

As of 12/31/12 \* 1/2/13 \*\*

**THE COUNCIL OF THE CITY OF HOBOKEN**

**SPECIAL MEETING OF JANUARY 2, 2013**

**(CLOSED SESSION) (from 6:45 PM to 7:00PM)**

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**

**THE COUNCIL OF THE CITY OF HOBOKEN**

**REGULAR MEETING OF JANUARY 2, 2013**

**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 January 2, 2013 and throughout the meeting**

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

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) (Z-223)

7-0-1  
TC Absent

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" (Z-224)

7-0-1  
TC Absent

**PUBLIC COMMENTS**

**PETITIONS AND COMMUNICATIONS**

Mayor Dawn Zimmer letter regarding municipal appointments to the Historic Preservation Board and the Hoboken Planning Board

Miscellaneous Licenses \*

7-0-1  
TC Absent

REPORTS FROM CITY OFFICERS

No Reports

CLAIMS

Total for this agenda \$960,837.93

PAYROLL

For the two week period starting December 6, 2012 – December 19, 2012

**Regular Payroll**  
\$1,509,583.43

**O/T Pay**  
\$63,224.57

**Other Pay**  
\$78,200.52

**Total**  
\$1,651,008.52

Handwritten notes: TC # 04583, \$550.00, MR, RM, TO Absent, Y N, 5-3, -1

Handwritten notes: RM, 6-1 on O/T, -1 To Absent

CONSENT AGENDA

Handwritten notes: 7-0-1 To Absent, 1, 3, 4, 5, 25, 26 (Mason - no) & 27

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

- CA 1.\* Resolution to authorize a settlement for Lucatoro (submitted by Administration) \*\*
- 2.\* Resolution authorizing a temporary appropriations (submitted by Finance Department)\* \*\*
- CA 3.\* Resolution adopting a cash management plan for the City of Hoboken (submitted by Finance Department)
- CA 4.\* Resolution authorizing various city departments to maintain a petty cash and change fund (submitted by Finance Department)
- CA 5.\* Resolution designating depositories for the City of Hoboken funds (submitted by Finance Department)
- ~~6.\* Resolution appointing Tracy Zur, Esq. as Chief Municipal Prosecutor for the City of Hoboken for the 2013 Calendar Year, and authorizing professional service contract with Trazy Zur, Esq. for services as Municipal Prosecutor for a one (1) year term to commence on January 1, 2013 and terminate on December 31, 2013 with a not to exceed amount \$53,000.00 (submitted by Administration) (REMOVED BY ADMIN.) \*\*~~

- ~~7.\* Resolution appointing Benjamin Choi, Esq. as Alternate Municipal Prosecutor for the City of Hoboken for the 2013 Calendar Year, and authorizing professional service contract with Benjamin Choi, Esq. for services as Municipal Prosecutor for a one (1) year term to commence on January 1, 2013 and terminate on December 31, 2013 with a not to exceed amount of \$20,000.00 (submitted by Administration) (REMOVED BY ADMIN.) \*\*~~
- ~~8.\* Resolution appointing Esther Milsted, Esq. as Municipal Public Defender for the City of Hoboken for the 2013 Calendar Year, and authorizing professional service contract with Esther Milsted, Esq. for services as Municipal Public Defender for a one (1) year term to commence on January 1, 2013 and terminate on December 31, 2013 with a not to exceed amount of \$30,000.00 (submitted by Administration)~~
- ~~9.\* Resolution appointing Katy Thuerer, Esq. as Alternate Municipal Public Defender for the City of Hoboken for the 2013 Calendar Year, and authorizing professional service contract with Katy Thuerer, Esq. for services as Alternate Municipal Public Defender for a one (1) year term to commence on January 1, 2013 and terminate on December 31, 2013 with a not to exceed amount \$7,500.00 (submitted by Administration)~~
- ~~10.\* Resolution to authorize a professional service contract with Ron Cucchiaro, Esq. of Weiner Lesniak as Special Counsel- Land Use to the City of Hoboken to commence January 1, 2013 and expire December 31, 2013 for a total not to exceed amount of \$230,000.00 (submitted by Administration)~~
- ~~11.\* Resolution to authorize a professional service contract with Edward Buzak, Esq. as Special Legal Counsel - Land Use to the City of Hoboken to commence January 1, 2013 and expire on December 31, 2013 for a total not to exceed amount of \$35,000.00 (submitted by Administration)~~
- ~~12.\* Resolution to authorize a professional service contract with Lite DePalma Greenberg as Special Legal Counsel Rent Control Litigation to the City of Hoboken to commence January 1, 2013 and expire on December 31, 2013 for a total not to exceed amount of \$75,000.00 (submitted by Administration)~~
- ~~13.\* Resolution to authorize a professional service contract with Maraziti Falcon Healey as Special Legal Counsel - Outstanding Litigation to the City of Hoboken to commence January 1, 2013 and expire on December 31, 2013 for a total not to exceed amount of \$68,500.00 (submitted by Administration)~~
- ~~14.\* Resolution to authorize a professional service contract with Maraziti Falcon Healey as Special Legal Counsel - Redevelopment to the City of Hoboken to commence January 1, 2013 and expire on December 31, 2013 for a total not to exceed amount of \$40,000.00 (submitted by Administration) \*\*~~

