

MEETING OF JANUARY 4, 2016

MINUTES OF A MEETING OF THE COUNCIL OF THE CITY OF HOBOKEN, NEW JERSEY, HELD IN THE COUNCIL CHAMBERS, CITY HALL, HOBOKEN, NEW JERSEY, WEDNESDAY, JANUARY 4, 2016 AT 7:00 PM

Council President opened the meeting at 7:05 P.M. 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."

Roll call: Council persons Bhalla, DeFusco, Doyle, Cunningham, Fisher, Mello, Ramos Jr., Russo and President Giattino

ABSENT: None

A presentation from Historic Preservation Commission commissioners Ana Sanchez and Eileen Gold

Council members comment

RE-ORG. RESOLUTIONS

17-3

---By Councilman Bhalla

RESOLUTION APPOINTING A CY2017 COUNCIL PRESIDENT

Be it resolved by the City Council of the City of Hoboken that ~~—~~Jennifer Giattino be and is hereby appointed President of the Hoboken City Council for a one (1) year term to expire December 31, 2017.

---Motion duly seconded by Councilman Doyle

---Adopted by the following vote: Yeas: 9 Nays: 0

---Yeas: Council persons Bhalla, Cunningham, DeFusco, Doyle, Fisher, Mello, Ramos, Russo and President Giattino

---Nays: None.

A motion by Councilman Bhalla to nominate Councilwoman Giattino Council President and seconded by Councilman Doyle

17-4

---By Councilman DeFusco

RESOLUTION APPOINTING A CY2017 COUNCIL VICE-PRESIDENT

Be it resolved by the City Council of the City of Hoboken that Peter Cunningham be and is hereby appointed Vice-President of the Hoboken City Council for a one (1) year term to expire December 31, 2017.

---Motion duly seconded by Councilwoman Fisher

---Adopted by the following vote: Yeas: 9 Nays: 0

---Yeas: Council persons Bhalla, Cunningham, DeFusco, Doyle, Fisher, Mello, Ramos, Russo and President Giattino

---Nays: None.

A motion by Councilman DeFusco to nominate Councilman Cunningham as Council Vice-President and seconded by Councilwoman Fisher

OATH OF OFFICES

The City Clerk conducts the Oath of Office for the new Council President and Vice President

COUNCIL PRESIDENT – JENNIFER GIATTINO

COUNCIL VICE PRESIDENT – PETER CUNNINGHAM

17-5

---By Council President Giattino

RESOLUTION TO APPOINTING A CY2017 CLASS III (CITY COUNCIL) REPRESENTATIVE TO THE HOBOKEN PLANNING BOARD

Be it resolved by the City Council that Councilperson Jim Doyle is hereby appointed as the City Council representative to the Hoboken Planning Board (Class III), for a term to commence January 1, 2017 and expire December 31, 2017.

---Motion duly seconded by Councilman Cunningham

---Adopted by the following vote: Yeas: 9 Nays: 0

---Yeas: Council persons Bhalla, Cunningham, DeFusco, Doyle, Fisher, Mello, Ramos, Russo and President Giattino

---Nays: None.

A motion by Councilwoman to nominate Councilman Doyle as Council Representative to the Hoboken Planning Board and seconded by Councilman Cunningham

17-6

---By Councilwoman Fisher

RESOLUTION DESIGNATING OFFICIAL NEWSPAPERS FOR LEGAL ADVERTISEMENTS FOR THE CITY OF HOBOKEN FOR CY2017

BE IT HEREBY RESOLVED, BY THE CITY COUNCIL OF THE CITY OF HOBOKEN that the following newspapers are hereby designated as the official newspapers of the City of Hoboken for all purposes of legal advertising and official notices for CY2017:

1. Jersey Journal
2. Newark Star Ledger
3. Bergen Record
4. The Hudson Reporter* – For Public Meeting Notices And Public Meeting Agendas
Only

*City Officials and the public should be on notice that The Hudson Reporter is not a daily periodical, and as such, urgent notices may not be published in hard copy by this periodical until after the statutorily required date of publication, and in some events after the date of the Public Meeting.

--Motion duly seconded by Council President Giattino

---Adopted by the following vote: Yeas: 9 Nays: 0

---Yeas: Council persons Bhalla, Cunningham, DeFusco, Doyle, Fisher, Mello, Ramos, Russo and President Giattino

---Nays: None.

Councilman DeFusco comments on voting for the upcoming appointments to the ZBA.

17-7

---By Councilman Doyle

RESOLUTION REAPPOINTING DIANE FITZMEYER-MURPHY TO SERVE AS COMMISSIONER TO THE CITY OF HOBOKEN ZONING BOARD OF ADJUSTMENT FOR A FOUR YEAR TERM

WHEREAS, pursuant to the Code of the City of Hoboken, §44-201, the City of Hoboken has established a Zoning Board of Adjustment; and,

WHEREAS, pursuant to §44-201, members of the Zoning Board of Adjustment are appointed by the City Council; and,

WHEREAS, Diane Fitzmeyer-Murphy is a Commissioner to the Zoning Board of Adjustment and the expiration of her term is December 31, 2016; and,

WHEREAS, the City Council wishes to reappoint Diane Fitzmeyer-Murphy as a Commissioner to the Zoning Board of Adjustment for a four-year term.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Hoboken hereby reappoints Diane Fitzmeyer-Murphy to serve as a Commissioner to the City of Hoboken Zoning Board of Adjustment, for the term described below:

Name	Title	Appointment	Expiration	Term
Diane Fitzmeyer-Murphy	Regular Member	January 1, 2017	December 31, 2020	Four Years (4)

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately upon passage.

---Motion duly seconded by Councilman Bhalla

---Adopted by the following vote: Yeas: 9 Nays: 0

---Yeas: Council persons Bhalla, Cunningham, DeFusco, Doyle, Fisher, Mello, Ramos, Russo and President Giattino

---Nays: None.

17-8

---By Council

RESOLUTION RE-APPOINTING ANTONIO GRANA TO SERVE AS COMMISSIONER TO THE CITY OF HOBOKEN ZONING BOARD OF ADJUSTMENT FOR A FOUR YEAR TERM

WHEREAS, pursuant to the Code of the City of Hoboken, §44-201, the City of Hoboken has established a Zoning Board of Adjustment; and,

WHEREAS, pursuant to §44-201, members of the Zoning Board of Adjustment are appointed by the City Council; and,

WHEREAS, Antonio Grana is a Commissioner on the Zoning Board of Adjustment and the expiration of his term is December 31, 2016; and,

WHEREAS, the City Council wishes to reappoint Antonio Grana to serve as Commissioner on the Zoning Board of Adjustment for a four-year term.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Hoboken hereby reappoints Antonio Grana to serve as Commissioner on the City of Hoboken Zoning Board of Adjustment, for the term described below:

Name	Title	Appointment	Expiration	Term
Antonio Grana	Regular Member	January 1, 2017	December 31, 2020	Four Years (4)

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately upon passage.

---Motion duly seconded by Council

---**Failed** by the following vote: Yeas: 4 Nays: 5

---Yeas: Council persons DeFusco, Mello, Ramos and Russo

---Nays: Bhalla, Cunningham, Doyle, Fisher and President Giattino

17-9

---By Councilman Doyle

RESOLUTION APPOINTING DAN WEAVER TO SERVE AS COMMISSIONER TO THE CITY OF HOBOKEN ZONING BOARD OF ADJUSTMENT FOR A FOUR YEAR TERM

WHEREAS, pursuant to the Code of the City of Hoboken, §44-201, the City of Hoboken has established a Zoning Board of Adjustment; and,

WHEREAS, pursuant to §44-201, members of the Zoning Board of Adjustment are appointed by the City Council; and,

WHEREAS, Dan Weaver is the first alternate on the Zoning Board of Adjustment and the expiration of his term as first alternate is December 31, 2017; and,

WHEREAS, Dan Weaver hereby vacates the position of first alternate effective immediately; and,

WHEREAS, the City Council wishes to appoint Dan Weaver to serve as Commissioner on the Zoning Board of Adjustment for a four-year term.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Hoboken hereby appoints Dan Weaver to serve as Commissioner on the City of Hoboken Zoning Board of Adjustment, for the term described below:

Name	Title	Appointment	Expiration	Term
Dan Weaver	Regular Member	January 1, 2017	December 31, 2020	Four Years (4)

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately upon passage.

- Motion duly seconded by Councilman Bhalla
- Adopted by the following vote: Yeas: 5 Nays: 4
- Yeas: Council persons Bhalla, Cunningham, Doyle, Fisher and President Giattino
- Nays: DeFusco, Mello, Ramos and Russo

17-10

---By Councilman Doyle

RESOLUTION APPOINTING ANTONIO GRANA TO SERVE AS FIRST ALTERNATE TO THE CITY OF HOBOKEN ZONING BOARD OF ADJUSTMENT ON THE CONDITION THAT DANIEL WEAVER IS APPOINTED TO SERVE AS COMMISSIONER

WHEREAS, pursuant to the Code of the City of Hoboken, §44-201, the City of Hoboken has established a Zoning Board of Adjustment; and,

WHEREAS, pursuant to §44-201, members of the Zoning Board of Adjustment are appointed by the City Council; and,

WHEREAS, Antonio Grana is a Commissioner on the Zoning Board of Adjustment and the expiration of his term is December 31, 2016; and,

WHEREAS, the City Council wishes to appoint Antonio Grana to serve as the first alternate on the Zoning Board of Adjustment on the condition that Daniel Weaver vacates his current position of first alternate and is appointed Commissioner; and,

WHEREAS, the expiration of Daniel Weaver's term as first alternate on the Zoning Board of Adjustment is December 31, 2017; and,

WHEREAS, Antonio Grana hereby replaces Dan Weaver as first alternate on the Zoning Board of Adjustment and will serve in that position until December 31, 2017.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Hoboken hereby appoints Antonio Grana to serve as the first alternate on the City of Hoboken Zoning Board of Adjustment, for the term described below:

Name	Title	Appointment	Expiration	Term
Antonio Grana	1 st Alternate	January 1, 2017	December 31, 2017	One (1) Year

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately upon passage.

---Motion duly seconded by Councilman Bhalla

---Adopted by the following vote: Yeas: 9 Nays: 0

---Yeas: Council persons Bhalla, Cunningham, DeFusco, Doyle, Fisher, Mello, Ramos, Russo and President Giattino

---Nays: None.

~~9.* RESOLUTION APPOINTING EDWARD MCBRIDE AS THE SECOND
ALTERNATE MEMBER OF THE CITY OF HOBOKEN'S ZONING BOARD OF
ADJUSTMENT (REMOVED BY SPONSORS)~~

17-11

---By Councilwoman Fisher

RESOLUTION AUTHORIZING TEMPORARY APPROPRIATIONS FOR THE CALENDAR YEAR 2017

WHEREAS, N.J.S.A. 40A:4-19 provides that where any contract, commitment or payments are to be made prior to the final adoption of the calendar year 2017 budget, temporary appropriation should be made for the purpose and amounts required in the manner and time therein provided; and,

WHEREAS, pursuant to N.J.S.A. 40A:4-19, this resolution is adopted within the first 30 days of the beginning of the fiscal year; and,

WHEREAS, 26.25% of the total appropriations of the current fund in the calendar year 2016 budget (excluding appropriations made for interest and debt redemption charges, capital improvement fund and public assistance) is \$27,149,255.34 and the amount of the appropriations for the Parking Utility is \$4,026,592.50.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Hoboken that the appropriations detailed on the attached listing, which total \$27,103,300.20 for the current fund (excluding debt service and capital improvement fund) and \$3,093,877.10 for the Parking Utility (excluding debt service) be made; and,

BE IT FURTHER RESOLVED, that the appropriations of \$8,015,343.00 and \$300,000.00 for debt service and capital improvement fund be made for the current fund; and,

BE IT FURTHER RESOLVED, that the appropriations of \$2,606,493.00 for debt service be made for the Parking Utility; and,

BE IT FURTHER RESOLVED that a certified copy of this resolution be transmitted to the Chief Financial Officer for his records.

---Motion duly seconded by Council President Giattino
---Adopted by the following vote: Yeas: 9 Nays: 0
---Yeas: Council persons Bhalla, Cunningham, DeFusco, Doyle, Fisher, Mello, Ramos, Russo
and President Giattino
---Nays: None.

11.* ~~RESOLUTION TO APPOINT _____ AS A

FOURTH ALTERNATE COMMISSIONER TO THE ZONING BOARD (REMOVED
BY SPONSORS)~~

2ND Readings and Final reading

No 2nd Ordinance readings

PUBLIC COMMENTS

The speakers who spoke: Anthony Soares, Hany Ahmed, John Carey, Mark Villimar, Peggy McGeary, Karen Nasen, Patricia Waiters

PETITIONS AND COMMUNICATIONS

17-12

Miscellaneous Licenses

17-13

Memo from Mayor Dawn Zimmer appointing members to the Planning Board – Brandy Forbes (Class II), Ryan Peene (Class IV), Frank Magaletta (Class IV), Tom Jacobson (1st Alternate)

17-14

Memo from Mayor Dawn Zimmer reappointing members to the Historic Preservation Commission – Susan Pregibon (Class C), Ellen Stewart (Class C)

Received and filed

REPORTS FROM CITY OFFICERS

No reports for this meeting.

17-15

CLAIMS

Total for this agenda **\$945,214.31**

---Adopted by the following vote: Yeas: 9 Nays: 0 Abstain: 1

---Yeas: Council persons Bhalla, Cunningham, DeFusco, Doyle, Fisher, Mello Ramos, Russo and President Giattino

---Nays: None.

---Abstain: Bhalla 16-00103

Councilman Russo comments on Louis Berger Group, Inc. for Water Utility Consultant in the amount of 17,685.91 and \$195.00 for NW Financial as a Water Utility Consultant

Received and Filed

17-16

PAYROLL

For the two week period starting December 1, – December 14, 2016

Regular Payroll	O/T Pay	Other Pay
\$1,642,943.19	\$80,028.63	\$159,505.76
Total		
\$1,882,477.58		

---Adopted by the following vote: Yeas: 9 Nays: 0

---Yeas: Council persons Bhalla, Cunningham, DeFusco, Doyle, Fisher, Mello, Ramos, Russo and President Giattino

---Nays: None.

Received and filed

PUBLIC COMMENTS ON RESOLUTIONS

Patricia Waiters comments on A-3

CONSENT AGENDA – A1, A2, CD1, CD3, CC1-CC3, CC12, CC13, F1 & F2, F4 & F6, HH1, PS1, TX1-TX4, CL1

Adopted by the following vote: Yeas: 9 Nays: 0
 Yeas: Council persons Bhalla, Cunningham, DeFusco, Doyle, Fisher, Mello, Ramos, Russo and President Giattino
 Nays: None.

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.

