Authority; and

**BE IT FURTHER RESOLVED** the City Clerk shall publish this resolution as required by law and keep a copy of the resulting contract on file in accordance with N.J.S.A. 40A:11-1 et seq.; and,

**BE IT FURTHER RESOLVED** that a certified copy of this resolution shall be provided to Mayor Dawn Zimmer and Corporation Counsel for action in accordance therewith and to take any other actions necessary to complete and realize the intent and purpose of this resolution; and,

**BE IT FURTHER RESOLVED** that this resolution shall take effect immediately.

Meeting date: October 1, 2014

APPROVED:

*[Signature: Quentin Wiest]*  
Quentin Wiest  
Business Administrator

APPROVED AS TO FORM:

*[Signature: Melissa L. Longo]*  
Melissa L. Longo, Esq.  
Corporation Counsel

Councilperson	Yea	Nay	Abstain	No Vote
Ravi Bhalla	/			
Theresa Castellano	/			
Peter Cunningham	/			
James Doyle	/			
Elizabeth Mason				/
David Mello	/			
Tim Occhipinti	/			
Michael Russo	/			
President Jen Giattino	/			

**A TRUE COPY OF A RESOLUTION ADOPTED BY  
THE COUNCIL OF THE CITY OF HOBOKEN, N.J.**

**AT A MEETING HELD ON:**

**OCT 01 2014**

*[Signature: James J. Sarunia]*

**CITY CLERK**

**AGREEMENT**

**AGREEMENT** made as of the \_\_\_\_\_ day of \_\_\_\_\_, 2014 by and between the **CITY OF HOBOKEN** (“Hoboken”), a municipal corporation of the State of New Jersey having its principal place of business at 94 Washington Street, Hoboken, New Jersey 07030 and the **NORTH HUDSON SEWERAGE AUTHORITY** (the “Authority”), a body politic of the State of New Jersey, with offices at 1600 Adams Street, Hoboken, New Jersey 07030.

**WHEREAS**, Hoboken is the owner of various properties located in the City of Hoboken and more particularly described in Schedule A attached hereto (the “Properties”) upon which the parties wish to design, construct, maintain and operate the H5 Wet Weather Pump Station (the “Project”). The H5 Wet Weather Pump Station, which will be located on 11<sup>th</sup> Street west of Sinatra Drive, is designed to alleviate flooding in the H5 drainage basin in Hoboken; and

**WHEREAS**, Hoboken has applied for funding for the Project through the New Jersey Environmental Infrastructure Trust (NJEIT) through the State Revolving Loan Fund (SRF); and

**WHEREAS**, the Authority will be the authorized representative for Hoboken and will be responsible for designing, building, operating and maintaining the Project including controlling the Project costs and quality, and managing the operations of the Project; and

**WHEREAS**, Hoboken will enter into a 99 year lease with the Authority for the Properties upon which the Project will be constructed and operated; and

**WHEREAS**, Authority represents that it possesses the expertise to cause the Project to be designed, constructed in a good and workmanlike manner, and to be operated and maintained in an effective manner; and

**WHEREAS**, the Authority and Hoboken desire to memorialize their understanding with regard to improvements to be performed and paid for by Hoboken and to the actions to be taken

by the Authority.

**NOW, THEREFORE** in consideration of the mutual promises and covenants contained herein, it is agreed by the Authority and Hoboken as follows:

**1. OWNERSHIP OF PROPERTY AND INFRASTRUCTURE.**

- A. Hoboken will retain ownership of the Properties on which the Project is to be constructed as well as all of the improvements constructed thereon to be used in conjunction with the Project.
- B. Hoboken shall lease the Properties and improvements which constitute the Project to the Authority for a term of 99 years at a rate of \$1.00 per year.
- C. Hoboken, as owner of the Properties, shall retain all rights with respect to the Properties on which the Project is to be situated including, but not limited to, any and all rights to use the Properties so long as such use does not interfere with the Authority's operation and maintenance of the Project. With the consent of the Authority, which shall not be unreasonably withheld, and if space is available, Hoboken shall specifically have the right of access to utilize any portion of the Properties for the purpose of laying pipes, cables, underground drainages, channels, or providing other common facilities. Hoboken shall have further rights within the Properties, including any buildings or structures standing thereon, as and when deemed necessary by Hoboken, to lay down, place, maintain, alter, remove or repair any pipe, pipe lines, conduits for service lines, posts, or other appliances or apparatus in, on, under, over, along or across the Properties in such area for the purposes of providing any common amenities or services and the same may be done either directly by any person either generally or specially authorized by Hoboken on its behalf and the Authority agrees to same provided it does not interfere with the operation of the Project.

**2. PREPARATION AND REVIEW OF DESIGNS, PLANS AND SPECIFICATIONS.**

The Authority shall be responsible for designing the Project to mitigate flooding in Hoboken.

In this regard the Authority shall:

- A. Prepare all engineering and design work required for the Project.
- B. Collaborate with Hoboken to accommodate Hoboken's needs.
- C. Own the plans that it develops for the Project. The Authority grants to Hoboken a perpetual license to use the plans in connection with the Project.
- D. The Authority represents that the design, engineering or other relevant development plans are currently 70% complete and shall be submitted to the City for review and comment. Any such comments must be submitted to the Authority within thirty (30) days. 100% complete plans must be submitted to the City by October 31, 2014. Comments must be provided by the City to the Authority within thirty (30) days.
- E. Cooperate with Hoboken and diligently review, prepare and/or execute, as applicable, any and all required plans, designs, specifications and applications for the various infrastructures and on and off-site improvements contemplated herein.
- F. The parties acknowledge that Hoboken, Jersey City and Weehawken have been recognized as successful finalists in the "Rebuild by Design" contest, which has enabled them to receive federal grant money from the U.S. Department of Housing and Urban Development ("HUD") for their comprehensive storm resiliency and engineering proposal to rebuild after SuperStorm Sandy. The Authority agrees to cooperate in good faith with Hoboken to incorporate the purposes of the "Rebuild by Design" regulations in order to protect the H5 Pump Station from future damage.
- G. Provide all necessary engineering services for the applications and related certifications that may be required by the New Jersey Department of Environmental Protection

("NJDEP") for the construction and operation of the Project. Technical specifications shall be submitted by the Authority's engineer, as required by the NJDEP, and as may be required by Hoboken.

- H. Be responsible for advertising and awarding all contracts for the construction of the Project.
- I. Ensure that the Project is implemented in its entirety in accordance with the plans and specifications and that the Project is operated and maintained during the term.

**3. CONSTRUCTION OF THE PROJECT.**

The Authority shall be responsible for implementing the construction of the Project. In this regard the Authority shall:

- A. Be designated as the authorized representative of the Project for Hoboken.
- B. Organize the supervision, monitoring and control of the construction of the Project.
- C. Be solely responsible to develop and maintain the construction schedule for the Project.

The Authority shall provide a copy of the construction schedule to Hoboken not less than 30 days prior to the commencement of construction.

- D. Each month during the construction phase, the Authority shall forward a monthly engineering report which shall include a progress report on the construction. These reports shall also include the details of any known changes to the proposed date of completion of construction.
- E. Ensure that payments to all contractors and subcontractors are timely made and indemnify Hoboken against any and all claims for payment which, during the progress of work, may become payable or be demanded by any contractor or subcontractor.

- F. Upon completion of construction of the Project, furnish a complete copy of as built plans showing all of the improvements and monument locations to Hoboken and provide a complete set of operation manuals to Hoboken.

**4. PAYMENT MANAGEMENT.**

The Project will be paid for through the New Jersey Environmental Infrastructure Trust (NJEIT) through the State Revolving Loan Fund (SRF). In this regard:

- A. Hoboken shall be the applicant for the funding and the Authority shall be appointed as its authorized representative in connection with the loan.
- B. Hoboken shall assign its rights to receive payments from the funding source to the Authority, with the Authority receiving reimbursement payments directly from the funding source.
- C. Authority shall be responsible for coordinating with the NJEIT in order to obtain authorization to advertise and award contracts.
- D. Authority will be responsible for the engineers estimate of probable construction costs and for all bidding and contracting for the Project.
- E. Hoboken has applied for a loan from the NJEIT for the Project in the amount of \$11,162,500 of which \$9,250,000 is the estimated building cost and the remainder is for engineering fees and administrative costs as well as for construction of a "Sustainable Stormwater Demonstration Project" around City Hall. Should the bids received for the construction portion of the Project be greater than the \$9,250,000 estimated building cost set forth in Hoboken's NJEIT application, then the parties agree to either negotiate an allocation of the costs above said sum or rebid the contract. If the contract is rebid and the bids again exceed the amount of the building cost estimate of the NJEIT loan as aforesaid, either party may terminate this Agreement.

- F. After the bid for the construction of the Project has been accepted, the Authority will guaranty a total price for the Project which shall be subject to the approval of Hoboken. If the Project costs exceed the guaranteed price specified to Hoboken, the Authority shall be responsible for all cost overages. This shall include additional costs resulting from change orders.
- G. Authority shall review all payment applications by contractors, pay all contractors and manage all payment documentation during construction of the Project. Hoboken shall be provided with copies of all such payment applications and proof of payment.
- H. Authority shall be responsible for responding to all audits from NJEIT and SRF in connection with the Project.
- I. Authority shall ensure that the funds for the Project obtained from the NJEIT are only used by the Authority for the Project in accordance with the design plans and specifications that have been approved by Hoboken.
- J. Authority shall provide to Hoboken releases from each contractor and subcontractor prior to final payment.

**5. PERMITS.**

The Authority shall be responsible to obtain all building permits, local approvals and certificates of occupancy for the Project prior to the commencement of construction. Copies of all such permits and approvals shall be filed with the Authority and Hoboken. The Authority shall also be responsible for all regulatory approvals, code compliance, FEMA compliance and materials testing and documentation. Hoboken shall be responsible for supplying and compensating all required traffic control officers during the construction phase of the project. The Authority, however, shall use all reasonable efforts to adhere to the construction schedule which will be separately agreed to between the parties. .

**6. MAINTENANCE AND OPERATIONS OF THE PROJECT.**

Upon completion of the construction of the Project, the Authority shall assume all responsibilities for the maintenance, operations and servicing of the Project including the H5 Pump Station. All such functions shall be at no cost to Hoboken. In this regard:

- A. Authority agrees to operate and maintain the Project at all times on behalf of Hoboken in compliance with all State, Federal and local laws and regulations and in accordance with the terms and provisions of this Agreement. The Authority further agrees that the Project shall at all times be kept in good repair and working order and at all times shall be managed, operated and maintained by the Authority in an efficient and economical manner, in accordance with prudent industry and utility practices.
- B. Authority shall organize the supervision, monitoring and control of the operation and maintenance of the Project and its facilities, as may be necessary to ensure the proper performance of the Project.
- C. Authority shall operate and maintain or cause to be operated and maintained the Project facilities and amenities in accordance with the conditions of all prudent utility practices and industry standards at the sole cost and expense of the Authority. 'Maintain' shall mean and include necessary upgrades and replacements of the Project facilities and amenities, from time to time, to meet or surpass prevalent industry standards for similar facilities.
- D. Authority shall provide the City with a copy of its annual Capital Improvement Plan which shall include, as appropriate, information for the H5 Pump Station.
- E. In the event of an emergency relating to the Project which threatens the public health, safety and welfare of the residents of Hoboken, the Authority shall be obligated to repair and remedy the situation as soon as practicable. In the event of such an emergency

situation the Authority will immediately report the nature of the emergency to Hoboken and provide Hoboken with a written explanation of the remedial measures that will be taken by the Authority to address the situation.

- F. Authority shall perform periodic testing of the Project as shall be required in accordance with prudent industry and utility practices.
- G. Hoboken shall have the right from time to time or at any time to inspect the Project and/or the operation thereof by the Authority, provided that same does not interfere with the ordinary operation of the Project.
- H. Hoboken shall have the right to continuously monitor and review the performance of the Project and the operation, maintenance and management thereof by the Authority and, if Hoboken chooses, Hoboken shall be entitled to retain a consulting engineer and/or other consultant at its own cost for purposes of conducting such monitoring and review activities, provided that same does not interfere with the ordinary operation of the Project.
- I. Authority shall keep such records of all pertinent operating data and information relating to the Project, including accounting and financial records, as prudent industry and utility practice shall require.
- J. Authority shall be obligated to provide Hoboken, upon reasonable request, with copies of all operating data, accounting, financial and other information related to the Project. The Authority shall provide monthly engineering reports which shall include information on the Project.
- K. Authority shall provide, at its cost and expense, all labor, materials, machinery and equipment necessary for the operation, maintenance and management of the Project by the Authority in accordance with the terms and provisions of this Agreement.

- L. All repairs and/or improvements to the Project shall be made by the Authority in accordance with existing Hoboken ordinances.
- M. The Authority shall provide Hoboken with monthly engineering reports which shall include information on the Project.
- N. Authority shall provide a staff of qualified and experienced employees who have direct experience in operating, maintaining, and managing systems similar in nature and character to the Project for operations, maintenance and management procedures and shall provide such additional third party support as may be needed to perform its duties and obligations hereunder. Said third parties shall be equally qualified for the particular services to be performed and shall not have any direct claim against Hoboken whatsoever. The Authority at all times shall maintain the necessary number of employees, staff, and third party contractors to operate, maintain and manage the Project in accordance with the terms and provisions of this Agreement, to adequately maintain the Project in good repair and to adequately operate the Project to provide good service and protect the health, welfare, and safety of the citizens of Hoboken.
- O. Authority shall comply with all reporting requirements related to its operations and the operation, maintenance, and management of the Project, as mandated by Federal, State, and local laws and regulations.
- P. Authority shall pay all expenses required for the normal operation, maintenance, and management of the Project.
- Q. At the end of the term, the Authority shall handover the Project operation and maintenance including all assets, either movable or immovable created by the Authority for the Project to Hoboken and the Authority hereby agrees that the Authority shall not be entitled to be paid any compensation therefor. Two (2) years before the end of the term,

the Authority and Hoboken will start making suitable arrangements for handing over all the assets to Hoboken. During this time period, the Authority and Hoboken shall take such actions as are reasonable to prepare for the turnover of the Project. The Authority also agrees that no notice shall be given, or any application made, by Hoboken for the handing over of the Project by the Authority.

**7. LICENSES.**

The Authority shall acquire and hold all required State, Federal, and local approvals, licenses, permits and certifications necessary to operate, maintain, and manage the Project in accordance with the terms and provisions of this Agreement

**8. INSURANCE.**

Throughout the Project, and the term of the 99 year lease, insurance coverage shall be maintained by the Authority as follows:

- A. Workers' Compensation and Employers Liability Insurance. The Authority or their agents shall take out and maintain adequate workers' compensation and employer's liability insurance for all employees employed in connection with the work, and in case any work is sublet, the applicant shall require each subcontractor similarly to provide workers' compensation and employer's liability insurance for the latter's employees, unless such employees are covered by the protection afforded by the applicant's insurance. Employer's liability insurance shall have limits of not less than \$500,000 per accident, or for disease \$100,000 per claim.
- B. Comprehensive or commercial general liability and property damage liability including contingent liability and contractual liability and naming Hoboken and its agents and employees as additional insured parties with the following limits:

One person in any one occurrence	\$1,000,000
Two or more persons in any one occurrence	\$5,000,000
Aggregate property damage limit	\$ 300,000
Property damage in any accident	\$ 100,000*

\*Property damage insurance shall be extended to cover damage to underground wires, pipes, ducts, conduits, structures, etc. and further to cover explosion damage and damage due to collapse.

C. Automobile liability insurance with the following limits:

One person in any one accident	\$ 500,000
Two or more persons in any one accident	\$1,000,000
Property damage in any one accident	\$ 100,000

9. **HOLD HARMLESS AND INDEMNIFICATION.**

The Authority, its successors, assigns, sub-contractors, agents, servants, officers, employees, designees, guests and invitees, hereby indemnify, defend and hold harmless Hoboken, its successors and assigns, elected officials, officers, employees, servants, contractors, designees and invitees from and against any and all claims, demands, suits, actions at law or equity or otherwise, judgments, arbitration determinations, damages, liabilities, decrees of any person(s) or entities claiming to be or being harmed as a result of the Authority's actions under this Agreement and costs in connection therewith. This indemnification shall specifically include, but not be limited to, any and all costs, reasonable attorneys' fees, court costs and any other expenses that may be incurred by Hoboken in connection with any and all claims, demands, suits, actions at law or equity or otherwise and/or arbitration proceedings which may arise in connection with the Authority's activities pursuant to the rights granted in this Agreement. This

indemnification does not include any action arising out of the Hoboken's own negligence, willful act or breach of this Agreement.

**10. TERMINATION FOR CAUSE BY HOBOKEN.**

- A. Hoboken shall have the right to terminate this Agreement due to the Authority's persistent and repeated failure to construct the Project in accordance with the design plans and specifications, to complete construction within sixty (60) months of the execution of this Agreement, or to operate, maintain, and/or manage the Project in accordance with the terms and provisions of this Agreement, its obligations and duties created hereunder, and/or applicable law.
- B. In the event Hoboken desires to terminate this Agreement for the reasons set forth in Paragraph A above, Hoboken shall provide written notice to the Authority setting forth in detail the alleged failure and/or deficiency of the Authority. The Authority shall have thirty (30) days after receipt of such written notice from Hoboken to cure and/or correct such failure and/or deficiency or to deliver to Hoboken a written notice alleging that no such event has occurred and setting forth in detail its reasoning as to why no such event has occurred.
- C. In the event that the Authority does not cure and/or correct such failure and/or deficiency within said thirty (30) day period or deliver to Hoboken the written notice described in the preceding sentence within said thirty (30) day period, Hoboken shall have the right to terminate this Agreement upon one (1) year notice.

**11. OPTIONAL TERMINATION BY HOBOKEN.**

Either party may, at its sole option and discretion, at any time during the term of this Agreement, terminate this Agreement for any reason whatsoever, upon one (1) year prior written notice to the other. If this option is exercised by Hoboken, Hoboken shall be obligated to assume

the unpaid portion of any capital improvement loans or bonds that have been incurred by the Authority for the project.

**12. MISCELLANEOUS.**

A. Enforcement.

The failure on the part of any party to enforce any provision of this Agreement shall not be construed as a waiver of its right to enforce such provision in the future.

B. Assignment.

This Agreement shall not be assigned by any party without the prior written consent of the other parties, which consent shall not be unreasonably withheld.

C. Entire Agreement.

This Agreement contains the entire agreement between the parties hereto relating to the operation, maintenance and management of the Project and supersedes all previous or contemporaneous communications, representations, or agreements. This Agreement may be modified only by written amendment signed by the parties hereto.

D. Notices.

All notices given pursuant to the terms of this Agreement shall be in writing and delivered in person or transmitted by certified mail, return receipt requested, postage pre-paid. Notices required to be given to the Authority shall be addressed as follows:

North Hudson Sewerage Authority  
1600 Adams Street  
Hoboken, New Jersey 07030

Attn: Executive Director

Notices required to be given to Hoboken shall be addressed as follows:

City Clerk  
Hoboken City Hall  
Hoboken, New Jersey 07642

or to such other address(es) as may be specified by written notice.

