

As of 12/17/12\* As of 12/18/12 \*\* As of 12/19/12 \*\*\*  
**THE COUNCIL OF THE CITY OF HOBOKEN**

**SPECIAL MEETING OF DECEMBER 19, 2012**

**(CLOSED SESSION) (from 6:30 PM to 7:00PM)**

- To  
BM Absent  
DM
1. **RESOLUTION AUTHORIZING CLOSED SESSION TO DISCUSS MATTERS PURSUANT TO N.J.S.A. 10:4-12 AND ATTORNEY CLIENT PRIVILEGE RELATING TO NEGOTIATIONS AND SETTLEMENT OF PENDING LITIGATION IN MATTERS OF EMPLOYEE WORKERS COMPENSATION CLAIMS**

**REGULAR MEETING OF DECEMBER 19, 2012**

**STARTING AT 7:00PM**

**Please note: The Hoboken City Council may consider additional Resolutions, Ordinances or any other matter brought before the Hoboken City Council until December 19, 2012 and throughout the meeting**

**RESOLUTIONS**

- 1a. ~~Resolution appoints James Doyle as an At Large Council member to the City of Hoboken effective January 2, 2013 for the remainder of a currently vacant (4) Four year term of elected official Carol Marsh, which is set to expire on December 31, 2013 (sponsored by Council President)(HAS BEEN REMOVED DUE TO PENDING LITIGATION)\*\*~~

**SECOND READING/PUBLIC HEARING AND FINAL VOTE**

1. AN ORDINANCE OF THE CITY OF HOBOKEN, IN THE COUNTY OF HUDSON, STATE OF NEW JERSEY, DISSOLVING THE HOBOKEN MUNICIPAL HOSPITAL AUTHORITY PURSUANT TO N.J.S.A. 40A:5A-20 (sponsored by Councilman Mello, and Councilman Bhalla) (Z-210)

(Carried to January 16, 2013 City Council meeting)

WITHDRAWN  
BY  
ADMINISTRATION

**PUBLIC COMMENTS**

**PETITIONS AND COMMUNICATIONS**

Miscellaneous Licenses

8-0

**REPORTS FROM CITY OFFICERS**

A report from the Municipal Tax Collector Sharon Curran for taxes collected for the month of November 2012 **\$28,796,201.79 (Abatement Totals – \$712,898.55)**

A report from Municipal Court indicating receipts for the month of November 2012 as **\$222,198.91**

CLAIMS

Total for this agenda **\$4,334,742.69 - \$1,250.25 = \$4,333,492.44**

BM  
MR  
TO  
5-3

PAYROLL

(CY-12-04129)

For the two week period starting November 22, 2012 – December 05, 2012

**Regular Payroll**  
\$1,519,717.83

**O/T Pay**  
\$913,719.88

**Other Pay**  
\$139,579.83

**Total**  
\$2,573,017.54

7-0-1 MR  
Abstain

CONSENT AGENDA

Consent Agenda defined: All items listed with an asterisk (\*) are considered to be routine business by the City Council and will be enacted by one motion. There will be no separate discussion on these items unless a council member or citizen so requests, in which event the item will be removed from the general order of business and considered in its normal sequence on the agenda.

RESOLUTIONS

2.\* Resolution for Governing Body accepting the Corrective Action Plan for TY 2010 Audit (submitted by Finance Department) (City Auditor will be available per Councilwoman Mason's request)

7-1 MR

3.\* Resolution for Governing Body accepting the Corrective Action Plan for CY 2011 Audit (submitted by Finance Department) (City Auditor will be available per Councilwoman Mason's request)

7-1 MR

4.\* Resolution of the City of Hoboken, in the County of Hudson, New Jersey, authorizing an special emergency appropriation for extraordinary expenses in the amount of ~~\$2,650,000.00~~ associated with damage from Hurricane Sandy (submitted by Administration)

