

*As of 8/3/13\* 8/6/13 \*\* 8/7/13 \*\*\**  
***THE COUNCIL OF THE CITY OF HOBOKEN***

**SPECIAL MEETING OF AUGUST 7, 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)(7) AND ATTORNEY CLIENT PRIVILEGE RELATING TO PENDING AND ANTICIPATED LITIGATION INCLUDING, BUT NOT LIMITED TO:**
- (1) URSA V. CITY OF HOBOKEN, AND TO RECEIVE ADVICE FROM THE CITY'S LEGAL COUNSEL FOR THE MATTER, TOM COLLINS, ESQ.**
  - (2) CITY OF HOBOKEN V. SHIPYARD / WATERFRONT CORPORATE CENTER III V. CITY OF HOBOKEN, AND TO RECEIVE ADVICE FROM THE CITY'S LEGAL COUNSEL FOR THE MATTERS, JOSEPH MARAZITI, ESQ.**
  - (3) KANE V. CITY OF HOBOKEN / CITY OF HOBOKEN V. PONTE, AND TO RECEIVE ADVICE FROM THE CITY'S LEGAL COUNSEL FOR THE MATTERS, EDWARD BUZAK, ESQ.**
  - (4) THE COGNIS/HENCKEL MATTER / OIL SPILL CLAIMS, AND TO RECEIVE ADVICE FROM THE CITY'S LEGAL COUNSEL FOR THE MATTERS, WANDA C. MONAHAN, ESQ.**
  - (5) CITY OF HOBOKEN V. CORREA / CITY OF HOBOKEN V. PETACCIO, AND TO RECEIVE ADVICE FROM THE CITY'S LEGAL COUNSEL FOR THE MATTERS, RON BERTUTTI**

***THE COUNCIL OF THE CITY OF HOBOKEN***

**REGULAR MEETING OF AUGUST 7, 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 August 7, 2013 and throughout the meeting**

**HOBOKEN RESILIENCY & READINESS PLAN PRESENTATION BY MAYOR ZIMMER**

**SECOND READING/PUBLIC HEARING AND FINAL VOTE**

- 1. BOND ORDINANCE AUTHORIZING THE REHABILITATION AND RECONSTRUCTION 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 & Councilman Bhalla)  
(Z-235)**

**(carried to the Tues. September 3, 2013 ccm)**

2. AN ORDINANCE TO AMEND AMENDING CHAPTER 190  
ENTITLED "VEHICLES AND TRAFFIC" TO AMEND PARKING  
REGULATIONS RELATING TO LOADING ZONES

**(sponsored by Councilman Mello) (Z-245)**

3. AN ORDINANCE TO AMEND TO CHAPTER 179A ENTITLED "TAXICABS" TO  
AMEND THE MILEAGE/AGE REQUIREMENTS UNDER § 179-18 (C)(8) AND FARES  
UNDER § 179-20 **(sponsored by Councilman Mello) (Z-246)**

### **PUBLIC COMMENTS**

### **PETITIONS AND COMMUNICATIONS**

Miscellaneous Licenses

### **REPORTS FROM CITY OFFICERS**

A report from the Municipal Tax Collector Sharon Curran for taxes collected for the month of  
July 2013 **\$15,864,054.89 (Abatement Totals – \$17,558.94) \*\***

A report from Municipal Court indicating receipts for the month of  
July 2013 as **\$440,247.16 \*\***

A report from the Municipal Tax Collector Sharon Curran for Affidavit of tax bill mailing

### **CLAIMS**

Total for this agenda **\$6,803,376.89 \***

## PAYROLL

For the two week period starting July 4, 2013 – July 17, 2013

<b>Regular Payroll</b>	<b>O/T Pay</b>	<b>Other Pay</b>
\$1,513,167.14	\$137,286.20	\$106,941.63
	<b>Total</b>	
	\$1,757,394.97	

## PAYROLL – Hoboken Fire clothing allowance

For the period on July 12, 2013

**Other Pay**  
\$142,800.00

## 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 granting Ron Bertutti, Esq. of Weiner Lesniak settlement authority in the matter of City of Hoboken v. Petaccio (HUD-L-3104-10 in an amount suggested by Ron Bertutti to Mellissa Longo in his emailed dated July 8, 2013 (**submitted by Administration**))
- 2.\* Resolution to authorize an amendment to the professional service contract with Sedita Campisano & Campisano as Special Legal Counsel-Land Use and Environmental Law to the City of Hoboken to extend the expiration date from July 24, 2013 to December 31, 2013, and to increase the not to exceed amount by **\$55,000.00** (\$25,000.00 for open space/ \$30,000.00 for general environmental) for a total not to exceed amount of **\$105,000.00 (submitted by Administration)**
- 3.\* Resolution to authorize an amendment to the professional service contract with Maraziti Falcon Healey as Special Legal Counsel - Outstanding Litigation to the City of Hoboken to commence January 1, 2013 and expire on December 31, 2013 for an increase in the not to exceed amount of **\$150,000.00** for a total not to exceed amount of **\$268,500.00 (submitted by Administration)**

