

**MEETING OF FEBRUARY 18, 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,  
FEBRUARY 18, 2015 AT 7:00 PM**

---

The City Clerk opened the meeting at 7:00 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 Bhalla, Castellano, Cunningham, Doyle, Mason, Mello, and President Giattino

Absent: Russo, Occhipinti

**RESOLUTIONS**

**15-117**

---By Councilman Mello

**RESOLUTION AUTHORIZING THE TAX COLLECTOR TO CANCEL TAX SALE  
CERTIFICATE NO. 080090 AND REFUND THE PRINCIPAL AMOUNT TO THE  
LIENHOLDER**

**WHEREAS**, on December 10, 2008, the City of Hoboken sold Certificate of Sale No. 080090 to Kyle Enger (the "**Enger Certificate**") in the amount of \$10,613.15 relating to the unit listed as C00R1 on the tax rolls of the Tax Collector at the property at 1100 Adams Street commonly known as Block 104, Lot 1.1 on the tax map of the City of Hoboken (the "**Unit**"); and

**WHEREAS**, the Unit was assessed for payments in lieu of taxes in error; and

**WHEREAS**, the Tax Collector's files confirm that the principal amount due on the Enger Certificate is \$10,613.15 which is the result of the erroneous assessment of the Unit and the Tax Collector, along with Special Counsel of the City, recommends cancellation of the Enger Certificate in the total amount of \$10,613.15.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Hoboken, County of Hudson and State of New Jersey, that resolution of tax liens on the Unit is in the best interests of the City and that Tax Collector for the City of Hoboken be and is hereby authorized to take appropriate action to cancel Certificate of Sale No. 080090 to Kyle Enger in the amount of \$10,613.15 relating to the unit listed as C00R1 on the tax rolls of the Tax Collector at the property at 1100 Adams Street commonly known as Block 104, Lot 1.1 on the tax map of the City of Hoboken; and

**BE IT FURTHER RESOLVED**, that the Mayor or her agent is hereby authorized to enter into a release (the "**Release**") with the holder of the Enger Certificate relating to the cancellation of the Enger Certificate; and

**BE IT FURTHER RESOLVED**, that the Tax Collector for the City of Hoboken is hereby authorized to forthwith issue a tax refund to the holder of the Enger Certificate in the amount of \$10,613.15 in accordance with the Release, which \$10,613.15 shall be drawn as a warrant against G/L 4-22-273-55-000-000 in favor of Kyle Enger.

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

**15-118**

---By Councilman Mello

**RESOLUTION RATIFYING SETTLEMENT AGREEMENT WITH IAFF 1076 FROM 2000- 2002 AND MEMORANDUM OF AGREEMENT BETWEEN THE CITY AND IAFF 1078 FROM 2003-2004 AND GRANTING THE MAYOR AUTHORITY TO EXECUTE 2007-2013 COLLECTIVE BARGAINING AGREEMENTS WITH IAFF 1078 AND IAFF 1076**

**WHEREAS**, by resolution the City Council authorized the Mayor to enter into Memorandum of Understandings with the Hoboken Uniformed Firefighters Association Local 1078, “IAFF 1078” and Hoboken Fire Officers Association Local 1076, “IAFF 1076” on November 14, 2011; and,

**WHEREAS**, this Administration conducted an intensive search and review of all of the Collective Bargaining Agreements, Memorandum of Understandings/Agreements and Resolutions authorizing same with IAFF 1076 and IAFF 1078 from January 1, 2000 until the present to ensure the terms set forth in the 2007-2013 Collective Bargaining Agreements with both unions were authorized by City Council; and

**WHEREAS**, this Administration has been able to procure all Collective Bargaining Agreements, Memorandum of Understandings and Resolutions authorizing same with IAFF 1076 and IAFF 1078 except for: (i) a Resolution authorizing a Settlement Agreement with IAFF 1076 from January 1, 2000 through December 31, 2002; and (ii) a signed copy of the Memorandum of Agreement between the City of Hoboken and IAFF 1078 from January 1, 2003 through December 31, 2004; and

**WHEREAS**, the City of Hoboken has negotiated a Collective Bargaining Agreement for IAFF 1076 for the period of 2007-2013 in accordance with the terms set forth in the Memorandum of Understanding authorized by City Council on November 14, 2011; and

**WHEREAS**, the City of Hoboken has negotiated a Collective Bargaining Agreement for IAFF 1078 for the period of 2007-2013 in accordance with the terms set forth in the Memorandum of Understanding authorized by City Council on November 14, 2011; and

**WHEREAS**, this Administration is seeking to have the City Council hereby ratify (i) a Resolution authorizing a Settlement Agreement with IAFF 1076 from January 1, 2000 through December 31, 2002; and (ii) a Memorandum of Agreement between the City of Hoboken and IAFF 1078 from January 1, 2003 through December 31, 2004; and

**WHEREAS**, this Administration is seeking to have the City Council hereby approve the 2007-2013 IAFF 1078 Collective Bargaining Agreement and the 2007-2013 IAFF 1076 Collective Bargaining Agreement, and authorize the Mayor to execute same;

**NOW THEREFORE BE IT RESOLVED**, that the City Council hereby ratifies: (i) a Resolution authorizing a Settlement Agreement with IAFF 1076 from January 1, 2000 through December 31, 2002; and (ii) a Memorandum of Agreement between the City of Hoboken and IAFF 1078 from January 1, 2003 through December 31, 2004; and

**BE IT FURTHER RESOLVED**, that the City Council hereby approves the 2007-2013 IAFF 1078 Collective Bargaining Agreement and the 2007-2013 IAFF 1076 Collective Bargaining Agreement with the City of Hoboken; and,

**BE IT FURTHER RESOLVED**, the City Council hereby authorizes the Mayor, or her legally authorized designee, to execute the 2007-2013 IAFF 1078 Collective Bargaining Agreement and the 2007-2013 IAFF 1076 Collective Bargaining Agreement with the City of Hoboken and to take any and all other action necessary to properly effectuate this resolution;

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

---Motion duly seconded by Councilman Cunningham

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

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

---Nays: None.

---Absent: Russo, Occhipinti

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

AN ORDINANCE TO AMEND CHAPTER 44 TO MAKE NOTICE PROCEDURES COMPLIANT WITH STATE LAW AND UPDATED CHAPTER 44 APPENDICES AND FORMS (Z-330) (SENT BACK TO 1<sup>ST</sup> READING)

AN ORDINANCE TO AMEND AND SUPPLEMENT AN ORDINANCE ESTABLISHING A SCHEDULE OF CLASSIFICATIONS AND ALLOCATIONS OF TITLE FOR THE MENTIONED POSITIONS IN THE CITY OF HOBOKEN (Z-333)

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.

President Bhalla moved that the hearing be closed.

---Motion duly seconded by Councilman Mello

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

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

---Nays: None.

---Absent: Russo, Occhipinti

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: 7 – NAYS: 0 - ABSENT: 2

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

---Nays: None.

---Absent: Occhipinti and Russo

AN ORDINANCE TO AMEND HOBOKEN CITY CODE SECTION 190-28 TO PROPERLY EFFECTUATE ENFORCEMENT DURING NECESSARY CITY GOVERNMENT OBLIGATIONS (Z-334) (CARRIED TO THE MARCH 4, 2015)

### **PUBLIC PORTION**

The speakers who spoke: Milda Rosa, Maria Bautista, Cheryl Fallick, Dan Tumpson, Domenick Russo, Pat Velencia, Roman Brice, Mary Ondrejka, Belkys Jimenez, Carmen Camilo (translator).

**Council President has left the table at 7:17 PM**

**Council President has returned to the table at 7:27 PM**

**15-119**

Communication from Mayor Dawn Zimmer to the City Council regarding Z-334, bike network funding, the North End Planner and update on the City's second H-5 Pump.

Received and Filed.

**15-120**

**APPLICATION FOR MISCELLANEOUS LICENSES**

Vendors----- 1 ITEMS  
Parking Facilities----- 4 ITEMS

---Councilman Mello moved that the licenses be granted.  
--Adopted by the following vote: YEAS: 7 – NAYS: 0 ABSENT: 2  
---Yeas: Council persons Castellano, Cunningham, Doyle, Giattino, Mason, Mello and President Bhalla  
---Nays: None.  
---Absent: Occhipinti, Russo

**15-121**

A report from the Municipal Tax Collector Sharon Curran for taxes collected for the month of January 2015 **\$11,059,589.81 (Abatement Totals – \$8,168.86)**

Received and Filed.

**15-122**

A report from Municipal Court indicating receipts for the month of January 2015 as **\$396,311.51.**

Received and Filed.

**15-123**

2015 Annual Debt Statement and Annual Financial Statement from the CFO George DeStefano

Received and filed.

