

187 reading
SPONSOR [Signature]
2nd - [Signature]
Sponsored by: [Signature]
Seconded by: _____

CITY OF HOBOKEN, NEW JERSEY

ORDINANCE NO. _____

BOND ORDINANCE AUTHORIZING THE ACQUISITION OF SHUTTLE BUSES AND A BUCKET TRUCK FOR THE CITY - PARKING UTILITY DEPARTMENT; APPROPRIATING THE SUM OF \$497,000 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 PRINCIPAL AMOUNT OF UP TO \$497,000; 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"), 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 \$497,000; and
- (b) the estimated amount of bonds or bond anticipation notes to be issued for the purposes stated in Section 7 hereof is \$497,000.

Section 3. The sum of \$497,000, to be raised by the issuance of bonds or bond anticipation notes 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 \$497,000 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.

Section 5. In order to temporarily finance the purposes described in Section 7 hereof, the issuance of bond anticipation notes of the City in an amount not to exceed \$497,000 is hereby authorized. Pursuant to the Local Bond Law, the Chief Financial Officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale 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 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 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 \$99,000.

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 each said purpose and the period of usefulness of each said purpose 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.	Acquisition of Five (5) Shuttle Busses for the City Parking Utility Department, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$400,000	0	400,000	5 years
B.	Acquisition of a Bucket Truck for the City Parking Utility Department, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	97,000	0	97,000	5 years
	Totals:	<u>\$497,000</u>	<u>\$0</u>	<u>\$497,000</u>	

Section 8. The average period of useful life of the several purposes for the financing of which this Bond Ordinance authorizes the issuance of bonds or bond anticipation notes, taking into consideration respective amounts of bonds or bond anticipation notes authorized for said several purposes, is not less than 5 years.

Section 9. Grants or other monies received from any governmental entity, if any, will be applied to the payment of, or repayment of obligations issued to finance, the costs of the purposes described in Section 7 above.

Section 10. The supplemental debt statement provided for in Section 10 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 \$497,000 and that the obligations authorized by this Bond Ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 11. 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 12. 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 13. 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 14. 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 15. 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 16. All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 17. In accordance with the Local Bond Law, this Bond Ordinance shall take effect twenty (20) days after the first publication thereof after final passage.

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 May __, 2012. 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 _____, 2012 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 ACQUISITION OF SHUTTLE BUSES AND A BUCKET TRUCK FOR THE CITY PARKING UTILITY DEPARTMENT; APPROPRIATING THE SUM OF \$497,000 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 PRINCIPAL AMOUNT OF UP TO \$497,000; 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.	Acquisition of Five (5) Shuttle Busses for the City Parking Utility Department, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$400,000	0	400,000	5 years
B.	Acquisition of a Bucket Truck for the City Parking Utility Department, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	97,000	0	97,000	5 years
	Totals:	<u>\$497,000</u>	<u>\$0</u>	<u>\$497,000</u>	

Appropriation: \$497,000
 Bonds/Notes Authorized: \$497,000
 Grants (if any) Appropriated: N/A
 Section 20 Costs: \$99,000
 Useful Life: 5 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 _____, 2012 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 ACQUISITION OF SHUTTLE BUSES AND A BUCKET TRUCK FOR THE CITY PARKING UTILITY DEPARTMENT; APPROPRIATING THE SUM OF \$497,000 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 PRINCIPAL AMOUNT OF UP TO \$497,000; 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. Acquisition of Five (5) Shuttle Buses for the City Parking Utility Department, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$400,000	0	400,000	5 years
B. Acquisition of a Bucket Truck for the City Parking Utility Department, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	97,000	0	97,000	5 years
Totals:	<u>\$497,000</u>	<u>\$0</u>	<u>\$497,000</u>	

Appropriation: \$497,000
 Bonds/Notes Authorized: \$497,000
 Grants (if any) Appropriated: N/A
 Section 20 Costs: \$99,000 -
 Useful Life: 5 years

JAMES J. FARINA, RMC, City Clerk

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

BOND ORDINANCE AUTHORIZING THE ACQUISITION
OF SHUTTLE BUSES AND A BUCKET TRUCK FOR THE
CITY - PARKING UTILITY DEPARTMENT;
APPROPRIATING THE SUM OF \$497,000 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 PRINCIPAL
AMOUNT OF UP TO \$497,000; MAKING CERTAIN
DETERMINATIONS AND COVENANTS; AND
AUTHORIZING CERTAIN RELATED ACTIONS IN
CONNECTION WITH THE FOREGOING

Introduced, passed first reading as read
and laid on the table for further
consideration of the Council at its next
meeting to be held on June 6, 2012 at 7 PM

City Clerk
5/16/12

D 1st reading
Sponsored by: David M. ...