Pulled from the agenda for discussion: A3, A4, A5, CD2, CD4, CC6-CC11, F3, F5, HH2
 Removed by Administration:

RESOLUTIONS

Administration

17-17

---By Councilwoman Fisher

RESOLUTION AUTHORIZING THE CITY TO ACCEPT AND QUALIFY RESPONSES TO THE CITY'S REQUEST FOR PROPOSALS FOR ARCHITECT, ENGINEER, LANDSCAPE ARCHITECT, LSRP, PLANNER AND SURVEYOR FOR THE TERM JANUARY 4, 2017 THROUGH DECEMBER 31, 2017

WHEREAS, service to the City as an architect, engineer, landscape architect, LSRP, planner and surveyor, are professional services as defined by N.J.S.A. 40A:11-1 et seq; and,

WHEREAS, the City of Hoboken issued Request for Proposals 16-26 seeking a qualified architect, engineer, landscape architect, LSRP, planner and surveyor; and,

WHEREAS, proposals were received from the following:

	Architect	Engineer	Landscape Architect	LSRP	Planner	Surveyor
Advanced Geoservices Corp.		X		X		
ARH Associates Inc.		X	X	X	X	X
Arterial, LLC			X		X	
Banisch Assoc., Inc.					X	
BFJ Planning					X	
Brinkerhoff Environmental				X		
Boswell Engineering		X		X		X
Brilliant Environmental Services				X		
Burgis Associates, Inc.			X		X	

CDM Smith, Inc.		X	X	X	X	
Concord Engineering		X				
Coppa Montalbano Architects	X					
CP Professional Services	X	X				
DMR Architects	X				X	
Dresdner Robin Environmental Management, Inc.		X	X	X	x	X
E&LP		X	X			X
EI Associates	X	X				
Engenuity Infastructure		X			X	
ES Design Studio, LLC	X					
Excel Environmental Resources, Inc.				X		
GEOD Corporation						X
Geosyntec Consultants		X				
H2M Architects					X	
HMR Architects	X					
Intertech Associates, Inc.		X				
James Corner Field Operations			X			
JM Sorge, Inc.				X		
Kimley-Horn and Assoc., Inc.		X	X			
L2A Land Design, LLC		X				
Louis Berger	X	X	X	X	X	
Meliora Environmental Design, LLC		X				
Musial Group Architects	X	x				
Nastasi Architects	X					
Neglia Engineering Associates		X	X		X	X
NV5, Inc.	X	X	X	X	X	X
Pennoni Associates, Inc.				X		
Petry Traffic, LLC		X				
Prestige Environmental, Inc.		X		X		
Rambol Environ US Corp.		X		X		
Remington & Vernick Engineers		X	X	X		x
Roofscapes, Inc. d/b/a/ Roofmeadow		X	X			
RSC Architects	X					
Scape Landscape Architecture, PLCC			X			
Stantec Consulting Services, Inc.		X	X			
Starr Whitehouse Landscape Architects			X		X	
Suburban Consulting Engineers, Inc.		X	X			X
T&M Associates		X	X	X	X	X
Tetra Tech Inc.		X				

Topology-NJ, LLC					X	
TTI Environmental, Inc.				X		
USA Environmental Management Inc.				X		

WHEREAS, the City’s review team has determined that all of the above listed firms are qualified to provide effective and efficient services, cost and other factors considered; and,

WHEREAS, the Administration recommends that all of the above listed firms be qualified in their designated specialty(s) to be considered by the City Administration, if and when the Administration finds it necessary, to engage the services of such respondent.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Hoboken, that the below listed respondents are deemed qualified to be contracted for architect, engineer, landscape architect, LSRP, planner and surveyor services to the City, as necessary when determined by the Administration, from the period of January 4, 2017 through December 31, 2017:

	Architect	Engineer	Landscape Architect	LSRP	Planner	Surveyor
Advanced Geoservices Corp.		X		X		
ARH Associates Inc.		X	X	X	X	X
Arterial, LLC			X		X	
Banisch Assoc., Inc.					X	
BFJ Planning					X	
Brinkerhoff Environmental				X		
Boswell Engineering		X		X		X
Brilliant Environmental Services				X		
Burgis Associates, Inc.			X		X	
CDM Smith, Inc.		X	X	X	X	
Concord Engineering		X				
Coppa Montalbano Architects	X					
CP Professional Services	X	X				
DMR Architects	X				X	
Dresdner Robin Environmental Management, Inc.		X	X	X	x	X
E&LP		X	X			X
EI Associates	X	X				
Engenuity Infastructure		X			X	
ES Design Studio, LLC	X					
Excel Environmental Resources, Inc.				X		

GEOD Corporation						X
Geosyntec Consultants		X				
H2M Architects					X	
HMR Architects	X					
Intertech Associates, Inc.		X				
James Corner Field Operations			X			
JM Sorge, Inc.				X		
Kimley-Horn and Assoc., Inc.		X	X			
L2A Land Design, LLC		X				
Louis Berger	X	X	X	X	X	
Meliora Environmental Design, LLC		X				
Musial GroupArchitects	X	x				
Nastasi Architects	X					
Neglia Engineering Associates		X	X		X	X
NV5, Inc.	X	X	X	X	X	X
Pennoni Associates, Inc.				X		
Petry Traffic, LLC		X				
Prestige Environmental, Inc.		X		X		
Rambol Environ US Corp.		X		X		
Remington & Vernick Engineers		X	X	X		x
Roofscapes, Inc. d/b/a/ Roofmeadow		X	X			
RSC Architects	X					
Scape Landscape Architecture, PLCC			X			
Stantec Consulting Services, Inc.		X	X			
Starr Whitehouse Landscape Architects			X		X	
Suburban Consulting Engineers, Inc.		X	X			X
T&M Associates		X	X	X	X	X
Tetra Tech Inc.		X				
Topology-NJ, LLC					X	
TTI Environmental, Inc.				X		
USA Environmental Management Inc.				X		

---Motion duly seconded by Councilman Ramos

---Adopted by the following vote: Yeas: 9 Nays: 0

---Yeas: Council persons Bhalla, Cunningham, DeFusco, Doyle, Fisher, Mello, Ramos, Russo and President Giattino

---Nays: None.

17-18

---By Councilwoman Fisher

RESOLUTION APPOINTING PUBLIC AGENCY COMPLIANCE OFFICER (“PACO”) FOR THE CITY OF HOBOKEN

WHEREAS, there exists a need for a Public Agency Compliance Officer (P.A.C.O.) for the City of Hoboken, pursuant to N.J.S.A. 10:5-31 et. seq. and N.J.A.C. 17:27-1 et. seq.; and,

WHEREAS, the State Department of Treasury Division of Contract Compliance and Equal Employment Opportunity in Public Contracts (DDC), N.J.A.C. 17:27-1 et. seq. requires that the rules commonly known as “affirmative action” be followed.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Hoboken that Scott DeRosa, Esq., Assistant Corporation Counsel for the City of Hoboken, is hereby appointed as the Public Agency Compliance Officer for the City of Hoboken; and,

BE IT FURTHER RESOLVED that no additional compensation shall be provided to the individual appointee as a result of this appointment; and,

BE IT FURTHER RESOLVED that said appointment shall begin immediately and shall continue until the appointment of a successor.

---Motion duly seconded by Councilman Ramos

---Adopted by the following vote: Yeas: 9 Nays: 0

---Yeas: Council persons Bhalla, Cunningham, DeFusco, Doyle, Fisher, Mello, Ramos, Russo and President Giattino

---Nays: None.

17-19

---By Councilwoman Fisher

RESOLUTION APPOINTING “PAY-TO-PLAY” REFORM COMPLIANCE OFFICER FOR THE CITY OF HOBOKEN

WHEREAS, the City Code of the City of Hoboken requires a “Pay-to-Play” Reform Compliance Officer, at Section 20A-22; and,

WHEREAS, the “Pay-to-Play” Reform Compliance Officer was incorporated into the City Code in 2008, as a result of a settlement agreement between the City of Hoboken and the People For Open Government.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hoboken that Alyssa L. Bongiovanni, Esq., Assistant Corporation Counsel for the City of

Hoboken, is hereby appointed as the “Pay-to-Play” Reform Compliance Officer for the City of Hoboken; and,

BE IT FURTHER RESOLVED that no additional compensation shall be provided to the individual appointee as a result of this appointment; and,

BE IT FURTHER RESOLVED that said appointment shall begin immediately and shall continue until the appointment of a successor.

---Motion duly seconded by Councilman Ramos

---Adopted by the following vote: Yeas: 9 Nays: 0

---Yeas: Council persons Bhalla, Cunningham, DeFusco, Doyle, Fisher, Mello, Ramos, Russo and President Giattino

---Nays: None.

17-20

---By Councilwoman Fisher

RESOLUTION AWARDING A PROFESSIONAL SERVICE CONTRACT TO NW FINANCIAL GROUP, LLC FOR PLANNING/FINANCIAL SERVICES FOR THE RENEGOTIATION OF THE UNITED WATER O&M CONTRACT IN THE AMOUNT OF \$25,000.00

WHEREAS, the City of Hoboken has a need to obtain planning/financial services for the renegotiation of the United Water O&M contract with the City of Hoboken; and,

WHEREAS, pursuant to Resolution No. CD1 dated October 5, 2016, NW Financial Group, LLC is a pre-qualified planning/financial consultant for the City of Hoboken; and,

WHEREAS, the Administration believes that NW Financial Group has intricate and specialized knowledge of the issues involved in the renegotiation of the United Water O&M contract as a result of their continued services to the City; and,

WHEREAS, the Administration recommends awarding the contract to NW Financial Group in the amount of \$25,000.00.

NOW, THEREFORE, BE IT RESOLVED, that a professional services contract is awarded to NW Financial Group, LLC for planning/financial services for the renegotiation of the United Water O&M Contract, in the amount of \$25,000.00; and,

BE IT FURTHER RESOLVED that this resolution shall take effect immediately, subject to the following conditions:

1. The award of this contract is subject to finalization of the contract terms.
2. Any change orders which shall become necessary shall be subject to the City’s ability to appropriate sufficient funds, which appropriation shall be at the sole discretion of

the City Council.

3. The Council hereby authorizes the Mayor, or her designee, to execute any and all documents and take any and all actions necessary to complete and realize the intent and purpose of this resolution.
4. The mayor, or her designee, is hereby authorized to execute an agreement as outlined herein with:

NW Financial Group, LLC
2 Hudson Place, 3rd Floor
Hoboken, New Jersey 07030

---Motion duly seconded by Councilman Ramos

---Adopted by the following vote: Yeas: 9 Nays: 0

---Yeas: Council persons Bhalla, Cunningham, DeFusco, Doyle, Fisher, Mello, Ramos, Russo and President Giattino

---Nays: None.

17-21

---By Councilwoman Fisher

RESOLUTION AUTHORIZING THE CITY OF HOBOKEN TO ACCEPT AND QUALIFY RESPONSES TO THE CITY'S REQUEST FOR QUALIFICATIONS FOR GRANT WRITING SERVICES FROM JANUARY 4, 2017 THROUGH DECEMBER 31, 2017

WHEREAS, it is occasionally necessary for the City of Hoboken to engage the services of a qualified professional and/or firm to provide grant writing services; and,

WHEREAS, therefore, the City issued a Request for Qualifications (No. 16-28) seeking proposals from qualified granting writing firms, in compliance with the process for awarding a professional service contract pursuant to Hoboken Code §20A; and,

WHEREAS, the City received four (4) responsive proposals from:

1. Bruno Associates, Inc.
2. Millennium Strategies, LLC
3. The Ferguson Group
4. Maberry Consulting

WHEREAS, the City's review team has determined that the top two scoring firms, Bruno Associates, Inc. and Millennium Strategies, LLC, are the most qualified to provide the best and most efficient grant writing services, cost and other factors considered; and,

WHEREAS, therefore, the Administration recommends that Bruno Associates, Inc. and Millennium Strategies, LLC be qualified to be considered by the City Administration, if and when the Administration finds it necessary, to engage the services of such respondent.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Hoboken, that the below listed respondents are deemed qualified to be contracted for grant writing services to the City, as necessary when determined by the Administration, from the period of January 4, 2017 through December 31, 2017:

1. Bruno Associates, Inc.
1373 Broad Street, Suite 304
Clifton, New Jersey 07013

2. Millennium Strategies, LLC
60 Roseland Avenue
Caldwell, New Jersey 07006

---Motion duly seconded by Councilman Ramos

---Adopted by the following vote: Yeas: 9 Nays: 0

---Yeas: Council persons Bhalla, Cunningham, DeFusco, Doyle, Fisher, Mello, Ramos, Russo and President Giattino

---Nays: None.

Councilman DeFusco has left the meeting at 9:40 PM

Councilman DeFusco has returned to the meeting at 9:43 PM

Community Development

17-22

---By Councilman Cunningham

RESOLUTION TO AUTHORIZE AN AMENDMENT TO THE CITY'S CONTRACT WITH USA ENVIRONMENTAL MANAGEMENT FOR 1600 PARK AVENUE/HOBOKEN COVE PROJECT FOR AN INCREASE IN THE TOTAL AMOUNT BY **\$280.00**

WHEREAS, the City awarded a contract to USA Environmental Management for LSRP services to the City of Hoboken for the Hoboken/Weehawken Cove Park Project (amongst other projects) on May 6, 2015; and,

WHEREAS, the City most recently amended its contract with USA Environmental Management by way of City Council Resolution dated March 16, 2016, increasing the total amount by \$26,773.00 and extending the contract term to expire no later than March 15, 2017; and,

WHEREAS, in accordance with the direction of the Administration, the City now wishes to amend its contract with USA Environmental Management in the increased amount of \$280.00 for the filing fee for recording the deed notice for 1600 Park/Hoboken Cove, in accordance with the attached letter dated December 7, 2016.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Hoboken, that the City's contract with USA Environmental Management for LSRP services to the City shall be increased by \$280.00, for a new total contract amount of \$100,423.00, and:

- 1) Aside from the change in contract amount, the remainder of the terms shall be in accordance with the original agreement and all attachments thereto; and,
- 2) The Mayor or her designee is hereby authorized to take the necessary steps to enter into an amendment to the contract and any other steps necessary to effectuate this resolution; and,

This resolution shall take effect immediately.

---Motion duly seconded by Councilman Mello

---Adopted by the following vote: Yeas: 9 Nays: 0

---Yeas: Council persons Bhalla, Cunningham, DeFusco, Doyle, Fisher, Mello, Ramos, Russo and President Giattino

---Nays: None.

17-23

---By Councilman Cunningham

RESOLUTION AWARDING THREE CHANGE ORDERS, WHICH TOTAL \$38,770.20, TO THE CITY'S CONTRACT WITH FLANAGANS CONTRACTING GROUP INC. FOR THE SOUTHWEST BLOCK 12 PARK PROJECT

WHEREAS, the City Council of the City of Hoboken awarded a contract to Flanagans Contracting Group, Inc. for the Southwest Block 12 Park Project by way of resolution dated May 18, 2016, pursuant to their bid proposal in the amount of \$4,907,567.50; and,

WHEREAS, the City received the attached correspondence from Suburban Consulting Engineers, Inc. dated December 15, 2016, regarding three change orders to the contract with Flanagans Contracting Group; and,

WHEREAS, the City Council is being asked to award Change Order #1 to this contract, in the amount of \$22,369.33 to install an emergency pedestrian barricade on Observer Highway; and,

WHEREAS, the City Council is being asked to award Change Order #9 to this contract, in the amount of \$3,029.40 for the removal of a 4" water consumption well; and,

WHEREAS, the City Council is being asked to award Change Order #10 to this contract, in the amount of \$13,371.47 for the removal of an underground oil storage tank; and,

WHEREAS, the total amount of the three change orders is \$38,770.20; and,

WHEREAS, the new total contract amount, including previous change orders, is \$4,995,667.91.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Hoboken, that Change Order #1 shall be awarded as delineated above in the amount of \$22,369.33; Change Order #9 shall be awarded as delineated above in the amount of \$3,029.40; and Change Order #10 shall be awarded as delineated above in the amount of \$13,371.47, and

1. The above recitals are incorporated herein as though fully set forth at length.
2. The terms of the referenced proposal shall govern the contract, and no changes may be made without the prior written consent of both parties.
3. Any change orders which shall become necessary hereafter shall be subject to the City's ability to appropriate sufficient funds, which appropriation shall be at the sole discretion of the City Council.
4. The Council hereby authorizes the Mayor, or her designee to execute any and all documents and take any and all actions necessary to complete and realize the intent and purpose of this resolution.

