

1st reading (2)  
10-19-13

Sponsored by: [Signature]  
Seconded by: [Signature]

CITY OF HOBOKEN  
ORDINANCE NO. Z-259 ~~Z-259~~

**AN ORDINANCE TO AMEND CHAPTER 179A ENTITLED "TAXICABS" TO CLARIFY A RECENT AMENDMENT TO THE FARES**

**WHEREAS**, the City determined that the allowable fares of § 179A-20 are outdated and need to be amended to take into account current taxi user activity and current costs of living, which was previously adopted by this Council, but the Council is now called upon to clarify the amendments by way of an additional amendment to the fare sections.

**NOW, THEREFORE**, the City Council of the City of Hoboken does hereby ordain as follows (additions noted in underline, deletions noted in strikethrough):

**§ 179A-20 Taxicab fares.**

The maximum rates of fare allowable for taxicabs licensed by the City of Hoboken shall be as follows:

**A. Maximum Allowable Intra-City Fares**

The maximum allowable fare for Intra-City taxi service shall be Six Dollars (\$6.00), except for taxi service initiating from the taxi stand at the New Jersey Transit/PATH station which shall have a maximum Intra-City fare of Five Dollars (\$5.00).

**B. Additional Allowable Fees**

1. If cab rides are shared with the consent of the first rider(s), the fee may be increased by \$5.00 so long as the second rider(s) is not going to the same exact destination. No more than two paying passengers per shared ride. The right of the taxicab operator to transport shared rides applies only at taxi stands designated by the City of Hoboken if there are more passengers than available taxis. The first rider must be taken to his or her destination first.
2. If a taxi picks up a party of more than one person at the taxi stand at the New Jersey Transit/PATH station for Intra-City travel, the taxi driver may charge an additional One Dollar (\$1.00) fee for each additional person, which fee shall be in addition to the allowable fare of Five Dollars (\$5.00), except that there shall be no additional charge for children under the age of Thirteen (13) years old.

**C. Allowable Baggage Fees**

In addition to the aforesaid rates, there shall be a charge of \$0.50 for each bag exceeding two, with which a driver assists a passenger, except that senior citizens shall not be subject to this fee.

**D. Maximum Allowable Non-Intra-City Fares**

Every driver must have a City approved Rate Book in the vehicle at all times and must use the rates included in the book.

\*No other amendments are made to § 179A as part of this Ordinance\*

**SECTION TWO: REPEAL OF INCONSISTENT PROVISIONS**

All ordinances or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only to the extent of such conflict or inconsistency, it being the legislative intent that all such ordinances or part of ordinances now existing or in effect unless the same are in conflict or inconsistent with any provision of this Ordinance shall remain in effect.

**SECTION THREE: SEVERABILITY**

The provisions of this Ordinance are declared to be severable and if any section, subsection, sentence, clause or phrase thereof for any reason be held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining sections, subsections, sentences, clauses and phrases of this Ordinance, but shall remaining in effect; it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

**SECTION FOUR: EFFECTIVE DATE**

This Ordinance shall take effect immediately upon passage and publication as provided by law.

**SECTION FIVE: CODIFICATION**

This ordinance shall be a part of the Code of the City of Hoboken as though codified and fully set forth therein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Code.

The City Clerk and the Corporation Counsel are authorized and directed to change any Chapter, Article and/or Section number of the Code of the City of Hoboken in the event that the codification of this Ordinance reveals that there is a conflict between the numbers and the existing Code, and in order to avoid confusion and possible accidental repealers of existing provisions not intended to be repealed.

**Date of Introduction: October 17, 2013**

Introduction:

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

Final Reading:

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

Approved as to Legal Form:

\_\_\_\_\_  
Mellissa Longo, Interim Corporation Counsel

Adopted by the Hoboken City Council  
By a Vote of \_\_\_\_ Yeas to \_\_\_\_ Nays  
On the \_\_\_\_ day of \_\_\_\_\_, 2013

\_\_\_\_\_  
James Farina, City Clerk

Vetoed by the Mayor for the following reasons: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**-or-**

Approved by the Mayor  
On the \_\_\_\_ day of \_\_\_\_\_, 2013

\_\_\_\_\_  
Dawn Zimmer, Mayor

1st  
reading  
10-17-13  
(3)

Sponsored by: David J. Russo  
Seconded by: Robert B. ...

CITY OF HOBOKEN  
ORDINANCE NO. Z-260 Z-260

**AN ORDINANCE TO AMEND A RECENT AMENDMENT TO CHAPTER 190 ENTITLED "VEHICLES AND TRAFFIC" RELATING TO LOADING ZONES**

**WHEREAS**, Chapter 190 of the General Code of the City of Hoboken establishes the rules and regulations associated with parking permits within City borders; and,

**WHEREAS**, the municipality has found that a recent revision to § 190-11 was clerically incorrect, and the Council is now called upon to make the correction to effectuate the intent of the original amendment.