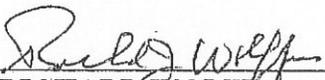
This Agreement may only be modified or terminated by written agreement between the parties.

**IN WITNESS WHEREOF**, the parties hereto have caused this Agreement to be executed by their duly authorized representatives.

**ATTEST:**

**NORTH HUDSON SEWERAGE AUTHORITY**

  
\_\_\_\_\_  
**FRANK COVELLO, COUNSEL**

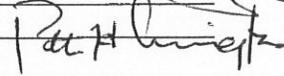
By:   
\_\_\_\_\_  
**RICHARD WOLFF,**  
**EXECUTIVE DIRECTOR**

**ATTEST:**

**CITY OF HOBOKEN**

\_\_\_\_\_  
**Clerk**

By: \_\_\_\_\_  
**DAWN ZIMMER, Mayor**

Introduced by:   
Seconded by: 

CITY OF HOBOKEN  
RESOLUTION NO. \_\_\_\_\_

- 1. RESOLUTION AWARDING A CONTRACT TO REGGIO CONSTRUCTION FOR THE PROVISIONS OF 2014 ROAD RESURFACING PROGRAM - PROJECT B IN ACCORDANCE WITH THE CITY'S BID NO. 14-17 (BASE ONLY) IN THE TOTAL AMOUNT OF \$858,552.69

WHEREAS, bids were received for construction services to resurface the roads in the City, as specified in Bid Number 14-17; and,

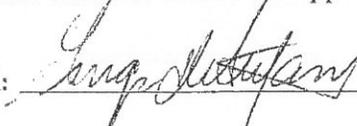
WHEREAS, Five (5) bids were received, the lowest three (3) being:

VENDOR		TOTAL BID
2. Reggio Construction 1575 West Street Fort Lee, NJ 07024	Base Bid	-\$858,552.69
	Alternate Bid A	-\$131,545.00
	Total	-\$990,097.69
3. Topline Construction 22 5 <sup>th</sup> Street Somerville, NJ 08876	Base Bid	-\$1,014,255.03
	Alternate Bid A	-\$150,349.20
	Total	-\$1,164,604.23
4. A.J.M. Contractors 300 Kuller Road Wallington, NJ 07011	Base Bid	-\$1,037,298.00
	Alternate Bid A	-\$156,210.00
	Total	-\$1,193,508.00

WHEREAS, pursuant to the recommendation of the City Engineer (attached hereto) the City wishes to contract for the services specified in Bid No. 14-17, and Reggio Construction submitted the lowest, responsible, and responsive bid in the amount of \$858,552.69 (including just the base bid); and,

WHEREAS, certification of funds is available as follows:

I, George DeStefano, Chief Financial Officer of the City of Hoboken, hereby certify that \$858,552.69 is available in the following appropriations: C-04-60-714-110 and I further certify that this commitment together with all previously made commitments does not exceed the appropriation balance for this purpose.

Signed:  George DeStefano, CFO

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Hoboken as follows:

- A. This resolution awards a contract to Reggio Construction for Bid No. 14-17, in the total amount of Eight Hundred Fifty Eight Thousand Five Hundred Fifty Two Dollars and Sixty Nine Cents \$858,552.69 (including just the base bid) for the City's 2014

Road Resurfacing Program – Project B (Base Bid Only); and said contract shall be to Reggio Construction in accordance with the specifications as set forth in Bid No. 14 – 17.

- B. If the contract, as provided by the City of Hoboken, is not executed by the vendor within 21 days of execution of this award, the City may cancel this award and rebid the project.
- C. The contract shall be in accordance with the terms of the specifications and the vendor’s corresponding bid proposal documents. No exceptions were noted in the City’s Engineer’s recommendations; therefore, none will be accepted in performing obligations under the bid.
- D. Any change orders required shall be subject to formal City Council authorization, and the City shall not be held liable for any amounts above the within contracted amounts unless/until same is authorized and appropriated by formal resolution of the City Council.
- E. Pursuant to the provisions of N.J.S.A. 40A:11-11(5), the Mayor or her agent is hereby authorized to enter into an Agreement with the vendor for said purchase and sale.
- F. This resolution shall take effect immediately upon passage.

**MEETING: October 1, 2014**

**REVIEWED:**

*Quentin Wiest*  
 Quentin Wiest  
 Business Administrator

**APPROVED AS TO FORM:**

*Melissa L. Longo*  
 Melissa L. Longo, Esq.  
 Corporation Counsel

Councilperson	Yea	Nay	Abstain	No Vote
Ravi Bhalla	/			
Theresa Castellano	/			
Peter Cunningham	/			
James Doyle	/			/
Elizabeth Mason				
David Mello	/			
Tim Occhipinti	/			
Michael Russo	/			
Council President Jen Giattino	/			

A TRUE COPY OF A RESOLUTION ADOPTED BY  
 THE COUNCIL OF THE CITY OF HOBOKEN, N.J.  
 AT A MEETING HELD ON: OCT 01 2014

*James J. Sarunia*

CITY CLERK



YOUR GOALS. OUR MISSION.

HOBK-00030

September 30, 2014

Mayor and Council Members  
City of Hoboken  
94 Washington Street  
Hoboken, NJ 07030

**Re: Recommendation of Award  
2014 Road Resurfacing Program – Project B**

Dear Mayor and Council Members:

On Tuesday, September 30, 2014, five (5) bids were received for the **2014 Road Resurfacing Program - Project B**. Enclosed is a bid summary for the project. The following bids were received:

Bidder	Base Bid	Add Alt. A	Total Bid (Base Bid Plus Alt. A)
Reggio Construction Inc.	\$858,552.69	\$131,545.00	\$990,097.69
TopLine Construction Corp.	\$1,014,255.03	\$150,349.20	\$1,164,604.23
A.J.M. Contractors, Inc.	\$1,038,288.00	\$156,210.00	\$1,194,498.00
Smith-Sondy	\$1,154,443.05	\$157,882.50	\$1,312,325.55
Cardinal Contracting Co.	\$1,790,308.75	\$206,540.00	\$1,996,848.75
Engineer's Estimate	\$966,294.50	\$182,675.00	\$1,148,969.50

The lowest responsive bidder for the project is Reggio Construction Inc., of 1575 West Street, Fort Lee, New Jersey 07024. Reggio Construction has provided a base bid amount of \$858,552.69. Further, Reggio Construction is the lowest bidder if the alternate bid items are awarded.

We have reviewed all the bid documents and find that all required forms and documents have been provided by Reggio Construction.

Based on their low bid and satisfactory past performance, it is recommended the City award a contract to Reggio Construction for the 2014 Road Resurfacing Program - Project B project for a total amount of \$990,097.69 (Base Bid plus Alternate A).

Award should be contingent upon certification of funds by the Chief Financial Officer and review of the bid documents by the City Attorney.



Le: Mayor and Borough Council

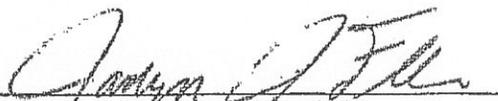
Re: Recommendation of Award  
2014 Road Resurfacing Program - Project B

HOBK-00030  
September 30, 2014  
Page 2

If you have any questions or require additional information, please call.

Very truly yours,

T&M ASSOCIATES



JACLYN J. FEOR, PE, PP, CME  
CONSULTING ENGINEER

PB:dk  
Enclosure.

cc: Quentin Wiest, City Business Administrator  
AL B. Dineros, Purchasing Agent

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CITY OF BIROKEN  
2014 ROAD RESURFACING PROGRAM - PROJECT 8  
BID NO. 14517

BASE BID

Table with columns: Item, Description, Quantity, Unit, Unit Price, Amount, Unit Price, Amount, Unit Price, Amount, Unit Price, Amount, Unit Price, Amount. Contains 45 line items for road resurfacing materials and labor.

ADD ALTERNATE BID A - 4TH STREET (MONROIST, TO GRAND ST.)

Table with columns: Item, Description, Quantity, Unit, Unit Price, Amount, Unit Price, Amount, Unit Price, Amount, Unit Price, Amount, Unit Price, Amount. Contains 15 line items for alternate bid A materials and labor.

\* There was an addition error found on the A.J.M. Concrete bid proposal for the total base bid amount and therefore revised on the bid summary.

**CITY OF HOBOKEN**  
Division of Purchasing

**DAWN ZIMMER**  
Mayor



**AL B. DINEROS, QPA**  
Purchasing Agent

Date: September 30, 2014  
To: Quentin Wiest, Business Administrator  
From: Al B. Dineros  
Subject: **Resolution to Award the Contract for Bid No. 14 – 17 (2<sup>nd</sup> Attempt)  
2014 Road Resurfacing Program – Project B**  
Reference: (a) Memorandum from T and M Associates, same subject

Fair and open sealed bids were opened and read aloud at City Hall on September 30, 2014. The City received five (5) sealed bids out of seven (7) vendors.

T and M Associates reviewed the bid documentation submitted by the three lowest bidder and were satisfied that it met the intent of the specification. There was no discrepancy found on all required documents submitted and inspected in accordance with the published instructions to bidder.

Due to work scheduling issues, the City decided to accept and award the contract base on base bid only.

I fully concurred with the recommendation from T and Associates to award the contract to the lowest responsive and responsible bidder. Total amount of the contract (base bid only) is \$858,552.69. The vendor will be:

Reggio Construction  
1575 West Street  
Fort Lee, Lee, NJ 07024

**Budget Account Maintenance**

Account: **C-04-60-714-110** Desc: **E-296 SEM ROAD IMPROVANT-CONTRACTOR COST**

Acct Type: Sub      Chk Accd: ICAPITAL      Cap Flag:

Fund Type: Capital/Trust      Class Id:      Class Id 2:

**Misc GL Accounts / Adopted Budget Detail**

Activity	To Date	Budgeted	Expended	Current Period
Encumber		1,500,000.00		.00
Expended			1,500,000.00	.00
Trans-In				.00
Trans-Out				.00
Reimburse				.00
Cancel				.00
YTD Requested		1,500,000.00		
Requested Balance		1,500,000.00		

Control Balance: 1,763,050.00      Control Requested Balance: 1,763,050.00



YOUR GOALS. OUR MISSION.

HOBK-00030

October 1, 2014

Mayor and Council Members  
City of Hoboken  
94 Washington Street  
Hoboken, NJ 07030

**Re: Recommendation of Award  
2014 Road Resurfacing Program – Project B**

Dear Mayor and Council Members:

On Tuesday, September 30, 2014, five (5) bids were received for the **2014 Road Resurfacing Program - Project B**. Enclosed is a bid summary for the project. The following bids were received:

Bidder	Base Bid	Add Alt. A	Total Bid (Base Bid Plus Alt. A)
Reggio Construction Inc.	\$858,552.69	\$131,545.00	\$990,097.69
TopLine Construction Corp.	\$1,014,255.03	\$150,349.20	\$1,164,604.23
A.J.M. Contractors, Inc.	\$1,038,288.00	\$156,210.00	\$1,194,498.00
Smith-Sondy	\$1,154,443.05	\$157,882.50	\$1,312,325.55
Cardinal Contracting Co.	\$1,790,308.75	\$206,540.00	\$1,996,848.75
Engineer's Estimate	\$966,294.50	\$182,675.00	\$1,148,969.50

The lowest responsive bidder for the project is Reggio Construction Inc., of 1575 West Street, Fort Lee, New Jersey 07024. Reggio Construction has provided a base bid amount of \$858,552.69. Further, Reggio Construction is the lowest bidder if the alternate bid items are awarded.

We have reviewed all the bid documents and find that all required forms and documents have been provided by Reggio Construction.

Based on their low bid and satisfactory past performance, it is recommended the City award a contract to Reggio Construction for the 2014 Road Resurfacing Program - Project B project for a total amount of **\$858,552.69** (Base Bid). It should be noted that due to scheduling, the City has decided not to award Alternate A.

Award should be contingent upon certification of funds by the Chief Financial Officer and review of the bid documents by the City Attorney.



Le: Mayor and Borough Council

Re: Recommendation of Award  
2014 Road Resurfacing Program - Project B

HOBK-00030  
October 1, 2014  
Page 2

If you have any questions or require additional information, please call.

Very truly yours,

T&M ASSOCIATES

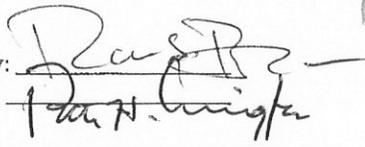


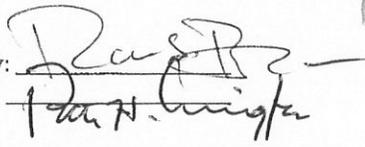
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JACLYN J. FLOR, PE, PP, CME  
CONSULTING ENGINEER

PB:dk  
Enclosure.

cc: Quentin Wiest, City Business Administrator  
AL B. Dineros, Purchasing Agent

Introduced by: 

Seconded by: 

CITY OF HOBOKEN  
RESOLUTION NO. : \_\_\_

RESOLUTION TO AUTHORIZE PROFESSIONAL SERVICE CONTRACTS WITH  
T&M ASSOCIATES IN A NOT TO EXCEED AMOUNT OF \$88,380.00 FOR PROJECT B  
AS ENGINEERS FOR THE CONSTRUCTION OVERSIGHT OF THE ROAD IMPROVEMENT  
PROJECT TO THE CITY OF HOBOKEN TO COMMENCE OCTOBER 1, 2014 AND EXPIRE  
SEPTEMBER 30, 2015

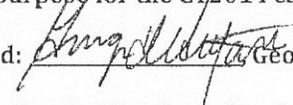
WHEREAS, service to the City as Engineer is a professional service as defined by N.J.S.A. 40A:11-1 et seq. and as such, is exempt from public bidding requirements pursuant to N.J.S.A. 40A:11-5; and,

WHEREAS, in accordance with the fair and open process, the City requested proposals for Engineering Work for the construction oversight of the Road Improvement Project B, which T&M Associates responded to, and the City now seeks to contract with the named firm for said services; and,

WHEREAS, the firm is hereby required to abide by the "pay-to-play" requirements of the Hoboken Public Contracting Reform Ordinance, codified as §20A-11 et seq. of the Administrative Code of the City of Hoboken as well as the Affirmative Action laws and policies under which the City operates; and,

WHEREAS, certification of funds is available as follows:

I, George DeStefano, Chief Financial Officer of the City of Hoboken, hereby certify that \$88,380.00 is available in the following appropriations C-04-60-714-120 in the CY2014 capital account; and I further certify that this commitment together with all previously made commitments does not exceed the appropriation balance available for this purpose for the CY2014 capital account.

Signed:  George DeStefano, CFO

NOW THEREFORE, BE IT RESOLVED, that the City Council authorizes a contract be awarded and entered into by the City's administration as follows: T&M Associates for Construction Oversight of the Road Resurfacing Project Package B (Base Bid Only), with a not to exceed amount of \$88,380.00 (pursuant to T&M Associates' attached proposal) for a term to commence October 1, 2014 and expire September 30, 2015; and

BE IT FURTHER RESOLVED, the contract shall expressly state that said firm shall be obligated to provide prompt notice to the City when its invoicing reaches 80% of the not to exceed amount if the firm believes additional funds will be necessary, and the City shall have no liability for payment of funds in excess of the not to exceed amount; and

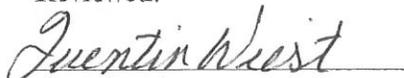
BE IT FURTHER RESOLVED that the City Council of the City of Hoboken specifically finds that compliance with Hoboken Ordinance #DR-154 (codified as §20A-4 of the Code of the City of Hoboken), and any and all state Pay to Play laws, is a continuing obligation of the vendor ; and

BE IT FURTHER RESOLVED the City Clerk shall publish this resolution as required by law and keep a copy of the resulting contract on file in accordance with N.J.S.A. 40A:11-1 et seq.; and,

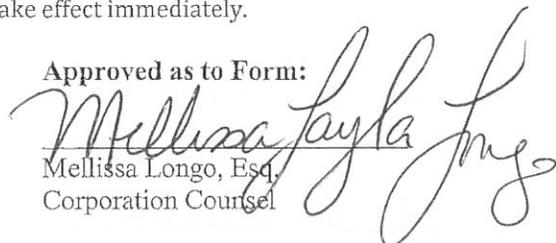
BE IT FURTHER RESOLVED that a certified copy of this resolution shall be provided to Mayor Dawn Zimmer and Corporation Counsel for action in accordance therewith and to take any other actions necessary to complete and realize the intent and purpose of this resolution; and,

BE IT FURTHER RESOLVED that this resolution shall take effect immediately.