---Motion duly seconded by Councilman Mello

---Adopted by the following vote: Yeas: 9 Nays: 0

---Yeas: Council persons Bhalla, Cunningham, DeFusco, Doyle, Fisher, Mello, Ramos, Russo and President Giattino

---Nays: None.

17-24

---By Councilman Cunningham

RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDED REDEVELOPMENT AGREEMENT WITH 1024 ADAMS HOBOKEN, LLC FOR THE REDEVELOPMENT OF THE REAL PROPERTY LOCATED UPON BLOCK 100, LOT 10 ON THE TAX MAP OF THE CITY OF HOBOKEN WITHIN THE NORTHWEST INDUSTRIAL AREA

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq., as amended and supplemented (the "Act"), provides a process for municipalities to participate in the redevelopment and improvement of areas in need of redevelopment; and,

WHEREAS, in order to stimulate redevelopment, the City Council of the City of Hoboken by Resolution, has, at times, identified and designated certain parcels of property within the City as areas "in need of redevelopment" in accordance with the Act, including the parcel located upon Block 100, Lot 10 on the Tax Map of the City of Hoboken, more commonly known as 1024 Adams Street (the "Property"), which is located within the Northwest Industrial Area of the City; and,

WHEREAS, the City of Hoboken (the “City”) desires that the Property be redeveloped in accordance with the Redevelopment Plan for the Northwest Industrial Area, as same may be amended (the “Redevelopment Plan”); and,

WHEREAS, the City, by Resolution on September 3, 2014, authorized the execution of Redevelopment Agreement by and between the City and Frank Pasquale Limited Partnership (“Frank Pasquale”), the former owner of the Property for the implementation of a redevelopment project involving the construction of a seven (7) story residential building consisting of ten (10) units, with LEED Gold Certification from the US Green Building Council; the installation of a natural gas cogeneration system for heat and power together with a circuit connection box to support a potential power transfer to the micro-grid that could power exterior electric vehicle charging stations (should they be installed) (“Cogeneration System”); and Passive House Certification from the Passive House Institute, amongst other such project components (collectively, the “Original Project”); and,

WHEREAS, on or about September 16, 2014, the City executed a Redevelopment Agreement with Frank Pasquale Limited Partnership (“Frank Pasquale”) for the redevelopment of the Property (the “Original Redevelopment Agreement”); and,

WHEREAS, the City, by Ordinance on or about October 16, 2014, adopted an amendment of the Redevelopment Plan, in order to, in part, accommodate the Original Project; and,

WHEREAS, Frank Pasquale subsequently entered into a contract with 1024 Adams Hoboken, LLC (referred to herein as the Redeveloper) to convey the Property to Redeveloper; and,

WHEREAS, 1024 Adams Hoboken, LLC has submitted a Pre-Submission Form to the City, a copy of which is attached hereto as **Attachment A**, outlining its intent to redevelop the Property by constructing a residential building with features similar to those set forth in the description of the Original Project; and,

WHEREAS, more specifically, Redeveloper proposes to: demolish the existing two-story brick office building upon the Property; construct a seven (7) story building up to seventy-nine (79) feet tall with ten (10) residential units and parking facilities underneath for eleven (11) parking spaces including one (1) handicapped, barrier-free parking space; install a white roof aka cool roof to reduce energy consumption; install a thermal hot water panel system on the roof; install a rain water harvesting retention system; install two (2) interior electric vehicle charging stations; install a bike rack; meet LEED Gold Certification and strive for LEED Platinum Certification; strive for Energy Star Building Certification; and obtain Passive House Certification; and,

WHEREAS, Bijou Properties, LLC (“Bijou”), an affiliate of Redeveloper, has also submitted a letter to the City dated July 27, 2016, a copy of which is attached hereto as **Attachment B**, acknowledging responsibility to adhere to the terms of the May 7, 2014 Interim Cost and Conditional Designation Agreement by and between the City and Frank Pasquale, including provisions for Redeveloper’s reimbursement to the City or direct

payment of all costs incurred by the City in connection with negotiating and finalizing an Amended Redevelopment Agreement with 1024 Adams Hoboken, LLC; and,

WHEREAS, Redeveloper has determined that the installation of a Cogeneration System at the Property as originally proposed by Frank Pasquale is not practical and in order to compensate for said redevelopment goals which have been deemed unachievable, Bijou has offered to make a \$50,000.00 donation to the City of Hoboken's Open Space Trust Fund pursuant to Bijou's letter dated December 9, 2016, a copy of which is attached hereto as **Attachment C**; and,

WHEREAS, the City and the Redeveloper have engaged in extensive negotiations and the City has determined that in furtherance of the City's goals and objectives for the Property to be redeveloped in accordance with the Redevelopment Plan, as may be amended, it is in the best interests of the City and its residents to enter into an Amended Redevelopment Agreement with 1024 Adams Hoboken, LLC ("Redeveloper") being designated as the exclusive Redeveloper of the Property in substantially the form attached hereto as **Attachment D**.

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

1. The Mayor of the City of Hoboken is hereby authorized to execute the Amended Redevelopment Agreement by and between the City of Hoboken and 1024 Adams Hoboken, LLC in substantially the form attached hereto as **Attachment D**, designating 1024 Adams Hoboken, LLC as the exclusive redeveloper of Block 100, Lot 10 on the Tax Map of the City of Hoboken, more commonly known as 1024 Adams Street.
2. The City hereby approves of and ratifies the conveyance of the Property from Frank Pasquale Limited Partnership to 1024 Adams Hoboken, LLC.
3. Staff and consultants to the City are hereby authorized and directed to take all other administrative actions to implement this Resolution as are necessary and appropriate to accomplish its goals and intent, to the extent permitted by law.
4. This Resolution shall be effective immediately.

---Motion duly seconded by Councilman Mello

---Adopted by the following vote: Yeas: 9 Nays: 0

---Yeas: Council persons Bhalla, Cunningham, DeFusco, Doyle, Fisher, Mello, Ramos, Russo and President Giattino

---Nays: None.

17-25

---By Councilman Cunningham

RESOLUTION AWARDING A CONTRACT TO DMR ARCHITECTS AS PROFESSIONAL PLANNER FOR THE REDEVELOPMENT PLAN FOR THE NORTH END AREA IN THE AMOUNT OF **\$117,954.54**

WHEREAS, the City of Hoboken previously published an RFP for municipal planning services for the North End Area (“North End Redevelopment”); and,

WHEREAS, following an evaluation of the proposals received in response to the RFP, it was determined that DMR Architects (“DMR”) was the most qualified vendor to provide the City with the most effective and efficient Professional Planner services necessary for the North End Redevelopment; and,

WHEREAS, the City therefore awarded a contract to DMR by way of Resolution dated June 17, 2015 in the amount of \$149,262.57, in accordance with DMR’s proposal; and,

WHEREAS, the North End Redevelopment project has been delayed due to unanticipated circumstances, and therefore DMR has performed limited services thus far and has only billed \$31,308.03 of the contract amount; and,

WHEREAS, although DMR’s contract for the North End Redevelopment project has expired, DMR has been prequalified as a pool architect for the City for CY-2017; and,

WHEREAS, the City anticipates that the North End Redevelopment Plan project will resume in February 2017, and therefore wishes to award a contract for architectural services for said project; and,

WHEREAS, due to the fact that DMR is a prequalified architectural firm and was previously awarded a contract and performed work relative to this particular project, the Administration recommends awarding a new contract to DMR in accordance with their original proposal; and,

WHEREAS, the Administration further recommends awarding the contract in the amount of \$117,954.54, which amount is based upon DMR’s original proposal figure (\$149,262.57), less the amount of the services already performed (\$31,308.03).

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Hoboken, that a professional services contract is hereby awarded to DMR for municipal planning services for the North End Redevelopment project, in the amount of \$117,954.54, in accordance with their original proposal, for a period of one (1) year, to expire on or before January 4, 2018; and,

BE IT FURTHER RESOLVED that this resolution shall take effect immediately, subject to the following conditions:

5. The award of this contract is subject to finalization of the contract terms.
6. Any change orders which shall become necessary shall be subject to the City’s ability to appropriate sufficient funds, which appropriation shall be at the sole discretion of the City Council.

7. The Council hereby authorizes the Mayor, or her designee, to execute any and all documents and take any and all actions necessary to complete and realize the intent and purpose of this resolution.
8. The mayor, or her designee, is hereby authorized to execute an agreement as outlined herein.

---Motion duly seconded by Councilman Mello

---Adopted by the following vote: Yeas: 9 Nays: 0

---Yeas: Council persons Bhalla, Cunningham, DeFusco, Doyle, Fisher, Mello, Ramos, Russo and President Giattino

---Nays: None.

Corporation Counsel

17-26

---By Councilwoman Fisher

RESOLUTION AUTHORIZING THE CITY TO ACCEPT AND QUALIFY RESPONSES TO THE CITY'S REQUEST FOR PROPOSALS FOR LAND USE AND REAL PROPERTY SPECIAL COUNSEL FOR THE TERM JANUARY 4, 2017 THROUGH DECEMBER 31, 2017 IN THE TOTAL AMOUNT OF **\$50,000.00**

WHEREAS, it is occasionally necessary for the City of Hoboken to engage the services of a qualified professional and/or firm to provide legal services as special counsel for land use and real property matters; and,

WHEREAS, the City issued a Request for Qualifications (No. 16-11) seeking proposals from qualified law firms, in compliance with the process for awarding a professional service contract pursuant to Hoboken Code §20A; and,

WHEREAS, the City received three (3) responsive proposals from:

5. Weiner Lesniak
6. Vogel, Chait, Collins & Schneider
7. Rogut McCarthy

WHEREAS, the City's review team has determined that all of the firms that submitted proposals are qualified to provide effective and efficient legal services, cost and other factors considered; and,

WHEREAS, the Administration recommends that Weiner Lesniak; Vogel, Chait, Collins & Schneider; and Rogut McCarthy be qualified to be considered by the City Administration, if and when the Administration finds it necessary, to engage the services of such respondent.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of

Hoboken, that the below listed respondents are deemed qualified to be contracted for Land Use and Real Property legal services to the City, as necessary when determined by the Administration, from the period of January 4, 2017 through December 31, 2017:

1. Weiner Lesniak
2. Vogel, Chait, Collins & Schneider
3. Rogut McCarthy

BE IT FURTHER RESOLVED, that in the aggregate, the Land Use and Real Property contracts awarded to any/all of the firms listed above shall not exceed \$50,000.00.

---Motion duly seconded by Councilman Ramos

---Adopted by the following vote: Yeas: 9 Nays: 0

---Yeas: Council persons Bhalla, Cunningham, DeFusco, Doyle, Fisher, Mello, Ramos, Russo and President Giattino

---Nays: None.

17-27

---By Council President Giattino

RESOLUTION AUTHORIZING THE CITY TO ACCEPT AND QUALIFY RESPONSES TO THE CITY'S REQUEST FOR PROPOSALS FOR REDEVELOPMENT SPECIAL COUNSEL FOR THE TERM JANUARY 4, 2017 THROUGH DECEMBER 31, 2017 IN THE TOTAL AMOUNT OF \$95,000.00

WHEREAS, it is occasionally necessary for the City of Hoboken to engage the services of a qualified professional and/or firm to provide legal services as special counsel for redevelopment matters; and,

WHEREAS, the City issued a Request for Proposals (No. 16-17) seeking proposals from qualified law firms, in compliance with the process for awarding a professional service contract pursuant to Hoboken Code §20A; and,

WHEREAS, the City received three (3) responsive proposals from:

8. Rogut McCarthy
9. McManimon, Scotland & Baumann
10. Maraziti Falcon

WHEREAS, the City's review team evaluated the proposals and has determined that McManimon, Scotland & Baumann and Maraziti Falcon are the most qualified to provide effective and efficient legal services, cost and other factors considered; and,

WHEREAS, the Administration recommends that McManimon, Scotland &

Baumann and Maraziti Falcon be qualified to be considered by the City Administration, if and when the Administration finds it necessary, to engage the services of such respondent.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Hoboken, that the below listed respondents are deemed qualified to be contracted for Redevelopment legal services to the City, as necessary when determined by the Administration, from the period of January 4, 2017 through December 31, 2017:

1. McManimon, Scotland & Baumann
2. Maraziti Falcon

BE IT FURTHER RESOLVED, that in the aggregate, the Redevelopment Counsel contracts awarded to any/all of the firms listed above shall not exceed \$95,000.00.

---Motion duly seconded by Councilman Doyle
---Adopted by the following vote: Yeas: 9 Nays: 0
---Yeas: Council persons Bhalla, Cunningham, DeFusco, Doyle, Fisher, Mello, Ramos, Russo and President Giattino
---Nays: None.

17-28

---By Councilwoman Fisher

RESOLUTION TO AWARD A CONTRACT TO FLORIO KENNY RAVAL, LLP FOR SPECIAL COUNSEL – AFFIRMATIVE ACTION/ETHICS IN THE AMOUNT OF \$50,000.00 FOR THE TERM OF JANUARY 4, 2017 THROUGH DECEMBER 31, 2017

WHEREAS, service to the City as Special Counsel – Affirmative Action/Ethics is a professional service as defined by N.J.S.A. 40A:11-1 et seq; and,

WHEREAS, the City of Hoboken issued Request for Proposals 16-23 seeking a qualified attorney to serve as counsel for Affirmative Action/Ethics; and,

WHEREAS, proposals were received from the following:

1. Florio Kenny Raval, LLP
2. Lite DePalma Greenberg
3. Condon & Theurer
4. Roth D'Aquanni

WHEREAS, the evaluation committee has determined that the proposal submitted by Florio Kenny Raval, LLP demonstrates that the firm is the most qualified to provide effective and efficient legal services to the City, cost and other factors considered; and,

WHEREAS, the Administration recommends awarding a contract to Florio Kenny Raval, LLP for legal services related to Affirmative Action/Ethics for the term of January 4, 2017 through December 31, 2017, in the amount of \$50,000.00.

NOW THEREFORE, BE IT RESOLVED, that a contract is hereby awarded to Florio Kenny Raval, LLP to represent the City as Special Legal Counsel - Affirmative Action/Ethics for a term to commence on January 4, 2017 and expire December 31, 2017, for a total not to exceed amount of **Fifty Thousand Dollars (\$50,000.00)**; and,

9. The award of this contract is subject to finalization of the contract terms.
10. Any change orders which shall become necessary shall be subject to the City's ability to appropriate sufficient funds, which appropriation shall be at the sole discretion of the City Council.
11. The Council hereby authorizes the Mayor, or her designee, to execute any and all documents and take any and all actions necessary to complete and realize the intent and purpose of this resolution.
12. The mayor, or her designee, is hereby authorized to execute an agreement as outlined herein.

---Motion duly seconded by Councilman Ramos

---Adopted by the following vote: Yeas: 9 Nays: 0

---Yeas: Council persons Bhalla, Cunningham, DeFusco, Doyle, Fisher, Mello, Ramos, Russo and President Giattino

---Nays: None.