REMOVED SINCE

RESOLUTION # 9 FAILED TO PASS

- 15.\* ~~Resolution to authorize a professional service contract with Forman Holt Eliades Ravin & Youngman, LLC as Special Legal Counsel - Outstanding Litigation to the City of Hoboken to commence January 1, 2013 and expire on December 31, 2013 for a total not to exceed amount of \$1,000.00 (submitted by Administration) - (REMOVED BY ADMIN.) \*\*~~
- 16.\* Resolution to authorize a professional service contract with Florio Kenny as Special Legal Counsel - Outstanding Litigation to the City of Hoboken to commence January 1, 2013 and expire on December 31, 2013 for a total not to exceed amount of \$7,500.00 (submitted by Administration)
- 17.\* Resolution to authorize a professional service contract with Weiner Lesniak as Special Legal Counsel - Labor and Employment to the City of Hoboken to commence January 1, 2013 and expire on December 31, 2013 for a total not to exceed amount of \$74,000.00 (submitted by Administration)
- 18.\* Resolution to authorize a professional service contract with McManimon Scotland as Special Legal Counsel - Outstanding Litigation to the City of Hoboken to commence January 1, 2013 and expire on December 31, 2013 for a total not to exceed amount of \$45,000.00 (submitted by Administration)
- 19.\* Resolution to authorize a professional service contract with Parker McKay as Special Legal Counsel - Bond Counsel to the City of Hoboken to commence January 1, 2013 and expire on December 31, 2013 for a total not to exceed amount of \$5,000.00 (submitted by Administration)
- 20.\* Resolution to authorize a professional service contract with Vogel Chait Collins as Special Legal Counsel - Outstanding Litigation to the City of Hoboken to commence January 1, 2013 and expire on December 31, 2013 for a total not to exceed amount of \$50,000.00 (submitted by Administration)
- 21.\* Resolution to authorize a professional service contract with Florio Kenny as Special Legal Counsel - Tax Appeals to the City of Hoboken to commence January 1, 2013 and expire on December 31, 2013 for a total not to exceed amount of \$18,000.00 (submitted by Administration)
- 22.\* Resolution approving the terms of the attached lease agreement between the City of Hoboken and 101 Park Avenue, LLC for the use of 251-255 First Street, Unit 8 (submitted by Administration) 7-0-1
- 23.\* Resolution to authorize a professional service contract with Vincent Lapaglia as Special Legal Counsel - Tax Appeals to the City of Hoboken to commence January 1, 2013 and expire on December 31, 2013 for a total not to exceed amount of \$18,000.00 (submitted by Administration)

REMOVED SINCE  
RESOLUTION # 4 FAILED TO  
PASS

24.\* Resolution expressing strong City Council support for the Rebuild Hoboken Relief Fund  
(submitted by Administration) 7c  
7-0-1

CA 25.\* Resolution revokes the award of an emergency contract to Amano McGann, Inc. for replacement of revenue control equipment due to water damage for the City in the wake of Hurricane Sandy (submitted by Administration)

CA 26.\* Resolution confirms an emergency contract awarded to Integrated Technical Systems, Inc. for replacement of revenue control equipment due to water damage for the City in the wake of Hurricane Sandy in an amount not to exceed One Hundred Sixty Seven Thousand One Hundred Ninety Seven Dollars (\$167,197.00) for goods to be provided within (90) ninety days (submitted by Administration)

BM TC Absent  
6-1-1

27.\* Resolution to adopt the minutes the Meetings of the City Council of the City of Hoboken dated: regular meetings of **October 3, 2012 and October 17, 2012** (has been reviewed and approved as to legal form and content) (submitted by City Clerk)

~~28.\* Resolution to authorize a professional service contract with Florio Perrucci Steinhart Fader as Special Legal Counsel Labor and Employment to the City of Hoboken to commence January 1, 2013 and expire December 31, 2013 for a total not to exceed amount of \$25,250.00 (submitted by Administration) WITHDRAWN (carried to the 1/16/13 meeting) \*\*~~

~~29.\* Resolution authorizing a professional service contract with Ferraioli, Wielkocz, Cerullo & Cuva, P.A. for general Municipal Auditing services from January 1, 2013 to December 31, 2013 in an amount not to exceed \$110,000.00 (submitted by Administration) \*~~

REMOVED  
SINCE  
RESOLUTION  
#4 FAILED

~~30.\* Resolution authorizing a professional service to \_\_\_\_\_ for Revaluation for the City of Hoboken for the amount of \$0.00 (submitted by Administration)  
(DOCUMENTS TO FOLLOW) WITHDRAWN (carried to the 1/16/13 meeting) \*\*~~

### ORDINANCES

#### Introduction and First Reading

1. AN ORDINANCE APPROVING THE TERMS OF THE ATTACHED LEASE AGREEMENT BETWEEN THE CITY OF HOBOKEN AND 101 PARK AVENUE, LLC FOR THE USE OF 251-255 FIRST STREET, UNIT 8

Absent  
70

7-0-1

### NEW BUSINESS