**15-124**

**CLAIMS**

Total for this agenda **\$1,816,345.50**

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

---Yeas: Council persons Castellano, Cunningham, Doyle, Giattino, Mason, Mello and President Bhalla  
---Nays: Mason (15-00316, 15-00025, 15-00073, 15-00072, 15-00323, 15-00346, 15-00394)  
---Absent: Occhipinti, Russo  
---Abstain: Mello (on Payment to Luis Zayas 15-00394 for the amount of \$200,000.00)

**15-125**

**PAYROLL**

**For the two week period starting January 15, 2015 – January 28, 2015**

<b>Regular Payroll</b>	<b>O/T Pay</b>	<b>Other Pay</b>	
\$1,616,315.58	\$118,253.59		\$125,661.23

**Total** \$1,860,230.40

---Motion duly seconded by Councilman  
---Adopted by the following vote: YEAS: 7 – NAYS: 0 ABSENT: 2  
---Yeas: Council persons Castellano, Cunningham, Doyle, Giattino, Mason, Mello and President Bhalla  
---Nays:  
---Absent: Occhipinti, Russo

**PUBLIC COMMENTS ON RESOLUTIONS**

The speakers who spoke: Patricia Waiters, Jeff Schulman comments on resolution #9

**CONSENT AGENDA – 7, 10-13, 15, 17, 19, 20, 22-24**

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, 16, 18, 21  
Removed by Administration: 6

**RESOLUTIONS**

**15-126**

---By Councilman Mello

**RESOLUTION AUTHORIZING AN AMENDMENT TO THE PROFESSIONAL SERVICE CONTRACT WITH NITA G. RAVAL, ESQ. OF FLORIO KENNY AS THE CITY OF HOBOKEN’S AFFIRMATIVE ACTION OFFICER FOR AN EXTENDED TERM TO EXPIRE DECEMBER 31, 2015, AND FOR AN INCREASE IN THE NOT TO EXCEED AMOUNT BY \$50,000.00**

**WHEREAS**, the Mayor previously appointed Nita G. Raval, Esq. as the City Government’s Affirmative Action Officer for purposes of performing the tasks and enforcement procedures described in the Hoboken Code Chapter 6 Article XI.

**WHEREAS**, the City entered into a professional service contract for Ms. Raval’s services, which the City now seeks to extend the term of through December 31, 2015, and increase the not to exceed

amount of by Fifty Thousand Dollars (\$50,000.00) for a total not to exceed amount of \$85,000.00 (there is \$12,080.00 remaining appropriated from the original NTE amount as of 2/12/2015).

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

I, George DeStefano, Chief Financial Officer of the City of Hoboken, hereby certify that \$20,000.00 is available in the following appropriation 50120156020 in the temporary CY2015 appropriations; and I further certify that I will review the appropriations for the CY2015 budget, once adopted, and appropriate the remaining \$30,000.00 from 50120156020 of said 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 temporary appropriation; 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 City Council of the City of Hoboken hereby authorizes amendment of the professional service contract for Ms. Raval's services, with an extended term through December 31, 2015, and an increase in the not to exceed amount by Fifty Thousand Dollars (\$50,000.00); and

**BE IT FURTHER RESOLVED** that a certified copy of this resolution be forwarded to the Office of Corporation Counsel, and the Mayor for any and all necessary and proper action in accordance with this resolution; and,

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

---Motion duly seconded by Councilman Cunningham

---Adopted by the following vote: YEAS: 5 – NAYS: 2 - ABSENT: 2

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

---Nays: Castellano, Mason

---Absent: Occhipinti, Russo

**15-127**

---By Councilman Mello

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOBOKEN, COUNTY OF HUDSON, NEW JERSEY, AUTHORIZING THE ISSUANCE AND SALE OF UP TO: (i) \$7,907,000 OF GENERAL OBLIGATION BONDS, SERIES 2015; AND (ii) \$3,400,000 OF TAXABLE GENERAL OBLIGATION PARKING UTILITY BONDS, SERIES 2015, OF THE CITY OF HOBOKEN, COUNTY OF HUDSON, NEW JERSEY; AUTHORIZING SUCH FURTHER ACTIONS AND MAKING SUCH DETERMINATIONS AS MAY BE NECESSARY OR APPROPRIATE TO EFFECTUATE THE ISSUANCE AND SALE OF THE BONDS**

---

**BACKGROUND**

**WHEREAS**, pursuant to the Local Bond Law, constituting Chapter 169 of the Laws of 1960 of the State of New Jersey, as amended and supplemented ("Local Bond Law"), the City Council of the City of Hoboken, County of Hudson, New Jersey ("City"), has, pursuant to bond ordinances DR-69, as amended by DR-94, DR-42 and DR-233, each duly and finally adopted and published in accordance with the requirements of the Local Bond Law (collectively, the "Bond Ordinances"), authorized the issuance of general obligation bonds or bond anticipation notes of the City to finance the costs of certain capital improvements, as set forth in and authorized by the Bond Ordinances, all as more particularly described in Exhibit "A" attached hereto and made a part hereof; and

**WHEREAS**, on May 22, 2014, the City issued its Bond Anticipation Notes of 2014, Series A, in the principal amount of \$46,823,673 ("Tax-Exempt Notes"), as set forth in Exhibit "A", to temporarily finance a portion of the costs of the improvements authorized by bond ordinances DR-399, R-13, DR-233, DR-42, DR-

388, Z-40, Z-33, Z-30, Z-95, Z-149, Z-18, Z-248 and Z-234 ("Prior Tax-Exempt Improvements"); and

**WHEREAS**, the Tax-Exempt Notes mature on March 18, 2015, and are not subject to redemption prior to maturity; and

**WHEREAS**, it is the desire of the City to issue its general obligation bonds in the aggregate principal amount of up to \$7,907,000 ("Tax-Exempt Bonds"), as further described in Exhibit "A", the proceeds of which will be used to: (i) repay a portion of the principal of the Tax-Exempt Notes at maturity; and (ii) pay certain costs and expenses incidental to the issuance and delivery of the Tax-Exempt Bonds (collectively, the "Tax-Exempt Project"); and

**WHEREAS**, on May 22, 2014, the City issued its Taxable Bond Anticipation Notes of 2014, Series A, in the principal amount of \$4,166,513 ("Taxable Notes"), as set forth in Exhibit "A", to temporarily finance a portion of the costs of the improvements authorized by bond ordinances DR-69, as amended by DR-94, Z-23 and Z-149 ("Prior Taxable Improvements"); and

**WHEREAS**, the Taxable Notes mature on March 18, 2015, and are not subject to redemption prior to maturity; and

**WHEREAS**, it is the desire of the City to issue its Taxable General Obligation Parking Utility Bonds, Series 2015, in the aggregate principal amount of up to \$3,400,000 ("Taxable Bonds;" and together with the Tax-Exempt Bonds, the "Bonds"), as further described in Exhibit "A", the proceeds of which, together with other available funds of the City, will be used to: (i) repay a portion of the principal of the Taxable Notes; and (ii) pay certain costs and expenses incidental to the issuance and delivery of the Taxable Bonds (collectively, the "Taxable Project"); and

**WHEREAS**, pursuant to the Local Bond Law and the Bond Ordinances, it is the intent of the City Council hereby to authorize, approve and direct the issuance and sale of such Bonds, to ratify and confirm certain actions heretofore taken by or on behalf of the City, and to make certain related determinations and authorizations in connection with such issuance and sale.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HOBOKEN, COUNTY OF HUDSON, NEW JERSEY, PURSUANT TO THE LOCAL BOND LAW, AS FOLLOWS:**

**Section 1.** Pursuant to the Local Bond Law and the Bond Ordinances, the issuance and sale of the Tax-Exempt Bonds of the City, to be designated substantially, "City of Hoboken, County of Hudson, New Jersey, General Obligation Bonds, Series 2015", in an aggregate principal amount of up to \$7,907,000 to finance the Tax-Exempt Project, is hereby authorized and approved.

**Section 2.** The Tax-Exempt Bonds shall be dated their date of issuance and shall mature on February 1 in the years and amounts set forth below:

<u>Year</u>	<u>Principal Amount</u>	<u>Year</u>	<u>Principal Amount</u>	<u>Year</u>	<u>Principal Amount</u>
2016	\$287,000	2023	\$345,000	2030	\$450,000
2017	290,000	2024	360,000	2031	470,000
2018	295,000	2025	370,000	2032	495,000
2019	305,000	2026	385,000	2033	520,000
2020	315,000	2027	400,000	2034	545,000
2021	325,000	2028	420,000	2035	560,000
2022	335,000	2029	435,000		

The term of the Tax-Exempt Bonds is equal to or less than the average period of usefulness of the Tax-Exempt Project being financed through the issuance of the Tax-Exempt Bonds. Interest on the Tax-Exempt Bonds shall be payable semiannually on February 1 and August 1, commencing August 1, 2015, in each year until maturity or earlier redemption.

**Section 3.** Pursuant to the Local Bond Law and the Bond Ordinances, the issuance and sale of the Taxable Bonds of the City, to be designated substantially, "City of Hoboken, County of Hudson, New Jersey, Taxable General Obligation Parking Utility Bonds, Series 2015", in an aggregate principal amount of

up to \$3,400,000 to finance the Taxable Project, is hereby authorized and approved.