17-29

---By Councilwoman Fisher

RESOLUTION APPOINTING BRIAN ALOIA, ESQ. AS THE CITY OF HOBOKEN'S CHIEF MUNICIPAL PROSECUTOR AND ALYSSA L. BONGIOVANNI, ESQ. AND SCOTT J. DEROSA, ESQ. AS ASSISTANT MUNICIPAL PROSECUTORS

WHEREAS, in accordance with N.J.S.A. 2B:25-4, each municipal court in New Jersey shall have at least one (1) municipal prosecutor appointed by the governing body, and where there are two (2) or more municipal prosecutors, a Chief Municipal Prosecutor shall be appointed; and,

WHEREAS, the City wishes to appoint Corporation Counsel Brian Aloia, Esq. as the Chief Municipal Prosecutor for the City of Hoboken; and,

WHEREAS, the City wishes to appoint Assistant Corporation Counsel Alyssa L. Bongiovanni, Esq. and Scott J. DeRosa, Esq. as Assistant Municipal Prosecutors.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Hoboken that Brian Aloia, Esq. is hereby designated as the Chief Municipal Prosecutor for the City of Hoboken; and,

BE IT FURTHER RESOLVED, Alyssa L. Bongiovanni, Esq. is hereby designated as Assistant Municipal Prosecutor for the City of Hoboken; and,

BE IT FURTHER RESOLVED, Scott J. DeRosa, Esq. is hereby designated as Assistant Municipal Prosecutor for the City of Hoboken; and,

BE IT FURTHER RESOLVED, these individuals shall not receive any additional compensation for their roles as prosecutors.

---Motion duly seconded by Councilman Ramos

---Adopted by the following vote: Yeas: 8 Nays: 0 Absent: 1

---Yeas: Council persons Bhalla, DeFusco, Doyle, Fisher, Mello, Ramos, Russo and President Giattino

---Nays: None.

---Absent: Cunningham

Councilman Cunningham has left the Council meeting at 10:07 PM

~~CC5.* RESOLUTION AUTHORIZING THE CITY TO ACCEPT AND QUALIFY RESPONSES TO THE CITY'S REQUEST FOR PROPOSALS FOR MUNICIPAL PROSECUTORS FOR THE TERM JANUARY 4, 2017 THROUGH DECEMBER 31, 2017 IN THE TOTAL AMOUNT OF \$65,000.00 (REMOVED BY SPONSORS)~~

Councilman DeFusco comments

~~CC6.* RESOLUTION TO AWARD A CONTRACT TO WEINER LESNIAK FOR LEGAL SERVICES HISTORIC PRESERVATION BOARD ATTORNEY IN THE AMOUNT OF FIFTEEN THOUSAND DOLLARS (\$15,000.00) FOR THE TERM JANUARY 4, 2017 THROUGH DECEMBER 31, 2017 (REMOVED BY SPONSORS)~~

Councilwoman Fisher comments

17-30

---By Councilwoman Fisher

RESOLUTION AUTHORIZING THE CITY TO ACCEPT AND QUALIFY RESPONSES TO THE CITY'S REQUEST FOR PROPOSALS FOR MUNICIPAL PUBLIC DEFENDERS FOR THE TERM JANUARY 4, 2017 THROUGH DECEMBER 31, 2017 IN THE TOTAL AMOUNT OF \$20,000.00

WHEREAS, in accordance with N.J.S.A. 2B:24-1, each municipal court in the State of New Jersey shall appoint at least one (1) municipal public defender, to be appointed by the governing body, and where there are two (2) or more public defenders, a Chief Municipal Public Defender must be appointed; and,

WHEREAS, the City issued a Request for Proposals (No. 16-12) seeking proposals from qualified individuals to act as Municipal Public Defender(s) for the City of Hoboken, in compliance with the process for awarding a professional service contract pursuant to Hoboken Code §20A; and,

WHEREAS, the City received four (4) responsive proposals from:

1. Salvatore Vargo
2. Condon & Theurer
3. Thomas Koehl
4. Weiss Fruchter

WHEREAS, the City's review team evaluated the proposals and has determined that all of the submitted proposals were complete and responsive and each individual/firm is qualified to provide effective and efficient legal services, cost and other factors considered; and,

WHEREAS, the Administration recommends that the above individuals/firms be appointed as Municipal Public Defenders for the City of Hoboken; and,

WHEREAS, the Administration recommends that Kathleen Theurer, Esq. of Condon & Theurer be appointed the Chief Municipal Public Defender.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Hoboken, that the below listed respondents are deemed qualified as Public Defenders for the City of Hoboken, for the period of January 4, 2017 through December 31, 2017:

1. Salvatore Vargo
2. Condon & Theurer
3. Thomas Koehl
4. Weiss Fruchter

BE IT FURTHER RESOLVED, that Kathleen Theurer, Esq. of Condon & Theurer is appointed Chief Municipal Public Defender; and,

BE IT FURTHER RESOLVED, that in the aggregate, the Public Defenders' (as listed above) contracts shall not exceed \$20,000.00.

---Motion duly seconded by Councilman Ramos

---Adopted by the following vote: Yeas: 8 Nays: 0 Absent: 1

---Yeas: Council persons Bhalla, DeFusco, Doyle, Fisher, Mello, Ramos, Russo and President Giattino

---Nays: None.

---Absent: Cunningham

17-31

---By Councilwoman Fisher

RESOLUTION TO AWARD A CONTRACT TO FLORIO KENNY RAVAL LLP FOR LEGAL SERVICES- RENT LEVELING BOARD ATTORNEY IN THE AMOUNT OF FIFTEEN THOUSAND DOLLARS (**\$15,000.00**) FOR THE TERM JANUARY 4, 2017 THROUGH DECEMBER 31, 2017

WHEREAS, service to the City as Special Legal Counsel- Rent Leveling Board Attorney is a professional service as defined by N.J.S.A. 40A:11-1 et seq.; and,

WHEREAS, the City of Hoboken issued Request for Proposals 16-15 seeking a qualified attorney to serve as counsel for the Rent Leveling Board; and,

WHEREAS, one (1) proposal was received, from Florio Kenny Raval, LLP; and,

WHEREAS, the evaluation committee has determined that the proposal submitted by Florio Kenny Raval LLP demonstrates that they are qualified to provide effective and efficient legal services to the City; and,

WHEREAS, the Administration recommends awarding a contract to Florio Kenny Raval LLP for legal services as counsel for the Rent Leveling Board, for the term of January 4, 2017 through December 31, 2017, in the amount of \$15,000.00.

NOW THEREFORE, BE IT RESOLVED, that a contract a contract is hereby awarded to Florio Kenny Raval, LLP to represent the City as Special Legal Counsel- Rent Leveling Board Attorney for a term to commence January 4, 2017 and expire December 31, 2017, for a total not to exceed amount of **Fifteen Thousand Dollars (\$15,000.00)**; and:

1. The award of this contract is subject to finalization of the contract terms.
2. Any change orders which shall become necessary shall be subject to the City's ability to appropriate sufficient funds, which appropriation shall be at the sole discretion of the City Council.
3. The Council hereby authorizes the Mayor, or her designee, to execute any and all documents and take any and all actions necessary to complete and realize the intent and purpose of this resolution.
4. The mayor, or her designee, is hereby authorized to execute an agreement as outlined herein.

---Motion duly seconded by Councilman Ramos

---Adopted by the following vote: Yeas: 8 Nays: 0 Absent: 1

---Yeas: Council persons Bhalla, DeFusco, Doyle, Fisher, Mello, Ramos, Russo and President Giattino

---Nays: None.

---Absent: Cunningham

17-32

---By Councilwoman Fisher

RESOLUTION TO AWARD A CONTRACT TO MCMANIMON SCOTLAND & BAUMANN FOR LEGAL SERVICES- ENVIRONMENTAL LAW COUNSEL IN THE AMOUNT OF FIFTY THOUSAND DOLLARS (**\$50,000.00**) FOR THE TERM JANUARY 4, 2017 THROUGH DECEMBER 31, 2017

WHEREAS, service to the City as Special Legal Counsel- Environmental Law is a professional service as defined by N.J.S.A. 40A:11-1 et seq.; and,

WHEREAS, the City of Hoboken issued Request for Proposals 16-22 seeking a qualified attorney to serve as counsel for the City's environmental law matters; and,

WHEREAS, three (3) proposals were received from:

1. Weiner Lesniak
2. McManimon Scotland & Baumann
3. DeCotis & Fitzpatrick

WHEREAS, the evaluation committee reviewed the submissions, and determined that McManimon Scotland & Baumann is the most qualified to provide effective and efficient legal services to the City, cost and other factors considered; and,

WHEREAS, the Administration recommends awarding a contract to McMannimon Scotland & Baumann for legal services as counsel for environmental law matters, for the term of January 4, 2017 through December 31, 2017, in the amount of \$50,000.00.

NOW THEREFORE, BE IT RESOLVED, that a contract a contract is hereby awarded to McMannimon Scotland & Baumann to represent the City as Special Legal Counsel in environmental law matters, for a term to commence January 4, 2017 and expire December 31, 2017, for a total not to exceed amount of **Fifty Thousand Dollars (\$50,000.00)**; and:

13. The award of this contract is subject to finalization of the contract terms.
14. Any change orders which shall become necessary shall be subject to the City's ability to appropriate sufficient funds, which appropriation shall be at the sole discretion of the City Council.
15. The Council hereby authorizes the Mayor, or her designee, to execute any and all documents and take any and all actions necessary to complete and realize the intent and purpose of this resolution.
16. The mayor, or her designee, is hereby authorized to execute an agreement as outlined herein.

---Motion duly seconded by Councilman Ramos

---Adopted by the following vote: Yeas: 8 Nays: 0 Absent: 1

---Yeas: Council persons Bhalla, DeFusco, Doyle, Fisher, Mello, Ramos, Russo and President Giattino

---Nays: None.

---Absent: Cunningham

17-33

---By Councilwoman Fisher

RESOLUTION AUTHORIZING THE CITY TO ACCEPT AND QUALIFY RESPONSES TO THE CITY'S REQUEST FOR PROPOSALS FOR LABOR AND EMPLOYMENT COUNSEL FOR THE TERM JANUARY 4, 2017 THROUGH DECEMBER 31, 2017 IN THE TOTAL AMOUNT OF **\$75,000.00**

WHEREAS, it is occasionally necessary for the City of Hoboken to engage the services of a qualified professional and/or firm to provide legal services as special counsel for labor and employment matters; and,

WHEREAS, the City issued a Request for Qualifications (No. 16-20) seeking proposals from qualified law firms, in compliance with the process for awarding a professional service contract pursuant to Hoboken Code §20A; and,

WHEREAS, the City received four (4) responsive proposals from:

11. Weiner Lesniak
12. Florio, Kenny, Raval, LLP
13. Lite DePalma Greenberg, LLC
14. Apruzzese, McDermott, Mastro & Murphy

WHEREAS, the City's review team has determined that both Weiner Lesniak and Lite DePalma Greenberg, LLC are qualified to provide effective and efficient legal services, cost and other factors considered; and,

WHEREAS, the Administration recommends that Weiner Lesniak and Lite DePalma Greenberg, LLC be qualified to be considered by the City Administration, if and when the Administration finds it necessary, to engage the services of such respondent.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Hoboken, that the below listed respondents are deemed qualified to be contracted for Labor and Employment legal services to the City, as necessary when determined by the Administration, from the period of January 4, 2017 through December 31, 2017:

4. Weiner Lesniak
5. Lite DePalma Greenberg, LLC

BE IT FURTHER RESOLVED, that in the aggregate, the Labor and Employment contracts awarded to any/all of the firms listed above shall not exceed \$75,000.00.

---Motion duly seconded by Councilman Ramos

---Adopted by the following vote: Yeas: 8 Nays: 0 Absent: 1

---Yeas: Council persons Bhalla, DeFusco, Doyle, Fisher, Mello, Ramos, Russo and President Giattino

---Nays: None.
---Absent: Cunningham

17-34

---By Councilwoman Fisher

RESOLUTION TO AWARD A CONTRACT TO PARKER MCCAY TO SERVE AS BOND COUNSEL IN THE AMOUNT OF **\$50,00.00** FOR THE TERM OF JANUARY 4, 2017 THROUGH DECEMBER 31, 2017

WHEREAS, service to the City as Bond Counsel is a professional service as defined by N.J.S.A. 40A:11-1 et seq; and,

WHEREAS, the City of Hoboken issued Request for Proposals 16-21 seeking a qualified attorney to serve as Bond Counsel; and,

WHEREAS, proposals were received from the following:

1. Parker McCay
2. McManimon Scotland & Baumann
3. Gluck Walrath
4. Archer Law
5. Decotiis Fitzpatrick & Cole

WHEREAS, the evaluation committee has determined that the proposal submitted by Parker McCay demonstrates that the firm is qualified to provide effective and efficient legal services to the City; and,

WHEREAS, the Administration recommends awarding a contract to Parker McCay for legal services as Bond Counsel for the term of January 4, 2017 through December 31, 2017, in the amount of \$50,000.00.

NOW THEREFORE, BE IT RESOLVED, that a contract is hereby awarded to Parker McCay to represent the City as Bond Counsel for a term to commence on January 4, 2017 and expire December 31, 2017, for a total not to exceed amount of **Fifty Thousand Dollars (\$50,000.00)**; and,

17. The award of this contract is subject to finalization of the contract terms.
18. Any change orders which shall become necessary shall be subject to the City's ability to appropriate sufficient funds, which appropriation shall be at the sole discretion of the City Council.
19. The Council hereby authorizes the Mayor, or her designee, to execute any and all documents and take any and all actions necessary to complete and realize the intent and purpose of this resolution.
20. The mayor, or her designee, is hereby authorized to execute an agreement as outlined herein.

---Motion duly seconded by Councilman Ramos
---Adopted by the following vote: Yeas: 8 Nays: 0 Absent: 1
---Yeas: Council persons Bhalla, DeFusco, Doyle, Fisher, Mello, Ramos, Russo and
President Giattino
---Nays: None.
---Absent: Cunningham

17-35

---By Councilwoman Fisher

RESOLUTION AUTHORIZING THE CITY TO ACCEPT AND QUALIFY RESPONSES TO THE CITY'S REQUEST FOR PROPOSALS FOR SPECIAL COUNSEL - GENERAL LITIGATION FOR THE TERM JANUARY 4, 2017 THROUGH DECEMBER 31, 2017 IN THE TOTAL AMOUNT OF **\$75,000.00**

WHEREAS, it is occasionally necessary for the City of Hoboken to engage the services of a qualified professional and/or firm to provide legal services for general litigation matters; and,

WHEREAS, the City issued a Request for Qualifications (No. 16-19) seeking proposals from qualified law firms, in compliance with the process for awarding a professional service contract pursuant to Hoboken Code §20A; and,

WHEREAS, the City received nine (9) responsive proposals from:

15. Lite DePalma Greenberg, LLC
16. Rogut McCarthy
17. Decotiis, Fitzpatrick & Cole
18. Sobel Han LLP
19. Florio, Kenny, Raval, LLP
20. Weiner Lesniak
21. McManimon Scotland & Baumann
22. Cottrell Solensky
23. Roth D'Aquanni LLC

WHEREAS, the City's review team has determined that Lite DePalma Greenberg, LLC, Rogut McCarthy, Decotiis, Fitzpatrick & Cole, Weiner Lesniak and McManimon Scotland & Baumann are qualified to provide effective and efficient legal services, cost and other factors considered; and,

WHEREAS, the Administration recommends that Lite DePalma Greenberg, LLC, Rogut McCarthy, Decotiis, Fitzpatrick & Cole, Weiner Lesniak and McManimon Scotland & Baumann be qualified to be considered by the City Administration, if and when the Administration finds it necessary, to engage the services of such respondent.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Hoboken, that the below listed respondents are deemed qualified to be contracted for general litigation legal services to the City, as necessary when determined by the Administration, from the period of January 4, 2017 through December 31, 2017:

1. Lite DePalma Greenberg, LLC
2. Rogut McCarthy
3. Decotiis, Fitzpatrick & Cole
4. Weiner Lesniak
5. McManimon Scotland & Baumann

BE IT FURTHER RESOLVED, that in the aggregate, the general litigation contracts awarded to any/all of the firms listed above shall not exceed \$75,000.00.