Seconded by: Pat H. ...

CITY OF HOBOKEN
ORDINANCE NO. Z-188

**AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 64A
ENTITLED "DEPARTMENT OF TRANSPORTATION AND PARKING" OF
CHAPTER 56 ENTITLED "HOBOKEN PARKING UTILITY" OF THE CODE OF
THE CITY OF HOBOKEN**

WHEREAS, Chapter 64A of the Hoboken City Code describes the Department of Transportation and Parking; and,

WHEREAS, Chapter 56 of the Hoboken City Code describes the Hoboken Parking Utility; and,

WHEREAS, the City wishes to consolidate the two departments and reorganize the structure of the Hoboken Parking Utility and the Department of Transportation in an effort to effectuate a more efficient and better designed departmental structure.

NOW, THEREFORE, BE IT ORDAINED by the Hoboken City Council, County of Hudson, in the State of New Jersey as follows:

Section One: Amendments/Additions to Chapter 64A

Chapter 64A the Code of the City of Hoboken, currently titled "Department of Transportation and Parking" is hereby amended as follows (deletions noted by ~~striketrough~~, additions noted by underline):

§ 64A-1 Establishment.

There is hereby established in the government of the City of Hoboken a department that shall be known as the Department of Transportation and Parking.

§ 64A-2 Director.

There is hereby created the office of Director of the Department of Transportation and Parking. The Director shall be appointed by the Mayor with the advice and consent of the Council and shall serve during the term of the Mayor appointing him and until the appointment and qualification of his/her successor and shall be subject to removal as provided by law. Vacancies in the office of Director shall be filled in the same manner as the original appointment but for the unexpired term only. The compensation of the Director shall be established by the Council of the City of Hoboken pursuant to N.J.S.A. 40:69A-43a and N.J.S.A. 40:69-180.

§ 64A-3 Director's duties and authority.

A.

The Director shall be head of the City of Hoboken Department of Transportation and Parking and, in addition to the functions, powers and duties that are hereby or may hereafter be conferred and imposed upon him/her by law and the ordinances of the City, shall:

(1)

Exercise supervision and have general responsibility for all the operations of said Department and of the personnel employed herein.

(2)

Supervise the organization of the Department and changes in the organization thereof, and, to the extent to which the organization of the Department is not prescribed by law, may organize the Department into such divisions and bureaus and make such assignment of powers and duties among them and, from time to time, change such organization or assignments as he/she may deem advisable, except that the boards, offices and other governmental agencies and positions hereby allocated and assigned to said Department shall be maintained.

(3)

Formulate and adopt rules and regulations for the efficient conduct of the work and general administration of the Department and the officers and employees thereof.

(4)

Make periodic reports with such recommendations as he/she deems appropriate to the Mayor concerning the affairs of the Department.

B.

In addition and without limitation to the general duties set forth herein, the Director of the Department of Transportation and Parking shall have the following responsibilities:

(1)

To direct and administer the operation and maintenance of the existing Parking Utility created under Chapter 56 of the Code of the City of Hoboken, and existing parking facilities by directing and supervising administrative, operational and maintenance staff, ensuring all aspects of the Parking Utility are operating effectively and efficiently to the benefit of the City.

(2)

To make recommendations to the Mayor and the City Council with respect to increasing the availability of parking, ameliorating traffic, and in general making transportation safer and more efficient.

(3)

To create an overall transportation strategy with an integrated approach to parking, pedestrian and vehicular traffic issues.

(4)

To coordinate with the Director of Community Development to create a strategy for ensuring that parking, pedestrian and vehicular traffic issues are fully addressed in an integrated and comprehensive manner in all development and redevelopment plans reviewed by the City.

(5)

To coordinate with the Director of Revenue and Finance in assisting organizing, developing, directing and performing the work involved in the management of the financial affairs of the Department and Parking Utility.