**Section 4.** The Taxable Bonds shall be dated their date of issuance and shall mature on February 1 in the years and amounts set forth below:

<u>Year</u>	<u>Principal Amount</u>	<u>Year</u>	<u>Principal Amount</u>	<u>Year</u>	<u>Principal Amount</u>
2016	\$125,000	2023	\$145,000	2030	\$195,000
2017	130,000	2024	150,000	2031	205,000
2018	130,000	2025	155,000	2032	215,000
2019	130,000	2026	165,000	2033	225,000
2020	135,000	2027	170,000	2034	235,000
2021	140,000	2028	180,000	2035	245,000
2022	140,000	2029	185,000		

The term of the Taxable Bonds is equal to or less than the average period of usefulness of the Taxable Project being financed through the issuance of the Taxable Bonds. Interest on the Taxable Bonds shall be payable semiannually on February 1 and August 1, commencing August 1, 2015, in each year until maturity or earlier redemption.

**Section 5.** The Bonds shall be general obligations of the City. The full faith and credit of the City are irrevocably pledged to the punctual payment of the principal of and interest on the Bonds and, to the extent payment is not otherwise provided, the City shall levy ad valorem taxes on all taxable real property without limitation as to rate or amount for the payment thereof.

**Section 6.** The Bonds maturing on and after February 1, 2026, are subject to redemption prior to their stated maturity dates at the option of the City, upon notice as set forth below, as a whole or in part (and, if in part, such maturities as the City shall determine and within any such maturity by lot) on any date on and after February 1, 2025, at a redemption price equal to 100% of the principal amount of the Bonds to be redeemed, plus accrued interest to the redemption date.

**Section 7.** Notice of redemption with respect to the Bonds shall be given by mailing first class mail in a sealed envelope with postage pre-paid not less than thirty (30) days nor more than sixty (60) days prior to the redemption date to the owner of every Bond of which all or a portion is to be redeemed at his or her last address, if any, appearing on the registration books of the Paying Agent (hereinafter defined). So long as the Bonds are issued in book-entry-only form, all notices of redemption will be sent only to the Securities Depository (hereinafter defined) and not be sent to the beneficial owners of the Bonds. Failure of an owner of the Bonds to receive such notice or of the Securities Depository to advise any participant or any failure of a participant to notify any beneficial owner of the Bonds shall not affect the validity of any proceedings for the redemption of Bonds. Such notice shall specify: (i) the series and maturity of the Bonds to be redeemed; (ii) the redemption date and the place or places where amounts that are due and payable upon such redemption will be payable; (iii) if less than all of the Bonds are to be redeemed, the letters and numbers or other distinguishing marks of the Bonds to be redeemed; (iv) in the case of a Bond to be redeemed in part only, the portion of the principal amount thereof to be redeemed; (v) that on the redemption date there shall become due and payable with respect to each Bond or portion thereof to be redeemed, the redemption price; and (vi) that from and after the redemption date interest on such Bonds or portion thereof to be redeemed shall cease to accrue and be payable.

**Section 8.** The Bonds will be issued in fully registered form. One certificate shall be issued for the aggregate principal amount of each series of Bonds maturing in each year. Both the principal of and interest on the Bonds will be payable in lawful money of the United States of America. Each certificate will be registered in the name of Cede & Co., as nominee of The Depository Trust Company, New York, New York ("DTC"), which will act as securities depository ("Securities Depository"). The certificates will be on deposit with DTC. DTC will be responsible for maintaining a book-entry system for recording the interests of its participants or the transfers of the interests among its participants. The participants will be responsible for maintaining records recording the beneficial ownership interests in the Bonds on behalf of individual purchasers. Individual purchases may be made in the principal amount of \$5,000, or a necessary odd denomination, through book-entries made on the books and the records of DTC and its participants. The principal of and interest on the Bonds will be paid to DTC by the City on the respective maturity dates and due dates and will be credited on the respective maturity dates and due dates to the participants of DTC as

listed on the records of DTC as of the first (1st) day of the month containing an interest payment date. The Bonds will be executed on behalf of the City by the manual or facsimile signatures of the Mayor and Chief Financial Officer, attested by the City Clerk or the Deputy City Clerk, and shall bear the affixed, imprinted or reproduced seal of the City thereon. The Bonds shall not be valid or obligatory for any purpose unless the Authentication Certification printed thereon shall be duly executed by an authorized officer of the Paying Agent (hereinafter mentioned).

**Section 9.** The City is hereby authorized to make representations and warranties, to enter into agreements and to make all arrangements with DTC, as may be necessary in order to provide that the Bonds will be eligible for deposit with DTC and to satisfy any obligation undertaken in connection therewith.

**Section 10.** In the event that DTC may determine to discontinue providing its service with respect to the Bonds or is removed by the City and if no successor Securities Depository is appointed, the Bonds which were previously issued in book-entry form shall be converted to Registered Bonds in denominations of \$5,000, or any integral multiple thereof ("Registered Bonds"). The beneficial owner under the book-entry system, upon registration of the Bonds held in the beneficial owner's name, will become the registered owner of the Registered Bonds. The City shall be obligated to provide for the execution and delivery of the Registered Bonds in certified form.

**Section 11.** The Mayor, Chief Financial Officer, Director of Finance and Business Administrator are each hereby authorized to solicit proposals for and engage the services of a qualified financial institution to serve as paying agent for the Bonds ("Paying Agent") and/or Dissemination Agent for the Bonds ("Dissemination Agent"). The Mayor, Chief Financial Officer, Director of Finance and Business Administrator are each hereby authorized to enter into an agreement with the Paying Agent and/or Dissemination Agent for the services to be provided.

**Section 12.** The preparation of a preliminary official statement ("Preliminary Official Statement") relating to the Bonds, and the distribution of said Preliminary Official Statement to prospective purchasers of the Bonds and others having an interest therein, are hereby authorized and directed. The Mayor, Chief Financial Officer and Director of Finance are each hereby authorized to deem the Preliminary Official Statement "final", as contemplated by paragraph (b)(1) of Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934, as amended ("Rule 15c2-12").

**Section 13.** The appointment of McElwee & Quinn, LLC, Cherry Hill, New Jersey ("Printer"), to provide electronic and/or physical dissemination of the Preliminary Official Statement and Official Statement (hereinafter defined) is hereby authorized, approved, ratified and confirmed. The Mayor, Chief Financial Officer, Director of Finance and Business Administrator of the City are each hereby authorized and directed to enter into an agreement with Printer for the services to be provided.

**Section 14.** Pursuant to the Local Bond Law, the Mayor, Chief Financial Officer and Director of Finance, each a "Sale Official", are hereby authorized to sell and award the Bonds at a public sale. The sale of the Bonds shall be in accordance with the provisions of the Local Bond Law, and the advertised terms of such public sale. If necessary or desirable, the Sale Official is hereby authorized to postpone, from time to time, the date and time established for receipt of bids for the sale of the Bonds in accordance with the Local Bond Law. If any date fixed for receipt of bids and the sale of the Bonds is postponed, the Sale Official is hereby authorized to announce an alternative sale date at least forty-eight (48) hours prior to such alternative sale date. The Sale Official is hereby authorized and directed to cause a summary notice of sale and a notice of sale of the Bonds to be prepared and disseminated in accordance with the Local Bond Law. At the next meeting of the City Council after the sale and award of the Bonds, the Sale Official shall report, in writing, to the City Council the principal amount, the rate or rates of interest, the maturity dates, the dates upon which interest on the Bonds shall be paid, the price and the purchaser or purchasers of the Bonds.

**Section 15.** The utilization of i-Deal LLC, New York, New York, to provide electronic bidding services to the City in connection with the competitive sale of the Bonds ("Bidding Agent") through the use of the Bidding Agent's BiDCOMP/PARITY auction system, pursuant to the Local Bond Law and the regulations promulgated thereunder, is hereby authorized, approved, ratified and confirmed.

**Section 16.** The preparation of a final official statement ("Official Statement") with respect to the Bonds is hereby authorized and directed. Within seven (7) business days of the sale of the Bonds and in

sufficient time to accompany any confirmation that requests payment from a customer, the City will deliver sufficient copies of the Official Statement to the purchaser of the Bonds in order for the same to comply with Paragraph (b)(4) of Rule 15c2-12. The Mayor, Chief Financial Officer and Director of Finance are each hereby authorized to execute the Official Statement, and the distribution thereof to purchasers and others is hereby authorized and directed. The execution of the final Official Statement by the Mayor, Chief Financial Officer and Director of Finance shall constitute conclusive evidence of approval by the City of the changes therein from the Preliminary Official Statement. The Mayor, Chief Financial Officer and Director of Finance are each hereby authorized to approve any amendments of or supplements to the Official Statement.