Amended

\$ 2,550,000.00

8-0

Amended  
\$2,550,000.00

- (8-0)
- 5.\* Resolution of the City of Hoboken, County of Hudson, New Jersey, authorizing the issuance and sale of Special Emergency Notes of the City of Hoboken in the aggregate principal amount of up to ~~\$2,650,000.00~~; making certain covenants to effect and maintain the exemptions of interest on said notes from Federal Income Taxation; and authorizing such further actions and making such determinations as may be necessary or appropriate to effectuate the issuance and sale of the notes (**submitted by Administration**)
- CA
- 6.\* Resolution to authorize the City of Hoboken to become co-grantee of the Hudson County Open Space Trust Fund Grant for the Hoboken Cove Community Boat House, subject to the obligations and limitations described herein (**submitted by Community Development**)
- CA
- 7.\* Resolution inserting a Special item of Revenue into the CY 2012 Municipal Budget – Hudson County Open Space Recreation and Historic Preservation Trust Fund CY–2012 (in the sum of \$250,000.00) (**submitted by Finance Department**) \*\*\*
- CA  
7-1 BM
- 8.\* Resolution to authorize a contract to FieldTurf USA, Inc. (Keystone Purchasing Network Contract) for replacement and upgrade of turf at the Stevens Park Little League Baseball Field for the City of Hoboken to commence December 19, 2012 with a not to exceed amount of two hundred thirty thousand five hundred eighty six thousand dollars and ninety five cents (\$232,586.95) (**submitted by Administration**) \*
- CA
- 9.\* Resolution confirms an emergency contract awarded to Intelligent Traffic Supply Products, LLC for replacement of (8) eight traffic control units and associated parts for the City in the wake of Hurricane Sandy in an amount not to exceed Sixty One Thousand Two Hundred Forty Dollars (\$61,240.00) for goods to be provided within (90) ninety days (**submitted by Administration**)
- Amended  
7-1 MR
- 10.\* Resolution to authorize amendment to the professional service contract with Chasan Leyner & Lamparello PC as special legal counsel-outstanding litigation to the City of Hoboken to commence January 1, 2012 and expire December 31, 2012 for an increase in the total not to exceed amount by ~~\$20,000.00~~, for a total not to exceed amount of \$23,185.00 (**submitted by Administration**) → \$5,000.00
- CA
- 11.\* Resolution authorizing the City of Hoboken to enter into the attached NJ Transit Shuttle Bus Grant agreement by and between the City of Hoboken and New Jersey Transit (**submitted by Administration**)
- CA
- 12.\* Resolution confirms an amendment to the Emergency contract awarded to Cali Carting for debris removal services in the wake of Hurricane Sandy in an increased amount not to exceed Four Thousand Eight Hundred Six Dollars and Twenty Five Cents (\$4,806.25) (**submitted by Administration**)

CA

13.\* Resolution for approval to submit a Grant application for **\$90,000.00** in technical assistance from the North Jersey sustainable communities consortium for a local demonstration project to develop the *Hoboken storm water and storm surge preparedness and mitigation plan* (**submitted by Administration**)

CA

14.\* Resolution authorizing the Finance Officer to cancel stale checks (**submitted by Finance Department**)

8-0

15.\* Resolution confirms an emergency contract awarded to Beyer Ford (NJ State Contract #A833012) for replacement of (2) two vehicles and vehicular equipment/accessories (Ford Explorers) due to damage and destruction of original vehicles and equipment of the City in the wake of Hurricane Sandy in an amount not to exceed Fifty Five Thousand One Hundred Thirty Six Dollars (**\$55,136.00**) as well as (6) six automobiles (Ford Focus or similar) (**\$85,000.00**) due to damage and destruction of original vehicles and equipment of the City in the wake of Hurricane Sandy in amount not to exceed One Hundred Forty Thousand One Hundred Thirty Six Dollars (**\$140,136.00**) for goods to be provided within (60) sixty days of transmission of this acceptance of their offer (**submitted by Administration**)