Reviewed:

  
Quentin Wiest  
Business Administrator

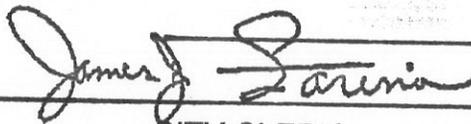
Approved as to Form:

  
Mellissa Longo, Esq.  
Corporation Counsel

Meeting Date: October 1, 2014

Councilperson	Yea	Nay	Abstain	No Vote
Ravi Bhalla	/			
Theresa Castellano	/			
Peter Cunningham	/			
James Doyle	/			
Elizabeth Mason				/
David Mello	/			
Tim Occhipinti	/			
Michael Russo	/			
Council President Jen Giattino				

A TRUE COPY OF A RESOLUTION ADOPTED BY  
THE COUNCIL OF THE CITY OF HOBOKEN, N.J.  
AT A MEETING HELD ON: OCT 01 2014

  
\_\_\_\_\_  
CITY CLERK

**Budget Account Maintenance**

Account: C-04-60-714-120      Desc: 2-286 62W ROAD IMPROVEMENT-BOEM COST

Acct Type: Sub      Cap Flag:

Fund Type: Capital/Trust      Class Id:      Class Id 2:      Cap Flag:

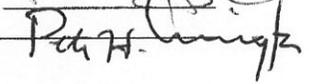
Chk Acct: ICAPITAL

**Activity Misc G/L Accounts Adopted Budget Detail**

	Activity To Date:	Budgeted:	Current Period:
Encumber	187,221.57	400,000.00	Expended: .00
Expended	49,728.43	Balance: 163,050.00	Trans-In: .00
Trans-In	.00		Trans-Out: .00
Trans-Out	.00	YTD Requested: .00	Reimburse: .00
Reimburse	.00	Requested Balance: 163,050.00	
Cancel	.00		

Control Balance: 1,763,050.00    Control Requested Balance: 1,763,050.00



Introduced by:   
Seconded by: 

**CITY OF HOBOKEN  
RESOLUTION NO. : \_\_\_**

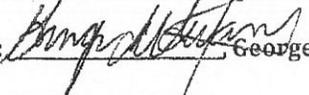
**RESOLUTION TO AUTHORIZE AN AMENDMENT TO THE PROFESSIONAL SERVICE  
CONTRACTS WITH T&M ASSOCIATES IN AN INCREASED NOT TO EXCEED AMOUNT OF  
\$9,000.00, FOR A TOTAL NOT TO EXCEED AMOUNT OF \$33,600.00 FOR PROJECT B  
AS ENGINEERS FOR THE ROAD IMPROVEMENT PROJECT TO THE CITY OF HOBOKEN TO  
COMMENCE JUNE 19, 2014 AND EXPIRE JUNE 18, 2015**

**WHEREAS**, service to the City as Engineer is a professional service as defined by N.J.S.A. 40A:11-1 et seq. and as such, is exempt from public bidding requirements pursuant to N.J.S.A. 40A:11-5; and,

**WHEREAS**, the City requested proposals for Engineering Work for the Road Improvement Project from all firms which were previously approved as pool Engineers, including T&M Associates (via Resolution No. of 27 of January 22, 2014), and T&M Associates responded to this specific Road Improvement Project request, and the City thereafter awarded a specific contract to T&M Associates on June 18, 2014 for Project B, which the City now seeks to amend in accordance with the attached proposal; and,

**WHEREAS**, the firm is hereby required to abide by the "pay-to-play" requirements of the Hoboken Public Contracting Reform Ordinance, codified as §20A-11 et seq. of the Administrative Code of the City of Hoboken as well as the Affirmative Action laws and policies under which the City operates; and,

**WHEREAS**, certification of funds is available as follows:  
**I, George DeStefano, Chief Financial Officer of the City of Hoboken, hereby certify that \$9,000.00 is available in the following appropriations C-04-60-714-120 in the CY2014 capital account; and I further certify that this commitment together with all previously made commitments does not exceed the appropriation balance available for this purpose for the CY2014 capital account.**

Signed:  George DeStefano, CFO

**NOW THEREFORE, BE IT RESOLVED**, that an amended contract be entered into by the City's administration as follows: T&M Associates for Project Package B with an increased not to exceed amount of \$9,000.00, for a total not to exceed amount of \$33,600.00 (which includes the original owner's allowance (pursuant to T&M Associates' attached proposal), to represent the City as Engineers for the specified portion of the City's Roadway Improvements Project, for a term to commence June 19, 2014 and expire June 18, 2015, for the not to exceed amount defined herein; and

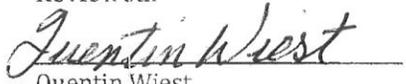
**BE IT FURTHER RESOLVED**, the amended contract shall expressly state that said firm shall be obligated to provide prompt notice to the City when its invoicing reaches 80% of the not to exceed amount if the firm believes additional funds will be necessary, and the City shall have no liability for payment of funds in excess of the not to exceed amount; and

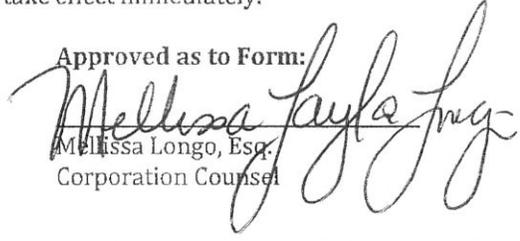
**BE IT FURTHER RESOLVED** that the City Council of the City of Hoboken specifically finds that compliance with Hoboken Ordinance #DR-154 (codified as §20A-4 of the Code of the City of Hoboken), and any and all state Pay to Play laws, is a continuing obligation of the vendor ; and

**BE IT FURTHER RESOLVED** the City Clerk shall publish this resolution as required by law and keep a copy of the resulting contract on file in accordance with N.J.S.A. 40A:11-1 et seq.; and,

**BE IT FURTHER RESOLVED** that a certified copy of this resolution shall be provided to Mayor Dawn Zimmer and Corporation Counsel for action in accordance therewith and to take any other actions necessary to complete and realize the intent and purpose of this resolution; and,

**BE IT FURTHER RESOLVED** that this resolution shall take effect immediately.

Reviewed:  
  
Quentin Wiest  
Business Administrator

Approved as to Form:  
  
Melissa Longo, Esq.  
Corporation Counsel

Meeting Date: October 1, 2014

Councilperson	Yea	Nay	Abstain	No Vote
Ravi Bhalla	/			
Theresa Castellano	/			
Peter Cunningham	/			
James Doyle	/			
Elizabeth Mason	/			/
David Mello	/			
Tim Occhipinti	/			
Michael Russo	/			
Council President Jen Giattino	/			

A TRUE COPY OF A RESOLUTION ADOPTED BY  
THE COUNCIL OF THE CITY OF HOBOKEN, N.J.  
AT A MEETING HELD ON: OCT 01 2014

  
\_\_\_\_\_  
CITY CLERK

**Budget Account Maintenance**

Account: C-04-60-714-120 Desc: 2-29.5 52X ROAD IMPROVEMENT-SOFT COST  
 Fund Type: Capital/Trust Sub: ICAPITAL Class Id: Class Id 2: Cap Flag:

**Activity Misc G/L Accounts Adopted Budget Detail**

Activity	Misc	G/L Accounts	Adopted Budget Detail	Budgeted	Expended	Current Period
Encumber			187,221.57	400,000.00	Expended	.00
Expended			49,728.43	163,050.00	Trans-In	.00
Trans-In			.00		Trans-Out	.00
Trans-Out			.00		Reimburse	.00
Reimburse			.00		Requested Balance:	
Cancel			.00		Requested Balance:	163,050.00

Control Balance 1,763,050.00 Control Requested Balance 1,763,050.00



YOUR GOALS. OUR MISSION.

HOBK-00030

September 23, 2014

Quentin Wiest, City Administrator  
City of Hoboken  
94 Washington Street  
Hoboken, NJ 07030

Re: Second Supplemental Proposal for Professional Services for  
2014 Municipal Street Resurfacing and Intersection Safety Improvement Program - Project B

Dear Mr. Wiest:

As discussed, we are providing a supplemental fee estimate for additional design services in addition to the original scope of services.

1. Revise bid documents to eliminate paving and striping on Monroe Street from 6<sup>th</sup> Street to 8<sup>th</sup> Street and include as an add alternate the paving and striping on 4<sup>th</sup> Street from Grand Street to Monroe Street.
2. Provide additional curb extension at the intersection of Monroe and Seventh Street.
3. Research and coordination with City regarding inclusion of a rain garden monitoring systems.
4. Prepare revisions to the bid documents based on Hudson County review comments.
5. Prepare Addendum #1.
6. Provide an additional pavement striping plan for Jackson Street from Newark Street to Paterson Avenue.
7. Provide bid phase services for the rebid of the project.

Based on this additional scope of services, we estimate an additional design services fee of \$9,000 to be billed monthly based on actual progress.

On behalf of T&M Associates, thank you for the opportunity to submit this Proposal. Should you have any questions or require additional information, please feel free to call.



HOBK-00030

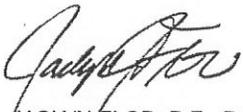
September 23, 2014

Re: Quentin Wiest, City Administrator  
City of Hoboken

Page 2

Re: Second Supplemental Proposal for Professional Services for  
2014 Municipal Street Resurfacing and Intersection Safety Improvement Program - Project B

Very truly yours,  
T&M ASSOCIATES



JACLYN FLOR, P.E., P.P., CME  
SUPERVISING ENGINEER/PLANNER

JF:PB:sp  
K:\HOBK\00030\Correspondence\Marks\_JF\_Supplemental Proposal #2.docx

Introduced by: Katrina King  
Seconded by: [Signature]

CITY OF HOBOKEN  
RESOLUTION NO. : \_\_\_

A TRUE COPY OF A RESOLUTION ADOPTED BY  
THE COUNCIL OF THE CITY OF HOBOKEN, N.J.  
AT A MEETING HELD ON:

RESOLUTION TO AUTHORIZE A CONCESSIONAL SERVICE CONTRACT WITH VALET KING AS VALET PARKING PROVIDER TO THE CITY OF HOBOKEN UNDER A PILOT PROGRAM FOR 3 MONTHS STARTING OCTOBER 8, 2014 AND ENDING JANUARY 8, 2015 IN ACCORDANCE WITH THE RFP ISSUED FOR SAID SERVICES

**WHEREAS**, <sup>OCT 01 2014</sup> concession service to the City for valet parking is subject to the competitive contracting process, which the City was authorized to utilize, to exempt the contract from public bidding requirements pursuant to N.J.S.A. 40A:11-5; and,

**WHEREAS**, the City of Hoboken published a Competitive Contracting Request for Proposals for a concessional service contract for a valet parking service provider, in accordance with the Fair and Open Process and Hoboken Ordinance #DR-154, which Valet King responded to; and,

**WHEREAS**, the evaluation committee has determined that Valet King offers the best option of all the proposals submitted, cost and other factors considered, and therefore advises a contract be entered into with the vendor; and,

**WHEREAS**, the vendor is hereby required to continue to abide by the "pay-to-play" requirements of the Hoboken Public Contracting Reform Ordinance, codified as §20A-11 *et seq.* of the Administrative Code of the City of Hoboken as well as the Affirmative Action laws and policies under which the City operates; and,

**NOW THEREFORE, BE IT RESOLVED**, that a concession contract with Valet King to represent the City as valet service provider be awarded, under a pilot program for 3 months starting October 8, 2014 and ending January 8, 2015, with all other terms and conditions being in accordance with Valet King's proposal, and the City's RFP (the terms in the RFP shall trump the terms in the proposal to the extent inconsistent - since no exceptions are being allowed hereunder); and

**BE IT FURTHER RESOLVED** that the City Council of the City of Hoboken specifically finds that compliance with Hoboken Ordinance #DR-154 (codified as §20A-4 of the Code of the City of Hoboken), and any and all state Pay to Play laws, is a continuing obligation of the vendor; and

**BE IT FURTHER RESOLVED** the City Clerk shall publish this resolution as required by law and keep a copy of the resulting contract on file in accordance with N.J.S.A. 40A:11-1 *et seq.*; and,

**BE IT FURTHER RESOLVED** that a certified copy of this resolution shall be provided to Mayor Dawn Zimmer and Corporation Counsel for action in accordance therewith and to take any other actions necessary to complete and realize the intent and purpose of this resolution; and,

**BE IT FURTHER RESOLVED** that this resolution shall take effect immediately.

Reviewed:  
Quentin Wiest  
Quentin Wiest  
Business Administrator

Approved as to Form:  
Melissa Longo  
Melissa Longo, Esq.  
Corporation Counsel

Meeting Date: October 1, 2014

Councilperson	Yea	Nay	Abstain	No Vote
Ravi Bhalla				/
Theresa Castellano	/			
Peter Cunningham	/			
James Doyle				
Elizabeth Mason				/
David Mello	/			
Tim Occhipinti	/			
Michael Russo	/			
Council President Jen Giattino	/			

Introduced by: Peter C. King

Seconded by: Dave S. Brown

**CITY OF HOBOKEN**

**RESOLUTION NO. \_\_\_\_\_**

**Resolution and Agreement For State Aid**

**APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE FY 2015 MUNICIPAL AID PROGRAM FOR IMPROVEMENTS TO WASHINGTON STREET**

**WHEREAS**, the New Jersey Department of Transportation has announced that it is accepting applications for its FY2015 State Aid program; and

**WHEREAS**, the purpose of the program is to maintain and improve New Jersey's local transportation infrastructure by providing financial assistance to counties and municipalities for traditional and non-traditional transportation initiatives; and

**WHEREAS**, Municipal Aid has been a significant resource for municipalities in funding local transportation projects; and

**WHEREAS**, the Department of Transportation encourages all municipalities to consider using the Municipal Aid program to fund projects that support walking and biking in their communities; and

**WHEREAS**, the NJDOT has set a goal to award up to 10 percent of the Municipal Aid program to fund projects such as pedestrian safety improvements, bikeways and streetscapes; and

**WHEREAS**, all projects funded through the Transportation Trust Fund must comply with the Americans with Disabilities Act (ADA); and

**WHEREAS**, the NJDOT requires grant projects to be delivered to construction award within twenty-four months of grant agreement execution; and

**WHEREAS**, there is no City monetary match required for the acceptance of this grant, and this authorization to execute the grant agreement is contingent on there being no City monetary match for this grant.

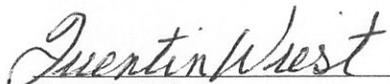
**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of Hoboken formally approves the grant application for the above stated project.

**BE IT FURTHER RESOLVED** that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as “**MA-2015-Hoboken City-00188**” to the New Jersey Department of Transportation on behalf of the City of Hoboken.

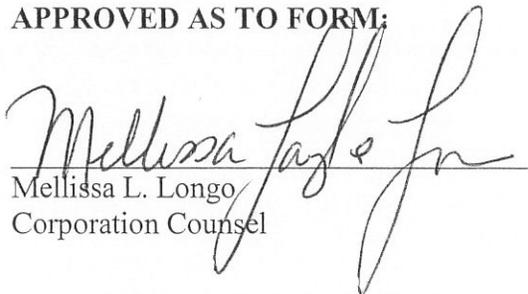
**BE IT FURTHER RESOLVED** that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the City of Hoboken, and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

**Meeting date: October 1, 2014**

**APPROVED:**

  
 \_\_\_\_\_  
 Quentin Wiest  
 Business Administrator

**APPROVED AS TO FORM:**

  
 \_\_\_\_\_  
 Melissa L. Longo  
 Corporation Counsel

Councilperson	Yea	Nay	Abstain	No Vote
Ravi Bhalla	/			
Theresa Castellano	/	/		
Peter Cunningham	/			
James Doyle	/			
Elizabeth Mason				/
David Mello	/			
Tim Occhipinti	/			
Michael Russo	/			
President Jen Giattino	/			

Certified as a true copy of the Resolution adopted by the Council  
 On this 1 day of Oct, 2014

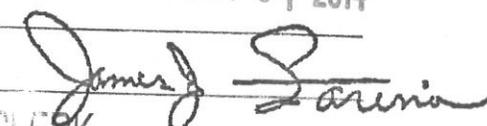
\_\_\_\_\_  
 James Farina, RMC

My signature and the Clerk’s seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

**A TRUE COPY OF A RESOLUTION ADOPTED BY  
 THE COUNCIL OF THE CITY OF HOBOKEN, N.J.  
 AT A MEETING HELD ON:**

ATTEST and AFFIX SEAL

  
 \_\_\_\_\_  
 James Farina  
 (Clerk)

OCT 01 2014  
 \_\_\_\_\_  
 Mayor Dawn Zimmer  
 (Presiding Officer) **CITY CLERK**  




# State of New Jersey

DEPARTMENT OF TRANSPORTATION  
P.O. Box 600  
Trenton, New Jersey 08625-0600

CHRIS CHRISTIE  
*Governor*

KIM GUADAGNO  
*Lt. Governor*

JOSEPH D. BERTONI  
*Acting Commissioner*

## RECEIVED

AUG 14 2014

OFFICE OF THE MAYOR  
HOBOKEN, NJ

August 11, 2014

Dear Mayor/Freeholder Director/County Executive:

I am pleased to announce that applications will now be accepted for the New Jersey Department of Transportation's (NJDOT) FY 2015 State Aid programs. The Commissioner of Transportation and I are committed to maintaining and improving New Jersey's local transportation infrastructure by providing financial assistance to counties and municipalities for traditional and non-traditional transportation initiatives.

The following is a brief description of each program:

- **Municipal Aid** - This program has been a significant resource for municipalities in funding local transportation projects. All municipalities are eligible. The Department continues to encourage municipalities to consider using the Municipal Aid Program to fund projects that support walking and biking in their communities. NJDOT has set a goal to award up to 10 percent of the Municipal Aid Program funds to projects such as pedestrian safety improvements, bikeways and streetscapes.
- **Transit Village** - This program will award grants for traditional and non-traditional transportation projects that enhance walking, biking and/or transit ridership within 1/2 mile of the transit facility. Only New Jersey municipalities that have been designated as Transit Villages by the Commissioner of Transportation and the inter-agency Transit Village Task Force are eligible to apply. The eligible town list can be found at <http://www.state.nj.us/transportation/business/localaid/transitvillagef.shtm>.
- **Bikeways** - This program is intended to fund bicycle projects. It is available to all counties and municipalities. The Department continues to work toward the goal of achieving 2,000 miles of dedicated bikeways in New Jersey. Special consideration will be given to bikeways that are physically separated from motorized vehicular traffic by an open space or barrier, but on-road bike lanes and other bike routes and facilities are also eligible for funding.
- **Safe Streets to Transit** - The intent of this program is to encourage counties and municipalities to construct safe and accessible pedestrian linkages to transit facilities in order to promote increased usage of transit by all segments of the population.

All projects funded through the Transportation Trust Fund must comply with the Americans with Disabilities Act (ADA). ADA guidance, program descriptions and application guidance materials can be found on the NJDOT website at:

<http://www.state.nj.us/transportation/business/localaid/stateaid.shtm>

If you choose to apply, please consider the following in your applications. NJDOT requires grant projects to be delivered to construction award within twenty-four months of grant agreement execution. Please provide background information in the application to support your project's construction readiness. This information will be a factor in our rating of applications.

I encourage you to submit applications for these Local Aid programs. Each program application will be evaluated independently, affording counties and municipalities the opportunity to receive funding in more than one category.

The enclosed map provides contact information for each Local Aid District Office. Please keep in mind that a separate application for each project must be completed and submitted on or before October 14, 2014 on-line through SAGE at:

<https://enterprisegrantapps.state.nj.us/NJSAGE/>

We recommend that you consult with your Local Aid District Office to assist in preparing applications for funding. Thank you for your continued interest and support of NJDOT and best wishes for success with your project applications.

