

As of today, 4/17/13 *

THE COUNCIL OF THE CITY OF HOBOKEN

SPECIAL MEETING OF APRIL 17, 2013

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

- 1A. RESOLUTION AUTHORIZING CLOSED SESSION TO DISCUSS MATTERS PURSUANT TO N.J.S.A. 10:4-12(b)(3) & (8) AND ATTORNEY CLIENT PRIVILEGE RELATING TO THE PENDING WORKERS COMPENSATION MATTER KNOWN AS WC00365652 (MUSSARO)**
- 2A. RESOLUTION AUTHORIZING CLOSED SESSION TO DISCUSS MATTERS PURSUANT TO N.J.S.A. 10:4-12(B)(7) AND ATTORNEY CLIENT PRIVILEGE RELATING TO PENDING LITIGATION KNOWN AS URSA V. CITY OF HOBOKEN AND BLOCK 112 V. CITY OF HOBOKEN AND TO RECEIVE ADVICE FROM THE CITY'S LEGAL COUNSEL FOR THE MATTERS, TOM COLLINS, ESQ.**
- 3A. RESOLUTION AUTHORIZING CLOSED SESSION TO DISCUSS MATTERS PURSUANT TO N.J.S.A. 10:4-12(b)(3) & (8) AND ATTORNEY CLIENT PRIVILEGE RELATING TO THE PENDING WORKERS COMPENSATION MATTER KNOWN AS WC890750188 (MELENDEZ)**

THE COUNCIL OF THE CITY OF HOBOKEN

REGULAR MEETING OF APRIL 17, 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 April 17, 2013 and throughout the meeting

RESOLUTIONS

- 1.* Resolution to authorize an amendment to the 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 June 30, 2013 for an increase in the not to exceed amount by **\$28,000.00**, which results in a total not to exceed amount of **\$43,000.00** (submitted by the Administration)

5-3
TC
BM
MR

- 2.* Resolution granting Lou Masucci, Esq. of Weiner Lesniak settlement authority in the matter of Mussaro's Workers Compensation litigation (WC00365652) in an amount up to the amount suggested by Susan Polifrone to Mellissa Longo in her email dated March 26, 2013 (submitted by the Administration)
- 3.* Resolution granting Keith Kandel, Esq. of Florio Kenny settlement authority in the matter of Melendez's Workers Compensation litigation (WC890750188) in an amount up to the amount suggested by Susan Polifrone to Mellissa Longo in her email dated April 8, 2013 (submitted by the Administration)

Present
7-170
Present
7-170

**PRESENTATION BY PSE&G REGARDING THEIR ENERGY STRONG
CAMPAIGN (SEE RESOLUTION NO.6)**

SECOND READING/PUBLIC HEARING AND FINAL VOTE

1. AN ORDINANCE OF THE COUNCIL OF THE CITY OF HOBOKEN GRANTING A NON-EXCLUSIVE TEMPORARY REVOCABLE EASEMENT FOR CERTAIN ENCROACHMENTS WITHIN THE PUBLIC RIGHT-OF-WAY ALONG OBSERVER HIGHWAY, BETWEEN PATERSON AVENUE AND JACKSON STREET, MORE PARTICULARLY KNOWN AS BLOCK 14, LOT 1 ON THE TAX MAPS OF THE CITY OF HOBOKEN, AND COMMONLY REFERED TO AS 61 JACKSON STREET
(sponsored by Councilman Mello) Z-230)

2.* BOND ORDINANCE AUTHORIZING THE REHABILITATION AND RECONSTRUCITON OF PIER "A" IN THE CITY OF HOBOKEN, COUNTY OF HUDSON, NEW JERSEY; APPROPRIATING THE SUM OF \$2,500,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE CITY OF HOBOKEN, COUNTY OF HUDSON, NEW JERSEY, IN THE AGGREGATE AMOUNT OF UP TO \$2,375,000; MAKING CERTAIN DETERMINATIONS AND CONVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTIONS WITH THE FOREGOING

**(sponsored by Councilwoman Giattino and Councilman Bhalla)
(Z-235)**

(Carried to May 1, 2013 city council meeting)

3.* AN ORDINANCE TO AMEND PORTIONS OF CHAPTER 93 ETITLED "DOGS AND OTHER ANIMALS," SPECIFICALLY SECTION 93-1, SECTION 93-15 AND SECTION 93-17
(sponsored by Councilwoman Castellano & Councilwoman Mason)
(Going back to first reading due to substantive changes)
(Z-236)

4.* AN ORDINANCE AUTHORIZING A SPECIAL EMERGENCY APPROPRIATION PURSUANT TO N.J.S.A. 40A:4-53(h) TO FUND THE COSTS ASSOCIATED WITH THE PAYMENT OF CERTAIN CONTRACTUALLY REQUIRED SEVERANCE LIABILITIES OF THE CITY OF HOBOKEN, COUNTY OF HUDSON, NEW JERSEY
(sponsored by Councilwoman Giattino and Councilman Bhalla)
(Z-237)

Amended to 700
MR 7-1

RESOLUTIONS

4A.* Resolution declaring an emergency pursuant to N.J.S.A. 40:69A-181 (B) and making immediately effective ordinance **No. Z-237** entitled "AN ORDINANCE AUTHORIZING A SPECIAL EMERGENCY APPROPRIATION PURSUANT TO N.J.S.A. 40A:4-53(h) TO FUND THE COSTS ASSOCIATED WITH THE PAYMENT OF CERTAIN CONTRACTUALLY REQUIRED SEVERANCE LIABILITIES OF THE CITY OF HOBOKEN, COUNTY OF HUDSON, NEW JERSEY"
(submitted by the Administration)*

