

**SPECIAL MEETING OF APRIL 26, 2016**

**MINUTES OF A SPECIAL MEETING OF THE COUNCIL OF THE CITY OF HOBOKEN,  
NEW JERSEY, HELD IN THE COUNCIL CHAMBERS, CITY HALL, HOBOKEN, NEW  
JERSEY, TUESDAY, APRIL 26, 2016 AT 7:00 PM**

---

The City Clerk opened the meeting at 7:04 PM. and stated, "I would like to advise all those present that notice of this meeting has been provided to the public in accordance with the provisions of the Open Public Meetings Act, and that notice was published in the Jersey Journal and on the City website, copies were provided in the Hoboken Reporter, The Record, The Newark Star-Ledger and also placed on the bulletin board in the lobby of City Hall. If any Councilperson or member of the public believes that this meeting or any portion thereof, is in violation of the Open Public Meetings Act, they are requested to so advise the City Council and City Clerk at this time, or at the time of the believed violation, in accordance with N.J.S.A. 10:4-17. Written objections, if any shall be made in writing to the City Clerk."

Then the Clerk called the Roll: Councilwoman Fisher, Giattino, Councilman Bhalla, Cunningham, DeFusco, Mello (calling in via cell phone), Doyle, Russo, and Ramos, Jr.

Council President reads the public notice calling for the Special Meeting:

**16-283**

April 21, 2016

Dear Mr. Farina,

Please be advised that I hereby call a Special Meeting of the Hoboken City Council for Tuesday, April 26, 2016 at 7:00pm in City Council Chambers, 94 Washington Street, Hoboken, New Jersey, for consideration of the following:

1. RESOLUTION TO AUTHORIZE EXECUTION OF THE ATTACHED DEVELOPER'S AGREEMENT BETWEEN THE CITY OF HOBOKEN AND ADVANCE AT HOBOKEN, LLC
2. RESOLUTION TO AUTHORIZE THE CITY OF HOBOKEN TO ENTER INTO THE ATTACHED AGREEMENT WITH CAREPOINT HEALTH
3. RESOLUTION TO AUTHORIZE THE CITY OF HOBOKEN TO ENTER INTO THE ATTACHED THIRD PARTY ADMINISTRATION AGREEMENT WITH UMR

No other action may be taken and no other matters may be discussed and/or acted upon at this meeting. Please ensure the City Council Members are noticed of this Special Meeting in accordance with applicable laws and rules. Also, please publicly notice this Special Meeting, as required by the Open Public Meetings Act N.J.S.A. 10:4-6. I remain,

Very Truly Yours,  
//s//

Dawn Zimmer  
Mayor

cc: Honorable Members of the Hoboken City Council  
Quentin Wiest, Business Administrator  
Alysia Proko, Esq., Acting Corporation Counsel  
Jersey Journal/Star Ledger/The Record/Hoboken Reporter

**Council President comments that there will be a brief presentation from Maser Consulting by John Jahr.**

**16-284**

By Councilman Cunningham

**RESOLUTION TO AUTHORIZE EXECUTION OF THE ATTACHED DEVELOPER'S AGREEMENT BETWEEN THE CITY OF HOBOKEN AND ADVANCE AT HOBOKEN, LLC**

**WHEREAS**, the City wishes to enter into the attached Developer's Agreement with Advance at Hoboken, LLC; and

**WHEREAS**, the Developer's Agreement serves as the agreement between the parties regarding the development of the property in accordance with the Zoning Board approvals; and,

**NOW THEREFORE, BE IT RESOLVED**, that the City is authorized to enter into the attached Agreement with Advance, and take any and all other action to effectuate the Agreement, and the terms thereunder; 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.

Councilman Bhalla comments on where the location for the trucks.

Councilman Cunningham comments

Councilwoman Fisher comments the gravel treatment and the concern for safety for the seniors who live nearby and maybe consider removing the line or bump out.

John J. Jahr comments

Councilman Russo comments on old striping and wide turn over the gravel.

John J. Jahr comments on leaving the gravel bump out and maybe consider some flashing lights for the cross walk and we could make changes in the future and it will meet all the state and federal requirements for safety.

Councilman Cunningham comments that there may be field changes as time rolls on and foresee other modifications at this intersection and other intersections as well.

Council President comments that she disagrees with the bump outs and feels that the bump out is safer.

Councilman Cunningham comments that other traffic controls need to be considered, there are so many traffic control measures and don't see them mentioned in this contract but the Mayor did assure them that there are other traffic controls to consider.

Councilman Bhalla comments that he agrees with Council President for the gravel but we're not traffic engineers and would defer to the professionals and let them make that call.

Councilman Ramos comments that the gravel creates a false sense of security and remove the gravel and if it is in need later on.

Councilman Doyle comments that he would rather keep the gravel.

Councilman Ramos comments on the frequency and times of delivery.

John J. Jahr comments that not more than 3 trucks per day and they can come anytime  
Councilman Doyle comments on the safety feature is preferable.