Sincerely,



Chris Christie  
Governor

Enclosure

c Municipal Clerk  
Municipal Engineer  
County Engineer



# New Jersey Department of Transportation Local Aid and Economic Development

## District 1

Roxbury Corporate Center  
200 Stierli Court  
Mount Arlington, NJ 07856  
973.601.6700  
FAX: 973.601.6709

## District 2

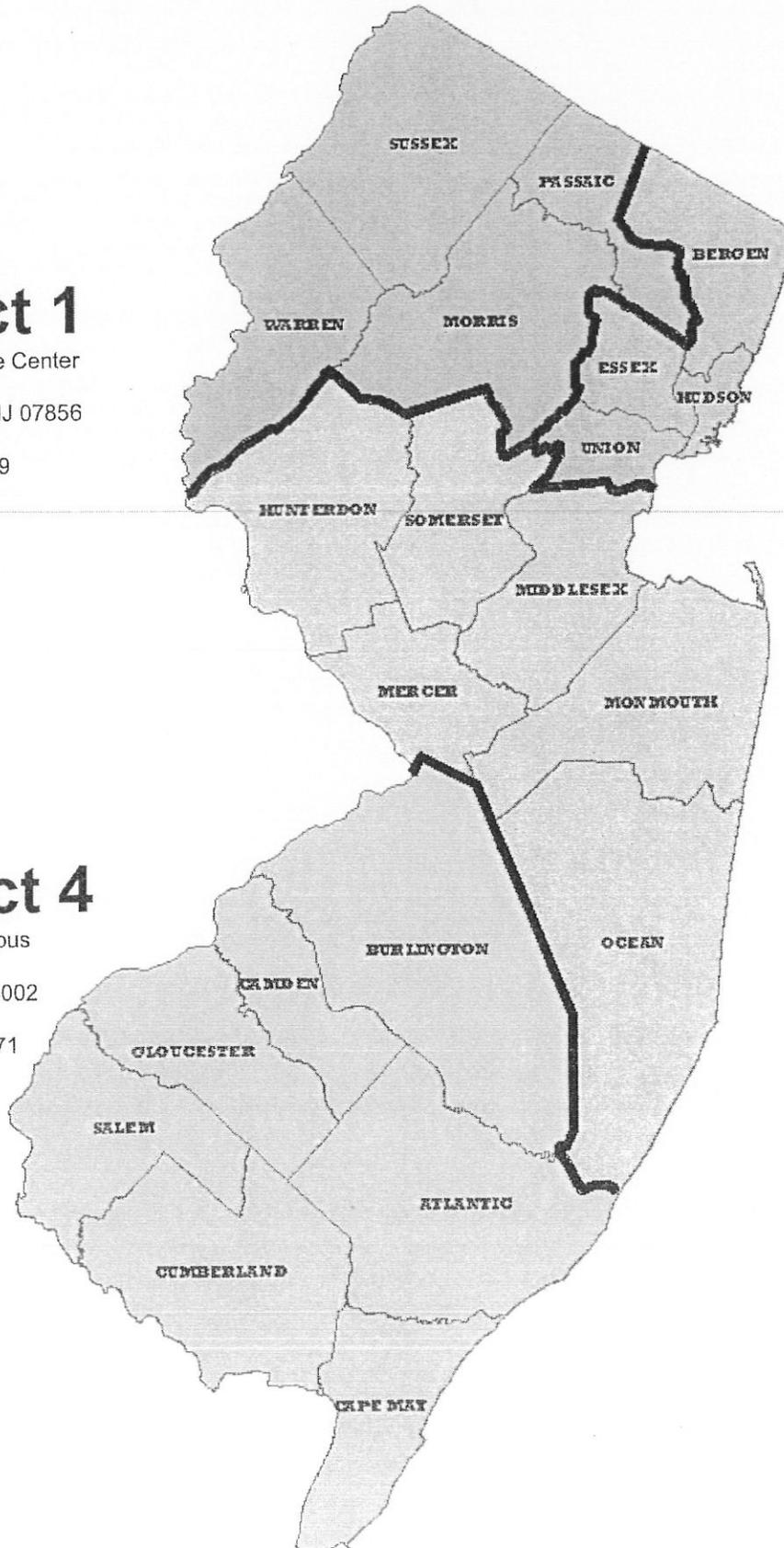
153 Halsey Street, 5th Floor  
Newark, NJ 07102  
973.877.1500  
FAX: 973.648-4547

## District 3

1035 Parkway Ave  
Trenton, NJ 08625  
732.625.4290  
FAX: 732.625.4292

## District 4

1 Executive Campus  
Route 70 West  
Cherry Hill, NJ 08002  
856.486.6618  
FAX: 856.486.6771



Introduced by: Peter H. ...  
Seconded by: ...

**CITY OF HOBOKEN**

**RESOLUTION NO. \_\_\_\_\_**

**Resolution and Agreement For State Aid**

**APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE FY 2015 BIKEWAYS GRANT PROGRAM**

**WHEREAS**, the New Jersey Department of Transportation has announced that it is accepting applications for its FY2015 State Aid program; and

**WHEREAS**, the purpose of the program is to maintain and improve New Jersey’s local transportation infrastructure by providing financial assistance to counties and municipalities for traditional and non-traditional transportation initiatives; and

**WHEREAS**, the Bikeways program is intended to fund bicycle projects; and

**WHEREAS**, the Department of Transportation continues to work toward the goal of achieving 2,000 miles of dedicated bikeways in New Jersey; and

**WHEREAS**, special consideration will be given to bikeways that are physically separated from motorized from motorized vehicular traffic by an open space or barrier, but on-road bike lanes and other bike routes and facilities are also eligible for funding; and

**WHEREAS**, all projects funded through the Transportation Trust Fund must comply with the Americans with Disabilities Act (ADA); and

**WHEREAS**, the NJDOT requires grant projects to be delivered to construction award within twenty-four months of grant agreement execution; and

**WHEREAS**, there is no City monetary match required for the acceptance of this grant, and this authorization to execute the grant agreement is contingent on there being no City monetary match for this grant.

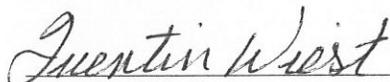
**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of Hoboken formally approves the grant application for the above stated project.

**BE IT FURTHER RESOLVED** that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as “**BIKE-2015-Hoboken City-00007**” to the New Jersey Department of Transportation on behalf of the City of Hoboken.

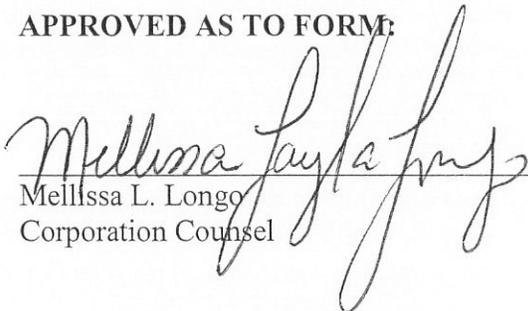
**BE IT FURTHER RESOLVED** that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the City of Hoboken, and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

**Meeting date: October 1, 2014**

**APPROVED:**

  
 Quentin Wiest  
 Business Administrator

**APPROVED AS TO FORM:**

  
 Melissa L. Longo  
 Corporation Counsel

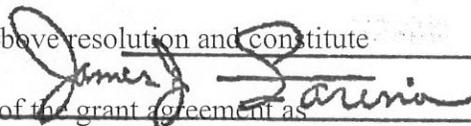
Councilperson	Yea	Nay	Abstain	No Vote
Ravi Bhalla	/			
Theresa Castellano		/		
Peter Cunningham	/			
James Doyle	/			
Elizabeth Mason				✓
David Mello	/			
Tim Occhipinti	/			
Michael Russo	/			
President Jen Giattino	/			

Certified as a true copy of the Resolution adopted by the Council  
 On this 1 day of Oct, 2014

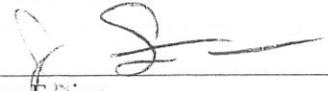
James Farina, RMC

**A TRUE COPY OF A RESOLUTION ADOPTED BY  
 THE COUNCIL OF THE CITY OF HOBOKEN, N.J.  
 AT A MEETING HELD ON: OCT 01 2014**

My signature and the Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

  
 CITY CLERK

ATTEST and AFFIX SEAL

  
 James Farina  
 (Clerk)

Mayor Dawn Zimmer  
 (Presiding Officer)



# State of New Jersey

DEPARTMENT OF TRANSPORTATION  
P.O. Box 600  
Trenton, New Jersey 08625-0600

CHRIS CHRISTIE  
*Governor*

JOSEPH D. BERTONI  
*Acting Commissioner*

KIM GUADAGNO  
*Lt. Governor*

# RECEIVED

AUG 14 2014

OFFICE OF THE MAYOR  
HOBOKEN, NJ

August 11, 2014

Dear Mayor/Freeholder Director/County Executive:

I am pleased to announce that applications will now be accepted for the New Jersey Department of Transportation's (NJDOT) FY 2015 State Aid programs. The Commissioner of Transportation and I are committed to maintaining and improving New Jersey's local transportation infrastructure by providing financial assistance to counties and municipalities for traditional and non-traditional transportation initiatives.

The following is a brief description of each program:

- **Municipal Aid** - This program has been a significant resource for municipalities in funding local transportation projects. All municipalities are eligible. The Department continues to encourage municipalities to consider using the Municipal Aid Program to fund projects that support walking and biking in their communities. NJDOT has set a goal to award up to 10 percent of the Municipal Aid Program funds to projects such as pedestrian safety improvements, bikeways and streetscapes.
- **Transit Village** - This program will award grants for traditional and non-traditional transportation projects that enhance walking, biking and/or transit ridership within 1/2 mile of the transit facility. Only New Jersey municipalities that have been designated as Transit Villages by the Commissioner of Transportation and the inter-agency Transit Village Task Force are eligible to apply. The eligible town list can be found at <http://www.state.nj.us/transportation/business/localaid/transitvillagef.shtm>.
- **Bikeways** - This program is intended to fund bicycle projects. It is available to all counties and municipalities. The Department continues to work toward the goal of achieving 2,000 miles of dedicated bikeways in New Jersey. Special consideration will be given to bikeways that are physically separated from motorized vehicular traffic by an open space or barrier, but on-road bike lanes and other bike routes and facilities are also eligible for funding.
- **Safe Streets to Transit** - The intent of this program is to encourage counties and municipalities to construct safe and accessible pedestrian linkages to transit facilities in order to promote increased usage of transit by all segments of the population.

All projects funded through the Transportation Trust Fund must comply with the Americans with Disabilities Act (ADA). ADA guidance, program descriptions and application guidance materials can be found on the NJDOT website at:

<http://www.state.nj.us/transportation/business/localaid/stateaid.shtm>

If you choose to apply, please consider the following in your applications. NJDOT requires grant projects to be delivered to construction award within twenty-four months of grant agreement execution. Please provide background information in the application to support your project's construction readiness. This information will be a factor in our rating of applications.

I encourage you to submit applications for these Local Aid programs. Each program application will be evaluated independently, affording counties and municipalities the opportunity to receive funding in more than one category.

The enclosed map provides contact information for each Local Aid District Office. Please keep in mind that a separate application for each project must be completed and submitted on or before October 14, 2014 on-line through SAGE at:

<https://enterprisegrantapps.state.nj.us/NJSAGE/>

We recommend that you consult with your Local Aid District Office to assist in preparing applications for funding. Thank you for your continued interest and support of NJDOT and best wishes for success with your project applications.

Sincerely,



Chris Christie  
Governor

Enclosure

c Municipal Clerk  
Municipal Engineer  
County Engineer



# New Jersey Department of Transportation Local Aid and Economic Development

## District 1

Roxbury Corporate Center  
200 Stierli Court  
Mount Arlington, NJ 07856  
973.601.6700  
FAX: 973.601.6709

## District 2

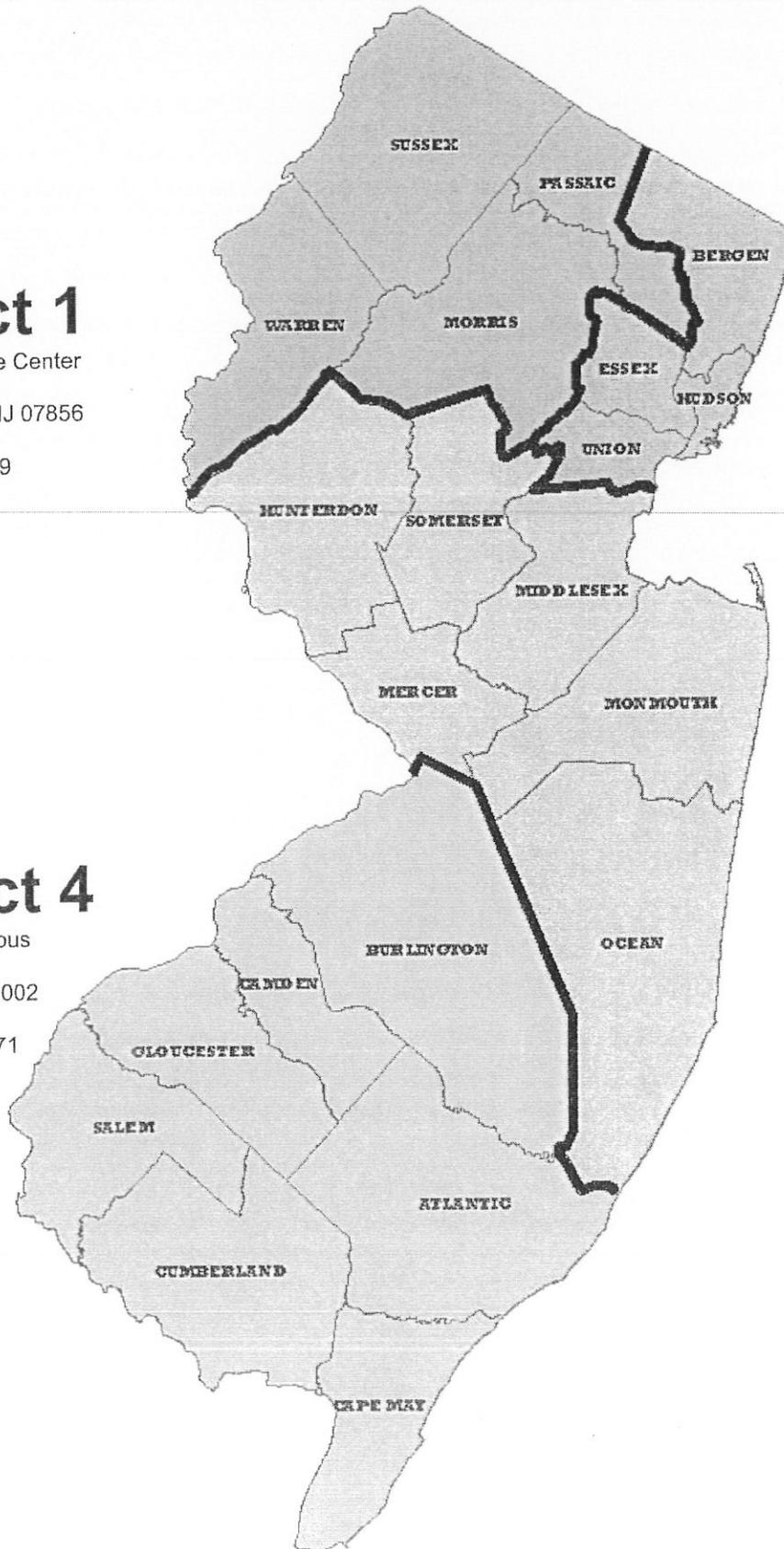
153 Halsey Street, 5th Floor  
Newark, NJ 07102  
973.877.1500  
FAX: 973.648-4547

## District 4

1 Executive Campus  
Route 70 West  
Cherry Hill, NJ 08002  
856.486.6618  
FAX: 856.486.6771

## District 3

1035 Parkway Ave  
Trenton, NJ 08625  
732.625.4290  
FAX: 732.625.4292



Introduced by: Pat H. Cimuffe  
Seconded by: David B. ...

**CITY OF HOBOKEN**

**RESOLUTION NO. \_\_\_\_\_**

**Resolution and Agreement For State Aid**

**APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE SAFE STREETS TO TRANSIT PROJECT FOR HUDSON STREET AND HUDSON PLACE PEDESTRIAN SAFETY IMPROVEMENTS**

**WHEREAS**, the New Jersey Department of Transportation has announced that it is accepting applications for its FY2015 State Aid program; and

**WHEREAS**, the purpose of the program is to maintain and improve New Jersey's local transportation infrastructure by providing financial assistance to counties and municipalities for traditional and non-traditional transportation initiatives; and

**WHEREAS**, the Safe Streets to Transit program is intended to encourage counties and municipalities to construct safe and accessible pedestrian linkages to transit facilities in order to promote increased usage of transit by all segments of the population; and

**WHEREAS**, all projects funded through the Transportation Trust Fund must comply with the Americans with Disabilities Act (ADA); and

**WHEREAS**, the NJDOT requires grant projects to be delivered to construction award within twenty-four months of grant agreement execution; and

**WHEREAS**, there is no City monetary match required for the acceptance of this grant, and this authorization to execute the grant agreement is contingent on there being no City monetary match for this grant.

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of Hoboken formally approves the grant application for the above stated project.

**BE IT FURTHER RESOLVED** that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as "SST-2015-Hoboken City-00008" to the New Jersey Department of Transportation on behalf of the City of Hoboken.

**BE IT FURTHER RESOLVED** that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the City of Hoboken, and that their signature constitutes acceptance

of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Meeting date: October 1, 2014

APPROVED:

APPROVED AS TO FORM:

Quentin Wiest  
Quentin Wiest  
Business Administrator

Melissa L. Longo  
Melissa L. Longo  
Corporation Counsel

Councilperson	Yea	Nay	Abstain	No Vote
Ravi Bhalla	/			
Theresa Castellano	/			
Peter Cunningham	/			
James Doyle	/			
Elizabeth Mason				/
David Mello	/			
Tim Occhipinti	/			
Michael Russo	/			
President Jen Giattino	/			

Certified as a true copy of the Resolution adopted by the Council  
On this 1 day of Oct, 2014

James Farina, RMC

My signature and the Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

ATTEST and AFFIX SEAL

James Farina  
(Clerk)

A TRUE COPY OF A RESOLUTION ADOPTED BY  
THE COUNCIL OF THE CITY OF HOBOKEN, N.J.

AT A MEETING HELD ON:

OCT 01 2014

James J. Farina

CITY CLERK



# State of New Jersey

DEPARTMENT OF TRANSPORTATION  
P.O. Box 600  
Trenton, New Jersey 08625-0600

CHRIS CHRISTIE  
*Governor*

JOSEPH D. BERTONI  
*Acting Commissioner*

KIM GUADAGNO  
*Lt. Governor*

## RECEIVED

AUG 14 2014

August 11, 2014

OFFICE OF THE MAYOR  
HOBOKEN, NJ

Dear Mayor/Freeholder Director/County Executive:

I am pleased to announce that applications will now be accepted for the New Jersey Department of Transportation's (NJDOT) FY 2015 State Aid programs. The Commissioner of Transportation and I are committed to maintaining and improving New Jersey's local transportation infrastructure by providing financial assistance to counties and municipalities for traditional and non-traditional transportation initiatives.

The following is a brief description of each program:

- **Municipal Aid** - This program has been a significant resource for municipalities in funding local transportation projects. All municipalities are eligible. The Department continues to encourage municipalities to consider using the Municipal Aid Program to fund projects that support walking and biking in their communities. NJDOT has set a goal to award up to 10 percent of the Municipal Aid Program funds to projects such as pedestrian safety improvements, bikeways and streetscapes.
- **Transit Village** - This program will award grants for traditional and non-traditional transportation projects that enhance walking, biking and/or transit ridership within 1/2 mile of the transit facility. Only New Jersey municipalities that have been designated as Transit Villages by the Commissioner of Transportation and the inter-agency Transit Village Task Force are eligible to apply. The eligible town list can be found at <http://www.state.nj.us/transportation/business/localaid/transitvillagef.shtm>.
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All projects funded through the Transportation Trust Fund must comply with the Americans with Disabilities Act (ADA). ADA guidance, program descriptions and application guidance materials can be found on the NJDOT website at:

<http://www.state.nj.us/transportation/business/localaid/stateaid.shtm>

If you choose to apply, please consider the following in your applications. NJDOT requires grant projects to be delivered to construction award within twenty-four months of grant agreement execution. Please provide background information in the application to support your project's construction readiness. This information will be a factor in our rating of applications.

