

MEETING OF AUGUST 5, 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, AUGUST 5,
2015 AT 7:00 PM**

Council President opened the meeting at 7:0 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 Castellano, Doyle, Cunningham, Giattino, Mello, Occhipinti, Russo and President Bhalla

Absent: Mason

Council President comments that a presentation will be presented to the Governing Body from Ilana Preuss regarding a study of Urban Manufacturing

A PRESENTATION FROM ILANA PREUSS - STUDY OF URBAN MANUFACTURING IN HOBOKEN

SECOND READING/PUBLIC HEARING AND FINAL VOTE

AN ORDINANCE TO AMEND HOBOKEN CODE CHAPTER 86, ENTITLED "CONSTRUCTION CODES, UNIFORM" TO REVISE THE ELECTRICAL AND PLUMBING FEE SCHEDULES
(sponsored by Councilman Mello and Councilman Cunningham) (Z-363)

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 Mello

---Adopted by the following vote: YEAS: 8 – NAYS: 0 – ABSENT - 1

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

---Nays: None.

---Absent: Mason

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

---Motion duly seconded by Councilman Cunningham

---Adopted by the following vote: YEAS: 8 – NAYS: 0 - ABSENT: 1

---Yeas: Council persons Castellano, Cunningham, Doyle, Giattino, Mello, Occhipinti, Russo and President Bhalla

---Nays: None.

---Absent: Mason

BA Wiest gives an overview of the ordinance.

ORDINANCE OF THE CITY OF HOBOKEN ADOPTING THE “WESTERN EDGE REDEVELOPMENT PLAN,” DATED JULY 15, 2015 (sponsored by **Councilman Mello and Councilman Cunningham**) (Z-364)

The speakers who spoke: JohnCurley, Esq., Julie McDermott, Joseph Cavelo, Mark Villamar.

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 Mello

---Adopted by the following vote: YEAS: 8 – NAYS: 0 – ABSENT - 1

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

---Nays: None.

---Absent: Mason

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

---Motion duly seconded by Councilman Cunningham

---Adopted by the following vote: YEAS: 8 – NAYS: 0 - ABSENT: 1

---Yeas: Council persons Castellano, Cunningham, Doyle, Giattino, Mello, Occhipinti, Russo and President Bhalla

---Nays: None.

---Absent: Mason

ORDINANCE APPROVING THE TERMS OF THE ATTACHED LEASE AGREEMENT BETWEEN THE CITY OF HOBOKEN AND HOLA CHARTER SCHOOL FOR THE USE OF A UNIT IN THE CITY’S MULTISERVICE CENTER (sponsored by **Councilman Bhalla and Councilman Cunningham**) (Z-365) (removed by the Sponsors)

PUBLIC COMMENTS

The speakers who spoke: Lisa Rothman, Rasko Tomen, Brice Homon, Karen Schrift, Ken Boyer, Michael Coletti, Art Letco, Daniel O’Connell, Tony Soares, Lionel Leach (Local 1039 CWA)

Councilman Russo and Councilman Occhipinti left the table at 9:13 PM

Councilman Russo has returned to the table at 9:16 PM

Councilman Occhipinti has returned to the table at 9:17 PM

PETITIONS AND COMMUNICATIONS

15-402

Mayor Zimmer appointing Jerome Abernathy and Elizabeth Szabla to the Hoboken Library Board to fill the remainder of the unoccupied five (5) year term.

Received and Filed.

15-403

APPLICATION FOR MISCELLANEOUS LICENSES.

VENDOR----- 1 item
PARKING FACILITY----- 1 item
RAFFLE----- 1 item

---Councilman Cunningham moved that the licenses be granted.
---Adopted by the following vote: YEAS: 6 – NAYS: 0 - ABSENT: 3
---Yeas: Council persons Castellano, Cunningham, Doyle, Giattino, Mello, and President Bhalla
---Nays: None.
---Absent: Mason, Occhipinti, Russo

15-404

A report from Municipal Court indicating receipts for the month of July 2015 as **\$437,549.96.**

Received and filed.

15-405

CLAIMS

Total for this agenda **\$4,360,538.93**

---Motion duly seconded by Councilman
---Adopted by the following vote: YEAS: 5 – NAYS: 0 - ABSENT: 3 - ABSTAIN: 1
---Yeas: Council persons Castellano, Cunningham, Giattino, Mello and President Bhalla
---Nays: None.
---Absent: Mason, Occhipinti, Russo
---Abstain: Doyle

15-406

PAYROLL

For the two week period starting July 2, 2015 – July 15, 2015

Regular Payroll	O/T Pay	Other Pay
\$1,595,963.63	\$51,201.33	\$93,398.64

Total \$1,740,563.60

---Motion duly seconded by Councilman
---Adopted by the following vote: YEAS: 5 – NAYS: 0 - ABSENT: 3 – ABSTAIN: 1
---Yeas: Council persons Castellano, Cunningham, Giattino, Mello and President Bhalla
---Nays: None.
---Absent: Mason, Occhipinti, Russo
---Abstain: Doyle

PUBLIC COMMENTS ON RESOLUTIONS

The speaker who spoke: Rod Weber.

Council President comments wanted to move item #23 after resolution #7 and before resolution #8

CONSENT AGENDA -3-7, 10-13, 16-20, 22, 25, 30-37

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: 8, 9, 14, 15, 21, 23, 24, 26- 29

Removed by Administration:

RESOLUTIONS

15-407

---By Councilman Mello

RESOLUTION WAIVING ROAD OPENING PERMIT FEES TO NORTH HUDSON SEWERAGE AUTHORITY FOR THE H5 PUMP CONSTRUCTION

WHEREAS, the NHSA H5 pump installation construction is commencing, and the City has agreed to undertake the costs and financing of the project.

WHEREAS, the cost for the road opening permits are \$ 19,700.00 and the City seeks to waive these fees.

WHEREAS, the City of Hoboken traditionally does not waive road opening fees but seeks to do so under the current circumstances, since the City is also the funding and financing body for this construction project.

NOW THEREFORE BE IT RESOLVED, the City Council authorizes waiver of the road opening permit fees for NHSA's H5 pump installation construction under the circumstances provided for herein.

---Motion duly seconded by Councilwoman Giattino

---Adopted by the following vote: YEAS: 8 – NAYS: 0 - ABSENT: 1

---Yeas: Council persons Castellano, Cunningham, Doyle, Giattino, Mello, Occhipinti, Russo and President Bhalla

---Nays: None.

---Absent: Mason

15-408

---By Councilman Mello

RESOLUTION RECEIVING CORRECTIVE ACTION PLAN FOR THE CY 2014 AUDIT

WHEREAS, the City of Hoboken has received its Audit for CY 2014 from the independent auditor Ferraioli, Wielkotz, Cerullo, & Cuva, and

WHEREAS, the State of New Jersey, Division of Local Government Services requires the Chief Financial Official and other City Officials to prepare a Corrective Action Plan for all recommendations reflected in the Annual Audit, and

WHEREAS, the State of New Jersey, Division of Local Government Services requires such Corrective Action Plan to be accepted by the Council of the City of Hoboken and filed with the Director of Local Government Services, and

WHEREAS, the Corrective Action Plan is attached hereto, and incorporated herein by reference;

NOW, THEREFORE BE IT RESOLVED by 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 accept the Corrective Action Plan for the City of Hoboken CY 2014.

BE IT FURTHER RESOLVED, that the City Clerk forward two certified copies of this resolution with the Corrective Action Plan to the Director of Local Government Services for approval.

---Motion duly seconded by Councilwoman Giattino

---Adopted by the following vote: YEAS: 8 – NAYS: 0 - ABSENT: 1

---Yeas: Council persons Castellano, Cunningham, Doyle, Giattino, Mello, Occhipinti, Russo and President Bhalla

---Nays: None.

---Absent: Mason

15-409

---By Councilman Mello

GOVERNING BODY CERTIFICATION OF THE CALENDAR YEAR 2014 AUDIT

WHEREAS, N.J.S.A. 40A: 5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the calendar year 2014 has been filed by a Registered Municipal Accountant with the Hoboken City Clerk pursuant to N.J.S.A. 40A: 5-6, and a copy has been received by each member of the governing body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations"; and

WHEREAS, the members of the governing body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, That the Hoboken City Council of the City of Hoboken hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

---Motion duly seconded by Councilwoman Giattino

---Adopted by the following vote: YEAS: 8 – NAYS: 0 - ABSENT: 1

---Yeas: Council persons Castellano, Cunningham, Doyle, Giattino, Mello, Occhipinti, Russo and President Bhalla

---Nays: None.

---Absent: Mason

15-410

---By Councilman Mello

A RESOLUTION TO CANCEL RESERVE FOR TAX SALE PREMIUMS

WHEREAS, there is a reserve for tax sale premiums that has been on the books of the City for a more than five years; and

WHEREAS, N.J.S.A. 54:5-33 provides that tax sale premiums revert to a municipality after five years and these premiums all were received prior to 2010; and

WHEREAS, the Mayor and City Council wish to cancel said balance;

BE IT RESOLVED, by the Governing Body of the City of Hoboken, County of Hudson, New Jersey that the following balance is hereby cancelled:

Trust Funds - Reserve for Tax Sale Premiums: \$459,583.06

BE IT FURTHER RESOLVED, that the amount of \$459,583.06 be transferred from the Trust Funds to the Current Fund and credited to Miscellaneous Revenue Not Anticipated.

---Motion duly seconded by Councilwoman Giattino

---Adopted by the following vote: YEAS: 8 – NAYS: 0 - ABSENT: 1

---Yeas: Council persons Castellano, Cunningham, Doyle, Giattino, Mello, Occhipinti, Russo and President Bhalla

---Nays: None.

---Absent: Mason

15-411

---By Councilman Mello

RESOLUTION AWARDING A CONTRACT TO PAT SCANLAN LANDSCAPING, INC. FOR THE PROVISIONS OF WASHINGTON STREET TREE PLANTING AND BEAUTIFICATION PROJECT IN ACCORDANCE WITH THE CITY'S BID NO. 15-20 IN THE TOTAL NOT TO EXCEED AMOUNT OF \$69,290.00

WHEREAS, bids were received for Washington Street Tree Planting and Beautification project, as specified in Bid Number 15 - 20; and,

WHEREAS, Two (2) bids were received, being:

<u>VENDOR</u>	<u>TOTAL BID</u>
1. Pat Scanlan Landscaping, Inc. New City, NY 10956	\$69,290.00
2. Lou's Landscaping and Design, Inc Wayne, NJ 07470	\$95,020.00

WHEREAS, pursuant to the recommendation of the Purchasing Department, which is attached hereto, the City wishes to contract for the services specified in Bid No. 15-20, and Pat Scanlan Landscaping, Inc. submitted the lowest, responsible and responsive bid in the amount of \$69,290.00; and,

WHEREAS, certification of funds is available as follows:

I, George DeStefano, Chief Financial Officer of the City of Hoboken, hereby certify that \$69,290.00 is available in the following appropriations: _____ and I further certify that this commitment together with all previously made commitments does not exceed the appropriation balance for this purpose.