**NOW, THEREFORE**, the City Council of the City of Hoboken does hereby Ordain as follows (additions noted in underline, deletions noted in strikethrough):

**SECTION ONE: AMENDMENTS TO HOBOKEN CODE CHAPTER 190**

**§ 190-11. Loading zones designated.**

The locations described are hereby designated as Loading Zones. No person shall park a vehicle in said location during the times indicated other than for the loading or unloading of goods and materials for a time limit of 20 minutes.

Name of Street	Times	Sides	Location
Jackson Street	10:00 a.m. to 4:00 p.m. Monday through Friday	West	Beginning at a point <u>115</u> 40 feet north of the northerly curblin <u>e</u> of Newark Street and extending <del>40</del> <u>95</u> feet northerly therefrom

**SECTION TWO: REPEAL OF INCONSISTENT PROVISIONS**

All ordinances or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only to the extent of such conflict or inconsistency, it being the legislative intent that all such ordinances or part of ordinances now existing or in effect unless the same are in conflict or inconsistent with any provision of this Ordinance shall remain in effect.

**SECTION THREE: SEVERABILITY**

The provisions of this Ordinance are declared to be severable and if any section, subsection, sentence, clause or phrase thereof for any reason be held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining sections, subsections, sentences, clauses and phrases of this Ordinance, but shall remaining in effect; it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

**SECTION FOUR: EFFECTIVE DATE**

This Ordinance shall take effect immediately upon passage and publication as provided by law.

**SECTION FIVE: CODIFICATION**

This ordinance shall be a part of the Code of the City of Hoboken as though codified and fully set forth therein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Code.

The City Clerk and the Corporation Counsel are authorized and directed to change any Chapter, Article and/or Section number of the Code of the City of Hoboken in the event that the codification of this Ordinance reveals that there is a conflict between the numbers and the existing Code, and in order to avoid confusion and possible accidental repealers of existing provisions not intended to be repealed.

**Date of Introduction: October 17, 2013**

Introduction:

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

Final Reading:

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

Approved as to Legal Form:

\_\_\_\_\_  
Mellissa Longo, Corporation Counsel

Adopted by the Hoboken City Council

By a Vote of \_\_\_\_ Yeas to \_\_\_\_ Nays

On the \_\_\_\_ day of \_\_\_\_\_, 2013

\_\_\_\_\_  
James Farina, City Clerk

Vetoed by the Mayor for the following reasons: \_\_\_\_\_

**-or-**

Approved by the Mayor

On the \_\_\_\_ day of \_\_\_\_\_, 2013

\_\_\_\_\_  
Dawn Zimmer, Mayor

1st reading  
10-17-13

5

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

**CITY OF HOBOKEN, NEW JERSEY**

**ORDINANCE NO. Z-262**

Z-262

**BOND ORDINANCE AUTHORIZING THE COMPLETION OF VARIOUS IMPROVEMENTS TO ELYSIAN PARK IN AND FOR THE CITY OF HOBOKEN, COUNTY OF HUDSON, NEW JERSEY; APPROPRIATING THE SUM OF \$200,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS, BOND ANTICIPATION NOTES OR OTHER DEBT OBLIGATIONS OF THE CITY OF HOBOKEN, COUNTY OF HUDSON, NEW JERSEY, IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$200,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

**BE IT ORDAINED** by the City Council of the City of Hoboken, County of Hudson, New Jersey (not less than two-thirds of all the members thereof affirmatively concurring), pursuant to the provisions of the Local Bond Law, Chapter 169 of the Laws of 1960 of the State of New Jersey, as amended and supplemented ("Local Bond Law"), and the Green Acres statutes (*N.J.S.A. 13:8A-1 et seq.*, *N.J.S.A. 13:8A-19 et seq.* and *N.J.S.A. 13:8A-35 et seq.*) and any other law, statute, rule, regulation or ordinance governing the use of funding provided by or property acquired or developed in connection with the Green Acres Program of the New Jersey Department of Environmental Protection (collectively, the "Green Acres Law"), as follows:

**Section 1.** The purposes described in Section 7 hereof are hereby authorized as general improvements to be made or acquired by the City of Hoboken, County of Hudson, New Jersey ("City").

**Section 2.** It is hereby found, determined and declared as follows:

- (a) the estimated amount to be raised by the City from all sources for the purposes stated in Section 7 hereof is \$200,000;
- (b) the estimated amount of bonds, bond anticipation notes or other debt obligations to be issued for the purposes stated in Section 7 hereof is \$200,000; and

**Section 3.** The sum of \$200,000, to be raised by the issuance of bonds, bond anticipation notes or other debt obligations to be purchased by the State of New Jersey, acting by and through the New Jersey Department of Environmental Protection ("NJDEP"), as part of the NJDEP Green Acres Program (Project#0905-12-066) is hereby appropriated for the purposes stated in this bond ordinance ("Bond Ordinance").