TC  
MR  
TD  
4-3-1

16.\* Resolution to authorize an amendment to the professional service contract with Florio Perucci Steinhardt & Fader, LLC as Special Legal Counsel-Labor Negotiations Counsel to the City of Hoboken for an increase in the not to exceed amount by **\$30,000.00**, for a total not to exceed amount of **\$50,000.00** (**submitted by Administration**) \*\*\*  
BM  
Abstain

TC  
MR  
TD  
4-3-1

17.\* Resolution to authorize an amendment to the professional service contract with Weiner Lesniak as Special Legal Counsel-outstanding and general litigation to the City of Hoboken to commence January 1, 2012 and expire on December 31, 2012 to increase the not to exceed amount by Twenty Thousand Dollars (**\$40,000.00**) for a total not to exceed amount of **\$300,000.00** (**submitted by Administration**)  
BM  
Abstain

CA

18.\* Resolution requesting permission to establish a Dedicated Trust by Rider for snow removal pursuant to **N.J.S.A. 40A:4-62.1** required by **N.J.S.A.40A:4-39** (**submitted by Finance Department**)

8-0

19.\* Resolution to authorize a service contract to TEI Group for services as the City's elevator repair provider for the (2) two elevators in the Midtown Garage to commence December 19, 2012 and expire upon completion, but not later than December 18, 2013 for a not to exceed amount of Forty Three Thousand Eight Hundred Thirty Six Dollars and Eighty Cents (**\$43,836.80**) (**submitted by Administration**) (**submitted by Administration**)

8-0

20.\* Resolution confirms an emergency contract awarded Chas S. Winner Inc. (NJ State Contract #T-2776/8925) for replacement of (2) two police interceptor utility SUV's due to damage and destruction of original vehicles and equipment of the City in the wake of Hurricane Sandy in an amount not to exceed One Hundred Thirty Four Thousand Seven Hundred Ninety Dollars (**\$134,794.00**) for goods to be provided within (60) sixty days of transmission of this acceptance of their offer (**submitted by Administration**) \*\*\*

CA

- 21.\* Resolution inserting a Special item of Revenue into the CY 2012 Municipal Budget – Body Armor CY–2012 (in the sum of **\$12,146.24**) (**submitted by Finance Department**)
- 22.\* Resolution authorizing the Refund of Tax Overpayments (payable to the individuals listed on the resolution for the amount of **\$2,077.04**) (**submitted by Tax Collector**)
- 23.\* Resolution authorizing the Refund of Tax Appeals (payable to the individuals listed on the resolution for the amount of **\$64,788.83**) (**submitted by Tax Collector**)
- 24.\* Resolution authorizing the Refund of Tax Appeals (payable to Davenport & Spiotti listed on the resolution for the amount of **\$69,123.54**) (**submitted by Tax Collector**)
- 25.\* Resolution authorizing the Refund of Tax Appeals (payable to Gess, Gess & Scanlon on the resolution for the amount of **\$14,582.41**) (**submitted by Tax Collector**) \*\*
- 26.\* Resolution authorizing the Refund of Tax Appeals (payable to Jacobus & Associates listed on the resolution for the amount of **\$41.30**) (**submitted by Tax Collector**)
- 27.\* Resolution authorizing the Refund of Tax Appeals (payable to McKirdy & Riskin, P.A. listed on the resolution for the amount of **\$533.94**) (**submitted by Tax Collector**)
- 28.\* Resolution authorizing the Refund of Tax Appeals (payable to Michael A Vespasiano, Esq. listed on the resolution for the amount of **\$142.50**) (**submitted by Tax Collector**)
- 29.\* Resolution authorizing the Refund of Tax Appeals (payable to Nathan Wolf, Esq. listed on the resolution for the amount of **\$2,484.25**) (**submitted by Tax Collector**)
- 30.\* Resolution authorizing the Refund of Tax Appeals (payable to Zipp & Tannenbaum, LLC listed on the resolution for the amount of **\$9,357.50**) (**submitted by Tax Collector**)
- 31.\* Resolution to adopt the minutes the Meetings of the City Council of the City of Hoboken dated: regular meetings of **August 15, 2012, September 5, 2012 and September 19, 2012** and also special meetings of **September 5, 2012 and September 12, 2012** (has been reviewed and approved as to legal form and content) (**submitted by City Clerk**)
- 32.\* Resolution confirms an increase in the not to exceed amount of an emergency contract awarded to T. Farese Direct for Debris Removal services in the wake of Hurricane Sandy – in an increased not to exceed amount of Ten Thousand Two Hundred Fifty Seven Dollars and Fifty cents (**\$10, 257.50**) without any change to the term (**submitted by Administration**)
- 33.\* Resolution awarding a contract to Route 23 Automall, LLC for the purchase of one (1) 2012 or 2013 new/unused Mason Dump Trucks in accordance with the City's Bid No.12-16 in the total amount of \$49,741.00 (**submitted by Administration**) (**Bid will be heard on 12/18/12**) \*\* (**added on 12/19/12**) \*\*\*