**Section 17.** The City hereby covenants that it will not make any use of the proceeds of the Tax-Exempt Bonds or do or suffer any other action that would cause: (i) the Tax-Exempt Bonds to be "arbitrage bonds" as such term is defined in Section 148(a) of the Internal Revenue Code of 1986, as amended ("Code") and the Income Tax Regulations promulgated thereunder; (ii) the interest on the Tax-Exempt Bonds to be included in the gross income of the owners thereof for federal income taxation purposes; or (iii) the interest on the Tax-Exempt Bonds to be treated as an item of tax preference under Section 57(a)(5) of the Code.

**Section 18.** The City hereby covenants as follows: (i) it shall timely file such information report or reports as may be required by Sections 148(f) and 149(e) of the Code; and (ii) it shall take no action that would cause the Tax-Exempt Bonds to be "federally guaranteed" within the meaning of Section 149(b) of the Code.

**Section 19.** To the extent not otherwise exempt, the City hereby covenants that it shall make, or cause to be made, the rebate required by Section 148(f) of the Code in the manner described in Treasury Regulation Sections 1.148-1 through 1.148-11, 1.149(b)-1, 1.149(d)-1, 1.149(g)-1, 1.150-1 and 1.150-2, as such regulations and statutory provisions may be modified insofar as they apply to the Tax-Exempt Bonds.

**Section 20.** Application to Moody's Investors Service and/or Standard & Poor's Rating Service, a division of The McGraw-Hill Companies, for a rating of the Bonds, and the furnishing of certain information concerning the City and the Bonds, for the purpose of qualifying the Bonds for municipal bond insurance, are hereby authorized, ratified, confirmed and approved.

**Section 21.** All actions heretofore taken and documents prepared or executed by or on behalf of the City by the Mayor, Chief Financial Officer, Director of Finance, Business Administrator, City Clerk, Deputy City Clerk and other City officials or by the City's professional advisors, in connection with the issuance and sale of the Bonds are hereby ratified, confirmed, approved and adopted.

**Section 22.** The Mayor, Chief Financial Officer, Director of Finance, Business Administrator, City Clerk and Deputy City Clerk are each hereby authorized to determine all matters and execute all documents and instruments in connection with the Bonds not determined or otherwise directed to be executed by the Local Bond Law, the Bond Ordinances, or by this or any subsequent resolution, and the signatures of the Mayor, Chief Financial Officer, Director of Finance, Business Administrator, City Clerk and Deputy City Clerk on such documents or instruments shall be conclusive as to such determinations.

**Section 23.** All other resolutions, or parts thereof, inconsistent herewith are hereby rescinded and repealed to the extent of any such inconsistency.

**Section 24.** This resolution shall take effect immediately upon adoption this \_\_\_ day of February, 2015.

---Motion duly seconded by Councilman Cunningham

---Adopted by the following vote: YEAS: 5 – NAYS: 2 - ABSENT: 2

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

---Nays: Castellano, Mason

---Absent: Occhipinti, Russo

---By Councilman Mello

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOBOKEN, COUNTY OF HUDSON, NEW JERSEY AUTHORIZING AND APPROVING THE ISSUANCE AND SALE OF UP TO OF \$11,950,000 OF BONDS OF THE CITY OF HOBOKEN CONSISTING OF THE CITY'S GENERAL OBLIGATION BONDS, SERIES 2015B, AND THE CITY'S GENERAL OBLIGATION BONDS, SERIES 2015C; AUTHORIZING THE EXECUTION AND DELIVERY OF THE LOAN AGREEMENTS TO BE EXECUTED BY THE CITY AND EACH OF THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST AND STATE OF NEW JERSEY, ACTING BY AND THROUGH THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION; FURTHER AUTHORIZING THE EXECUTION AND DELIVERY OF AN ESCROW AGREEMENT, ALL PURSUANT TO THE 2015 NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST FINANCING PROGRAM; AND DETERMINING CERTAIN OTHER MATTERS IN CONNECTION THEREWITH**

**BACKGROUND**

**WHEREAS**, the City of Hoboken, County of Hudson, New Jersey ("City") has determined there exists a need for the Construction of a Wet Weather Pump Station including, but not limited to, the construction of an electrical room and standby generator to serve the H5 Drainage System and the Construction of a Sustainable Stormwater Project at City Hall including, but not limited to, a Rainwater Cistern and a Bio-Swales ("2015 Project"), as described in that certain Loan Agreement ("Trust Loan Agreement") to be entered into between the City and the New Jersey Environmental Infrastructure Trust ("Trust") and that certain Loan Agreement ("Fund Loan Agreement"; together with the Trust Loan Agreement, the "Loan Agreements") to be entered into between the City and the State of New Jersey, acting by and through the New Jersey Department of Environmental Protection ("State"), all pursuant to the 2015 New Jersey Environmental Infrastructure Trust Financing Program ("Program"); and

**WHEREAS**, the City has determined to use the proceeds of a loan to be made by each of the Trust ("Trust Loan") and the State ("Fund Loan"; together with the Trust Loan, the "Loans") pursuant to the Trust Loan Agreement and the Fund Loan Agreement, respectively, to permanently finance the 2015 Project; and

**WHEREAS**, to evidence the Loans, each of the Trust and the State require the City to authorize, execute and deliver its General Obligation Bonds, Series 2015B, to the Trust ("2015B Bonds") and its General Obligation Bonds, Series 2015C, to the State ("2015C Bonds"; together with the 2015B Bonds, the "2015 Bonds"), pursuant to the terms of applicable law and pursuant to the terms of the Loan Agreements; and

**WHEREAS**, pursuant to the Local Bond Law, constituting Chapter 169 of the Laws of 1960 of the State of New Jersey, as amended and supplemented ("Local Bond Law"), the City Council of the City has, pursuant to Bond Ordinance No. Z-326, duly and finally adopted and published in accordance with the requirements of the Local Bond Law ("Bond Ordinance"), authorized the issuance of general obligation bonds or bond anticipation notes of the City to finance the costs of the 2015 Project; and

**WHEREAS**, the Trust and the State have expressed their desire to close in escrow the making of the Loans, the issuance of the 2015 Bonds and the execution and delivery of the Loan Agreements, all pursuant to the terms of an Escrow Agreement ("Escrow Agreement") to be entered into between the Trust, the State, the Escrow Agent and the City; and

**WHEREAS**, to effectuate the financing plan described in the above mentioned paragraphs, it is necessary for the City to adopt this resolution and to authorize and approve the issuance and sale of the 2015 Bonds in a principal amount up to \$11,950,000; and

**WHEREAS**, *N.J.S.A. 40A:2-27(a)(2)* allows for the sale of the 2015B Bonds and the 2015C Bonds to the Trust and the State, respectively, without any public offering, and *N.J.S.A. 58:11B-9(a)* allows for the sale of the 2015 Bonds to the Trust, without any public offering, all under the terms and conditions set forth herein.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HOBOKEN, COUNTY OF HUDSON, NEW JERSEY, PURSUANT TO THE LOCAL BOND LAW**

**(NOT LESS THAN TWO-THIRDS OF ALL THE MEMBERS THEREOF AFFIRMATIVELY CONCURRING), AS FOLLOWS:**

**Section 1.** The City authorizes and approves the issuance of the 2015 Bonds in two (2) or more series in a total principal amount of up to \$11,950,000 to be designated, "City of Hoboken, County of Hudson, New Jersey, General Obligation Bonds, Series 2015B" and "City of Hoboken, County of Hudson, New Jersey, General Obligation Bonds, Series 2015C", respectively. The 2015 Bonds will be used to pay the costs of the 2015 Project. In accordance with *N.J.S.A. 40A:2-27(a)(2)* and *N.J.S.A. 58:11B-9(a)*, the City hereby sells and awards the 2015B Bonds and the 2015C Bonds to the Trust and to the State in accordance with the provisions hereof.

**Section 2.** The Chief Financial Officer is hereby authorized to determine in accordance with the Local Bond Law and pursuant to the terms and conditions established by the Trust and the State under the Loan Agreements and the terms and conditions hereof, the following items with respect to the 2015B Bonds and the 2015C Bonds:

- (a) The aggregate principal amount of the 2015B Bonds and the 2015C Bonds to be issued;
- (b) The maturity and annual principal installments of the 2015B Bonds and 2015C Bonds, which maturity shall not exceed thirty (30) years;
- (c) The date of the 2015 Bonds;
- (d) The interest rates of the 2015 Bonds;
- (e) The purchase price for the 2015 Bonds; and
- (f) The terms and conditions under which the 2015 Bonds shall be subject to redemption prior to their stated maturities.

Any determination made by the Chief Financial Officer pursuant to the terms hereof shall be conclusively evidenced by the execution and attestation of the 2015 Bonds by the parties authorized under Section 3 hereof.

