

Introduced by: _____

Seconded by: _____

**CITY OF HOBOKEN
RESOLUTION NO.: _____**

**RESOLUTION AUTHORIZING CLOSED SESSION TO DISCUSS MATTERS
PURSUANT TO N.J.S.A. 10:4-12(B)(5) AND (7) AND ATTORNEY CLIENT PRIVILEGE
(EDWARD BUZAK) RELATING TO THE LAND COMMONLY REFERRED TO AS
BLOCK 103, LOTS 7-26; BLOCK 107, ALL LOTS INCLUSIVE; BLOCK 108, ALL LOTS
INCLUSIVE; AND BLOCK 113, LOTS 1-6 AND 27-32 (THE PROPERTY)**

WHEREAS, the Council of the City of Hoboken is authorized to go into closed executive session for the reasons set forth in the Open Public Meetings Act, including without limitation N.J.S.A. 10:4-12(b)(5) and (7), and for matters falling within attorney client privilege; and

WHEREAS, the City seeks to discuss the legal issues relating to the above listed Property, and the potential alternative legal actions the City could take concerning the land; and

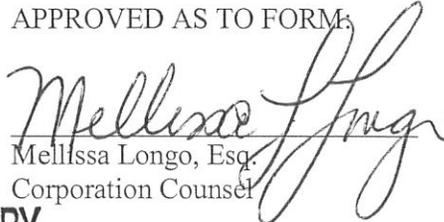
WHEREAS, one of the reasons to go into closed session is to receive advice from legal counsel, Edward Buzak, Esq., which is subject to attorney client privilege and/or which is offered regarding land matters, land acquisition and sale, and land transaction negotiations; and,

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Hoboken that it enter into closed session for the herein said purposes; and,

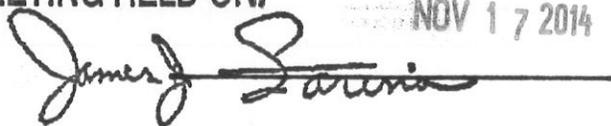
BE IT FURTHER RESOLVED that when the need for confidentiality no longer exists the decisions made therein will be made available to the public.

MEETING: November 17, 2014

APPROVED AS TO FORM:

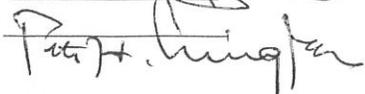

Melissa Longo, Esq.
Corporation Counsel

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


NOV 17 2014

CITY CLERK

1
Introduced by: 

Seconded by: 

**CITY OF HOBOKEN
RESOLUTION NO. _____**

**RESOLUTION APPROVING APPRAISAL AND
AUTHORIZING THE ISSUANCE OF AN
OFFER LETTER TO RECORD TITLE OWNERS
OF BLOCK 103, LOTS 7 THROUGH 26 (“PARCEL 1”);
BLOCK 107, LOT 1 (“PARCEL 2”) AND BLOCK 113, LOT 1 (“PARCEL 3”)
AS DESIGNATED ON THE OFFICIAL TAX MAP OF THE
CITY OF HOBOKEN**

WHEREAS, N.J.S.A. 40A:12-5 and N.J.S.A. 20:3-1 et seq. authorize public entities to acquire real property or an interest in real property; and

WHEREAS, the City Council of the City of Hoboken (“Council” or “City”) has deemed it necessary to acquire certain real property in the City known as Block 103, Lots 7 through 26 (“Parcel 1”); Block 107, Lot 1 (“Parcel 2”) and Block 113, Lot 1 (“Parcel 3”) (collectively, the “Property”) on the Official Tax Map of the City; and

WHEREAS, City Ordinance No. Z-190 adopted by the City Council on June 21, 2012 authorizes acquisition of the Property by purchase or eminent domain, if necessary, and authorizes the Mayor, Business Administrator, Corporation Counsel, or Special Counsel to undertake any action and to execute any documents necessary or appropriate to accomplish same; and

WHEREAS, Section 3 of City Ordinance No. Z-190 provides that the amount of the offer price for the Property shall be fixed by further Resolution of the Council upon receipt and approval of an Appraisal Report to be prepared by a qualified real estate appraiser; and

WHEREAS, an appraisal of the Property has been completed by the City’s Appraiser on or about September 30, 2014 (“2014 Appraisal Report”), setting forth the fair market value of the Property as of September 15, 2014; and

WHEREAS, the Council has determined that the public interest will be served by the acquisition of the Property for public purposes, including, without limitation, open space and other public purposes; and

WHEREAS, the City desires to approve the 2014 Appraisal Report of the fair market value of the Property as of September 15, 2014, and authorize the issuance of an Offer Letter to the record owners of the Property for the full fair market value of the Property as of September 15, 2014, as set forth in the 2014 Appraisal Report.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hoboken, County of Hudson, State of New Jersey as follows:

1. The City Council hereby approves, ratifies and confirms the 2014 Appraisal Report of McGuire Associates, LLC, dated September 30, 2014 establishing as of September 15, 2014 the fair market value of the Property as follows:

PARCEL 1:	1113-1131 Madison Street:	Two Million, Two Hundred, Twenty Thousand Dollars (\$2,220,000)
PARCEL 2:	1201 Madison/ 1200 Adams Streets:	Six Million Four Hundred Five Thousand Dollars (\$6,405,000)
PARCEL 3:	1301-11 Jefferson Street:	One Million, Thirty-Three Thousand, Five Hundred Dollars (\$1,033,500)

2. The Mayor, City Council and such other officials, consultants, agents or employees of the City as may be necessary and appropriate, shall be and are hereby authorized to formally offer the record title owners of the Property the full and fair market value of Parcels 1, 2 and 3 in the amounts set forth above and to continue to undertake all *bona-fide* negotiations with the record title owners of the Property as required under law.

3. The 2014 Appraisal Report approved herein, and the offer to purchase the Property assumes, without limitation and among other things, that no contamination and/or solid waste exists which requires further investigation, clean-up or remediation in accordance with New Jersey Department of Environmental Protection (“NJDEP”) guidelines and regulations. The City accepts no liability or responsibility for any pre-existing contamination or solid waste, whether known now or subsequently discovered on the Property and the Property has been valued as if it had been remediated, if necessary.

4. The City hereby reserves any and all rights it had, has, or may have to recover in any subsequent or pending action or by any administrative means, all costs of remediation and/or clean-up of contamination and/or removal of solid waste and/or sanitary land fill closures that have been incurred or may be incurred in the future by reason of conditions which were in existence as of or prior to the date of vesting of title and possession of this Property in the name of the City.

6. The City reserves the right to seek in its sole discretion, any and all available legal, administrative and equitable remedies to compel the record owners and/or responsible parties to remediate and/or clean up the Property in accordance with applicable state and federal statutory and regulatory provisions or to remove solid waste or carry out closure of a sanitary landfill if located on the Property. The City is not liable for the clean-up and removal costs of any discharge which occurred or began prior to the City’s ownership.

7. The Mayor, City Council and such other officials, consultants, agents and employees of the City as may be necessary and appropriate are hereby authorized and directed to take any and all actions necessary to effectuate the purposes of this Resolution.

8. This Resolution shall take effect immediately.

ATTEST:

THE CITY OF HOBOKEN

James J. Farina, City Clerk

Mayor

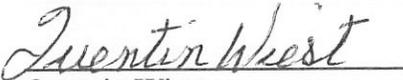
Council President

CERTIFICATION

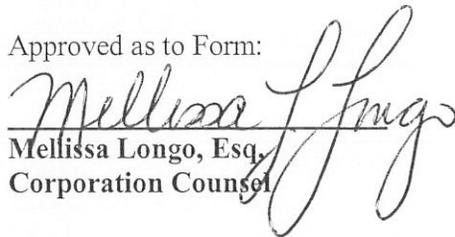
I, James J. Farina, City Clerk of the City of Hoboken, County of Hudson, State of New Jersey, hereby certify that the foregoing Resolution is a true and exact copy of a Resolution adopted at a meeting of the City Council of the City of Hoboken held on November 17, 2014.


James J. Farina, City Clerk

Reviewed:


Quentin Wiest
Business Administrator

Approved as to Form:

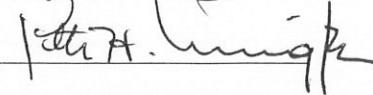

Melissa Longo, Esq.
Corporation Counsel

Meeting Date: November 17, 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
THE COUNCIL OF THE CITY OF HOBOKEN, N.J.
AT A MEETING HELD ON: NOV 17 2014


CITY CLERK

Introduced By: 
Seconded By: 

**CITY OF HOBOKEN
RESOLUTION NO:**

**RESOLUTION OF THE CITY OF HOBOKEN AUTHORIZING THE EXECUTION OF
AN AGREEMENT WITH WATERFRONT CORPORATE CENTER III JV LLC**

WHEREAS, on or about December 4, 2012, the City, the Waterfront Corporate Center III JV LLC (“WCC”) and the Port Authority of New York and New Jersey entered into a Lease and Development Agreement (“Lease & Development Agreement”) involving the development of property located in the Southern Redevelopment Area located in the City of Hoboken; and

WHEREAS, Section 17.6.2 of the Lease and Development Agreement provides for, among other things, the right of the City to disapprove a proposed retail subtenant proposed by the WCC within five (5) days of notice thereof to the City; and

WHEREAS, pursuant to and in furtherance of Section 17.6.2 of the Lease & Development Agreement, WCC intends to seek to obtain approval of Del Frisco’s Steak House as a proposed retail subtenant on the property, which proposed subtenant also intends to seek the ability to obtain a liquor license for the operation of its business; and

WHEREAS, the City has planned the erection of a memorial in the immediate vicinity to honor the memory of victims from Hoboken who lost their lives as a result of the attacks on September 11, 2001, at the World Trade Center (“9/11 Memorial”); and

WHEREAS, in order to enhance the revitalization and development of the property, the City and WCC have negotiated the terms of an agreement whereby in the event that Del Frisco’s is approved as a retail subtenant and an additional liquor license is made available in the Southern Redevelopment Area, that in recognition of the enhancement of the area resulting from the construction of the 9/11 Memorial nearby, that the WCC will contribute the sum of seventy five thousand dollars (\$75,000.00) to the City to be used towards the establishment of the 9/11 Memorial; and

WHEREAS, the City and WCC have negotiated the terms of an Agreement Regarding Section 17.6.2 of the Lease and Development Agreement dated December 4, 2012 which will provide for the revitalization and economic development of waterfront property, assist in the funding of a 9/11 Memorial and provide a benefit to the residents of the City of Hoken.

NOW, THEREFORE, it is hereby resolved by the City Council as follows:

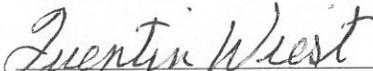
1. The Mayor is hereby authorized to execute an Agreement between the City of Hoboken and Waterfront Corporate Center III JV LLC regarding Section 17.6.2 of the Lease and Development Agreement dated December 4, 2012, in the form attached hereto as Schedule A or in a form substantially similar thereto.

2. Staff and consultants to the City are hereby authorized and directed to take all other administrative actions to implement this Resolution as are necessary and appropriate to accomplish its goals and intent.

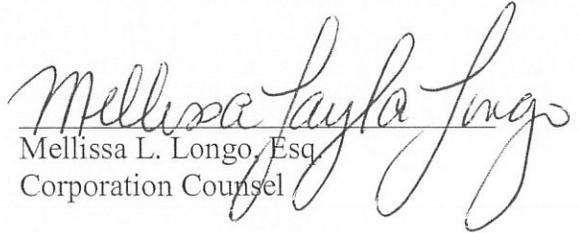
3. This Resolution shall be effective immediately.

REVIEWED BY:

APPROVED AS TO FORM:



Quentin Wiest,
Business Administrator



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:

NOV 17 2014

James J. Sarena

CITY CLERK

Schedule A

**Agreement Between the City of Hoboken, New Jersey and
Waterfront Corporate Center III JV LLC
Regarding Section 17.6.2 of the Lease and Development Agreement
dated December 4, 2012**

AGREEMENT

Between

THE CITY OF HOBOKEN, NEW JERSEY

And

WATERFRONT CORPORATE CENTER III JV LLC

REGARDING

SECTION 17.6.2 OF THE LEASE AND DEVELOPMENT AGREEMENT DATED
DECEMBER 4, 2012

This Agreement ("Agreement") made as of November ____, 2014, by and between THE CITY OF HOBOKEN (the "City"), a municipal corporation of the State of New Jersey and having its office at City Hall, Hoboken, New Jersey 07030, and WATERFRONT CORPORATE CENTER III JV LLC (the "Developer/Lessee"), a Delaware limited liability company organized and existing under and by virtue of the laws of the State of Delaware and having an office and place of business at c/o SJP Properties Company, 379 Interpace Parkway, Parsippany, New Jersey 07054, whose representative is Steven J. Posecki.

WITNESSETH, That:

WHEREAS, on or about December 4, 2012, the City, the Developer/Lessee and the Port Authority of New York and New Jersey entered into a Lease and Development Agreement ("Lease & Development Agreement") involving the development of property located in the Southern Redevelopment Area located in the City of Hoboken; and

WHEREAS, the Lease and Development Agreement remains in full force and effect; and

WHEREAS, pursuant to the Waterfront Development Legislation, N.J.S.A. 32:1-35, the City is authorized to lease real property upon such terms as are determined by the Port Authority and the City; and

WHEREAS, pursuant to the Waterfront Redevelopment Legislation, eligible projects must provide for the revitalization and economic development of waterfront property; and

WHEREAS, Section 17.6.2 of the Lease and Development Agreement provides for, among other things, the right of the City to disapprove a proposed retail subtenant proposed by the Developer/Lessee within five (5) days of notice thereof to the City; and

WHEREAS, pursuant to and in furtherance of Section 17.6.2 of the Lease & Development Agreement, the Developer/Lessee intends to seek to obtain approval of Del Frisco's Steak House as a proposed retail subtenant on the property, which proposed subtenant also intends to seek the ability to obtain a liquor license for the operation of its business; and

WHEREAS, the City has planned the erection of a memorial in the immediate vicinity to honor the memory of victims from Hoboken who lost their lives as a result of the attacks on September 11, 2001, at the nearby World Trade Center ("9/11 Memorial"), a depiction of which is contained on Exhibit 1 to this Agreement; and

WHEREAS, in order to enhance the revitalization and development of the property, the City and Developer/Lessee have agreed that in the event that Del Frisco's is approved as a retail subtenant and an additional liquor license is made available in the Southern Redevelopment Area, that in recognition of the enhancement of the area resulting from the construction of the 9/11 Memorial nearby, that the Developer/Lessee will contribute the sum of seventy five thousand dollars (\$75,000.00) to the City to be used towards the establishment of the 9/11 Memorial.

NOW, THEREFORE, for and in consideration of the covenants and mutual agreements herein contained, the City and Developer/Lessee hereby covenant and agree as follows:

1. The Lease & Development Agreement remains in full force and effect.
2. Pursuant to Section 17.6.2 of the Lease and Development Agreement, the Developer/Lessee has provided notice to the City that it seeks approval of Del Frisco's Steak Restaurant as a retail subtenant of the Property.
3. Pursuant to Section 17.6.2 of the Lease and Development Agreement, the City hereby consents to Del Frisco's Steak Restaurant as a retail subtenant of the Property subject to the satisfaction of the Developer/Lessee's contribution of \$75,000.00 to the City as set forth in this Agreement.
4. Within 10 days of the full execution of this Agreement, the Developer/Lessee shall deposit the sum of \$75,000.00 into an escrow account maintained by Genova, Burns, Giantomasi, Webster, Attorneys at Law.
5. The City of Hoboken will consider the adoption of an ordinance to amend Section 68-7(E) of the Code of the City of Hoboken to increase the number of liquor licenses available in the Southern Redevelopment Area from six to seven.
6. In the event that the City adopts an ordinance increasing the number of liquor licenses available in the Southern Redevelopment Area from six to seven by December 31, 2014, the \$75,000.00 placed into escrow by the Developer/Lessee shall be released to the City within twenty (20) days after publication of Notice of the adoption of such ordinance and written notification of said adoption to the escrow agent.
7. In the event that the City does not adopt an ordinance increasing the number of liquor licenses available in the

Southern Redevelopment Area from six to seven by December 31, 2014, the \$75,000.00 contribution placed into escrow by the Developer/Lessee shall be returned to the Developer/Lessee.

8. In the event that the \$75,000.00 is released to the City, it shall be used towards the establishment of the 9/11 Memorial.

IN WITNESS WHEREOF, the parties hereto have executed these presents as of the day and year first above written.

ATTEST:

THE CITY OF HOBOKEN

City Clerk
Seal

Dawn Zimmer
Mayor

WITNESS

WATERFRONT CORPORATE CENTER III JV LLC
By BLOCK B SOUTH WATERFRONT
DEVELOPMENT, L.L.C., Manager

By _____
Steven J. Pozycki
President

STATE OF NEW JERSEY)

: ss. :

COUNTY OF HUDSON)

On the ____ day of November 2014, before me, the undersigned, a Notary Public in and for said State, personally appeared Dawn Zimmer, Mayor of THE CITY OF HOBOKEN, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity, and that by her signature on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Notary Public

THE COUNCIL OF THE CITY OF HOBOKEN, N.J.

AT A MEETING HELD ON:

NOV 17 2014

James J. Savino

CITY CLERK

CITY OF HOBOKEN
RESOLUTION NO. _____

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

3

RESOLUTION RECEIVING CORRECTIVE ACTION PLAN FOR THE CY 2013 AUDIT

WHEREAS, the City of Hoboken has received its Audit for CY 2013 from the City's independent auditor Ferraioli, Wielkotz, Cerullo, & Cuva; and,

WHEREAS, the State of New Jersey, Division of Local Government Services, requires the Chief Financial Official and other City Officials to prepare a Corrective Action Plan for all recommendations reflected in the Annual Audit; and,

WHEREAS, the State of New Jersey, Division of Local Government Services requires such Corrective Action Plan to be accepted by the Council of the City of Hoboken and filed with the Director of Local Government Services; and,

WHEREAS, in accordance therewith, the City's Corrective Action Plan for the CY2013 audit is attached hereto, and incorporated herein by reference.