(6)

To coordinate with the Director of Revenue and Finance in supervising and performing professional functions involved in the analysis and audits of the accounts, vouchers and other records and prepare statements concerning the financial condition of the Department and Parking Utility.

(7)

To coordinate with the Director of Revenue and Finance to develop, coordinate and execute financial policies, procedures and plans involving the Department and Parking Utility.

§ 64A-4 Employees.

The City shall appoint and employ all necessary employees for the Department of Transportation and Parking in accordance with applicable law. Salaries of the employees will be in accordance with classification and salary ordinances duly adopted by the City Council.

~~§ 64A-5 Division of Signal and Traffic; staff.~~

~~There is hereby established a Division of Signal and Traffic in the Hoboken Transportation and Parking Utility, which shall be responsible for the installation and maintenance of traffic signals, striping and signage, including street and curb markings and street signs related to parking and transportation in the City, as well as assisting the Division of Police in parking enforcement. Staff within the Division of Signal and Traffic may include clerical, operational, supervisory and managerial positions as deemed necessary within the budgetary limits established by the Council.~~

~~§ 64A-6 Division of Transportation; staff.~~

~~There is hereby established a Division of Transportation in the Hoboken Transportation and Parking Utility, which shall be responsible for the operations of a crosstown bus service and senior bus service as authorized by referendum of the voters of the City of Hoboken, adopted November 5, 1968. Staff within the Division of Transportation may include clerical, operational, supervisory and managerial positions as deemed necessary within the budgetary limits established by the Council.~~

§64A-5 Division of Safe Streets

There is hereby established the Division of Safe Streets within the Department of Transportation and Parking, which shall be responsible for maintenance of the public rights-of-way including traffic and parking control, streets and concomitant transportation and parking facilities maintenance, and other operations associated with the management of transportation and parking systems. This Division shall be supervised by one (1) Division Head. This Division shall include the following Offices which shall be considered Subdivisions of Safe Streets and which shall be overseen by the Division's Division Head:

A. Office of Street Maintenance

There is hereby established the Office of Street Maintenance within the Division of Safe Streets, which shall be responsible for traffic and parking control and maintenance of public rights-of-way. This Office may include clerical, operational, supervisory and managerial positions as deemed necessary and appropriate within the budgetary limits established by Council. The Division of Signs and Signals, as previously established, shall hereinafter be incorporated into the Office of Street Maintenance. This Office shall undertake all obligations and responsibilities previously held under the Division of Signs and Signals, and any reference to the Division of Signs and Signals within the Hoboken City Code shall hereinafter be amended to the Office of Street Maintenance.

B. Office of Facilities Maintenance

There is hereby established the Office of Facilities Maintenance within the Division of Sustainable Streets, which shall be responsible for concomitant transportation and parking facilities maintenance, and other operations associated with the management of transportation and parking systems . This Office may include clerical, operational, supervisory and managerial positions as deemed necessary and appropriate within the budgetary limits established by Council.

§64A-6 Division of Mobility and Planning

There is hereby established the Division of Mobility and Planning within the Department of Transportation and Parking, which shall be responsible for management of various transportation systems and programs, as well as the exploration, development and implementation of programs and initiatives that lead to improved mobility and reduced congestion and parking demand. This Division shall be supervised by one (1) Division Head. This Division shall include the following Offices which shall be considered Subdivisions of Mobility and Planning and which shall be overseen by the Division's Division Head:

A. Office of Transport Planning

There is hereby established the Office of Transport Planning within the Division of Mobility and Planning, which shall be responsible for the exploration, development and implementation of programs and initiatives that lead to improved mobility and reduced congestion and parking demand . This Office may include clerical, operational, supervisory and managerial positions as deemed necessary and appropriate within the budgetary limits established by Council.

B. Office of the Hop

There is hereby established the Office of the Hop within the Division of Mobility and Planning, which shall be responsible for management of the community shuttle bus program know as "The Hop". This Office may include clerical, operational, supervisory and managerial positions as deemed necessary and appropriate within the budgetary limits established by Council.

C. Office of Taxi/Limousine/Shuttle Licensing

The Division of Taxi and Limousine, as previously established, shall hereinafter be referred to as the Office of Taxi/Limousine/Shuttle Licensing. This Office shall undertake all obligations and responsibilities previously held under the Division of Taxi and Limousine, and shall be additionally responsible for licensing and management of these systems including private shuttle buses operating on Hoboken streets. This Office may include clerical, operational, supervisory and

managerial positions as deemed necessary and appropriate within the budgetary limits established by Council.