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 Pat Scanlan Landscaping, Inc., for Bid No. 15-20, in the total amount of Sixty Nine Thousand Two Hundred Ninety Dollars (\$69,290.00) for Washington Street Tree Planting and Beautification Project; and said contract shall be to Pat Scanlan Landscaping, Inc., in accordance with the specifications as set forth in Bid No. 15-20.
- 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. Pursuant to the provisions of N.J.S.A. 40A:11-11(5), 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 Councilwoman Giattino

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

---Yeas: Council persons Cunningham, Doyle, Giattino, Mello, Occhipinti, Russo and President Bhalla

---Nays: None

---Absent: Mason

---Abstain: Castellano

15-412

---By Councilman Mello

RESOLUTION AWARDING A CONTRACT TO T&M ASSOCIATES FOR THE WASHINGTON STREET RESURFACING PROJECT IN ACCORDANCE TO T&M ASSOCIATES PROPOSAL "HOBKOH15011" IN THE AMOUNT NOT TO EXCEED \$817,658.00

WHEREAS, the City of Hoboken requires professional services for the engineering consultants for the resurfacing of Washington Street; and,

WHEREAS, T&M Associates submitted a general engineering proposal and was chosen January 20, 2015, as a pool engineer in accordance with N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27-1 et seq.; and,

WHEREAS, the Administration, intends to use T&M Associates for the above mentioned consulting services, using their proposal HOBKOH15011, for said engineering services; and,

WHEREAS, in accordance with the direction of the Administration, the City Council is asked to award a contract to purchase professional services for the engineering consulting and design for resurfacing of Washington Street for a total contract amount, not to exceed, Eight Hundred Seventeen Thousand Six Hundred Fifty Eight dollars and Zero Cents (\$817,658.00), for goods and services as described in the attached proposal from T&M Associates, dated March 18, 2015 and,

WHEREAS, certification of funds is available as follows:

I, George DeStefano, Chief Financial Officer of the City of Hoboken, hereby certify that funds are available

in the following appropriations:

\$326,342 from C-04-60-715-120

\$292,957 from C-04-60-715-122

\$15,000 from C-04-60-715-105

\$183,392 from C-04-60-715-124

and, this certification is subject to the termination of the estoppel period on the July 8, 2015 bond, scheduled for the close of business on August 6, 2015, passing with the institution of any petitions and/or complaints relating to passage of the bond ordinance, and this certification is withdrawn immediately if any petitions and/or complaints are filed regarding same on or before close of business on August 6, 2015; and, I further certify that this commitment together with all previously made commitments does not exceed the appropriation balance for this purpose.

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 Eight Hundred Seventeen Thousand Six Hundred Fifty Eight Hundred dollars and Zero Cents (\$817,658.00), for goods and services as described in the substantive portion of the attached proposal from T&M Associates dated March 18, 2015; and,

1. The above recitals are incorporated herein as though fully set forth at length.
2. The terms of the attached proposal and Purchasing Agent recommendation shall govern the contract, and no changes may be made without the prior written consent of both parties.
3. The City, by way of this resolution, accepts the substantive goods and service terms of the attached proposal, but rejects the administrative portion of the proposal to the extent said terms differ from the City's original engineering RFP.
4. Any change to the order, 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. This agreement shall be subject to a standard non-appropriation clause in favor of the City of Hoboken.
6. 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.
7. 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:

T&M Associates
11 Tindall Road
Middletown, NJ 07748

---Motion duly seconded by Councilwoman Giattino

---Adopted by the following vote: YEAS: 8 – NAYS: 0 - ABSENT: 1

---Yeas: Council persons Castellano, Cunningham, Doyle, Giattino, Mello, Occhipinti, Russo and President Bhalla

---Nays: None.

---Absent: Mason

15-413

---By Councilman Mello

RESOLUTION AWARDED A CHANGE ORDER TO THE CONTRACT TO MILLENNIUM COMMUNICATIONS GROUP INC. TO PURCHASE AND INSTALL SURVEILLANCE EQUIPMENT IN ACCORDANCE WITH STATE CONTRACT M-7000/A83083, IN AN INCREASED AMOUNT NOT TO EXCEED \$15,399.89

WHEREAS, the City of Hoboken requires additional unforeseen goods and services under the contract for security surveillance products and installation; and,

WHEREAS, the Administration intends to continue to use Millennium Communications Group Inc., under their state contract M7000/A83083 for said services and provisions; and,

WHEREAS, in accordance with the direction of the Administration, the City Council is asked to award a change order (#2) to the contract for Hoboken security surveillance (rv1jm5712/rv15712) supplies and installation to Millennium Communications Group Inc. for a total increase in the contract amount by Fifteen Thousand Three Hundred and Ninety-Nine Dollars and Eighty-Nine Cents (**\$15,399.89**). of which the change order (#2) to the contract shall be for purchases and installation of Genetec Security Center Software and Pier C surveillance in accordance with the November 13, 2014 proposal of Millennium Communications Group Inc. (not attached due to security sensitive confidential information); and,

WHEREAS, certification of funds is available as follows:

I, George DeStefano, Chief Financial Officer of the City of Hoboken, hereby certify that \$15,399.89 is available in the following appropriation T-24-20-700-022 in the CY2015 budget (trust account); 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 or the capital/trust funds; 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 a change order (#2) to the contract with the below listed vendor is awarded for an increased amount not to exceed Fifteen Thousand Three Hundred and Ninety-Nine Dollars and Eighty-Nine Cents (**\$15,399.89**) of which the contract shall be for additional purchases and installation in accordance with the November 13, 2014 proposals of Millennium Communication Group Inc., as follows:

1. The above recitals are incorporated herein as though fully set forth at length.
2. The terms of the referenced proposals 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.
5. 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:

Millennium Communications Group Inc.
11 Melanie Lane
East Hanover, New Jersey 07936

---Motion duly seconded by Councilwoman Giattino

---Adopted by the following vote: YEAS: 8 – NAYS: 0 - ABSENT: 1

---Yeas: Council persons Castellano, Cunningham, Doyle, Giattino, Mello, Occhipinti, Russo and President Bhalla

---Nays: None.

---Absent: Mason

15-414

---By Councilman Mello

RESOLUTION AUTHORIZING THE SALE OF SURPLUS PROPERTY NO LONGER NEEDED FOR PUBLIC USE ON www.GOVDEALS.com, (AN ONLINE AUCTION WEBSITE)

Whereas, the City of Hoboken has determined that surplus items including but not limited to: City owned vehicles and other miscellaneous equipment; and

Whereas, the State of New Jersey permits the sale of surplus property no longer needed for public use through the use of an online auction service, pursuant to the Local Unit Electronic Technology Pilot Program and Study Act, P.L. 2001, c.30; and

Whereas, the City of Hoboken has the property listed in Schedule A, attached to this Resolution and desires to sell this property online through www.govdeals.com.

NOW, THEREFORE, BE IT RESOLVED, that the City Council hereby authorizes the Administration to post an offer to sell each of the items listed on schedule A, via the auction website as follows:

Online Auction Site: www.govdeals.com
Start Date: (see Schedule A)
End Date: (see Schedule A)

Auction Fees: 7.5% of the winning bid amount, paid through proceeds of the sale.

Shipping: All shipping arrangements and shipping costs are the responsibility of the buyer. Item pickup on location: Municipal Garage, Hoboken, New Jersey 07030.

Possession: Within ten (10) business days (excluding holidays) of winning bid and at pickup location.

Other Terms: All items are being sold "as is, where is; no warranties expressed or implied."
Payment by the bidder must be submitted to the City of Hoboken within five (5) business days (excluding holidays) of winning the bid. Pickup of items auctioned must be made within ten (10) business days (excluding holidays) of winning bid unless other arrangements have been made prior.

Minimum Bid: The minimum bid/reserve is listed in Schedule A for each of the items to be auctioned.

---Motion duly seconded by Councilwoman Giattino

---Adopted by the following vote: YEAS: 8 – NAYS: 0 - ABSENT: 1

---Yeas: Council persons Castellano, Cunningham, Doyle, Giattino, Mello, Occhipinti, Russo and President Bhalla

---Nays: None.

---Absent: Mason

15-415

---By Councilman Mello

RESOLUTION AWARDED A CONTRACT TO MOTOROLA SOLUTIONS, INC. TO PURCHASE PORTABLE RADIOS AND ACCESSORIES FOR THE HOBOKEN POLICE DEPARTMENT IN ACCORDANCE WITH NJ STATE CONTRACT T0109/83909 IN THE TOTAL AMOUNT NOT TO EXCEED \$97,179.00

WHEREAS, the City of Hoboken requires portable radios and accessories for the Hoboken Police Department; and,

WHEREAS, the Administration intends to use Motorola Solutions, Inc., using their NJ state contract #T0109/83909, for said goods and provisions; and,

WHEREAS, in accordance with the direction of the Administration, the City Council is asked to award a contract to purchase portable radios and accessories for the Police Department to Motorola Solutions, Inc., for a not

to exceed total contract amount of Ninety Seven Thousand One Hundred Seventy Nine Dollars (\$97,179.00) for goods and services as described in the attached proposal from Motorola Solutions, Inc., dated May 15, 2015 and July 13, 2015; and,

WHEREAS, certification of funds is available as follows:

I, George DeStefano, Chief Financial Officer of the City of Hoboken, hereby certify that \$97,179.00 is available in the following appropriations:

\$15,614.00 - G-02-41-100-J13 (2013 JAG Grant)
\$16,924.00 - G-02-20-105-016 (2014 JAG Grant)
\$17,669.20 – 5-01-25-241-021 (Police O/E)
\$46,971.80 – C-04-60-175-219 (\$50K Bond ordinance approved July 8, 2015)

; and, this certification is subject to the termination of the estoppel period on the July 8, 2015 bond, scheduled for the close of business on August 6, 2015, passing with the institution of any petitions and/or complaints relating to passage of the bond ordinance, and this certification is withdrawn immediately if any petitions and/or complaints are filed regarding same on or before close of business on August 6, 2015; and, I further certify that this commitment together with all previously made commitments does not exceed the appropriation balance for this purpose.

