

**MEETING OF JUNE 17, 2015**

**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, JUNE 17,  
2015 AT 7:00 PM**

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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 Meeting 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."

Then the Clerk called the Roll: Council persons Doyle, Cunningham (via phone), Giattino, Mason (see below), Mello (via phone), Occhipinti, Russo and President Bhalla

Absent: Castellano, Mason (arrived at 7:17 PM)

**Council President comments and would like to suspend the agenda to present a proclamation in honor of Joan Abel, her son Steve Fahmie accepts the proclamation on behalf of his family.**

**RESOLUTION**

**15-332**

---By Councilwoman Giattino

**RESOLUTION GRANTING KEITH KANDEL, ESQ. OF FLORIO KENNY SETTLEMENT  
AUTHORITY IN THE MATTER OF TORT CLAIM LITIGATION (001165855) IN AN  
AMOUNT UP TO THE AMOUNT SUGGESTED BY KEITH KANDEL TO MELLISSA LONGO  
IN A JUNE 9, 2015 EMAIL**

**WHEREAS**, the City of Hoboken is currently involved in a tort claim (001165855); and,

**WHEREAS**, Keith Kandel, Esq. of Florio Kenny has represented the City's legal interests in that matter, and has recommended a monetary amount for settlement of the matter by way of a June 9, 2015 email from Keith Kandel to Mellissa Longo; and,

**WHEREAS**, after legal guidance from Mr. Kandel, the City Council finds his suggested monetary settlement amount to be reasonable, and in the best interest of the City.

**NOW THEREFORE BE IT RESOLVED**, by the City Council of the City of Hoboken, that Keith Kandel, Esq. of Florio Kenny is hereby authorized to settle the matter of the tort claim (001165855) in an amount up to the monetary amount suggested by Keith Kandel to Mellissa Longo by his June 9, 2015 email.

---Motion duly seconded by President Bhalla

---Adopted by the following vote: YEAS: 6 – NAYS: 0 - ABSENT: 2 - PRESENT: 1

---Yeas: Council persons Cunningham (via phone), Doyle, Giattino, Mello (via phone), Occhipinti, Russo and President Bhalla

---Nays: None.

---Absent: Castellano, Mason  
---Present: Cunningham

**15-333**

---By Councilman Russo

**RESOLUTION AUTHORIZING THE EXECUTION OF A TEMPORARY EXTENSION OF AMENDED AND RESTATE PILOT AGREEMENT WITH JEFFERSON ADAMS REHAB COMPANY RELATING TO THE CLOCK TOWERS PROJECT WITHIN THE CITY OF HOBOKEN**

**WHEREAS**, Jefferson Adams Rehab Company is a New Jersey limited partnership (the “**Entity**”) subject to the Limited-Dividend Nonprofit Housing Corporations or Associations Act, *N.J.S.A. 55:16-1 et seq.* (the “**Limited-Dividend Law**”), and owns and operates a housing project located at 300 Adams Street in the City (the “**Property**”) consisting of 173 residential units, 68 of which receive project-based Section 8 housing, and generally known as “Clock Towers” (the “**Project**”); and

**WHEREAS**, on December 19, 1974, the City of Hoboken (the “**City**”) entered into an In Lieu Tax Payment Agreement to provide payments in lieu of taxes with respect to the Property and the Project under the Limited-Dividend Law, which agreement was amended on or about December 2000 pursuant to an Amended and Restated PILOT Agreement (the “**PILOT Agreement**”); and

**WHEREAS**, pursuant to the terms of the PILOT Agreement, the tax exemption on the Project will terminate after 40 years on or about March 26, 2015; and

**WHEREAS**, the Limited-Dividend Law permits tax exemptions and payments in lieu of taxes for a term of up to 50 years; and

**WHEREAS**, the Entity has requested an extension of the PILOT Agreement for an additional 10 years as permitted under the Limited-Dividend Law; and

**WHEREAS**, the City previously granted the Project a temporary extension of the PILOT Agreement for a 3 month period, terminating on or around June 26, 2015; and

**WHEREAS**, the City has determined that it is in the best interests of the residents of the Project and the City to grant a temporary extension of the PILOT Agreement for an additional 6 month period in order to permit the Entity to apply for additional housing vouchers to support very low income households of veterans and to determine if the Entity and the Project satisfy the requirements under the Limited-Dividend Law for a full extension.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Hoboken, County of Hudson and State of New Jersey, that the temporary extension of the PILOT Agreement for another period of only 6 months should be granted in order to permit the Entity to apply for additional housing vouchers to support very low income households of veterans and to allow the City and its professionals to determine whether the Entity and the Project are eligible for a full extension of the PILOT Agreement under the Limited-Dividend Law.

**BE IT FURTHER RESOLVED**, that the Mayor is hereby authorized to execute a Temporary Extension of Amended and Restated PILOT Agreement substantially in the form attached hereto as Exhibit A, with such changes, revisions or amendments as may be deemed necessary by the Mayor in consultation with City staff and professionals.

The speakers who spoke: Cheryl Fallick, John Carey.

---Motion duly seconded by President Bhalla

---Adopted by the following vote: YEAS: 7 – NAYS: 0 - ABSENT: 2

---Yeas: Council persons Cunningham (via phone), Doyle, Giattino, Mello (via phone), Occhipinti, Russo and President Bhalla  
---Nays: None.  
---Absent: Castellano, Mason

\*\*\*\*\*Councilwoman Mason has arrived to the Council meeting at 7:17 PM \*\*\*\*\*

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

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 196 (ZONING) OF THE MUNICIPAL CODE OF THE CITY OF HOBOKEN (**Z-350**)

The speakers who spoke: Special Counsel Jong Sook Nee comments and gives an overview on Z-350, Marsten Allen, Cheryl Fallick, Dan Tumpson, Mary Ondrejka, Giovanni (John) La Berbera.

No other person present desiring to be heard and no written protests or objections received,

President Bhalla asked for a motion to close the hearing.

---Motion duly seconded by Councilman Doyle  
---Adopted by the following vote: YEAS: 8 – NAYS: 0 – ABSENT - 1  
---Yeas: Council persons, Cunningham (via phone), Doyle, Giattino, Mason, Mello, Occhipinti, Russo and President Bhalla  
---Nays: None.  
---Absent: Castellano

President Bhalla then instructed the City Clerk to call the Final Vote for the above Ordinance.

---Motion duly seconded by Councilman Russo  
---Adopted by the following vote: YEAS: 8 – NAYS: 0 - ABSENT: 1  
---Yeas: Council persons Cunningham (via phone), Doyle, Giattino, Mason, Mello (via phone), Occhipinti, Russo and President Bhalla  
---Nays: None.  
---Absent: Castellano

Councilwoman Mason has left the table at 8:41 PM  
Councilwoman Mason has returned to the table at 8:45 PM

ORDINANCE OF THE CITY OF HOBOKEN ADOPTING THE “WESTERN EDGE REDEVELOPMENT PLAN,” DATED MAY 29, 2015 (**Z-357**) (**CARRIED TO JULY 8, 2015**)

AN ORDINANCE TO AMEND HOBOKEN CODE CHAPTER 194, ENTITLED “WATERFRONT” TO CODIFY AND REGULATE THE MOORING AND/OR ABANDONMENT OF VESSELS UPON CITY WATERFRONTS AND WATERWAYS **Z-358**)

No other person present desiring to be heard and no written protests or objections received,

President Bhalla asked for a motion to close the hearing.

---Motion duly seconded by Councilman Cunningham  
---Adopted by the following vote: YEAS: 8 – NAYS: 0 – ABSENT - 1  
---Yeas: Council persons, Cunningham (via phone), Doyle, Giattino, Mason, Mello, Occhipinti, Russo and President Bhalla  
---Nays: None.  
---Absent: Castellano

President Bhalla then instructed the City Clerk to call the Final Vote for the above Ordinance.

---Motion duly seconded by Councilman Doyle  
---Adopted by the following vote: YEAS: 7 – NAYS: 0 - ABSENT: 1 - ABSTAIN: 1  
---Yeas: Council persons Cunningham (via phone), Doyle, Giattino, Mello (via phone), Occhipinti, Russo and President Bhalla  
---Nays: None.  
---Absent: Castellano  
---Abstain: Mason

AN ORDINANCE TO AMEND HOBOKEN CODE CHAPTER 110, ARTICLE VIII ENTITLED  
“DEMOLITION CONTAINERS” TO REVISE THE REQUIREMENTS FOR PLACEMENT AND  
PARKING RELATING TO DUMPSTERS AND DEMOLITION CONTAINERS (**Z-359**)

No other person present desiring to be heard and no written protests or objections received,

President Bhalla asked for a motion to close the hearing.