§ Division of the Hoboken Parking Utility

There is hereby established the Division of the Hoboken Parking Utility within the Department of Transportation and Parking, which shall be subject to the restrictions found in Chapter 56 of the City Code of the City of Hoboken, and which shall be responsible for management of the supply and demand for the city's parking resources, equipment, services, and facilities. This Division shall be supervised by one (1) Division Head. This Division shall include the following Offices which shall be considered Subdivisions of the Hoboken Parking Utility, and which shall be overseen by the Division's Division Head:

A. Office of Enforcement

There is hereby established the Office of Enforcement within the Division of the Hoboken Parking Utility, which shall be responsible for enforcement of parking policies and procedures, as well as ancillary operations that have an impact on the safe and equitable use of limited parking resource. This Office may include clerical, operational, supervisory and managerial positions as deemed necessary and appropriate within the budgetary limits established by Council.

B. Office of Customer Service

There is hereby established the Office of Customer Service within the Division of the Hoboken Parking Utility, which shall be responsible for serving as the conduit for provision of services associated with parking and other requisite city services and products, including facilitation of the approvals process for various permit applications established by the City Code as a support mechanism for other municipal departments, divisions, and offices. This Office may include clerical, operational, supervisory and managerial positions as deemed necessary and appropriate within the budgetary limits established by Council.

C. Office of Garage Management

There is hereby established the Office of Garage Maintenance within the Division of the Hoboken Parking Utility, which shall be responsible for oversight and management of the operations associated with municipal parking facilities. This Office may include clerical, operational, supervisory and managerial positions as deemed necessary and appropriate within the budgetary limits established by Council.

D. Office of Accounting

There is hereby established the Office of Accounting within the Division of the Hoboken Parking Utility, which shall be responsible for conducting accounting operations and services needed to manage the revenues, expenditures, procurement, and personnel activities of the Department of Transportation and Parking. This Office may include clerical, operational, supervisory and managerial positions as deemed necessary and appropriate within the budgetary limits established by Council.

Section Two: Amendments to Chapter 56

Chapter 56 the Code of the City of Hoboken, currently titled "Hoboken Parking Utility" is hereby amended as follows (deletions noted by strikethrough, additions noted by underline):

§ 56-9 Operation of parking utility.

The City of Hoboken Parking Utility shall be under the administration, operation and control of the Director of the Department of Transportation and Parking ~~is~~ as set forth in Chapter **64A** of the Code of the City of Hoboken.

The remainder of this Chapter shall remain unchanged.

Section Three: Supplemental Amendments

§58-2 Divisions Enumerated

Said Department shall embrace and there is hereby allocated and assigned thereto the Office of the Director, Division of Roads, ~~Division of Signal and Traffic~~, Division of Sanitation, Division of Water, Division of Parks and Public Property and the Division of Vehicle Maintenance and Repair.

§192-1 Restricted Parking Zones in front of or near residences of handicapped drivers

...

E. Applicants who meet all of the requirements of the above sections shall have their names and addresses submitted to the City Council for the approval of a restricted handicapped parking zone in front of or near their residence. The power of such approval is vested solely in the authority of the City Council acting through ordinance. If the City Council so approves, the ~~Division of Signal and Traffic~~ Office of Street Safety within the Division of Transportation and Parking shall establish a restricted parking zone in front of or near the residence of the applicant and shall issue a permit which complies with N.J.S.A. 39:4-197.7. Only the motor vehicle for which a valid permit has been issued shall be parked in such zone and only when the permit is properly displayed. Only one permit shall be issued to the applicant.

Section Four: Repeal of Inconsistent Provisions

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

Section Five: 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 effect 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 Six: Effective Date

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

Section Seven: 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.

