

*AS OF 12/19/11 ** ADDED ON 12/21/11****
THE COUNCIL OF THE CITY OF HOBOKEN

MEETING OF DECEMBER 21, 2011

AGENDA

Please note: The Hoboken City Council may consider additional Resolutions, Ordinances or any other matter brought before the Hoboken City Council until December 21, 2011 and throughout the meeting

MOMENT OF SILENCE FOR FORMER FREEHOLDER MAURICE FITZGIBBONS

SECOND READING/PUBLIC HEARING AND FINAL VOTE

1. BOND ORDINANCE AUTHORIZING THE ACQUISITION OF CAPITAL EQUIPMENT AND THE COMPLETION OF VARIOUS CAPITAL IMPROVEMENTS IN AND FOR THE CITY OF HOBOKEN, COUNTY OF HUDSON, NEW JERSEY; APPROPRIATING THE SUM OF \$3,033,450 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 \$2,881,777; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING

(sponsored by Councilman Mello and Councilman Cunningham) (Z-148)

AN ORDINANCE TO AMEND CHAPTER 141A ENTITLED "PARKING PERMITS," AND AMENDING CHAPTER 190 ENTITLED "VEHICLES AND TRAFFIC" TO AMEND PARKING REGULATIONS RELATING TO RESIDENT PARKING PERMITS, NO PARKING ZONES, AND TIME LIMIT PARKING

**(sponsored by Councilman Mello and Councilman Cunningham) (Z-147)
(TO BE CARRIED)**

ORDINANCE TO DELETE CERTAIN SECTIONS OF THE HOBOKEN CITY CODE DUE TO UNCONSTITUTIONALITY, PREEMPTION, REPEAL BY CASE LAW, AND/OR REPEAL BY INCONSISTENCY

**(sponsored by Councilman Cunningham and Councilman Mello) (Z-144)
(TO BE CARRIED)**

PETITIONS AND COMMUNICATIONS

Memo from Mayor Dawn Zimmer regarding the Library Board Appointment for Alan Krantz replacing Mairead Patterson who resigned on November 10, 2011

Memo from the Tax Assessor regarding Tax Refunds Resolutions

Miscellaneous Licenses *** (some items added)

REPORTS FROM CITY OFFICERS

A report from the Municipal Tax Collector Sharon Curran for taxes collected for the month of November 2011 **\$13,351,313.22 (Abatement Totals - \$316,342.96)**

A report from Municipal Court indicating receipts for the month of November 2011 as **\$388,909.19**

CLAIMS

Total for this agenda **\$1,368,988.50****

PAYROLLS

For the two week period starting November 24, 2011 – December 07, 2011

Regular Payroll	O/T Pay	Other Pay
\$1,440,167.88	\$25,664.55	\$383,373.99
	Total	
	\$1,849,206.42	

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

- 1.* Resolution to express Council support for the Administration exploring Hoboken University Medical Center's request to change the Emergency Dispatching Operations from Ocean County-based Monoc Service to the Bayonne-based McCabe E-911 Dispatch Center
(submitted by Administration)
- 2.* Resolution approval to submit a grant application and execute a grant contract with the United States Environmental Protection Agency for a Storm water Infrastructure Master Plan under the FY 2011 Urban Waters Small Grants Program **(submitted by Community Development Department)**