- 4.\* Resolution authorizing an amendment to the professional service with Vogel Chait Collins as Special Legal Counsel - Outstanding Litigation to the City of Hoboken to commence January 1, 2013 and expire December 31, 2013 for an increase in the not to exceed amount of **\$20,000.00**, which results in a total not to exceed amount of **\$60,000.00 (submitted by Administration)**
- 5.\* Resolution to authorize an amendment to the professional service with Ed Buzak, Esq. as Special Legal Counsel – Land Use to the City of Hoboken to commence January 1, 2013 and expire on December 31, 2013 for an increase in the not to exceed amount by **\$88,500.00**, for a total not to exceed amount of **\$123,500.00**
- 6.\* Resolution of the City of Hoboken, County of Hudson designating the area known as the “North End” within the City as an area in need of Rehabilitation (**submitted by Administration**) \*
- 7.\* Resolution appoints Barbara Reyes to the Hoboken Housing Authority for a (5) five year term which will expire on May 3, 2018 (**sponsored by Councilman Occhipinti and Councilwoman Mason**)
- 8.\* Resolution authorizing application for a New Jersey Department of Community Affairs Children with Special Needs Grant in the estimated amount of \$20,000.00 (**submitted by Administration**)
- 9.\* Resolution granting consent to PSE & G’s submission of a TWA-1 to the State of New Jersey Department of Environmental Protection’s Division of Water Quality (**submitted by Administration**)
- 10.\* Resolution authorizing the execution of a memorandum of understanding with Public Service Electric & Gas (PSE&G) regarding the former gas works site (**submitted by Administration**)
- 11.\* Resolution authorizing the City of Hoboken to enter into the attached agreement by and between the City of Hoboken and Stevens regarding use of Stevens property for a Hoboken Police Department Junior Police Academy (**submitted by Administration**)
- 12.\* Resolution authorizing the City of Hoboken to enter into the attached access agreement by and between the City of Hoboken and Union Stone Cleaning and Restoration Inc. regarding temporary nonexclusive access agreement for 215 Hudson Street Parking Garage Roof (**submitted by Administration**)
- 13.\* Resolution authorizing use of competitive contracting process for grant writing services for the City of Hoboken for a two year period (**submitted by Administration**)
- 14.\* Resolution awarding Procomm System Inc. a contract under their State contract No. 83931 for wireless 4.9 ghz licensed microwave network for the Fire Department alerting system in an amount not to exceed \$66,607.00 (**submitted by Administration**)