**Section 3.** The 2015 Bonds shall be in the form prescribed and permitted by the Local Bond Law, as Bond Counsel may advise, and as the City, the Trust and the State shall approve. The 2015 Bonds shall be issued in fully registered form and shall be payable to the registered owners thereof as to principal and interest in lawful money of the United States of America. The 2015 Bonds will be executed on behalf of the City by the manual signatures or facsimile signatures of the Mayor and Chief Financial Officer, attested by the City Clerk (such execution shall constitute conclusive approval by the City of the form of the 2015 Bonds), and shall bear the affixed, imprinted or reproduced seal of the City thereon. The 2015B Bonds and the 2015C Bonds shall be substantially in the form set forth in the Trust Loan Agreement and the Fund Loan Agreement, respectively.

**Section 4.** The terms of the 2015 Bonds authorized to be set forth by the Chief Financial Officer in accordance with Section 2 hereof shall be ratified by the affirmative vote of 2/3 of the full members of the City Council.

**Section 5.** The full faith and credit of the City are irrevocably pledged to the punctual payment of the principal of and interest on the 2015 Bonds and, to the extent payment is not otherwise provided, the City shall be obligated to levy *ad valorem* taxes upon all taxable real property within the City without limitation as to rate or amount for the payment thereof.

**Section 6.** Each of the Trust Loan Agreement, Fund Loan Agreement and the Escrow Agreement are hereby authorized to be executed and delivered on behalf of the City by the Mayor or Chief Financial Officer in substantially the forms on file in the offices of the City, with such changes as the Mayor or Chief Financial Officer in their respective sole discretion, after consultation with counsel and any advisors to the City and after further consultation with the Trust and the State and their representatives, agents, counsel and advisors, shall determine, such determination to be conclusively evidenced by the execution of each of such Trust Loan Agreement, Fund Loan Agreement and Escrow Agreement by an authorized officer as determined hereunder. The City Clerk and Deputy City Clerk are each hereby severally authorized to attest to the execution of the Trust Loan Agreement, Fund Loan Agreement and Escrow Agreement by an authorized officer of the City as determined hereunder and to affix the corporate seal of the City to such documents.

**Section 7.** All actions heretofore taken and documents prepared or executed by or on behalf

of the City by the Mayor, Chief Financial Officer, City Clerk, other City officials or by the City's professional advisors, in connection with the issuance and sale of the 2015 Bonds or the 2015 Project are hereby ratified, confirmed, approved and adopted.

**Section 8.** The Mayor, Chief Financial Officer and City Clerk are each hereby authorized to determine all matters and execute all documents and instruments in connection with the 2015 Bonds or the 2015 Project not determined or otherwise directed to be executed by the Local Bond Law, the Bond Ordinance, or by this or any subsequent resolution, and the signature of the Mayor, Chief Financial Officer or City Clerk on such documents or instruments shall be conclusive as to such determinations.

**Section 9.** All other resolutions, or parts thereof, inconsistent herewith are hereby rescinded and repealed to the extent of any such inconsistency.

**Section 10.** This resolution shall take effect immediately upon adoption this \_\_\_ day of February, 2015.

---Motion duly seconded by Councilman Cunningham

---**FAILED** by the following vote: YEAS: 5 – NAYS: 2 - ABSENT: 2

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

---Nays: Castellano, Mason

---Absent: Occhipinti, Russo

**15-129**

---By Councilman Mello

**RESOLUTION AUTHORIZING SUBMISSION OF GRANT APPLICATION TO PEOPLEFORBIKES COMMUNITY GRANT PROGRAM AND ACCEPTANCE OF GRANT IF AWARDED**

**WHEREAS**, The PeopleForBikes Community Grant Program supports bicycle infrastructure projects and targeted advocacy initiatives that make it easier and safer for people of all ages and abilities to ride; and

**WHEREAS**, grants are awarded up to \$10,000 for no more than 50% of the total project cost; and

**WHEREAS**, while no match is required, leverage and funding partnerships are strongly considered in project evaluation; and

**WHEREAS**, cities and counties are eligible applicants; and

**WHEREAS**, eligible projects include: infrastructure projects such as bike paths, lanes, trails, and bridges, mountain bike facilities, bike parks and pump tracks, BMX facilities and End-of-trip facilities such as bike racks, bike parking, and bike storage; and

**WHEREAS**, eligible costs for Infrastructure Projects include: engineering and design work, and construction costs including materials, labor and equipment rental; and

**WHEREAS**, the City of Hoboken is requesting \$7,500 of the total cost of \$15,000 from PeopleForBikes to install high-density bicycle parking at Hoboken Terminal, and

**WHEREAS**, The goal of this project is to provide convenient high-visibility bike parking near Hoboken's transit hub – Hoboken Terminal – to further encourage bicycling as a viable mode of transportation within the City of Hoboken

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

**BE IT FURTHER RESOLVED** that the Mayor or her designee are hereby authorized to submit a grant application to the PeopleForBikes Community Grant Program on behalf of the City of Hoboken.

**BE IT FURTHER RESOLVED** that the Mayor or her designee is hereby authorized to sign the grant agreement on behalf of the City of Hoboken, and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

---Motion duly seconded by Councilman Cunningham

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

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

---Nays: None.

---Absent: Occhipinti, Russo

**15-130**

---By Councilman Mello

**RESOLUTION AWARDING A CONTRACT TO W.B. MASON CO. FOR OFFICE SUPPLIES FOR THE CITY OF HOBOKEN IN ACCORDANCE WITH HUDSON COUNTY CONTRACT # 12400 FOR THE TERM JANUARY 1, 2015 THROUGH AUGUST 7, 2015, IN THE TOTAL NOT TO EXCEED AMOUNT OF \$70,000.00**

**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 W.B. Mason Co. has been approved for Hudson County Cooperative Contract #12400, which cooperative the City is a part of; and,

**WHEREAS**, the City requires Office Supplies; 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 Hudson County Cooperative Contract #12400; and

**WHEREAS**, W.B. Mason Co. shall provide the City with service for eight (8) months, commencing January 1, 2015 and expiring August 7, 2015; and

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

**I, George DeStefano, Chief Financial Officer of the City of Hoboken, hereby certify that \$5,000.00 is available from 5-01-23-218-035 and \$5,000.00 from 5-01-23-218-031 in the 2015 temporary appropriations; and I further certify that, upon adoption of same, I will immediately review the CY2015 budget to determine whether the additional \$60,000.00 balance is available and appropriated in the CY2015 budget, as adopted; 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, 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 Hudson County contract, from January 1, 2015 through August 7, 2015, for a total not to exceed amount of Seventy Thousand Dollars (\$70,000.00), 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 above mentioned goods and/or services based upon the following information:

W.B. Mason CO.  
535 Secaucus Road  
Secaucus, NJ 07094

---Motion duly seconded by Councilman Cunningham

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

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

Nays: Mason

Absent: Occhipinti, Russo

**15-131**

---By Councilman Mello

**RESOLUTION AWARDING A CONTRACT TO TROY & BANKS, INC. FOR UTILITY AUDITING SERVICES FOR THE CITY OF HOBOKEN FOR A ONE YEAR TERM TO COMMENCE FEBRUARY 19, 2015 AND EXPIRING FEBRUARY 18, 2016, IN ACCORDANCE WITH MRESC COOPERATIVE CONTRACT (14/15-46)**

**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 Troy & Banks, Inc. has been approved for an MRESC Cooperative Contract (14/15-46), which cooperative the City is a part of; and,

**WHEREAS**, the City requires Utility Auditing Services; 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 contract MRESC 14/15-46; and

**WHEREAS**, Troy & Banks, Inc. shall provide the City with service for twelve (12) months, commencing February 19, 2015 and expiring February 18, 2016; and

**WHEREAS**, certification of funds is NOT required for this contract award.

**NOW THEREFORE BE IT RESOLVED** by the City Council of the City of Hoboken that a contract with the below listed vendor is awarded with no upfront contractual cost to the City, but entitled to cost recovery percentage in accordance with the schedule of fees awarded through MRESC Cooperative Contract (14/15-46); and,

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:

TROY & BANKS, INC.  
2216 KENSINGTON AVENUE

---Motion duly seconded by Councilman Cunningham  
---Adopted by the following vote: YEAS: 6 – NAYS: 1 - ABSENT: 2  
---Yeas: Council persons Castellano, Cunningham, Doyle, Giattino, Mello and President Bhalla  
---Nays: Mason  
---Absent: Occhipinti, Russo  
15-132  
---By Councilman Mello

**RESOLUTION AWARDING A CONTRACT TO FASTENAL COMPANY FOR  
HARDWARE, INDUSTRIAL AND MRO SUPPLIES FOR THE CITY OF HOBOKEN  
IN ACCORDANCE WITH NJ STATE CONTRACT M-0002/79873 FROM JANUARY 1,  
2015 THROUGH DECEMBER 31, 2015, IN A TOTAL NOT TO EXCEED AMOUNT OF  
\$60,000.00**

**WHEREAS**, N.J.S.A. 40A:11-12 allows municipalities to award public contracts without public bidding when the vendor is an approved state contractor, and Fastenal Company has been approved as a State Contractor pursuant to Contract Number M-0002/79873 and,