---Motion duly seconded by Councilman Cunningham  
---Adopted by the following vote: YEAS: 8 – NAYS: 0 – ABSENT - 1  
---Yeas: Council persons, Cunningham (via phone), Doyle, Giattino, Mason, Mello, Occhipinti, Russo and President Bhalla  
---Nays: None.  
---Absent: Castellano

President Bhalla then instructed the City Clerk to call the Final Vote for the above Ordinance.

---Motion duly seconded by Councilwoman Giattino  
---Adopted by the following vote: YEAS: 8 – NAYS: 0 - ABSENT: 1  
---Yeas: Council persons Cunningham (via phone), Doyle, Giattino, Mason, Mello (via phone), Occhipinti, Russo and President Bhalla  
---Nays: None.  
---Absent: Castellano

#### **PUBLIC COMMENTS**

The speakers who spoke: Cheryl Fallick, Dan Tumpson, Mary Ondrejka, Patricia Waiters, Pat Bencievega, Tiffany Fischer.

#### **PETITIONS AND COMMUNICATIONS**

Mayor Zimmer appointing Leo Pellegrini as Acting Mayor from June 8, 2015 through June 10, 2015

Received and Filed.

**15-334**

Proclamation from Mayor Zimmer thanking Joan Abel for her many contributions to the City of Hoboken.

Received and Filed.

**15-335**

---By Councilman Giattino

**APPLICATION FOR MISCELLANEOUS LICENSES**

Vendors----- 1 item  
Raffles----- 1 item

---Councilman Doyle moved that licenses be granted.

---Adopted by the following vote: YEAS: 7 – NAYS: 0 - ABSENT: 2

---Yeas: Council persons Cunningham (via phone), Doyle, Giattino, Mello (via phone), Occhipinti, Russo and President Bhalla

---Nays: None.

---Absent: Castellano, Mason

Councilwoman Mason left the meeting at 9:23 PM

**15-336**

A report from the Municipal Tax Collector Sharon Curran for taxes collected for the month of May 2015 **\$28,750,594.05 (Abatement Totals – \$662,431.30)**

Received and Filed.

**15-337**

A report from Municipal Court indicating receipts for the month of May 2015 as **\$415,514.41**

Received and Filed.

**15-338**

---By Councilwoman Giattino

**CLAIMS**

Total for this agenda **\$4,904,351.35**

---Motion duly seconded by Councilman Doyle

---Adopted by the following vote: YEAS: 7 – NAYS: 0 - ABSENT: 2 - ABSTAIN: 1

---Yeas: Council persons Cunningham (via phone), Doyle, Giattino, Mello (via phone), Occhipinti, Russo and President Bhalla

---Nays: None.  
---Absent: Castellano, Mason  
---Abstain: Doyle – 14-00988

**15-339**

---By Councilwoman Giattino

**PAYROLL**

**For the two week period starting May 21, 2015 - June 3, 2015**

<b>Regular Payroll</b>	<b>O/T Pay</b>	<b>Other Pay</b>	
\$1,610,226.22	\$65,352.12		\$206,290.91
<b>Total</b>	\$1,881,869.25		

---Motion duly seconded by Councilman Doyle  
---Adopted by the following vote: YEAS: 7 – NAYS: 0 - ABSENT: 2  
---Yeas: Council persons Cunningham (via phone), Doyle, Giattino, Mello (via phone), Occhipinti, Russo and President Bhalla  
---Nays: None.  
---Absent: Castellano, Mason

**CONSENT AGENDA – 4-6, 8, 10, 11, 13, 14, 16-20**

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: 7, 9, 12 and 15  
Removed by Administration:

**RESOLUTIONS (CONT'D)**

**15-340**

---By Councilwoman Giattino

**RESOLUTION AUTHORIZING THE HOBOKEN ITALIAN FESTIVAL, INC. TO CONDUCT ITS 89th 2015 ANNUAL FEAST IN HONOR OF MADONNA DEI MARTIRI**

**WHEREAS**, The Hoboken Italian Festival, Inc., with offices at 332 Adams Street, Hoboken has requested permission to conduct their annual Feast in honor of their patron saint, Madonna Dei Martiri for four consecutive days starting on Thursday, September 10, 2015 through and inclusive to Sunday, September 13, 2015 on Sinatra Drive and Sinatra Park.

**WHEREAS**, Hoboken Italian Festival, Inc. has indicated its agenda and requirement to successfully conduct the feast, which are as follows:

- (1) To solicit contributions from the general public, to be used solely to pay part of the expenses and religious contributions.
- (2) To have a procession with the statue of “Madonna Dei Martiri” – “Mother of Martyrs” through the streets of Hoboken.
- (3) To install electric lights on Sinatra Drive from the corner of Fourth Street and River Street up to the Union Dry Dock Property.
- (4) To erect a bandstand in Sinatra Park to hold nightly concerts from Thursday, September 10, 2015 through Sunday, September 13, 2015. The hours of live music will be limited to the following schedule: Thursday, September 10<sup>th</sup> from 5:00 pm to 10:00 pm, Friday, September 11<sup>th</sup> from 5:00 pm to 11:00 pm, Saturday, September 12<sup>th</sup> from 12:00pm noon to 11:00 pm and Sunday, September 13<sup>th</sup> from 12:00pm noon to 10:00 pm. Recorded music will be permitted at moderate levels and speakers positioned not to disturb area residents and will be discontinued at 11:00 pm. The bandstand will be directed in a northern direction in an effort to minimize the noise levels in the southern waterfront residential areas.
- (5) To erect concession stands and trucks on Sinatra Drive, for vendors of food, novelties, games and rides.
- (6) To hold a raffle to be drawn on Sunday, September 13, 2015, as well as a nightly 50/50 raffle.
- (7) To have a procession through sections of Hoboken which is led by the feast committee, the guest of honor, the band, the statue of the saint and the members of the society and devotees on Saturday, September 12, 2015 to begin at 1:00 pm. The rain date is Sunday, September 13, 2015.
- (8) On Saturday, September 12, 2015 at about 9:00 pm to shoot a special pyrotechnic fireworks show on the riverfront at Pier A Park, subject to the approval of the U.S. Coast Guard and local Fire Permits.
- (9) To maintain two lanes of traffic with a minimum of 12 feet for each lane of travel when streets are to be open to traffic.
- (10) Beginning on Wednesday, September 9, 2015 9:00 AM through and inclusive of Sunday, September 13, 2015 12:00 Midnight parking will be prohibited on the following streets to set up and break down of bandstand and concession stands, as well as clean up of the area:
  - a. Sinatra Drive (both sides) from 3<sup>rd</sup> Street to 9<sup>th</sup> Street.
  - b. 5<sup>th</sup> Street (both sides) from River Street to Sinatra Drive.
- (11) Parking will be prohibited on Saturday, September 12, 2015 on 3<sup>rd</sup> Street (both sides) between Adams Street and Jefferson Street.
- (12) Parking will be prohibited from Thursday September 10, 2015 8:00 AM through Monday September 14, 2015 at 5:00 PM in front (Adams Street) and alongside (4<sup>th</sup> Street – south side only) the property of the Hoboken Italian Festival Inc. (332 Adams Street).
- (13) Vehicular traffic shall be denied travel in and upon the herein locations on the following days and hours by means of physical barriers to be provided by the Signal & Traffic Division:
 

Each night between 12:00 Midnight and 6:00 AM northbound traffic only on Sinatra Drive between 4th and 11th Streets

Thursday September 10, 2015 –from 12:00 PM to 5:00 PM Sinatra Drive will be shut down. Between 3<sup>rd</sup> and 4<sup>th</sup> Streets the road will open back from 5:00 PM TO 12:00 AM only on the North side of Street

Friday September 11, 2015- from 4:00 PM to 11PM North side Sinatra N. Hudson

Saturday September 12, 2015- from 12:00 PM to 11:00 PM North side only

Sunday September 13, 2015- 12:00 PM to 11:00 PM

**WHEREAS**, the Signal & Traffic Division shall notify motorists of this regulation by the posting of temporary/emergency no parking signs.

**WHEREAS**, the Police Department shall enforce these terms and conditions, with the assistance of the Department of Parking and Transportation, as necessary and appropriate.

**WHEREAS**, The City Council of the City of Hoboken endorses this program provided the Hoboken Italian Festival, Inc. secure all the necessary permits, licenses and insurance in a form to be approved by Corporation Counsel;

**NOW THEREFORE, BE IT RESOLVED**, The City Council hereby grants permission to the Hoboken Italian Festival, Inc. to conduct its feast and fireworks display on the above dates and wishes them success for a happy event subject to the applicant's compliance with all requirements regarding permits, licenses and insurance and further subject to the approval of the U.S. Coast Guard.