- 3.* Resolution authorizing the submission of an application to the Hudson County Open Space Trust Fund for Development Funds for Improvements to Stevens' Field and Adjoining Playground **(submitted by Health and Human Services Department) *****
- 4.* Resolution authorizing extension until December 31, 2011 of all Special Counsel Contracts with outside attorneys and firms which terminated in the 2011 Calendar Year **(submitted by Administration)**
- 5.* Resolution to rescinds the award of a contract to Applied Technologies for the construction of 1600 Park Artificial Turf Field for the City in accordance with the specifications in Bid Number 11-14 **(submitted by Administration)**
- 6.* Resolution authorizing the sale of surplus property no longer needed for public use on www.GOVDEALS.com (an online auction website) **(submitted by Administration)**
- 7.* Resolution for adopting changes to an existing deferred compensation plan pursuant to the Final Internal Revenue Code section 415 regulations, pension protection Act of 2006, the Heroes Earnings assistance and Relief Act of 2008 and the Worker, Retiree and Employer Recovery Act of 2008 **(submitted by Administration)**
- 8.* Resolution awards a contract to Premiere Technology, Inc. for Information Technology Services in a not to exceed amount of \$94,000.00 **(submitted by Administration)**
- 9.* Resolution to amend the contract for Special Counsel – Rent Control Litigation with Victor Afanador, Esq. to increase the Not to Exceed amount previously awarded by \$120,000.00 **(submitted by Administration)**
- 10.* Resolution authorizing the Refund of Tax Overpayments **(payable to the individuals listed on the resolution for the amount of \$2,451.98) (submitted by the Tax Collector)**
- ~~11.* Resolution to authorize the Settlement of Tax Appeal as to Block 230, Lot 6.1 **(in the amount of \$4,975,000) (submitted by Tax Assessor) REMOVED BY ADMIN.) *****~~
- 12.* Resolution authorizing the Refund of Hudson County Tax ~~Court~~-Board Judgments 2011 Tax Appeals **(payable to the individuals listed on the resolution for the amount of \$33,969.04) *****
- 13.* Resolution authorizing the Refund of Hudson County Tax ~~Court~~-Board Judgments 2011 Tax Appeals **(payable to the individuals listed on the resolution for the amount of \$11,319.12) *****
- 14.* Resolution authorizing the Refund of Hudson County Tax ~~Court~~-Board Judgments 2011 Tax Appeals **payable to the individuals listed on the resolution for the amount of \$2,089.20) *****

- 15.* Resolution authorizing the Refund of Hudson County Tax ~~Court~~-Board Judgments 2011 Tax Appeals (**payable to the individual listed on the resolution for the amount of \$38.20**) ***
- 16.* Resolution authorizing the Refund of Hudson County Tax ~~Court~~-Board Judgments 2011 Tax Appeals (**payable to the individuals listed on the resolution for the amount of \$8,8810.88**) ***
- 17.* Resolution authorizing the Refund of Hudson County Tax ~~Court~~-Board Judgments 2011 Tax Appeals (**payable to the individuals listed on the resolution for the amount of \$568.84**) ***
- 18.* Resolution authorizing the Refund of Hudson County Tax ~~Court~~-Board Judgments 2011 Tax Appeals (**payable to the individuals listed on the resolution for the amount of \$782.13**) ***
- 19.* Resolution authorizing the Refund of Hudson County Tax ~~Court~~-Board Judgments 2011 Tax Appeals (**payable to the individuals listed on the resolution for the amount of \$81.68**) ***
- 20.* Resolution authorizing the Refund of Hudson County Tax Board Judgments 2011 Tax Appeals (**payable to the individuals listed on the resolution for the amount of \$8,310.38**) ***
- 21.* Resolution authorizing the Refund of Hudson County Tax ~~Court~~-Board Judgments 2011 Tax Appeals (**payable to the individuals listed on the resolution for the amount of \$1,645.24**) ***
- 22.* Resolution authorizing the Refund of Hudson County Tax ~~Court~~-Board Judgments 2011 Tax Appeals (**payable to the individuals listed on the resolution for the amount of \$823.11**) ***
- 23.* Resolution authorizing the Refund of Hudson County Tax ~~Court~~-Board Judgments 2011 Tax Appeals (**payable to the individual listed on the resolution for the amount of \$471.86**) ***
- 24.* Resolution authorizing the Refund of Hudson County Tax ~~Court~~-Board Judgments 2011 Tax Appeals (**payable to the individual listed on the resolution for the amount of \$23.95**) ***
- 25.* Resolution authorizing the Refund of Hudson County Tax ~~Court~~-Board Judgments 2011 Tax Appeals (**payable to the individuals listed on the resolution for the amount of \$77,255.00**) ***