John J. Jahr comments NTCB are the golden rules and like these treatments but they may not be appropriate everywhere and we can hold back and put it later and feels that the bump out is good.

Councilman Russo comments that he's not concerned with the 25 min/day with the trucks.

Council President comments on how far the trucks stick out.

John J. Jahr comments that it won't be in the right of way.

Councilman DeFusco comments

Acting Corporation Counsel comments  
Special Counsel Cucchiaro comments

Councilman Cunningham comments on the agreement with Advanced Realty and asks Special Counsel on section 10 regarding certain typos in the last paragraph.  
Special Counsel Cucchiaro comments that he will take care of it and he did speak to Advanced Realty and could reevaluate the bump out, signage and traffic signals.

Councilman DeFusco comments

Councilman Cunningham comments on contractors on page 10 with Advanced Realty and is there a collaboration and many thanks for the 24 month field changes

Special Counsel comments that they have to comply with sub-code officials and it's up to Advanced Realty.

Jeff Aris comments  
Andrew Price comments  
Chris Adair comments  
Jeff Piemont comments  
Stewart Mader comments

Margarite Bunyae comments  
Hany Ahmed comments  
Michael Scanela comments  
Tim O'Malley comments  
Joe Branco comments  
Amy Sommer comments  
Special Counsel Ron Cucchiaro comm  
Council President comments that they will call the vote without the bump out and then will call the 2<sup>nd</sup> vote with a bump out  
Councilman Doyle comments  
Special Counsel Cucchiaro comments  
Councilman Cunningham comments  
Councilman DeFusco comments  
Council President comments  
Councilman Ramos comments

Special Counsel Joe Garcia comments on the bump out for now or some other option in the future – curbing, striping, or lighting but anything more it could complicate the agreement and we should limit to that intersection and narrow it down.

Councilman Russo comments on striping and lighting on the other intersection does this look like a good revision and I can work on the language with Special Counsel Cucchiaro.

Councilwoman Fisher comments

Special Counsel Cucchiaro comments that it should go through the traffic engineer  
John J. Jahr comments that the parking include a total of 387 parking spots - retail 88, residential 140, monthly 159 parking.

---Motion duly seconded by Councilman Bhalla  
---As **AMENDED** with the 24 mo. evaluation and city engineer professional opinion by the following vote: YEAS: 9 – NAYS: 0  
---Yeas: Council persons Bhalla, Cunningham, DeFusco, Doyle, Fisher, Mello (via cell phone), Ramos, Russo and President Giattino  
---Nays: None.

#### **16-285**

---By Councilwoman Fisher

#### **RESOLUTION TO AUTHORIZE THE CITY OF HOBOKEN TO ENTER INTO THE ATTACHED AGREEMENT WITH CAREPOINT HEALTH**

**WHEREAS**, the City wishes to enter into the attached Agreement with CarePoint Health;  
and

**NOW THEREFORE, BE IT RESOLVED**, that the City is authorized to enter into the attached Agreement with Carepoint Health, and take any and all other action to effectuate the Agreement, and the terms thereunder; 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.

---Motion duly seconded by Councilman Russo

---Adopted by the following vote: YEAS: 9 – NAYS: 0

---Yeas: Council persons Bhalla, Cunningham, DeFusco, Doyle, Fisher, Mello(via cell phone), Ramos, Russo and President Giattino

---Nays: None.

BA Wiest comments and gives an overview for resolution #2 and #3

Councilman Russo comments and asks about the difference Horizon and United in network

UMR representative David Angerman comments and responds to the Governing Body

UMR representative Misty Matulewicz comments

Councilman Russo comments

Acting Corporation Counsel comments

**16-286**

---By Councilwoman Fisher

**WHEREAS**, the City wishes to enter into the attached Third Party Administration Agreement with UMR; and

**NOW THEREFORE, BE IT RESOLVED**, that the City is authorized to enter into the attached Agreement with UMR, and take any and all other action to effectuate the Agreement, and the terms thereunder; and,

**BE IT FURTHER RESOLVED**, that the Business Administration shall immediately, and in no event later than April 29, 2016, send a written thirty (30) day notice of cancellation to the City's current TPA, Horizon Blue Cross and Blue Shield cancelling said services as of May 31, 2016, in favor of UMR, whose services shall commence on June 1, 2016; and,

**BE IF FURTHER RESOLVED**, the CFO shall heretofore re-appropriate the monies previously appropriated to the prior TPA to this new vendor, commencing on June 1, 2016, and no new monies need be appropriated at this time; 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.

---Motion duly seconded by Councilman Russo  
---Adopted by the following vote: YEAS: 9 – NAYS: 0  
---Yeas: Council persons Bhalla, Cunningham, DeFusco, Doyle, Fisher, Mello (via cell phone), Ramos, Russo and President Giattino  
---Nays: None.

At 9:45 P.M. the Governing Body on a motion by Council duly seconded by the Council

The City Clerk then adjourned the special meeting at 9:45 P.M.

---

PRESIDENT OF THE COUNCIL

---

CITY CLERK