NOW, THEREFORE BE IT RESOLVED, that 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 accept the City of Hoboken's Corrective Action Plan for CY 2013, as attached hereto; and,

BE IT FURTHER RESOLVED, that the City Clerk shall immediately forward two (2) certified copies of this resolution with the attached Corrective Action Plan to the Director of Local Government Services for approval.

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	✓			

Reviewed By:

Quentin Wiest
Quentin Wiest
Business Administrator

Approved as to Form:

Melissa Longo
Melissa Longo
Corporation Counsel

Date of Meeting: November 17, 2014

City of Hoboken
Hudson County, New Jersey

Corrective Action Plan
Audit Report Year: December 31, 2013

Including Comments on Findings and Recommendations



City of Hoboken
94 Washington Street
Hoboken, NJ 07030

City of Hoboken
Hudson County, New Jersey

Comments on Findings and Recommendations

December 31, 2013

FINANCE/TREASURER

Finding/Condition #1

Petty cash disbursed to various departments does not agree to State approved application in accordance with N.J.S.A. 40A:5-21.

Recommendation:

That an updated application be submitted to the State to approve various appointments of petty cash

Explanation and Corrective Action:

Resolutions reflecting our current petty cash funds have been adopted by the governing body and submitted to the State.

Finding/Condition #2

The City has deferred charges to future taxation, unfunded balances over five years old, where the projects have been completed and payments made from unfinanced cash.

Recommendation

That all ordinances with cash deficits over five years old should be funded through a valid financing source.

Explanation and Corrective Action

The City began funding these deferred charges in 2014 and will continue doing so in future years by borrowing and/or appropriating the deferred charges in budgets.

Finding/Condition #3

Bank reconciliations for the following accounts contain several unidentified adjustments

Payroll Agency Account

City of Hoboken
Hudson County, New Jersey

Comments on Findings and Recommendations

December 31, 2013

Recommendation:

That all adjustments be identified and recorded for reconciliations for all funds.

Explanation and Corrective Action:

Bank reconciliations will be reviewed and adjustments recorded as needed

Finding/Condition #4

Not all financial transactions are being recorded in the General Ledger in a timely manner as required by Technical Accounting Directive #3 for the following funds:

Payroll Agency Account

Recommendation:

That all financial transactions be recorded in the General Ledger as required by Technical Accounting Directive #3.

Explanation and Corrective Action:

Steps will continue such as closer review of bank reconciliations so that transactions can be recorded in a timely manner.

Finding/Condition #5

Instances where invoices were not being processed and paid within ninety days.

Recommendation:

That all invoices be processed and paid in a timely manner.

Explanation and Corrective Action:

Care will be taken to limit instances of invoices not being paid in a timely manner.

PURCHASING

Finding/Condition #1

Not all Request for Qualification documents were available for review as required by N.J.S.A. 40A:11.

City of Hoboken
Hudson County, New Jersey

Comments on Findings and Recommendations

December 31, 2013

Recommendation:

That all Request for Qualification documentation be maintained by the City and made available for audit.

Explanation and Corrective Action:

A system has been put in place to ensure that Request for Qualification files containing all required documentation are maintained in the purchasing department.

Finding/Condition #2

There were instances where goods and/or services were ordered prior to being encumbered.

Recommendation:

That all goods and/or services be encumbered prior to order.

Explanation and Corrective Action:

The City will continue to monitor and educate personnel on the requirement that no order be placed without an encumbrance.

DEPARTMENTS

Finding/Condition #1

The following departments do not maintain a monthly cash book that summarizes collections by category:

- a. Recreation Department
- b. Taxi & Limo Licenses Department
- c. Building Department
- d. Environmental Department
- e. Department of the City Clerk
- f. Fire Prevention Department
- g. Police Department

City of Hoboken
Hudson County, New Jersey

Comments on Findings and Recommendations

December 31, 2013

Recommendation:

That all departments maintain a monthly cash ledger that summarizes collections by category.

Explanation and Corrective Action:

The City implemented a monthly cash log process for the Building Department (the largest collector of cash of the above departments) in 2014 and will continue to implement this across all City departments.

Finding/Condition #2

The Vital Statistics department is not remitting fees collected for Dog Licenses and Burial Permits to the State in a timely manner.

Recommendation:

That fees collected for animal licenses and burial permits be remitted to the proper State agency in a timely manner.

Explanation and Corrective Action:

The City has taken the necessary steps to lessen the likelihood of this type of error occurring in the future.

Payroll/Personnel

Finding/Condition #1

Authorized deferred compensation applications and W-4 forms for selected individuals were unable to be located for review.

Recommendation:

That all approved deferred compensation applications and W-4's be maintained and available for review.

Explanation and Corrective Action:

The City is in the process of implementing a new payroll/personnel system which includes document management functionality. In the future, payroll and personnel documents can be maintained electronically.

Introduced by: *Theresa Castello*
Seconded by: *E. Marco*

CITY OF HOBOKEN
RESOLUTION NO. _____

RESOLUTION SUPPORTING THE CONTINUED EXPLORATION AND DISCUSSION OF EARNED SICK LEAVE FOR NEW JERSEY EMPLOYEES BY THE NEW JERSEY STATE LEGISLATURE, BY WAY OF THE STATE OF NEW JERSEY BILL (NJ SL 216TH A2354/S785) REQUIRING CERTAIN EMPLOYERS TO PROVIDE EARNED SICK LEAVE

WHEREAS, during the 2014 Legislative Year, the State of New Jersey introduced, into both houses, legislation known as A2354/S785, which is a bill requiring certain employers to offer earned sick leave to employees; and,
WHEREAS, the City Council of the City of Hoboken wishes to express its support for continued discussion and exploration of the options for providing earned sick leave to employees working within the State of New Jersey; and,

WHEREAS, the City Council applauds the State Legislature's consideration of options for advancing earned sick leave for employees working within the State of New Jersey, and supports the State Legislature in its continued efforts to explore the options and come to a resolution of the issue through State Legislation.

NOW THEREFORE BE IT RESOLVED, the City Council of the City of Hoboken hereby expresses its support of the continued exploration and discussion of the options available relating to earned sick leave, and urges the State Legislature to continue to act on, discuss, and explore successful language for the 2014 legislation to require certain employers to provide earned sick leave to employees, via the legislation commonly known as A2354/S785; and,

BE IT FURTHER RESOLVED, the City Council of the City of Hoboken hereby directs that duly authenticated copies of this Resolution be immediately transmitted by the City Clerk to the legislative sponsors, Assemblypersons Raj Mukherji and Pamela Lampitt, and to the New Jersey State Assembly, through its Assembly Speaker, Vincent Prieto, and to Senators Loretta Weinberg and Richard Codey, and the New Jersey State Senate, through its Senate President, Stephen Sweeney.

Meeting date: November 17, 2014

APPROVED:

Quentin Wiest
Quentin Wiest
Business Administrator

APPROVED AS TO FORM:

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

AT A MEETING HELD ON: NOV 17 2014
A TRUE COPY OF A RESOLUTION ADOPTED BY THE COUNCIL OF THE CITY OF HOBOKEN, N.J.

Jennifer Sweeney
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				

Sick time bill in the New Jersey Assembly and the Senate

A2354 and S785.

A2354 Sponsors:

Lampitt, Pamela R. as Primary Sponsor
Mukherji, Raj as Primary Sponsor
Diegnan, Patrick J., Jr. as Co-Sponsor
Benson, Daniel R. as Co-Sponsor
Jasey, Mila M. as Co-Sponsor
Garcia, Carmelo G. as Co-Sponsor
Watson Coleman, Bonnie as Co-Sponsor

S785 Sponsors:

Weinberg, Loretta as Primary Sponsor
Codey, Richard J. as Co-Sponsor
Rice, Ronald L. as Co-Sponsor
Cunningham, Sandra B. as Co-Sponsor
Lesniak, Raymond J. as Co-Sponsor
Sarlo, Paul A. as Co-Sponsor

Overview: The bill is A2354 and its identical counter part in the senate is S785. The bill allows private- and public-sector employees to accrue one hour of sick leave for every 30 hours worked. Limits could be put on how much sick leave an employee would be allowed to carry forward from one year to the next — 40 hours, equal to five full days, at businesses with fewer than 10 employees, or 72 hours, equal to nine full days, at businesses with 10 or more workers.

The Assembly Labor Committee endorsed the proposal by a 6-3 vote October 27th, the first of a series of approvals that would be needed for the bill to be sent to Gov. Chris Christie. The vote was along party lines, with the committee's six Democrats in support and its three Republicans opposed. The bill is has been referred to Assembly Budget Committee. The Senate version of the bill was Introduced in the Senate on January 14, 2014 and is still in the Senate Labor Committee.

SENATE, No. 785

STATE OF NEW JERSEY
216th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2014 SESSION

Sponsored by:
Senator LORETTA WEINBERG
District 37 (Bergen)

Co-Sponsored by:
Senators Codey, Rice, Cunningham, Lesniak and Sarlo

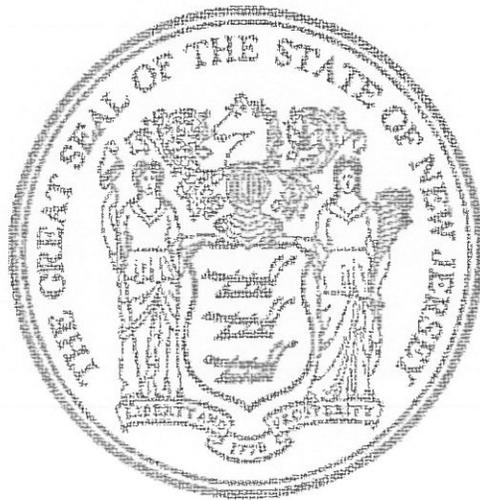
SYNOPSIS

Concerns earned sick leave.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel

*Introduced to
Senate Labor Comm. H.C.
on 1/14/2014*



(Sponsorship Updated As Of: 6/20/2014)

1 provide health care services, or any other person who has been
2 authorized to provide health care by a licensed health care
3 professional, including but not limited to doctors, nurses and
4 emergency room personnel.

5 "Parent" means a biological, adoptive, or foster parent,
6 stepparent, or legal guardian of an employee or of the employee's
7 spouse, domestic partner, or civil union partner, or a person who
8 stood in loco parentis of the employee or the employee's spouse,
9 domestic partner, or civil union partner when the employee, spouse
10 or partner was a minor child.

11 "Retaliatory personnel action" means denial of any right
12 guaranteed under this act and any threat, constructive discharge,
13 suspension, demotion, unfavorable reassignment, refusal to
14 promote, disciplinary action, sanction, or any other adverse action
15 against an employee.

16 "Sibling" means a biological, foster, or adopted sibling of an
17 employee.

18 "Small employer" means an employer who had, on average,
19 fewer than 10 employees during the preceding calendar year, or
20 during the current year if the employer had no employees during the
21 preceding calendar year. Periods of time in which the employer had
22 no employees shall not be considered in determining the average
23 number of employees. In determining whether an employer is a
24 small employer, the number of employees shall include all
25 individuals working for compensation on a full-time, part-time or
26 temporary basis, including individuals made available to work at a
27 workplace of the employer through a temporary help services firm.

28 "Spouse" means a husband or wife.

29

30 2. a. Each employer shall provide earned sick leave to each
31 employee working for the employer in the State. For every 30
32 hours worked, the employee shall accrue one hour of earned sick
33 leave. The employer shall not be required to permit the employee
34 to accrue at any one time, or carry forward from one year to the
35 next, more than 40 hours of earned sick leave if the employer is a
36 small employer, or more than 72 hours of earned sick leave if the
37 employer is not a small employer. Unless the employee has accrued
38 earned sick leave prior to January 1, 2014, the earned sick leave
39 shall begin to accrue on January 1, 2014 or on the 90th day after the
40 hiring of the employee if hired after January 1, 2014, unless the
41 employer agrees to an earlier date. The employee may use earned
42 sick leave as it is accrued.

43 b. An employer shall be in compliance with this section if the
44 employer offers any other fully paid leave that may be used for the
45 purposes of section 3 of this act in the manner provided by this act,
46 and is accrued at a rate equal to or greater than the rate described in
47 this section.

1 to schedule the use of earned sick leave in a manner that does not
2 unduly disrupt the operations of the employer. If the reason for the
3 leave is not foreseeable, an employer may require an employee to
4 give notice of the intention as soon as practicable. For earned sick
5 leave of three or more consecutive days, an employer may require
6 reasonable documentation that the leave is being taken for the
7 purpose permitted under subsection a. of this section. If the leave is
8 permitted under paragraph (1) or (2) of subsection a. of this section,
9 documentation signed by a health care professional who is treating
10 the employee or the family member of the employee indicating the
11 need for the leave and, if possible, number of days of leave, shall be
12 considered reasonable documentation. If the leave is permitted
13 under paragraph (3) of subsection a. of this section because of
14 domestic violence, any of the following shall be considered
15 reasonable documentation of the domestic violence: medical
16 documentation; a law enforcement agency record or report; a court
17 order; documentation that the perpetrator of the domestic violence
18 has been convicted of a domestic violence offense; certification
19 from a certified Domestic Violence Specialist or a representative of
20 a designated domestic violence agency or other victim services
21 organization; or other documentation or certification provided by a
22 social worker, counselor, member of the clergy, shelter worker,
23 health care professional, attorney, or other professional who has
24 assisted the employee or family member in dealing with the
25 domestic violence. If the leave is permitted under paragraph (4) of
26 subsection a. of this section, a copy of the order of the public
27 official or the determination by the health authority shall be
28 considered reasonable documentation. An employer who chooses
29 to require documentation for earned sick leave shall pay all out-of-
30 pocket expenses the employee incurs to obtain the documentation.

31 c. Nothing in this act shall be deemed to require an employer to
32 provide earned sick leave for an employee's leave for purposes
33 other than those identified in this section, or prohibit the employer
34 from taking disciplinary action against an employee who uses
35 earned sick leave for purposes other than those identified in this
36 section. Unless an employer policy or collective bargaining
37 agreement provides for the payment of accrued earned sick leave
38 upon termination, resignation, retirement or other separation from
39 employment, an employee shall not be entitled under this section to
40 payment of unused earned sick leave upon the separation from
41 employment.

42 d. Any information an employer possesses regarding the health
43 of an employee or any family member of the employee or domestic
44 violence affecting an employee or employee's family member shall
45 be treated as confidential and not disclosed except to the affected
46 employee or with the written permission of the affected employee.

1 access to those records to monitor compliance with the
2 requirements of this act. If an employee makes a claim that the
3 employer has failed to provide earned sick leave required by this act
4 and the employer has not maintained or retained adequate records
5 documenting hours worked by the employee and earned sick leave
6 taken by the employee or does not allow the department access to
7 the records, it shall be presumed that the employer has failed to
8 provide the earned sick leave, absent clear and convincing evidence
9 otherwise. In addition, the penalties provided by the "New Jersey
10 State Wage and Hour Law," P.L.1966, c.113 (C.34:11-56a et seq.)
11 for violations of the requirements of that act regarding the
12 maintaining and disclosure of records shall apply to violations of
13 the requirements of this section.
14

15 7. a. Employers shall provide notification, in a form issued by
16 the commissioner, to employees of their rights under this act,
17 including the amount of earned sick leave to which they are entitled
18 and the terms of its use, and remedies provided by this act to
19 employees if an employer fails to provide the required benefits or
20 retaliates against employees exercising their rights under this act.
21 Each covered employer shall conspicuously post the notification in
22 a place or places accessible to all employees in each of the
23 employer's workplaces. The employer shall also provide each
24 employee employed by the employer with a written copy of the
25 notification: not later than 30 days after the form of the notification
26 is issued; at the time of the employee's hiring, if the employee is
27 hired after the issuance; and at any time, when first requested by the
28 employee. The commissioner shall make the notifications available
29 in English, in Spanish, and any other language that the
30 commissioner determines is the first language of a significant
31 number of workers in the State and the employer shall use the
32 notification in English, Spanish or any other language for which the
33 commissioner has provided notifications and which is the first
34 language of a majority of the employer's workforce.

35 b. The commissioner shall advise any employee who files a
36 complaint pursuant to this section and is covered by a collective
37 bargaining agreement, that if the agreement provides for earned sick
38 leave, the employee may have a right to pursue a grievance under
39 the terms of the agreement.
40

41 8. a. This act provides minimum requirements pertaining to
42 earned sick leave and shall not be construed to preempt, limit, or
43 otherwise affect the applicability of any other federal, State or local
44 law, ordinance, regulation, requirement, policy, or standard that
45 provides rights or benefits to employees which are more favorable
46 to employees than those required by this act or which provide rights
47 or benefits to employees not covered by this act.

1 2. Time needed for the employee to care for a family member
2 during diagnosis, care, or treatment of, or recovery from, the family
3 member's mental or physical illness, injury or other adverse health
4 condition, or preventive medical care for the family member; or

5 3. Absence needed due to circumstances resulting from the
6 employee or a family member being a victim of domestic violence,
7 if the leave is to obtain medical attention, counseling, relocation,
8 legal or other services.

9 The bill prohibits retaliatory personnel actions against an
10 employee for the use or requested use of earned sick leave or for
11 filing of a complaint for an employer violation. The bill sets
12 requirements for record keeping and for notifying workers of their
13 rights under the bill. It provides for penalties and other remedies
14 for non-compliance with the requirements of the bill, based on the
15 penalties and remedies for non-compliance with the "New Jersey
16 State Wage and Hour Law," P.L.1966, c.113 (C.34:11-56a et seq.).

17 The bill specifies that it is intended to set minimum standards for
18 earned sick leave, but not to prevent any employer policies,
19 collective bargaining agreements or other laws or ordinances which
20 set higher standards.