**WHEREAS**, the City requires Hardware, Industrial and MRO Supplies; 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 contract M-0002/79873, and

**WHEREAS**, Fastenal Company shall provide the City with services for twelve months, commencing January 1, 2015 and expiring December 31, 2015; 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 5-31-55-713-001 in the 2015 temporary appropriations; and I further certify that, upon adoption of same, I will immediately review the CY2015 budget to determine whether the additional \$50,000.00 balance is available and appropriated in the CY2015 budget, as adopted; 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, 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 Sixty Thousand Dollars (\$60,000.00), 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:

FASTENAL COMPANY  
1195 AIRPORT ROAD  
LAKEWOOD, NJ 08701

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

**15-133**

---By Councilman Mello

**RESOLUTION AWARDING A CONTRACT TO BUY WISE AUTO PARTS FOR  
AUTOMOTIVE PARTS AND SUPPLIES FOR THE CITY OF HOBOKEN TO EXPIRE  
DECEMBER 31, 2015, IN ACCORDANCE WITH NJ STATE CONTRACT T2761/85992,  
IN A TOTAL NOT TO EXCEED AMOUNT OF \$50,000.00**

**WHEREAS**, N.J.S.A. 40A:11-5 allows municipalities to award public contracts without public bidding when the vendor is an approved state contractor, and Buy Wise has been approved as a State Contractor pursuant to Contract Number T2761/85992 and,

**WHEREAS**, the City requires Automotive Parts and Supplies; 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 contract T2761/85992, and

**WHEREAS**, Buy Wise Auto Parts shall provide the City with service for twelve months, commencing January 1, 2015 and expiring December 31, 2015; and

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

**I, George DeStefano, Chief Financial Officer of the City of Hoboken, hereby certify that \$5,000.00 is available from 5-01-26-301-047 (Central Garage), \$5,000.00 from 5-01-26-301-040 (Police), and \$5,000.00 from 5-31-55-703-001 (HPU) in the 2015 temporary appropriations; and I further certify that, upon adoption of same, I will immediately review the CY2015 budget to determine whether the additional \$35,000.00 balance is available and appropriated in the CY2015 budget, as adopted; 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, 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, through December 31, 2015, for a total not to exceed amount of Fifty Thousand Dollars (\$50,000.00), 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:

SAMUELS INC.  
T/A BUY WISE AUTO PARTS  
2087-2091 SPRINGFIELD AVENUE

VAUXHALL, NJ 07088

---Motion duly seconded by Councilman Cunningham

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

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

---Nays: None.

---Absent: Occhipinti, Russo

**15-134**

---By Councilman Mello

**RESOLUTION AUTHORIZING THE CITY OF HOBOKEN TO ACCEPT AND QUALIFY RESPONSES TO ISSUED REQUESTS FOR QUALIFICATION FOR GENERAL MUNICIPAL ENGINEERING, LAND SURVEYING, LANDSCAPE ARCHITECTURE AND LSRP PROFESSIONALS FROM JANUARY 1, 2015 THROUGH DECEMBER 31, 2015**

**WHEREAS**, it is necessary for the City of Hoboken to engage, from time-to-time, the services of a qualified firm and/or professional to provide Professional Services as general municipal engineering, land surveying, landscape architecture and LSRP professionals; and,

**WHEREAS**, N.J.S.A. 19:44A-20.1 et seq., commonly known as the State “Pay to Play” Law took effect on January 1, 2006; and,

**WHEREAS**, the City has fully complied with the “fair and open” process set forth under N.J.S.A. 19:44A-20.1 et. seq., by issuing a Request for Qualifications for general municipal engineering, land surveying, landscape architecture and LSRP professionals for CY2015; and,

**WHEREAS**, the City’s review team has determined that the below listed respondents to the RFQ provide the city with the best options for efficient and effective engineering, land surveying, landscape architecture and LSRP services during CY2015, and are each qualified to be considered by the City Administration, if and when the Administration finds it necessary, to engage the services of such respondent;

**NOW, THEREFORE, BE IT RESOLVED** by the City of Hoboken that the below listed respondents be and are hereby deemed qualified to be contracted for general engineering, land surveying, landscape architecture and LSRP services for the City, as necessary when determined by the Administration, during the January 1, 2015 through December 31, 2015 period:

1. T&M Associates (all specialties)
2. Kimley Horn (engineering only)
3. Boswell Engineering (all specialties)
4. Maser Consulting, P.A. (all specialties except LSRP)
5. Princeton Hydro (engineering only)
6. Starr Whitehouse Landscape Architects & Planners, PLLC (landscape architecture only)
7. Excel Environmental (LSRP only)

---Motion duly seconded by Councilman Cunningham

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

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

---Nays: None.

---Absent: Occhipinti, Russo

### **15-135**

---By Councilman Mello

#### **RESOLUTION TO APPROVE A “LICENSE AGREEMENT” BETWEEN THE CITY OF HOBOKEN AND KAMM DEVELOPMENT GROUP LLC, OWNER OF BLOCK 70 LOT 26 (a/k/a 504 Grand Street), FOR USE AND MAINTENANCE OF A PORTION OF THE PUBLIC RIGHT OF WAY ADJACENT TO SAID PROPERTY**

**WHEREAS**, the City of Hoboken requires property owners to maintain the public right-of-way adjacent to their property, including but not limited to sidewalks, stairs, stoops, fences, areaways, trees and other landscaping; and

**WHEREAS**, the City of Hoboken encourages property owners to landscape and otherwise improve said right-of-way to enhance the urban landscape; and

**WHEREAS**, the City of Hoboken and the City Council, by resolution, provides for the issuance of license agreements for the aforementioned purpose; and

**WHEREAS**, the applicant desires to receive and the City of Hoboken agrees to grant to Kamm Development Group LLC, owner of Block 70 Lot 26, more commonly known as 504 Grand Street, Hoboken, represented by Kevin Tartaglione, such a license.

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

- 1) Approval of the attached “License Agreement” between the City of Hoboken and Kamm Development Group LLC, owner of Block 70 Lot 26, more commonly known as 504 Grand Street, shall be subject and limited to the details and specifications included in the attached Application and Exhibits including James McNeight architectural drawings;
- 2) The Mayor or her agent is hereby authorized to enter into the attached agreement; and
- 3) This resolution shall become effective immediately upon adoption.

---Motion duly seconded by Councilman Cunningham

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

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

---Nays: None.

---Absent: Occhipinti, Russo

### **15-136**

---By Councilman Mello

#### **RESOLUTION TO AUTHORIZE A PROFESSIONAL SERVICE CONTRACT WITH MCGUIRE ASSOCIATES LLC AS GENERAL REAL ESTATE APPRAISER FOR THE CITY**

**OF HOBOKEN FOR THE 2015 CALENDAR YEAR FOR A TOTAL NOT TO EXCEED  
AMOUNT OF \$93,500.00**

**WHEREAS**, service to the City as Real Estate Appraiser 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 a Request for Proposals for the Professional Services of Real Estate Appraiser in accordance with the City's Request for Proposals, in accordance with the Fair and Open Process and Hoboken Ordinance #DR-154, which McGuire Associates LLC responded to, and for which the Administration's Evaluation Committee determined McGuire Associates to be an acceptable choice for the position, cost and other factors considered; and,

**WHEREAS**, McGuire Associates LLC is hereby required 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 \$24,000.00 is available in the following appropriation account 5-01-20-150-030 in the CY2015 temporary appropriations, and I will immediately upon adoption of the CY2015 certify an appropriation of the remaining \$69,500.00 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; 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 be awarded and entered into with McGuire Associates LLC to represent the City as General Real Estate Appraiser, in accordance with the scope of work detailed in the RFP, for the 2015 Calendar Year, for a total not to exceed amount of Ninety Three Thousand Five Hundred Dollars (\$93,500.00); and

**BE IT FURTHER RESOLVED**, that the contract shall be for Real Estate Appraisal services in accordance with the City's Request for Proposals, McGuire Associate's proposal, and the contract shall be for general services as directed by the Administration and Tax Assessor; and,

**BE IT FURTHER RESOLVED**, the contract shall include the following term: McGuire Associates LLC shall be paid the Ninety Three Thousand Five Hundred Dollars (\$93,500.00) in equal monthly installments for the twelve (12) calendar months in CY2015 for all services rendered, and these are the only charges for services allowable under this agreement, and charges for other fees and costs may be allowable upon prior written approval of the Administration, but must be clearly identified and described in full in the appropriate monthly invoice; 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 McGuire Associates LLC; 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 Councilman Cunningham