---Motion duly seconded by Councilman Ramos

---Adopted by the following vote: Yeas: 9 Nays: 0

---Yeas: Council persons Bhalla, Cunningham, DeFusco, Doyle, Fisher, Mello, Ramos, Russo and President Giattino

---Nays: None.

17-36

---By Councilwoman Fisher

RESOLUTION TO AWARD A CONTRACT TO VINCENT LAPAGLIA, ESQ. FOR LEGAL SERVICES- TAX APPEAL ATTORNEY IN THE AMOUNT OF SEVENTY FIVE THOUSAND DOLLARS (\$75,000.00) FOR THE TERM JANUARY 4, 2016 THROUGH DECEMBER 31, 2016

WHEREAS, service to the City as Special Legal Counsel- Tax Appeal Attorney is a professional service as defined by N.J.S.A. 40A:11-1 et seq.; and,

WHEREAS, the City of Hoboken issued Request for Proposals 16-16 seeking a qualified attorney to serve as the City's attorney in tax appeal matters; and,

WHEREAS, proposals were received from the following:

1. Choi Law Group
2. Florio, Kenny, Raval
3. Vincent LaPaglia, Attorney at Law

WHEREAS, the evaluation committee reviewed the proposals, and has determined that Vincent LaPaglia, Esq. is the most qualified to provide effective and efficient legal services to the City, cost and other factors considered; and,

WHEREAS, the Administration recommends awarding a contract to Vincent LaPaglia, Esq. for legal services as counsel for the City's tax appeals, for the term of January 4, 2017 through December 31, 2017, in the amount of \$75,000.00.

NOW THEREFORE, BE IT RESOLVED, that a contract is hereby awarded to Vincent LaPaglia, Esq. to represent the City as Special Legal Counsel- Tax Appeal Attorney for a term to commence January 4, 2017 and expire December 31, 2017, for the total not to exceed amount of Seventy Five Thousand Dollars (\$75,000.00); and:

21. The award of this contract is subject to finalization of the contract terms.
22. Any change orders which shall become necessary shall be subject to the City's ability to appropriate sufficient funds, which appropriation shall be at the sole discretion of the City Council.
23. The Council hereby authorizes the Mayor, or her designee, to execute any and all documents and take any and all actions necessary to complete and realize the intent and purpose of this resolution.
24. The mayor, or her designee, is hereby authorized to execute an agreement as outlined herein.

---Motion duly seconded by Councilman Ramos

---Adopted by the following vote: Yeas: 8 Nays: 0 Absent: 1

---Yeas: Council persons Bhalla, DeFusco, Doyle, Fisher, Mello, Ramos, Russo and President Giattino

---Nays: None.

---Absent: Cunningham

Finance

17-37

---By Councilwoman Fisher

RESOLUTION ADOPTING CASH MANAGEMENT PLAN FOR THE CITY OF HOBOKEN

WHEREAS, pursuant to N.J.S.A. 40A:5-14, each local until shall adopt a "Cash Management Plan"; and,

WHEREAS, the City must deposit or invest, or both deposit and invest, its funds pursuant to that plan.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Hoboken, that the City of Hoboken hereby adopts the following "Cash Management Plan" to be utilized for the CY 2017; and,

BE IT FURTHER RESOLVED, that certified copies of this Resolution shall be filed with the Director of the Division of Local Government Services, City Auditor, and the Chief Financial Officer of the City of Hoboken.

CASH MANAGEMENT PLAN FOR THE CITY OF HOBOKEN

I. STATEMENT OF PURPOSE

This Cash Management Plan (“Plan”) is prepared pursuant to the provisions of N.J.S.A. 40A:5-14 in order to set forth the basis of deposits (“Deposits”) and investments (“Permitted Investments”) of certain public funds of the City of Hoboken, pending the use of such funds for the intended purposes. The Plan is intended to assure that all public funds identified herein are deposited in interest bearing Deposits or otherwise invested in Permitted Investments hereinafter referred to.

The intent of the plan is to provide that the decisions made with regard to the Deposits and the Permitted Investments will be done to insure the safety, the liquidity, (regarding its availability for the intended purposes), and the maximum investment return within such limits. The Plan is intended to ensure that any Deposit or Permitted Investment matures within the time period that approximates the prospective need for the funds deposited or invested so that there is not a risk to the market value of such Deposits or Permitted Investments.

II. DEFINITIONS

“Arbitrage” refers to the rules and regulations governing the issuance of bonds or notes and the reinvestment of the proceeds at higher yield. These regulations are promulgated by the Internal Revenue Service, Regulation 1.103.

“Certificate of Eligibility” is the certification issued by the New Jersey Department of Banking and Insurance, Division of Banking that a Public Depository is eligible to act as a depository for public funds and qualifies as a participant in the New Jersey Governmental Unit Deposit Protection Act, GUDPA.

“GUDPA” requires a bank that accepts public funds to be a public depository. A “Public Depository” is defined as a state bank, a national bank, a savings bank or association that is located in the State of New Jersey, the deposits of which are insured by the Federal Deposit Insurance Corporation, and which received or holds public funds on deposit. A local unit may make deposits in, or purchase certificates of deposit from, banks that are located in New Jersey and which meet the requirements of the GUDPA.

“The New Jersey Cash Management Fund.” The New Jersey Division of Investment is authorized pursuant to N.J.S.A. 52:18A-90.4 to establish, maintain and operate, with the approval of the State Investment Council and the State Treasurer, a common trust fund known as the State of New Jersey-New Jersey Cash Management Fund (“Fund”). The Fund is authorized to accept deposits from all Local Units of government. The Fund is a “common trust” fund pursuant to the statute that created such funds within the jurisdiction of the Division of Investment. According to the enabling legislation, monies of Local Units deposited in the Fund must be invested in obligations and bonds that meet the investment requirements of the statute. These obligations include, among other things, evidences of indebtedness of U.S. corporations. These obligations are less secure than those permitted to

Local Units under the Act. Thus, the Fund is riskier than direct investments in federal securities or GUDPA-protected deposits by Local Units.

III. IDENTIFICATION OF FUNDS AND ACCOUNTS TO BE COVERED BY THE PLAN

A) The Plan is intended to cover the deposit and/or investment of the following funds and accounts of the City:

Current Fund
Grant Fund
Trust Assessment Fund
General Trust Fund
Animal Control Fund
Unemployment Insurance Trust Fund
Serial Bonds Refunding Trust Fund
General Capital Fund
Parking Utility Operating Fund
Parking Utility Capital Fund
Public Assistance Fund
Bond & Interest Fund
Affordable Housing Trust Fund
Open Space Trust Fund
Acquisition and Preservation of Historical Structures Account
Green Acres Trust Account
Employee Payroll Deduction Account
Municipal Court General Account
Municipal Court Bail Account
Tax Collector's Revenue Account
Tax Collector's PILOT Account
Tax Collector's Lien Redemption Account
Payroll Account
Payroll Agency
Self-Insurance Fund
Workers Compensation Account
Claims Account
Developers Escrow Account
Recreation Trust Fund

B) The Plan is not intended to cover the deposit and/or investment of the following Funds and Accounts of the City:

1. Petty Cash Funds
2. Cash drawn from a Federal Agency under a letter of credit which cash has to be paid out within 5 working days to a vendor.

3. Deposit, retainage, or amounts posted by way of bond, held by the City for such things as faithful performance, if the City would be required by law to pay back any interest earned to the provider of the deposit, except where the City is required by law or court decision to invest the fund.

4. Amounts derived from the sale of bonds or notes, only to the extent that a specific written opinion of counsel states that the earning of (full) interest would result in the bonds or notes being classified as an arbitrage (not Federally Tax Exempt) issue pursuant to federal regulations. To the extent that some interest is allowable, it shall be deposited at the most favorable rate obtainable.

IV. DESIGNATION OF OFFICIALS OF THE CITY OF HOBOKEN AUTHORIZED TO MAKE DEPOSTS AND INVESTMENTS

The Chief Financial Officer and the Business Administrator (“Designated Officials”) are hereby authorized and directed to deposit and/or invest the Funds referred to in the Plan and are hereby granted the authority to open and close bank accounts in official depositories as enumerated in Section VII of this Cash Management Plan.

V. STANDARDS OF CARE

1. The Designated Officials involved in the investment process shall refrain from personal business activity that could conflict with the proper execution and management of the investment program, or that could impair their ability to make impartial decisions.

2. The Designated Officials shall disclose any material interests in the financial institutions with which business is conducted and they shall refrain from undertaking personal investment transactions with the same individual with whom business is conducted on behalf of the City.

3. The Chief Financial Officer, under the direction of the Business Administrator, is responsible for establishing and maintaining internal control. The controls should ensure that the assets of the City are protected from loss, theft, or misuse.

VI. PROCEDURES FOR THE RECEIPT OF MONIES

A. Department Procedures

1. **A receipt shall be issued in duplicate for all transactions involving the receipt of money. A copy of the receipt shall be given to the paying party and the receiving department shall maintain the duplicate. All payments and receipts must be recorded.**

2. **All monies collected or received from any source by or on behalf of the Township shall be deposited within forty eight (48) hours of receipt to the designated bank pursuant to N.J.S.A. 40A:5-15.**

3. All monies received shall be placed in a secured place until forwarded for deposit.

4. No department, division or agency shall engage in the practice of cashing checks with public funds. Cashing of employee paychecks is prohibited.

B. Chief Financial Officer (Designated Official)

1. The Chief Financial Officer shall:

- a. Deposit all monies collected or received from any source by or on behalf of the City within forty eight (48) hours of receipt to the designated bank pursuant to N.J.S.A. 40A: 5-15.
- b. Ensure that all monies deposited are in interest bearing accounts.
- c. Make recommendations of legal public depositories to the City Council who shall by resolution designate said depositories at the first meeting of the calendar year.
- d. Ensure that each of the various accounts for which there is a separate bank statement is reconciled with that bank statement by the end of the following month.
- e. Verify that designated official depositories submit to the Chief Financial Officer a copy of the State of New Jersey, Department of Banking and Insurance, Governmental Unit Deposit Protection Act notification of Certificate of Eligibility, which must be electronically filed quarterly in the Department of Banking.

VII. DESIGNATION OF DEPOSITORIES

The City Council approved a resolution on January 4, 2017, which designated the following banks and financial institutions as official depositories for the Deposit of all public funds referred to in the Plan, including any certificates of Deposits which are not otherwise invested in "Permitted Investments" as provided for in this Plan:

BANK OF AMERICA
BCB COMMUNITY BANK
CAPITAL ONE
CITI BANK
CLIFTON SAVINGS BANK
HAVEN SAVINGS BANK
INVESTORS BANK
J P MORGAN CHASE BANK
PNC BANK
PROVIDENT SAVINGS BANK
SANTANDER BANK

VIII. AUTHORIZED INVESTMENTS

Except as otherwise specifically provided for herein, the Designated Official is hereby authorized to invest the public funds covered by this Plan, to the extent not otherwise held in Deposits, in the following Permitted Investments:

1. Bonds or other obligations of the United States of America or obligations guaranteed by the United States of America.
2. Government Money Market Mutual Funds.
3. Any Obligations that a Federal Agency or a Federal Instrumentality has issued in accordance with an Act of Congress, which security has a maturity date not greater than 397 days from the date of purchase, provided that such obligation bears a fixed rate of interest not dependent on any index or other external factor.
4. Bonds or other obligations of the Local Unit or bonds or other obligations of school districts of which the Local Unit is a part or within which the school district is located.
5. Bonds or other obligations, having a maturity date not more than 397 days from the date of purchase, approved by the Division of Investment of the Department of the Treasury for investment by Local Units.
6. Local Government Investment pools.
7. Deposits with the State of New Jersey Cash Management Fund established pursuant to Section 1 of P.L. 1977, c. 281 (N.J.S.A.52:18A-90.4).
8. Agreements for the repurchase of fully collateralized securities if:
 - a. The underlying securities are permitted investments pursuant to paragraphs “1” and “3” of this subsection a; and,
 - b. The custody of collateral is transferred to a third party; and,
 - c. The maturity of the agreement is not more than 30 days; and,
 - d. The underlying securities are purchased through a public depository as defined in section 1 of P.L. 1970, c.236 (N.J.S.A.17:9-41); and,
 - e. A master repurchase agreement providing for the custody and security of collateral is executed.

For purposes of the above language, the terms “Government Money Market Mutual Fund” and “Local Government Investment Pool” shall have the following definitions:

“Government Money Market Mutual Fund”

An Investment company or Investment Trust:

a. Which is registered with the Securities and Exchange Commission under the “Investment Company Act of 1940,” 15 U.S.C. Sec. 80a-1 et seq., and operated in accordance with 17 C.F.R. sec, 270. 2a-7; and,

b. The portfolio of which is limited to U.S. Government securities that meet the definition of any eligible security pursuant to 17 C.F.R. sec. 270.2a-7; and,

c. Repurchase agreements that are collateralized by such U.S. Government Securities; and,

d. Which has:

- (i) Attained the highest ranking or the highest letter and numerical rating of a nationally recognized statistical rating organization; or,
- (ii) Retained an investment advisor registered or exempt from registration with the Securities and Exchange Commission pursuant to the “Investment Advisors Act of 1940,” with experience investing in U.S. Government Securities for at least the most recent past 60 months and with assets under management in excess of \$500 million.

“Local Government Investment Pool”

An investment pool:

a. Which is managed in accordance with 17 C.F.R. sec. 270.2a-7; and,

b. Which is rated in the highest category by a nationally recognized statistical rating organization; and,

c. Which is limited to U.S. Government securities that meet the definition of “eligible security” pursuant to 17 C.F.R. sec. 270.2a-7 and repurchase agreements that collateralized by such U.S. Government securities; and,

d. Which is in compliance with rules adopted pursuant to the “Administrative Procedure Act,” P.L. 1968, c.410 (N.J.S.A.52:14B-1 et seq.) by the Local Finance Board of the Division of Local Government Services in the Department of Community Affairs, which rules shall provide for disclosure and reporting requirements, and other provisions deemed necessary by the board to provide for the safety, liquidity and yield of the investments; and,

e. Which does not permit investments in instruments that: are subject to high price volatility with changing market conditions; cannot reasonably be expected, at the time of interest rate adjustment, to have a market value that approximates their par value; or utilize an index that does not support a stable net asset value; and,

f. Which purchases and redeems investments directly from the issuer, government money market mutual fund, or the State of New Jersey Cash Management Fund, or through the use of a National or State bank located within this State, or through a broker-dealer which, at the time of purchase or redemption, has been registered continuously for a period of at least two years pursuant to section 9 of P.L. 1967, c.9 (N.J.S.A.49:3-56) and has at least \$25 million in capital stock (or equivalent capitalization if not a corporation), surplus reserves for contingencies and undivided profits, or through a securities dealer who makes primary markets in U.S. Government securities and reports daily to the Federal Reserve Bank of New York its position in borrowing on such U.S. Government securities.

IX. SAFEKEEPING CUSTODY PAYMENT

To the extent that any Deposit or Permitted Investment involves a document or security which is not physically held by the City of Hoboken, then such instrument or security shall be covered by all custodial agreements with an independent third party, which shall be a bank or financial institution in the State of New Jersey. Such institution shall provide for the designation of funds or the Permitted Investments or Deposits. Purchase of any Permitted Investments that involve securities shall be executed by a “delivery versus payment” method to insure that such Permitted Investments are either received by the City of Hoboken or by a third party custodian prior to or upon the release of the City of Hoboken’s funds.