ASSEMBLY, No. 2354

STATE OF NEW JERSEY

216th LEGISLATURE

INTRODUCED FEBRUARY 6, 2014

Sponsored by:

Assemblywoman PAMELA R. LAMPITT
District 6 (Burlington and Camden)
Assemblyman RAJ MUKHERJI
District 33 (Hudson)

Co-Sponsored by:

Assemblymen Diegnan, Benson, Assemblywoman Jasey, Assemblyman
Garcia and Assemblywoman Watson Coleman

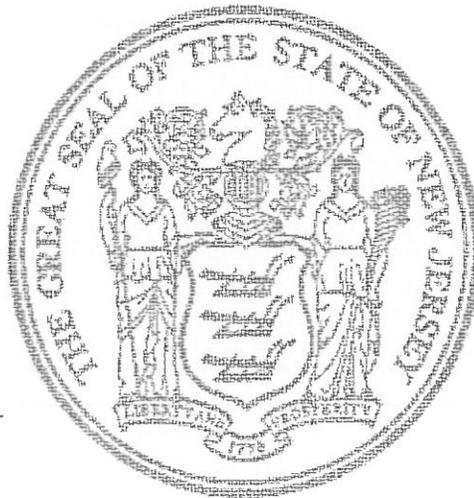
SYNOPSIS

Concerns earned sick leave.

CURRENT VERSION OF TEXT

As introduced.

Bill passed out
of Assembly
Labor Committee
now being referred
to Assembly Budget
Committee.



(Sponsorship Updated As Of: 10/28/2014)

1 authorized to provide health care by a licensed health care
2 professional, including but not limited to doctors, nurses and
3 emergency room personnel.

4 "Parent" means a biological, adoptive, or foster parent,
5 stepparent, or legal guardian of an employee or of the employee's
6 spouse, domestic partner, or civil union partner, or a person who
7 stood in loco parentis of the employee or the employee's spouse,
8 domestic partner, or civil union partner when the employee, spouse
9 or partner was a minor child.

10 "Retaliatory personnel action" means denial of any right
11 guaranteed under this act and any threat, constructive discharge,
12 suspension, demotion, unfavorable reassignment, refusal to
13 promote, disciplinary action, sanction, or any other adverse action
14 against an employee.

15 "Sibling" means a biological, foster, or adopted sibling of an
16 employee.

17 "Small employer" means an employer who had, on average,
18 fewer than 10 employees during the preceding calendar year, or
19 during the current year if the employer had no employees during the
20 preceding calendar year. Periods of time in which the employer had
21 no employees shall not be considered in determining the average
22 number of employees. In determining whether an employer is a
23 small employer, the number of employees shall include all
24 individuals working for compensation on a full-time, part-time or
25 temporary basis, including individuals made available to work at a
26 workplace of the employer through a temporary help services firm.

27 "Spouse" means a husband or wife.

28

29 2. a. Each employer shall provide earned sick leave to each
30 employee working for the employer in the State. For every 30
31 hours worked, the employee shall accrue one hour of earned sick
32 leave. The employer shall not be required to permit the employee
33 to accrue at any one time, or carry forward from one year to the
34 next, more than 40 hours of earned sick leave if the employer is a
35 small employer, or more than 72 hours of earned sick leave if the
36 employer is not a small employer. Unless the employee has accrued
37 earned sick leave prior to January 1, 2014, the earned sick leave
38 shall begin to accrue on January 1, 2014 or on the 90th day after the
39 hiring of the employee if hired after January 1, 2014, unless the
40 employer agrees to an earlier date. The employee may use earned
41 sick leave as it is accrued.

42 b. An employer shall be in compliance with this section if the
43 employer offers any other fully paid leave that may be used for the
44 purposes of section 3 of this act in the manner provided by this act,
45 and is accrued at a rate equal to or greater than the rate described in
46 this section.

47 c. The employer shall pay the employee for earned sick leave
48 at the same rate of pay with the same benefits as the employee

1 give notice of the intention as soon as practicable. For earned sick
2 leave of three or more consecutive days, an employer may require
3 reasonable documentation that the leave is being taken for the
4 purpose permitted under subsection a. of this section. If the leave is
5 permitted under paragraph (1) or (2) of subsection a. of this section,
6 documentation signed by a health care professional who is treating
7 the employee or the family member of the employee indicating the
8 need for the leave and, if possible, number of days of leave, shall be
9 considered reasonable documentation. If the leave is permitted
10 under paragraph (3) of subsection a. of this section because of
11 domestic violence, any of the following shall be considered
12 reasonable documentation of the domestic violence: medical
13 documentation; a law enforcement agency record or report; a court
14 order; documentation that the perpetrator of the domestic violence
15 has been convicted of a domestic violence offense; certification
16 from a certified Domestic Violence Specialist or a representative of
17 a designated domestic violence agency or other victim services
18 organization; or other documentation or certification provided by a
19 social worker, counselor, member of the clergy, shelter worker,
20 health care professional, attorney, or other professional who has
21 assisted the employee or family member in dealing with the
22 domestic violence. If the leave is permitted under paragraph (4) of
23 subsection a. of this section, a copy of the order of the public
24 official or the determination by the health authority shall be
25 considered reasonable documentation. An employer who chooses
26 to require documentation for earned sick leave shall pay all out-of-
27 pocket expenses the employee incurs to obtain the documentation.

28 c. Nothing in this act shall be deemed to require an employer to
29 provide earned sick leave for an employee's leave for purposes
30 other than those identified in this section, or prohibit the employer
31 from taking disciplinary action against an employee who uses
32 earned sick leave for purposes other than those identified in this
33 section. Unless an employer policy or collective bargaining
34 agreement provides for the payment of accrued earned sick leave
35 upon termination, resignation, retirement or other separation from
36 employment, an employee shall not be entitled under this section to
37 payment of unused earned sick leave upon the separation from
38 employment.

39 d. Any information an employer possesses regarding the health
40 of an employee or any family member of the employee or domestic
41 violence affecting an employee or employee's family member shall
42 be treated as confidential and not disclosed except to the affected
43 employee or with the written permission of the affected employee.
44

45 4. a. No employer shall take retaliatory personnel action or
46 discriminate against an employee because the employee requests or
47 uses earned sick leave either in accordance with this act or the
48 employer's own earned sick leave policy, as the case may be, or

1 taken by the employee or does not allow the department access to
2 the records, it shall be presumed that the employer has failed to
3 provide the earned sick leave, absent clear and convincing evidence
4 otherwise. In addition, the penalties provided by the "New Jersey
5 State Wage and Hour Law," P.L.1966, c.113 (C.34:11-56a et seq.)
6 for violations of the requirements of that act regarding the
7 maintaining and disclosure of records shall apply to violations of
8 the requirements of this section.

9
10 7. a. Employers shall provide notification, in a form issued by
11 the commissioner, to employees of their rights under this act,
12 including the amount of earned sick leave to which they are entitled
13 and the terms of its use, and remedies provided by this act to
14 employees if an employer fails to provide the required benefits or
15 retaliates against employees exercising their rights under this act.
16 Each covered employer shall conspicuously post the notification in
17 a place or places accessible to all employees in each of the
18 employer's workplaces. The employer shall also provide each
19 employee employed by the employer with a written copy of the
20 notification: not later than 30 days after the form of the notification
21 is issued; at the time of the employee's hiring, if the employee is
22 hired after the issuance; and at any time, when first requested by the
23 employee. The commissioner shall make the notifications available
24 in English, in Spanish, and any other language that the
25 commissioner determines is the first language of a significant
26 number of workers in the State and the employer shall use the
27 notification in English, Spanish or any other language for which the
28 commissioner has provided notifications and which is the first
29 language of a majority of the employer's workforce.

30 b. The commissioner shall advise any employee who files a
31 complaint pursuant to this section and is covered by a collective
32 bargaining agreement, that if the agreement provides for earned sick
33 leave, the employee may have a right to pursue a grievance under
34 the terms of the agreement.

35
36 8. a. This act provides minimum requirements pertaining to
37 earned sick leave and shall not be construed to preempt, limit, or
38 otherwise affect the applicability of any other federal, State or local
39 law, ordinance, regulation, requirement, policy, or standard that
40 provides rights or benefits to employees which are more favorable
41 to employees than those required by this act or which provide rights
42 or benefits to employees not covered by this act.

43 b. No provision of this act, or any regulations promulgated to
44 implement or enforce this act, shall be construed as:

45 (1) Requiring an employer to reduce, or justifying an employer
46 in reducing, rights or benefits provided by the employer pursuant to
47 an employer policy or collective bargaining agreement which are
48 more favorable to employees than those required by this act or

1 The bill prohibits retaliatory personnel actions against an
2 employee for the use or requested use of earned sick leave or for
3 filing of a complaint for an employer violation. The bill sets
4 requirements for record keeping and for notifying workers of their
5 rights under the bill. It provides for penalties and other remedies
6 for non-compliance with the requirements of the bill, based on the
7 penalties and remedies for non-compliance with the "New Jersey
8 State Wage and Hour Law," P.L.1966, c.113 (C.34:11-56a et seq.).

9 The bill specifies that it is intended to set minimum standards for
10 earned sick leave, but not to prevent any employer policies,
11 collective bargaining agreements or other laws or ordinances which
12 set higher standards.

Introduced by: Dan B...
Seconded by: Peter...

CITY OF HOBOKEN, COUNTY OF HUDSON, NEW JERSEY

RESOLUTION _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOBOKEN, COUNTY OF HUDSON, NEW JERSEY, AUTHORIZING AND APPROVING THE CITY'S UNDERTAKING OF A CONTINUING DISCLOSURE REVIEW AND, IF DEEMED NECESSARY OR REQUIRED, PARTICIPATION IN THE MUNICIPALITIES CONTINUING DISCLOSURE COOPERATION INITIATIVE OF THE SECURITIES AND EXCHANGE COMMISSION; AND AUTHORIZING AND APPROVING CERTAIN ACTIONS IN CONNECTION WITH THE FOREGOING

WHEREAS, the City of Hoboken, County of Hudson, New Jersey ("City") has previously issued to the public various series of bonds and bond anticipation notes ("Obligations"), including Obligations issued by the City in the past five (5) years; and

WHEREAS, in connection with the issuance of certain of such Obligations, the City agreed, pursuant to Rule 15c2-12 ("Rule") of the Securities and Exchange Commission ("SEC"), to provide certain continuing disclosure information regarding the City on an annual basis to the former Nationally Recognized Municipal Securities Information Repositories (pre-2009) and to the Municipal Securities Rulemaking Board's Electronic Municipal Market Access system (2009-present) (otherwise known as "EMMA"), including, but not limited to, audited financial statements, certain financial information and operating data, certain notices of ratings changes and certain other events; and

WHEREAS, the SEC has recently focused its attention on what it believes is a widespread failure of local government issuers across the nation to meet their continuing disclosure obligations and, in particular, possible misrepresentations made by such local government issuers in the official statements utilized to sell municipal securities regarding past compliance with those continuing disclosure obligations; and

WHEREAS, in an effort to remedy these perceived issues, the SEC has implemented the Municipalities Continuing Disclosure Cooperation Initiative ("MCDC Initiative"), a program currently scheduled to end for issuers at 12:00 a.m. on December 1, 2014, which encourages issuers of municipal securities, including the City, to self-report possible material misstatements

or omissions made in the past five (5) years in an official statement or statements regarding compliance with prior continuing disclosure obligations; and

WHEREAS, by participating in the MCDC Initiative, issuers agree, among other things, to accept certain non-monetary penalties in lieu of unknown, and, by all accounts, hefty monetary and non-monetary penalties that the SEC has threatened on issuers that do not participate in the MCDC Initiative, should the SEC determine that an issuer has made material misstatements in an official statement or statement regarding compliance with prior continuing disclosure obligations; and

WHEREAS, by participating in the MCDC Initiative, issuers agree to accept the following penalties, if imposed by the SEC: (i) compliance with a cease and desist order in which the issuer neither admits nor denies the findings of the SEC; (ii) implementation of policies, procedures and training regarding continuing disclosure obligations; (iii) compliance with all existing continuing disclosure undertakings; (iv) cooperation with any further SEC investigation; (v) disclosure of settlement terms in any final official statement issued within five years of the date of institution of the proceedings; and (vi) production to the SEC of a compliance certificate regarding the applicable undertakings on the one year anniversary of the proceedings; and

WHEREAS, on July 23, 2014 the New Jersey Department of Community Affairs, Division of Local Government Services ("DLGS"), issued Local Finance Notice 2014-9 ("Notice") warning local government officials of possible consequences for failing to identify past noncompliance with continuing disclosure requirements and encouraging such issuers to determine whether to take advantage of the MCDC Initiative; and

WHEREAS, as part of the Notice, the DLGS strongly recommended that local government officials proactively take steps to self-identify their own levels of compliance with their continuing disclosure undertakings and to consult with their public finance professionals in order to determine whether it would be advisable to participate in the MCDC Initiative; and

WHEREAS, based upon the directive of the Notice and in order to fully analyze whether it would be necessary or advisable for the City to participate in the MCDC Initiative, the City previously engaged the services of Acacia Financial Group, Inc. in order to undertake a disclosure review on behalf of the City which: (i) summarized the results of the City's prior compliance with its secondary market continuing disclosure obligations; and (ii) compared those results to the statements made by the City in the last five (5) years in its official statement or statements regarding past compliance with continuing disclosure obligations ("Disclosure Review"); and

WHEREAS, based on the results of the Disclosure Review, and weighing heavily the known non-monetary penalties that may come through the City's participation in the MCDC Initiative versus the unknown, and, by all accounts, hefty monetary and non-monetary penalties the SEC has threatened on issuers that do not self-report, the City is now desirous authorizing and approving the City's participation in the MCDC Initiative and of delegating to the Chief Financial Officer, the Business Administrator, and the Finance Director, in consultation with the

City's corporate counsel, bond counsel, auditor and other finance professionals, the authority to prepare and submit all documentation required to enter the City's bond and note issues into the MCDC Initiative, as deemed necessary or required.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HOBOKEN, COUNTY OF HUDSON, NEW JERSEY, AS FOLLOWS:

Section 1. The City hereby ratifies and confirms the undertaking and completion of the Disclosure Review.

Section 2. After consultation with the City's corporate counsel, bond counsel, auditor, and other finance professionals, to the extent that the Disclosure Review has revealed that the City may have made materially inaccurate statements in its bond and note official statement or statements relating to prior compliance with continuing disclosure obligations pursuant to the Rule in connection with its Obligations issued during the prior five (5) year period, the City hereby authorizes and approves its participation in the MCDC Initiative.

Section 3. The Chief Financial Officer, the Business Administrator, and the Finance Director are hereby authorized to execute and deliver any and all documents and instruments, including, but not limited to, the Municipalities Continuing Disclosure Cooperation Initiative Questionnaire for Self-Reporting Entities contained in the MCDC Initiative, and to do and cause to be done any and all acts and things necessary or proper for participating in the MCDC Initiative and all related transactions contemplated by this Resolution.

Section 4. Any action taken by the Chief Financial Officer, the Business Administrator, and the Finance Director or any other officer or employee of the City, with respect to the Disclosure Review and the City's consideration of or participation in the MCDC Initiative is hereby ratified and confirmed.

Section 5. This Resolution shall take effect immediately upon adoption.

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	✓			

Reviewed By:

Quentin Wiest

Quentin Wiest
Business Administrator

Approved as to Form:

Melissa Longo

Melissa Longo
Corporation Counsel

Date of Meeting: November 17, 2014

The foregoing is a true copy of the Resolution adopted by the City Council of the City of Hoboken, County of Hudson, New Jersey, at a meeting thereof duly called and held on November 17, 2014.

[Signature]

A TRUE COPY OF A RESOLUTION ADOPTED BY
THE COUNCIL OF THE CITY OF HOBOKEN, N.J.
AT A MEETING HELD ON: NOV 17 2014

James J. Sarina
CITY CLERK

Introduced by: *Theresa Castellano*
Seconded by: *James Sweeney*

CITY OF HOBOKEN
RESOLUTION NO. _____

RESOLUTION SUPPORTING THE CONTINUED EXPLORATION AND DISCUSSION OF EARNED SICK LEAVE FOR NEW JERSEY EMPLOYEES BY THE NEW JERSEY STATE LEGISLATURE, BY WAY OF THE STATE OF NEW JERSEY BILL (NJ SL 216TH A2354/S785) REQUIRING CERTAIN EMPLOYERS TO PROVIDE EARNED SICK LEAVE

WHEREAS, during the 2014 Legislative Year, the State of New Jersey introduced, into both houses, legislation known as A2354/S785, which is a bill requiring certain employers to offer earned sick leave to employees; and, WHEREAS, the City Council of the City of Hoboken wishes to express its support for continued discussion and exploration of the options for providing earned sick leave to employees working within the State of New Jersey; and,

WHEREAS, the City Council applauds the State Legislature's consideration of options for advancing earned sick leave for employees working within the State of New Jersey, and supports the State Legislature in its continued efforts to explore the options and come to a resolution of the issue through State Legislation.

NOW THEREFORE BE IT RESOLVED, the City Council of the City of Hoboken hereby expresses its support of the continued exploration and discussion of the options available relating to earned sick leave, and urges the State Legislature to continue to act on, discuss, and explore successful language for the 2014 legislation to require certain employers to provide earned sick leave to employees, via the legislation commonly known as A2354/S785; and,

BE IT FURTHER RESOLVED, the City Council of the City of Hoboken hereby directs that duly authenticated copies of this Resolution be immediately transmitted by the City Clerk to the legislative sponsors, Assemblypersons Raj Mukherji and Pamela Lampitt, and to the New Jersey State Assembly, through its Assembly Speaker, Vincent Prieto, and to Senators Loretta Weinberg and Richard Codey, and the New Jersey State Senate, through its Senate President, Stephen Sweeney.

Meeting date: November 17, 2014

APPROVED:

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	✓	✓		
President Jen Giattino				

CITY CLERK

AT A MEETING HELD ON: *Nov 17 2014*
A TRUE COPY OF A RESOLUTION ADOPTED BY THE COUNCIL OF THE CITY OF HOBOKEN, N.J.

Sick time bill in the New Jersey Assembly and the Senate

A2354 and S785.

