

MEETING OF MARCH 19, 2014

**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, WEDNESDAY,
MARCH 19, 2014 AT 6:00 PM**

President Giattino opened the meeting at 6:03 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 Meeting Act, and that notice 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: Council persons Bhalla, Castellano, Cunningham, Doyle, Mason, Mello, Occhipinti, Russo and President Giattino

ABSENT: Mello, Occhipinti, Russo- (see below)

Council President reads the title for Resolution #1 and #2 going into Closed session
~~The City Clerk reads the letter calling a special meeting~~

14-168

Thursday, March 13, 2014

Via Hand Delivery

City Clerk James Farina
94 Washington Street
Hoboken, New Jersey 07030

Dear City Clerk Farina:

Please be advised that as the Mayor of the City of Hoboken, I hereby call a Special Closed Session Meeting of the Governing Body for Wednesday, March 19, 2014 to begin promptly at 6:00 P.M. in the City Council Chambers, 94 Washington Street, First Floor, Hoboken, New Jersey, for the following purposes:

- 1. RESOLUTION AUTHORIZING CLOSED SESSION TO DISCUSS MATTERS WITH SPECIAL COUNSEL RON CUCCHIARO, ESQ. PURSUANT TO N.J.S.A. 10:4-12 AND ATTORNEY CLIENT PRIVILEGE RELATING TO ANTICIPATED LITIGATION IN THE MATTER OF LEAH HEALY AND 258 EIGHTH STREET**
- 2. RESOLUTION AUTHORIZING CLOSED SESSION TO DISCUSS MATTERS PURSUANT TO N.J.S.A. 10:4-12 AND, SPECIFICALLY, ATTORNEY CLIENT PRIVILEGE RELATING DISCUSSIONS OF CASE STATUSES OF PENDING LITIGATION WITH SPECIAL COUNSEL JOSEPH MARAZITI, ESQ.)**

Action **may not** be taken at this meeting and **no other subjects shall be discussed**. Please ensure the City Council Members are noticed of this Special Closed Session Meeting in accordance with applicable

laws and rules. Also, please publicly notice this Special Closed Session Meeting, as required by the Open Public Meetings Act N.J.S.A. 10:4-6.

Very truly yours,

//s//

Dawn Zimmer
Mayor

Councilwoman Mason would like to recuse herself due to a conflict.

Council President announces to the public that the Governing Body is entering into Closed Session

CLOSED SESSION

Councilwoman ~~Doyle~~ Giattino motions and seconded by the Councilman Doyle to enter into Closed Session

To vote to enter into Closed Session:

Yeas: Council persons Bhalla, Castellano, Cunningham, ~~Mason~~ (recused herself due to a conflict for Resolution #1), ~~Mello, Occhipinti~~, Russo and President Giattino

Absent: ~~Doyle~~ (see below), Mason (for Resolution #1, Mello, ~~Russo~~ (see below)

At 6:09 P.M. The Governing Body entered into a closed session.

Corporation Counsel
Special Counsel Ronald Cucchiaro from Weiner Lesniak

14-169

RESOLUTION AUTHORIZING CLOSED SESSION TO DISCUSS MATTERS WITH SPECIAL COUNSEL RON CUCCHIARO, ESQ. PURSUANT TO N.J.S.A. 10:4-12 AND ATTORNEY CLIENT PRIVILEGE RELATING TO ANTICIPATED LITIGATION IN THE MATTER OF LEAH HEALY AND 258 EIGHTH STREET

WHEREAS, the Council of the City of Hoboken is authorized to go into closed executive session for the reasons set forth in the Open Public Meetings Act, including without limitation N.J.S.A. 10:4-12, for legal guidance on anticipated litigation, and to discuss matters subject to attorney client privilege; and

WHEREAS, one of these reasons is to receive advice from legal counsel to discuss possible litigation strategies of anticipated litigation in matters (specifically the Matter of Leah Healy and 258 Eighth Street); and

WHEREAS, one of the reasons to go into closed session is to receive advice from legal counsel, which is subject to attorney client privilege and which is offered in anticipation of litigation (specifically the Matter of Leah Healy and 258 Eighth Street); and,

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Hoboken that it enter into closed session for said purposes; and,

BE IT FURTHER RESOLVED that when the need for confidentiality no longer exists the discussions had therein will be made available to the public.

****At 6:15 P.M. Special Counsel Ron Cucchiaro Esq. has entered the meeting to discuss the resolution No. 1****

**** At 6:37 P.M. Special Counsel Ron Cucchiaro <http://www.capehart.com/Attorneys/Ian-G-Zolty.shtml> has left the table due to no other business during Closed Session ****

14-170

RESOLUTION AUTHORIZING CLOSED SESSION TO DISCUSS MATTERS PURSUANT TO N.J.S.A. 10:4-12 AND, SPECIFICALLY, ATTORNEY CLIENT PRIVILEGE RELATING DISCUSSIONS OF CASE STATUSES OF PENDING LITIGATION WITH SPECIAL COUNSEL JOSEPH MARAZITI, ESQ.)

WHEREAS, the Council of the City of Hoboken is authorized to go into closed executive session for the reasons set forth in the Open Public Meetings Act, including without limitation N.J.S.A. 10:4-12, for legal guidance on pending litigation, and to discuss matters subject to attorney client privilege; and

WHEREAS, one of these reasons is to receive advice and status reports from legal counsel relating to pending litigation, which discussion is subject to attorney client privilege; and

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Hoboken that it enter into closed session for said purposes; and,

BE IT FURTHER RESOLVED that when the need for confidentiality no longer exists the discussions had therein will be made available to the public.

****At 6:38 P.M. Special Counsel Joseph Maraziti Esq. and Chris Miller has entered the meeting to discuss the resolution No. 2****

*******Councilwoman Mason has arrived to the meeting at 6:38 P.M.*******

*******Councilman Doyle has arrived to the meeting at 6:38 P.M.*******

*******Councilman Russo has arrived to the meeting at 6:39 PM*******

~~***Councilman Mello has arrived to the meeting at 7:03 P.M.*****~~**

**** At 7:00 P.M. Special Counsel Joseph Maraziti and Chris Miller <http://www.capehart.com/Attorneys/Ian-G-Zolty.shtml> has left the table due to no other business during Closed Session ****

At 7:00 P.M. the Governing Body on a motion by Council duly seconded by the Governing Body comes out of Closed Session

Council President reopens the meeting to the public at 7:00 PM

PUBLIC COMMENTS

There were no speakers.

PRESIDENT OF THE COUNCIL

CITY CLERK