7-1 MR

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 March 2013 **\$1,359,093.25 (Abatement Totals – \$88,082.39)**

A report from Municipal Court indicating receipts for the month of March 2013 as **\$361,242.97**

CLAIMS

7-2 MR of BM

Total for this agenda \$5,280,001.41

PAYROLL

8-1 BM on O/T

For the two week period starting March 13, 2013 –March 27, 2013

Regular Payroll
\$1,549,803.55

O/T Pay
\$58,428.76

Other Pay
\$87,935.32

Total
\$1,696,167.63

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

4.* Resolution awarding an extraordinary unspecified service contract to Bike and Roll in accordance with their proposal and the attached Bike and Roll Agreement (**sponsored by Councilman Mello**)

8-0

FAILED
5-3 TO MR

5.* Resolution of the City of Hoboken, in the 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 \$1,500,000; making certain covenants to effect and maintain the exemption 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 the Administration**)

need 2/3 vote

6.* Resolution for supporting PSE&G's Energy Strong program (**sponsored by Councilman Mello**)

8-0

CA 7.* Resolution to approve a "license agreement" between the City of Hoboken and the owner of Block 176 Lot 3 (a/k/a 88 Garden Street) for use and maintenance of a portion of the public right of away adjacent to said property (**submitted by the Administration**)

CA 8.* Resolution amends an emergency contract awarded to Thompson Consulting for debris monitoring and public assistance in the wake of Hurricane Sandy with no change in the not to exceed amount, and for an amended expiration date of June 20, 2013 (**submitted by the Administration**)

CA

9.* Resolution authorizing submission of application to Department of Agriculture for 2013 Summer Food Service Program Funds (**submitted by the Administration**)

As Amended
80

10.* Resolution awarding a contract to Daskal Brothers contracting LLC for the provisions of restroom improvements to Church Square Park in accordance with the City's Bid No. 12-02 in the total amount of **\$78,366.00 (submitted by the Administration)**

CA

11.* Resolution permitting the Administration to enter into an acknowledgement and indemnity agreement granted to the City of Bayonne by the City of Hoboken regarding the Hoboken Police Department's use of certain City of Bayonne facilities for in-service training for officers of the Hoboken Police Department during 2013 (**submitted by the Public Safety Department**)

CA

12.* Resolution approves the redesign of Elysian Park and authorizes action by the Administration to effectuate the project pursuant to Chapter 56A of the Hoboken City Code (**submitted by the Administration**)

CA

13.* Resolution authorizing the City of Hoboken to enter into the attached Memorandum of Understanding by and between the City of Hoboken and the County of Hudson relative to a Water Truck with the Vin No. 1FUVDSEB4XP948134 (**submitted by the Administration**)

6-2 TC MR

14.* Resolution authorizing the City of Hoboken to enter into a Cooperative Pricing agreement with the Cranford Police Cooperative (**submitted by the Administration**)

As Amended
TC
6-2 MR

Amended
with a
BE MR
RESOLUTION

15.* Resolution authorizing amendment of the contract with Remington and Vernick Engineers for Engineering and design services relating to 1600 Park and Hoboken Cove (**submitted by the Administration**)

CA

16.* Resolution authorizing the Refund of Tax Appeals State Tax Court of **\$6,520.23** (payable to the individuals listed) (**submitted by Tax Collector**)

CA

17.* Resolution authorizing the Refund of Tax Overpayments (payable to the individuals listed on the resolution for the amount of **\$22,726.40 (submitted by Tax Collector)**)

18.* Resolution to adopt the minutes the Meetings of the City Council of the City of Hoboken dated: regular meetings of Jan. 2, 2013 and Feb. 6, 2013 and regular meetings of Jan. 2, 2013, Feb. 6, 2013 and Feb. 20, 2013 (has been reviewed and approved as to legal form and content) (**submitted by City Clerk**)

OFF

19.* Resolution authorizing emergency temporary appropriations for the CY 2013 budget (**fire safety equipment in the amount of \$40,000.00 (submitted by the Administration)***)

7-1 MR

20.* Resolution authorizing emergency temporary appropriations for the CY 2013 budget (**anticipated terminal leave appropriation in the amount of \$1,000,000.00 (submitted by the Administration)***)

OFF

CA

- 21.* Resolution authorizing Utilization of the fee waiver provisions under Hoboken general code section 86-3(H)(1) for and on behalf of the Hoboken Charter School's construction permit fees relating to the reconstruction of the school as a result of the September 6, 2012 fire (**submitted by the Administration**)*

ORDINANCES

Introduction and First Reading

1. AN ORDINANCE AMENDING CHAPTER §44 (LAND USE PROCEDURES) UPDATING AND CONSOLIDATING THE PROCESSES AND PROCEDURES FOR LAND USE BOARDS

FALCO
4-4

2. AN ORDINANCE TO AMEND PORTIONS OF CHAPTER 93 ENTITLED "DOGS AND OTHER ANIMALS," SPECIFICALLY SECTION 93-1, SECTION 93-15 AND SECTION 93-17

800

(sponsored by Councilwoman Castellano)

3. AN ORDINANCE TO AMEND CHAPTER 179A ENTITLED "TAXICABS" TO AMEND THE MILEAGE/AGE REQUIREMENTS UNDER § 179A-18(C)(8)

TABLED

(sponsored by Councilman Mello)

NEW BUSINESS