A2354 Sponsors:

Lampitt, Pamela R. as Primary Sponsor
Mukherji, Raj as Primary Sponsor
Diegnan, Patrick J., Jr. as Co-Sponsor
Benson, Daniel R. as Co-Sponsor
Jasey, Mila M. as Co-Sponsor
Garcia, Carmelo G. as Co-Sponsor
Watson Coleman, Bonnie as Co-Sponsor

S785 Sponsors:

Weinberg, Loretta as Primary Sponsor
Codey, Richard J. as Co-Sponsor
Rice, Ronald L. as Co-Sponsor
Cunningham, Sandra B. as Co-Sponsor
Lesniak, Raymond J. as Co-Sponsor
Sarlo, Paul A. as Co-Sponsor

Overview: The bill is A2354 and its identical counter part in the senate is S785. The bill allows private- and public-sector employees to accrue one hour of sick leave for every 30 hours worked. Limits could be put on how much sick leave an employee would be allowed to carry forward from one year to the next — 40 hours, equal to five full days, at businesses with fewer than 10 employees, or 72 hours, equal to nine full days, at businesses with 10 or more workers.

The Assembly Labor Committee endorsed the proposal by a 6-3 vote October 27th, the first of a series of approvals that would be needed for the bill to be sent to Gov. Chris Christie. The vote was along party lines, with the committee's six Democrats in support and its three Republicans opposed. The bill is has been referred to Assembly Budget Committee. The Senate version of the bill was Introduced in the Senate on January 14, 2014 and is still in the Senate Labor Committee.

SENATE, No. 785

STATE OF NEW JERSEY
216th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2014 SESSION

Sponsored by:
Senator LORETTA WEINBERG
District 37 (Bergen)

Co-Sponsored by:
Senators Codey, Rice, Cunningham, Lesniak and Sarlo

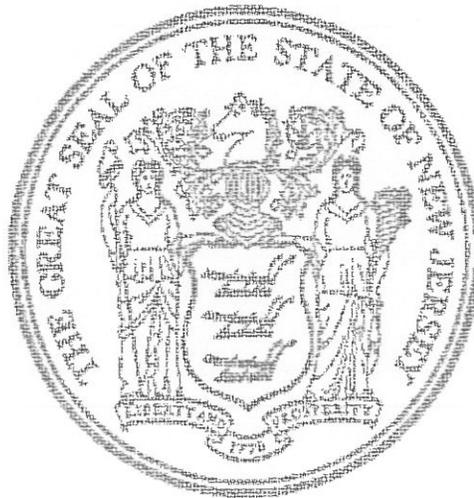
SYNOPSIS

Concerns earned sick leave.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel

*Introduced to
Senate Labor Comm. H.C.
on 1/14/2014*



(Sponsorship Updated As Of: 6/20/2014)

1 provide health care services, or any other person who has been
2 authorized to provide health care by a licensed health care
3 professional, including but not limited to doctors, nurses and
4 emergency room personnel.

5 "Parent" means a biological, adoptive, or foster parent,
6 stepparent, or legal guardian of an employee or of the employee's
7 spouse, domestic partner, or civil union partner, or a person who
8 stood in loco parentis of the employee or the employee's spouse,
9 domestic partner, or civil union partner when the employee, spouse
10 or partner was a minor child.

11 "Retaliatory personnel action" means denial of any right
12 guaranteed under this act and any threat, constructive discharge,
13 suspension, demotion, unfavorable reassignment, refusal to
14 promote, disciplinary action, sanction, or any other adverse action
15 against an employee.

16 "Sibling" means a biological, foster, or adopted sibling of an
17 employee.

18 "Small employer" means an employer who had, on average,
19 fewer than 10 employees during the preceding calendar year, or
20 during the current year if the employer had no employees during the
21 preceding calendar year. Periods of time in which the employer had
22 no employees shall not be considered in determining the average
23 number of employees. In determining whether an employer is a
24 small employer, the number of employees shall include all
25 individuals working for compensation on a full-time, part-time or
26 temporary basis, including individuals made available to work at a
27 workplace of the employer through a temporary help services firm.

28 "Spouse" means a husband or wife.

29

30 2. a. Each employer shall provide earned sick leave to each
31 employee working for the employer in the State. For every 30
32 hours worked, the employee shall accrue one hour of earned sick
33 leave. The employer shall not be required to permit the employee
34 to accrue at any one time, or carry forward from one year to the
35 next, more than 40 hours of earned sick leave if the employer is a
36 small employer, or more than 72 hours of earned sick leave if the
37 employer is not a small employer. Unless the employee has accrued
38 earned sick leave prior to January 1, 2014, the earned sick leave
39 shall begin to accrue on January 1, 2014 or on the 90th day after the
40 hiring of the employee if hired after January 1, 2014, unless the
41 employer agrees to an earlier date. The employee may use earned
42 sick leave as it is accrued.

43 b. An employer shall be in compliance with this section if the
44 employer offers any other fully paid leave that may be used for the
45 purposes of section 3 of this act in the manner provided by this act,
46 and is accrued at a rate equal to or greater than the rate described in
47 this section.

1 to schedule the use of earned sick leave in a manner that does not
2 unduly disrupt the operations of the employer. If the reason for the
3 leave is not foreseeable, an employer may require an employee to
4 give notice of the intention as soon as practicable. For earned sick
5 leave of three or more consecutive days, an employer may require
6 reasonable documentation that the leave is being taken for the
7 purpose permitted under subsection a. of this section. If the leave is
8 permitted under paragraph (1) or (2) of subsection a. of this section,
9 documentation signed by a health care professional who is treating
10 the employee or the family member of the employee indicating the
11 need for the leave and, if possible, number of days of leave, shall be
12 considered reasonable documentation. If the leave is permitted
13 under paragraph (3) of subsection a. of this section because of
14 domestic violence, any of the following shall be considered
15 reasonable documentation of the domestic violence: medical
16 documentation; a law enforcement agency record or report; a court
17 order; documentation that the perpetrator of the domestic violence
18 has been convicted of a domestic violence offense; certification
19 from a certified Domestic Violence Specialist or a representative of
20 a designated domestic violence agency or other victim services
21 organization; or other documentation or certification provided by a
22 social worker, counselor, member of the clergy, shelter worker,
23 health care professional, attorney, or other professional who has
24 assisted the employee or family member in dealing with the
25 domestic violence. If the leave is permitted under paragraph (4) of
26 subsection a. of this section, a copy of the order of the public
27 official or the determination by the health authority shall be
28 considered reasonable documentation. An employer who chooses
29 to require documentation for earned sick leave shall pay all out-of-
30 pocket expenses the employee incurs to obtain the documentation.

31 c. Nothing in this act shall be deemed to require an employer to
32 provide earned sick leave for an employee's leave for purposes
33 other than those identified in this section, or prohibit the employer
34 from taking disciplinary action against an employee who uses
35 earned sick leave for purposes other than those identified in this
36 section. Unless an employer policy or collective bargaining
37 agreement provides for the payment of accrued earned sick leave
38 upon termination, resignation, retirement or other separation from
39 employment, an employee shall not be entitled under this section to
40 payment of unused earned sick leave upon the separation from
41 employment.

42 d. Any information an employer possesses regarding the health
43 of an employee or any family member of the employee or domestic
44 violence affecting an employee or employee's family member shall
45 be treated as confidential and not disclosed except to the affected
46 employee or with the written permission of the affected employee.

1 access to those records to monitor compliance with the
2 requirements of this act. If an employee makes a claim that the
3 employer has failed to provide earned sick leave required by this act
4 and the employer has not maintained or retained adequate records
5 documenting hours worked by the employee and earned sick leave
6 taken by the employee or does not allow the department access to
7 the records, it shall be presumed that the employer has failed to
8 provide the earned sick leave, absent clear and convincing evidence
9 otherwise. In addition, the penalties provided by the "New Jersey
10 State Wage and Hour Law," P.L.1966, c.113 (C.34:11-56a et seq.)
11 for violations of the requirements of that act regarding the
12 maintaining and disclosure of records shall apply to violations of
13 the requirements of this section.

14

15 7. a. Employers shall provide notification, in a form issued by
16 the commissioner, to employees of their rights under this act,
17 including the amount of earned sick leave to which they are entitled
18 and the terms of its use, and remedies provided by this act to
19 employees if an employer fails to provide the required benefits or
20 retaliates against employees exercising their rights under this act.
21 Each covered employer shall conspicuously post the notification in
22 a place or places accessible to all employees in each of the
23 employer's workplaces. The employer shall also provide each
24 employee employed by the employer with a written copy of the
25 notification: not later than 30 days after the form of the notification
26 is issued; at the time of the employee's hiring, if the employee is
27 hired after the issuance; and at any time, when first requested by the
28 employee. The commissioner shall make the notifications available
29 in English, in Spanish, and any other language that the
30 commissioner determines is the first language of a significant
31 number of workers in the State and the employer shall use the
32 notification in English, Spanish or any other language for which the
33 commissioner has provided notifications and which is the first
34 language of a majority of the employer's workforce.

35

36 b. The commissioner shall advise any employee who files a
37 complaint pursuant to this section and is covered by a collective
38 bargaining agreement, that if the agreement provides for earned sick
39 leave, the employee may have a right to pursue a grievance under
40 the terms of the agreement.

40

41 8. a. This act provides minimum requirements pertaining to
42 earned sick leave and shall not be construed to preempt, limit, or
43 otherwise affect the applicability of any other federal, State or local
44 law, ordinance, regulation, requirement, policy, or standard that
45 provides rights or benefits to employees which are more favorable
46 to employees than those required by this act or which provide rights
47 or benefits to employees not covered by this act.

S785 WEINBERG

9

1 2. Time needed for the employee to care for a family member
2 during diagnosis, care, or treatment of, or recovery from, the family
3 member's mental or physical illness, injury or other adverse health
4 condition, or preventive medical care for the family member; or

5 3. Absence needed due to circumstances resulting from the
6 employee or a family member being a victim of domestic violence,
7 if the leave is to obtain medical attention, counseling, relocation,
8 legal or other services.

9 The bill prohibits retaliatory personnel actions against an
10 employee for the use or requested use of earned sick leave or for
11 filing of a complaint for an employer violation. The bill sets
12 requirements for record keeping and for notifying workers of their
13 rights under the bill. It provides for penalties and other remedies
14 for non-compliance with the requirements of the bill, based on the
15 penalties and remedies for non-compliance with the "New Jersey
16 State Wage and Hour Law," P.L.1966, c.113 (C.34:11-56a et seq.).

17 The bill specifies that it is intended to set minimum standards for
18 earned sick leave, but not to prevent any employer policies,
19 collective bargaining agreements or other laws or ordinances which
20 set higher standards.

ASSEMBLY, No. 2354

STATE OF NEW JERSEY

216th LEGISLATURE

INTRODUCED FEBRUARY 6, 2014

Sponsored by:

Assemblywoman PAMELA R. LAMPITT

District 6 (Burlington and Camden)

Assemblyman RAJ MUKHERJI

District 33 (Hudson)

Co-Sponsored by:

Assemblymen Diegnan, Benson, Assemblywoman Jasey, Assemblyman

Garcia and Assemblywoman Watson Coleman

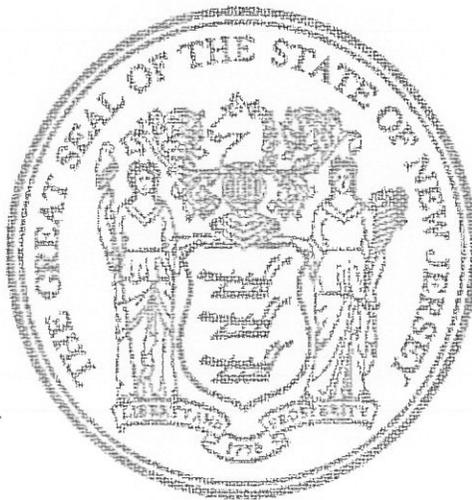
SYNOPSIS

Concerns earned sick leave.

CURRENT VERSION OF TEXT

As introduced.

Bill passed out
of Assembly
Labor Committee
now being referred
to Assembly Budget
Committee.



(Sponsorship Updated As Of: 10/28/2014)

1 authorized to provide health care by a licensed health care
2 professional, including but not limited to doctors, nurses and
3 emergency room personnel.

4 "Parent" means a biological, adoptive, or foster parent,
5 stepparent, or legal guardian of an employee or of the employee's
6 spouse, domestic partner, or civil union partner, or a person who
7 stood in loco parentis of the employee or the employee's spouse,
8 domestic partner, or civil union partner when the employee, spouse
9 or partner was a minor child.

10 "Retaliatory personnel action" means denial of any right
11 guaranteed under this act and any threat, constructive discharge,
12 suspension, demotion, unfavorable reassignment, refusal to
13 promote, disciplinary action, sanction, or any other adverse action
14 against an employee.

15 "Sibling" means a biological, foster, or adopted sibling of an
16 employee.

17 "Small employer" means an employer who had, on average,
18 fewer than 10 employees during the preceding calendar year, or
19 during the current year if the employer had no employees during the
20 preceding calendar year. Periods of time in which the employer had
21 no employees shall not be considered in determining the average
22 number of employees. In determining whether an employer is a
23 small employer, the number of employees shall include all
24 individuals working for compensation on a full-time, part-time or
25 temporary basis, including individuals made available to work at a
26 workplace of the employer through a temporary help services firm.

27 "Spouse" means a husband or wife.

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30 employee working for the employer in the State. For every 30
31 hours worked, the employee shall accrue one hour of earned sick
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34 next, more than 40 hours of earned sick leave if the employer is a
35 small employer, or more than 72 hours of earned sick leave if the
36 employer is not a small employer. Unless the employee has accrued
37 earned sick leave prior to January 1, 2014, the earned sick leave
38 shall begin to accrue on January 1, 2014 or on the 90th day after the
39 hiring of the employee if hired after January 1, 2014, unless the
40 employer agrees to an earlier date. The employee may use earned
41 sick leave as it is accrued.

42 b. An employer shall be in compliance with this section if the
43 employer offers any other fully paid leave that may be used for the
44 purposes of section 3 of this act in the manner provided by this act,
45 and is accrued at a rate equal to or greater than the rate described in
46 this section.

47 c. The employer shall pay the employee for earned sick leave
48 at the same rate of pay with the same benefits as the employee

1 give notice of the intention as soon as practicable. For earned sick
2 leave of three or more consecutive days, an employer may require
3 reasonable documentation that the leave is being taken for the
4 purpose permitted under subsection a. of this section. If the leave is
5 permitted under paragraph (1) or (2) of subsection a. of this section,
6 documentation signed by a health care professional who is treating
7 the employee or the family member of the employee indicating the
8 need for the leave and, if possible, number of days of leave, shall be
9 considered reasonable documentation. If the leave is permitted
10 under paragraph (3) of subsection a. of this section because of
11 domestic violence, any of the following shall be considered
12 reasonable documentation of the domestic violence: medical
13 documentation; a law enforcement agency record or report; a court
14 order; documentation that the perpetrator of the domestic violence
15 has been convicted of a domestic violence offense; certification
16 from a certified Domestic Violence Specialist or a representative of
17 a designated domestic violence agency or other victim services
18 organization; or other documentation or certification provided by a
19 social worker, counselor, member of the clergy, shelter worker,
20 health care professional, attorney, or other professional who has
21 assisted the employee or family member in dealing with the
22 domestic violence. If the leave is permitted under paragraph (4)
23 subsection a. of this section, a copy of the order of the public
24 official or the determination by the health authority shall be
25 considered reasonable documentation. An employer who chooses
26 to require documentation for earned sick leave shall pay all out-of-
27 pocket expenses the employee incurs to obtain the documentation.

28 c. Nothing in this act shall be deemed to require an employer to
29 provide earned sick leave for an employee's leave for purposes
30 other than those identified in this section, or prohibit the employer
31 from taking disciplinary action against an employee who uses
32 earned sick leave for purposes other than those identified in this
33 section. Unless an employer policy or collective bargaining
34 agreement provides for the payment of accrued earned sick leave
35 upon termination, resignation, retirement or other separation from
36 employment, an employee shall not be entitled under this section to
37 payment of unused earned sick leave upon the separation from
38 employment.

39 d. Any information an employer possesses regarding the health
40 of an employee or any family member of the employee or domestic
41 violence affecting an employee or employee's family member shall
42 be treated as confidential and not disclosed except to the affected
43 employee or with the written permission of the affected employee.
44

45 4. a. No employer shall take retaliatory personnel action or
46 discriminate against an employee because the employee requests or
47 uses earned sick leave either in accordance with this act or the
48 employer's own earned sick leave policy, as the case may be, or

1 taken by the employee or does not allow the department access to
2 the records, it shall be presumed that the employer has failed to
3 provide the earned sick leave, absent clear and convincing evidence
4 otherwise. In addition, the penalties provided by the "New Jersey
5 State Wage and Hour Law," P.L.1966, c.113 (C.34:11-56a et seq.)
6 for violations of the requirements of that act regarding the
7 maintaining and disclosure of records shall apply to violations of
8 the requirements of this section.

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12 including the amount of earned sick leave to which they are entitled
13 and the terms of its use, and remedies provided by this act to
14 employees if an employer fails to provide the required benefits or
15 retaliates against employees exercising their rights under this act.
16 Each covered employer shall conspicuously post the notification in
17 a place or places accessible to all employees in each of the
18 employer's workplaces. The employer shall also provide each
19 employee employed by the employer with a written copy of the
20 notification: not later than 30 days after the form of the notification
21 is issued; at the time of the employee's hiring, if the employee is
22 hired after the issuance; and at any time, when first requested by the
23 employee. The commissioner shall make the notifications available
24 in English, in Spanish, and any other language that the
25 commissioner determines is the first language of a significant
26 number of workers in the State and the employer shall use the
27 notification in English, Spanish or any other language for which the
28 commissioner has provided notifications and which is the first
29 language of a majority of the employer's workforce.

30 b. The commissioner shall advise any employee who files a
31 complaint pursuant to this section and is covered by a collective
32 bargaining agreement, that if the agreement provides for earned sick
33 leave, the employee may have a right to pursue a grievance under
34 the terms of the agreement.

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36 8. a. This act provides minimum requirements pertaining to
37 earned sick leave and shall not be construed to preempt, limit, or
38 otherwise affect the applicability of any other federal, State or local
39 law, ordinance, regulation, requirement, policy, or standard that
40 provides rights or benefits to employees which are more favorable
41 to employees than those required by this act or which provide rights
42 or benefits to employees not covered by this act.