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 for a not to exceed Ninety Seven Thousand One Hundred Seventy Nine Dollars (\$97,179.00), for goods and services as described in the attached proposal from Motorola Solutions, Inc., dated May 15, 2015 and July 13, 2015; and,

1. The above recitals are incorporated herein as though fully set forth at length.
2. The terms of the attached proposal and Purchasing Agent recommendation 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 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. This agreement shall be subject to a standard non-appropriation clause in favor of the City of Hoboken.
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:

Motorola Solutions, Inc.
5 Paragon Drive
Montvale, NJ 07645

---Motion duly seconded by Councilwoman Giattino

---Adopted by the following vote: YEAS: 8 – NAYS: 0 - ABSENT: 1

---Yeas: Council persons Castellano, Cunningham, Doyle, Giattino, Mello, Occhipinti, Russo and President Bhalla

---Nays: None.

---Absent: Mason

15-416

---By Councilman Mello

RESOLUTION TO APPROVE THE ATTACHED AGREEMENT WITH THE COUNTY OF HUDSON REGARDING THE 2015 BYRNE JUSTICE ASSISTANCE GRANT (JAG) PROGRAM AWARD

WHEREAS, the City and the County of Hudson have negotiated an Agreement relating to the financial utilization of the 2015 JAG Award funds for the City in the amount of \$15926.00, which is *attached hereto*; and,

WHEREAS, there is a City match associated with this Grant, in the amount of One Thousand Four Hundred Ninety Eight Dollars (\$1,498.00);

WHEREAS, certification of funds is available as follows:

I, George DeStefano, Chief Financial Officer of the City of Hoboken, hereby certify that \$1,498.00 is available in the following appropriation account: 5-01-46-892-001 in the CY2015 budget; and I further certify that this commitment together with all previously made commitments does not exceed the appropriation balance available for this purpose for the CY2015 budget.

Signed: _____, George DeStefano, CFO

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

- A. This resolution approves the attached Agreement between the County of Hudson and the City relating to the City's utilization of the 2015 JAG funding, in the amount of \$15926.00, as ***attached hereto***;
- B. This resolution authorizes the City to match the 2015 JAG funding in the amount of \$1,498.00;
- C. Any utilization of funding by the City shall be further restricted by the Application and Award documents, ***attached hereto as a supplement to the Agreement***;
- D. The Mayor or her agent is hereby authorized to enter into the attached Agreement, or a modified Agreement with substantially similar terms which does not have any substantive changes;
- E. This resolution shall take effect immediately upon passage.

---Motion duly seconded by Councilwoman Giattino

---Adopted by the following vote: YEAS: 8 – NAYS: 0 - ABSENT: 1

---Yeas: Council persons Castellano, Cunningham, Doyle, Giattino, Mello, Occhipinti, Russo and President Bhalla

---Nays: None.

---Absent: Mason

15-417

---By Councilman Mello

RESOLUTION AWARDING A CONTRACT TO LAWMEN SUPPLY CO. TO PURCHASE BODY ARMOR FOR THE HOBOKEN POLICE DEPARTMENT IN ACCORDANCE WITH NJ STATE CONTRACT T0109/83909 IN THE TOTAL AMOUNT NOT TO EXCEED \$31,422.80

WHEREAS, the City of Hoboken requires body armor for the Police Department; and,

WHEREAS, the Administration intends to use Lawmen Supply Co., using their NJ state contract #T0106/81351, for said goods and provisions; and,

WHEREAS, in accordance with the direction of the Administration, the City Council is asked to award a contract to purchase body armor for the Police Department to Lawmen Supply Co. for a total contract amount, not to exceed, Thirty One Thousand Four Hundred Twenty Two and Eighty Cents (\$31,422.80), for goods and services as described in the attached proposal from Lawmen Supply, Inc. dated July 28, 2015 and,

WHEREAS, certification of funds is available as follows:

I, George DeStefano, Chief Financial Officer of the City of Hoboken, hereby certify that funds are available in the following appropriations:

\$15,341.44: G - 02-41-200-BA3

\$15,389.59: G - 02-25-114-022

\$691.77: 5-01-25-241-044

; and, I further certify that this commitment together with all previously made commitments does not exceed the appropriation balance for this purpose.

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 Thirty One Thousand Four Hundred Twenty Two Dollars and Eighty Cents (\$31,422.80), for goods and services as described in the attached proposal from Lawmen Supply, Inc., dated July 28, 2015; and,

1. The above recitals are incorporated herein as though fully set forth at length.
2. The terms of the underlying NJ State Contract, and Purchasing Agent recommendation shall govern the contract, and no changes may be made without the prior written consent of both parties.
3. Any change to the order, 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.
4. This agreement shall be subject to a standard non-appropriation clause in favor of the City of Hoboken.
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:

Lawmen Supply Co.
7115 Airport Highway
Pennsauken, NJ 08109

---Motion duly seconded by Councilwoman Giattino

---Adopted by the following vote: YEAS: 8 – NAYS: 0 - ABSENT: 1

---Yeas: Council persons Castellano, Cunningham, Doyle, Giattino, Mello, Occhipinti, Russo and President Bhalla

---Nays: None.

---Absent: Mason

15-418

---By Councilman Mello

RESOLUTION TO AUTHORIZE AN AMENDMENT OF THE PROFESSIONAL SERVICE CONTRACT WITH MARAZITI FALCON AS SPECIAL LEGAL COUNSEL- OUTSTANDING LITIGATION (FROM CY2014) TO THE CITY OF HOBOKEN TO EXPIRE DECEMBER 31, 2015 WITH AN INCREASE IN THE NOT TO EXCEED AMOUNT BY \$100,000.00 FOR A TOTAL NOT TO EXCEED AMOUNT OF \$225,000.00

WHEREAS, service to the City as Special Counsel–Outstanding Litigation is a professional service as defined by N.J.S.A. 40A:11-1 et seq. and as such, is exempt from public bidding requirements pursuant to N.J.S.A. 40A:11-5; and,

WHEREAS, the City of Hoboken, in accordance with the Fair and Open Process, previously contracted for litigation counsel with Maraziti Falcon, and thereafter amended the contract to extend it through CY2015; and,

WHEREAS, *Maraziti Falcon* is hereby required to continue to abide by the “pay-to-play” requirements of the Hoboken Public Contracting Reform Ordinance, codified as §20A-11 et seq. of the Administrative Code of the City of Hoboken as well as the Affirmative Action laws and policies under which the City operates; and,

WHEREAS, certification of funds is available as follows:

I, George DeStefano, Chief Financial Officer of the City of Hoboken, hereby certify that \$100,000.00 is available in the following appropriation 5-01-20-156-020 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 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, that the contract with Maraziti Falcon to represent the City as Special Legal Counsel-Outstanding Litigation CY2014, for a term to expire December 31, 2015, shall be amended to increase the not to exceed amount of \$100,000.00, for a total not to exceed amount of \$225,000.00 (there is \$1,185.90 remaining appropriated from the original NTE amount of \$125,000.00 as of 7/28/2015); and,

BE IT FURTHER RESOLVED, the contract shall include the following term: Maraziti Falcon shall be paid maximum hourly rates of \$190.00/hour for attorneys, \$50.00/hour for paralegals, and \$20/hour for support staff for services rendered, these are the only charges for services allowable under this agreement, and charges for filing fees and costs shall be allowable, but must be clearly identified and described in full in the appropriate monthly invoice; and

BE IT FURTHER RESOLVED, this contract shall cover outstanding litigation only, and this contract shall not be for a sum certain but rather, a retainer, the level of representation in the matters shall be determined as the need arises at the sole discretion of the City; and, this contract is not a guarantee of availability of services or assignment; and,

BE IT FURTHER RESOLVED, the contract shall expressly state that said firm shall be obligated to provide prompt written notice to the City when its invoicing reaches 80% of the not to exceed amount, if the firm believes additional funds will be necessary, and the City shall have no liability for payment of funds in excess of the not to exceed amount; and

BE IT FURTHER RESOLVED that the City Council of the City of Hoboken specifically finds that compliance with Hoboken Ordinance #DR-154 (codified as §20A-4 of the Code of the City of Hoboken), and any and all state Pay to Play laws, is a continuing obligation of Maraziti Falcon; and

BE IT FURTHER RESOLVED the City Clerk shall publish this resolution as required by law and keep a copy of the resulting contract on file in accordance with N.J.S.A. 40A:11-1 et seq.; and,

BE IT FURTHER RESOLVED that a certified copy of this resolution shall be provided to Mayor Dawn Zimmer and Corporation Counsel for action in accordance therewith and to take any other actions necessary to complete and realize the intent and purpose of this resolution; and,

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

---Motion duly seconded by Councilwoman Giattino

---Adopted by the following vote: YEAS: 8 – NAYS: 0 - ABSENT: 1

---Yeas: Council persons Castellano, Cunningham, Doyle, Giattino, Mello, Occhipinti, Russo and President Bhalla

---Nays: None

---Absent: Mason

15-419

---By Councilman Mello

RESOLUTION TO AUTHORIZE AN AMENDMENT TO THE PROFESSIONAL SERVICE CONTRACT WITH MARAZITI FALCON AS SPECIAL LEGAL COUNSEL- REDEVELOPMENT LITIGATION TO THE CITY OF HOBOKEN FOR CY2015 TO COMMENCE JANUARY 1, 2015 AND TO EXPIRE DECEMBER 31, 2015 FOR AN INCREASE IN THE NOT TO EXCEED AMOUNT BY \$100,000.00, FOR A TOTAL NOT TO EXCEED AMOUNT OF \$150,000.00

WHEREAS, service to the City as Special Counsel –Redevelopment Litigation is a professional service as defined by N.J.S.A. 40A:11-1 et seq. and as such, is exempt from public bidding requirements pursuant to N.J.S.A. 40A:11-5; and,

WHEREAS, the City of Hoboken published its annual Request for Proposals for the Professional Services of Special Legal Counsel in accordance with the Fair and Open Process and Hoboken Ordinance #DR-154, which

Maraziti Falcon responded to, and the City's evaluation committee has determined that this firm's proposal was one of the top proposals provided, cost and other factors considered; and,

WHEREAS, Maraziti Falcon is hereby required to continue to abide by the "pay-to-play" requirements of the Hoboken Public Contracting Reform Ordinance, codified as §20A-11 et seq. of the Administrative Code of the City of Hoboken as well as the Affirmative Action laws and policies under which the City operates; and,

WHEREAS, certification of funds is available as follows:

I, George DeStefano, Chief Financial Officer of the City of Hoboken, hereby certify that \$100,000.00 is available in the following appropriation 5-01-20-156-020 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, that a contract with **Maraziti Falcon** to represent the City as Special Legal Counsel- Redevelopment Litigation for CY 2015 be amended, for a term to commence January 1, 2015 and expire December 31, 2015, for an increase in the not to exceed amount by \$100,000.00, for a total not to exceed amount of One Hundred Fifty Thousand Dollars (\$150,000.00) (there is \$2,768.74 remaining appropriated from the original NTE amount of \$50,000.00 as of 7/27/2015); and

BE IT FURTHER RESOLVED, the contract shall include the following term: **Maraziti Falcon** shall be paid maximum hourly rates of \$190.00/hour for attorneys when charged to the City, \$225.00/hour for attorneys when such fees are paid solely by private parties through reimbursement agreements, \$50.00/hour for paralegals, and \$20/hour for support staff for services rendered, these are the only charges for services allowable under this agreement, and charges for filing fees and costs shall be allowable, but must be clearly identified and described in full in the appropriate monthly invoice; and

BE IT FURTHER RESOLVED, this contract shall cover both outstanding and new litigation of redevelopment matters, and new matters will be assigned to the firm as they become available and the City Administration determines the firm's services are appropriate for any particular matter; this contract shall not be for a sum certain but rather, a retainer, the matters on which to be retained shall be determined as the need arises at the sole discretion of the City; and, this contract is not a guarantee of availability of services or assignment; and,

BE IT FURTHER RESOLVED, the contract shall expressly state that said firm shall be obligated to provide prompt written notice to the City when its invoicing reaches 80% of the not to exceed amount, if the firm believes additional funds will be necessary, and the City shall have no liability for payment of funds in excess of the not to exceed amount; and

BE IT FURTHER RESOLVED that the City Council of the City of Hoboken specifically finds that compliance with Hoboken Ordinance #DR-154 (codified as §20A-4 of the Code of the City of Hoboken), and any and all state Pay to Play laws, is a continuing obligation of **Maraziti Falcon**; and

BE IT FURTHER RESOLVED the City Clerk shall publish this resolution as required by law and keep a copy of the resulting contract on file in accordance with N.J.S.A. 40A:11-1 et seq.; and,

BE IT FURTHER RESOLVED that a certified copy of this resolution shall be provided to Mayor Dawn Zimmer and Corporation Counsel for action in accordance therewith and to take any other actions necessary to complete and realize the intent and purpose of this resolution; and,

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

---Motion duly seconded by Councilwoman Giattino

---Adopted by the following vote: YEAS: 8 – NAYS: 0 - ABSENT: 1

---Yeas: Council persons Castellano, Cunningham, Doyle, Giattino, Mello, Occhipinti, Russo and President Bhalla

---Nays: None.

---Absent: Mason

15-420

---By Councilman Mello

RESOLUTION AWARDING A CHANGE ORDER AND CLOSE OUT TO THE CONTRACT OF SCAFAR CONSTRUCTION INC. FOR THE SINATRA PARK CONSTRUCTION PROJECT AS CHANGE ORDER NUMBER 1 (FINAL) IN A DECREASE AMOUNT OF \$510,323.13 (5.3% REDUCTION) FOR A NEW (FINAL) NOT TO EXCEED TOTAL AMOUNT OF \$9,128,463.12

WHEREAS, the City of Hoboken requires a close out under the contract for the termination of the Sinatra Park construction project; and,

WHEREAS, the Administration used Scafar Construction Inc. for said services and provisions; and,

WHEREAS, in accordance with the direction of the Administration, the City Council is asked to award change order (#1 FINAL) to the contract for Sinatra Park Construction Project for Scafar Construction Inc. for a decrease in the contract amount by \$510,323.13, for a new and final total not to exceed amount of \$9,128,463.12 for work in accordance with the Boswell Engineering Change Order/Final Request, dated July 14, 2015; and,

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Hoboken that a change order (#1/FINAL) to the contract for the Sinatra Park Construction Project to Scafar Construction Inc. for a decrease in the contract amount by \$510,323.13, for a new and final total not to exceed amount of \$9,128,463.12 for work in accordance with the Boswell Engineering Change Order/Final Request, dated July 14, 2015, be, and hereby is, approved; and,

1. The above recitals are incorporated herein as though fully set forth at length.
2. The terms of the referenced Boswell correspondence shall govern the contract, and no changes may be made without the prior written consent of both parties.
3. Any further 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.
5. The Mayor, or her designee is hereby authorized to execute an agreement, for the above referenced goods and/or services based upon the information herein.

---Motion duly seconded by Councilwoman Giattino

---Adopted by the following vote: YEAS: 8 – NAYS: 0 - ABSENT: 1

---Yeas: Council persons Castellano, Cunningham, Doyle, Giattino, Mello, Occhipinti, Russo and President Bhalla

---Nays: None.

---Absent: Mason

15-421

---By Councilman Mello

RESOLUTION AWARDING A CONTRACT TO RFS COMMERCIAL, INC. TO REPLACE THE CARPET AT THE HOBOKEN POLICE AND FIRE DEPARTMENT IN ACCORDANCE WITH NJ STATE CONTRACT G2005/A81751 IN THE TOTAL AMOUNT NOT TO EXCEED \$48,280.05

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 Mannington Mills Inc. has been awarded New Jersey State Contract No. G2005/A81751; and,

WHEREAS, the City requires replacement to the carpets for the Police and Fire Department (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 NJ State Contract No. G2005/A81751; and,

WHEREAS, RFS Commercial, Inc. is an authorized dealer of Mannington Mills Inc. 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 \$48,280.05 is available in the following appropriations: \$26,035.05 from C-04-04-715-215 and \$22,245.00 from C-04-06-715-216 in the Bond ordinance approved July 8, 2015; and, this certification is subject to the termination of the estoppel period on the July 8, 2015 bond, scheduled for the close of business on August 6, 2015, passing with the institution of any petitions and/or complaints relating to passage of the bond ordinance, and this certification is withdrawn immediately if any petitions and/or complaints are filed regarding same on or before close of business on August 6, 2015; and, I further certify that this commitment together with all previously made commitments does not exceed the appropriation balance for this purpose..

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 NJ State contract, for a total not to exceed amount of Forty Eight Thousand Two Hundred Eighty Dollars and Five Cents(\$48,280.05), 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 an agreement, voucher and/or purchase order for the above mentioned goods and/or services based upon the attached proposal, and the following information:

RFS Commercial, Inc.
280 N Midland Avenue
Saddle Brook, NJ 07663

---Motion duly seconded by Councilwoman Giattino

---Adopted by the following vote: YEAS: 8 – NAYS: 0 - ABSENT: 1

---Yeas: Council persons Castellano, Cunningham, Doyle, Giattino, Mello, Occhipinti, Russo and President Bhalla

---Nays: None.

---Absent: Mason

15-422

---By Councilman Mello

RESOLUTION REJECTING A BID FOR THE PROVISIONS OF HOBOKEN POLICE DEPARTMENT EXTERIOR RENOVATION PROJECT, OTHERWISE KNOWN AS BID NO. 15-19, IN ACCORDANCE WITH N.J.S.A. 40A:11-13.2(a) AND (b)

WHEREAS, proposals were received for the provisions of Bid Number 15-19; and,

WHEREAS, the Administration has decided the proposal amounts are substantially above the amounts currently estimated, budgeted, and available for this project; and,

WHEREAS, as a result, the Purchasing Agent recommends that the City Council of the City of Hoboken reject all bid submissions for the provision under Bid No. 15-19, pursuant to N.J.S.A. 40A:11-13.2(a) and (b).

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Hoboken hereby

rejects all bid proposals submitted for the provision under Bid No. 15-19, pursuant to N.J.S.A. 40A:11-13.2(a) and (b); and,

BE IT FURTHER RESOLVED that the City Council authorizes the Administration to take any and all steps necessary to properly reject said bid, and, thereafter, take any and all steps necessary to, thereafter, contract for said services.

---Motion duly seconded by Councilwoman Giattino

---Adopted by the following vote: YEAS: 8 – NAYS: 0 - ABSENT: 1

---Yeas: Council persons Castellano, Cunningham, Doyle, Giattino, Mello, Occhipinti, Russo and President Bhalla

---Nays: None.

---Absent: Mason

15-423

---By Councilman Mello

RESOLUTION AWARDING A CONTRACT TO MTB ELECTRIC FOR ELECTRICAL SERVICES, INCLUDING TIME AND MATERIAL, FOR A ONE YEAR TERM FOR THE CITY OF HOBOKEN IN ACCORDANCE WITH MRESC COOPERATIVE CONTRACT (15/16-24) IN A TOTAL AMOUNT NOT TO EXCEED \$55,000.00

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 MTB Electric has been approved for an MRESC Cooperative Contract (15/16-24), which cooperative the City is a part of; and,

WHEREAS, the City requires an annual Electrical Services contract, including time and material; 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 the terms of the MRESC 15/16-24 contract; and

WHEREAS, MTB Electric shall provide the City with said service for twelve (12) months, commencing August 6, 2015 and expiring August 5, 2016; and

WHEREAS, certification of funds is available as follows:

I, George DeStefano, Chief Financial Officer of the City of Hoboken, hereby certify that \$10,000.00 is available from 5-01-28-377-042 and \$20,000.00 is available from P-30-60-114-100 in the 2015 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; and I further certify that I will immediately review the CY2016 budget to determine whether the additional \$25,000.00 balance is available and appropriated in the CY2016 temporary budget upon adoption; and, I further certify that this commitment together with all previously made commitments and payments does not exceed the funds and I further certify that the funds available in the said appropriation are intended for the purpose herein committed.

Signed: _____, George DeStefano, CF

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, and in accordance with this resolution, for a total not to exceed amount of Fifty Five Thousand Dollars (\$55,000.00), 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 an agreement, voucher and/or purchase order for the abovementioned goods and/or services based upon the following information:

MTB Electric
366 Fairview Avenue
Long Valley, NJ 07853

---Motion duly seconded by Councilwoman Giattino

---Adopted by the following vote: YEAS: 8 – NAYS: 0 - ABSENT: 1

---Yeas: Council persons Castellano, Cunningham, Doyle, Giattino, Mello, Occhipinti, Russo and President Bhalla

---Nays: None.