Introduction: June 6, 2012

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

Final Reading:

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

Approved as to Legal Form:

Corporation Counsel

Adopted by the Hoboken City Council
By a Vote of ____ Yeas to ____ Nays
On the ____ day of _____, 2012

James Farina, City Clerk

Vetoed by the Mayor for the following reasons: _____

-or-

Approved by the Mayor
On the ___ day of _____, 2012

Dawn Zimmer, Mayor

Sponsored by:

Peter W. Amighe

Seconded by:

Dawn Zimmer

CITY OF HOBOKEN
ORDINANCE NO. Z-189

AN ORDINANCE TO AMEND AND SUPPLEMENT AN ORDINANCE
ESTABLISHING A SCHEDULE OF CLASSIFICATIONS AND ALLOCATIONS OF
TITLE FOR ALL POSITIONS IN THE CITY OF HOBOKEN

THE MAYOR AND COUNCIL OF THE CITY OF HOBOKEN DO ORDAIN AS FOLLOWS;

1. The Alphabetical List of Titles, City of Hoboken, set forth in City Code to which this Ordinance is an amendment and supplement shall be, and the same is hereby, amended and supplemented so that the titles, salaries and ranges contained herein shall be amended as follows on the attached list, which is incorporated by reference. The remainder of the Alphabetical List of Titles, City of Hoboken, set forth in the City Code shall remain unchanged as a result of this Ordinance.
2. If the Alphabetical List of Titles, City of Hoboken, herein set forth contains any position or positions which are not enumerated in the Plan for the Standardization of Municipal Class Titles, which is a part of the Code to which this Ordinance is an amendment, then in that event, the duties of the said position or positions shall be those which pertain to the particular position and positions set forth in any other ordinance adopted and now in force and effect in any statute of the State of New Jersey.
3. The provisions of this Ordinance shall in no way affect the tenure or Civil Service status of any employees presently employed by the City of Hoboken in any of the various positions set forth in the Alphabetical List of Titles, City of Hoboken.
4. The Alphabetical List of Titles referred to herein as well as the salary ranges for all positions in the City shall be on file in the Office of the City Clerk.
5. All ordinances or parts of ordinances inconsistent herewith are herewith repealed.
6. This ordinance shall take effect as provided by law.

Date of Introduction: June 6, 2012

Approved as to Legal Form:

Vetoed by the Mayor for the following reasons: _____

Mellissa Longo, Interim Corporation Counsel

Adopted by the Hoboken City Council
By a Vote of ___ Yeas to ___ Nays
On the ___ day of ___, 2012

-or-

Approved by the Mayor
On the ___ day of ___, 2012

James Farina, City Clerk

Dawn Zimmer, Mayor

Title	Minimum	Maximum
Coordinator of Contractual Operations	\$45,000.00	\$80,000.00
Chief Housing Inspector	\$50,000.00	\$75,000.00
Laborer II	\$25,000.00	\$52,000.00
Boiler Operator	\$25,000.00	\$40,523.00

(3) 1st reading 6-6-12

Sponsored by: Peter H. Amick
Co-Sponsor
Seconded by: David J. Mele

**CITY OF HOBOKEN
ORDINANCE NO. Z-190**

**AN ORDINANCE AUTHORIZING THE ACQUISITION
BY PURCHASE OR EMINENT DOMAIN IF NECESSARY,
OF THE REAL PROPERTY KNOWN AS
BLOCK 74, LOTS 3-20;
BLOCK 103, LOTS 7-26;
BLOCKS 107 AND 108, ALL LOTS INCLUSIVE; AND
BLOCK 113, LOTS 1-6 AND 27-32
ON THE OFFICIAL TAX MAP OF THE
CITY OF HOBOKEN
FOR PUBLIC OPEN SPACE AND PARK PURPOSES.**

WHEREAS, N.J.S.A. 40A:12-5 and N.J.S.A. 20:3-1 et seq. authorize public entities to acquire real property or an interest in real property; and

WHEREAS, the City Council of the City Hoboken ("Council" or "City") has deemed it necessary to acquire certain real property in the City known as Block 74, Lots 3-20; Block 103, Lots 7-26; Blocks 107 and 108, All Lots Inclusive and Block 113, Lots 1-6 and 27-32 (the "Property") on the Official Tax Map of the City; and

WHEREAS, the Council has determined that the public interest will be served by the acquisition of the Property for open public space and park purposes.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Hoboken as follows:

SECTION 1. The Property designated as Block 74, Lots 3-20; Block 103, Lots 7-26; Blocks 107 and 108, All Lots Inclusive; and Block 113, Lots 1-6 and 27-32 on the Official Tax Map of the City of Hoboken (the "Property"), is determined to be needed for public open space and park purposes.