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

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

---Nays: Mason

---Absent: Occhipinti, Russo

**15-137**

---By Councilman Mello

**RESOLUTION AWARDING A PROFESSIONAL SERVICE CONTRACT TO BOSWELL ENGINEERING FOR CITY ENGINEER FOR THE JEFFERSON STREET PROJECT IN AN AMOUNT OF EIGHTEEN THOUSAND FIVE HUNDRED DOLLARS (\$18,500.00) PLUS AN EIGHT THOUSAND DOLLAR (\$8,000.00) OWNER'S ALLOWANCE, FOR A TOTAL NOT TO EXCEED AMOUNT OF TWENTY SIX THOUSAND FIVE HUNDRED DOLLARS (\$26,500.00), AND FOR A ONE YEAR TERM TO COMMENCE FEBRUARY 19, 2015 AND EXPIRE FEBRUARY 18, 2016**

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

**WHEREAS**, the Administration evaluated the proposal provided in response to said RFP, and the Administration and City Council included Boswell Engineering on the CY2015 annual list of Pool Engineers from which the City may choose for independent engineering projects throughout the year, and the Administration has now determined that Boswell Engineering can provide the City with the most effective and efficient City Engineering services for the Jefferson Street Project, in accordance with their attached proposal; and,

**WHEREAS**, in accordance with the direction of the Administration, the City Council is asked to award a contract to Boswell for the City's Engineering for the Jefferson Street Project, in accordance with their attached proposal, for a total contract amount of Twenty Six Thousand Five Hundred Dollars (\$26,500.00)[\$18,500.00 for the work/\$8,000.00 owner's allowance], with a one (1) year term to commence on February 19, 2015 and expire on February 18, 2016; and,

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

**I, George DeStefano, Chief Financial Officer of the City of Hoboken, hereby certify that \$26,500.00 is available in the following appropriation C-04-60-714-220 in the CY2015 capital budget; and I further certify that this commitment together with all previously made commitments and payments does not exceed the funds available in said temporary appropriation for the CY2015 capital 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 Twenty Six Thousand Five Hundred Dollars (\$26,500.00)[\$18,500.00 for the work/\$8,000.00 owner's allowance], with a one (1) year term to commence on February 19, 2015 and expire on February 18, 2016, for the Jefferson Street Project, in accordance with the attached proposal, and with the additional contract terms as follows:

1. The above recitals are incorporated herein as though fully set forth at length.
2. The terms of Boswell's attached 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:

Boswell Engineering  
South Hackensack, New Jersey

---Motion duly seconded by Councilman Cunningham

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

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

---Nays: None.

---Absent: Occhipinti, Russo

**15-138**

---By Councilman Mello

**RESOLUTION TO AMEND THE AWARD OF A CONTRACT TO STARR WHITEHOUSE FOR THE PROVISIONS OF DESIGN, PERMITTING AND CONSTRUCTION OVERSIGHT FOR BLOCK 12 FOR THE CITY IN ACCORDANCE WITH THE CURRENT CONTRACT, WITH AN EXPIRATION DATE OF DECEMBER 31, 2015, AND WITH AN INCREASE IN THE NOT TO EXCEED AMOUNT BY \$15,000.00.**

**WHEREAS**, the City previously awarded a design, permitting and construction oversight contract to Starr Whitehouse for Block 12 in a total not to exceed amount of \$358,551.00 through September 17, 2015, in accordance with applicable Local Public Contract and Pay to Play laws, and the City now seeks to amend that contract;

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

**I, George DeStefano, Chief Financial Officer of the City of Hoboken, hereby certify that \$15,000.00 is available in the following appropriations C-04-60-711-120 in the open space parks bond; 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** by the City Council of the City of Hoboken as follows:

A. This resolution amends the contract to Starr Whitehouse, for an additional \$15,000.00 (for services as described in the attached proposal of Starr Whitehouse) and for an extended term to expire December 31, 2015; the remainder of the terms shall be in accordance with the original agreement and all attachments thereto.

B. The Mayor or her designee is hereby authorized to take the necessary steps to enter into an amendment to the contract, 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 Councilman Cunningham

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

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

---Nays: None.

---Present: Castellano

---Absent: Occhipinti, Russo

### **15-139**

---By Councilman Mello

### **RESOLUTION AUTHORIZING SUBMISSION OF A GRANT APPLICATION TO SUSTAINABLE JERSEY SMALL GRANTS PROGRAM**

**WHEREAS**, Sustainable Jersey is a nonprofit, nonpartisan organization that provides tools, training and financial incentives to support and reward communities as they pursue sustainability programs; and

**WHEREAS**, Sustainable Jersey identifies resources to help municipalities develop a comprehensive sustainable community program including financial resources in the form of grants and incentives, and technical support in the form of trainings, access to support organizations, and guidance material; and

**WHEREAS**, Sustainable Jersey registered towns get special priority access and notification of incentives and grants, and are eligible for the Sustainable Jersey Small Grants program; and

**WHEREAS**, Sustainable Jersey announced that \$200,000 in grant funds is available for communities participating in the Sustainable Jersey certification program to support sustainability initiatives and projects; and

**WHEREAS**, Sustainable Jersey is making twenty (20) \$2,000 Capacity Building Grants available to support local Green Teams; and

**WHEREAS**, The Sustainable Jersey Small Grants are intended to help local governments make progress toward a sustainable future in general, and specifically toward Sustainable Jersey certification; and

**WHEREAS**, the City of Hoboken is requesting \$2,000 for the purchase of 500 reusable shopping bags which will be distributed in May 2015 at the Hoboken Green Fair to vendors, who will provide the bags for consumers to use in lieu of plastic bags, and no city match is required; and

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

**BE IT FURTHER RESOLVED** that the Mayor or her designee is hereby authorized to submit a grant application to Sustainable Jersey for its Small Grants Program on behalf of the City of Hoboken.

**BE IT FURTHER RESOLVED** that the Mayor or her designee is hereby authorized to sign the grant agreement on behalf of the City of Hoboken, and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

---Motion duly seconded by Councilman Cunningham

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

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

---Nays: None.

---Absent: Occhipinti, Russo

**15-140**

---By Councilman Mello

**RESOLUTION AUTHORIZES AN ASSIGNMENT OF THE CONTRACT WITH QUEEN MARGHERITA INC. D/B/A QUEEN MARGHERITA EXPRESS TO ASSIGN THE CONTRACT FROM QUEEN MARGHERITA INC. D/B/A QUEEN MARGHERITA EXPRESS TO PANIGERO, LLC**

**WHEREAS**, the City of Hoboken entered into a lease agreement with QUEEN MARGHERITA INC. d/b/a QUEEN MARGHERITA EXPRESS pursuant to a public bid; and,

**WHEREAS**, by email dated February 5, 2015, QUEEN MARGHERITA INC. d/b/a QUEEN MARGHERITA EXPRESS advised that all future operations relating to QUEEN MARGHERITA INC. d/b/a QUEEN MARGHERITA EXPRESS's outstanding contracts shall be assigned to Panigero, LLC, and the City now wishes to formally assign the Sinatra Park Lease to Panigero, LLC to ensure continued adherence to the lease agreement; and,

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Hoboken that the assignment of the lease agreement from QUEEN MARGHERITA INC. d/b/a QUEEN MARGHERITA EXPRESS to the below listed vendor is authorized and ratified as follows:

1. The above recitals are incorporated herein as though fully set forth at length.
2. The original lease agreement is hereby assigned formally and entirely to Panigero, LLC, and the assignment shall be executed by all three parties prior to the assignment herein being effective.
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, for the above referenced assignment based upon the attached information supplied by Panigero (attached hereto).

---Motion duly seconded by Councilman Cunningham

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

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

---Nays: None.

---Absent: Occhipinti, Russo

**15-141**

---By Councilman Mello

**RESOLUTION CANCELLING A PORTION OF CERTAIN PRIOR SPECIAL EMERGENCY APPROPRIATIONS FOR EXTRAORDINARY EXPENSES ASSOCIATED WITH DAMAGE FROM HURRICANE SANDY**

**BACKGROUND**

**WHEREAS**, the Local Budget Law, constituting Chapter 169 of the Laws of the State of New Jersey, as amended and supplemented ("Local Budget Law"), authorizes, inter alia, municipalities to adopt resolutions authorizing special emergency appropriations to cover the cost of extraordinary expenses including, but not limited to, capital expenditures and expenses related to salaries and wages of municipal personnel, for the repair, reconstruction of streets, roads or bridges or other public property damaged by flood or hurricane where such expense was not foreseen at the time of the adoption of the municipality's budget; and

**WHEREAS**, the Local Budget Law also authorizes municipalities to adopt resolutions authorizing special emergency appropriations to cover the costs of extraordinary expenses including, but not limited to, capital expenditures and expenses related to salaries and wages of municipal personnel, for the repair and reconstruction of private property damaged by flood or hurricane in accordance with the Rules and Regulations promulgated by the Department of Community Affairs for a Municipal Disaster Relief Grant Program; and

**WHEREAS**, On October 29, 2012, Hurricane Sandy (the "Storm"), struck the City of Hoboken ("City"), causing massive flooding, widespread power outages and extensive property damage throughout the City as a result of storm surge and heavy amounts of rain; and