- 26.* Resolution to adopt the minutes the Meetings of the City Council of the City of Hoboken dated: regular meetings of **July 1st, July 20th, August 18th, August 24th, a Special Meeting on September 3rd, a regular meeting on September 7th, a Special Meeting on September 13th** and the regular meeting on **September 21, 2011** has been reviewed and approved as to legal form and content (**submitted by City Clerk**)
- 27.* Resolution approving the claim of Okin Hollander and DeLuca, LLP for purchase order #CY-04689 and authorizing immediate payment of purchase order #CY-04689 to Okin Hollander and DeLuca, LLP in the amount of \$369,969.10 pursuant to NJSA 40A:5-17 (**submitted by Administration**)
- 28.* Resolution authorizing Introduction of Ordinances in the year prior to adoption of said Ordinances during the term of the Present Constitution of the City Council (**submitted by Administration**)
- 29.* Resolution appointing Tracy S. Zur, Esq. as Municipal Prosecutor for the City of Hoboken for the 2012 Calendar Year, and authorizing a Professional Service contract with Tracy S. Zur, Esq. for services as Municipal Prosecutor for a One (1) year term to commence on January 1, 2012 and terminate on December 31, 2012 (**submitted by Administration**)
- 30.* Resolution to appoint Ester Milsted, Esq. as Municipal Public Defender for the City of Hoboken for the 2012 Calendar Year, and authorizing a Professional Service contract with Esther Milsted.Esq. for services as Municipal Public Defener for a One (1) year term to commence on January 1, 2012 and terminate on December 31, 2012 (**submitted by Administration**)
- 31.* Resolution to appoint Kathleen M. Theurer, Esq. as Alternate Municipal Public Defender for the City of Hoboken for the 2012 Calendar Year, and th authorizing a Professional Service contract with Kathleen M. Theurer,.Esq. for services as Alternate Municipal Public Defender for a One (1) year term to commence on January 1, 2012 and terminate on December 31, 2012 (**submitted by Administration**)
- 32.* Resolution to transfer balances from Stale Trust Accounts to the Current Fund Account (**submitted by Finance Department**) (**in the amount of \$165,449.00**) **
- 33.* Resolution to cancel grants and credit the year end surplus with the residual balances (**submitted by Finance Department**) (**in the amount of \$1,175,648.00**) **
- 34.* Resolution to cancel Capital Appropriation Balance of Various Projects (**submitted by Finance Department**) *** (**added on 12/21/11**)
- 35.* Resolution to cancel Current Reserves and be returned to Current Fund Surplus (**submitted by Finance Department**) (**in the amount of \$236,639.00**) *** (**added on 12/21/11**)

ORDINANCES

Introduction and First Reading

1. AN ORDINANCE ACCEPTING A DEED RESTRICTION IN FAVOR OF THE NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY FOR A PORTION OF BLOCK 267 LOT 1
(Sponsored by Councilman Cunningham and seconded by Councilwoman Marsh)

2. AN ORDINANCE DELETING THE CURRENT SECTION §196-31 IN ITS ENTIRETY AND REPLACING IT WITH A NEW ARTICLE IX ENTITLED “SIGNS AND SIGNAGE”
(Sponsored by Councilwoman Giattino and seconded by Councilwoman Marsh) **

3. AN ORDINANCE TO AMEND CHAPTER 198 ENTITLED “STREETS AND SIDEWALK” TO CLARIFY OBLIGATIONS DURING TIMES OF SNOW REMOVAL
(Sponsored by Councilman Bhalla and seconded by Councilman Cunningham)

4. AN ORDINANCE TO CREATE CHAPTER 147 ENTITLED “MOBILE RETAIL FOOD VENDORS”
(Sponsored by Councilwoman Giattino and seconded by Councilman Mello) ***

5. AN ORDINANCE TO ESTABLISH PARKING FEES AT MUNICIPAL GARAGES
(Sponsored by Councilman Russo and seconded by Councilwoman Castellano) ***

NEW BUSINESS

PUBLIC COMMENTS