7-16m

CA

CA

34.\* Resolution to transfer balances from Stale Trust Accounts to the current fund account (submitted by Finance Department)

35.\* Resolution authorizing the closure of a bank account (TD Bank Comp Service #4241481326) at the recommendation of the Department of Revenue and Finance (submitted by Finance Department)

36.\* Resolution authorizing introduction of ordinance(s) in the year prior to adoption of said ordinance(s) during the term of the present constitution of the city council (submitted by Administration)

CA

37.\* Resolution confirms an emergency contract awarded to Bucks Co. International (NJ State Contract #T-2787-79123) for replacement of (2) two dump trucks and accessories, including snow accessories, due to damage and destruction of original vehicles and equipment of the City in the wake of Hurricane Sandy in an amount not to exceed Two Hundred Forty Two Thousand Two Hundred Forty Two Thousand Two Hundred Thirty Two Dollars (\$242,232.00) for goods to be provided within (60) sixty days of transmission of this acceptance of their offer (submitted by Administration)

38.\* Resolution to rejoin the Garden State Municipal Joint Insurance Fund (submitted by Administration) \*

ORDINANCES

Introduction and First Reading

1. AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 192 OF THE CODE OF THE CITY OF HOBOKEN ENTITLED (PARKING FOR HANDICAPPED) APPROVAL; (75 BLOOMFIELD STREET, 528 BLOOMFIELD STREET, 119 WILLOW AVENUE)

2. AN ORDINANCE TO AMEND CHAPTER 46 ENTITLED "PUBLIC PROPERTY" TO INCLUDE A SMOKING PROHIBITION WITHIN THE BOUNDARIES OF ALL PUBLIC PARKS WITHIN THE CITY OF HOBOKEN" \*\*

NEW BUSINESS

39.\* Resolution requesting permission to establish a Dedicated Trust by Rider for Hurricane Sandy donations and gifts pursuant to N.J.S.A. 40A: 5-29 required by N.J.S.A. 40A:4-39 (sponsored by Councilwoman Giattino) \*\*\*

39e Resolution cancelling Emergency Appropriations NJSA 40A:4-48

40.\* Resolution authorizing suspension of meter fees for all metered parking within the City of Hoboken from 12:01 AM December 20, 2012 through 12:01 AM January 2, 2013 (sponsored by Councilwoman Castellano) \*\*\*

(sponsored by Giattino)

41. Resolution granting Laura Murray, Esq. of Weiner Lesniak Settlement Authority in the matter of Miranda's Worker compensation litigation to present in an amount up to the amount suggested by Laura Murray to Mellissa Longo in her email dated Dec. 9, 2012 (sponsored by Councilwoman)

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BM Abstein

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