X. CITY AUDITOR

The City investment practices (including compliance with N.J.S.A. 40A:5-14) and the agreement for banking services and compensation thereof shall be reviewed by the City Auditor as part of the annual audit, as required by N.J.S.A. 40A:5-4. Where a conflict exists between this Cash Management Plan and State Statute, the applicable State Statute shall apply.

XI. SURETY BONDS

a. The Chief Financial Officer shall be covered by a surety bond. During the annual audit, the City Auditor shall examine said bond to determine that proper coverage has been obtained.

b. Staff members of the Chief Financial Officer’s office, who are employees of the City, shall be covered by a public employee’s faithful performances bond in the minimum amount of \$10,000.00.

XII. TERM OF PLAN

This Plan shall be in effect from January 1, 2017 to December 31, 2017. Attached to this Plan is a resolution of the City Council of the City of Hoboken approving this Plan for such period of time, which may be amended from time to time. To the extent that the Council adopts any amendment, the Designated Official is directed to supply copies of the amendments to all of the parties who otherwise have received the copy of the originally approved Plan, which amendment shall be acknowledged in writing in the same manner as the original Plan was so acknowledged.

CERTIFICATION

I, George DeStefano, Chief Financial Officer of the City of Hoboken, have prepared this plan and submitted same to Corporation Counsel and City Council for approval.

---Motion duly seconded by Councilman Ramos

---Adopted by the following vote: Yeas: 9 Nays: 0

---Yeas: Council persons Bhalla, Cunningham, DeFusco, Doyle, Fisher, Mello, Ramos, Russo and President Giattino

---Nays: None.

17-38

---By Councilwoman Fisher

RESOLUTION DESIGNATING DEPOSITORIES FOR THE CITY OF HOBOKEN FUNDS

WHEREAS, N.J.S.A. 40A:5-15 authorizes the establishment of designated legal depositories for the City of Hoboken, which the City herein seeks to do for CY 2017 for all applicable accounts at the following depository banks:

Bank of America	BCB Community Bank
Capital One	Citi Bank
Clifton Savings Bank	Haven Savings Bank
Investors Bank	J P Morgan Chase Bank
PNC Bank	Provident Savings Bank
Santander Bank	TD Bank
Valley National Bank	Wells Fargo

NOW, THEREFORE, BE IT RESOLVED, that said legally designated depositories are hereby requested, authorized and directed to honor checks, drafts, or other orders for the payment of money drawn in the corporate name of the City of Hoboken, including those payable to the individual order of any person or persons whose names appear thereon as signer or signers thereof, when bearing or purporting to bear the facsimile signature or signatures of any of the following:

Dawn Zimmer, Mayor
George DeStefano, CMFO

BE IT FURTHER RESOLVED, that said legal depositories stated herein shall be entitled to honor and charge to the specified accounts of the City of Hoboken such checks, drafts, or other papers regardless of by whom or by what means the actual or purported facsimile signature or signatures thereon may have been affixed thereto if such signature or signatures resemble the facsimile specimens duly certified to or filed with the depositories; and,

BE IT FURTHER RESOLVED, that all previous authorizations for the signing and honoring of checks, drafts, and other orders for the payment of money drawn on said City of Hoboken and signed by:

Dawn Zimmer, Mayor
George DeStefano, CMFO

are hereby ratified and confirmed and are hereby continued in full force and effect; and,

BE IT FURTHER RESOLVED, that all previous authorizations for the signing and honoring of checks, drafts and other orders for the payment of money drawn on said City of Hoboken are hereby continued in full force; and,

BE IT FURTHER RESOLVED, that the Branch Manager of each of the banks mentioned in the first paragraph be furnished with a certified copy of this resolution by the City Clerk immediately upon passage.

---Motion duly seconded by Councilman Ramos

---Adopted by the following vote: Yeas: 9 Nays: 0

---Yeas: Council persons Bhalla, Cunningham, DeFusco, Doyle, Fisher, Mello, Ramos, Russo and President Giattino

---Nays: None.

17-39

---By Councilwoman Fisher

RESOLUTION AUTHORIZING THE TAX ASSESSOR AND SPECIAL COUNSEL FOR TAX APPEALS TO CORRECT ERRORS IN TAX ASSESSMENTS, SIGN STIPULATIONS TO CORRECT ERRORS, SETTLE TAX APPEALS, AND FILE MUNICIPAL TAX APPEALS ON BEHALF OF THE CITY OF HOBOKEN FROM JANUARY 1, 2017 THROUGH AND INCLUDING DECEMBER 31, 2017

WHEREAS, the Tax Assessor for the City of Hoboken will from time to time correct errors or omissions that were made in computing tax assessments that cover property located in the City of Hoboken; and,

WHEREAS, notice of errors or omissions may also be discovered through a property owner's tax appeal at the County or State level; and,

WHEREAS, it is the desire of the City of Hoboken to authorize the Tax Assessor and Special Counsel for Tax Appeals to correct said errors and file the appropriate documents; and,

WHEREAS, it is in the best interests of all parties involved to amicably resolve municipal tax appeal matters within the guidelines established by the New Jersey Constitution and existing law.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Hoboken that the Tax Assessor for the City of Hoboken and Special Counsel for Tax Appeals are hereby authorized as follows:

5. The Tax Assessor, Sal Bonaccorsi, and Special Counsel for Tax Appeals are authorized to jointly file corrective appeals with the Hudson County Board of Taxation or State Tax Court and sign Stipulations to correct any errors or omissions related to the City of Hoboken assessments.
6. The Tax Assessor, Sal Bonaccorsi, and Special Counsel for Tax Appeals are authorized to jointly settle any and all pending municipal tax appeals without the approval of the City Council up to a limit of Fifty Thousand Dollars (\$50,000.00) in tax refunds or credits to any one taxpayer in any one tax year.
7. The Tax Assessor, Sal Bonaccorsi and Special Counsel for Tax Appeals are authorized to file any and all documents that are necessary to defend against any tax appeal or to initiate an increase in the municipal tax assessments.
8. The Tax Assessor, Sal Bonaccorsi and Special Counsel for Tax Appeals are authorized to withdraw any documents that were filed on behalf of the City of Hoboken with respect to any tax matter that is pending before the Hudson County Board of Taxation or State Tax Court.

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately upon passage.

---Motion duly seconded by Councilman Ramos

---Adopted by the following vote: Yeas: 8 Nays: 0 Absent: 1

---Yeas: Council persons Bhalla, DeFusco, Doyle, Fisher, Mello, Ramos, Russo and President Giattino

---Nays: None.

---Absent: Cunningham

17-40

---By Councilwoman Fisher

RESOLUTION AUTHORIZING VARIOUS CITY DEPARTMENTS TO MAINTAIN PETTY CASH AND CHANGE FUNDS

WHEREAS, N.J.S.A. 40A:5-21 authorizes the establishment of a Petty Cash Fund in any county or municipality by application and resolution; and,

WHEREAS, it is the desire of the City of Hoboken, County of Hudson to establish such a fund for the Police Department in the amount of \$100.00; and,

WHEREAS, the custodian for this fund is the Police Chief, who is bonded for the amount of \$1,000,000.00; such custodian shall maintain records for this fund in a manner conducive to proper accounting and auditing procedures; and,

WHEREAS, it is the desire of the City of Hoboken, County of Hudson to establish such a fund for the Parking and Transportation Department in the amount of \$500.00; and,

WHEREAS, the custodian for this fund is the Director of the Parking and Transportation Department, who is bonded for the amount of \$1,000,000.00; such custodian shall maintain records for this fund in a manner conducive to proper accounting and auditing procedures;

WHEREAS, it is the desire of the City of Hoboken, County of Hudson to establish such a fund for the Tax Collector Division in the amount of \$300.00; and,

WHEREAS, the custodian for this fund is the Tax Collector, who is bonded for the amount of \$1,000,000.00; such custodian shall maintain records for this fund in a manner conducive to proper accounting and auditing procedures; and,

WHEREAS, it is the desire of the City of Hoboken, County of Hudson to establish such a fund for the Construction Code Office in the amount of \$100.00; and,

WHEREAS, the custodian for this fund is the Construction Code Officer, who is bonded for the amount of \$1,000,000.00; such custodian shall maintain records for this fund in a manner conducive to proper accounting and auditing procedures.

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Hoboken hereby authorizes such action during the CY 2017 and that two copies of this resolution be filed with the Division of Local Government Services, New Jersey Department of Community Affairs for approval.

---Motion duly seconded by Councilman Ramos

---Adopted by the following vote: Yeas: 9 Nays: 0

---Yeas: Council persons Bhalla, Cunningham, DeFusco, Doyle, Fisher, Mello, Ramos, Russo and President Giattino

---Nays: None.

17-41

---By Councilwoman Fisher

RESOLUTION AUTHORIZING THE CITY OF HOBOKEN TO ACCEPT AND QUALIFY RESPONSES TO THE CITY'S REQUEST FOR QUALIFICATIONS FOR REAL ESTATE APPRAISAL SERVICES FROM JANUARY 4, 2017 THROUGH DECEMBER 31, 2017

WHEREAS, it is occasionally necessary for the City of Hoboken to engage the services of a qualified professional and/or firm to provide real estate appraisal services; and,

WHEREAS, therefore, the City issued a Request for Qualifications (No. 16-27) seeking proposals from qualified real estate appraisers, in compliance with the process for awarding a professional service contract pursuant to Hoboken Code §20A; and,

WHEREAS, the City received two (2) proposals, from Federal Appraisal & Consulting and McGuire Associates, LLC; and,

WHEREAS, the City's review team has determined that both respondents are qualified to be considered by the City Administration, if and when the Administration finds it necessary, to engage the services of such respondent.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Hoboken, that the below listed respondents are deemed qualified to be contracted for real estate appraisal services to the City, as necessary when determined by the Administration, from the period of January 4, 2017 through December 31, 2017:

1. Federal Appraisal and Consulting
460 US Highway 22 West, Suite 403
Whitehouse Station, New Jersey 08889
2. McGuire Associates, LLC
547 Summit Avenue
Jersey City, New Jersey 07306

---Motion duly seconded by Councilman Ramos

---Adopted by the following vote: Yeas: 8 Nays: 0 Absent: 1

---Yeas: Council persons Bhalla, DeFusco, Doyle, Fisher, Mello, Ramos, Russo and President Giattino

---Nays: None.

---Absent: Cunningham

17-42

---By Councilwoman Fisher

RESOLUTION AWARDING A PROFESSIONAL SERVICE CONTRACT TO FERRAIOLI, WIELKOTZ, CERULLO & CUVA, P.A. FOR GENERAL MUNICIPAL AUDITING SERVICES IN THE AMOUNT OF **\$130,000.00** FROM JANUARY 4, 2017 TO DECEMBER 31, 2017

WHEREAS, service to the City as Auditor is a professional service as defined by N.J.S.A. 40A:11-1 et seq; and,

WHEREAS, the City of Hoboken issued Request for Proposals 16-25 seeking a qualified auditor; and,

WHEREAS, proposals were received from the following:

1. Ferraioli, Wielkotz, Cerullo & Cuva, P.A.
2. Samuel Klein and Company
3. Holman, Frenia, Allison P.C.

WHEREAS, the evaluation committee has determined that the proposal submitted by Ferraioli, Wielkotz, Cerullo & Cuva, P.A. demonstrates that the firm is the most qualified to provide effective and efficient legal services to the City, cost and other factors considered; and,

WHEREAS, the Administration recommends awarding the contract to Ferraioli, Wielkotz, Cerullo & Cuva, P.A. for municipal auditing services from January 4, 2017 to December 31, 2017 in the amount of \$130,000.00.

NOW, THEREFORE, BE IT RESOLVED, that a contract is awarded to Ferraioli, Wielkotz, Cerullo & Cuva P.A. for general municipal auditing services from January 4, 2017 to December 31, 2017, for a total not to exceed \$130,000.00; and,

25. The award of this contract is subject to finalization of the contract terms.
26. Any change orders which shall become necessary shall be subject to the City's ability to appropriate sufficient funds, which appropriation shall be at the sole discretion of the City Council.
27. The Council hereby authorizes the Mayor, or her designee, to execute any and all documents and take any and all actions necessary to complete and realize the intent and purpose of this resolution.
28. The mayor, or her designee, is hereby authorized to execute an agreement as outlined herein.

---Motion duly seconded by Councilman Ramos

---Adopted by the following vote: Yeas: 9 Nays: 0

---Yeas: Council persons Bhalla, Cunningham, DeFusco, Doyle, Fisher, Mello, Ramos, Russo and President Giattino

---Nays: None.

Health and Human Services

17-43

---By Councilman Mello

RESOLUTION APPROVING FUNDING FOR THE NORTH HUDSON REGIONAL COUNCIL SENIOR NUTRITION “MEALS ON WHEELS” PROGRAM IN ACCORDANCE WITH THE LOCAL MATCH SHARE ASSESSMENT FOR FY-2017

WHEREAS, the City of Hoboken has historically participated in the Senior Nutrition “Meals on Wheels” program and other community service programs administered through the North Hudson Regional Council of Mayors (NHRCM); and,

WHEREAS, the City of Hoboken wishes participate in the Senior Nutrition “Meals on Wheels” program for the FY-2017; and,

WHEREAS, in order to participate in the Senior Nutrition “Meals on Wheels” program, the City must contribute its proportionate share to the cost of the program due to the fact that funding for this and other community service programs has not kept pace with the costs thereof; and,

WHEREAS, pursuant to the memo attached hereto from the NHRCM, for FY-2017, there is a Local Match Share in the amount of \$73,699.60, or \$18,424.90 per quarter.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Hoboken, that the City may participate in and contribute its proportionate share to the cost of the NHRCM Senior Nutrition “Meals on Wheels” program for the FY-2017, with a Local Match Share of \$73,699.60; and,

BE IT FURTHER RESOLVED that at this time, the City shall certify funds in the amount of \$18,424.90 for one (1) quarter, and the remaining amount shall be subject to appropriation in the finalized CY2017 budget; and,

BE IT FURTHER RESOLVED that this resolution shall take effect immediately, subject to the following conditions:

29. The award of this contract is subject to finalization of the contract terms.
30. Any change orders which shall become necessary shall be subject to the City’s ability to appropriate sufficient funds, which appropriation shall be at the sole discretion of the City Council.
31. The Council hereby authorizes the Mayor, or her designee, to execute any and all documents and take any and all actions necessary to complete and realize the intent and purpose of this resolution.
32. The mayor, or her designee, is hereby authorized to execute an agreement as outlined herein.

---Motion duly seconded by Councilman Doyle

---Adopted by the following vote: Yeas: 9 Nays: 0

---Yeas: Council persons Bhalla, Cunningham, DeFusco, Doyle, Fisher, Mello, Ramos, Russo and President Giattino

---Nays: None.

17-44

---By Councilman Mello

RESOLUTION TO AWARD A CONTRACT TO LITE DEPALMA GREENBERG, LLC FOR SPECIAL LEGAL COUNSEL - RENT CONTROL LITIGATION IN THE AMOUNT OF **\$75,000.00** FOR THE TERM OF JANUARY 1, 2017 THROUGH DECEMBER 31, 2017

WHEREAS, service to the City as Special Counsel - Rent Control Litigation is a professional service as defined by N.J.S.A. 40A:11-1 et seq; and,

WHEREAS, the City of Hoboken issued Request for Proposals 16-18 seeking a qualified attorney to serve as counsel for rent control litigation; and,

WHEREAS, proposals were received from the following:

4. Lite DePalma Greenberg, LLC
5. Florio, Kenny, Raval

WHEREAS, the evaluation committee has determined that the proposal submitted by Lite DePalma Greenberg, LLC demonstrates that the firm is the most qualified to provide effective and efficient legal services to the City, cost and other factors considered; and,

WHEREAS, the Administration recommends awarding a contract to Lite DePalma Greenberg, LLC for legal services related to rent control litigation for the term of January 4, 2017 through December 31, 2017, in the amount of \$75,000.00.