---Absent: Mason

15-424

---By Councilman Mello

RESOLUTION TO APPROVE HOBOKEN POLICE DEPARTMENT RULES AND REGULATIONS

WHEREAS, the Hoboken Police Department's Rules and Regulations have now been completed to the satisfaction of the Chief of Police, Unions, and Administration; and

WHEREAS, the Administration is seeking City Council approval of the Hoboken Police Department's Rules and Regulations, to be used as guidelines for City of Hoboken Police Officers, and to promote productivity and ensure compliance with local, state, and federal laws; and

WHEREAS, it is essential that the Hoboken Police Department's Rules and Regulations be approved by the City Council and distributed to City Police Officers as soon as possible, since the City's insurance carrier is requiring the creation of the Rules and Regulations as part of its agreement with the City; and

WHEREAS, the City Council and Administration understand that there may be instances where a stated policy within the Hoboken Police Department's Rules and Regulations may conflict with a negotiated Union Agreement, and in such case the Union Agreement shall prevail;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Hoboken hereby approves the Hoboken Police Department's Rules and Regulations for distribution to all City of Hoboken Police Officers by the Administration.

---Motion duly seconded by Councilwoman Giattino

---Adopted by the following vote: YEAS: 8 – NAYS: 0 - ABSENT: 1

---Yeas: Council persons Castellano, Cunningham, Doyle, Giattino, Mello, Occhipinti, Russo and President Bhalla

---Nays: None.

---Absent: Mason

15-425

---By Councilman Mello

RESOLUTION AMENDING THE AWARD OF A NON-FAIR AND OPEN CONTRACT TO GILSANZ MURRAY STEFICEK LLP FOR SERVICES AS STRUCTURAL CONSULTANTS FOR THE 911 MEMORIAL, IN AN INCREASED AMOUNT NOT TO EXCEED \$10,000.00

WHEREAS, the City urgently requires the continued professional services of structural engineering consultants for the 911 Memorial, and although the total cost of said services is \$10,000.00, the total payable amounts over the previous 12 months for this firm are above the Fair and Open threshold; and,

WHEREAS, pursuant to the recommendation of the City's purchasing agent, attached hereto, the Administration now seeks authorization of a contract award of the Council for said services, and the Pay to Play documentation has all been completed and submitted and is in compliance with applicable law for this vendor; and,

WHEREAS, certification of funds is available as follows:

I, George DeStefano, Chief Financial Officer of the City of Hoboken, hereby certify that \$10,000.00 is available from T-03-40-000-015 in the City's capital and CY2015 budget; and I further certify that these accounts are available and appropriate for said expenditures; and I further certify that this commitment together with all previously made commitments does not exceed the appropriation balance available for this purpose.

Signed: _____, George DeStefano, CFO

NOW THEREFORE, BE IT RESOLVED (a majority of the full council voting in the affirmative) by the City Council of the City of Hoboken as follows:

- A. This resolution awards a contract to Gilsanz Murray Steficek LLP for professional structural consultation services for the 911 memorial in accordance with their proposal, attached hereto.
- B. If the contract amendment, 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 attached proposal, as requested by the Administration.
- 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.

BE IT FURTHER RESOLVED that the City Council of the City of Hoboken authorizes the Mayor to enter into the herein described contract; and,

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification, Stockholder Disclosure Certification, all other accompanying business and contract compliance documentation, and the Determination of Value be placed on file with this resolution; and,

BE IT FURTHER RESOLVED that the City Clerk shall publish this resolution in the City's official newspapers immediately; and,

BE IT FURTHER RESOLVED that this resolution shall be published in accordance with the Fair and Open publication requirements, and thereafter shall take effect immediately as allowed by law.

---Motion duly seconded by Councilwoman Giattino

---Adopted by the following vote: YEAS: 8 – NAYS: 0 - ABSENT: 1

---Yeas: Council persons Castellano, Cunningham, Doyle, Giattino, Mello, Occhipinti, Russo and President Bhalla

---Nays: None.

---Absent: Mason

15-426

---By Councilman Mello

RESOLUTION AWARDED A CONTRACT TO PICERNO-GIORDANO CONTRUCTION, LLC FOR THE PROVISIONS OF SPRAYGROUND AT LEGION PARK IN ACCORDANCE WITH THE CITY'S BID NO. 15-14 IN THE TOTAL NOT TO EXCEED AMOUNT OF \$141,375.00

WHEREAS, bids were received for the Sprayground at Legion Park, as specified in Bid Number 15-14; and,

WHEREAS, five (5) bids were received, the lowest three (3) being:

VENDOR _____ **BID**

1. Picerno-Giordano Construction Kenilworth, NJ	Base Bid: \$125,550.00 Alt Bid A: \$15,825.00 Total Bid: \$141,375.00
2. Ray Palmer Associates, Inc. Dover, NJ	Base Bid: \$117,000.00 Alt Bid A: \$32,006.50 Total Bid: \$149,006.50
3. JC Landscape Construction Neptune, NJ	Base Bid: \$131,975.00 Alt Bid A: \$23,447.00 Total Bid: \$155,422.50

WHEREAS, pursuant to the recommendation of the City Engineer (attached hereto) the City wishes to contract for the services specified in Bid No. 15-14 (Rebid), and Picerno-Giordano Construction, LLC submitted the lowest, responsible, and responsive bid in the amount of \$141,375.00 ; and,

WHEREAS, certification of funds is available as follows:

I, George DeStefano, Chief Financial Officer of the City of Hoboken, hereby certify that \$141,375.00 is available in the following appropriations:

C-04-60-715-214	\$80,000.00
C-04-60-713-110	\$29,355.28
T-26-56-850-852	\$32,019.72

; and, I further certify that this commitment together with all previously made commitments does not exceed the appropriation balance for this purpose.

Signed: _____ **George DeStefano, CFO**

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

This resolution awards a contract as heretofore stated.

- A. 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.
- B. 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.
- C. 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.
- 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.

---Adopted by the following vote: YEAS: 8 – NAYS: 0 - ABSENT: 1

---Yeas: Council persons Castellano, Cunningham, Doyle, Giattino, Mello, Occhipinti, Russo and President Bhalla

---Nays: None.

---Absent: Mason

15-427

By Councilman Mello

RESOLUTION TO STRONGLY URGE THE ADMINISTRATION TO SEEK APPROVAL FOR THE FINAL WASHINGTON STREET "COMPLETE STREETS" REDESIGN PRIOR TO

COMMENCING CONSTRUCTION

WHEREAS, the City Council has authorized the required bond and loan funding for the Washington Street “Complete Streets” Redesign Project; and,

WHEREAS, a preliminary design for the Washington Street “Complete Streets” Redesign Project was submitted to the City Council prior to authorization of said bonds and loan funding, however the City Council advised the Administration of its concerns of the preliminary design prior to and during the time of the bonding for the project; and,

WHEREAS, the City Council advised the Administration at the time of approval of the bond ordinance that the final design for the project shall be presented to the City Council prior to bidding for and the commencement of the actual construction of the project.

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

1. The City Council has concerns with the concept plan of Washington Street “Complete Streets” design.
2. The Council did provide for the funding of the Washington Street “Complete Streets” Redesign Project despite its concerns of the preliminary design, under the premise that the final design will be presented to the City Council for approval prior to commencement of the construction and the construction bid.
3. The Council hereby strongly urge the Administration to obtain the Council’s opinion on ways in which to improve the design, and on the final design, before release of the construction bid for the project.
4. The Council hereby advises the Administration that it may decide not to appropriate sufficient funds for the design construction if it finds the needs of the residents and guests of the City of Hoboken are not being adequately served by the project design.

BE IT FURTHER RESOLVED, the City Council of the City of Hoboken wishes to work with the Administration to best meet the needs and expectations of the citizens of the City of Hoboken with regards to the project, and believes that submission of the final project design to the Council prior to commencement of the construction of the project, is the best way to effectuate same.

Councilman Doyle comments on amending the resolution and seconded by Council President

Councilman Doyle has left the table at 9:44 PM

---**ADOPTED AS AMENDED** by the following vote: YEAS: 7 – NAYS: 0 - ABSENT: 1 - ABSTAIN: 1
---Yeas: Council persons Cunningham, Doyle, Giattino, Mello, Occhipinti, Russo and President Bhalla
---Nays: Nays
---Absent: Mason
---Abstain: Castellano

Councilman Doyle has returned to the table at 9:46 PM and would like to vote yes

15-428

By Councilman Mello

RESOLUTION TO AUTHORIZE AN AV WEBSTREAMING CONTRACT WITH SWAGIT FOR AV STREAMING VIDEO SERVICES TO THE CITY OF HOBOKEN FOR SERVICES TO COMMENCE NOVEMBER 1, 2015 AND ENDING NOVEMBER 1, 2016 (WITH FOUR ONE-YEAR OPTIONS TO EXTEND) IN ACCORDANCE WITH THE COMPETITIVE CONTRACT RFP ISSUED FOR SAID SERVICES FOR A TOTAL NOT TO EXCEED AMOUNT OF \$38,022.00

WHEREAS the City was authorized to utilize competitive contracting, to exempt the contract from public bidding requirements pursuant to N.J.S.A. 40A:11-5; and,

WHEREAS, the City of Hoboken published a Competitive Contracting Request for Proposals for an av and webstreaming service provider, in accordance with the Fair and Open Process and Hoboken Ordinance #DR-154, which Swagit responded to; and,

WHEREAS, the evaluation committee determined that Swagit offered the best option of all the proposals submitted, cost and other factors considered; and,

WHEREAS, certification of funds is available as follows:

I, George DeStefano, Chief Financial Officer of the City of Hoboken, hereby certify that \$38,022.00 is available in the following appropriations: 5-01-20-112-069 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 CY2015; and I further certify that the funds available in the said appropriation are intended for the purpose herein committed.

Signed: _____, George DeStefano, CFO

WHEREAS, the vendor is hereby required to continue to abide by the “pay-to-play” requirements of the Hoboken Public Contracting Reform Ordinance, codified as §20A-11 *et seq.* of the Administrative Code of the City of Hoboken as well as the Affirmative Action laws and policies under which the City operates; and,

NOW THEREFORE, BE IT RESOLVED, that an av and webstreaming service contract be awarded TO Swagit, for a one year period, for services to commence November 1, 2015 and ending November 1, 2016, with four one-year options to extend in the City’s sole discretion, for a total not to exceed amount of \$38,022.00, of which \$10,740 is annual costs, which may also be incurred in any options to extend on an annual basis, with all other terms and conditions being in accordance with Swagit’s proposal, and the City’s RFP (the terms in the RFP shall trump the terms in the proposal to the extent inconsistent – since no exceptions are being allowed hereunder); and

BE IT FURTHER RESOLVED that the City Council of the City of Hoboken specifically finds that compliance with Hoboken Ordinance #DR-154 (codified as §20A-4 of the Code of the City of Hoboken), and any and all state Pay to Play laws, is a continuing obligation of the vendor; and

BE IT FURTHER RESOLVED the City Clerk shall publish this resolution as required by law and keep a copy of the resulting contract on file in accordance with N.J.S.A. 40A:11-1 et seq.; and,

BE IT FURTHER RESOLVED that a certified copy of this resolution shall be provided to Mayor Dawn Zimmer and Corporation Counsel for action in accordance therewith and to take any other actions necessary to complete and realize the intent and purpose of this resolution; and,

---Motion duly seconded by Councilwoman Giattino

---Adopted by the following vote: YEAS: 8 – NAYS: 0 - ABSENT: 1

---Yeas: Council persons Castellano, Cunningham, Doyle, Giattino, Mello, Occhipinti, Russo and President Bhalla

---Nays: None.