SECTION 2. The Mayor, Business Administrator, Corporation Counsel, or Special Counsel (who may be retained by separate Resolution) are authorized and directed to undertake any actions and to execute any documents necessary or appropriate to acquire the Property from the owner either by purchase or eminent domain if necessary, in accordance with the Eminent Domain Act of 1991, N.J.S.A. 20:3-1 et seq.

SECTION 3. The amount of the offer price to be offered to the record owner of the Property is to be fixed by further resolution of the Council upon receipt and approval of an appraisal report to be prepared by a qualified real estate appraiser.

SECTION 4. In conjunction with any such acquisition, the City hereby reserves and shall reserve any and all rights it had or may have to recover in any subsequent or pending action or by any administrative means, all costs of remediation and/or clean-up of contamination and/or removal of solid waste and/or sanitary land fill closures that have been incurred or may be incurred in the future by reason of conditions which were in existence as of or prior to the date of vesting of title and possession of this Property in the name of the City.

SECTION 5. In conjunction with any such acquisition, the City reserves and shall reserve the right to seek in its sole discretion, any and all available legal, administrative and equitable remedies to compel the record owners and/or responsible parties to remediate and/or clean up the Property in accordance with applicable state and federal statutory and regulatory provisions or to remove solid waste or carry out closure of a sanitary landfill if located on the Property. The City is not and shall not be liable for the clean-up and removal costs of any discharge which occurred or began prior to the City's ownership.

SECTION 6. The Mayor, City Council and such other officials, consultants, agents, employees and professionals of the City as may be necessary and appropriate are hereby authorized and directed to take any and all actions necessary to effectuate the purposes of this Ordinance.

SECTION 7. All ordinances, resolutions and regulations or parts of ordinances, resolutions and regulations inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION 8. If any section, paragraph, article, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply to the section, paragraph, article, subdivision, clause or provision so adjudged and the remainder of this Ordinance shall be deemed valid and effective.

SECTION 9. This Ordinance shall take effect after approval and publication as required by law.

ATTEST:

James J. Farina, City Clerk

THE CITY OF HOBOKEN

By _____
Dawn Zimmer, Mayor

**NOTICE OF INTRODUCTION
CITY OF HOBOKEN, HUDSON COUNTY
ORDINANCE NO. ____**

NOTICE IS HEREBY GIVEN, that the foregoing Ordinance entitled "An Ordinance Authorizing the Acquisition by Purchase or Eminent Domain if Necessary, of the Real Property Known as Block 74, Lots 3-20; Block 103, Lots 7-26; Blocks 107 and 108, All Lots Inclusive; and Block 113, Lots 1-6 and 27-32; on the Official Tax Map of the City of Hoboken for public open space and park purposes was introduced, read by title and passed on the first reading at a meeting held on June 6, 2012. A Statement of Purpose of the Ordinance is contained below. The Council of the City of Hoboken will further consider the Ordinance for second reading and final passage thereof at their meeting to be held on June 20, 2012 at 7:00 p.m., prevailing time, at City Hall, 94 Washington Street, Hoboken, New Jersey 07030, at which time and place a public hearing will be held thereon by the City Council and all parties in interest and citizens shall have an opportunity to be heard concerning said Ordinance.

STATEMENT OF PURPOSE OF ORDINANCE

The purpose of the above Ordinance is to authorize the acquisition by purchase or eminent domain, if necessary, of the real property known as Block 74, Lots 3-20; Block 103, Lots 7-26; Blocks 107 and 108, All Lots Inclusive; and Block 113, Lots 1-6 and 27-32 on the Official Tax Map of the City of Hoboken for public open space and park purposes. The Ordinance further reserves all rights of the City with regard to the removal and remediation of any contamination on the site, including, without limitation, the recovery in any subsequent or pending action by administrative or other means, the costs of remediation, inclusive of legal, administrative and equitable costs thereof.

A copy of the full Ordinance is available to any member of the general public, without cost, at the Hoboken City Hall, 94 Washington Street, Hoboken, New Jersey at the Office of the City Clerk, Monday through Friday, between the hours of 9:00 a.m. and 4:00 p.m.

/s/ James J. Farina
James J. Farina, City Clerk