NOW THEREFORE, BE IT RESOLVED, that a contract is hereby awarded to Lite DePalma Greenberg to represent the City as Special Legal Counsel Rent Control Litigation for a term to commence on January 4, 2017 and expire December 31, 2017, for a total not to exceed amount of **Seventy Five Thousand Dollars (\$75,000.00)**; and,

33. The award of this contract is subject to finalization of the contract terms.
34. Any change orders which shall become necessary shall be subject to the City's ability to appropriate sufficient funds, which appropriation shall be at the sole discretion of the City Council.
35. The Council hereby authorizes the Mayor, or her designee, to execute any and all documents and take any and all actions necessary to complete and realize the intent and purpose of this resolution.
36. The mayor, or her designee, is hereby authorized to execute an agreement as outlined herein.

---Motion duly seconded by Councilman Doyle

---Amended by the following vote: Yeas: 8 Nays: 0 Absent: 1

---Yeas: Council persons Bhalla, DeFusco, Doyle, Fisher, Mello, Ramos, Russo and President Giattino

---Nays: None.
---Absent: Cunningham

Public Safety

17-45

---By Councilman Mello

RESOLUTION REAPPOINTING CERTAIN INDIVIDUALS AS CLASS II SPECIAL LAW ENFORCEMENT OFFICERS FOR THE CITY OF HOBOKEN

WHEREAS, N.J.S.A. 40A:14-146.10 permits municipalities to appoint certain classes of special law enforcement officers; and,

WHEREAS, Chapter 59A of the Code of the City of Hoboken establishes the position of Class II Special Law Enforcement Officer; and,

WHEREAS, the City of Hoboken wishes to reappoint the following individuals as Class II Special Law Enforcement Officers for the term of one (1) year:

1. Christopher Barral
2. Joshua Campoverde
3. Marc Lombardi
4. Jonathan Rodriguez
5. Matthew Rossi
6. Kyle Seper
7. Christopher Soto
8. Michael Tilton

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Hoboken that the above-listed individuals are hereby appointed as Class II Special Law Enforcement Officers for the City of Hoboken for a term of one (1) year.

---Motion duly seconded by Councilman Doyle
---Adopted by the following vote: Yeas: 9 Nays: 0
---Yeas: Council persons Bhalla, Cunningham, DeFusco, Doyle, Fisher, Mello, Ramos, Russo and President Giattino
---Nays: None.

Tax Collector

17-46

---By Councilwoman Fisher

RESOLUTION AUTHORIZING THE REFUND OF TAX OVERPAYMENTS (PAYABLE TO THE INDIVIDUALS LISTED ON THE RESOLUTION FOR THE AMOUNT OF **\$6,076.98**)

WHEREAS, an overpayment of taxes has been made on properties listed below; and,

WHEREAS, Sharon Curran, Collector of Revenue for the City of Hoboken recommends that the following refunds be made in accordance with N.J.S.A. 54:4-69.

NOW, THEREFORE, BE IT RESOLVED, that a warrant be drawn on the City Treasury in the total amount of **\$6,076.98**, made payable to the following:

NAME	BL/LT/UNIT	PROPERTY	QTR/YEAR	AMOUNT
Quicken Loans Attn: Tax Research 635 Woodward Ave Detroit, MI 48226	114/1/C0211	1300 Grand St	4/16	\$1,179.67
Quicken Loans Attn: Tax Research 635 Woodward Ave Detroit, MI 48226	114/1/C0608	1300 Grand St	4/16	\$758.36
Property Title Group LL 600 Parsippany Road Suite 202 Parsippany, NJ 07054	158.02/28	105 Willow Court	4/16	\$2,937.15
108 Jefferson LLC P.O. Box 907 Hoboken, NJ 07030	29/29	108 Jefferson St	4/16	\$916.32
Matthew Valeyko 1201 Adams Street #402 Hoboken, NJ 07030	109/1.01/ C0402	1200 Grand St	2/14	\$285.48 (Abatement)

---Motion duly seconded by Councilman Ramos

---Adopted by the following vote: Yeas: 9 Nays: 0

---Yeas: Council persons Bhalla, Cunningham, DeFusco, Doyle, Fisher, Mello, Ramos, Russo and President Giattino

---Nays: None.

17-47

---By Councilwoman Fisher

**RESOLUTION AUTHORIZING THE REFUND OF TAX APPEALS STATE TAX COURT
(PAYABLE TO THE INDIVIDUALS LISTED ON THE RESOLUTION FOR THE
AMOUNT OF \$7,938.05)**

WHEREAS, an overpayment of taxes has been made on property listed below; and,

WHEREAS, Sharon Curran, Collector of Revenue for the City of Hoboken recommends that the following refunds be made in accordance with N.J.S.A. 54:4-69.

NOW, THEREFORE, BE IT RESOLVED, that a warrant be drawn on the City Treasury in the total amount of **\$7,938.05**, made payable to the following:

NAME	BL/LT/UNIT	PROPERTY	YEAR	AMOUNT
Kaufman, Semeraro & Liebman 2 Executive Drive Suite 530 Fort Lee, NJ 07024	261.04/1/ C1200	1025 Maxwell Lane	2016	\$7,938.05

---Motion duly seconded by Councilman Ramos

---Adopted by the following vote: Yeas: 9 Nays: 0

---Yeas: Council persons Bhalla, Cunningham, DeFusco, Doyle, Fisher, Mello, Ramos, Russo and President Giattino

---Nays: None.

17-48

---By Councilwoman Fisher

**RESOLUTION FIXING THE INTEREST RATE CHARGES ON NON-PAYMENT OF
TAXES**

WHEREAS, N.J.S.A. 54:4-67 permits the Governing Body of each municipality to fix the rate of interest to be charged for non-payment of taxes as provided by law; and,

WHEREAS, the Tax Collector for the City of Hoboken hereby recommends the following interest rates for the non-payment of taxes:

- 8% per annum on the first \$1,500.00 of taxes becoming delinquent after due date; and,
- 18% per annum on any amount of taxes in excess of \$1,500.00 becoming delinquent after due date; and,

- If a delinquency is in excess of \$10,000.00 and remains in arrears beyond December 31st, an additional penalty of 6% shall be charged against the delinquency.

WHEREAS, effective January 1, 2017, there will be a ten (10) day grace period of quarterly tax payments made by cash, check or money order; and,

WHEREAS, any payments not made during the grace period shall be charged interest as set forth above starting from the due date.

NOW, THEREFORE, BE IT RESOLVED, that the Tax Collector is hereby directed to proceed as set forth in the paragraphs above; and,

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to send three direct mailings for the notice of tax sale, and collect a charge of \$25.00 each, in compliance with N.J.S.A. 54:5-26; and,

BE IT FURTHER RESOLVED, that the Tax Collector be and hereby is authorized to include in said sale any and all unpaid sewer charges certified to the Tax Collector from North Hudson Sewerage Authority; and,

BE IT FURTHER RESOLVED that a certified copy of this resolution shall be provided by the Municipal Clerk to the Tax Collector, the City Attorney and the City Auditor for the City of Hoboken.

---Motion duly seconded by Councilman Ramos

---Adopted by the following vote: Yeas: 9 Nays: 0

---Yeas: Council persons Bhalla, Cunningham, DeFusco, Doyle, Fisher, Mello, Ramos, Russo and President Giattino

---Nays: None.

17-49

---By Councilwoman Fisher

RESOLUTION AUTHORIZING A REDUCTION/CANCELLATION OF ADDED ASSESSMENTS AND REFUND OF RESULTING OVERPAYMENT (PAYABLE TO THE INDIVIDUALS LISTED ON THE RESOLUTION FOR THE AMOUNT OF \$25,823.77)

WHEREAS, the Hudson County Board of Taxation, granted a reduction/cancellation of 2016 added assessments on the following properties, and,

WHEREAS, the added assessments have been paid; and,

WHEREAS, Sharon Curran, Collector of Revenue for the City of Hoboken recommends that the following refunds be made in accordance with N.J.S.A. 54:4-69; and,

WHEREAS, Sharon Curran further recommends that the 2016 amount be reduced from the 2017 1st and 2nd quarter tax bills.

NOW, THEREFORE, BE IT RESOLVED, that a warrant be drawn on the City Treasury in the total amount of **\$25,823.77**, made payable to the following:

Name	BL/L T/Unit	Appeal #	Assessment Reduction – From /To	Amount Cancelled	Overpayment Amount
Spiotti & Esposito PC Attorney Trust Account 271 Highway 46, Suite F 105-106 Fairfield, NJ 07004	66/26	05-1600093LA	985,000/690,750	\$10,713.53	\$4,563.82
Daniel Kluck & Carolyn Cleveland 305 Bloomfield Street Hoboken, NJ 07030	202/3	05-1600092DA	37,500/50,000	\$193.88	\$387.75
Brooke Robson 803 Willow Avenue #1N Hoboken, NJ 07030	170/2/ C001 N	05-1600089LA	116,500/29,100	\$451.34	\$1,355.58
Zipp Tannenbaum & Caccavelli, LLC 280 Raritan Center Parkway Edison, NJ 08837	216.01 /35	05-1600088LA	1,099,992/0	\$17,060.88	\$17,060.88
Schneck Law Group LLC 301 South Livingston Avenue, Suite 105 Livingston, NJ 07039	209/2. 01	05-1600094LA	475,000/0	\$2,455.74	\$2,455.74

---Motion duly seconded by Councilman Ramos
---Adopted by the following vote: Yeas: 9 Nays: 0
---Yeas: Council persons Bhalla, Cunningham, DeFusco, Doyle, Fisher, Mello, Ramos, Russo and President Giattino
---Nays: None.

Clerk

17-50

---By Councilman Doyle

RESOLUTION TO ADOPT THE MINUTES OF THE MEETINGS OF THE CITY
COUNCIL DATED: **REGULAR AND SPECIAL MEETING OF DECEMBER 21, 2016**

---Motion duly seconded by Council President Giattino
---Adopted by the following vote: Yeas: 9 Nays: 0
---Yeas: Council persons Bhalla, Cunningham, DeFusco, Doyle, Fisher, Mello, Ramos, Russo and President Giattino
---Nays: None.

ORDINANCES

Introduction and First Reading

17-51

Z-458

---By Councilman DeFusco

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 192 OF THE CODE OF THE CITY OF HOBOKEN ENTITLED "PARKING FOR PERSONS WITH DISABILITIES" §192-4 "ENUMERATION OF SPACES" TO APPROVE THE ADDITION OF RESTRICTED HANDICAPPED PARKING SPACES FOR CERTAIN INDIVIDUALS

THE MAYOR AND COUNCIL OF THE CITY OF HOBOKEN DOES HEREBY ORDAIN AS FOLLOWS:

Section 1: The following additions shall be made to Chapter 192 of the Code of the City of Hoboken entitled "Parking for Persons with Disabilities" §192-4 entitled "Enumeration of Spaces" to approve the addition of restricted handicapped parking spaces as follows:

Shirley Dennis- 401 Adams Street- east side, beginning at a point 35 feet north of the northerly curblineline of Fourth Street and extending 22 feet northerly therefrom.

Revantik Shah- 809 Park Avenue- east side, beginning at a point 105 feet north of the northerly curblineline of Eighth Street and extending 22 feet northerly therefrom.

Section 2: 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.

Section 3: 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.

Section 4: This ordinance shall take effect as provided by law.

Section 5: 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. This Ordinance shall also supersede any inconsistent provisions contained in any resolution or ordinance previously adopted by the Hoboken City Council.

Section 6: 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 affect the validity of the remaining sections, subsections, sentences, clauses and phrases of this Ordinance, but shall remain in effect; it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 7: This Ordinance shall take effect upon passage and publication as provided by law.

---Motion duly seconded by Councilman Ramos

---Adopted by the following vote: Yeas: 8 Nays: 0 Absent: 1

---Yeas: Council persons Bhalla, DeFusco, Doyle, Fisher, Mello, Ramos, Russo and President Giattino

---Nays: None.

---Absent: Cunningham

17-52

Z-459

---By Councilman Mello

AN ORDINANCE TO AMEND CHAPTER 56A OF THE HOBOKEN CITY CODE ENTITLED "PARKLANDS" AT § 56A-4 WHICH IS ENTITLED "PUBLIC HEARING AND COMMENT"

THE MAYOR AND COUNCIL OF THE CITY OF HOBOKEN DOES HEREBY ORDAIN AS FOLLOWS:

Section 1: The following additions and ~~deletions~~ shall be made to Hoboken City Code **§56A-4** to read as follows:

Article I: Public Hearing and City Council Recommendation Required for Change in Purpose or Use

§ 56A-1 Parkland defined.

Parkland is defined to include all public parks, athletic fields, playgrounds, green areas, and outdoor areas within the City including City-owned vacant land and landscaping of City grounds as may be further defined, amended and supplemented under § 58-20 of the Code of the City of Hoboken.

§ 56A-2 Recreation area defined.

Recreation area is defined as an athletic field. A field prepared for organized sports events such as baseball, football and soccer.

§ 56A-3 Council recommendation.

Any change in the recreation and conservation purpose or use of parkland, including, both initial development of lands for public outdoor recreation and changes made to existing parkland, must be recommended by a resolution of the City Council, in accordance with the procedures set forth in §§ 56A-3 and 56A-6.

§ 56A-4 Public hearing and comment.

The City Council, together with the Office of the Mayor, shall hold at least one public hearing on the proposed change in purpose or use at least ~~30~~ 10 days prior to final approval by the City Council of the change. The public hearing shall be held on a weekday in the evening. The meeting shall be either videotaped or transcribed, and said videotape or transcript shall be made available to the public on the City's official website within five business days after said hearing, and maintained there until 10 business days after final approval by the City Council.

A. At least ~~30~~ 10 days prior to the hearing, the City shall:

(1) Publish a legal notice of the hearing in the Jersey Journal and an advertisement in the Hoboken Reporter;

(2) Post notice of the hearing on its official website in the same manner as other public hearing notices are posted;

(3) Post and maintain in a legible condition until the final recommendation by the City Council of the proposed change in purpose or use, a sign on the parkland that is the subject of the proposed change. Such sign shall advise the public of (i) the proposed change, (ii) the public hearing on the proposed change and (iii) the opportunity for public comment on the proposed change. Such sign shall be of sufficient size and visibility and contain sufficient detail as to inform the general public of the proposed change and the method by which the public may obtain information about such proposed change.

The notices and advertisement required under Subsection A above shall include the following information:

(a) A general description of the proposed change of purpose or use;

(b) The street address (if available), tax map block and lot and size of the land(s) for which the change in purpose or use is proposed; and

(c) A statement inviting participation in the public hearing and notifying the public that, in the alternative, written comments on the proposed change may be submitted to the City. The statement shall provide an address for submittal of written comments.

§ 56A-5 Definition of change in purpose or use.