---Motion duly seconded by Councilman Russo

---Adopted by the following vote: YEAS: 7 – NAYS: 0 - ABSENT: 2

---Yeas: Council persons Cunningham (via phone), Doyle, Giattino, Mello (via phone), Occhipinti, Russo and President Bhalla

---Nays: None.

---Absent: Castellano, Mason

**15-341**

---By Councilwoman Giattino

**RESOLUTION TO AUTHORIZE AN AMENDMENT TO THE PROFESSIONAL SERVICE CONTRACT WITH BOSWELL ENGINEERING FOR CITY ENGINEER (ON-CALL) TO EXPIRE DECEMBER 31, 2015 WITH AN INCREASE IN THE NOT TO EXCEED AMOUNT BY \$40,000.00 FOR A TOTAL NOT TO EXCEED AMOUNT**

**WHEREAS**, the City of Hoboken published RFP's for general municipal engineering services; and,

**WHEREAS**, the Administration evaluated the proposal provided in response to said RFP, and the Administration thereafter determined that Boswell Engineering qualified as a pool engineer to provide the City with the most effective and efficient City Engineering services for the 2015 calendar year, and thereafter entered into a contract, authorized by this Council, for Boswell's services as the City's on-call engineer; and,

**WHEREAS**, in accordance with the direction of the Administration, the City Council is now asked to amend the contract to Boswell Engineering for the City's General Engineering On-Call services for an increase in the not to exceed amount by Forty Thousand Dollars (\$40,000.00), for a total contract amount of Seventy Six Thousand Dollars (\$76,000.00) with a one (1) year term to commence on January 1, 2015 and expire December 31, 2015 (there is \$14,715.96 remaining from the original \$36,000.00 contract as of 6/10/2015); and,

**WHEREAS**, certification of funds is available as follows:

**I, George DeStefano, Chief Financial Officer of the City of Hoboken, hereby certify that \$40,000.00 is available in the following appropriation 5-01-31-461-000 of the CY2015 budget; and I further certify that this commitment together with all previously made commitments and payments does not exceed the funds available in said appropriation for the CY2015 budget; and I further certify that the funds available in the said appropriation are intended for the purpose herein committed.**

**Signed:** \_\_\_\_\_, **George DeStefano, CFO**

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Hoboken that the contract with Boswell Engineering for City Engineer be amended, for a term to expire December 31, 2015, with an increase in the not to exceed amount by \$40,000.00, for a total not to exceed amount of \$76,000.00; and,

1. The above recitals are incorporated herein as though fully set forth at length.
2. The terms of the original contract, the general engineering RFP, and Boswell's responsive proposal, and this resolution shall govern the contract, and no changes may be made without the prior written consent of both parties.
3. The Administration shall be entitled, under this award, to utilize the firm on, an as needed basis, for any projects which require engineering assistance. This award is not project based, and the contract amounts hereunder are a retainer only, and no actual amount of work is suggested or

- implied.
4. 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.
  5. 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.
  6. The Mayor, or her designee is hereby authorized to execute an agreement, for the above referenced goods and/or services based upon the following information:

Boswell Engineering  
South Hackensack, New Jersey

---Motion duly seconded by Councilman Doyle  
 ---Adopted by the following vote: YEAS: 7 – NAYS: 0 - ABSENT: 2  
 ---Yeas: Council persons Cunningham (via phone), Doyle, Giattino, Mello (via phone), Occhipinti, Russo and President Bhalla  
 ---Nays: None.  
 ---Absent: Castellano, Mason

**15-342**

---By Councilwoman Giattino

**RESOLUTION AWARDED A CONTRACT TO GREENSCAPE LANDSCAPE CONTRACTORS, INC. FOR THE PROVISIONS OF CITY HALL DRAINAGE AND LANDSCAPE IMPROVEMENT PROJECT IN ACCORDANCE WITH THE CITY'S BID NO. 15-08 IN THE TOTAL NOT TO EXCEED AMOUNT OF \$273,342.50**

**WHEREAS**, bids were received for City Hall Drainage and Landscape Improvement project, as specified in Bid Number 15 - 08; and,

**WHEREAS**, three (3) bids were received, being:

<u>VENDOR</u>	<u>TOTAL BID</u>
1. Greenscape Landscape Contractors, Inc. 733 Willow Grove Ave., Glenside, PA	\$273,342.50
2. Adamo Brothers Construction 1033 Alexander Ave., Ridgefield, NJ	\$304,389.00
3. A-Tech Concrete, Co. 11 Taylor Road, Edison, NJ	\$464,910.00

**WHEREAS**, pursuant to the recommendation of the City Engineer (attached hereto) the City wishes to contract for the services specified in Bid No. 15-08, and Greenscape Landscape Contractors, Inc. submitted the lowest, responsible, and responsive bid in the amount of \$273,342.50 ; and,

**WHEREAS**, certification of funds is available as follows:

**I, George DeStefano, Chief Financial Officer of the City of Hoboken, hereby certify that \$273,342.50 is available in the following appropriations: \_\_\_\_\_ and I further certify that this commitment together with all previously made commitments and payments does not exceed the funds**

available in said appropriation for the CY2015; and I further certify that the funds available in the said appropriation are intended for the purpose herein committed.

Signed: \_\_\_\_\_, George DeStefano, CFO

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

- A. This resolution awards a contract to Greenscape Landscape Contractors, Inc. for Bid No. 15-08, in the total amount of Two Hundred Seventy Three Thousand Three Hundred Forty Two Dollars and Fifty Cents (\$273,342.50) for City Hall Drainage and Landscape Improvement Project; and said contract shall be to Greenscape Landscape Contractors, Inc. in accordance with the specifications as set forth in Bid No. 15-08.
- B. If the contract, as provided by the City of Hoboken, is not executed by the vendor within 21 days of execution of this award, the City may cancel this award and rebid the project.
- C. The contract shall be in accordance with the terms of the specifications and the vendor's corresponding bid proposal documents. No exceptions were noted in the City's Engineer's recommendations; therefore, none will be accepted in performing obligations under the bid.
- D. Any change orders required shall be subject to formal City Council authorization, and the City shall not be held liable for any amounts above the within contracted amounts unless/until same is authorized and appropriated by formal resolution of the City Council.
- E. The Mayor or her agent is hereby authorized to enter into an Agreement with the vendor for said purchase and sale.
- F. This resolution shall take effect immediately upon passage.

---Motion duly seconded by Councilman Doyle

---Adopted by the following vote: YEAS: 7 – NAYS: 0 - ABSENT: 2

---Yeas: Council persons Cunningham (via phone), Doyle, Giattino, Mello (via phone), Occhipinti, Russo and President Bhalla

---Nays: None.

---Absent: Castellano, Mason

**15-343**

---By Councilwoman Giattino

**RESOLUTION AWARDING A CONTRACT TO MCGRATH MUNICIPAL EQUIPMENT, LLC TO PURCHASE ONE (1) ASPHALT HOT PATCHER RECYCLING DUMP TRAILER FOR STREET AND ROAD REPAIR IN ACCORDANCE WITH NJPA COOPERATIVE CONTRACT #113012-FRM IN THE TOTAL AMOUNT NOT TO EXCEED \$37,056.00**

**WHEREAS**, N.J.S.A. 40A:11-5 permits municipalities to award public contracts without public bidding when the vendor is an approved state contractor or part of an approved national cooperative, and Falcon Road Maintenance Equipment has been approved for a National Joint Powers Alliance (NJPA) Cooperative Contract # 113012-FRM, which cooperative the City is a part of; and,

**WHEREAS**, the City requires equipment to repair potholes on streets and roads for the Department of Human Services (as described in the attached proposal, which shall become part of the contract); and

**WHEREAS**, pursuant to the recommendation of the Purchasing Department, which is attached hereto, the City wishes to contract for the services and related goods under NJPA Cooperative contract # 113012-FRM; and

**WHEREAS**, McGrath Municipal Equipment, LLC is an authorized dealer of Falcon Road Maintenance Equipment in New Jersey;

**WHEREAS**, certification of funds is available as follows:

**I, George DeStefano, Chief Financial Officer of the City of Hoboken, hereby certify that \$37,056.00 is available in the following appropriations: \_\_\_\_\_ in the CY2015 budget; and I further certify that this commitment together with all previously made commitments and payments does not exceed the funds available in said appropriation for the CY2015; and I further certify that the funds available in the said appropriation are intended for the purpose herein committed.**

**Signed: \_\_\_\_\_, George DeStefano, CFO**

**NOW THEREFORE BE IT RESOLVED** by the City Council of the City of Hoboken that the below-listed vendor is authorized to provide the services and related goods described in the Falcon Road Maintenance Equipment NJPA contract, and agrees to comply with all the terms and conditions, including prices and equipment quality and warranty, of said contract, for a total not to exceed amount of Thirty Seven Thousand Fifty Six Dollars (\$37,056.00), as follows:

1. The above recitals are incorporated herein as though fully set forth at length.
2. 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.
3. The Mayor or her designee is hereby authorized to execute said agreement, voucher and/or purchase order for the above mentioned goods and/or services based upon the attached proposal, and the following information:

**McGrath Municipal Equipment, LLC  
P.O. BOX 422  
SPRINGFIELD, NJ 07081-0422**

---Motion duly seconded by Councilman Doyle

---Adopted by the following vote: YEAS: 7 – NAYS: 0 ABSENT: 2

---Yeas: Council persons Cunningham (via phone), Doyle, Giattino, Mello (via phone), Occhipinti, Russo and President Bhalla

---Nays: None.