---Absent: Mason

15-429

By Councilman Mello

**RESOLUTION AWARDING A CONTRACT TO LOU’S LANDSCAPING AND DESIGN, INC.
FOR THE PROVISIONS OF 2015 (FALL) STREET TREE PLANTING AND WELL
ENLARGEMENT PROJECT IN ACCORDANCE WITH THE CITY’S BID NO. 15-21 IN THE
TOTAL NOT TO EXCEED AMOUNT OF \$45,575.00**

WHEREAS, bids were received for 2015 (Fall) Street Tree Planting and Well Enlargement project, as specified in Bid Number 15-21; and,

WHEREAS, Three (3) bids were received, being:

<u>VENDOR</u>	<u>TOTAL BID</u>
1. Lou’s Landscaping and Design, Inc. Wayne, NJ 07470	\$45,575.00

- | | | |
|----|---|-------------|
| 2. | Pat Scanlan Landscaping, Inc.
New City, NY 10956 | \$69,500.00 |
| 3. | Andy Matt, Inc.
Mine Hill, NJ 07803 | \$80,700.00 |

WHEREAS, pursuant to the recommendation of the Purchasing Department, which is attached hereto, the City wishes to contract for the services specified in Bid No. 15-21, and Lou's Landscaping and Design, Inc. submitted the lowest, responsible and responsive bid in the amount of \$45,575.00; and,

WHEREAS, certification of funds is available as follows:

I, George DeStefano, Chief Financial Officer of the City of Hoboken, hereby certify that \$45,575.00 is available in the following appropriations: _____ and I further certify that this commitment together with all previously made commitments does not exceed the appropriation balance for this purpose.

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 Lou's Landscaping and Design, Inc., for Bid No. 15-21, in the total amount of Forty Five Thousand Five Hundred Seventy Five Dollars (\$45,575.00) for 2015 (Fall) Street Tree Planting and Enlargement Project; and said contract shall be to Lou's Landscaping and Design, Inc., in accordance with the specifications as set forth in Bid No. 15-21.
- 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. Pursuant to the provisions of N.J.S.A. 40A:11-11(5), 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 Councilwoman Giattino

---Adopted by the following vote: YEAS: 8 – NAYS: 0 - ABSENT: 1

---Yeas: Council persons Castellano, Cunningham, Doyle, Giattino, Mello, Occhipinti, Russo and President Bhalla

---Nays: None.

---Absent: Mason

15-430

By Councilman Mello

RESOLUTION AWARDED A CONTRACT TO GARDEN STATE HIGHWAY PRODUCTS, INC. TO PURCHASE ASSORTED TAPCO BLINKER SIGNS FOR HPU IN ACCORDANCE WITH US COMMUNITIES COOPERATIVE CONTRACT # 2013-100 IN THE TOTAL AMOUNT NOT TO EXCEED \$28,887.60

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 Traffic & Parking Control Co., Inc. (TAPCO) has been approved for an US Communities Cooperative Contract # 2013-100, which cooperative the City is a part of; and,

WHEREAS, the City requires traffic signs for HPU (as described in the attached quotation from GSHP, 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 US Communities Cooperative contract # 2013-100 and in accordance with GSHP's quotation; and

WHEREAS, Garden State Highway Products, Inc., LLC is an authorized dealer of TAPCO 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 \$28,887.60 is available in the following appropriations: C-04-60-714-210 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 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 their US Communities contract, for a total not to exceed amount of Twenty Eight Thousand Eight Hundred Eighty Seven Dollars and Sixty Cents (\$28,887.60), as follows:

1. The locations of the blinking signs being purchased shall be as follows:
 - a. 1 sign-3rd & Jackson
 - b. 1 sign-3rd & Madison
 - c. 4 signs-15th& Bloomfield
 - d. 2 signs-15th& Garden
 - e. The remaining purchased signs will be placed in HPU's inventory for future use.
2. The above recitals are incorporated herein as though fully set forth at length.
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 above mentioned goods and/or services based upon the attached proposal, and the following information:

Garden State Highway Products, Inc.
1740 East Oak Road
Vineland, NJ 08361

---Motion duly seconded by Councilwoman Giattino

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

---Yeas: Council persons Castellano, Cunningham, Doyle, Occhipinti, Russo and President Bhalla

---Nays: Giattino, Mello

---Absent: Mason

15-431

By Councilman Mello

RESOLUTION AUTHORIZING THE AMENDMENT OF A NON-FAIR AND OPEN CONTRACT FOR BANISCH ASSOCIATES FOR SERVICES AS PROFESSIONAL PLANNER FOR A PLANNER REPORT FOR BLOCK 12, LOTS 1-7; 12-18 TO INCREASE THE NOT TO EXCEED AMOUNT BY \$14,000.00

WHEREAS, the City of Hoboken has a need to amend the professional planning services of the vendor for purposes of the creation of a planning report for Block 12, Lots 1-7; 12-18, as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and,

WHEREAS, the City's Purchasing Agent has determined and certified in writing that the value of the amended services will not exceed Fourteen Thousand dollars and Zero Cents (\$14,000.00); and,

WHEREAS, the anticipated term of this contract shall remain unchanged; and,

WHEREAS, Banisch Associates has submitted an amended proposal dated July 6, 2015 indicating they will provide planning services for the Block 12 proceedings; and,

WHEREAS, Banisch Associates has completed and submitted a Business Entity Disclosure Certification which certifies that Banish Associates has not made any reportable contributions to a political or candidate committee in the City of Hoboken in the previous one year, and that the contract will prohibit the Banish Associates from making any reportable contributions through the term of the contract; and,

WHEREAS, certification of funds is available as follows:

I, George DeStefano, Chief Financial Officer of the City of Hoboken, hereby certify that \$14,000.00 is available in the following appropriations C-04-60-711-120 in the City's capital accounts; and I further certify that this commitment together with all previously made commitments does not exceed the appropriation balance for this purpose.

Signed: _____, **George DeStefano, CFO**

NOW, THEREFORE, BE IT RESOLVED (*a majority of the full council voting in the affirmative*), that the City Council of the City of Hoboken authorizes the Mayor to enter into an amended contract with Banisch Associates as described herein, for the services described in their attached July 6, 2015, amended proposal; and,

BE IT FURTHER RESOLVED, that the Business Disclosure Entity Certification, Stockholder Disclosure Certification, all other accompanying business documentation, and the Determination of Value be placed on file with this resolution; and,

BE IT FURTHER RESOLVED, that the City Clerk shall publish this resolution in the City's official newspapers immediately; and,

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

---Motion duly seconded by Councilwoman Giattino

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

---Yeas: Council persons Cunningham, Doyle, Giattino, Mello, Occhipinti, Russo and President Bhalla

---Nays: None.

---Absent: Mason

---Abstain: Castellano

15-432

By Councilman Mello

RESOLUTION AUTHORIZING THE ESTABLISHMENT OF AN ESCROW ACCOUNT WITHIN THE CITY TREASURY, IN THE INITIAL AMOUNT OF \$5,000.00 FROM ADVANCE REALTY LLC, TO PAY FOR THE SERVICES OF THE CITY'S EXPERT REPORT REGARDING ADVANCE REALTY LLC'S REQUEST FOR TRAFFIC AND PARKING CHANGES ON CLINTON AND 13TH

WHEREAS, Advance Realty LLC seeks to make traffic and parking alterations to the streetways at Clinton and 13th for purposes of a proposed new grocery store at the location, and a Zoning approval has been granted for said use, but the traffic and parking alterations require additional approval of the City Council, which approval has been stayed pending the outcome of a traffic circulation and parking report from a City approved

engineering firm; and,

WHEREAS, the City has determined that Maser Consulting should be contracted for said services, in an amount not to exceed \$5,000.00, for which a separate contract award shall be adopted by this Council; and,

WHEREAS, the City has requested that Advance Realty LLC pay for the City's expert report regarding same, in full, and as such, Advance Realty LLC has agreed to provide the City with \$5,000.00 to hold in escrow for payment to Maser for said services; and,

WHEREAS, certification of funds is not necessary for this resolution.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Hoboken that a non-interest bearing escrow fund be established by the City's CFO to maintain the Advance Realty LLC escrow monies; and,

BE IT FURTHER RESOLVED, the City shall, through the City's CFO, as escrow agent, maintain the Advance Realty LLC escrow account, which shall only be diminished upon receipt of an applicable invoice from Maser Consulting for the review of traffic circulation and parking issues of the proposed grocery store on Clinton and 13th in accordance with an applicable and valid contract between the City and Maser for said services, and which payments therefrom may be authorized by request of the Business Administrator with approval of the CFO; and,

BE IT FURTHER RESOLVED, that when and if said escrow reaches \$0.00, the CFO shall so alert the Business Administrator and the Office of Corporation Counsel for action to immediately cease services under the Maser contract unless and until Advance Realty LLC replenishes the escrow account.

---Motion duly seconded by Councilwoman Giattino

---Adopted by the following vote: YEAS: 8 – NAYS: 0 - ABSENT: 1

---Yeas: Council persons Castellano, Cunningham, Doyle, Giattino, Mello, Occhipinti, Russo and President Bhalla

---Nays: None.