I encourage you to submit applications for these Local Aid programs. Each program application will be evaluated independently, affording counties and municipalities the opportunity to receive funding in more than one category.

The enclosed map provides contact information for each Local Aid District Office. Please keep in mind that a separate application for each project must be completed and submitted on or before October 14, 2014 on-line through SAGE at:

<https://enterprisegrantapps.state.nj.us/NJSAGE/>

We recommend that you consult with your Local Aid District Office to assist in preparing applications for funding. Thank you for your continued interest and support of NJDOT and best wishes for success with your project applications.

Sincerely,



Chris Christie  
Governor

Enclosure

c Municipal Clerk  
Municipal Engineer  
County Engineer



# New Jersey Department of Transportation Local Aid and Economic Development

## District 1

Roxbury Corporate Center  
200 Stierli Court  
Mount Arlington, NJ 07856  
973.601.6700  
FAX: 973.601.6709

## District 2

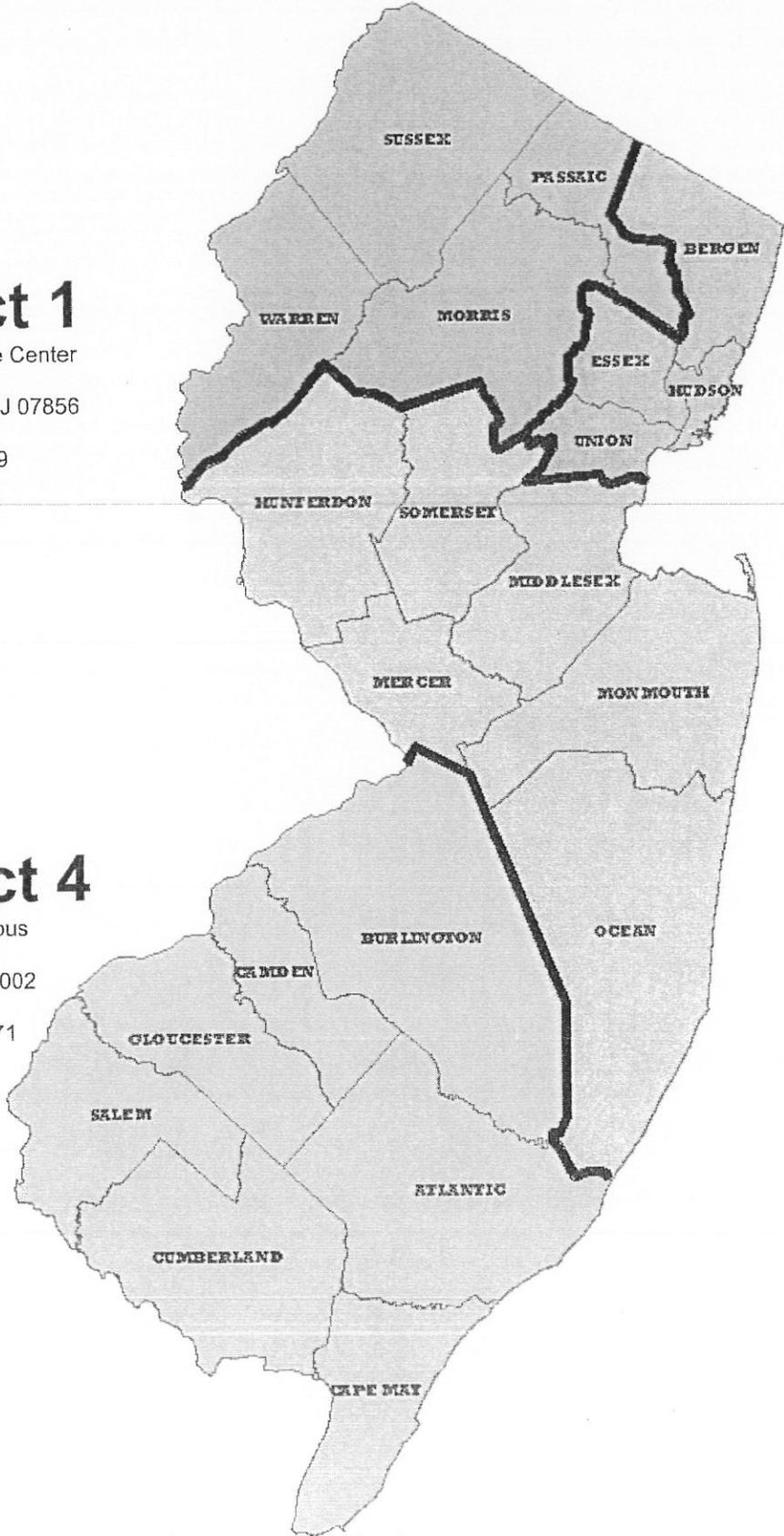
153 Halsey Street, 5th Floor  
Newark, NJ 07102  
973.877.1500  
FAX: 973.648-4547

## District 3

1035 Parkway Ave  
Trenton, NJ 08625  
732.625.4290  
FAX: 732.625.4292

## District 4

1 Executive Campus  
Route 70 West  
Cherry Hill, NJ 08002  
856.486.6618  
FAX: 856.486.6771



INTRODUCED BY: [Signature]  
SECONDED BY: [Signature]

CITY OF HOBOKEN  
RESOLUTION NO. \_\_\_\_\_

RESOLUTION REVOKING PREVIOUSLY ADOPTED RESOLUTION - RESOLUTION #1212 OF  
NOVEMBER 15, 1999

WHEREAS, it has come to the attention of the Governing Body that the City of Hoboken adopted Resolution #1212 on November 15, 1999 which transferred all authority over N.J.A.C. 7:14A-22.5 and -22.6 municipal authorizations to the NJ-DEP to the Director of Environmental Services; and

WHEREAS, it has been the precedent of the current City Administration and Governing Body to have a City appointed engineer review and recommend action to the Governing Body, and then have the Governing Body formalize a resolution indicating its consent thereupon, in accordance with the normal procedures allowed under N.J.A.C. 7:14A-22.6; and,

WHEREAS, the current City Administration has not, and does not intend to, forward authorization to the NJ-DEP authorizing Leo Pellegrini, as Director of Environmental Services, as the City's signatory on such forms, as is required for the alternate procedure Resolution #1212 authorizes pursuant to N.J.A.C. 7:14A-22.8(a)(3)(i)(1).

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Hoboken that the Resolution commonly known as Resolution #1212, adopted November 15, 1999, is hereby REVOKED IN ITS ENTIRETY; and,

BE IF FURTHER RESOLVED, this resolution shall take effect immediately upon adoption.

MEETING DATE: October 1, 2014

REVIEWED BY:  
[Signature]  
Quentin Wiest  
Business Administrator

APPROVED BY:  
[Signature]  
Melissa Longo  
Corporation Counsel

Councilperson	Yea	Nay	Abstain	No Vote
Ravi Bhalla	/			
Theresa Castellano	/			
Peter Cunningham	/			
James Doyle	/			
Elizabeth Mason	/			
David Mello	/			
Tim Occhipinti	/			
Michael Russo	/			
President Jen Giattino	/			

A TRUE COPY OF A RESOLUTION ADOPTED BY  
THE COUNCIL OF THE CITY OF HOBOKEN, N.J.  
AT A MEETING HELD ON: OCT 01 2014

[Signature]  
CITY CLERK

Resolution 1212

Reviewed by Richard DeLorenzo  
Approved by [Signature]

file

RESOLUTION AUTHORIZING THE DIRECTOR OF THE DEPARTMENT OF ENVIRONMENTAL SERVICES TO EXECUTE A STATEMENT OF CONSENT FORM (WQM 003) SECTION A-1 ON BEHALF OF THE CITY

WHEREAS, pursuant to N.J.A.C. 7:14A-4.6, an applicant for an individual New Jersey Pollutant Discharge Elimination System-Significant Indirect Users Permit (NJPDES-SIU permit applicant) shall supply to the State of New Jersey Department of Environmental Protection (NJDEP), among other documentation, consent from the affected local agency and owner of the applicable wastewater conveyance system(s), certifying that the discharge is acceptable, in the form of a letter or Form WQM-003; and

WHEREAS, pursuant to N.J.A.C. 7:14A-22.5, and 7:14A-22.6, applications for treatment works approvals require the submission of a resolution, certification and/or written statement of consent from the affected municipality, or alternatively the completion of the NJDEP Form WQM003; now, therefore,

BE IT RESOLVED, by the Council of the City of Hoboken that the City hereby authorizes the Director of the Department of Environmental Services to routinely execute the aforementioned NJDEP Statement of Consent Form (WQM 003) Section A-1 on behalf of the City of Hoboken.

November 15, 1999

Approved as to Form:

ATRUE COPY OF A RESOLUTION ADOPTED BY THE COUNCIL OF THE CITY OF HOBOKEN, N.J. AT A MEETING HELD ON:

[Signature]  
ROBERT E. MURRAY,  
CORPORATION COUNSEL

NOV 15 1999

[Signature]  
CITY CLERK

Introduced by: *[Signature]*  
 Seconded by: *[Signature]*

**CITY OF HOBOKEN  
 RESOLUTION NO. : \_\_\_\_\_**

**RESOLUTION GRANTING CONSENT TO TDC/URSA  
 HOBOKEN SALES CENTER, LLC'S SUBMISSION OF A TWA-1  
 TO THE STATE OF NEW JERSEY DEPARTMENT OF  
 ENVIRONMENTAL PROTECTION'S DIVISION OF WATER  
 QUALITY**

**WHEREAS**, TDC/URSA Hoboken Sales Center, LLC has a construction site at 1125-1131 Jefferson St., Block 104, Lots 13 thru 21, in the City of Hoboken; and,

**WHEREAS**, TDC/URSA Hoboken Sales Center, LLC has requested the City of Hoboken provide consent to submission of Water Quality application forms to the New Jersey Department of Environmental Protection ("NJDEP"); and,

**WHEREAS**, the City Engineer has reviewed the application and takes no exception to it, pursuant to the attached letter from Boswell Engineering dated September 26, 2014; and,

**WHEREAS**, the City Council feels it is appropriate to grant TDC/URSA Hoboken Sales Center, LLC's request to submit an application to the NJDEP regarding water quality at the site.

**NOW, THEREFORE, BE IT RESOLVED** that the Council of the City of Hoboken hereby grants its consent to TDC/URSA Hoboken Sales Center, LLC's request to submit a TWA-1 application to the Water Quality Division of the NJDEP regarding 1125-1131 Jefferson St., Block 104, Lots 13 thru 21; and,

**BE IT FURTHER RESOLVED** that the Mayor is the authorized representative to execute and effectuate any documentation regarding this submission on behalf of the City.

**Reviewed:**  
*Quentin Wiest*  
 Quentin Wiest  
 Business Administrator

**Approved as to Form:**  
*Melissa Longo*  
 Melissa Longo, Esq.  
 Corporation Counsel

**Meeting Date: October 1, 2014**

Councilperson	Yea	Nay	Abstain	No Vote
Ravi Bhalla				
Theresa Castellano				
Peter Cunningham				
James Doyle				
Elizabeth Mason				
David Mello				
Tim Occhipinti	/			
Michael Russo	/			
Council President Jen Giattino				

**A TRUE COPY OF A RESOLUTION ADOPTED BY  
 THE COUNCIL OF THE CITY OF HOBOKEN, N.J.  
 AT A MEETING HELD ON: OCT 01 2014**

*James J. Savino*

**CITY CLERK**



*Sent Via E-Mail and Regular Mail*

September 26, 2014

Mr. Quentin Wiest, Business Administrator  
City of Hoboken  
94 Washington Street  
Hoboken, New Jersey 07030

Re: Review - Treatment Works Approval  
TDC/URSA Hoboken Sales Center, LLC  
6 Story Mixed Use Building  
1125 Jefferson Street  
Block 104, Lots 13 thru 21  
Hoboken, NJ  
Our File No. HO-499

Dear Administrator Wiest:

As directed by the City of Hoboken, our office reviewed the following documents related to the above referenced project:

- A. Letter of Transmittal from John J. Curley of John J. Curley, LLC to Quentin Wiest, Business Administrator, dated September 24, 2014
- B. Letter of Transmittal from Andrew H. Missey, P.E. of Lapatka Associates to Director Leo Pellegrini dated September 14, 2014.
- C. NJDEP Statement of Consent Form, WQM-003;
- D. North Hudson Sewerage Authority Approval and Resolution;
- E. Copy of public notification letters to Hoboken Environmental Commission and Planning Board with proof of certified mailing;
- F. The following Drawings:
  - i. Drawing A-004A Engineering Utility Site Plan, prepared by J.F. Caufield & Associates Engineering, dated 6/25/14, last revised 7/21/14;
  - ii. Drawing P-11 Sanitary and Storm Site Details, prepared by J.F. Caufield & Associates Engineering, dated 7/1/14, last revised 7/21/14;
  - iii. Drawing P-12 Storm Retention Site Details and Sections, prepared by J.F. Caufield & Associates Engineering, dated 7/1/14, last revised 7/21/14;

Mr. Quentin Wiest, Business Administrator  
City of Hoboken  
September 26, 2014  
Page 2

The purpose of our review was to evaluate and make recommendation regarding endorsement of the TWA Application by the Governing Body, which is a requirement of the application process. By endorsing said application, the Governing Body consents to the submission of the application to the NJDEP and certifies that the project as proposed conforms to the requirements of all municipal ordinances.

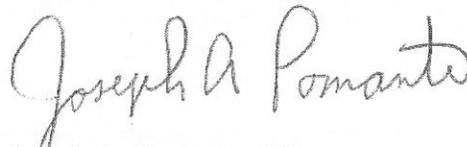
The project consists of a 6 story mixed use building comprised of 54 residential units (14 - one bedroom, 20 - two bedroom, 20 - three bedroom and 813 sf retail space) located at 1125 Jefferson Street between Adams and Jefferson Streets, adjacent to 12<sup>th</sup> Street (to the north). The application involves the installation of approximately 60 linear feet of new 6" ductile iron pipe ("DIP") which will serve at the sanitary service lateral(s) for the proposed mix use building. The sanitary service lateral(s) are to be constructed on the east and west sides of the proposed building and will connect into the combined sewer located within the Right of Way (R.O.W.) of Adams and Jefferson Streets. In addition, the Applicant also proposes to install approximately 60 linear feet of 6" DIP which will connect a proposed underground detention system (capacity = 14,100 gallons) to the existing combined sewer located within the Right of Way (R.O.W.) of Adams and Jefferson Streets. The tie-in points for the both the sanitary sewer and stormwater facilities are located along within the right of way along Adams and Jefferson Streets which are City of Hoboken Right of Ways. The project also incorporates components of both wet and dry flood proofing which based on our limited review appear to comply with the City of Hoboken Flood Damage Prevention ordinance

Based on our review of the above referenced application and supporting documentation, Boswell Engineering takes no exception to the City of Hoboken's endorsement of this Treatment Works Approval application provided the Applicant adheres to the City's recently revised Road Opening Ordinance, where applicable. It is expressly understood that our recommendation extends to only this NJDEP TWA application and not for any other permitting which may be required for this development.

Should you require any additional information please feel free to contact our office.

Very truly yours,

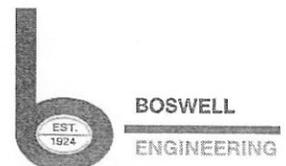
BOSWELL McCLAVE ENGINEERING



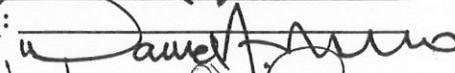
Joseph A. Pomante, P.E.  
City Engineer Representative

JAP/s

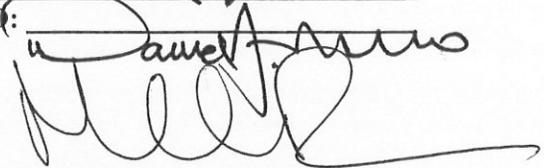
140926jap11-HO499



SPONSORED: JIM DOYLE 

SECONDED: 

CITY OF HOBOKEN  
RESOLUTION NO.           



**RESOLUTION OF THE CITY OF HOBOKEN TO THE ADMINISTRATOR OF THE U.S.  
ENVIRONMENTAL PROTECTION AGENCY IN SUPPORT OF REDUCING GREENHOUSE  
GAS POLLUTION UNDER THE CLEAN AIR ACT**

**WHEREAS**, according to the National Aeronautic Space Association, the decade from 2000 to 2010 was the warmest on record, the years 2005 and 2010 each tied for the hottest years on record, and the year 2012 was the warmest year on record for the United States and among the ten warmest globally; and

**WHEREAS**, in 2013 the level of CO<sub>2</sub> in the atmosphere averaged 396 parts per million (ppm), exceeding the pre-industrial level by 40 percent, and in 2011 the levels of methane and nitrous oxide — two potent greenhouse gases — exceeded pre-industrial levels by about 150% and 20% respectively; and

**WHEREAS**, the U.S Environmental Protection Agency determined that current and future greenhouse gas concentrations endanger public health, and according to the Global Humanitarian Forum by 2009 climate change was already responsible every year for contributing to some 300,000 deaths, 325 million people seriously affected, and economic losses worldwide of U.S. \$125 billion; and

**WHEREAS**, extreme weather events, most notably heat waves and precipitation extremes, are striking with increased frequency, with severe consequences for people and wildlife; in the United States in 2012 alone, climate disasters occurred resulting in heat waves, storms, and drought that totaled an estimated \$116 billion dollars in damage and a loss of 377 human lives; and

**WHEREAS**, climate change creates conditions that lead to more destructive storms, like 2012's Superstorm Sandy which devastated Hoboken, by loading storms with more energy and more rainfall, raising sea levels, and causing storm surge to ride on a higher sea surface and more coastline floods; the risk of extreme storm surges has already doubled as the planet warms, and these events could become ten times more frequent in the coming decades; and

**WHEREAS**, climate change is affecting food security by reducing the growth and yields of important crops; and droughts, floods, and changes in snowpack are altering water supplies; and

**WHEREAS**, climate change has been linked to the declines and losses of wildlife populations around the globe, and scientists have concluded that by 2100 as many as one in ten species may face extinction as a result of climate change; and

**WHEREAS**, the world's land-based ice is rapidly melting, threatening water supplies in many regions and raising sea levels, and warming of the Arctic and melting of sea-ice, which causes changes in the jet stream and bring more extreme weather to the U.S., has decreased the amount of sea-ice to about half of what it was several decades ago, resulting in a record low in 2012, which is accordingly jeopardizing ice-dependent animals; and

**WHEREAS**, one of the world's leading climate scientists, Dr. James Hansen, stated in 2008: "If humanity wishes to preserve a planet similar to that on which civilization developed and to which life on Earth is adapted, paleoclimate evidence and climate change suggest that CO<sub>2</sub> will need to be reduced from its current 385 ppm to at most 350 ppm"; and

**WHEREAS**, the U.S. East Coast is a hotspot for sea level rise with rates three to four times of the global average; sea-level rise is accelerating in pace and the effects of sea-level rise are long-lived; and the sea level is expected to rise by three to four feet on average – and possibly 6.5 feet or more – by the end of this century alone, threatening millions of Americans with severe flooding; and

**WHEREAS**, for four decades, the Clean Air Act has protected the air we breathe through a proven, comprehensive, successful system of pollution control that saves; and

**WHEREAS**, with the Clean Air Act, air quality in this country has improved significantly since 1970, despite major growth both in our economy and industrial production; and

**WHEREAS**, between 1970 and 1990, the six main pollutants covered by the Clean Air Act — particulate matter and ground-level ozone (both of which contribute to smog and asthma), carbon monoxide, lead, sulfur, and nitrogen oxides (the pollutants that cause acid rain) — were reduced by between 47 percent and 93 percent, and airborne lead was virtually eliminated; and

**WHEREAS**, the Clean Air Act has produced economic benefits valued at \$2 trillion or 30 times the cost of regulation; and

**WHEREAS**, the U.S. Supreme Court ruled in Massachusetts vs. EPA (2007) that greenhouse gases are "air pollutants" as defined by the Clean Air Act and the U.S. Environmental Protection Agency has the authority to regulate them; and

**WHEREAS**, the City of Hoboken prides itself on striving to be a leader in the fight against climate change and for clean air as evidenced through its successful participation in the Rebuild by Design program, its recognition in the Sustainable Jersey Program, and its promotion of the use of mass transit and bicycling in our community;

**NOW THEREFORE BE IT RESOLVED**, that climate change is not an abstract problem for the future or one that will only affect far-distant places, but rather climate change is happening now, and delaying action to address it will only make the situation more difficult to solve in the future; and we, the Hoboken City Council, on behalf of the residents of Hoboken, do urge the Administrator of the U.S.