---Absent: Castellano, Mason

**15-344**

---By Councilwoman Giattino

**RESOLUTION AUTHORIZING SUBMISSION OF HISTORIC PRESERVATION GRANT APPLICATION TO THE NEW JERSEY HISTORIC TRUST FOR PRESERVATION OF HOBOKEN CITY HALL**

**WHEREAS**, the New Jersey Historic Trust has announced that it is accepting grant applications for the Corporate Business Tax Historic Preservation Fund which are due June 25, 2015; and

**WHEREAS**, this year's grant round is for **capital preservation grants**. The maximum grant request is \$150,000 and requires a match of \$2 for every \$3 in award money. Capital preservation grants may be used for construction expenses related to the preservation, restoration, repair, and rehabilitation of historic property and professional fees necessary to prepare and complete the construction project. All proposed projects should be supported by previous investigations, such as preservation plans or assessments; and

**WHEREAS**, eligible applicants must be nonprofit organizations or units of county or municipal government and eligible properties must be listed on the New Jersey Register of Historic Places by December 31, 2015; and

**WHEREAS**, the City of Hoboken is an eligible applicant and Hoboken City Hall (ID#1469) was added to the New Jersey Register of Historic Places on August 13, 1975; and

**WHEREAS**, the City of Hoboken prepared a draft Preservation Master Plan for Hoboken City Hall which recommends and prioritizes certain efforts to preserve, restore, repair, rehabilitate and stabilize historic features of City Hall; and

**WHEREAS**, the City of Hoboken wishes to request \$150,000 from the New Jersey Historic Trust and agrees to appropriate and pledge \$100,000 as a local match if the City's grant application is favorably considered by the State.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Hoboken, that the City of Hoboken formally approves submission of the grant application for the above stated project.

**BE IT FURTHER RESOLVED** that the Mayor or her designee is hereby authorized to submit said grant application to the New Jersey Historic Trust on behalf of the City of Hoboken.

---Motion duly seconded by Councilman Doyle

---Adopted by the following vote: YEAS: 7 – NAYS: 0 - ABSENT: 2

---Yeas: Council persons Cunningham (via phone), Doyle, Giattino, Mello (via phone), Occhipinti, Russo and President Bhalla

---Nays: None.

---Absent: Castellano, Mason

**15-345**

---By Councilwoman Giattino

**RESOLUTION AWARDED A PROFESSIONAL SERVICE CONTRACT TO DMR ARCHITECTS FOR RFP 15-08 PROFESSIONAL PLANNER FOR REDEVELOPMENT PLAN FOR THE NORTH END AREA IN AN AMOUNT NOT TO EXCEED ONE HUNDRED FORTY-NINE THOUSAND, TWO HUNDRED SIXTY-TWO DOLLARS AND FIFTY-SEVEN CENTS (\$149,262.57) FOR A ONE YEAR TERM TO COMMENCE JUNE 18, 2015 AND EXPIRE JUNE 17, 2016**

**WHEREAS**, the City of Hoboken published an RFP for municipal planning services for the North End Area; and,

**WHEREAS**, the Administration evaluated the proposal provided in response to said RFP, and the Administration thereafter determined that DMR Architects is most qualified to provide the City with the most effective and efficient Professional Planner services necessary for the North End Area redevelopment project; and,

**WHEREAS**, in accordance with the direction of the Administration, the City Council is now asked to award a contract to DMR Architects for Professional Planner services for a total contract amount of One Hundred Forty Nine Thousand Two Hundred Sixty Two Dollars and Fifty Seven Cents (\$149,262.57), with a one (1) year term to commence on June 18, 2015 and expire June 17, 2016; and,

**WHEREAS**, certification of funds is available as follows:

**I, George DeStefano, Chief Financial Officer of the City of Hoboken, hereby certify that \$50,000.00 is available in the following appropriation G-02-25-114-019 of the CY2015 budget, and \$99,262.57 is available in the following appropriation 5-01-21-181-036 of the CY2015 budget; and I further certify that this commitment together with all previously made commitments and payments does not exceed the funds available in said appropriations for the CY2015 budget; and I further certify that the funds available in the said appropriations are intended for the purpose herein committed.**

**Signed: \_\_\_\_\_, George DeStefano, CFO**

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Hoboken that a contract with the below listed vendor is awarded for an amount not to exceed One Hundred Forty-Nine Thousand, Two Hundred Sixty-Two Dollars and Fifty-Seven Cents (\$149,262.57), with a one (1) year term to commence on June 18, 2015, for services as Professional Planner for Redevelopment Plan for the North End Area, as follows:

1. The above recitals are incorporated herein as though fully set forth at length.
2. The terms of the RFP and DMR Architect's responsive proposal shall govern the contract, and no changes may be made without the prior written consent of both parties.
3. The Administration shall be entitled, under this award, to utilize the firm specifically for planning assistance for redevelopment in the North End Area. This award is project based, and the contract amounts hereunder are based on completion of the project; payment shall be made in accordance with the RFP and the responsive proposal for services rendered only, with no guarantee of full payment without completion of the full project in accordance with the RFP.
4. 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.
5. 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.
6. The Mayor, or her designee is hereby authorized to execute an agreement, for the above referenced goods and/or services based upon the following information:

**DMR Architects  
777 Terrace Avenue, Suite 607  
Hasbrouck Heights, NJ 07604**

---Motion duly seconded by Councilman Doyle

---Adopted by the following vote: YEAS: 7 – NAYS: 0 ABSENT: 2

---Yeas: Council persons Cunningham (via phone), Doyle, Giattino, Mello (via phone), Occhipinti, Russo and President Bhalla

---Nays: None.

---Absent: Castellano, Mason

**15-346**

---By Councilwoman Giattino

**RESOLUTION AWARDED A CONTRACT TO MAGIC TOUCH CONSTRUCTION COMPANY, INC. FOR PLUMBING SERVICES AND RELATED PARTS AND SUPPLIES**

**FOR THE CITY OF HOBOKEN IN ACCORDANCE WITH MRESC COOPERATIVE  
CONTRACT 12/13-51 IN THE TOTAL NOT TO EXCEED AMOUNT OF \$80,000.00 FOR A  
ONE-YEAR TERM TO COMMENCE ON JUNE 18, 2015**

**WHEREAS**, N.J.S.A. 40A:11-5 permits municipalities to award public contracts without public bidding when the vendor is an approved state contractor or part of an approved national cooperative, and Magic Touch Construction Company, Inc. has been approved for an MRESC Cooperative Contract 12/13-51, which cooperative the City is a part of; and,

**WHEREAS**, the City requires Plumbing Services and related and necessary parts and supplies, which Magic Touch Construction Company wishes to provide; and

**WHEREAS**, pursuant to the recommendation of the Purchasing Department, which is attached hereto, the City wishes to contract for the services and related parts and supply under contract MRESC 12/13-51; and

**WHEREAS**, Magic Touch Construction Company, Inc. shall provide the City with said service for one (1) year, commencing June 18, 2015 and expiring June 17, 2016; and

**WHEREAS**, certification of funds is available as follows:

**I, George DeStefano, Chief Financial Officer of the City of Hoboken, hereby certify that \$80,000.00 is available in the following appropriations: \$ 40,000.00 from 5-01-28-377-046, \$15,000.00 from T-24-20-700-022, and \$25,000.00 from \_\_\_\_\_ in the CY2015 budget; and I further certify that this commitment together with all previously made commitments and payments does not exceed the funds available in said appropriations for the CY2015; and I further certify that the funds available in the said appropriations are intended for the purpose herein committed.**

**Signed: \_\_\_\_\_, George DeStefano, CFO**

**NOW THEREFORE BE IT RESOLVED** by the City Council of the City of Hoboken that the below-listed vendor is authorized to provide the services and related goods described in the MRESC contract, for a total not to exceed amount of Eighty Thousand Dollars (\$80,000.00), for a one-year term to commence June 18, 2015, as follows:

1. The above recitals are incorporated herein as though fully set forth at length.
2. The contract entered into hereunder shall at all times be compliant with the terms and conditions of the underlying MRESC Cooperative Contract 12/13-51, which shall be incorporated into the City's contract by reference.
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, voucher and/or purchase order for the abovementioned goods and/or services based upon the following information:

**Magic Touch Construction Company, Inc.  
59 West Street  
Keyport, NJ 07735**

---Motion duly seconded by Councilman Doyle

---Adopted by the following vote: YEAS: 7 – NAYS: 0 ABSENT: 2

---Yeas: Council persons Cunningham (via phone), Doyle, Giattino, Mello (via phone), Occhipinti, Russo and President Bhalla  
---Nays: None.  
---Absent: Castellano, Mason

**15-347**

---By Councilwoman Giattino

**RESOLUTION INSERTING A SPECIAL ITEM OF REVENUE INTO THE CY 2015 MUNICIPAL BUDGET CLEAN COMMUNITY GRANT CY 2015 IN THE AMOUNT OF \$92,804.23**

**Inserting a Special Item of Revenue into the CY 2015 Municipal Budget**

**CLEAN COMMUNITY GRANT CY 2015**

**WHEREAS**, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the Budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the Budget, and

**WHEREAS**, said Director may also approve the insertion of an item of Appropriation for an equal amount, and

**WHEREAS**, the City of Hoboken, having received notice of an award of \$92,804.23 from the State of New Jersey Department of Environmental Protection, wishes to amend its CY 2015 Budget to include this amount as revenue.

**NOW, THEREFORE, BE IT RESOLVED** that the Council of the City of Hoboken, in the County of Hudson, State of New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of Revenue in the budget of the year CY 2015 in the sum of..... \$92,804.23  
This is now available as revenue from:

Miscellaneous Revenues:

Special Items of General Revenue Anticipated  
With Prior Written Consent of the Director of the  
Division of Local Government Services:  
State and Federal Revenues off-set with  
Appropriations:  
Clean Community Grant \$92,804.23

**NOW, THEREFORE, BE IT RESOLVED** that the like sum of \$92,804.23 be and the same is hereby appropriated under the caption of:

General Appropriations:

(a) Operations Excluded from CAPS  
State and Federal Programs off-set by  
Revenues:  
Clean Community Grant  
Other Expenses \$92,804.23

**NOW, THEREFORE, BE IT RESOLVED**, that the City Clerk forward two certified copies of this resolution to the Director of Local Government Services for approval.

---Motion duly seconded by Councilman Doyle  
---Adopted by the following vote: YEAS: 7 – NAYS: 0 - ABSENT: 2  
---Yeas: Council persons Cunningham (via phone), Doyle, Giattino, Mello (via phone), Occhipinti, Russo and President Bhalla  
---Nays: None.  
---Absent: Castellano, Mason

**15-348**

---By Councilwoman Giattino

**RESOLUTION INSERTING A SPECIAL ITEM OF REVENUE INTO THE CY 2015  
MUNICIPAL BUDGET MUNICIPAL COURT ALCOHOL EDUCATION REHABILITATION  
ENFORCEMENT CY 2015 IN THE AMOUNT OF \$2,593.06**

**Inserting a Special Item of Revenue into the CY 2015 Municipal Budget**

**MUNICIPAL COURT ALCOHOL EDUCATION REHABILITATION ENFORCEMENT CY 2015**

**WHEREAS**, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the Budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the Budget, and

**WHEREAS**, said Director may also approve the insertion of an item of Appropriation for an equal amount, and

**WHEREAS**, the City of Hoboken has received notice of an award of \$2,593.06 from State of New Jersey, Administrative Office of the Courts and wishes to amend its CY 2015 Budget to include this amount as revenue.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Hoboken, in the County of Hudson, State of New Jersey, that it hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of Revenue in the budget of the year CY 2015 in the sum of.....\$2,593.06  
This is now available as revenue from:

Miscellaneous Revenues:

Special Items of General Revenue Anticipated  
With Prior Written Consent of the Director of the  
Division of Local Government Services:  
State and Federal Revenues Off-Set with  
Appropriations:  
State Alcohol Ed Rehab DWI \$2,593.06

**NOW, THEREFORE, BE IT RESOLVED** that the like sum of \$2,593.06 be and the same is hereby appropriated under the caption of:

General Appropriations:

(a) Operations Excluded from CAPS  
State and Federal Programs Off-Set by  
Revenues:

State Alcohol Ed Rehab DWI  
Other Expenses \$2,593.06

**NOW, THEREFORE, BE IT RESOLVED** that the City Clerk will forward a certified copy of this resolution electronically to the Director of Local Government Services for approval.

---Motion duly seconded by Councilman Doyle  
 ---Adopted by the following vote: YEAS: 7 – NAYS: 0 - ABSENT: 2  
 ---Yeas: Council persons Cunningham (via phone), Doyle, Giattino, Mello (via phone), Occhipinti, Russo and President Bhalla  
 ---Nays: None.  
 ---Absent: Castellano, Mason

**15-349**  
 ---By President Bhalla

**RESOLUTION AUTHORIZING THE REFUND OF TAX OVERPAYMENTS (PAYABLE TO THE INDIVIDUALS LISTED ON THE RESOLUTION FOR THE AMOUNT OF \$8,725.34)**

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

WHEREAS, Sharon Curran, Collector of Revenue recommends that refunds be made;

**NOW THEREFORE BE IT RESOLVED**, that a warrant be drawn on the City Treasury made payable to the following totaling **\$8,725.34**

<u>NAME</u>	<u>BL/LT/UNIT</u>	<u>PROPERTY</u>	<u>QTR/YEAR</u>	<u>AMOUNT</u>
626 Grand St LLC 72 Salem Road Twp. of Washington, NJ 07676	78/22	626 Grand Street	1/14	\$ 1,655.31
Corelogic P.O. box 961250 Fort Worth, TX 76161 Attn: Refund Dept.	57/11/C0002	421 Jackson St	1/15	\$ 975.68
CitiMortgage Inc. 14700 Citicorp Drive, Dept 1009 Hagerstown, MD 21742 Attn: Carl Jasper	247/34.02/C003S	1208 Washington St	4/14	\$1,021.10
Benjamin Lynch 551 Observer Highway #7E Hoboken, NJ 07030	8/1/C007E	550-564 Newark St	3/14	\$2,087.05
626 Grand St LLC 72 Salem Road Twp. of Washington, NJ 07676	78/22	626 Grand Street	2/14	\$ 1,655.31
Madison Title Agency, Inc	247/34.02/C005N	1208 Washington St	2/15	\$1,330.89

**1125 Ocean Avenue  
Lakewood, NJ 08701**

---Motion duly seconded by Councilman Doyle  
---Adopted by the following vote: YEAS: 6 – NAYS: 1 - ABSENT: 2  
---Yeas: Council persons Cunningham (via phone), Doyle, Mello (via phone), Occhipinti, Russo and President Bhalla  
---Nays: Giattino  
---Absent: Castellano, Mason

**15-350**

---By President Bhalla

**RESOLUTION AUTHORIZING THE REFUND OF TAX APPEALS STATE TAX COURT  
(PAYABLE TO THE INDIVIDUALS LISTED ON THE RESOLUTION FOR THE AMOUNT  
OF \$24,038.96)**

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

**WHEREAS, Sharon Curran, Collector of Revenue recommends that the refund be made;**

**NOW THEREFORE BE IT RESOLVED, that a warrant be drawn on the City Treasury  
made payable to the following totaling \$24,038.96**

<u>NAME</u>	<u>BL/LOT/UNIT</u>	<u>PROPERTY</u>	<u>YEAR</u>	<u>AMOUNT</u>
James L. Bosworth 311 Willow Avenue Hoboken, NJ 07030	166/8 C000C	315 Willow Avenue	2014	\$7,953.96
Ivette Smulders 78 Jackson Street #1 Hoboken, NJ 07030	13/1/C0001	78 Jackson Street	2014	\$1,856.40
Raymond J. & Marie Fiore 328 Hudson Street Hoboken, NJ 07030	214.01/21	328 Hudson Street	2014	\$4,136.92
Joseph & Srisinth Orlandi 335 Washington Street Hoboken, NJ 07030	214/16/C0001	335 Washington St	2014	\$10,091.68

---Motion duly seconded by Councilman Doyle  
---Adopted by the following vote: YEAS: 6 – NAYS: 1 - ABSENT: 2  
---Yeas: Council persons Cunningham (via phone), Doyle, Giattino, Mello (via phone), Occhipinti, Russo and President Bhalla  
---Nays: Giattino  
---Absent: Castellano, Mason

**15-351**

---By President Bhalla

**RESOLUTION AUTHORIZING THE REFUND OF OVERBILLED 1<sup>ST</sup> AND 2<sup>ND</sup> QUARTERS OF 2015 FROM THE TAX DUPLICATE (PAYABLE TO THE INDIVIDUALS LISTED ON THE RESOLUTION FOR THE AMOUNT OF \$361,335.40)**

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

WHEREAS, Sharon Curran, Collector of Revenue recommends that refunds be made; now,

THEREFORE BE IT RESOLVED, that a warrant be drawn on the City Treasury made payable to the appearing on the attached list totaling \$361,335.40

<u>NAME</u>	<u>BL/LT/UNIT</u>	<u>PROPERTY</u>	<u>QTR/YEAR</u>	<u>AMOUNT</u>
Toll Brothers, Inc. 1000 Maxwell Lane Hoboken, NJ 07030	261.01/1	1100-28 Maxwell La	1&2 2015	\$361,335.40

---Motion duly seconded by Councilman Doyle

---Adopted by the following vote: YEAS: 7 – NAYS: 0 - ABSENT: 2

---Yeas: Council persons Cunningham (via phone), Doyle, Giattino, Mello (via phone), Occhipinti, Russo and President Bhalla

---Nays: None.