- 15.\* Resolution awarding Rug & Floor Store Inc. a contract under their State contract No. A81751 for Flooring Supply and Installation at the Hoboken Parking Utility in an amount not to exceed \$29,000.00 (**submitted by Administration**)
- 16.\* Resolution to authorize an emergency professional service contract with EI Associates as General Electrical Engineer for the City of Hoboken for the Engineering Service required for Emergency back-up generators in City Buildings, for a maximum one (1) year term, and for a total not to exceed amount of \$75,400.00 (**submitted by Administration**) \*\*\*
- 17.\* Resolution awarding a contract to Rich Picerno Builders, LLC for the provisions of the Elysian Park Improvements in accordance with the City's bid No. 13-06 in the total amount of \$907,805.00 (**submitted by Administration**)
- 18.\* Resolution awards a contract to Kompan, through its State of New Jersey contract number 12-X-22409 and US Communities contract number 110171, for the Stevens Playground equipment, delivery and installation in an amount not to exceed One Hundred Twenty Thousand One Hundred Sixty Seven Thousand Dollars and Twenty One Cents (\$120,167.21) (**submitted by Administration**)
- 19.\* Resolution authorizing the City of Hoboken to enter into the attached settlement agreement by and between the City of Hoboken and Shipyard Associates regarding Shipyard Associates Escrow Appeal (**submitted by Administration**)
- 20.\* Resolution to authorize an amendment to the professional service with Vincent Lapaglia as Special Legal Counsel – Tax Appeals to the City of Hoboken to commence January 1, 2013 and expire on December 31, 2013 for an increase in the not to exceed amount by **\$60,000.00** for a total not to exceed amount of **\$96,000.00** (**submitted by Administration**)
- 21.\* Resolution inserting a Special item of Revenue into the CY 2013 Municipal Budget – Summer Food Program – CY 2013 (**in the sum of \$41,384.86**) (**submitted by Finance Department**)
- 22.\* Resolution inserting a Special item of Revenue into the CY 2013 Municipal Budget – Comprehensive Program for the elderly Home Support & Adult Care – CY 2013 3<sup>rd</sup> and 4<sup>th</sup> quarters (**in the sum of \$64,602.00**) (**submitted by Finance Department**)
- 23.\* Resolution inserting a Special item of Revenue into the CY 2013 Municipal Budget – Garden State Preservation Trust – CY 2013 (**in the sum of \$400,000.00**) (**submitted by Finance Department**)
- 24.\* Resolution to adopt the minutes the Meetings of the City Council of the City of Hoboken dated: Special meeting of **March 6, 2013, Regular meeting of March 6, 2013, special meeting of March 20, 2013, regular meeting of April 3, 2013, special meeting of April 10, 2013 and April 17, 2013, regular meeting of April 17, 2013, special**

**meeting of May 1, 2013, regular meeting of May 1, 2013 and special meeting May 15, 2013 and regular meeting of May 15, 2013** (has been reviewed and approved as to legal form and content) **(submitted by City Clerk)**

- 25.\* Resolution authorizing the Refund of Tax Overpayments (payable to the individuals listed on the resolution for the amount of **\$8,878.78 (submitted by Tax Collector)**)
- 26.\* Resolution authorizing the Refund of Tax Appeals State Tax Court (payable to the individuals listed on the resolution for the amount of **\$92,161.86 (submitted by Tax Collector)**)
- 27.\* Resolution cancelling the billing on Block 225 Lot 3 Qualifiers BLDG & Lot **(submitted by Tax Collector)**
- 28.\* Resolution authorizing the Refund of over billed 3<sup>rd</sup> and 4<sup>th</sup> Quarters of 2013 from the Tax duplicate **(submitted by Tax Collector)**
- 29.\* Resolution authorizing the closure of a bank account at the recommendation of the Department of Revenue and Finance – **(TD Bank) (submitted by Finance Department)**
- 30.\* Resolution authorizing the closure of a bank account at the recommendation of the Department of Revenue and Finance - **(Capital One) (submitted by Finance Department)**
- 31.\* Resolution authorizing the City of Hoboken to enter into the attached Municipal Public Utility Right of Way agreement by and between the City of Hoboken and Sunesys **(submitted by Administration)**
- 32.\* Resolution authorizing application for a sustainable New Jersey Grant in the estimated amount of \$2000.00 **(submitted by Administration)**
- 33.\* Resolution approving a contract with Beyer Ford D/B/a Beyer Fleet for the purchase and installation of emergency lights for Municipal Vehicles for the City of Hoboken in the total amount of \$22,945.00 pursuant to State contract **(submitted by Administration) \***
- 34.\* Resolution approving Hoboken Charter School, Inc.'s mitigation plan and request for a construction noise waiver in accordance with Hoboken's code section 133-9 (C) **(submitted by Administration) \*\*\***

## **ORDINANCES**

### Introduction and First Reading

1. AN ORDINANCE TO AMEND CHAPTER 184 ENTITLED "TOWING" TO AMEND THE PROCEDURAL ASPECTS OF THE ROTATIONAL SYSTEM

2. A BOND ORDINANCE AUTHORIZING THE ACQUISITION OF EMERGENCY BACK-UP ELECTRICAL GENERATORS AND HIGH WATER VEHICLE FOR THE CITY OF HOBOKEN, COUNTY OF HUDSON, NEW JERSEY; APPROPRIATING THE SUM OF \$965,000 THEREFOR; AUTHORIZING ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE CITY OF HOBOKEN, COUNTY OF HUDSON, IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$916,750; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING \*\*\*

3. AN ORDINANCE TO AMEND CHAPTER 110 ENTITLED "GARBAGE RUBBISH AND LITTER" TO AMEND THE TIMEFRAME FOR PLACING REFUSE RECEPTACLES AT CURB FOR COLLECTION

**NEW BUSINESS**