**Section 4.** The issuance of negotiable bonds of the City in an amount not to exceed \$200,000 to finance the costs of the purposes described in Section 7 hereof is hereby authorized. Said bonds shall be sold in accordance with the requirements of the Local Bond Law, the Green Acres Law, and other applicable law.

**Section 5.** In order to temporarily finance the purposes described in Section 7 hereof, the issuance of bond anticipation notes or other temporary debt obligations of the City in an amount not to exceed \$200,000 is hereby authorized. Pursuant to the Local Bond Law and the Green Acres Law, the Chief Financial Officer is hereby authorized to sell part or all of the bond anticipation notes or other temporary debt obligations of the City from time to time at public or private sale, or to the State of New Jersey, acting by and through the NJDEP, and to deliver the same to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their date to delivery thereof. The Chief Financial Officer is hereby directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes or other temporary debt obligations pursuant to this Bond Ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes or other temporary debt obligations sold, the price obtained and the name of the purchaser.

**Section 6.** The amount of the proceeds of the obligations authorized by this Bond Ordinance which may be used for the payment of interest on such obligations, accounting, engineering, legal fees and other items as provided in Section 20 of the Local Bond Law, *N.J.S.A.* 40A:2-20, shall not exceed the sum of \$40,000.

**Section 7.** The improvements hereby authorized and the purposes for which said obligations are to be issued; the estimated costs of each said purpose; the amount of down payment for each said purpose; the maximum amount obligations to be issued for said purposes and the period of usefulness of said purposes within the limitations of the Local Bond Law are as follows:

<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A. Various improvements to Elysian Park, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto, all as part of the City's Green Acres Program (Project #0905-12-066) and as set forth in the plans and specifications on file with the City's Department of Parks and Recreation	\$200,000	\$0	\$200,000	20 years

**Section 8.** Grants or other monies received from any governmental entity, if any, not otherwise utilized for the purpose of paying the costs of the improvements described in Section 7 above, will be applied to the payment of, or repayment of obligations issued to finance, the costs of the improvements described in Section 7 above.

**Section 9.** The supplemental debt statement provided for in Section 9 of the Local Bond Law, *N.J.S.A.* 40A:2-10, was duly filed in the office of the Clerk prior to the passage of this Bond Ordinance on first reading and a complete executed duplicate original thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. The supplemental debt statement shows that the gross debt of the City, as defined in Section 43 of the Local Bond Law, *N.J.S.A.* 40A:2-43, is increased by this Bond Ordinance by \$200,000 and that the obligations authorized by this Bond Ordinance will be within all debt limitations prescribed by said Local Bond Law.

**Section 10.** The full faith and credit of the City are irrevocably pledged to the punctual payment of the principal of and interest on the bonds or bond anticipation notes authorized by this Bond Ordinance, and to the extent payment is not otherwise provided, the City shall levy *ad valorem* taxes on all taxable real property without limitation as to rate or amount for the payment thereof.

**Section 11.** The applicable Capital Budget of the City is hereby amended to conform with the provisions of this Bond Ordinance to the extent of any inconsistency therewith, and the resolution promulgated by the Local Finance Board showing full detail of the amended applicable Capital Budget and Capital Program as approved by the Director of the Division of Local Government Services, is on file with the Clerk and available for inspection.

**Section 12.** The City hereby declares its intent to reimburse itself from the proceeds of the bonds or bond anticipation notes authorized by this Bond Ordinance pursuant to Income Tax Regulation Section 1.150-2(e), promulgated under the Internal Revenue Code of 1986, as amended ("Code"), for "original expenditures", as defined in Income Tax Regulation Section 1.150-2(c)(2), made by the City prior to the issuance of such bonds or bond anticipation notes.

**Section 13.** The City hereby covenants as follows:

(a) it shall take all actions necessary to ensure that the interest paid on the bonds or bond anticipation notes authorized by the Bond Ordinance is exempt from the gross income of the owners thereof for federal income taxation purposes, and will not become a specific item of tax preference pursuant to Section 57(a)(5) of the Code;

(b) it will not make any use of the proceeds of the bonds or bond anticipation notes or do or suffer any other action that would cause the bonds or bond anticipation notes to be "arbitrage bonds" as such term is defined in Section 148(a) of the Code and the Regulations promulgated thereunder;

(c) it shall calculate or cause to be calculated and pay, when due, the rebatable arbitrage with respect to the "gross proceeds" (as such term is used in Section 148(f) of the Code) of the bonds or bond anticipation notes;

(d) it shall timely file with the Ogden, Utah Service Center of the Internal Revenue Service, such information report or reports as may be required by Sections 148(f) and 149(e) of the Code; and

(e) it shall take no action that would cause the bonds or bond anticipation notes to be "federally guaranteed" within the meaning of Section 149(b) of the Code.