For purposes of this article, a change in recreation and conservation purpose or use of parkland shall include:

A. The construction of new recreation and conservation facilities, such as athletic fields or playgrounds;

B. The removal of existing recreational and conservation facilities;

C. The replacement of natural grass with concrete, artificial turf or any other surface;

D. The addition of new landscaping or other obstacles that have a material deleterious effect on an existing use;

E. The imposition of restrictions, through regulation, ordinance or other legal mechanism, intended to prohibit an existing use;

F. The replacement of existing recreation and conservation facilities with facilities for another recreation and conservation purpose or use;

G. The addition of lighting of recreation area that may be inconveniencing or interfering with the quiet enjoyment of the immediate neighborhood;

H. For the purposes of this section, a change in recreation and conservation or use of parkland shall not include:

(1) The renovation or repair of existing facilities or an existing use;

(2) The construction of additional support structures, such as bleachers, concession stands, picnic shelters within the boundary of an existing developed recreation area, in order to enhance the existing purpose or use of that area;

(3) Use of parkland for short-term events such as festivals, carnivals or parades.

§ 56A-6 City Council meeting.

Following public comment and hearings as stated above in § 56A-4, City Council's Park and Recreation Subcommittee (or such other committee established by City Council and designated to carry out such recommendations) will meet to discuss public comments and recommendations, also open to the public. Said recommendations will be presented at the new business portion of Council agenda at the next regularly scheduled meeting. Said recommendations will be presented as a resolution advising of same in accordance with § 56A-3 above.

Section 2: 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.

Section 3: 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.

Section 4: This ordinance shall take effect as provided by law.

Section 5: 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. This Ordinance shall also supersede any inconsistent provisions contained in any resolution or ordinance previously adopted by the Hoboken City Council.

Section 6: 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 affect 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 7: This Ordinance shall take effect upon passage and publication as provided by law.

---Motion duly seconded by Councilman Doyle
---Adopted by the following vote: Yeas : 8 Nays: 0 Absent: 1
---Yeas: Council persons Bhalla, DeFusco, Doyle, Fisher, Mello, Ramos, Russo and President Giattino
---Nays: None.
---Absent: Cunningham

17-53

Z-460

---By Councilwoman Fisher

BOND ORDINANCE AUTHORIZING SUPPLEMENTAL FUNDING FOR THE REHABILITATION AND RECONSTRUCTION OF PIER "A" IN THE CITY OF HOBOKEN, COUNTY OF HUDSON, NEW JERSEY; APPROPRIATING THE SUM OF **\$4,000,000** 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 **\$3,800,000**; 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 \$4,000,000;
- (b) the estimated amount of bonds or bond anticipation notes to be issued for the purposes stated in Section 7 hereof is \$3,800,000; and
- (c) a down payment in the amount of \$200,000 for the purposes stated in Section 7 hereof is currently available in accordance with the requirements of Section 11 of the Local Bond Law, N.J.S.A. 40A:2-11.

Section 3. The sum of \$3,800,000, to be raised by the issuance of bonds or bond anticipation notes, together with the sum of \$200,000, which amount represents the required down payment, 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 \$3,800,000 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 \$3,800,000 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 \$800,000.

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>Estimat</u> <u>ed</u> <u>Total</u> <u>Cost</u>	<u>Down</u> <u>Paym</u> <u>ent</u>	<u>Amount</u> <u>of</u> <u>Obligatio</u> <u>ns</u>	<u>Period</u> <u>of</u> <u>Useful</u> <u>ness</u>
A. Supplemental Funding for the	\$4,000,0	\$200,0	\$3,800,0	30

<u>Purpose/Improvement</u>	<u>Estimat ed Total Cost</u>	<u>Down Paym ent</u>	<u>Amount of Obligatio ns</u>	<u>Period of Useful ness</u> years
Rehabilitation and Reconstruction of Pier "A", as more particularly described in the documentation on file in the Office of the Department of Health and Human Services and available for inspection during normal City hours, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto, as originally authorized by Bond Ordinance Z-235, finally adopted on October 2, 2013	00	00	00	

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 30.00 years.

Section 9. Grants or other monies received from any governmental entity, any person, any corporation or any other source, 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 \$3,800,000 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.

---Motion duly seconded by Councilman Ramos

---Adopted by the following vote: Yeas: 8 Nays: 0 Absent: 1

---Yeas: Council persons Bhalla, DeFusco, Doyle, Fisher, Mello, Ramos, Russo and President Giattino

---Nays: None.

---Absent: Cunningham

17-54

Z-461

---By Councilman Mello

AN ORDINANCE TO AMEND THE CITY CODE OF THE CITY OF HOBOKEN
CHAPTER 59A ENTITLED "DEPARTMENT OF PUBLIC SAFETY," ARTICLE II, §59A-8
"ESTABLISHMENT OF DIVISION"

**THE MAYOR AND COUNCIL OF THE CITY OF HOBOKEN DOES HEREBY
ORDAIN AS FOLLOWS:**

Section 1: The following additions and ~~deletions~~ shall be made to Hoboken City Code
Chapter 59A-8 to read as follows:

§ 59A-8 Establishment of Division.

A Division of Police in the Department of Public Safety is hereby established in and for the
City of Hoboken, which shall not exceed the following sworn personnel:

Rank/Position	Number
Chief	1
Captains	3
Lieutenants	12 <u>14</u>
Sergeants	26
Police Officers	96

Section 2: 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.

Section 3: 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.

Section 4: This ordinance shall take effect as provided by law.

Section 5: 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. This Ordinance shall also supersede any inconsistent provisions
contained in any resolution or ordinance previously adopted by the Hoboken City Council.

Section 6: 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 affect the validity of the remaining sections, subsections, sentences, clauses and phrases of this Ordinance, but shall remain in effect; it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 7: This Ordinance shall take effect upon passage and publication as provided by law.

---Motion duly seconded by Councilman Doyle

---Adopted by the following vote: Yeas: 8 Nays: 0 Absent: 1

---Yeas: Council persons Bhalla, DeFusco, Doyle, Fisher, Mello, Ramos, Russo and President Giattino

---Nays: None.

---Absent: Cunningham

17-55

Z-462

---By Councilman Mello

AN ORDINANCE TO AMEND THE CITY CODE OF THE CITY OF HOBOKEN CHAPTER 59A ENTITLED "DEPARTMENT OF PUBLIC SAFETY," ARTICLE III "OUTSIDE POLICE PERSONNEL EMPLOYMENT" TO REFLECT THE CITY'S COLLECTIVE BARGAINING AGREEMENT WITH THE PBA

THE MAYOR AND COUNCIL OF THE CITY OF HOBOKEN DOES HEREBY ORDAIN AS FOLLOWS:

Section 1: The following additions and ~~deletions~~ shall be made to Hoboken City Code **Chapter 59A, Article III ("Outside Police Personnel Employment")** to read as follows:

§ 59A-22 Assignments.

A. The Chief of Police shall designate three members of the Department to act in the capacity of outside employment liaison officers. These officers shall be responsible for the assignment of police personnel to outside employment assignments.

B. The outside liaison officers shall maintain an alphabetical list whereby police officers shall be contacted on a rotating basis concerning availability of outside employment.

§59A-23 Contracts with private entities.

A. Any private person or entity desiring to retain the services of police officers of the City of Hoboken for outside police-related activities shall be required to enter into a contract with the City of Hoboken. The contract shall include but not be limited to the nature of duties,

the date and hours of service and the rate of payment for services the officers provide. The contract may also provide for deposits in advance by the contractor for services to be performed.

B. At the time a private person or entity applies for a permit from the City of Hoboken subcode officials for street construction, excavation, paving, etc., the permit shall state that as a condition for its issuance the private person or entity shall contact the Commander, Bureau of Transportation, Hoboken Police Department, who shall determine whether or not it will be necessary to assign a police officer to that particular site in order to ensure public safety and well-being.

(1) The criterion which the Commander of the Bureau of Transportation shall use in order to base his determination as to whether or not a police presence at a particular work site is required shall be the Manual On Uniformed Traffic Control and Device Statutes, specifically N.J.S.A. 39:4-120, 39:4-183.6, 39:4-183.27 and 39:4-191.1 and the City of Hoboken Traffic Ordinance § 190-1 et seq.

(2) In the event that the determination is made that a police officer should be assigned, the officers designated as liaisons by the Chief of Police will be contacted by the Commander of the Bureau of Transportation so that an officer may be assigned from the rotation. All private persons or entities shall be required to make all payment for outside assignments payable to the Division of Revenue and Finance, City of Hoboken. The moneys shall be collected from the private persons or entities by the Finance Department and earmarked for payment of the officers performing the outside employment.

~~C. All members of the Police Department shall be paid for services performed on one or two standard rates. The officers performing this service shall be paid on a regular pay date, after the receipt of funds from the contracting entity and upon the submission of appropriate documentation certifying the performance of duty by the officer(s) concerned.~~

§59A-24 Payment schedule.

~~A. A two-tier payment schedule has been established by the City for outside employment:~~

~~(1) Tier A payment schedule is \$25 per hour.~~

~~(2) Tier B payment schedule is \$30 per hour.~~

~~B. The Tier A payment schedule shall be used in all circumstances, unless such employment requires a supervising officer to work in a supervisory capacity. If an officer of rank is required to exercise a supervisory function in connection with the outside employment, he shall be paid under the Tier B payment schedule. The Tier B payment schedule shall apply to all supervising officers, regardless of their respective ranks. This salary rate may be adjusted from time to time by the Director of Administration. The City of Hoboken shall not be required to allow its equipment to be used on any off duty assignment.~~

The hourly rate for the Outside Police Personnel Employment program ("Outside Employment Program" or "O.E.P") to be paid by a private contractor shall be \$80.00 per hour, subject to the following conditions:

1. The City shall retain \$10.00 per hour from the initial O.E.P. billing rate of \$80.00 per hour for administrative overhead and necessary accounting purposes.
2. Police Officers shall receive \$70.00 per hour of which \$5.00 shall be deducted from the gross hourly wage, by the City, as agreed by the membership and forwarded in quarterly installments to the P.B.A.'s Good and Welfare Fund.
3. The employee's final gross hourly wage for O.E.P. shall be \$65.00 per hour and paid through the City's finance/payroll department, after all above mentioned deductions are made.
4. The outside contractor shall pay to the officer overtime at the rate of time and one half (\$120.00 per hour) for all hours worked beyond an initially eight (8) hour scheduled job. There shall be no additional monies added, subtracted, or retained, by the City or the P.B.A., from this overtime rate of pay.

~~§ 59A-25 Overtime.~~

~~Any outside assignment which exceeds eight continuous hours shall be charged at an overtime rate of time and 1/2 of either the Tier A, Tier B, or grandfather schedule.~~

~~§ 59A-26 25 Grandfather provision.~~

All outside assignments which have been contracted prior to the Police Department's Outside Police Personnel Employment Order, implemented under the auspices of this article, shall merge with the procedural requirements of said departmental order. The sole exception shall be that the rate of pay agreed to relative to those outside assignments shall not be disturbed. A separate list shall be afforded the Department of Administration indicating the payment rate of those specific assignments. However, once that particular assignment terminates, the resurrection of that assignment shall then require the implementation of the payment schedule.

~~§ 59A-27 26 Emergencies.~~

A. The Chief of Police or his designee shall have the authority to order any police officer engaged in an outside assignment within the City of Hoboken to respond to an emergency situation occurring within the City of Hoboken. The Chief of Police or his designee shall also have the right to offer any outside assignment terminated whenever said assignment created an unacceptable risk to the health, safety and welfare of the officer and/or the citizens of the City of Hoboken.

B. In the event that an officer is assigned to an emergency situation, the Police Chief or his designee shall make note of said emergency situation, as well as the time said officer was removed from said outside assignment. In any situation where a police officer is performing an outside assignment and is called to an emergency situation, said private person or entity

shall not be responsible for the payment of the officer's hourly rate until such time as said police officer returns to the outside employment.

~~§ 59A-28 Administrative fee.~~

~~Due to the increase in the work load of the Department of Revenue and Finance, which includes but is not limited to additional payment and processing of checks by automatic data processing and the additional time expended in computing appropriate follow up procedures to ensure payment is made to the City by third parties, an administrative fee of \$1 per hour per man shall be charged. This figure shall be reviewed by the Director of the Department of Administration within 60 days of implementation to determine if any modification is necessary.~~

Section 2: 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.

Section 3: 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.

Section 4: This ordinance shall take effect as provided by law.

Section 5: 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. This Ordinance shall also supersede any inconsistent provisions contained in any resolution or ordinance previously adopted by the Hoboken City Council.

Section 6: 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 affect 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 7: This Ordinance shall take effect upon passage and publication as provided by law.

---Motion duly seconded by Councilman Doyle

---Adopted by the following vote: Yeas: 8 Nays: 0 Absent: 1

---Yeas: Council persons Bhalla, DeFusco, Doyle, Fisher, Mello, Ramos, Russo and President Giattino

---Nays: None.

---Absent: Cunningham

NEW BUSINESS

Councilman Ramos comments on a few issues about property on first and Jackson St., there's homeless people on the corner, hopefully we can demolish the property, and also fixing the traffic study on Observer Highway and also about the Rebuild by Design team and asked if we can have a meeting one (1) in Council Chambers, he would like to know the potential cost and also issues with Health Insurance denials with United Healthcare, there were delayed treatments, denial of treatments, and he would like to know who made those Claims.

Councilwoman Fisher comments on the Port Authority, it is introducing its about the capital budget for the next 10 years and it was delayed and there is a board meeting tomorrow where they are introducing the capital plan. T and they opened up new parking spaces uptown but no meter signs yet and is causing a safety issue.

Councilman Mello comments on uniting with other municipalities in the county and try to get the formula to look at the taxes and reevaluate on a state level and have more of the these is discussions.

Councilman DeFusco comments on the citywide rollout of the parking meters, we need to have temporary signage and to let the public know who can park where, look forward working with the Council VP and Councilman Ramos on the Transportation and Parking committee, there is an issue with Observer and Jackson, we are working on it and hopeful to get the installation of the traffic lights on Newark St., there are other locations throughout town with issues such as the light rail light, also placement of cameras throughout other parts of the City, the dated city-wide zoning, waited too long for a build out plan, Master plan and updating ordinances, there will be an ordinance to urge the administration to alert neighbors regarding commercial districts which is Washington north of 8th St. , glad that Councilwoman Fisher commenting on the Special Counsel for the Historic Preservation Commission and will talk it in the sub-committee and thank Chief Ferrante for being responsive, there was a man sleeping on 2nd and Garden St., dealing with drunkenness/substance abuse, we need to recognize areas where we can improve on.

Councilman Russo comments on the skating rink, great success, only one thing is a disappointment being closed on New Year's Day; would like an update on the ice skate rink, only suggestion is to try to find it open for the kids during winter break. Status of the 9th st. platform to the light rail, who's maintaining it when there is a winter storm, the light between 12 and 13th and Grand St. (west side), the light is no longer there, it's really dark, if we can place it back, remind everyone about Suez, a lot of frustration regarding this build out analysis, we were told to get it in October 2016, it is now January, please get this to us as soon as possible; finally, where is the list of lawsuits, there's a few that we didn't see,

but I know there were some not on there ie. Leibler vs. COH, former Police Chief,
if we can -get updates, even if they are related to the JIF, Happy New Year.

Councilman Doyle comments on the 19th of Jan, there's a public meeting for the temporary/interim pop up park aka the Henkl site, it will be at the Jubilee Center at 7:00 PM, we passed on first reading an amended ordinance for the process and changes of parks and would like to emphasize and full participation.

Council President comments on Washington St. update, the website is the www.WashingtonStreetproject.com and you can sign up for bi-weekly updates and also if the Governing Body can send her their respective requests top 3 committees, that would be appreciated.

BA Marks comments the contractor will begin in March and T & M would come the next Council meeting

At 11:06 PM meeting adjourned of the Governing Body on a motion by Council duly seconded by the Council members

Council President Giattino then adjourned the meeting at 11:06 PM

PRESIDENT OF THE COUNCIL

CITY CLERK