43 b. No provision of this act, or any regulations promulgated to
44 implement or enforce this act, shall be construed as:

45 (1) Requiring an employer to reduce, or justifying an employer
46 in reducing, rights or benefits provided by the employer pursuant to
47 an employer policy or collective bargaining agreement which are
48 more favorable to employees than those required by this act or

1 The bill prohibits retaliatory personnel actions against an
2 employee for the use or requested use of earned sick leave or for
3 filing of a complaint for an employer violation. The bill sets
4 requirements for record keeping and for notifying workers of their
5 rights under the bill. It provides for penalties and other remedies
6 for non-compliance with the requirements of the bill, based on the
7 penalties and remedies for non-compliance with the "New Jersey
8 State Wage and Hour Law," P.L.1966, c.113 (C.34:11-56a et seq.).

9 The bill specifies that it is intended to set minimum standards for
10 earned sick leave, but not to prevent any employer policies,
11 collective bargaining agreements or other laws or ordinances which
12 set higher standards.

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

INTRODUCED BY: *Don Rubin*
SECONDED BY: *Peter Cunningham*

James J. Sarena
CITY COUNCIL OF THE CITY OF HOBOKEN
RESOLUTION NO.: _____

**APPOINTING MICHAEL BLUMENFELD AS BOARD MEMBER TO THE
HOBOKEN ALCOHOL BEVERAGE CONTROL BOARD FOR A THREE
YEAR TERM TO EXPIRE ON JUNE 30, 2017**

WHEREAS, N.J.S.A. 33:1-1 et seq., and Chapter 9 of the Code of the City of Hoboken establishes the City's Alcohol Beverage Control Board; and

WHEREAS, N.J.S.A. 33:1-5 and Section 9-2 of the Code of the City of Hoboken provide for appointment of Hoboken Alcohol Beverage Control Board Members by the Mayor, subject to Governing Body advice and consent; and

WHEREAS, the term of Commissioner Michael Blumenfeld expired on June 30, 2014, and the Mayor wishes to appoint Michael Blumenfeld for the remainder of the three (3) year term which began July 1, 2014 and expires on June 30, 2017; and

WHEREAS, the Governing Body consents to the Mayor's appointment of Michael Blumenfeld as Alcohol Beverage Control Board Commissioner.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Hoboken hereby consents to and authorizes the appointment of Michael Blumenfeld as a Hoboken Alcohol Beverage Control Board Member, for the remainder of the term beginning July 1, 2014 and expiring June 30, 2017, pursuant to §9-2 of the Code of the City of Hoboken and N.J.S.A. 33:1-5; and

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Hoboken Alcohol Beverage Control Board Secretary expeditiously.

Reviewed:
Quentin Wiest
Quentin Wiest
Business Administrator

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

Meeting Date: November 17, 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: Paul R. ...
 Seconded by: Peter H. Cunningham

CITY OF HOBOKEN
 RESOLUTION #: _____

RESOLUTION AUTHORIZING THE SALE OF SURPLUS PROPERTY NO LONGER NEEDED FOR PUBLIC USE
 ON www.GOVDEALS.com. (AN ONLINE AUCTION WEBSITE)

Whereas, the City of Hoboken has determined there is no longer a public need for the following surplus items, and that said surplus items include but not limited to: City owned vehicles and other miscellaneous equipment; and

Whereas, the State of New Jersey permits the sale of surplus property no longer needed for public use through the use of an online auction service, pursuant to the Local Unit Electronic Technology Pilot Program and Study Act, P.L. 2001, c.30; and

Whereas, the City of Hoboken has the property listed in Schedule A, attached to this Resolution and desires to sell this property online through www.govdeals.com.

NOW, THEREFORE. BE IT RESOLVED. that the City Council hereby authorizes the Administration to post an offer to sell each of the items listed on Schedule A, via the auction website as follows:

- Online Auction Site: www.govdeals.com
 Start Date: (see Schedule A)
 End Date: (see Schedule A)
- Auction Fees: 7.5% of the winning bid amount, paid through proceeds of the sale.
- Shipping: All shipping arrangements and shipping costs are the responsibility of the buyer. Item pickup on location: Municipal Garage, Hoboken, New Jersey 07030.
- Possession: Within ten (10) business days (excluding holidays) of winning bid and at pickup location.
- Other Terms: All items are being sold "as is, where is; no warranties expressed or implied."
 Payment by the bidder must be submitted to the City of Hoboken within five (5) business days (excluding holidays) of winning the bid. Pickup of items auctioned must be made within ten (10) business days (excluding holidays) of winning bid unless other arrangements have been made prior.
- Minimum Bid: The minimum bid/reserve is listed in Schedule A for each of the items to be auctioned.

BE IT FURTHER RESOLVED, the Council authorizes the Administration to take action in accordance with this approval.

Meeting date: November 17, 2014

APPROVED:

APPROVED AS TO FORM:

Quentin Wiest
 Quentin Wiest
 Business
 Administrator

Melissa L. Longo
 Melissa L. Longo
 Corporation Counsel

James J. ...
 CITY CLERK

AT A MEETING HELD ON:
 NOV 17 2014
 A TRUE COPY OF A RESOLUTION ADOPTED BY
 THE COUNCIL OF THE CITY OF HOBOKEN, N.J.

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

Schedule A

<u>Auction 1:</u>	1989 Ford F-700	VIN#: 1FDNF70K1KVA25196
	Min Bid: (\$10,000.00)	
	Bid Start: (DATE AND TIME)	
	Bid Stop: (DATE AND TIME)	
<u>Auction 2:</u>	1995 Ford F-250	VIN#: 1FTHF26HOSNB55888
	Min Bid: (\$500.00)	
	Bid Start: (DATE AND TIME)	
	Bid Stop: (DATE AND TIME)	
<u>Auction 3:</u>	2007 Ford Bus	VIN#: 1FDXE45S87DA65503
	Min Bid: (\$1000.00)	
	Bid Start: (DATE AND TIME)	
	Bid Stop: (DATE AND TIME)	
<u>Auction 4:</u>	2008 Dodge Caravan	VIN#: 2D8HN44H88R132017
	Min Bid: (\$1000.00)	
	Bid Start: (DATE AND TIME)	
	Bid Stop: (DATE AND TIME)	
<u>Auction 5:</u>	2003 Ford Bus	VIN# 1FDWE35F53HA86076
	Min Bid: (\$1000.00)	
	Bid Start: (DATE AND TIME)	
	Bid Stop: (DATE AND TIME)	

1 All bid start and stop times are TBD at the discretion of the Purchasing Agent, but must be completed (Bid Stop) within 90 days of certification of adoption of this resolution.

Introduced by: Ben S. Brune
Seconded by: Pat H. Conroy

CITY OF HOBOKEN
RESOLUTION NO. : _____

RESOLUTION TO AMEND THE CONTRACT WITH PROPARK AS PUBLIC GARAGE
MANAGEMENT FIRM TO THE CITY OF HOBOKEN TO EXTEND THE TERM UNTIL MARCH
31, 2016 WITH THE CONTRACT AMOUNTS INCREASED IN ACCORDANCE WITH THE
MARCH 2014 1.3% CPI

WHEREAS, service to the City as public garage management firm was publicly bid by the City of Hoboken, and was allowed for up to five years, subject to council approval of any extension past the initial first two year term; and,

WHEREAS, the City now seeks to amend the contract with Propark to represent the City as public garage maintenance firm, for the extended term to expire March 31, 2016, with a contract increase as follows, based on the March 2014 CPI of 1.3%:

			Account Number	Account Name
Year 3	4/1/2014 - 3/31/2015	\$ 512,092.77	xx-31-55-702-002	Off Street Garage Contracted Services
Year 4	4/1/2015 - 3/31/2016	\$ 512,092.77	xx-31-55-702-002	Off Street Garage Contracted Services
Total		\$ 1,024,185.55		

WHEREAS, Propark 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,

WHEREAS, certification of funds is available as follows:

I, George DeStefano, Chief Financial Officer of the City of Hoboken, hereby certify that \$512,092.77 is available in the following appropriation xx-31-55-702-002 in the CY2014 budget; and I certify that upon adoption of the CY2015 budget I will immediately certify the remaining \$512,092.77 balance from the following appropriation xx-31-55-702-002 in the CY2014 budget, or advise the Business Administrator of the unavailability of funds; and I further certify that this commitment together with all previously made commitments and payments does not exceed the funds available in said appropriation for the CY2014 budget; and I further certify that the funds available in the said appropriation are intended for the purpose herein committed.

Signed: George DeStefano, George DeStefano, CFO

NOW THEREFORE, BE IT RESOLVED, that an amended contract with Propark to represent the City as public garage maintenance firm, for the extended term to expire March 31, 2016, with an annual contract amount as described above, be and is hereby authorized; and

BE IT FURTHER RESOLVED, the contract shall refer to and include by reference the original bid documents, and the vendors proposal, for purposes of describing the terms and obligation of the agreement with regards to scope of work, hourly wages, and allowable fees and charges; 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

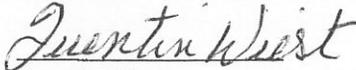
BE IT FURTHER RESOLVED the City Clerk shall publish this resolution as required by law and keep a copy of the resulting contract on file in accordance with N.J.S.A. 40A:11-1 et seq.; and,

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,

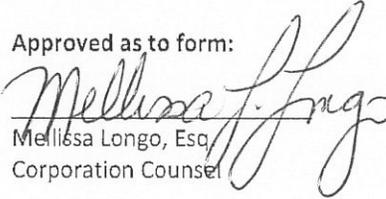
BE IT FURTHER RESOLVED that this resolution shall take effect immediately.

Dated: November 17, 2014

Reviewed:

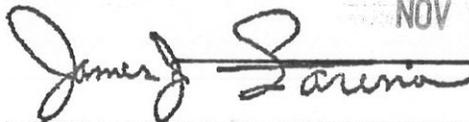

Quentin Wiest
Business Administrator

Approved as to form:


Melissa 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	/			

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THE COUNCIL OF THE CITY OF HOBOKEN, N.J.
AT A MEETING HELD ON:


NOV 17 2014

CITY CLERK

Budget Account Maintenance

Add Edit Close Delete << >> Detail

Account 4-31-55-702-002 Desc 702 Contracted Services

Acct Type Sub ChkAcct IPARK UTILITY CapFlag

Fund Type Budget Class Id Class Id 2

Activity Misc G/L Accounts Adopted Budget Detail

Activity To Date		Budgeted		Expended		Current Period	
Encumber	141,898.49	820,900.00	Expended		.00		
Expended	602,343.96	Balance	76,657.55	Trans-In	.00		
Trans-In	.00			Trans-Out	.00		
Trans-Out	.00	YTD Requested	45,438.83	Reimburse	.00		
Reimburse	.00	Requested Balance	31,218.72				
Cancel	.00						

Control Balance: 107,052.16 Control Requested Balance: 60,865.34



Introduced by: Peter Cunningham

Seconded by: [Signature]

9

CITY OF HOBOKEN
RESOLUTION NO. : _____

**A RESOLUTION APPROVING PARTICIPATION WITH THE NEW JERSEY DIVISION OF HIGHWAY TRAFFIC SAFETY.
Drive Sober or Get Pulled Over 2014/2015 Year End Holiday Crackdown**

WHEREAS, the City of Hoboken is interested in participating with the N.J. Division of Highway Traffic Safety and supporting their **Drive Sober or Get Pulled Over 2014/2015 Year End Holiday Crackdown**; and

WHEREAS, 22% of motor vehicle fatalities in New Jersey are alcohol related; and

WHEREAS, the State of New Jersey, Division of Highway Traffic Safety provides reimbursement via grant funding for overtime police enforcement, and has asked law enforcement agencies throughout the state to participate in the Drive Sober or get pulled over 2014/2015 Year End Holiday Crackdown from December 5, 2014 through January 2, 2015 in an effort to increase impaired driving enforcement.

NOW, THEREFORE, BE IT RESOLVED, by the Hoboken City Council that;

- 1) The Department of Public Safety and the Hoboken Police Department are authorized to participate in the program via overtime of Police Officers as allowed in the program reimbursement guidelines.
- 2) The Mayor or her designee is authorized to execute the above referenced grant application, and all other documents to fulfill the intent of the application and subsequent grant funding, and the Council ratifies same.
- 3) As a matter of public policy, the City of Hoboken wishes to participate to the fullest extent possible with the **Drive Sober or Get Pulled Over 2014/2015 Year End Holiday Crackdown**.
- 4) This resolution shall take effect immediately.

Meeting date: November 17, 2014

APPROVED:

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	/			
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:**

James J. Savino
NOV 17 2014
CITY CLERK

	Application: MOB-YEHDS-2014-Hoboken City-00150 Status: Application In Process User: George DeStefano Role: Agency Administrator Logout
Main Menu Actions Application Menu Related Pages	
SAVE SAVE/NEXT DELETE VIEW PDF ADD NOTE FIRST PREVIOUS NEXT LAST	
Created By: Fulton, Robert on 10/27/2014 10:07:40 AM	
<u>NARRATIVE DESCRIPTION OF PROJECT</u>	
Instructions:	
<ul style="list-style-type: none"> • Fields with an * next to them must be completed and you must click the SAVE button. • To proceed to the next page you may click the NEXT button. • To return to the Application menu click the Application Menu link above. 	
<input checked="" type="checkbox"/> I agree to the Terms and Conditions found below.*	
Problem Statement:	
<p>Impaired driving remains a significant issue, both in New Jersey and nationally. In 2013, alcohol impaired fatalities (based on all drivers and motorcycle riders with a .08 BAC or higher) accounted for 22% of New Jersey's traffic fatalities. This project will provide funding to implement a statewide impaired driving enforcement campaign as part of the <i>2014 Drive Sober or Get Pulled Over Year End Holiday Crackdown</i>.</p>	
<p>Between December 5, 2014 and January 2, 2015, police officers, on an overtime basis, will conduct special enforcement patrols targeting impaired drivers. The patrols will consist of roving patrols and fixed checkpoints.</p>	
Objectives:	
<p>To reduce the rate of alcohol-impaired driving fatalities in the state by five percent from the 2011-2013 calendar base year average through targeted impaired driving enforcement and education during the <i>2014 Drive Sober or Get Pulled Over Year End Holiday Crackdown</i>.</p>	
Methodology:	
<p>REMINDER: As per directives from the National Highway Traffic Safety Administration (which provides the federal funding for this grant) Chiefs of Police are not eligible to work grant-funded overtime through this grant.****</p>	
<p>This federally-funded grant project consists of an enforcement overtime campaign from December 5, 2014 through January 2, 2015. The project is designed to raise awareness about the dangers of drinking and driving, to offer deterrence through visible enforcement, to arrest impaired drivers, and to issue summonses for relevant motor vehicle violations. The grant will pay for 150 hours of overtime enforcement during the crackdown period, with a maximum rate to be reimbursed of \$50 per hour. The 150 overtime hours will be used for roving patrols and checkpoints.</p>	
<p>This is a reimbursement grant. Participating departments will incur all costs and then submit the necessary documentation to the Division of Highway Traffic Safety for reimbursement.</p>	
<p>This is an enforcement campaign. A reasonable number of impaired driving arrests and other summonses are expected in relation to overtime hours worked. Please refer to the document "Law Enforcement Performance/Productivity Standards for Federally Funded NJDHTS Grants" for further clarification. Overtime activities can only be conducted within the dates of the project period and must be conducted between the hours of 8 pm and 4 am.</p>	
<p>The maximum project overtime rate is \$50.00 per hour regardless of what officer works the project hours. The officer is to receive the full dollar amount in overtime. Administrative costs or fees should be considered "in kind services" or soft matches and are not a part of this grant. It is up to the agency to establish its pay rate for the project. The Division encourages agencies to pay all participating officers a flat \$50 per hour rate for this overtime detail, but agencies may pay their usual overtime rates, if they wish, in which case the reimbursement from the Division will be:</p>	
<p>Officers paid \$50.00 - project will reimburse at \$50.00 per hour Officers paid less than \$50.00 - project will reimburse at that lower rate Officers paid more than \$50.00 - project will reimburse at \$50.00 per hour with the municipality covering the remainder of</p>	

the rate

Again, the maximum hourly rate to be reimbursed is \$50 per hour, regardless of whether all the grant-budgeted hours are worked or not.

SAVE	SAVE/NEXT	DELETE	VIEW PDF	ADD NOTE	FIRST	PREVIOUS	NEXT	LAST
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996362

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Application: MOB-YEHDS-2014-Hoboken City-00150
 Status: Application In Process
 User: George DeStefano
 Role: Agency Administrator
 Logout

Main Menu ▶ Actions ▶ Application Menu ▶ Related Pages ▶

SAVE SAVE/NEXT ADD DELETE VIEW PDF ADD NOTE FIRST PREVIOUS NEXT LAST

Created By: Fulton, Robert on 10/27/2014 10:09:20 AM
 Go to Related Pages

You are here: > Budget

ENFORCEMENT/EDUCATION DETAILS

Instructions:

- After entering all information click the **SAVE** button.
- To proceed to the next page you may click the **NEXT** button or use the Related Pages section at the bottom of the page
- To return to the Application menu click the **Application Menu** link above.
- You must click **SAVE** to display the total amount.

Description	Number of Hours	Number of Staff	Hourly Rate	Federal Share	State/Local Share	Total Amount
Impaired Driving Overtime Enforcement	150	1	\$50.00	\$7,500.00	\$0	\$7,500.00

RELATED PAGES

- Enforcement/Education Details(1)
- Budget Summary

SAVE SAVE/NEXT ADD DELETE VIEW PDF ADD NOTE FIRST PREVIOUS NEXT LAST

996372

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STATE OF NEW JERSEY SAGE

System for Administering Grants Electronically

Application: MOB-YEHDS-2014-Hoboken City-00150
Status: Application In Process
User: George DeStefano
Role: Agency Administrator
Logout

Main Menu ▶ Actions ▶ Application Menu ▶

SAVE SAVE/NEXT GENERAL INFORMATION VIEW PDF FIRST PREVIOUS NEXT LAST

GENERAL INFORMATION

Contact Information (1)

Instructions:

Narrative Description of Project (1)

- Fields with an * next to them must be completed.
- After entering all information click the **SAVE** button.
- To proceed to the next page (Administrative Performance Evaluation) (1) click the **NEXT** button.
- To return to the Application menu click the **Application Menu** link above.