---Absent: Mason

15-433

By Councilman Mello

RESOLUTION TO AUTHORIZE A CONTRACT FOR THE PROFESSIONAL SERVICES OF MASER CONSULTING AS PROFESSIONAL PLANNERS/ENGINEERS TO THE CITY OF HOBOKEN FOR THE ADVANCE REALTY TRAFFIC AND PARKING PLAN ON CLINTON AND 13TH TO COMMENCE UPON RECEIPT OF THE ESCROW FUNDS FROM ADVANCE REALTY LLC AND EXPIRE ONE YEAR THEREAFTER FOR A NOT TO EXCEED AMOUNT OF \$5,000.00

WHEREAS, the City of Hoboken requires additional unforeseen goods and services under the contract for security surveillance products and installation; and,

WHEREAS, the Administration intends to continue to use Millennium Communications Group Inc., under their state contract M7000/A83083 for said services and provisions; and,

WHEREAS, in accordance with the direction of the Administration, the City Council is asked to award a change order (#2) to the contract for Hoboken security surveillance (rv1jm5712/rv15712) supplies and installation to Millennium Communications Group Inc. for a total increase in the contract amount by Fifteen Thousand Three Hundred and Ninety-Nine Dollars and Eighty-Nine Cents (**\$15,399.89**). of which the change order (#2) to the contract shall be for purchases and installation of Genetec Security Center Software and Pier C surveillance in accordance with the November 13, 2014 proposal of Millennium Communications Group Inc. (not attached due to security sensitive confidential information); and,

WHEREAS, certification of funds is available as follows:

I, George DeStefano, Chief Financial Officer of the City of Hoboken, hereby certify that \$15,399.89 is available in the following appropriation T-24-20-700-022 in the CY2015 budget (trust account); 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 or the capital/trust funds; 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 a change order (#2) to the contract with the below listed vendor is awarded for an increased amount not to exceed Fifteen Thousand Three Hundred and Ninety-Nine Dollars and Eighty-Nine Cents (**\$15,399.89**) of which the contract shall be for additional purchases and installation in accordance with the November 13, 2014 proposals of Millennium Communication Group Inc., as follows:

1. The above recitals are incorporated herein as though fully set forth at length.
2. The terms of the referenced proposals 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.
5. 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:

Millennium Communications Group Inc.
11 Melanie Lane
East Hanover, New Jersey 07936

---Motion duly seconded by Councilwoman Giattino

---Adopted by the following vote: YEAS: 8 – NAYS: 0 - ABSENT: 1

---Yeas: Council persons Castellano, Cunningham, Doyle, Giattino, Mello, Occhipinti, Russo and President Bhalla

---Nays: None.

---Absent: Mason

15-434

By Councilman Mello

RESOLUTION TO AMEND TWO CONTRACTS TO RUG AND FLOOR STORE (NOW RFS) FOR FLOORING FOR THE CITY OF HOBOKEN IN HPU AND FINANCE IN ACCORDANCE WITH THE CURRENT CONTRACTS, WITH A TOTAL CHANGE IN THE NOT TO EXCEED AMOUNTS BY \$19,100.00

WHEREAS, the City previously awarded Rug and Floor Store two contracts for flooring, each of which resulted in defective product due to failure to install plywood underneath the new flooring, which was covered by warranty except that the City is required, under warranty, to pay the additional costs associated with the plywood which constitutes an additional good under the contracts; and,

WHEREAS, the City now seeks to amend the two contracts, with the contracts and amendments thereto described as follows:

1. Contract for HPU flooring via Resolution #15 of 8/7/13 – increased by \$14,400.00
2. Contract for Finance flooring via Resolution #4 of 12/4/13 – increased by \$4,700.00; and,

WHEREAS, the contractor shall be required to continue to abide by the City and State Pay to Play laws and all related contract compliance laws; and,

WHEREAS, certification of funds is available as follows:

I, George DeStefano, Chief Financial Officer of the City of Hoboken, hereby certify that \$19,100.00 is available in the following appropriations: 5-31-55-740-100 (\$14,400) and 5-01-20-130-021 (\$4,700) 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 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 amends each of the above referenced contracts to the Rug and Floor Store (now RFS), in the amounts described above.
- B. The Mayor or her designee is hereby authorized to take the necessary steps to enter into amendments to said contracts, as redefined by this resolution, and any other steps necessary to effectuate this resolution.
- C. This resolution shall be posted and published in accordance with all applicable laws, and shall take effect immediately upon passage.

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

---Motion duly seconded by Councilwoman Giattino

---Adopted by the following vote: YEAS: 8 – NAYS: 0 - ABSENT: 1

---Yeas: Council persons Castellano, Cunningham, Doyle, Giattino, Mello, Occhipinti, Russo and President Bhalla

---Nays: None.

---Absent: Mason

15-435

By Councilman Mello

RESOLUTION AWARDING A PROFESSIONAL SERVICE CONTRACT TO EXCEL ENVIRONMENTAL FOR CITY LSRP FOR THE WASHINGTON STREET REDESIGN PROJECT IN AN AMOUNT NOT TO EXCEED SIXTEEN THOUSAND FOUR HUNDRED EIGHTY DOLLARS (\$16,480.00) FOR A ONE YEAR TERM TO COMMENCE AUGUST 6, 2015 AND EXPIRE AUGUST 5, 2016

WHEREAS, the City of Hoboken published RFP’s for general municipal engineering , and related services, including LSRP services; and,

WHEREAS, the Administration evaluated the proposals provided in response to said RFP, and the Administration thereafter determined that Excel Environmental qualified as a pool LSRP firm to provide the City with the most effective and efficient City LSRP services for the 2015 calendar year; and,

WHEREAS, in accordance with the direction of the Administration, the City Council is now asked to award a contract to Excel Environmental for the City’s LSRP services for the Washington Street Redesign Project for a total contract amount of Sixteen Thousand Four Hundred Eighty Dollars (\$16,480.00), with a one (1) year term to commence on August 6, 2015 and expire August 5, 2016, in accordance with the present proposal of Excel Environmental as well as the CY2015 general engineering (LSRP) RFP and their responsive proposal; and,

WHEREAS, certification of funds is available as follows:

I, George DeStefano, Chief Financial Officer of the City of Hoboken, hereby certify that \$8,240.00 is available in the following capital appropriation C-04-60-715-120 and \$8,240.00 is available in the following capital appropriation C-04-60-715-122 of the City’s capital funds; 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 City’s 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 a contract with the below listed vendor is awarded for an amount not to exceed Sixteen Thousand and Four Hundred Eighty Dollars (\$16,480.00), with a one (1) year term to commence on August 6, 2015, for LSRP services for the Washington Street Redesign Project, as follows:

1. The above recitals are incorporated herein as though fully set forth at length.
2. The terms of the RFP and Excel Environmental' s responsive 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 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.
5. 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:

Excel Environmental
111 North Center Drive
North Brunswick, NJ 08902

---Motion duly seconded by Councilwoman Giattino

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

---Yeas: Council persons Cunningham, Doyle, Giattino, Mello, Occhipinti, Russo and President Bhalla

---Nays: None.

---Absent: Mason

---Abstain: Castellano

15-436

By Councilman Mello

**AUTHORIZATION FOR THE CITY OF HOBOKEN TO ENTER INTO THE ATTACHED
“LICENSE AGREEMENT” BETWEEN THE COUNTY OF HUDSON AND THE CITY OF
HOBOKEN FOR THE CITY’S INSTALLATION OF BIKE SHARE BIKE RACKS ON THE
COUNTY RIGHT OF WAY**

BE IT RESOLVED, that the City Council of the City of Hoboken (the “City”) hereby approves the attached License Agreement between the City and the County relating to the City’s installation of bike share bike racks on the County right of way; and

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute said agreement, and the City’s Administration and Corporation Counsel are directed to take any and all action necessary to effectuate the terms of the Agreement.

BE IT FURTHER RESOLVED that certified copies of this Resolution shall be forwarded to all parties in the administration of this action.

---Motion duly seconded by Councilwoman Giattino

---Adopted by the following vote: YEAS: 8 – NAYS: 0 - ABSENT: 1

---Yeas: Council persons Castellano, Cunningham, Doyle, Giattino, Mello, Occhipinti, Russo and President Bhalla

---Nays: None.

---Absent: Mason

15-437

By Councilman Mello

**RESOLUTION AUTHORIZING THE REFUND OF TAX OVERPAYMENTS (PAYABLE TO
THE INDIVIDUALS LISTED ON THE RESOLUTION FOR THE AMOUNT OF \$29,652.12)**

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 **\$29,652.12**

<u>NAME</u>	<u>BL/LT/UNIT</u>	<u>PROPERTY</u>	<u>QTR/YEAR</u>	<u>AMOUNT</u>
Wells Fargo Real Estate Attn: Financial Support Unit- Region 1 1 Home Campus MAC X2302-04D/#936-86407127 Des Moines, IA 50329-0001	169/6	707 Willow Ave	1&2/15	\$6,511.68
Mengsheng Huang 10785 New Grove #87 San Diego, CA 92130	21/1/C004M	300 Newark St	4 th /14	\$147.48
Kyle Baker 607 First St #6 Hoboken, NJ 07030	15/14/C0006	607 First St	4 th /14	\$1,204.82
Kevin Kelly & Erica Marlene 551 Observer Highway #6D Hoboken, NJ 07030	8/1/C006D	551 Observer Highway	2 nd /15	\$1,810.70
Jamie Levi 333 Adams Street #3 Hoboken, NJ 07030	51/17/C0003	333 Adams St	4 th /14	\$1,717.28
Melissa Willig 82-88 Washington Street #A7 Hoboken, NJ 07030	13/17/C00A7	82 Jackson St	1 st /15	\$995.68
Corelogic P.O. Box 961230 Fort Worth, TX 76161-0230	25/1/C008E	700 First Street	3&4/14-1/15	\$6,089.23
Mortgage Service Center 95 Methodist Hill Drive, Suite 400 Rochester, NY 14623	251/18/C002B	1320 Bloomfield St	4 th /14	\$1,717.91
Nations of New York, Inc 431 Willis Avenue Williston Park, NY 11596	25/1/C009F	700 First St	2 nd /15	\$1,907.09
450 Seventh LLC c/o Hothem 531 N. Market Street Wooster, Ohio 44691	84/1/C04-N	450 Seventh St	4 th /14	\$1,498.42
Brian & Johanna Holmes 830 Monroe Street #6C Hoboken, NJ 07030	87/13/C006C	830 Monroe Street	3 rd /14	\$1,735.62

William Farkas & K Szczech 707 Monroe St #201 Hoboken, NJ 07030	82/11/C0507	727 Monroe Street	2 nd /15	\$1,953.50
Pulver, Kathleen 725 Jefferson St #35 Hoboken, NJ 07030	84/3/C0035	713-725 Jefferson St	4 th /14	\$1,591.24
Amir & Yeal Zeenreich 901 Madison St #2G Hoboken, NJ 07030	95/1/C002G	901-909 Madison St	3 rd /14	\$771.47

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

15-438

By Councilman Mello

**RESOLUTION AUTHORIZING THE REFUND OF TAX APPEALS STATE TAX COURT
 (PAYABLE TO THE INDIVIDUALS LISTED ON THE RESOLUTION FOR THE AMOUNT
 OF \$4,387.98)**

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 \$4,387.98

<u>NAME</u>	<u>BL/LOT/UNIT</u>	<u>PROPERTY</u>	<u>YEAR</u>	<u>AMOUNT</u>
Ivette Smulders 78 Jackson St #1 Hoboken, NJ 07030	13/1/C0001	78 Jackson St	2015	\$1,946.10
Saiber LLC 18 Columbia Tnpk, Suite 200 Florham Park, NJ 07932	201/24	214 Washington St	2014	\$2,441.88