Environmental Protection Agency and President Barack Obama to move swiftly as a nation, such as through enforcement of the Clean Air Act, to do our part to reduce carbon in our atmosphere to levels no more than 350 parts per million.

**BE IT FURTHER RESOLVED** that the City Clerk shall forward a copy of this resolution to the Administrator of the Environmental Protection Agency and President Barack Obama.

**BE IT FURTHER RESOLVED** that this resolution shall take effect immediately upon passage.

**Reviewed:**

*Quentin Wiest*  
 \_\_\_\_\_  
 Quentin Wiest  
 Business Administrator

**Approved as to Form:**

*Melissa Longo*  
 \_\_\_\_\_  
 Melissa Longo, Esq.  
 Corporation Counsel

**Meeting Date: October 1, 2014**

Councilperson	Yea	Nay	Abstain	No Vote
Ravi Bhalla	/			
Theresa Castellano	/			
Peter Cunningham	/			
James Doyle	/			
Elizabeth Mason				/
David Mello	/			
Tim Occhipinti	/			
Michael Russo	/			
Council President Giattino	/			

A TRUE COPY OF A RESOLUTION ADOPTED BY  
 THE COUNCIL OF THE CITY OF HOBOKEN, N.J.  
 AT A MEETING HELD ON: **OCT 01 2014**

*James J. Sarasin*  
 \_\_\_\_\_  
 CITY CLERK

Introduced by: 13

Seconded by:

**CITY OF HOBOKEN  
RESOLUTION NO. \_\_\_\_\_**

**Inserting a Special Item of Revenue into the CY 2014 Municipal Budget**

**Recreational Opportunities for Individuals with Disabilities (ROID)  
CY 2014**

**WHEREAS**, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the Budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the Budget, and

**WHEREAS**, said Director may also approve the insertion of an item of Appropriation for an equal amount, and

**WHEREAS**, the City of Hoboken has received notice of an award of \$10,000.00 from NJ Department of Community Affairs and wishes to amend its CY 2014 Budget to include this amount as revenue with a City Match of \$5,000.00.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Hoboken, in the County of Hudson, State of New Jersey, hereby requests the Director Of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year CY 2014 in the sum of.....\$10,000.00 This is now available as revenue from:

Miscellaneous Revenues:

Special Items of General Revenue Anticipated  
With Prior Written Consent of the Director of the  
Division of Local Government Services:

State and Federal Revenues Off-set with  
Appropriations:

Recreational Opportunities for  
Individuals with Disabilities O/E  
Other Expenses

**NOW, THEREFORE, BE IT RESOLVED** that the like sum of: \$10,000.00 Be and the same is hereby appropriated under the caption of:

General Appropriations:

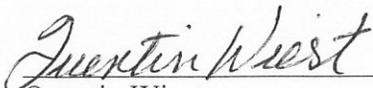
(a) Operations Excluded from CAPS  
State and Federal Programs Off-Set by  
Revenues:

Recreational Opportunities for  
Individuals with Disabilities O/E  
Other Expenses

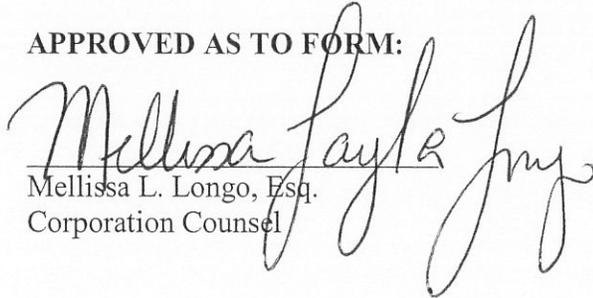
**NOW, THEREFORE, BE IT RESOLVED**, that the City Clerk will forward a certified copy of this resolution electronically to the Director of Local Government Services for approval.

**Meeting date: October 1, 2014**

**APPROVED:**

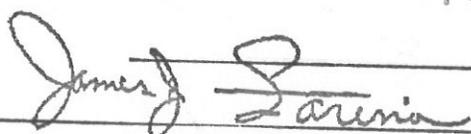
  
 \_\_\_\_\_  
 Quentin Wiest  
 Business Administrator

**APPROVED AS TO FORM:**

  
 \_\_\_\_\_  
 Mellissa L. Longo, Esq.  
 Corporation Counsel

Councilperson	Yea	Nay	Abstain	No Vote
Ravi Bhalla	/			
Theresa Castellano	/			
Peter Cunningham	/			
James Doyle				
Elizabeth Mason				/
David Mello	/			
Tim Occhipinti	/			
Michael Russo	/			
President Jen Giattino	/			

A TRUE COPY OF A RESOLUTION ADOPTED BY  
 THE COUNCIL OF THE CITY OF HOBOKEN, N.J.  
 AT A MEETING HELD ON: **OCT 01 2014**

  
 \_\_\_\_\_  
 CITY CLERK

**George DeStefano**

---

**From:** Chris Baldwin  
**Sent:** Tuesday, September 23, 2014 3:01 PM  
**To:** George DeStefano  
**Subject:** FW: Grant Contract for Grant #2014-05157-0104-00 has been executed.

Please do a chapter 159. This notice came yesterday. Details below.

---

**From:** Leo Pellegrini  
**Sent:** Monday, September 22, 2014 10:26 AM  
**To:** Chris Baldwin  
**Subject:** FW: Grant Contract for Grant #2014-05157-0104-00 has been executed.

fyi

**From:** [sageadmin@dca.state.nj.us](mailto:sageadmin@dca.state.nj.us) [mailto:[sageadmin@dca.state.nj.us](mailto:sageadmin@dca.state.nj.us)]  
**Sent:** Monday, September 22, 2014 9:07 AM  
**To:** [mcohen@dca.state.nj.us](mailto:mcohen@dca.state.nj.us); [pswartz@dca.state.nj.us](mailto:pswartz@dca.state.nj.us); [KButler@DCA.state.nj.us](mailto:KButler@DCA.state.nj.us); [jennifer.underwood@dca.state.nj.us](mailto:jennifer.underwood@dca.state.nj.us); [ssiegel@dca.state.nj.us](mailto:ssiegel@dca.state.nj.us); [denise.sentek@dca.nj.gov](mailto:denise.sentek@dca.nj.gov); [shottendorf@hobokennj.org](mailto:shottendorf@hobokennj.org); Leo Pellegrini; [gdestefano@hobokennj.org](mailto:gdestefano@hobokennj.org)  
**Subject:** Grant Contract for Grant #2014-05157-0104-00 has been executed.

The Commissioner's Office has approved the following Grant Agreement via SAGE: Grantee: Hoboken City  
Grant Agreement #: 2014-05157-0104-00 Grant Program: Recreational Opportunities for Individuals with  
Disabilities 2014 Award Amount: \$10,000.00



Grant #: 2014-05157-0104-00  
Grantee: Hoboken City  
Status: Grant Executed  
Access Level: Grant Administrator

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[Grant Menu](#)

User: George DeStefano



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**Recreational Opportunities for Individuals with Disabilities 2014 Grant**

[Amend Grant](#)

[Revise Grant](#)

**Grant #: 2014-05157-0104-00**

**General Information**

Term: 9/1/2013 - 6/30/2014  
Amount: \$10,000.00  
Available Balance: \$10,000.00  
Cash On Hand: \$0.00  
Status: Grant Executed

**Grant: Related Items**

- [Collapse Entire Tree](#)
- [Budget Overview](#)
- [Narrative Page\(s\)](#)
- [Certification Sheets](#)

**Agency Information**

[View Grantee Information](#)

Agency: Hoboken City  
Vendor #: V-226001993-99

**Grant Information**

- General Information
- Grant Objectives
- View/Satisfy Grant Conditions
- Grant Report Periods
- Grant Contract Information
- Grant Contract PDF
- Grant Contract Signature Log
- Scope Of Services

**Contacts**

- Grantee Contact Information
- DCA SAGE Contact Information
- Email Grant Contacts
- Grant Contact Email History

**Components**

- Program Components
- Optional Components
- Service Areas

**Financial Information**

- Current Budget Overview

**Progress Reports**

- [Create](#)

**Financial Status Reports**

- Create Expense Report
- FSR History

**Application Menu**

**History**

- Grant Amendments/Revisions

		Grant #: 2014-05157-0104-00 Grantee: Hoboken City Status: Grant Executed Access Level: Grant Administrator	
<a href="#">State Menu</a>	<a href="#">Agency Info</a>	<a href="#">Grant Menu</a>	User: George DeStefano    Help   Logout
<a href="#">Go to Grant Menu</a>		<b>VIEW/EDIT GRANT INFORMATION</b>	
<b>Instructions:</b> Please complete the information below. For further instructions, please click the <b>Help</b> icon in the upper right hand corner of the page.			
 <b>Grant Information</b>			
<b>Grant Title</b>	HoBoK-ONE		
<b>Grant Description</b> Complete this sentence: <b>This award will provide funds...</b>	to enable Hoboken's children with special needs to participate in athletic activities.		
<b>Term Begin Date</b>	9/1/2013		
<b>Term End Date</b>	6/30/2014		
<b>Legal Approval Required?</b>	No		
<b>Legal Approval Date</b>			
<b>Legal Approval Upload (<a href="#">Upload File</a>)</b>			
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Grant #: 2014-05157-0104-00  
 Grantee: Hoboken City  
 Status: Grant Executed  
 Access Level: Grant Administrator

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**OBJECTIVES**

**Instructions:** Please complete the Information below. For further instructions, please click the **Help** icon in the upper right hand corner of the page. Objectives should be specific, measurable, attainable, realistic, and time oriented.

**Objectives** | **Scope of Services** | **Narrative Forms**

**Current Objectives:**

Number	Short Description	Detailed Description	Methods	Performance Measure(s)	Grant Program Component
1	Expand programming for children with special needs	The "HoBoK-ONE" program will expand the current level of recreational programming for children with special needs residing in the City of Hoboken. Through "HoBoK-ONE", children with special needs will have the opportunity to participate in numerous recreation activities, as "HoBoK-ONE" staff will be available to assist each child in their participation.	The City of Hoboken will expand the "HoBoK-ONE" program to include an adapted soccer, arts and crafts, and music program. The adapted program will also include an enhancement as three field trips during the year will supplement the weekly program activities.	This objective will be measured in two distinct ways: (1) quantitatively through the number of enrolled program participants, average weekly attendance and field trip participation; and, (2) qualitatively through exit surveys completed by parents of program participants.	
2	Hire program staff	The City of Hoboken will contract with four individuals to fill the positions of Program Assistant (two positions), Inclusion Coordinator and Transition Coordinator.	The Project Director will assume additional responsibilities aside from his current role as Director the Department of Human Services. He will be responsible for advertising the available positions and hiring staff members based on their individual qualifications with respect to the position descriptions.	This will be evaluated by the amount of months it takes to hire and contract with qualified staff, the number of years of collective experience working with children with disabilities, and by ensuring all four positions are filled throughout the duration of the program.	
3	Provide enhanced experiences	The "HoBoK-ONE" program will seek to enhance the experience for program participants above the weekly meeting times.	There will be three field trips offered by the City of Hoboken: (1) a trip to Monroe Center to meet with artists and do more advanced arts	This will be evaluated quantitatively by the number of enrolled program participants who attend each field trip offering.	

The Project Director will assume additional responsibilities aside from his current role as Director the Department of Human Services. He will be responsible for advertising the available positions and hiring staff members based on their individual qualifications with respect to the position descriptions.

projects, (2) a trip to a New York Red Bulls game to watch live professional soccer, and (3) a trip to the New Jersey Performing Arts Center to experience a live music or theater performance.

			Grant #: 2014-05157-0104-00 Grantee: Hoboken City Status: Grant Executed Access Level: Grant Administrator		
<a href="#">State Menu</a>	<a href="#">Agency Info</a>	<a href="#">Grant Menu</a>	User: George DeStefano    Help   Logout		
<a href="#">Back to Grant Menu</a>			<b>GRANT CONDITIONS</b>		
 <b>Grant Conditions</b>					
There are no conditions defined for this grant.					
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Grant #: 2014-05157-0104-01  
 Grantee: Hoboken City  
 Status: Grant Executer  
 Access Level: Grant Administrator

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**GRANT REPORT PERIOD**

**Instructions:** Please complete the information below. For further instructions, please click the **Help** icon in the upper right hand corner of the page.

**Current Grant Report Periods:**

Report	Start Date	End Date	Due Date
<input type="radio"/> Final Program Report	1/1/2014	6/30/2014	7/31/2014
<input type="radio"/> Progress Report	9/1/2013	12/31/2013	1/31/2014
<input type="radio"/> Progress Report	1/1/2014	3/31/2014	4/30/2014
<input type="radio"/> Progress Report	4/1/2014	6/30/2014	7/31/2014

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Grant #: 2014-05157-0104-00

Grantee: Hoboken City

Status: Grant Executed

Access Level: Grant Administrator

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**GRANT CONTRACT INFORMATION**

**Instructions:** Please complete the information below. For further instructions, please click the **Help** icon in the upper right hand corner of the page.

**Grant Contract Information**

- Fidelity Bonding Required**
  - Yes Amount: \$0.00
  - No
- Insurance(s) Required (check one or more)**
  - General Liability
  - Auto Liability
  - Worker's Compensation
  - No Other Additional Insurance Required
  - Other Additional Insurance Required (specify)
- Maximum Advance Percentage** 0.00%
- Advance Payment**
  - Yes Amount: \$0.00
  - No
- Payment Type**
  - Reimbursement (of Expenditures per Approved Expenditure Report)
  - Monthly  Quarterly  Annually  Other:
  - Other (specify)
- Final Payment Withheld**
  - Yes Amount: \$0.00
  - No
  - Other (specify)
- Project Income**
  - Not Applicable
  - Add to Project Funds
  - Return to DCA
  - Deduct from total to determine Net
  - Use to meet cost sharing/matching requirement
- Performance Reports**
  - Monthly  Quarterly  Annually
  - Other: tri-annual
- Audit Required**
  - Yes  No
- Audit Payment (Source)**
  - This Agreement  Other Recipient funding source  Not Applicable
- Additional Audit Schedules Required**
  - Yes Specify:
  - No
- DAG Signature Required**
  - Yes  No
- Federal Funds of \$100,000 or more**
  - Yes  No
- High Risk Recipient**
  - Yes  No
- High Risk Reason**
  - History of Unsatisfactory Performance
  - Unstable Financial Condition
  - Management System Substandard
  - Nonconformance to Previous Awards Terms and Conditions
  - Other Irresponsibility
- High Risk Conditions**
  - Payment will be made on Reimbursement Basis
  - Authority to Proceed Withheld - Evidence of Performance
  - Additional, More Detailed Financial Status Reports Required
  - Additional Project Monitoring to be Performed
  - Technical or Management Assistance Required
  - Additional Prior Approvals Required

**GRANT/LOAN AGREEMENT**

**BETWEEN THE**

**STATE OF NEW JERSEY  
DEPARTMENT OF COMMUNITY AFFAIRS**

**AND**

**City of Hoboken**

**GRANT/LOAN AGREEMENT NUMBER: 2014-05157-0104-00**

**PROGRAM NAME: Recreational Opportunities for Individuals with Disabilities 2014**

A grant/loan contractual agreement with the New Jersey Department of Community Affairs is composed of two major parts: the General Terms and Conditions for Administering a Grant/Loan and the individual Grant/Loan Agreement document which includes the cover page, the signature page, the Agreement Data Sheet and the following sections:

- A. Specific Terms and Conditions;
- B. Agreement Budget;
- C. Work Plan; and
- D. Program Provisions.

By signature on this Grant/Loan Agreement, the above-named Recipient agrees to the specific provisions stated in the four sections of this Grant/Loan Agreement. In addition, the Recipient agrees to comply with all provisions of the State of New Jersey, Department of Community Affairs, General Terms and Conditions for Administering a Grant/Loan - Issue Date: February, 1998. The General Terms and Conditions for Administering a Grant/Loan are incorporated in this Grant/Loan Agreement by reference. The Recipient hereby acknowledges receipt of the General Terms and Conditions for Administering a Grant/Loan document or understands that a copy of the General Terms and Conditions for Administering a Grant/Loan may be obtained upon request to the Division funding this grant and/or loan.

**RECIPIENT-AND DEPARTMENT AUTHORIZED SIGNATURES**

The Recipient named below agrees to perform the services as described in the Scope of Services, Section C. of this Grant/Loan Agreement. The provisions of this Grant/Loan Agreement, as well as the provisions of the General Terms and Conditions for Administering a Grant/Loan, incorporated into this agreement by reference, including any subsequent amendments, shall constitute the terms and conditions of the agreement between the New Jersey Department of Community Affairs and the Recipient.

If this Grant/Loan Agreement including the General Terms and Conditions for Administering a Grant/Loan correctly states the Recipient's understanding of the terms and conditions of this award from the New Jersey Department of Community Affairs, please indicate concurrence with these terms and conditions by having the appropriate officer sign as ACCEPTED AND AGREED below and return it to the Department.

**FOR RECIPIENT USE ONLY:**

**ACCEPTED AND AGREED TO FOR RECIPIENT:**

BY: The Honorable Dawn Zimmer  
Mayor  
Hoboken City

**FOR NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS APPROVAL ONLY:**

**DEPARTMENT FISCAL APPROVAL OFFICER CERTIFICATION:**

BY: Cindy McDowell  
Director of Fiscal Services

I attest that sufficient funds have been appropriated by the State Legislature and are available for this grant/loan award.

**NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS GRANT APPROVAL OFFICER:**

BY: Richard E. Constable, III  
Commissioner

AGREEMENT DATA SHEET

( X ) GRANT ( ) LOAN

**PROJECT INFORMATION**

FUNDING PROGRAM NAME: Recreational Opportunities for Individuals with Disabilities 2014  
 PROJECT TITLE: HoBoK-ONE  
 SERVICE AREA(S): City of Hoboken

**RECIPIENT INFORMATION**

AGENCY NAME: City of Hoboken  
 ADDRESS: 94 Washington Street  
Hoboken, New Jersey 07030-4556

CHIEF FINANCIAL OFFICER: Mr. George DeStefano  
 VENDOR ID #: V-226001993-99  
 TELEPHONE NUMBER: (201) 420-2013  
 CHARITIES REGISTRATION #: EX0000000  
 (Nonprofit Agencies Only)

**STATE INFORMATION**

DEPARTMENT: NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS  
 DIVISION: Division of Housing and Community Resources  
 ADDRESS: 101 South Broad Street, 5th Floor  
PO Box 806  
Trenton, NJ 08625-0806

CONTACT PERSON: Patricia Swartz  
 TELEPHONE NUMBER: (609) 984-6654

**FUNDING AMOUNT AND SOURCE OF FUNDS**

	<u>ACCOUNT NUMBER</u>	<u>AMOUNT</u>	<u>CFDA #</u>
1 (State Funds)	2014-100-022-8050-035-F157-6120	\$10,000.00	

<b>SUBTOTAL</b>		\$10,000.00	
<b>OTHER FUNDS</b>		\$5,000.00	
<b>TOTAL</b>		\$15,000.00	

**GRANT/LOAN AWARD PERIOD**

GRANT/LOAN AWARD PERIOD: September 01, 2013 THROUGH: June 30, 2014  
 LENGTH OF AWARD PERIOD: 0 Year, 10 Months  
 LIQUIDATION OF OBLIGATIONS MUST BE MADE BY: September 28, 2014

**PURPOSE OF GRANT/LOAN**

This award will provide funding to enable Hoboken's children with special needs to participate in athletic activities.

**Section A      SPECIFIC TERMS AND CONDITIONS**

By virtue of the execution of the Grant/Loan Agreement, the Recipient agrees that all of the terms and conditions set forth in the General Terms and Conditions for Administering a Grant/Loan are incorporated herein. The specific Grant/Loan Agreement provisions are detailed as follows:

**1. BONDING AND INSURANCE**

**Fidelity Bonding:**

- Fidelity Bonding with the limit of liability of at least \$ 0.00 shall be maintained by the Recipient until all financial transactions under this Grant/Loan Agreement are completed.
- No Fidelity Bonding shall be required.

**Insurance(s):**

The Department must be provided with current certificates of insurance for all coverage and renewals thereof which must contain the provision that the insurance provided in the certificate shall not be cancelled for any reason except after 30 days written notice to the New Jersey Department of Community Affairs.

- Comprehensive General Liability policy as broad as the standard coverage form currently in use in the State of New Jersey which shall not be circumscribed by any endorsements limiting the breadth of coverage. The policy shall include an endorsement (broad form) for contractual liability and shall include the State of New Jersey as a named insured. Limits of liability shall not be less than \$1 million per occurrence for bodily injury liability and property damage liability.
- Comprehensive Automobile Liability policy covering owned, non-owned, and hired vehicles with minimum limits of \$1 million per occurrence for bodily injury liability and property damage liability.
- Workers' Compensation Insurance applicable to laws of the State of New Jersey and Employers' Liability insurance with a limit of not less than \$100,000.
- Additional Insurance Coverage(s) required:
- No Additional Insurance shall be required.

**2. METHOD OF PAYMENT**

**Advance Payment**

- An Advancement of Funds in the amount of \$      shall be made.
- No Advancement of Funds shall be made.

**Payment Type**

**Payments shall be made as indicated below:**

- Reimbursement payments based on the actual rate of disbursement shall be made  
 Monthly  
 Quarterly  
 Other:  
 Other:

**Final Payment Withheld**

- Final payment of \$0.00 shall be withheld pending receipt of final reports.  
 No Final payment shall be withheld.  
 Other:

**3. BUDGET VARIANCE FLEXIBILITY**

Variance of expenditures from budgeted amounts is permitted without a formal amendment to the Grant/Loan Agreement within the following limitations:

- There is no permitted budget flexibility variance between major budget cost categories.
- Within major budget cost categories, there is a maximum allowable budget line item flexibility of 10%. No individual line item expenditures may exceed the amount budgeted for that line item by an amount in excess of 10% of the budgeted amount.
- Under no circumstances may total expenditures exceed the total grant/loan award amount.

Expenditures that exceed these limitations must be authorized via a budget revision approved by the Department. Expenditures incurred that exceed the permitted budget variance flexibility prior to Departmental approval of a revised budget are at risk for being disallowed by the Department.

**4. PROJECT INCOME**

**Project income, if any, shall be:**

- Added to project funds to further eligible program objectives; or  
 Deducted from Recipient's payment request for allowable costs; or  
 Used for the cost-sharing or matching requirement; or  
 Returned to the Department.  
 Not Applicable.

**5. FINANCIAL AND PERFORMANCE REPORTING**

**Financial Reports** - A Fiscal Monitoring Report comparing the Recipient's actual expenditures of the project with the approved Budget included in this Grant/Loan Agreement shall be submitted with each request for payment, except for advance funding, if any. The Fiscal Monitoring Report shall be certified by the Recipient's Chief Financial Officer and submitted to the Department with the State voucher requesting payment.

**Performance Reports** - A Performance report(s) indicating the progress of the project shall be submitted:

- Monthly
- Quarterly
- Annually
- Other: tri-annual

**Final Report** - A final report shall be submitted to the Department no later than 60 days after completion of the grant/loan award period or termination of this Grant/Loan Agreement. Extensions to reporting due dates may be granted upon written request to the Department.

**6. AUDIT REQUIREMENTS**

- Audit Required.
- Audit Not Required. Recipient must submit to the Department supporting documentation for all grant/loan expenditures.

**Audit Costs** - The pro rata share of the cost of any required single audit or the cost of a program-specific audit, financial statement audit, or other limited scope audit shall be paid from funds:

- Provided for by this Grant/Loan Agreement.
- Provided by the Recipient from other funding sources.
- Not Applicable.

**Additional Schedules** - Additional schedules may be requested by the Department, if funding is made available to pay for such additional schedules.

- Additional Supplemental Schedules required as listed below:
- No Additional Supplemental Schedules required.

**7. GRANT ADMINISTRATION AUTOMATION**

The recipient acknowledges that this agreement is recorded within and administered utilizing DCA SAGE, the DCA System for Administering Grants Electronically (<https://njdcasage.state.nj.us/portal.asp>). The recipient agrees to establish SAGE access for recipient staff in sufficient quantity and with sufficient authority to fulfill the requirements of the SAGE system and to assign relevant staff to the SAGE system grant record corresponding to this grant agreement document.

Section B Agreement Budget

Budget Detail

Hoboken City

Budget Category	DCA Funds Requested	Funds From Other Sources	Total
PROGRAM - Personnel			
Salaries/Wages			
Program Assistant (2 positions)	\$4,656.00		\$4,656.00
Inclusion Coordinator	\$448.00	\$2,000.00	\$2,448.00
Transition Assistant	\$2,448.00		\$2,448.00
Transition Coordinator	\$2,448.00		\$2,448.00
Minor Category Sub-Total	\$10,000.00	\$2,000.00	\$12,000.00
Major Category Sub-Total	\$10,000.00	\$2,000.00	\$12,000.00
PROGRAM - Other			
Other			
Program Activities		\$3,000.00	\$3,000.00
Minor Category Sub-Total	\$0.00	\$3,000.00	\$3,000.00
Major Category Sub-Total	\$0.00	\$3,000.00	\$3,000.00
Total	\$10,000.00	\$5,000.00	\$15,000.00



**Section C Hoboken 2014 Scope of Services**

1. Hoboken (hereafter the Grantee) shall administer and perform the obligations set forth in this grant agreement with the New Jersey Department of Community Affairs (hereafter the Department).
2. The Grantee shall use an amount not to exceed \$10,000 for comprehensive year-round recreational programs serving children and adults with disabilities in both inclusive and specialized settings.
3. Application #2014-05157-0248 by reference is hereby made part of this contract.
4. The Grantee shall maintain a program file containing copies of letters, memos, bulletins, announcements, newsletters, mailings and reports, on activities leading up to and including the recreation programs.
5. The Grantee shall maintain a list of all participants and activities funded under this contract. Total unduplicated participants in all programs shall be submitted. Total numbers served (can include same person counted more than once due to his/her participation in multiple activities) shall also be maintained.
6. The Grantee shall document compliance with each of the objectives identified in the application. The Grantee shall submit performance and financial reports as required in the contract detailing program accomplishments and an accounting of program expenses.
7. The Grantee shall submit a final report to the Department no later than 60 days after the ending date of the Grant Agreement. The final report should describe with sufficient detail the specific actions taken to achieve program objectives. A comparison of the program objectives and actual results also should be provided. All reports, manuals, training and program material produced shall be included.
8. The Department reserves the right to conduct observational site visits of any ROID-funded programs. The Grantee must communicate the dates, times, and locations of program activities to the Department prior to the occurrence of such events.
9. The Department reserves the right to conduct monitoring visits, if necessary, to review the progress of the program and to ensure that all applicable terms and conditions of the grant are being met.
10. In accordance with the Handicapped Recreational Opportunities Act of 1978 (NJSA:52:27D-174 b), each municipality or county receiving funds from the Recreational Opportunities for Individuals with Disabilities Program must provide matching funds equal to at least 20 percent of the amount of the grant. The Grantee will provide and document matching funds expenditures equal to 20 percent of the State grant award in their fiscal reports. In-kind local match is NOT allowed nor accepted. Local match expenditures must comply with allowable ROID grant costs (i.e. recreation related program expenditures).
11. The Grantee must receive pre-approval for all budget changes outside the 10 percent allowed flexibility. The Grantee must receive pre-approval for all changes to their scope of service and program. Failure to receive pre-approval may result in fiscal expenditures not being approved and reimbursed.
12. The Grantee shall designate an individual to administer the grant and serve as the liaison between the Grantee and the Department.
13. The Grantee shall hire staff. Job descriptions, job announcements, and resumes of hired staff and instructors shall be available for review by the Department personnel.
14. The Grantee will provide adapted soccer, arts and crafts, and music program. The adapted program will also include three field trips.

**Section C continued**

15. The program will serve as the mechanism to assist children with special needs in their transition to non-adapted organized athletics, arts and music activities. The program offerings will allow children with disabilities the opportunity to play soccer, do arts and crafts and learn how to play music. The transitional focus of the program supports the goal of creating an adapted recreation program to prepare children with disabilities for participation in non-adapted recreation programs.

16. The Grantee will serve 25 children with disabilities.

17. The Grantee shall evaluate the programs and have the evaluation tool and results available for review by the Department personnel.

**SECTION D - Recreational Opportunities for Individuals with Disabilities (ROID)**

**SUPPLEMENTAL PROVISIONS**

The Grantee hereby represents that it has and will continue to perform its duties and discharge its obligations in the implementation of its recreational program for individuals with disabilities in accordance with and as delineated by the statutory provisions of the HANDICAPPED PERSON RECREATIONAL OPPORTUNITIES ACT (P.L. 1977, c. 379) and the regulations adopted pursuant thereto (N.J.A.C. 5:51-1-1/et seq.).

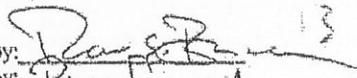
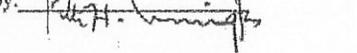
The Grantee agrees that it will provide, as a minimum, a non-State match to the State funds provided under this Agreement in ratio of 5 dollars (State) to 1 dollar (non-State). The Grantee will only be obligated to provide the minimum match indicated above.

The Grantee shall provide and document matching funds expenditures equal to 20 percent of the State grant award in their fiscal reports. In-Kind local match is not allowed nor accepted. Local match must comply with allowable RODI grant costs (i.e. recreation related program expenditures).

No disbursements of grant funds shall be made to the Grantee pursuant to this Letter Agreement until such time as the Grantee submits documentation satisfactory to the Department indicating that the Grantee has appropriated the necessary funds to satisfy the matching funds requirement established under N.J.S.A. 52:27D-174(b). Such documentation may consist of either a copy of a resolution adopted pursuant to N.J.S.A. 40:4-87 providing for the insertion of a special item of revenue in the Grantee's budget for 2011 further indicating that the Grantee has also made the appropriation necessary to satisfy said requirement; or any other alternative documentation deemed acceptable by the Department.

It is understood that neither the State of New Jersey nor the Grantee intend in any way, either through the provisions of this agreement or by any other means, to confer upon any other party the status of a third party beneficiary to this contract. This agreement is intended solely for the benefit of the State of New Jersey and the Grantee.

The parties hereto recognize and agree that continuation of funding under this grant agreement is expressly dependent upon the availability to the Department of funds appropriated by the State Legislature from State revenue or such other funding sources as may be applicable. The Department shall not be held liable for any breach of this agreement because of the absence of available funding appropriations. In addition, the Grantee shall not anticipate future funding from the Department beyond the duration of the time period set forth in this agreement and in no event shall this agreement be construed as a commitment by the Department to expend funds beyond the termination date set forth herein.

Introduced by:   
 Seconded by: 

CITY OF HOBOKEN  
 RESOLUTION NO. \_\_\_\_\_

RESOLUTION TO AUTHORIZE SUBMISSION OF THE ATTACHED  
 GRANT APPLICATION FOR THE FY2014 NJ DCA ROID GRANT AND  
 ACCEPTANCE OF ANY SUBSEQUENT ROID GRANT AWARD

WHEREAS, the City of Hoboken desires to apply for and obtain a grant from the New Jersey Department of Community Affairs for approximately \$10,000.00 to carry out a project to provide children with special needs living in Hoboken with adapted recreation programs; and

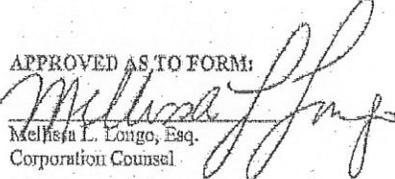
WHEREAS, dependent on the NJ DCA's final determination of the application, there may be matching funds from the City required for acceptance of this grant.

BE IT THEREFORE RESOLVED, that the City of Hoboken does hereby authorize the application for such a grant; and, recognizes and accepts that the Department may offer lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of such grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of the agreement between the City of Hoboken and the New Jersey Department of Community Affairs.

- A. The Mayor, Dawn Zimmer, is hereby authorized to submit the grant application and any subsequent grant acceptance documentation;
- B. This resolution shall take effect immediately upon passage.

Meeting date: September 3, 2014

APPROVED:  
  
 Quentin West  
 Business Administrator

APPROVED AS TO FORM:  
  
 Melissa L. Longo, Esq.  
 Corporation Counsel

Councilperson	Yea	Nay	Abstain	No Vote
Ravi Bhalla	/			
Theresa Castellano	/			
Peter Cunningham	/			
James Doyle	/			
Elizabeth Mason	/			
David Melo	/			
Tim Occhipinti	/			
Michael Russo	/			
President Jen Giattino	/			

CERTIFICATION:

I, James Farina, the City Clerk of the City of Hoboken hereby certify that at a meeting of the Governing Body held on September 3, 2014, the above RESOLUTION was duly adopted.

MUNICIPAL SEAL

  
 SIGNATURE OF JAMES FARINA, RMC

**State of New Jersey**  
**Department of Community Affairs**  
and  
**Hoboken City**

**Grant/Loan Agreement Number: 2014-05157-0104-00**

**Recreational Opportunities for Individuals with Disabilities 2014**

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**RECIPIENT AND DEPARTMENT AUTHORIZED SIGNATURES**

The Recipient named above agrees to perform the services as described in the Scope of Services, Section C. of this Grant/Loan Agreement. The provisions of this Grant/Loan Agreement, as well as the provisions of the General Terms and Conditions for Administering a Grant/Loan, incorporated into this agreement by reference, including any subsequent amendments, shall constitute the terms and conditions of the agreement between the New Jersey Department of Community Affairs and the Recipient.

If this Grant/Loan Agreement including the General Terms and Conditions for Administering a Grant/Loan correctly states the Recipient's understanding of the terms and conditions of this award from the New Jersey Department of Community Affairs, please indicate concurrence with these terms and conditions by having the appropriate officer sign as ACCEPTED AND AGREED below and return it to the Department.

**Is Legal Approval required?**

No

Approval Date:

Legal Approval Secured By Ms. Sarah Seigel, Supervisor , Contract Processing Unit DCR (11/19/2013 5:02PM)

**THIS AGREEMENT WILL BE EXECUTED CONTINGENT UPON THE APPROVAL  
AS TO LEGAL FORM AND FUNDING AVAILABILITY.**

**DIVISION DIRECTOR APPROVAL AND CERTIFICATION:**

Approved By Manuel Garcia Deputy Director (09/17/2014 10:40AM)

**For Recipient use only:**

- Grant Agreement between DCA and Agency
- Federal Lobbying Certification for Contracts, Grants, Loans, and Cooperative Agreements
- Certification Regarding Debarment and Suspension

**Accepted and Agreed to for Recipient:**

Approved By Dawn Zimmer, Mayor (09/19/2014 11:36AM)

**For New Jersey Department of Community Affairs Approval Only:**

**FISCAL APPROVAL OFFICER CERTIFICATION:**

Approved By Michael Kozar, Fiscal Administrator on behalf of Cindy McDowell, Director of Fiscal Services (09/19/2014 12:05PM)

I attest that sufficient funds have been appropriated by the  
State Legislature and are available for this grant/loan award

**New Jersey Department of Community Affairs Grant Approval Officer:**

Approved By Renee Formica, Assistant to the Chief of Staff on behalf of Richard Constable, Commissioner (09/22/2014 9:07AM)



Grant #: 2014-05157-0104-00

Grantee: Hoboken City

Status: Grant Executed

Access Level: Grant Administrator

[Statement](#)[Agency Info](#)[Grant Menu](#)

User: George DeStefano

[Help](#)[Logout](#)[Return to Grant Menu](#)**Scope Of Services**

**Instructions:** Please complete the information below. For further instructions, please click the **Help** icon in the upper right hand corner of the page. Scope Of Services should be specific, measurable, attainable, realistic, and time oriented.

[Objectives](#) [Scope of Services](#) [Narrative Forms](#)

**Current Scope Of Services:**

#### Scope Of Service

- The "HoBoK-ONE" program was implemented by the City of Hoboken, Department of Human Services, Division of Recreation in May 2011 via a partnership with the New York Red Bulls soccer team. The Red Bulls' TOPSoccer program (The Outreach Program for Soccer), offered under the umbrella of US Youth Soccer, is designed to allow any child the opportunity to learn and play soccer, specifically those who have a mental or physical disability.

Despite Hoboken's rich athletic history as the birthplace of baseball, the Recreation Division never created nor implemented programs that incorporated children with special needs. Following the overwhelming success of the Red Bulls partnership, a broad consensus has developed among residents and employees of the city that more programming targeting children with special needs is not only necessary, but will serve to strengthen youth and families for many years to come.