Acceptance of Conditions (1)

Applicant Agency Hoboken City

Project Title 2014 Drive Sober or Get Pulled Over Year End Holiday Crackdown

Federal Tax ID # 226001993 Certification Regarding Debarment and Suspension (1)

Project Period

Project Location (1)

From 12/5/2014 to 1/2/2015

Final financial claim due February 2, 2015.

Budget ▶

Type of Application

Initial

Signatures (1)

SAVE SAVE/NEXT VIEW PDF FIRST PREVIOUS NEXT LAST

View-Full Grant Program Application PDF

0



STATE OF NEW JERSEY SAGE

System for Administering Grants Electronically

User: George DeStefano
Logout

GENERAL INFORMATION

Instructions:

- Fields with an * next to them must be completed.
- After entering all information click the **SAVE** button.
- To proceed to the next page you may click the **NEXT** button.
- To return to the Application menu click the **Application Menu** link above.

Applicant Agency

Project Title 2014 Drive Sober or Get Pulled Over Year End Holiday Crackdown

Federal Tax ID #

Project Period

From 12/5/2014 to 1/2/2015

Final financial claim due February 2, 2015.

Type of Application

Initial

0

	Application: MOB-YEHDS-2014-Hoboken City-00150 Status: Application In Process User: George DeStefano Role: Agency Administrator Logout
Main Menu Actions Application Menu Related Pages	
SAVE SAVE/NEXT DELETE VIEW PDF ADD NOTE FIRST PREVIOUS NEXT LAST	
Created By: Fulton, Robert on 10/27/2014 10:07:40 AM	
<input type="text" value="Contact Information (1)"/>	
NARRATIVE DESCRIPTION OF PROJECT	
<input type="text" value="Narrative Description of Project (1)"/>	
Instructions:	
<ul style="list-style-type: none"> • Fields with an * next to them must be completed and you must click the SAVE button. • To proceed to the next page you may click the NEXT button. • To return to the Application menu click the Application Menu link above. 	
<input type="text" value="Acceptance of Conditions (1)"/>	
<input checked="" type="checkbox"/> I agree to the Terms and Conditions found below.*	
Problem Statement:	
<input type="text" value="Project Location (1)"/>	
<p>Impaired driving remains a significant issue, both in New Jersey and nationally. In 2013, alcohol impaired fatalities (based on all drivers and motorcycle riders with a .08 BAC or higher) accounted for 22% of New Jersey's traffic fatalities. This project will provide funding to implement a statewide impaired driving enforcement campaign as part of the <i>2014 Drive Sober or Get Pulled Over Year End Holiday Crackdown</i>.</p>	
<p>Between December 5, 2014 and January 2, 2015, police officers, on an overtime basis, will conduct special enforcement patrols targeting impaired drivers. The patrols will consist of roving patrols and fixed checkpoints.</p>	
Objectives:	
<input type="text" value="View Full Grant Program Application PDF"/>	
<p>To reduce the rate of alcohol-impaired driving fatalities in the state by five percent from the 2011-2013 calendar base year average through targeted impaired driving enforcement and education during the <i>2014 Drive Sober or Get Pulled Over Year End Holiday Crackdown</i>.</p>	
Methodology:	
<p>REMINDER: As per directives from the National Highway Traffic Safety Administration (which provides the federal funding for this grant) Chiefs of Police are not eligible to work grant-funded overtime through this grant.****</p>	
<p>This federally-funded grant project consists of an enforcement overtime campaign from December 5, 2014 through January 2, 2015. The project is designed to raise awareness about the dangers of drinking and driving, to offer deterrence through visible enforcement, to arrest impaired drivers, and to issue summonses for relevant motor vehicle violations. The grant will pay for 150 hours of overtime enforcement during the crackdown period, with a maximum rate to be reimbursed of \$50 per hour. The 150 overtime hours will be used for roving patrols and checkpoints.</p>	
<p>This is a reimbursement grant. Participating departments will incur all costs and then submit the necessary documentation to the Division of Highway Traffic Safety for reimbursement.</p>	
<p>This is an enforcement campaign. A reasonable number of impaired driving arrests and other summonses are expected in relation to overtime hours worked. Please refer to the document "Law Enforcement Performance/Productivity Standards for Federally Funded NJDHTS Grants" for further clarification. Overtime activities can only be conducted within the dates of the project period and must be conducted between the hours of 8 pm and 4 am.</p>	
<p>The maximum project overtime rate is \$50.00 per hour regardless of what officer works the project hours. The officer is to receive the full dollar amount in overtime. Administrative costs or fees should be considered "in kind services" or soft matches and are not a part of this grant. It is up to the agency to establish its pay rate for the project. The Division encourages agencies to pay all participating officers a flat \$50 per hour rate for this overtime detail, but agencies may pay their usual overtime rates, if they wish, in which case the reimbursement from the Division will be:</p>	
<p>Officers paid \$50.00 - project will reimburse at \$50.00 per hour Officers paid less than \$50.00 - project will reimburse at that lower rate Officers paid more than \$50.00 - project will reimburse at \$50.00 per hour with the municipality covering the remainder of</p>	

the rate

Again, the maximum hourly rate to be reimbursed is \$50 per hour, regardless of whether all the grant-budgeted hours are worked or not.

SAVE	SAVE/NEXT	DELETE	VIEW PDF	ADD NOTE	FIRST	PREVIOUS	NEXT	LAST
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996362

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INTRODUCED BY: *Paul E. Blawie*
SECONDED BY: *Peter H. ...*

CITY OF HOBOKEN
RESOLUTION NO. _____

RESOLUTION AWARDING A CHANGE ORDER TO THE CONTRACT TO RICH PICERNO BUILDERS, LLC FOR (BID 13 – 05) ELYSIAN PARK IMPROVEMENTS, AS CHANGE ORDER NUMBER 1, IN AN INCREASED AMOUNT NOT TO EXCEED \$81,158.75 (9% INCREASE) FOR A TOTAL NOT TO EXCEED AMOUNT OF \$989,008.75

WHEREAS, the City of Hoboken requires additional unforeseen goods and services under the contract for Elysian Park Improvements Project; and,

WHEREAS, the Administration intends to continue to use Rich Picerno Builders, LLC for said services and provisions; and,

WHEREAS, in accordance with the direction of the Administration, the City Council is asked to award a change order (#1) to the contract for Elysian Park Improvements Project to Rich Picerno Builders, LLC for a total increase in the contract amount by Eighty One Thousand One Hundred Fifty Eight Dollars and Seventy Five Cents (\$81,158.75), which constitutes a 9% increase, for a total not to exceed amount of Nine Hundred Eighty Nine Thousand Eight Dollars and Seventy Five Cents (**\$989,008.75**) of which the change order (#1) to the contract shall be for purchases and installation in accordance with the Boswell Engineering Change Order Request, dated November 10 2014; and,

WHEREAS, certification of funds is available as follows:

I, George DeStefano, Chief Financial Officer of the City of Hoboken, hereby certify that \$81,158.75 is available in the following appropriation \$60,000.00 from c-04-60-713-105, \$14,650.00 from C-04-60711-210, and \$6,553.75 from 4-01-28-375-069 in the CY2014 budget; and I further certify that this commitment together with all previously made commitments and payments does not exceed the funds available in said appropriation for the CY2014 budget or the capital/trust funds; and I further certify that the funds available in the said appropriation are intended for the purpose herein committed.

Signed: *George DeStefano* George DeStefano, CFO

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Hoboken that a change order (#1) to the contract for Elysian Park Improvements Project to Rich Picerno Builders, LLC for a total increase in the contract amount by Eighty One Thousand One Hundred Fifty Eight Dollars and Seventy Five Cents (\$81,158.75), which constitutes a 9% increase, for a total not to exceed amount of Nine Hundred Eighty Nine Thousand Eight Dollars and Seventy Five Cents (**\$989,008.75**) of which the change order (#1) to the contract shall be for purchases and installation in accordance with the Boswell Engineering Change Order Request, dated November 10, 2014; and,

1. The above recitals are incorporated herein as though fully set forth at length.
2. The terms of the referenced Boswell correspondence shall govern the change order, and no changes may be made without the prior written consent of both parties.
3. Any further change orders which shall become necessary hereafter shall be subject to the City's ability to appropriate sufficient funds, which appropriation shall be at the sole discretion of the City Council.
4. The Council hereby authorizes the Mayor, or her designee to execute any and all documents and take any and all actions necessary to complete and realize the intent and purpose of this resolution.
5. The Mayor, or her designee is hereby authorized to execute an agreement, for the above referenced goods and/or services based upon the information herein.

Meeting date: November 17, 2014

APPROVED:

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		✓		
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: NOV 17 2014

James J. Sarnia
CITY CLERK

Budget Account Maintenance

Account: C-04-60-713-105 Desc: 284 PARKS IMPROVEMENTS (013)

Acct Type: Sub Chk Acct: ICAPITAL Cap Flag:

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

Misc G/L Accounts Adopted Budget Detail

Activity	Misc	G/L Accounts	Adopted Budget Detail	Budgeted	Expended	Current Period
Encumber			60,000.00	60,000.00	.00	.00
Expended			.00	.00	.00	.00
Trans-In			.00		Trans-In	.00
Trans-Out			.00		Trans-Out	.00
Reimburse			.00		Reimburse	.00
Cancel			.00		Requested Balance	.00

Control Balance: 8,342.58 Control Requested Balance: 7,192.58



Budget Account Maintenance

Account:
 Desc:

Acct Type:
 Cap Flag:

Fund Type:
 Class Id:
 Class Id 2:

Activity Misc G/L Accounts Adopted Budget Detail

	Activity To Date		Current Period	
Encumber	14,650.00	Budgeted: 1,260,000.00	Expended	.00
Expended	1,245,805.62	Balance: 15.83	Trans-In	.00
Trans-In	20,000.00		Trans-Out	.00
Trans-Out	19,528.55	YTD Requested: .00	Reimburse	.00
Reimburse	.00	Requested Balance: 15.83		
Cancel	.00			

Control Balance: 573.83 Control Requested Balance: 573.83



Budget Account Maintenance

Account:
 Desc:

Acct Type:
 Chk Acct:
 Cap Flag:

Fund Type:
 Class Id:
 Class Id 2:

Activity Misc G/L Accounts Adopted Budget Detail

Activity	Misc	G/L Accounts	Adopted Budget	Detail	Current Period	
Encumber		11,332.49	Budgeted:	114,910.00	Expended:	.00
Expended		70,153.71	Balance:	33,423.80	Trans-In:	.00
Trans-In		.00			Trans-Out:	.00
Trans-Out		.00	YTD Requested:	617.66	Reimburse:	.00
Reimburse		.00	Requested Balance:	32,806.14		
Cancel		.00				

Introduced by: Randy B...
 Seconded by: Peter H. Cunningham

CITY OF HOBOKEN
 RESOLUTION NO. : _____

RESOLUTION TO AUTHORIZE AN AMENDMENT TO THE PROFESSIONAL SERVICE CONTRACT WITH KIMLEY HORN AND ASSOCIATES AS PROFESSIONAL ENGINEER / PLANNER / LANDSCAPE ARCHITECT FOR THE CITY OF HOBOKEN FOR THE FRANK SINATRA DRIVE VISION AND CONCEPT DESIGN PLAN, WHICH MAINTAINS THE CURRENT TOTAL NOT TO EXCEED AMOUNT OF \$120,190.00 (NO CHANGE), BUT EXTENDS THE CONTRACT UNTIL DECEMBER 16, 2015

WHEREAS, service to the City as a Professional Engineer / Planner / Landscape Architect 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 of Hoboken previously awarded a contract to a Professional Engineer / Planner / Landscape Architect for the Frank Sinatra Drive Vision and Concept Design Plan for a one year contract with a total not to exceed amount, after amendments, of \$120,190.00, and the City now seeks to amend that contract for no change in the amount, but for an additional one year term, due to Kimley Horn's specialized knowledge of the project; and,

WHEREAS, Kimley Horn and Associates 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 not required for this amendment.

NOW THEREFORE, BE IT RESOLVED, (a majority of the full council voting affirmatively, pursuant to City Code 20A-4H) that the City Council authorizes an amendment to the contract with Kimley Horn and Associates to represent the City as Professional Engineer / Planner / Landscape Architect, for the Frank Sinatra Drive Vision and Concept Plan, with no change in the contract amount, but with a one year extension of the contract, to expire on December 16, 2015; 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 Kimley Horn and Associates; 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: November 17, 2014

APPROVED:

Quentin Wiest
 Quentin Wiest
 Business Administrator

APPROVED AS TO FORM:

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

A TRUE COPY OF A RESOLUTION ADOPTED BY THE COUNCIL OF THE CITY OF HOBOKEN, N.J. AT A MEETING HELD ON: NOV 17 2014

James Doyle
 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	/			

A TRUE COPY OF A RESOLUTION ADOPTED BY
 THE COUNCIL OF THE CITY OF HOBOKEN, N.J.
 AT A MEETING HELD ON: NOV 17 2014

Sponsored by: Ray B... 14
 Seconded by: Peter H. Cunningham

CITY OF HOBOKEN

James J. Sarena
 CITY CLERK

RESOLUTION NO. _____

RESOLUTION TO APPROVE A "LICENSE AGREEMENT" BETWEEN THE
 CITY OF HOBOKEN AND AMI ROSENBERG, OWNER OF BLOCK 216.01 LOT 34
 (a/k/a 506 Hudson Street), FOR USE AND MAINTENANCE OF A PORTION OF
 THE PUBLIC RIGHT OF WAY ADJACENT TO SAID PROPERTY

WHEREAS, the City of Hoboken requires property owners to maintain the public right-of-way adjacent to their property, including but not limited to sidewalks, stairs, stoops, fences, areaways, trees and other landscaping; and

WHEREAS, the City of Hoboken encourages property owners to landscape and otherwise improve said right-of-way to enhance the urban landscape; and

WHEREAS, the City of Hoboken and the City Council, by resolution, provides for the issuance of license agreements for the aforementioned purpose; and

WHEREAS, the applicant desires to receive and the City of Hoboken agrees to grant to Ami Rosenberg, owner of Block 216.01 Lot 34, more commonly known as 506 Hudson Street, Hoboken, such a license.

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

- 1) Approval of the attached "License Agreement" between the City of Hoboken and Ami Rosenberg, owner of Block 216.01 Lot 34, more commonly known as 506 Hudson Street, shall be subject and limited to the details and specifications included in the attached Application and Exhibits including site plan, photographs and Jensen C. Vasil architectural drawings;
- 2) The Mayor or her agent is hereby authorized to enter into the attached agreement; and
- 3) This resolution shall become effective immediately up adoption.

Meeting Date: November 17, 2014

Approved:

Quentin Wiest
 Quentin Wiest, Business Administrator

Approved as to Form:

Melissa Longo
 Melissa Longo, Esq., Corporation Counsel

Councilperson	Yea	Nay	Abstain	No Vote
Councilman Bhalla	/			
Councilwoman Castellano	/			
Councilman Cunningham	/			
Councilman Doyle	/			
Councilwoman Mason				✓
Councilman Mello	/			
Councilman Occhipinti	/			
Councilman Russo	/			
President Giattino	/			

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LICENSE AGREEMENT

This **LICENSE AGREEMENT** is hereby made and entered into this _____ day of _____, 2014, by and between the **CITY OF HOBOKEN**, Hudson County, New Jersey (on behalf of the General Public), whose address is 94 Washington Street, Hoboken, NJ 07030 (hereinafter referred to as the "**LICENSOR**") and **AMI ROSENBERG**, owner of 506 Hudson Street, Hoboken, NJ 07030 (hereinafter referred to as the "**LICENSEE**").

WITNESSETH

WHEREAS, the LICENSOR owns the public right of way consisting of certain real property located in the City of Hoboken, Hudson County, New Jersey, as more particularly identified as the Hudson Street R.O.W.; and

WHEREAS, the LICENSEE desires to use a portion of the LICENSOR's property for the purpose of construction of a new stoop from front grade to the parlor floor, replacement of basement steps, repaving of the courtyard and replacement of the iron railing and gate adjacent to the building fronting onto Hudson Street; and

WHEREAS, the area of encroachment along Hudson Street will not be altered from its existing condition, and shall not impede pedestrian egress along the block; and

WHEREAS, in consideration of the license, the LICENSEE shall continue to maintain said area in good repair and order, clear of any waste receptacles or other personal property and shall landscape and otherwise improve said area to enhance the streetscape and general attractiveness of the public right of way; and

WHEREAS, the LICENSOR desires to grant to the LICENSEE a license for the aforementioned purpose.

NOW, THEREFORE, for and in consideration of the terms, conditions and mutual covenants contained herein, the LICENSOR and LICENSEE, hereby agree as follows:

- 1) The LICENSOR hereby grants the LICENSEE, its agents, servants and assigns the right, privilege and license to use the property described herein and represented in the attachments (License Area), commonly referred to as the public right of way adjacent to Block 216.01 Lot 34, to construct a new stoop from front grade to the parlor floor, replace basement steps, repave the courtyard and replace the iron railing and gate adjacent to the building in and upon said license area for the purpose of exercising the rights, privileges and license granted herein.
- 2) This license is granted and shall continue in full force and effect until such time as the encroachment is removed or otherwise altered; OR until notice is given, by either party, of its intent to discontinue said license. This license may be terminated by LICENSOR or LICENSEE without cause upon 90 day written notice, and may be terminated by the LICENSOR upon 24 hours notice upon a showing of necessity to maintain the health, safety and welfare of the general public.
- 3) The LICENSOR retains the right to use the license area in any manner not inconsistent with the rights herein granted to the LICENSEE provided, however, that the LICENSOR shall not disturb the structural elements in any way without prior written notice to the LICENSEE.
- 4) The LICENSEE expressly acknowledges and accepts its responsibility under applicable law for loss, damage, or injury to persons or property, arising out of or resulting from the use and maintenance of the license area, unless, however, such claim or demand shall arise out of or result from the willful negligence or willful misconduct of the LICENSOR, its servants, agents, employees, or assigns.
- 5) The LICENSEE agrees to maintain liability insurance, inclusive of the license area, in an amount satisfactory to the LICENSOR naming the Mayor and Council of the City of Hoboken as

additional insured. The policy shall be kept in full force and effect for the term of the license, and a copy of the Certificate of Insurance showing its effectiveness shall be provided to the LICENSOR on a bi-annual basis without request, and at any other time upon request of the LICENSOR. The LICENSOR shall have the right, on an annual basis, to review the insurance coverages to ensure the coverages then in effect are satisfactory to cover the insurance requirements of the continued license.