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

15-439

By Councilman Mello

RESOLUTION AUTHORIZING THE REFUND OF OVER BILLED 3RD AND 4TH QUARTERS OF 2015 FROM THE TAX DUPLICATE COURT (PAYABLE TO THE INDIVIDUALS LISTED ON THE RESOLUTION FOR THE AMOUNT OF \$78,602.90)

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 **\$78,602.90**

<u>NAME</u>	<u>BL/LT/UNIT</u>	<u>PROPERTY</u>	<u>QTR/YEAR</u>	<u>AMOUNT</u>
930 Jefferson St Condo Assoc 930 Jefferson St Hoboken, NJ 07030	95/17	930 Jefferson St	3&4/15	\$22,562.40
1404 Grand Condo Assoc 1404 Grand St Hoboken, NJ 07030	121/25	1404 Grand St	3&4/15	\$5,426.40
PSE&G Co. 80 Park Plaza Newark, NJ 07102	140/9	1616 Clinton St	3&4/15	\$12,132.29
322 Park Ave. Condo Assoc 322 Park Avenue Hoboken, NJ 07030	166/29	322 Park Avenue	3&4/15	\$12,337.94
707 Willow Condo Assoc 707 Willow Avenue Hoboken, NJ 07030	169/6	707 Willow Avenue	3&4/15	\$6,511.68
Ocwen Loan Servicing 1661 Worthington Road Ste. 100 West Palm Beach, FL 33409	195/42	812 Bloomfield St	3&4/2015	\$4,641.00
Bren II Corp 51-53 Fourteenth St Hoboken, NJ 07030	245/10/CC0MM	51-53 Fourteenth St	3&4/15	\$1,882.86

1134 Bloomfield St

Condo Assoc 249/26 1134 Bloomfield St 3&4/15 \$13,108.33
1134 Bloomfield St
Hoboken, NJ 07030

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

15-440

By Councilman Mello

**RESOLUTION TO ADOPT THE MINUTES OF THE MEETINGS OF THE CITY COUNCIL
DATED: SPECIAL AND REGULAR MEETINGS OF JULY 8, 2015, A SPECIAL MEETING
FOR JULY 15, 2015 AND A SPECIAL MEETING FOR JULY 20, 2015**

RESOLVED, that filed minutes for the Hoboken City Council **Regular and
Special meeting of July 8, 2015, a Special meeting for July 15, 2015 and a Special meeting on July 20, 2015**
have been reviewed and approved by the Governing Body.

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

15-441

By Councilman Mello

**RESOLUTION AUTHORIZATION FOR THE CITY OF HOBOKEN TO ENTER INTO THE
ATTACHED “AGREEMENT AND RELEASE BETWEEN THE CITY OF HOBOKEN, NEW
JERSEY AND RICHARD BLOHM”**

BE IT RESOLVED, that the City Council of the City of Hoboken (the “City”) hereby approves the
attached “AGREEMENT AND RELEASE BETWEEN THE CITY OF HOBOKEN, NEW JERSEY AND
RICHARD BLOHM” between the City and former Fire Chief Blohm, regarding his employment and retirement;
and

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute said agreement, as
attached or in similar form without substantive changes, and the City’s Administration and Corporation Counsel are
directed to take any and all action necessary to effectuate the terms of the Agreement.

BE IT FURTHER RESOLVED that certified copies of this Resolution shall be forwarded to all parties in
the administration of this action.

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

ORDINANCES

Introduction and First Reading

15-442
Z-366

AN ORDINANCE TO AMEND HOBOKEN CODE CHAPTER 145, ENTITLED “PEACE AND GOOD ORDER” TO REMOVE CERTAIN PROHIBITIONS ON PERSONAL ATTIRE

WHEREAS, Chapter 145 of the Hoboken City Code currently regulates the minimum standards for peace and good order in the municipality; and,

WHEREAS, the City Government has reviewed the prohibitions on personal attire in Code Section 145-19 and finds them to be offensive to the personal rights of members of society to choose their own attire without government interference.

NOW, THEREFORE, the City Council of the City of Hoboken does hereby Ordain as follows (additions noted in underline, deletions noted in strikethrough):

SECTION ONE: AMENDMENTS TO HOBOKEN CODE CHAPTER 145 – PEACE AND GOOD ORDER

§ 145-19 Indecent exposure.

No person in this City shall appear in any street or public place in a state of nudity ~~or in a dress not belonging to his or her sex~~, or in an indecent or lewd attire dress, or shall make any indecent exposure of his or her person or be guilty of any lewd or indecent act or behavior, or shall exhibit, sell or offer to sell any indecent or lewd book, picture or thing or shall exhibit or perform any indecent, immoral or lewd play or other representation.

****The remainder of Chapter 145 shall remain unchanged****

SECTION TWO: REPEAL OF INCONSISTENT PROVISIONS

All ordinances or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only to the extent of such conflict or inconsistency, it being the legislative intent that all such ordinances or part of ordinances now existing or in effect unless the same are in conflict or inconsistent with any provision of this Ordinance shall remain in effect.

SECTION THREE: SEVERABILITY

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 FOUR: EFFECTIVE DATE

This Ordinance shall take effect immediately upon passage and publication as provided by law.

SECTION FIVE: CODIFICATION

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. 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.

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 **September 2, 2015 at 7:00 PM.**

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

15-443
Z-367

AN ORDINANCE TO AMEND ARTICLE VIII OF CHAPTER 168 ENTITLED “ROAD OPENING PERMITS” TO MAKE OTHER MINOR REVISIONS TO THE FEES ASSOCIATED WITH THE PERMIT REQUIREMENTS

WHEREAS, the City has determined that some of the fees associated with the road opening permit code sections are excessive in lieu of the costs of administration and handling, and, as such, seeks to amend those fees.

NOW, THEREFORE, the City Council of the City of Hoboken does hereby ordain as follows (additions noted in underline, deletions noted in strikethrough):

SECTION ONE: AMENDMENTS TO ARTICLE VIII OF CHAPTER 168

CURBING-DRIVEWAY-SIDEWALK:	
General Application Fee:	\$100.00
Sidewalk Openings Fee:	\$200.00
Permit Fees: Driveway/Residential	\$200.00/Ea Opening up to 12 L.F.); \$50.00 <u>\$10.00</u> for each additional L.F.
Driveway/Commercial	\$500.00/Ea Opening up to 12 L.F.); \$100.00 <u>\$50.00</u> /Ea Addt'l L.F.
Full Height Curbing:	\$200.00/Up to 12 L.F.); \$50.00 <u>\$10.00</u> /Ea Addt'l L.F.
Bond Fees: Curbing/Driveway	\$5,000.00 (Min) (Up to 10 L.F.); \$100.00 <u>\$50.00</u> /Ea addt'l L.F. (Over 10 L.F.)

SECTION TWO: REPEAL OF INCONSISTENT PROVISIONS

All ordinances or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only to the extent of such conflict or inconsistency, it being the legislative intent that all such ordinances or part of ordinances now existing or in effect unless the same are in conflict or inconsistent with any provision of this Ordinance shall remain in effect.

SECTION THREE: SEVERABILITY

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.

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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 **September 2, 2015 at 7:00 PM.**

---Motion duly seconded by Councilman Mello

---Adopted by the following vote: YEAS: 8 – NAYS: 0 - ABSENT: 1

---YEAS: Council persons Castellano, Cunningham, Doyle, Giattino, Mello, Occhipinti, Russo and President Bhalla

---Nays: None.

---Absent: Mason

NEW BUSINESS

Councilwoman Castellano comments on the residents of Court St. and the waterfront and there seems to be an exploding rodent issued and she contacted the Health Inspector and fixed and wanted to thank Chief Ferrante and John Miskulin for sending the Rules and Procedures resolution prior to tonight's meeting which was passed tonight.

Councilman Russo comments on Metro Stop ongoing issues, a light post #4126 is leaning and the residents are concerned if we can get PSE & G to come in, and the NJ Transit landscape by Metrostop needs to make sure they are maintain that parcel, also restrooms in public parks and wanted an update on 3rd and Madison and is there going to be a bathroom going to be set up, public storage, the gate has been broken.

BA Wiest comments that he would look at it.

Councilman Doyle comments on a request of a street light at 6th and Jackson and there are security concerns and thanked the Police Night Out, it was a great night for the residents to interact with the Hoboken Police Department and thanks to Chief Ferrante for their time and effort.

Councilman Occhipinti comments on National Night Out last night and thank Chief Ferrante and their first responders, wanted to know the need for the roads to be paved in the Hoboken Housing Authority and what were the findings from Boswell Engineering.

BA Wiest comments that they need to reach an agreement with the HHA, but when Director Pellegrini would know the bid specs for the roller rink at the Multi-service Center and a possible Dome for the winter months, and the Adm. bringing movie under the stars at Mama Johnson Field, and there's an issue to place spikes on the field and let the residents know on working with NJ Transit at the light rail and ask Director Morgan if there were any video for the time lag at the intersection and hopefully hear from NJ Transit and their engineers.

BA Wiest comments that he would talk to Director Pellegrini about the bid specs for the Roller Rink.
Councilwoman Giattino comments on how happy she is with the paving on Bloomfield Street, but concerned with Court St., about cobblestones have been removed and formed sinkholes
Director Morgan comments that the contractor will replace the cobblestones and if there are any sinkholes we would contact PSE&G to contact their contractor.

Councilman Cunningham comments on Transportation issues – 2 out of 3 are probably with the County, a traffic glitch on Willow St. b/w 13th and 14th St., once curb cuts are going to be in place, residents may have issues getting to their parking lot or to Rite Aid and Sunoco, there's a traffic light at 13th and Willow and there used to be a traffic light down by Fox Hill. It's difficult for residents of Fox Hill to get to Legion's Park and they asked if the City can reinstate some sort of traffic control and hopefully we can get this back up. Also the rush hour traffic at 12th and Clinton St. there's some problem northbound in that intersection and ask the administration to get some traffic control officers to keep the cars moving and alleviate the situation. The repairs on the sidewalk should be fixed by Sept. 15 and thanked the Governing Body for passing the Western Edge and convene on the North End Planning Process.

Councilwoman Giattino comments about weeds in the city, the city weeded all of Court St, but if the city could continue throughout the city.

Councilman Mello comments on Fios wires being dislodged from buildings by the striping/paving crew on Bloomfield Street.

Council President comments and wishes everyone a happy summer and see you all in September 2, 2015.

At 10:40 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 10:40 PM.

PRESIDENT OF THE COUNCIL

CITY CLERK