---Absent: Castellano, Mason

**15-352**

---Councilwoman Giattino

**RESOLUTION AUTHORIZING ASSIGNMENT FOR CERTIFICATE #003209 – BLOCK 193, LOT 58 (PAYABLE TO THE INDIVIDUALS LISTED ON THE RESOLUTION FOR CERTIFICATE OF SALE #003209 IN THE AMOUNT OF \$12,330.83)**

**WHEREAS, N.J.S.A. 54:5-113** authorizes assignment by a municipality of tax sale certificates for the full amount of the certificate, including all subsequent municipal taxes and other municipal charges; and,

**WHEREAS, Shiv K. Gulati,** has presented an offer to purchase, beassignment, Certificate of Sale #003209 which was issued to the City of Hoboken at a tax sale held October 30, 1985, on Block 193, Lot 58, known as 628 Bloomfield St., Hoboken, NJ and assessed to Hoboken Land and Improvement Co., C/O Chamberlain in the amount of \$ 12,330.83, being the full amount of the certificate, including all subsequent municipal taxes and other municipal charges.

**NOW, THEREFORE, BE IT RESOLVED,** that the City of Hoboken hereby authorizes the Mayor and Council to execute the necessary assignment document to effect assignment of the above-referenced Certificate of Sale.

**BE IT FURTHER RESOLVED**, that a copy of this resolution be forwarded to the Tax Collector.

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

---Motion duly seconded by Councilman Doyle

---Adopted by the following vote: YEAS: 7 – NAYS: 0 - ABSENT: 2

---Yeas: Council persons Cunningham (via phone), Doyle, Giattino, Mello (via phone), Occhipinti, Russo and President Bhalla

---Nays: None.

---Absent: Castellano, Mason

**15-353**

---Councilman Doyle

**RESOLUTION TO ADOPT THE MINUTES OF THE MEETINGS OF THE CITY COUNCIL  
DATED: REGULAR AND SPECIAL MEETING OF JUNE 3, 2014**

**RESOLVED**, that filed minutes for the Hoboken City Council **Regular and Special meeting of June 3, 2015** have been reviewed and approved by the Governing Body.

---Motion duly seconded by President Bhalla

---Adopted by the following vote: YEAS: 7 – NAYS: 0 - ABSENT: 2

---Yeas: Council persons Cunningham (via phone), Doyle, Giattino, Mello (via phone), Occhipinti, Russo and President Bhalla

---Nays: None.

---Absent: Castellano, Mason

**15-354**

---Councilwoman Giattino

**RESOLUTION TO AUTHORIZE THE INSTALLATION OF AD PANELS AT BIKE SHARE  
STATIONS AND TO AMEND THREE BIKE SHARE BIKE STATION LOCATIONS WITHIN  
THE CITY OF HOBOKEN**

**WHEREAS**, the City of Hoboken has awarded a contract to operate a bike share system to NJ BikeShare, LLC (d/b/a Bike the Skyline); and

**WHEREAS**, the contract authorizes Bike the Skyline to generate revenue for the program through membership fees, advertising, and sponsorships; and

**WHEREAS**, the contract states that each bike share station area “shall include a two-sided advertising/sponsorship panel” that “may be lit at night to increase the visibility of the Station” and specifies that “[a]ll advertisements must conform to applicable federal, state, and local laws” and may not include advertising that promotes the sale of tobacco, alcohol, or firearms; and

**WHEREAS** the City, in partnership with Bike the Skyline, is in the process of finalizing the necessary founding sponsorships for the program, and will thereafter feature the sponsors on the bicycle side panels; and

WHEREAS advertising is estimated to provide approximately one third of the revenue necessary to operate the program; and

WHEREAS the program is expected to have approximately 29 stations in Hoboken, and although advertising panels are authorized at all bike share stations, the City and the contractor have mutually agreed to limit the number of stations with advertising to 13 stations and to allow two advertising panels at some station locations in order to avoid locating advertising at stations that are in primarily residential areas while still generating the revenue necessary to operate the program.

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of Hoboken hereby authorizes installation and maintenance of said advertising panels by Bike the Skyline at the following locations, with the number of panels per location as herein defined:

- Hudson Pl & River St (2 panels)
- Hudson Pl & Hudson St (2 panels)
- 1st St & Washington St (1 panel)
- 4th St & Washington St (1 panel)
- 6th St & River St (1 panel)
- 11th St & Washington St (1 panel)
- 14th St & Washington St (2 panels)
- 14th St & Sinatra Dr (2 panels)
- 14th St & Grand St (2 panels)
- 8th St & Jackson St (1 panel)
- 2nd St & Marshall Dr (1 panel)
- Observer Highway & Harrison St (1 panel)
- Newark St & Adams St (2 panels); and,

BE IT FURTHER RESOLVED, the Council authorizes the designation of two additional bike share station locations and the relocation of one station, as follows:

- Relocate one station from 5th St and River St to 6th St and River St
- Add one station at 15th St and Garden St
- Add one station mid-block on Willow Ave between 3rd St and 4th St; and,

BE IT FURTHER RESOLVED, all installations by Bike the Skyway and/or its contractors shall be in accordance with all applicable laws; and,

BE IT FURTHER RESOLVED, this resolution shall be effective immediately upon passage.

---Motion duly seconded by Councilman Doyle

---Adopted by the following vote: YEAS: 7 – NAYS: 0 - ABSENT: 2

---Yeas: Council persons Cunningham (via phone), Doyle, Giattino, Mello (via phone), Occhipinti, Russo and President Bhalla

---Nays: None.

---Absent: Castellano, Mason

**15-355**

---Councilwoman Giattino

**RESOLUTION AWARDED A CONTRACT TO NU-WAY CONCESSIONAIRES, INC. FOR THE PROVISIONS OF 2015 SUMMER FOOD SERVICE PROGRAM IN ACCORDANCE WITH THE CITY'S BID NO. 15 - 17 IN THE TOTAL AMOUNT OF NOT TO EXCEED**

**\$56,966.22**

**WHEREAS**, two (2) bid proposals were received for Bid Number 15-17 for the provisions of 2015 Summer Food Service Program; and,

<b>VENDOR</b>	<b>UNIT PRICE</b>	<b>BID PRICE</b>
a. Nu-Way Concessionaires, Inc. Kearny, NJ	\$2.49	\$56,966.22
b. Feeding Our Children, Inc. Jersey City, NJ	\$2.29	\$52,390.62

**WHEREAS**, the lowest bidder, Feeding Our Children, Inc., failed to submit a bid bond in accordance with N.J.S.A 40A:11-21, which is a mandatory requirement pursuant to N.J.S.A. 40A:11-23.2; therefore, in accordance with N.J.S.A. 40A:11-23.2, which states “the failure to submit any one of the mandatory items shall be deemed a fatal defect that shall render the bid proposal unresponsive and that cannot be cured by the governing body,” the bid was declared unresponsive; and;

**WHEREAS**, pursuant to the recommendation of the Purchasing Department (attached hereto) the City wishes to contract for the goods and services specified in Bid No. 15-17, and Nu-Way Concessionaires, Inc. submitted a responsible, and responsive bid for the unit and bid price; and,

**WHEREAS**, certification of funds is available as follows:

**I, George DeStefano, Chief Financial Officer of the City of Hoboken, hereby certify that \$56,966.22 is available in the following appropriations: G-02-25-115-006 in the CY2015 budget; and I further certify that this commitment together with all previously made commitments and payments does not exceed the funds available in said appropriation for the CY2015; and I further certify that the funds available in the said appropriation are intended for the purpose herein committed.**

**Signed:** \_\_\_\_\_, **George DeStefano, CFO**

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

- A. This resolution awards a contract to Nu-Way Concessionaires, Inc. for the unit price Of \$2.49 for Bid No. 15-17, in the total amount of Fifty Six Thousand Nine Hundred Sixty Six Dollars and Twenty two Cents (\$56,966.22).
- B. If the contract, as provided by the City of Hoboken, is not executed by the vendor within 21 days of execution of this award, the City may cancel this award and rebid the contract.
- C. The contract shall be in accordance with the terms of the specifications and the vendor's corresponding bid proposal documents. No exceptions were noted in the Purchasing Agent's recommendation; therefore, none will be accepted in performing obligations under the bid.
- D. The Mayor or her agent is hereby authorized to enter into an Agreement with the vendor for said purchase and sale.
- E. This resolution shall take effect immediately upon passage.