- 6) The LICENSEE agrees that any and all work performed on the premises and in association with the purposes of this license shall be done in a good, safe, workmanlike manner and in accordance with applicable federal, state, and local statutes, rules, regulations and ordinances.
- 7) The City of Hoboken as LICENSOR expressly reserves the right to require the removal of all fences, gates, stoops or other projections or encumbrances upon any street, sidewalk or public right-of-way, which are improperly constructed or maintained, or present a danger to the health, safety and welfare of the public. If the LICENSEE does not remove the aforementioned improvements as required by the LICENSOR, the LICENSOR may remove such improvements at the sole cost and expense of the LICENSEE. The costs shall be a municipal lien against the property.
- 8) Upon termination of this license agreement, the LICENSEE shall, within a reasonable time and at the LICENSEE'S sole cost and expense, remove all physical encumbrances, equipment, accessories, and materials owned by the LICENSEE from the license area and restore said license area as nearly as practicable to a condition consistent with the public sidewalk adjacent to the license area. If the LICENSEE does not remove the aforementioned improvements, the LICENSOR may remove such improvements at the sole cost and expense of the LICENSEE. The costs shall be a municipal lien against the property.
- 9) Nothing herein shall be construed to be an admission of liability by either party for any purposes.
- 10) Neither the authorization of this Agreement by the Council, nor the execution of this Agreement by the Mayor shall be construed to be a position of the City with regards to the approval, rejection, or legality of the underlying plans, nor shall such be considered authorization for the property owner to proceed without obtaining and maintaining all necessary and proper permits, certifications, and/or approvals by any and all necessary agencies, including without limitation the City of Hoboken Construction Code Official and the City of Hoboken Zoning Officer.
- 11) LICENSEE agrees to defend, protect, indemnify and save harmless the LICENSOR, its' officers, agents and employees from and against any and all claims, causes of action, injuries, losses, damages, expenses, fees and costs arising out of, or which may arise out of the LICENSEE'S use of the LICENSE AREA.

IN WITNESS WHEREOF, the undersigned parties have executed this license agreement on the day and year first above written.

LICENSOR: the CITY OF HOBOKEN (on behalf of the General Public)

Signed: _____
Dawn Zimmer, Mayor

STATE OF NEW JERSEY, COUNTY OF HUDSON.

The foregoing instrument was Sworn and Subscribed before me on this _____ day of _____, 2014.

Notary Public: _____
(Signature of Notary Public)

LICENSEE: AMI ROSENBERG, owner in fee of Block 216.01 Lot 34, more commonly known as 506 Hudson Street, Hoboken, NJ.

Signed: _____

Printed: _____,

Ami Rosenberg
Owner of 506 Hudson Street, Hoboken

STATE OF NEW JERSEY, COUNTY OF HUDSON.

The foregoing instrument was Sworn and Subscribed before me on this _____ day of _____, 2014.

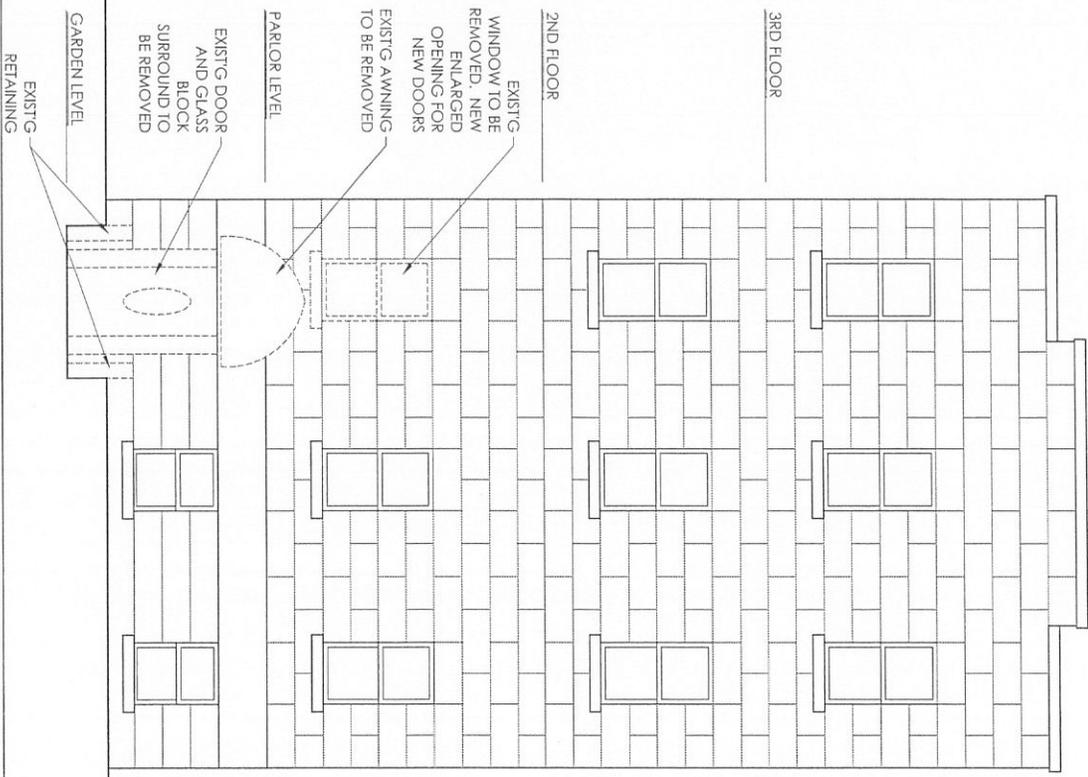
Notary Public: _____
(Signature of Notary Public)

APPLICATION AND
EXHIBITS

1

EXISTING HUDSON STR. ELEVATION

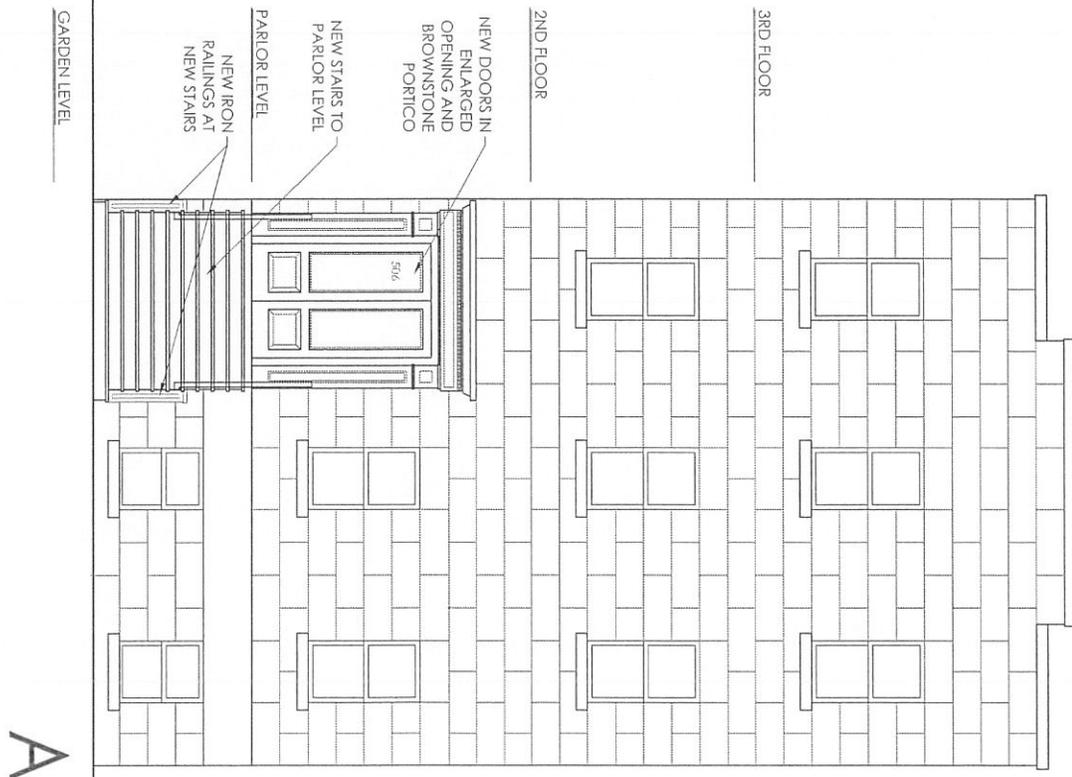
3/16" = 1'-0"



2

PROPOSED HUDSON STR. ELEVATION

3/16" = 1'-0"



A-2

<p>PREPARED BY: JENSEN C. VASIL ARCHITECT P.C. 205 12TH STREET HOBOKEN, NJ 07030 201 850 1055 (t) 201 221 7566 (f)</p>	<p>PROJECT NEW STAIRS IN PUBLIC R.O.W.</p>	<p>OWNER: MR. AND MRS. ROSENBERG 506 HUDSON STREET HOBOKEN, NJ 07030</p>
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APPLICATION FOR ENCROACHMENT OF CITY RIGHT OF WAY

Work Site Address:

506 Hudson Street

Block: 216.01

Lot(s): 34

CITY OF HOBOKEN

Dawn Zimmer, Mayor

94 Washington Street
Hoboken, NJ 07030

Applicant:

Jensen C. Vasil

Address:

205 12th Street
Hoboken, NJ 07030

Owner (if other than Applicant):

Mr. Ami Rosenberg

Address:

506 Hudson Street
Hoboken, NJ 07030

Date Received:

Phone: (201) 850-1055

Phone:

e-mail: jensen@jcvarch.com

e-mail:

Please describe, in as much detail as possible, the encroachment you are proposing to make to the public right-of-way. Description must include the materials to be used, and the exact dimensions of the proposed area of encroachment in width (linear feet of block frontage); depth (projection from the front of the building); and total square feet of encumbrance. If additional space is needed, attach a separate sheet.

New stairs from front grade level to Parlor floor to match adjacent buildings on the block frontage. Removal of existing concrete areaway and replacement with new bluestone pavers. Removal of existing iron railing and gate and replacement with new iron railing in same location.

What is the reason(s) for the proposed alteration?

Renovation of garden and parlor levels to create a duplex unit. Owner wishes to recreate a more standard stair entry configuration similar to other buildings on the block frontage.

Have prior approvals been obtained for work at this location including, but not limited to, Planning or Zoning Board approvals, or permits issued by the Zoning Office or Construction Department? Are there previously issued license or easement agreements for this property? If yes, please attach copies to this application.

No

Documents provided with application; check all that apply:

- Survey
- Architectural drawings
- Metes and bounds detail for the area of encroachment
- Prior approvals
- Other: _____

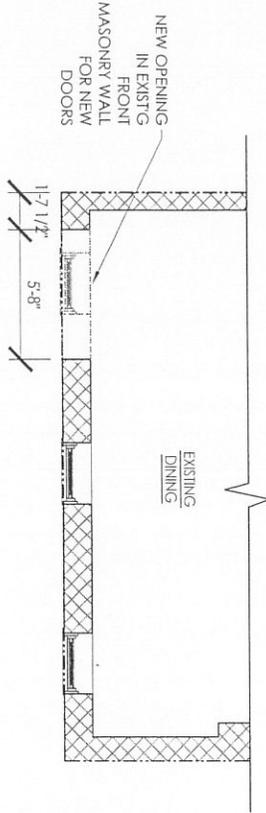
Applicant's signature

Date

1

3/16" = 1'-0"

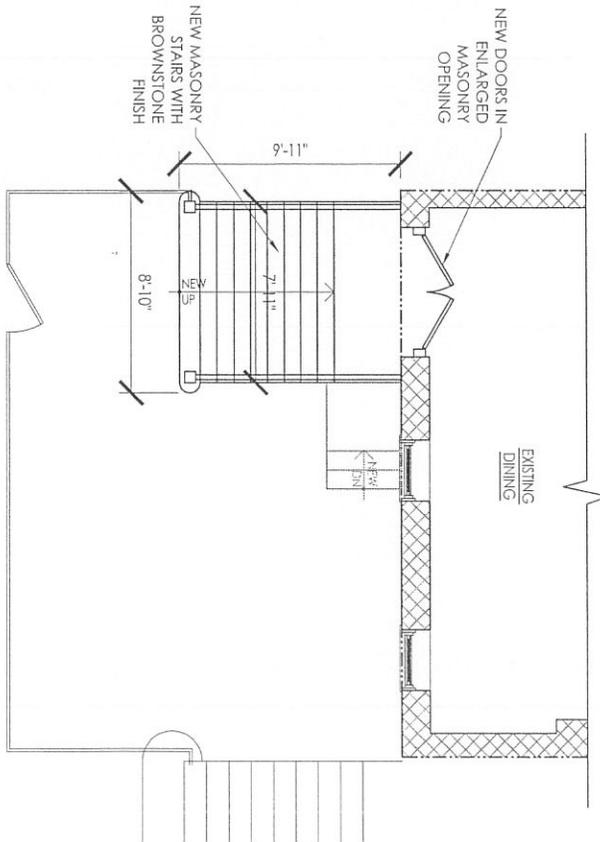
PARLOR LEVEL DEMO PLAN



2

3/16" = 1'-0"

PARLOR LEVEL CONSTR. PLAN



A-4

SIGNATURE + SEAL

PREPARED BY:

JENSEN C. VASIL ARCHITECT P.C.

205 12TH STREET
HOBOKEN, NJ 07030
201 850 1055 (f)
201 221 7566 (f)

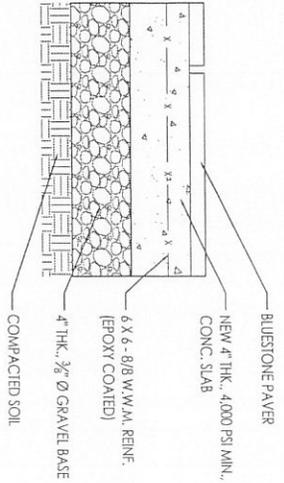
PROJECT

NEW STAIRS IN PUBLIC
R.O.W.

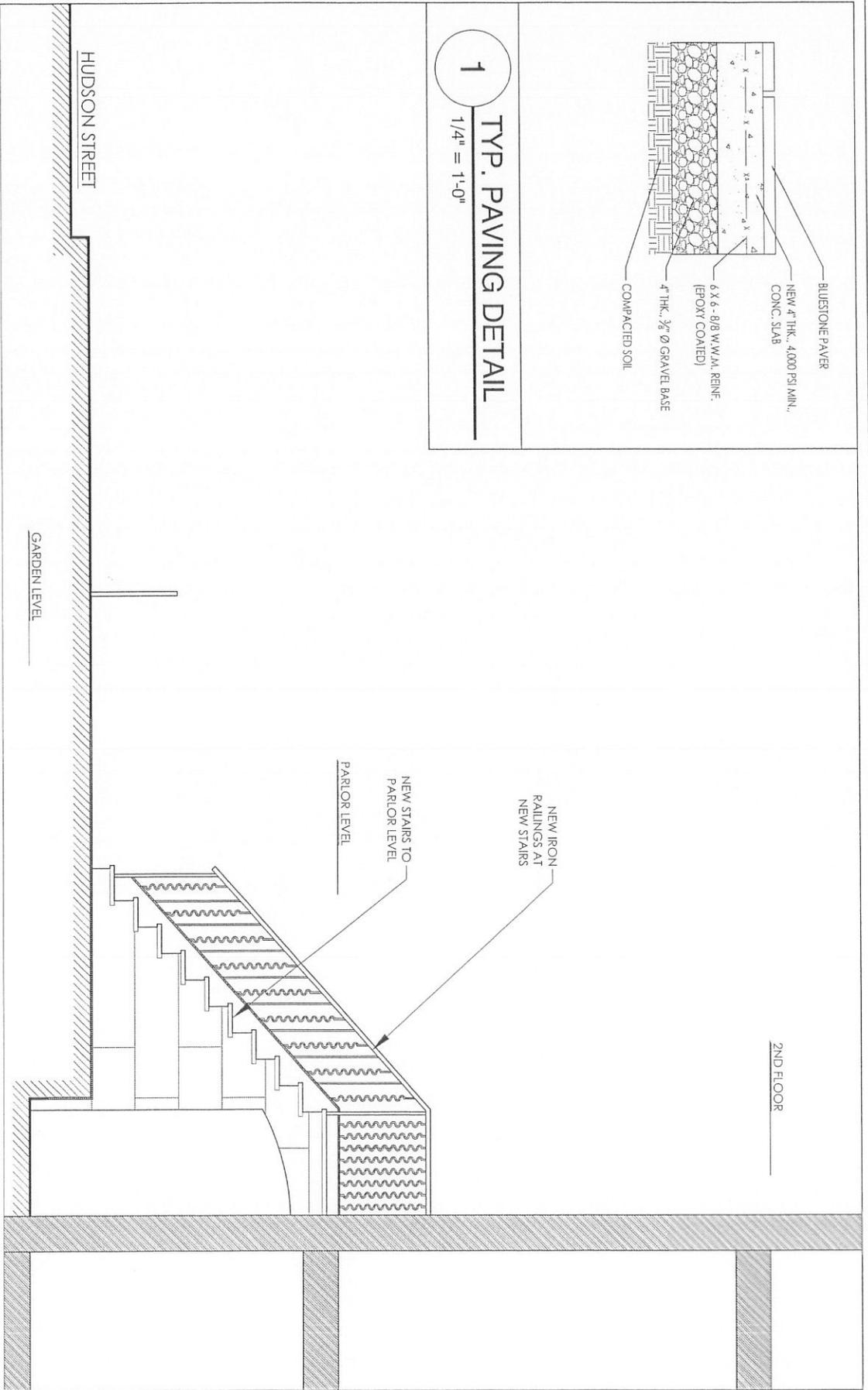
OWNER:

MR. AND MRS. ROSENBERG

506 HUDSON STREET
HOBOKEN, NJ 07030



1
TYP. PAVING DETAIL
1/4" = 1'-0"



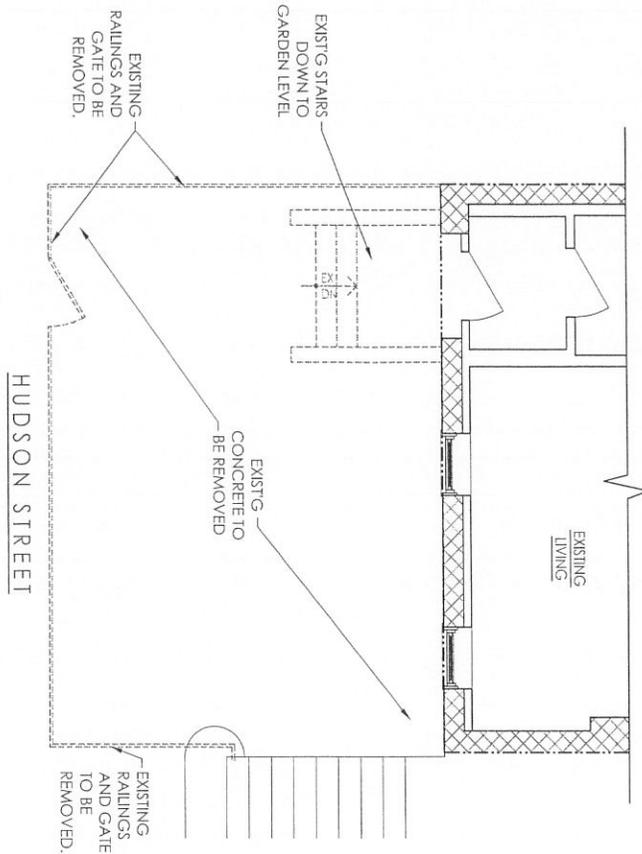
2
AREAWAY SECTION A-A
3/16" = 1'-0"

A-5

<p>SIGNATURE + SEAL</p>	<p>PREPARED BY: JENSEN C. VASIL ARCHITECT P.C. 205 12TH STREET HOBOKEN, NJ 07030 201 850 1055 (f) 201 221 7566 (f)</p>	<p>PROJECT NEW STAIRS IN PUBLIC R.O.W.</p>	<p>OWNER: MR. AND MRS. ROSENBERG 506 HUDSON STREET HOBOKEN, NJ 07030</p>
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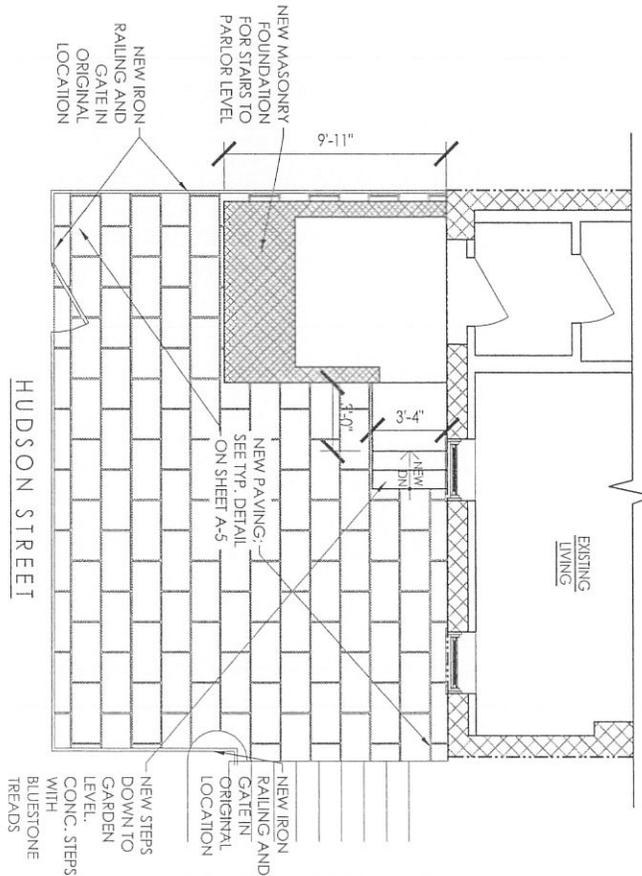
1

GARDEN LEVEL DEMO. PLAN
3/16" = 1'-0"



2

GARDEN LEVEL CONSTR. PLAN
3/16" = 1'-0"



A-3

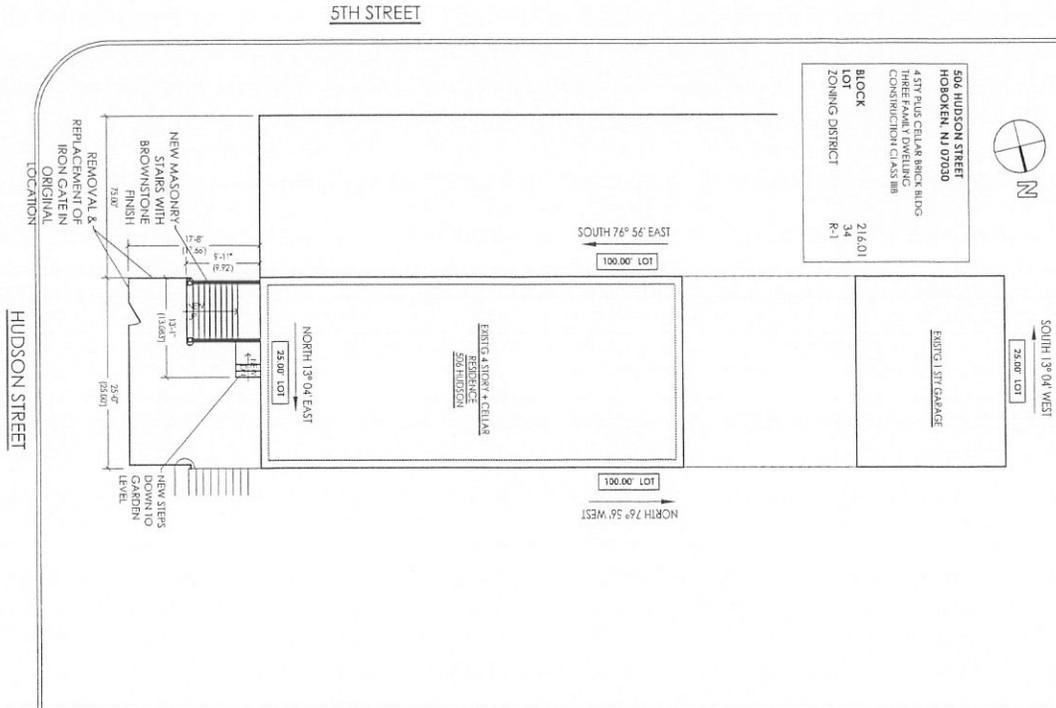
PREPARED BY:
JENSEN C. VASIL ARCHITECT P.C.
 205 12TH STREET
 HOBOKEN, NJ 07030
 201 850 1055 (H)
 201 221 7566 (F)

PROJECT
NEW STAIRS IN PUBLIC R.O.W.

OWNER:
MR. AND MRS. ROSENBERG
 506 HUDSON STREET
 HOBOKEN, NJ 07030

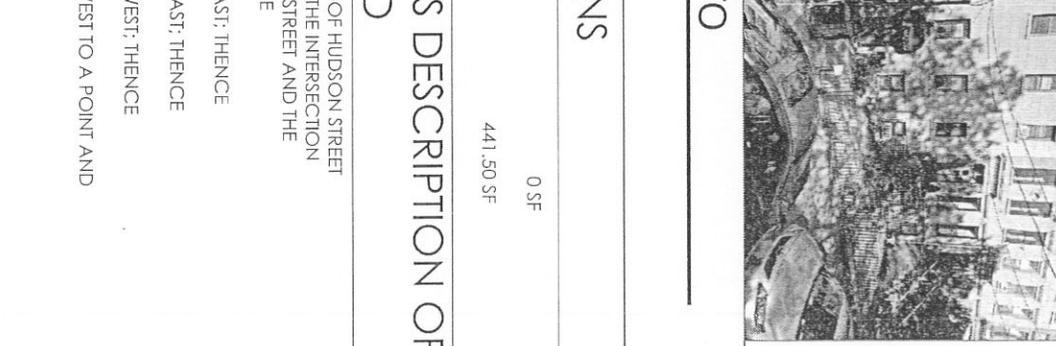
1
N.T.S.

PROPOSED SITE PLAN



2
N.T.S.

EXIST'G PHOTO



3
N.T.S.

BUILDING INFORMATION

AREA CALCULATIONS
TOTAL LAND OF PRIVATE PROPERTY: 0 SF
TOTAL LAND ON CITY PROPERTY: 441.50 SF

METES AND BOUNDS DESCRIPTION OF CITY PROPERTY AFFECTED
BEGINNING AT A POINT ON THE WEST SIDE OF HUDSON STREET 75.00' FEET NORTH OF THE CORNER FROM THE INTERSECTION FORMED BY THE NORTHERLY LINE OF FIFTH STREET AND THE WESTERLY SIDE OF HUDSON STREET; THENCE
1. 17.66' SOUTH 76 DEGREES 56 MINUTES EAST; THENCE
2. 25.00' NORTH 13 DEGREES 04 MINUTES EAST; THENCE
3. 17.66' NORTH 76 DEGREES 56 MINUTES WEST; THENCE
4. 25.00' SOUTH 13 DEGREES 04 MINUTES WEST TO A POINT AND PLACE OF BEGINNING;
TOTAL AREA OF 441.50 SQUARE FEET.

A-1

OWNER:
MR. AND MRS. ROSENBERG
506 HUDSON STREET
HOBOKEN, NJ 07030

PROJECT
NEW STAIRS IN PUBLIC R.O.W.

PREPARED BY:
JENSEN C. VASIL ARCHITECT P.C.
205 12TH STREET
HOBOKEN, NJ 07030
201 850 1055 (f)
201 221 7566 (f)

SIGNATURE + SEAL

15

Introduced By: [Signature]
Second By: [Signature]

CITY OF HOBOKEN
RESOLUTION NO. _____

RESOLUTION AUTHORIZING THE REFUND OF TAX APPEALS
STATE TAX COURT

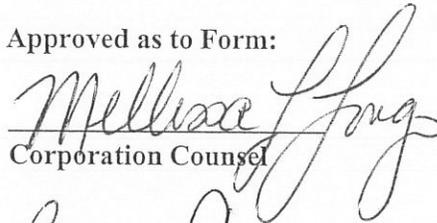
WHEREAS, an overpayment of taxes has been made on property listed below; and
WHEREAS, Sharon Curran, Collector of Revenue recommends that the refund be made;
NOW THEREFORE BE IT RESOLVED, that a warrant be drawn on the City Treasurer made payable to the following totaling \$275,035.26

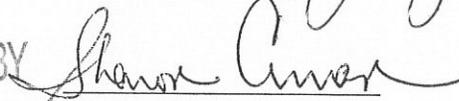
<u>NAME</u>	<u>BL/LOT/UNIT</u>	<u>PROPERTY</u>	<u>YEAR</u>	<u>AMOUNT</u>
McCarter & English LLP Four Gateway Center 100 Mulberry Street P.O. Box 652 Newark, NJ 07102	89/1	801 Madison/800 Jeff	2009	\$29,429.88
McCarter & English LLP Four Gateway Center 100 Mulberry Street P.O. Box 652 Newark, NJ 07102	89/1	801 Madison/800 Jeff	2010	\$42,705.00
Nashel & Nashel, LLC 415 Sixieth Street West New York, NJ 07093	222/4	43-51 Newark St	2010	\$68,204.63
Nashel & Nashel, LLC 415 Sixieth Street West New York, NJ 07093	222/4	43-51 Newark St	2011	\$66,422.25

<u>NAME</u>	<u>BL/LOT/UNIT</u>	<u>PROPERTY</u>	<u>YEAR</u>	<u>AMOUNT</u>
Nashel & Nashel, LLC 415 Sixieth Street West New York, NJ 07093	222/4	43-51 Newark St	2012	\$68,276.50

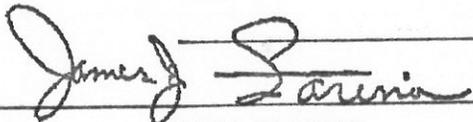
Meeting: November 17, 2014

Approved as to Form:


Corporation Counsel


Sharon Curran

A TRUE COPY OF A RESOLUTION ADOPTED BY
THE COUNCIL OF THE CITY OF HOBOKEN, N.J.
AT A MEETING HELD ON: **NOV 17 2014**


CITY CLERK

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

NOV 17 2014

Sponsored by:

Seconded by:

James J. Sarnia

[Signature]

CITY CLERK

City of Hoboken

Resolution No. _____

RESOLVED, that filed minutes for the Hoboken City Council **Regular meeting of November 5, 2014** have been reviewed and approved by the Governing Body.

Melissa J. Long
Approved as to form:

Meeting Date: November 5, 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	/			

Sponsored by: Peter Cunningham
Seconded by: Ken S. [Signature]

City of Hoboken
Resolution No.:

RESOLUTION AUTHORIZING SUSPENSION OF PARKING FEES FOR ALL CITY OWNED PUBLIC PARKING FACILITIES TO INCENTIVIZE LOCAL HOLIDAY SHOPPING WITHIN THE CITY OF HOBOKEN EVERY SATURDAY FROM 12:01AM NOVEMBER 29, 2014 THROUGH 11:59PM DECEMBER 20, 2014, AND EVERYDAY FROM 12:01AM DECEMBER 21, 2014 THROUGH 11:59PM DECEMBER 25, 2014

WHEREAS, the City wishes to incentivize local shopping during the holiday season, and seeks to suspend parking fees in city owned public garages, for up to four hours per day which must be within a single parking session, subject to providing receipts showing at least \$20.00 worth of food and/or retail purchases within the City of Hoboken on that specific day; and,

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Hoboken, County of Hudson, hereby authorizes suspension of parking fees in city owned public garages, for up to four hours per day which must be within a single parking session, subject to providing receipts showing at least \$20.00 worth of food and/or retail purchases within the City of Hoboken on that specific day, **EVERY SATURDAY FROM 12:01AM NOVEMBER 29, 2014 THROUGH 11:59PM DECEMBER 20, 2014, AND EVERYDAY FROM 12:01AM DECEMBER 21, 2014 THROUGH 11:59PM DECEMBER 25, 2014.**

Dated: November 17, 2014

Reviewed:
Quentin Wiest
Quentin Wiest
Business Administrator

Approved as to form:
Melissa Longo
Melissa 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:

James J. Sarcina NOV 17 2014
CITY CLERK

Introduced by: [Signature]
 Seconded by: [Signature] 18

CITY OF HOBOKEN
 RESOLUTION NO. : _____

RESOLUTION TO APPROVE ENFORCEMENT OF PROPOSED ORDINANCE Z-323 ENTITLED "AN ORDINANCE TO AMEND CHAPTER 190 ENTITLED 'VEHICLES AND TRAFFIC' TO AMEND TRAFFIC CIRCULATION REGULATIONS RELATING TO ONE-WAY STREETS ON CLINTON STREET", AS PROPOSED, UNTIL SUCH TIME AS A FINAL DETERMINATION IS MADE REGARDING ADOPTION OF THE ORDINANCE

WHEREAS, for purposes of clarity of the City Code sections at issue in Ordinance Z-323, now that the Viaduct project is close to completion, and final traffic patterns are now in place, the City Council hereby seeks to authorize the Administration to enforce those areas of Clinton Street affected by the finalization of the Viaduct as described in Ordinance Z-323, until such time as the ordinance being considered is either rejected on second reading, or becomes effective, whichever occurs first.

NOW THEREFORE, BE IT RESOLVED that the City Council hereby authorizes the Administration to enforce those areas of Clinton Street affected by the finalization of the Viaduct as described in proposed Ordinance Z-323, until such time as the ordinance being considered is either rejected on second reading, or becomes effective, whichever occurs first.

BE IT FURTHER RESOLVED that a certified copy of this resolution shall be provided to Mayor Dawn Zimmer and the City Clerk 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: November 17, 2014

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

APPROVED AS TO FORM:
[Signature: Mellissa L. Longo]
 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: NOV 17 2014

[Signature: James J. Savino]

CITY CLERK

CITY OF HOBOKEN
RESOLUTION NO. _____

Pat H. Cunningham
JH 19 NB

RESOLUTION AUTHORIZING EXTENSION OF THE DOWNTOWN HOBOKEN FARMERS'
MARKET THROUGH NOVEMBER 26, 2014.

WHEREAS, the City has determined that the Downtown Farmer's Market has been a success, and has discussed with the Market the idea of extending the season for an additional week, so as to allow residents to purchase fresh local fruits and vegetables for Thanksgiving.

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

1. The above recitals are incorporated herein as though fully set forth at length.
2. The Council hereby authorizes the Mayor or her designee to execute any and all documents and take any and all actions necessary to complete and receive the intent and purpose of this resolution.
3. The Downtown Farmer's Market shall be extended through November 26, 2014, with all other specifics, terms and conditions remaining the same for the additional extension week.
5. The Hoboken Police Department and Hoboken Parking Utility shall take action to effectuate and enforce these regulations.
6. A certified copy of this resolution shall be provided to Mayor Dawn Zimmer, Business Administrator Quentin Wiest, Director Jon Tooke, Chief of Police *Garcia*, and Director John Morgan.

This Resolution shall take effect immediately.

Meeting date: November 17, 2014

APPROVED:

Quentin Wiest
Quentin Wiest
Business Administrator

APPROVED AS TO FORM:

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	/			

A TRUE COPY OF A RESOLUTION ADOPTED BY
THE COUNCIL OF THE CITY OF HOBOKEN, N.J.
AT A MEETING HELD ON: NOV 17 2014

James J. Sarcina
CITY CLERK