**Section 14.** The improvements authorized hereby are not current expenses and are improvements that the City may lawfully make. No part of the cost of the improvements authorized hereby has been or shall be specially assessed on any property specially benefited thereby.

**Section 15.** All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of such inconsistency.

**Section 16.** In accordance with the Local Bond Law, this Bond Ordinance shall take effect twenty (20) days after the first publication thereof after final passage.

**Date of Introduction: October 17, 2013**

Introduction:

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

Final Reading:

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

Approved as to Legal Form:

\_\_\_\_\_  
Mellissa Longo, Corporation Counsel

Adopted by the Hoboken City Council  
By a Vote of \_\_\_\_ Yeas to \_\_\_\_ Nays  
On the \_\_\_\_ day of \_\_\_\_, 2013

\_\_\_\_\_  
James Farina, City Clerk

Vetoed by the Mayor for the following reasons: \_\_\_\_\_

**-or-**

Approved by the Mayor  
On the \_\_ day of \_\_\_\_, 2013

\_\_\_\_\_  
Dawn Zimmer, Mayor

**Notice of Pending Bond Ordinance and Summary**

The bond ordinance, the summary terms of which are included herein, was introduced and passed upon first reading at a meeting of the City Council of the City of Hoboken, in the County of Hudson, State of New Jersey, on October 17, 2013. It will be further considered for final passage, after public hearing thereon, at a meeting of the City Council to be held at City Hall, 94 Washington Street, Hoboken, New Jersey on \_\_\_\_\_, 2013 at \_\_\_\_\_ o'clock \_\_M. During the week prior to and up to and including the date of such meeting copies of the full ordinance will be available at no cost and during regular business hours, at the City Clerk's office for the members of the general public who shall request the same. The summary of the terms of such bond ordinance follows:

Title: **BOND ORDINANCE AUTHORIZING THE COMPLETION OF VARIOUS IMPROVEMENTS TO ELYSIAN PARK IN AND FOR THE CITY OF HOBOKEN, COUNTY OF HUDSON, NEW JERSEY; APPROPRIATING THE SUM OF \$200,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS, BOND ANTICIPATION NOTES OR OTHER DEBT OBLIGATIONS OF THE CITY OF HOBOKEN, COUNTY OF HUDSON, NEW JERSEY, IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$200,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A. <u>Purpose/Improvement</u> Various improvements to Elysian Park, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto, all as part of the City's Green Acres Program (Project #0905-12-066) and as set forth in the plans and specifications on file with the City's Department of Parks and Recreation	\$200,000	\$0	\$200,000	20 years

Appropriation: \$200,000  
 Bonds/Notes Authorized: \$200,000  
 Grants (if any) Appropriated: N/A  
 Section 20 Costs: \$40,000  
 Useful Life: 20 years

JAMES J. FARINA, RMC, City Clerk

This Notice is published pursuant to N.J.S.A. 40A:2-17.

## Bond Ordinance Statements and Summary

The bond ordinance, the summary terms of which are included herein, has been finally adopted by the City Council of the City of Hoboken, in the County of Hudson, State of New Jersey on \_\_\_\_\_, 2013 and the twenty (20) day period of limitation within which a suit, action or proceeding questioning the validity of such ordinance can be commenced, as provided in the Local Bond Law, has begun to run from the date of the first publication of this statement. Copies of the full ordinance are available at no cost and during regular business hours, at the City Clerk's office in the Municipal Building, 94 Washington Street, Hoboken, New Jersey, for members of the general public who request the same. The summary of the terms of such bond ordinance follows:

Title:           **BOND ORDINANCE AUTHORIZING THE COMPLETION OF VARIOUS IMPROVEMENTS TO ELYSIAN PARK IN AND FOR THE CITY OF HOBOKEN, COUNTY OF HUDSON, NEW JERSEY; APPROPRIATING THE SUM OF \$200,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS, BOND ANTICIPATION NOTES OR OTHER DEBT OBLIGATIONS OF THE CITY OF HOBOKEN, COUNTY OF HUDSON, NEW JERSEY, IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$200,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A. Various improvements to Elysian Park, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto, all as part of the City's Green Acres Program (Project #0905-12-066) and as set forth in the plans and specifications on file with the City's Department of Parks and Recreation	\$200,000	\$0	\$200,000	20 years

Appropriation:                   \$200,000  
 Bonds/Notes Authorized:       \$200,000  
 Grants (if any) Appropriated: N/A  
 Section 20 Costs:               \$40,000  
 Useful Life:                       20 years

JAMES J. FARINA, RMC, City Clerk

This Notice is published pursuant to N.J.S.A. 40A:2-17.