---Motion duly seconded by Councilman Doyle

---Adopted by the following vote: YEAS: 7 – NAYS: 0 - ABSENT: 2

---Yeas: Council persons Cunningham (via phone), Doyle, Giattino, Mello (via phone), Occhipinti, Russo and President Bhalla

---Nays: None.

---Absent: Castellano, Mason

**15-356**

---Councilwoman Giattino

**RESOLUTION OF THE CITY OF HOBOKEN AUTHORIZING THE RELEASE OF PNC LETTER OF CREDIT NO. 18118853-00-000**

**WHEREAS**, the **MAYOR AND THE CITY COUNCIL OF THE CITY OF HOBOKEN**, acting as a Redevelopment Entity pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq., (hereinafter "City"), and **BLOCK B SOUTH WATERFRONT DEVELOPMENT L.L.C.** ("Waterfront") entered into a Hydrant and Traffic Signal Relocation Agreement on or about November 15, 2012 ("Agreement"); and

**WHEREAS**, pursuant to the Agreement, Waterfront agreed to relocate a traffic signal and hydrant infrastructure due to construction and development by Waterfront on property owned by the City; and

**WHEREAS**, pursuant to the Agreement, as a condition of undertaking the relocation work, Waterfront was obligated to post a performance bond in favor of the City; and

**WHEREAS**, in satisfaction of Waterfront's obligation to post a performance bond, it provided the City with an Irrevocable Standby Line of Credit issued by PNC Bank on December 31, 2012, with Reference Number 18118853-00-000 ("Letter of Credit"); and

**WHEREAS**, on June 8, 2015, Joseph A. Pomante, P.E., of Boswell McClave Engineering, issued a letter to the City of Hoboken indicating that all of the work to be performed by Waterfront pursuant to the Agreement had been satisfactorily completed and that there was no objection to release of the Letter of Credit; and

**WHEREAS**, a copy of the June 8, 2015 letter from Joseph Pomante, P.E. is attached to this Resolution; and

**WHEREAS**, the City has reviewed the June 8, 2015 letter and finds it to be acceptable.

**NOW, THEREFORE**, it is hereby resolved by the City Council as follows:

1. The Mayor of the City of Hoboken is hereby authorized to release PNC Letter of Credit No. 18118853-00-000.

2. 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.

3. This Resolution shall be effective immediately.

---Motion duly seconded by Councilman Doyle

---Adopted by the following vote: YEAS: 7 – NAYS: 0 - ABSENT: 2

---Yeas: Council persons Cunningham (via phone), Doyle, Giattino, Mello (via phone), Occhipinti, Russo and President Bhalla

---Nays: None.

---Absent: Castellano, Mason

## ORDINANCES

### Introduction and First Reading

**15-357**

**Z-360**

**BOND ORDINANCE AUTHORIZING THE REHABILITATION AND/OR REPLACEMENT OF WATER MAINS, THE COMPLETION OF DRAINAGE AND GREEN INFRASTRUCTURE IMPROVEMENTS AND THE COMPLETION OF PHASE I OF ROADWAY AND TRAFFIC SIGNALIZATION IMPROVEMENTS AND ENHANCEMENTS ALONG WASHINGTON STREET IN THE CITY OF HOBOKEN, COUNTY OF HUDSON, NEW JERSEY; APPROPRIATING THE SUM OF \$9,957,030 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 \$9,485,000; 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 \$9,957,030;
- (b) the estimated amount of bonds or bond anticipation notes to be issued for the purposes stated in Section 7 hereof is \$9,485,000; and
- (c) a down payment in the amount of \$15,000 for the purposes stated in Section 7 hereof is currently available in the City's Capital Improvement Fund accordance with the requirements of Section 11 of the Local Bond Law, *N.J.S.A. 40A:2-11*.

**Section 3.** The sum of \$9,485,000, to be raised by the issuance of bonds or bond anticipation notes, together with the sum of \$467,030, which amount represents the required down payment in the amount of \$15,000,

together with a grant provided by the New Jersey Department of Transportation in the amount of \$457,030, are 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 \$9,485,000 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. All or a portion of the bonds authorized to be issued pursuant to Sections 7(A) and (B) hereunder may evidence one or more loans from the New Jersey Department of Environmental Protection and/or the New Jersey Environmental Infrastructure Trust, under certain Applications for Financial Assistance submitted by the City to said entities (collectively, the "Applications").

**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 \$9,485,000, 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 \$1,990,000.

**Section 7.** The improvements hereby authorized and the purposes for which said obligations are to be issued; the estimated costs of each said purpose; the amount of down payment for each said purpose; the maximum amount obligations to be issued for each said purpose and the period of usefulness of each said purpose within the limitations of the Local Bond Law are as follows:

<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Grants</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A. Rehabilitation and/or Replacement of Water Mains along Washington Street, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto, all as more particularly described in the Applications on file and available for inspection in the office of the City Administrator	\$6,200,000	\$0	\$0	\$6,200,000	40 years

<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Grants</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
B. Completion of Various Drainage and Green Infrastructure Improvements along Washington Street, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto, all as more particularly described in the Applications on file and available for	\$3,000,000	\$0	\$0	\$3,000,000	40 years

inspection in the office of the City Administrator

C. Completion of Phase I of Roadway and Traffic Signalization Improvements and Enhancements along Washington Street, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto, all as more particularly described in the plans and specifications on file and available for inspection in the office of the City Administrator	757,030	15,000	457,030	285,000	15 years
<b>TOTAL</b>	<b>\$9,957,030</b>	<b>\$15,000</b>	<b>\$457,030</b>	<b>\$9,485,000</b>	

**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 authorized for said several purposes, is not less than 39.24 years.

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

**Section 10.** The supplemental debt statement provided for in Section 10 of the Local Bond Law, *N.J.S.A. 40A:2-10*, was duly filed in the office of the Clerk prior to the passage of this Bond Ordinance on first reading and a complete executed duplicate original thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. The supplemental debt statement shows that the gross debt of the City, as defined in Section 43 of the Local Bond Law, *N.J.S.A. 40A:2-43*, is increased by this Bond Ordinance by \$9,485,000 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 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 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 proceed 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 is exempt from the gross income of the owners thereof for federal income taxation purposed, 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 terms is used in Section 148(f) of the Code) of the bonds or bond anticipation notes;

(d) it shall timely file with 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.

President Bhalla moved that the ordinance pass its first reading as read and be laid of the table for public inspection to be further considered for final passage at a meeting of the Council to be held on **July 8, 2015 at 7:00 PM.**

---Motion duly seconded by Councilman Doyle

---Adopted by the following vote: YEAS: 7 – NAYS: 0 - ABSENT: 2

---Yeas: Council persons Cunningham (via phone), Doyle, Giattino, Mello (via phone), Occhipinti, Russo and President Bhalla

---Nays: None.

---Absent: Castellano, Mason

**15-358**

**Z-361**

**BOND ORDINANCE AUTHORIZING THE COMPLETION OF VARIOUS CAPITAL IMPROVEMENTS AND THE ACQUISITION OF VARIOUS CAPITAL EQUIPMENT IN AND FOR THE CITY OF HOBOKEN, COUNTY OF HUDSON, NEW JERSEY; APPROPRIATING THE SUM OF \$2,150,000 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 \$2,042,500; 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 \$2,150,000;
- (b) the estimated amount of bonds or bond anticipation notes to be issued for the purposes stated in Section 7 hereof is \$2,042,500; and
- (c) a down payment in the amount of \$107,500 for the purposes stated in Section 7 hereof is currently available in the City's Capital Improvement Fund accordance with the requirements of Section 11 of the Local Bond Law, *N.J.S.A. 40A:2-11*.

**Section 3.** The sum of \$2,042,500, to be raised by the issuance of bonds or bond anticipation notes, together with the sum of \$107,500, 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 \$2,042,500 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 \$2,042,500 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 \$430,000.