Based on this premise, the City of Hoboken will expand upon the Red Bulls partnership to create an adapted recreation program for children with disabilities. This expansion-based approach ensures that the participants will have the opportunity to grow and develop alongside their peers from the social aspects, teamwork and group dynamics of organized recreation programming. While not all children enrolled in the program will be capable of making a full transition to non-adapted programs, the model supports the transition of those children who are ready to join non-adapted programs.

The "HoBoK-ONE" program will serve as the mechanism to assist children with special needs in their transition to non-adapted organized athletics, arts and music activities. The initial program year offerings will allow children with disabilities the opportunity to play soccer, do arts and crafts and learn how to play music. The transitional focus of the program supports the goal of creating an adapted recreation program to prepare children with disabilities for participation in non-adapted recreation programs.

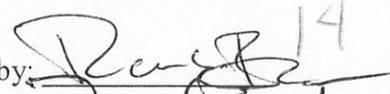
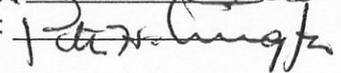
The first goal of the grant program will be to designate a Transition Coordinator to work with the Project Director in leading "HoBoK-ONE" activities. Under the direction of the Transition Coordinator, two (2) Project Assistants, one (1) Inclusion Coordinator and (1) Transition Assistant will assist in leading program activities. Participants will have the opportunity to play soccer, do arts and crafts and play music for one hour in each activity on a weekly basis. Thus, the total weekly program activities will be for the duration of three (3) hours. The activities will be adapted and tailored to accommodate the participants with special needs. All program staff will all be qualified to work with this demographic on an individual basis.

The second goal is to provide social outlets and unique experiences to program participants. In addition to weekly program activities during the scheduled academic year, the participants will take part in three (3) field trips to enhance their experience in the adapted program. The trips will include a visit to Monroe Center, a modern arts community in Hoboken, where youth will have the opportunity to interact with freelance artists and work on more advanced arts and crafts projects. Participants will also attend a New York Red Bulls soccer game in Harrison, NJ and a live music or theatre performance at the New Jersey Performing Arts Center in Newark, NJ. The trips are designed to introduce children with disabilities to new experiences within the social context of group activities and will help develop the individual communication and self-expression skills that are critical to their transition to non-adapted programs as they progress through the program.

Throughout the first year of the program, the staff will act as a liaison between the parents and Project Director. They will disseminate information, make recommendations and discuss the youth participant's progress in the various activities. Following the initial year of "HoBoK-ONE," the program staff will meet to discuss which participants have been adequately prepared for transition into non-adapted programs. Upon consultation with the parents of the identified children, the Transition Coordinator and Inclusion Coordinator will assist in making the arrangements for the child's transition. The program staff will also discuss which non-adapted recreation programs could be expanded under the "HoBoK-ONE" program and attempt to further expand the program in the next year.

Funding made available under this grant will cover the expenses of the Transition Coordinator and four Transition Assistants who are qualified to work with children with special needs in an adapted setting. The program will run for thirty (30) weeks, for a total of ninety (90) hours of programmatic activities in the calendar year. Additionally, the field trips are estimated to last for approximately four (4) hours, for an additional time commitment of twelve (12) hours. The total time spent on programmatic activities will be 102 hours per Transition Coordinator/Assistant or 510 hours collectively. The City of Hoboken will assume the costs of planning for program implementation, transportation expenses, admission costs and t-shirts for each of the enrolled

program participants as part of the required 20 percent matching funds. There will be 25 program slots available in order to maintain 5 to 1 disabled participant to recreation attendant ratio for each program activity.

Introduced by:  14  
Seconded by: 

**CITY OF HOBOKEN  
RESOLUTION NO. \_\_\_\_\_**

**Inserting a Special Item of Revenue into the CY 2014 Municipal Budget**

**AMENDED HOBOKEN POST-SANDY COMMERCIAL  
REVITALIZATION PROJECT CY 2014**

**WHEREAS**, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the Budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the Budget, and

**WHEREAS**, said Director may also approve the insertion of an item of Appropriation for an equal amount, and

**WHEREAS**, by resolution dated September 3, 2014 the Council of the City of Hoboken adopted a resolution requesting the insertion of items of revenue and appropriation in the budget of the year CY 2014 in the sum of \$799,455.00 for Post-Sandy Commercial Revitalization Project CY 2014, and

**WHEREAS**, the Administration has received additional information from the New Jersey Economic Development Authority of an additional award of \$79,946.00 and wishes to amend its CY 2014 Budget to include this amount as revenue as well as to provide a City match of \$46,000.00 for the total Project award;

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Hoboken, in the County of Hudson, State of New Jersey, hereby requests the Director Of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year CY 2014 in the sum of.....\$79,946.00  
This is now available as revenue from:

- Miscellaneous Revenues:
  - Special Items of General Revenue Anticipated
  - With Prior Written Consent of the Director of the
  - Division of Local Government Services:
    - State and Federal Revenues Off-set with
    - Appropriations:
      - Post-Sandy Comm. Revit. O/E

**NOW, THEREFORE, BE IT RESOLVED** that the like sum of: \$79,946.00  
Be and the same is hereby appropriated under the caption of:  
General Appropriations:

- (a) Operations Excluded from CAPS
  - State and Federal Programs Off-Set by

Revenues:

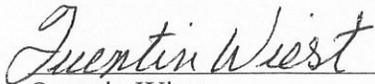
Post-Sandy Comm. Revit. O/E

Other Expenses

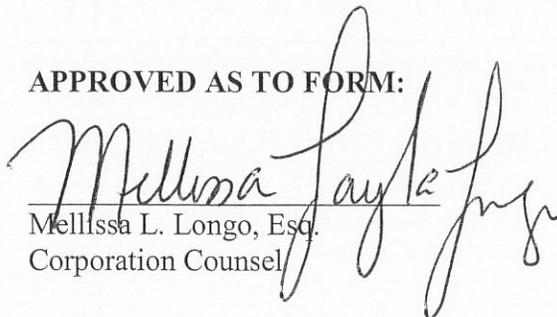
**NOW, THEREFORE, BE IT RESOLVED**, that the City Clerk will forward a certified copy of this resolution electronically to the Director of Local Government Services for approval.

**Meeting date: October 1, 2014**

**APPROVED:**

  
\_\_\_\_\_  
Quentin Wiest  
Business Administrator

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Melissa L. Longo, Esq.  
Corporation Counsel

Councilperson	Yea	Nay	Abstain	No Vote
Ravi Bhalla	/			
Theresa Castellano	/			
Peter Cunningham	/			
James Doyle	/			
Elizabeth Mason				/
David Mello	/			
Tim Occhipinti	/			
Michael Russo	/			
President Jen Giattino	/			

A TRUE COPY OF A RESOLUTION ADOPTED BY  
THE COUNCIL OF THE CITY OF HOBOKEN, N.J.  
AT A MEETING HELD ON: OCT 01 2014

  
\_\_\_\_\_  
CITY CLERK

Introduced By: [Signature]  
Seconded By: [Signature]

CITY OF HOBOKEN  
RESOLUTION No. \_\_\_\_\_

**RESOLUTION RESCINDING PETTY CASH FUND**

**WHEREAS**, it is the desire of the City of Hoboken, County of Hudson that the petty cash fund for the Purchasing Department, Arch Liston be rescinded in the amount of \$500.00.

**NOW, THEREFORE, BE IT RESOLVED**, that the Council of the City of Hoboken, County of Hudson, State of New Jersey hereby authorizes such action and two copies of this resolution be filed with the Division of Local Government Services, New Jersey Department of Community Affairs for approval.

**MEETING DATE: October 1, 2014**

**REVIEWED BY:**  
[Signature]  
Quentin Wiest  
Business Administrator

**APPROVED BY:**  
[Signature]  
Melissa Longo  
Corporation Counsel

Councilperson	Yea	Nay	Abstain	No Vote
Ravi Bhalla	/			
Theresa Castellano	/			
Peter Cunningham	/			
James Doyle	/			
Elizabeth Mason				/
David Mello	/			
Tim Occhipinti	/			
Michael Russo	/			
President Jen Giattino	/			

A TRUE COPY OF A RESOLUTION ADOPTED BY  
THE COUNCIL OF THE CITY OF HOBOKEN, N.J.  
AT A MEETING HELD ON: OCT 01 2014

[Signature]  
CITY CLERK



State of New Jersey  
Department of Community Affairs  
Division of Local Government Services  
Bureau of Financial Regulation and Assistance  
Petty Cash

Municipality: Hoboken City  
County: Hudson  
MuniCode: 0905

Received	Approved	Office	Custodian	Amount	Bond
23/08/96	10/07/96	Environmental Services	Director, Environmental Services	\$150	\$100,000
23/08/96	20/10/08	Fire	Fire Chief	\$300	\$100,000
23/08/96	10/07/96	Library	Director of Library	\$150	\$100,000
23/08/96	10/07/96	Police	Chief of Police	\$500	\$0
18/05/11	28/09/11	Purchasing Department	Arch Liston	\$500	\$1,000

A TRUE COPY OF A RESOLUTION ADOPTED BY  
THE COUNCIL OF THE CITY OF HOBOKEN, N.J.

Introduced By: Ravi Bhalla  
Seconded By: Peter H. Cunningham

AT A MEETING HELD ON: OCT 01 2014

CITY OF HOBOKEN  
RESOLUTION No. \_\_\_\_\_

James J. Sarena

RESOLUTION RESCINDING PETTY CASH FUND

CITY CLERK

WHEREAS, it is the desire of the City of Hoboken, County of Hudson that the petty cash fund for the Director of Library be rescinded in the amount of \$150.00.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Hoboken, County of Hudson, State of New Jersey hereby authorizes such action and two copies of this resolution be filed with the Division of Local Government Services, New Jersey Department of Community Affairs for approval.

MEETING DATE: October 1, 2014

REVIEWED BY:

Quentin Wiest

Quentin Wiest  
Business Administrator

APPROVED BY:

Melissa Longo

Melissa Longo  
Corporation Counsel

Councilperson	Yea	Nay	Abstain	No Vote
Ravi Bhalla	/			
Theresa Castellano	/			
Peter Cunningham	/			
James Doyle	/			
Elizabeth Mason				/
David Mello	/			
Tim Occhipinti	/			
Michael Russo	/			
President Jen Giattino	/			



State of New Jersey  
Department of Community Affairs  
Division of Local Government Services  
Bureau of Financial Regulation and Assistance  
Petty Cash

Municipality: Hoboken City  
County: Hudson  
MuniCode: 0905

Received	Approved	Office	Custodian	Amount	Bond
23/08/96	10/07/96	Environmental Services	Director, Environmental Services	\$150	\$100,000
23/08/96	20/10/08	Fire	Fire Chief	\$300	\$100,000
23/08/96	10/07/96	Library	Director of Library	\$150	\$100,000
23/08/96	10/07/96	Police	Chief of Police	\$500	\$0
18/05/11	28/09/11	Purchasing Department	Arch Liston	\$500	\$1,000

A TRUE COPY OF A RESOLUTION ADOPTED BY  
THE COUNCIL OF THE CITY OF HOBOKEN, N.J.  
AT A MEETING HELD ON:

Introduced By: David S. Doyle  
Seconded By: Peter Cunningham

OCT 01 2014

James J. Sarena

CITY OF HOBOKEN  
RESOLUTION No. \_\_\_\_\_

CITY CLERK RESOLUTION RESCINDING PETTY CASH FUND

WHEREAS, it is the desire of the City of Hoboken, County of Hudson that the petty cash fund for the Director of Environmental Services be rescinded in the amount of \$150.00.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Hoboken, County of Hudson, State of New Jersey hereby authorizes such action and two copies of this resolution be filed with the Division of Local Government Services, New Jersey Department of Community Affairs for approval.

MEETING DATE: October 1, 2014

REVIEWED BY:

Quentin Wiest  
Quentin Wiest  
Business Administrator

APPROVED BY:

Melissa Longo  
Melissa Longo  
Corporation Counsel

Councilperson	Yea	Nay	Abstain	No Vote
Ravi Bhalla	/			
Theresa Castellano	/			
Peter Cunningham	/			
James Doyle	/			
Elizabeth Mason				/
David Mello	/			
Tim Occhipinti	/			
Michael Russo	/			
President Jen Giattino	/			



State of New Jersey  
Department of Community Affairs  
Division of Local Government Services  
Bureau of Financial Regulation and Assistance  
Petty Cash

Municipality: Hoboken City  
County: Hudson  
MuniCode: 0905

Received	Approved	Office	Custodian	Amount	Bond
23/08/96	10/07/96	Environmental Services	Director, Environmental Services	\$150	\$100,000
23/08/96	20/10/08	Fire	Fire Chief	\$300	\$100,000
23/08/96	10/07/96	Library	Director of Library	\$150	\$100,000
23/08/96	10/07/96	Police	Chief of Police	\$500	\$0
18/05/11	28/09/11	Purchasing Department	Arch Liston	\$500	\$1,000

A TRUE COPY OF A RESOLUTION ADOPTED BY  
THE COUNCIL OF THE CITY OF HOBOKEN, N.J.  
AT A MEETING HELD ON:

Introduced By: [Signature]  
Seconded By: [Signature]

[Signature] [Signature]  
OCT 01 2014

CITY OF HOBOKEN  
RESOLUTION No. \_\_\_\_\_

**RESOLUTION ESTABLISHING PETTY CASH FUND**

**WHEREAS**, N.J.S.A. 40A:5-21 authorizes the establishment of a Petty Cash Fund in any municipality, by application and resolution; and,

**WHEREAS**, it is the desire of the City of Hoboken, within the County of Hudson to establish such a fund for the Chief of Police within the Department of Public Safety, in the amount of \$500.00; and

**WHEREAS**, the custodian for this fund is the Chief of Police, who is bonded for in the amount of \$100,000.00; such custodian shall be required to maintain records for this fund in a manner conducive to proper accounting and auditing procedure;

**NOW, THEREFORE BE IT RESOLVED** that the Council of the City of Hoboken, County of Hudson, State of New Jersey, hereby authorizes said establishment of a Petty Cash Fund for the Chief of Police within the Department of Public Safety; and,

**BE IT FURTHER RESOLVED**, two copies of this resolution be filed with the Division of Local Government Services, New Jersey Department of Community Affairs for approval, and one copy shall be forwarded to each of the following City Officials: CFO, Director of Finance, Director of Public Safety, and Chief of Police.

MEETING DATE: October 1, 2014

REVIEWED BY:  
[Signature]  
Quentin Wiest  
Business Administrator

APPROVED BY:  
[Signature]  
Melissa Longo  
Corporation Counsel

Councilperson	Yea	Nay	Abstain	No Vote
Ravi Bhalla	/			
Theresa Castellano	/			
Peter Cunningham	/			
James Doyle	/			
Elizabeth Mason				/
David Mello	/			
Tim Occhipinti	/			
Michael Russo		/		
President Jen Giattino	/			

BUDGET FORM

NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS  
DIVISION OF LOCAL GOVERNMENT SERVICES

APPLICATION TO ESTABLISH A PETTY CASH FUND

CITY OF HOBOKEN COUNTY OF HUDSON

Pursuant to the provisions of N.J.S. 40A:5-21 application is hereby made for permission to establish a petty cash fund for the following office or department and amount:

CHIEF OF POLICE \$ 500.00

The petty cash fund will be used by the aforementioned office or department to pay claims specifically described as follows:

SUPPLIES & ACCESSORIES NOT TO EXCEED \$100.00

It is estimated that the maximum amount of such claims to be paid in any one month will be \$ It is estimated that the maximum amount of such claims to be paid in any fiscal year will be \$

Certification is hereby made that the person having custody of the fund will be bonded with corporate surety in an amount not less than \$1,000 or the amount of the fund, whichever is greater.

The custodian of such fund and the amount of surety bond will be as follows:

\$ 100,000.00

Petty Cash Funds Currently In Existence and Approved By The Division of Local Government Services

\$	\$
\$	\$
\$	\$

This application was authorized at a meeting of the CITY COUNCIL MEETING of the City of HOBOKEN, County of HUDSON held on the 1 day of OCTOBER, 2014 and upon approval of the Director of Local Government Services, authorization will be given for the issuance of a check to the fund custodian in the amount set forth in the application.

I hereby certify that the above charges are for emergency purchases and are not of such nature that should be processed through an encumbrance system. [Signature] 10/1/2014 CFO Date

I hereby certify that this application was authorized by the governing body as indicated in the application. \_\_\_\_\_ Clerk \_\_\_\_\_ Date

Approved by: \_\_\_\_\_ Duly Appointed Designee of the Director, Division of Local Government Services \_\_\_\_\_ Date

Introduced By: [Signature]

Second By: [Signature]

CITY OF HOBOKEN  
RESOLUTION NO. \_\_\_\_\_

RESOLUTION AUTHORIZING THE REFUND OF TAX OVERPAYMENTS

WHEREAS, an overpayment of taxes has been made on property listed below: and

WHEREAS, Sharon Curran, Collector of Revenue recommends that refunds be made;

NOW THEREFORE BE IT RESOLVED, that a warrant be drawn on the City Treasurer made payable to the following totaling \$3,284.23

<u>NAME</u>	<u>BL/LT/UNIT</u>	<u>PROPERTY</u>	<u>QTR/YEAR</u>	<u>AMOUNT</u>
CAPPIELLO, PATRICK 96 GARDEN STREET HOBOKEN, NJ 07030	203/12	423 BLOOMFIELD ST	1/14	\$3164.28
DUHAYER, FLORENCE 1125 MAXWELL LANE #334 HOBOKEN, NJ 07030	261.03/1/CP356	1125 MAXWELL LANE	1/14	\$ 119.95

A TRUE COPY OF A RESOLUTION ADOPTED BY  
THE COUNCIL OF THE CITY OF HOBOKEN, N.J.  
AT A MEETING HELD ON: OCT 01 2014

Meeting: October 1, 2014

[Signature]  
CITY CLERK

Approved as to Form:

[Signature]  
CORPORATION COUNSEL

[Signature]  
Sharon Curran

Sponsored by: [Signature]

Seconded by: [Signature]

A TRUE COPY OF A RESOLUTION ADOPTED BY  
THE COUNCIL OF THE CITY OF HOBOKEN, N.J.  
AT A MEETING HELD ON:

OCT 01 2014

[Signature] [Signature] City of Hoboken  
CITY CLERK

Resolution No. \_\_\_\_\_

**RESOLVED**, that filed minutes for the Hoboken City Council **Regular meeting of September 3, 2014** have been reviewed and approved by the Governing Body.

[Signature]  
Approved as to form:

Meeting Date: October 1, 2014

Councilperson	Yea	Nay	Abstain	No Vote
Ravi Bhalla	/			
Theresa Castellano	/			
Peter Cunningham	/			
Jim Doyle	/			
Elizabeth Mason				/
David Mello	/			
Tim Occhipinti	/			
Michael Russo	/			
President Jen Giattino	/			