**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:

	<b><u>Purpose/Improvement</u></b>	<b><u>Estimated Total Cost</u></b>	<b><u>Down Payment</u></b>	<b><u>Amount of Obligations</u></b>	<b><u>Period of Usefulness</u></b>
A.	Acquisition of Wheel Loader for Department of Environmental Services, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$200,000	\$10,000	\$190,000	10 years
B.	Acquisition of "Bobcat" Loader Vehicle for Department of Environmental Services, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	50,000	2,500	47,500	10 years
C.	Acquisition of Fire Ladder Truck for Fire Department, Acquisition of Medical Transport Vehicle for Department of Health and Human Services, together with the acquisition of all materials	840,000	42,000	798,000	10 years

<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Paymen t</u>	<u>Amount of Obligations</u>	<u>Period of Usefulne ss</u>
and equipment and completion of all work necessary therefor or related thereto				
D. Acquisition of Medical Transport Vehicle for Department of Human Services, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	35,000	1,750	33,250	5 years
E. Renovations and Improvements to Various City Parks, all as more particularly described in the documentation on file in the Office of the Director of the City Parks Department 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	80,000	4,000	76,000	15 years
F. Renovations and Improvements to Police Headquarters Building, all as more particularly described in the documentation on file in the Office of the City Engineer 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	265,000	13,250	251,750	15 years
G. Renovations and Improvements to Fire Department Building, all as more particularly described in the documentation on file in the Office of the City Engineer 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	\$265,000	\$13,250	\$251,750	15 years
H. Acquisition and Installation of Salt Storage Building for Department of Environmental Services, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	105,000	5,250	99,750	15 years
I. Renovations and Improvements to City Multi-Service Center, all as more particularly described in the documentation on file in the Office of the City Engineer 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	260,000	13,000	247,000	15 years
J. Acquisition of Communications Equipment for Police Department, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	50,000	2,500	47,500	7 years
<b>Total</b>	<b>\$2,150,000</b>	<b>\$107,500</b>	<b>\$2,042,500</b>	

**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 12.12 years.

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

**Section 10.** The supplemental debt statement provided for in Section 10 of the Local Bond Law, N.J.S.A. 40A:2-10, was duly filed in the office of the Clerk prior to the passage of this Bond Ordinance on first reading and a complete executed duplicate original thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. The supplemental debt statement shows that the gross debt of the City, as defined in Section 43 of the Local Bond Law, N.J.S.A. 40A:2-43, is increased by this Bond Ordinance by \$2,042,500 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.

President Bhalla moved that the ordinance pass its first reading as read and be laid of the table for public inspection to be further considered for final passage at a meeting of the Council to be held on **July 8, 2015 at 7:00 PM.**

---Motion duly seconded by Councilman Doyle

---Adopted by the following vote: YEAS: 7 – NAYS: 0 - ABSENT: 2

---Yeas: Council persons Cunningham (via phone), Doyle, Giattino, Mello (via phone), Occhipinti, Russo and President Bhalla

---Nays: None.

---Absent: Castellano, Mason

**15-359**  
**Z-362**

**AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 192 OF THE CODE OF THE CITY OF HOBOKEN ENTITLED (PARKING FOR PERSONS WITH DISABILITIES)**

**Approval Re: Private Parking Spaces for Persons With Disabilities**

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

**Section 1:** The following additions shall be made to Hoboken Code Sections 192-4 and 192-3

Section 192-4 is hereby amended to add the following restricted handicapped parking spaces:

Linda Roman 828 Willow Avenue: west side of Willow Avenue, beginning at a point of 95 feet south of the southerly curblineline of Ninth Street and extending 22 feet southerly therefrom.

William Nisbet 1218 Park Avenue: west side of Park Ave, beginning at a point of 193 feet north of the northerly curblineline of Twelfth Street and extending 22 feet northerly therefrom.

Margarita Obolesheva 1035 Bloomfield Street: east side of Bloomfield Street, beginning at a point of 305 feet north of the northerly curblineline of Tenth Street and extending 22 feet northerly therefrom.

Jesus Diaz 1305 Bloomfield Street: east side of Bloomfield Street, beginning at a point of 79 feet north of the northerly curblineline of Thirteenth Street and extending 22 feet northerly therefrom.

Dilipkuma Mehta 815 Park Avenue: east side of Park Avenue, beginning at a point of 198 feet north of the northerly curblineline of Eighth Street and extending 22 feet northerly therefrom.

Section 192-3 is here by amended to delete the following location as a handicapped parking space:

Kenneth Opalsky 92 Madison Street: east side of Madison Street, beginning at a point of 93 feet south of the southerly curblineline of First Street and extending 22 southerly therefrom.

Mary Pepe 1130 Willow Avenue: west side of Willow Avenue, beginning at a point of 35 feet south of the southerly curblineline of Twelfth Street and extending 22 feet southerly therefrom.

Irio Ofarrill 115 Bloomfield Street: east side of Bloomfield Street, beginning at a point of 125 feet from the northerly curblineline of First Street and extending 22 feet northerly therefrom.

**Section 2:** This ordinance shall be part of the General Code of the City of Hoboken as though codified and fully set forth therein.

**Section 3:** The City Clerk shall have this ordinance codified and incorporated in the official copies of the Hoboken code. All ordinance and parts of ordinances inconsistent herewith are hereby repealed.

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

President Bhalla moved that the ordinance pass its first reading as read and be laid on the table for public inspection to be further considered for final passage at a meeting of the Council to be held on **July 8, 2015 at 7:00 PM.**

---Motion duly seconded by Councilman Doyle

---Adopted by the following vote: YEAS: 7 – NAYS: 0 - ABSENT: 2

---Yeas: Council persons Cunningham (via phone), Doyle, Giattino, Mello (via phone), Occhipinti, Russo and President Bhalla

---Nays: None.

---Absent: Castellano, Mason

### NEW BUSINESS

Councilman Mello comments about street cleaning and looked into social media for street cleaning such as New York City who tweets when there is street cleaning and they also put out a calendar in the start of the year when the street cleaning are suspended ex. Parade; looking forward into discussing this with Director Morgan.

Councilman Cunningham comments that he has no comments.

Councilman Russo comments about two items, while he was dropping his daughter off on Willow and there were street signs (No Parking) for Energy Strong and would like to thank the Parking Utility were able to rectify the situation and the other item, there was an incident at his daughter's school, the Chief and Hoboken Police did an investigation on a situation at the school and thank all the residents for their concern.

Councilman Doyle comments and echos the proclamation for Joan Abel, she was a class act, very well educated, she was a great addition to the reform group and she will be sorely missed.

Councilman Occhipinti comments and would like to thank Lina, the Director of the Hoboken Public Library and thank them for their tour and also go over the Library budget, their AC unit which is another 600K that they need to invest in and asked Movies Under the Stars and have it Mama Johnson Field for one night in August, took the first step renovating the roller rink at the Multi Service Center and look into the summer program, the iron fence at the community garden at 3<sup>rd</sup> and Jackson and hopefully repave the roads at HHA and find out who's responsibility it is, hopefully get them paved, one question for the Chief of HPD are their cameras along the waterfront and if there are any updates and if the Clerk's office can look into putting the council agenda onto the 311 app and let the public know and have better transparency, a few announcements, the Mile Square Theatre, Sat. June 20, 2015, there will be a Hoboken Hoopla from 12-6 PM at Maxwell Park and they are trying to move to 14<sup>th</sup> and Clinton Sts. with this new theatre, they are looking for fundraising – Take a seat (reads the flier)

Chief Ferrante comments that there are some sensor issues.

BA Wiest comments that there are some funding in the budget for Police communications such as radio and there will be eventually a capital ordinance.

Councilwoman Giattino comments that prior to Hoopla, from 9-2PM is Hoboken Olympic Day and Happy Father's Day to all the fathers out there.

Council President comments that the Puerto Rican flag raising in front of City Hall on Saturday, from 11-1/2 PM. He congratulates and thanks Director Morgan for the stop signs at 9<sup>th</sup> St and the intersection at Willow and 15<sup>th</sup> St. and Willow, Also, thanked him for the warrant studies and reminds everyone, there's a historic day on June 23, 2015, it's the kick-off for Hoboken Rebuild by Design Process – Store, Delay and Discharge, from 6:30-8:30 PM,

about 30 member community and try to educate the community on this process, it's critical that we try to prevent severe flood events and catastrophic flood events, it's a historic event.

At 10:03 PM meeting adjourned of the Governing Body on a motion by Council duly seconded by the Council members.

Council President Bhalla then adjourned the meeting at 10:03 PM

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PRESIDENT OF THE COUNCIL

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CITY CLERK