**WHEREAS**, as a result of the impacts of the Storm, the Governor of the State of New Jersey ("State") issued Executive Order No.104 on October 28, 2012 declaring a State of Emergency for the entire State, including the City; and

**WHEREAS**, the effects of the Storm, and in particular the flooding caused by the Storm, have significantly impacted the City by damaging or destroying infrastructure, roadways, buildings, equipment and public and private property throughout the City requiring extensive reconstruction, repair and clean-up; and

**WHEREAS**, in order to protect the public health, safety and welfare of the citizens of the City, the City determined that it was necessary to undertake the immediate clean-up, reconstruction and repair of such damaged infrastructure, roadways, buildings, equipment and public and private property; and

**WHEREAS**, the Storm and its economic impact upon the City was unforeseen and was unanticipated at the time of adoption of the 2012 City budget and, as a result, the City Council did not provide for appropriations sufficient to meet the costs of the clean-up, reconstruction and repairs resulting from the Storm; and

**WHEREAS**, pursuant to and in accordance with N.J.S.A. 40A:4-54, pursuant to a resolutions adopted by the City Council on November 13, 2012, November 28, 2012 and December 19, 2012 and February 20, 2013 (collectively, the "Prior Resolutions"), the City created special emergency appropriations in the aggregate amount of \$7,350,000 to provide for the costs of the clean-up, reconstruction and repair of the damage caused by the Storm to the City including, but not limited to, capital expenditures and expenses related to salaries and wages of municipal personnel related thereto (collectively, the "Original Appropriations"); and

**WHEREAS**, subsequent to the adoption of the Prior Resolutions, the City has been able to finally determine the actual costs incurred (or to be incurred) resulting from damages caused by the Storm, which aggregate actual costs are, fortunately, lower than originally anticipated; and

**WHEREAS**, as a result of such determination, and in order to provide relief to the taxpayers of the City, the City is now desirous of cancelling \$600,000 of the authorized Original Appropriations, as such amounts will not be required for the payment of remaining costs associated with the clean-up, reconstruction and repairs resulting from the Storm.

**NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HOBOKEN,  
IN THE COUNTY OF HUDSON, NEW JERSEY, AS FOLLOWS:**

**Section 1.** The amount of \$600,000 is hereby cancelled from the Original Appropriations authorized by the Prior Resolutions.

**Section 2.** To the extent necessary or required, the financial records of the City shall be amended to exclude or otherwise account for the \$600,000 appropriation cancelled hereby.

**Section 3.** All other parts of the Prior Resolutions not affected hereby shall remain in full force and effect.

**Section 4.** All other resolutions, or parts thereof, inconsistent herewith are hereby rescinded and repealed to the extent of any such inconsistency.

**Section 5.** This resolution shall take effect immediately upon adoption this \_\_\_ day of February, 2015.

---Motion duly seconded by Councilman Cunningham

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

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

---Nays: None.

---Absent: Occhipinti, Russo

**15-142**

---By Councilman Mello

**RESOLUTION AUTHORIZING THE REFUND OF TAX OVERPAYMENTS (PAYABLE TO  
THE INDIVIDUALS LISTED ON THE RESOLUTION FOR THE AMOUNT OF \$5,917.03)**

**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 Treasurer made payable to the following totaling **\$5,917.03**

<u>NAME</u>	<u>BL/LT/UNIT</u>	<u>PROPERTY</u>	<u>QTR/YEAR</u>	<u>AMOUNT</u>
LT NATIONAL TITLE SERVICES 89 HUDSON STREET, 4 <sup>TH</sup> FL. HOBOKEN, NJ 07030	13/1/C002C	78-80 JACKSON ST	2/14	\$1,792.05
ANNALEE VAN KLEECK 256 FIRST STREET #3 HOBOKEN, NJ 07030	34/36/C0003	252-256 FIRST ST	4/14	\$2,136.31
TAB LAW FIRM PC 65 BROADWAY, STE 824 NEW YORK, NY 10006	21/1/C007F	300-306 NEWARK ST	3/14	\$1,988.67

---Motion duly seconded by Councilman Cunningham

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

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

---Nays: None.

---Absent: Occhipinti, Russo

**15-143**

---By Councilman Doyle

**RESOLUTION TO ADOPT THE MINUTES OF THE MEETINGS OF THE CITY COUNCIL  
DATED: SPECIAL MEETING OF FEBRUARY 3, 2015 AND REGULAR MEETING OF  
FEBRUARY 3, 2014**

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

---Motion duly seconded by Councilwoman Giattino

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

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

---Nays: Mason

---Absent: Occhipinti, Russo

\*\*\*\*\*Councilwoman Mason has left the table at 8:50 PM\*\*\*\*\*

**ORDINANCES**

Introduction and First Reading

**15-144**

**Z-335**

**AN ORDINANCE TO AMEND AMENDING CHAPTER 190 ENTITLED “VEHICLES AND TRAFFIC” TO AMEND CONDITIONAL TIME LIMIT PARKING REGULATIONS**

**WHEREAS**, this Council considered a resolution on 2/3/2015 relating to the time limitations on parking spaces under Section 190-29.9, and the Council has since decided, upon advice of Corporation Counsel, that such regulations should be ordained rather than resolved.

**NOW, THEREFORE, BE IT ORDAINED**, time limits for conditional time limit parking shall be designated on following streets as such (additions noted in underline, ~~deletions noted in strikethrough~~):

**SECTION ONE: AMENDMENTS TO HOBOKEN CODE CHAPTER 190**

**§ 190-29.9. Conditional time limit parking locations and fees.**

In accordance with the provisions of this Article XVII, no person without a valid parking permit issued by the City of Hoboken Parking Utility shall park or stand a vehicle for longer than the time limit posted upon any of the herein described streets or parts of streets; persons with a valid parking permit issued by the City of Hoboken Parking Utility may park and stand a vehicle upon any of the herein described streets or parts of streets without being subject to the provisions of Article XVII:

<b>Street Location</b>	<b>Side</b>	<b><u>Hours/Time Limits</u></b>
Adams Street from Newark Street Ninth Street	East	<u>9:00 a.m. to 9:00 p.m./ 4.0 hours</u>

Adams Street from JFK Stadium to Fourteenth Street	East	<u>9:00 a.m. to 9:00 p.m./ 4.0 hours</u>
Adams Street from Fourteenth Street to Sixteenth Street	Both	<u>9:00 a.m. to 9:00 p.m./ 4.0 hours</u>
Bloomfield Street from Observer Highway to Fourteenth Street	East	<u>9:00 a.m. to 9:00 p.m./ 4.0 hours</u>
Castle Point Terrace from Eighth Street to Elysian Park	East	<u>9:00 a.m. to 9:00 p.m./ 4.0 hours</u>
Clinton Street from Newark Street to Fourteenth Street	East	<u>9:00 a.m. to 9:00 p.m./ 4.0 hours</u>
Clinton Street from Fourteenth Street to Sixteenth Street	Both	<u>9:00 a.m. to 9:00 p.m./ 4.0 hours</u>
Eighth Street from Jackson Street to Hudson Street	South	<u>9:00 a.m. to 9:00 p.m./ 4.0 hours</u>
Eleventh Street from Monroe Street to Hudson Street	South	<u>9:00 a.m. to 9:00 p.m./ 4.0 hours</u>
Fifteenth Street from Willow Avenue to the westernmost point of the public right-of-way	Both	<u>9:00 a.m. to 9:00 p.m./ 4.0 hours</u>
Fifth Street from Jackson Street to Grand Street	South	<u>9:00 a.m. to 9:00 p.m./ 4.0 hours</u>
Fifth Street from Clinton Street to Bloomfield Street	South	<u>9:00 a.m. to 9:00 p.m./ 4.0 hours</u>
Fifth Street from Hudson Street to Sinatra Drive	South/East	<u>9:00 a.m. to 9:00 p.m./ 4.0 hours</u>
First Street from Marshall Drive to Grand Street	South	<u>9:00 a.m. to 9:00 p.m./ 4.0 hours</u>

Fourth Street from Harrison Street to Clinton Street	South	<u>9:00 a.m. to 9:00 p.m./ 4.0 hours</u>
Fourth Street from Willow Avenue to Bloomfield Street	South	<u>9:00 a.m. to 9:00 p.m./ 4.0 hours</u>
Fourth Street from Hudson Street to River Street	South	<u>9:00 a.m. to 9:00 p.m./ 4.0 hours</u>
Garden Street from Observer Highway to Fourteenth Street	East	<u>9:00 a.m. to 9:00 p.m./ 4.0 hours</u>
Grand Street from Newark Street to Ninth Street	East	<u>9:00 a.m. to 9:00 p.m./ 4.0 hours</u>
Grand Street from Tenth Street to Fourteenth Street	East	<u>9:00 a.m. to 9:00 p.m./ 4.0 hours</u>
Grand Street from Sixteenth Street to Fourteenth Street	Both	<u>9:00 a.m. to 9:00 p.m./ 4.0 hours</u>
Harrison Street from Newark Street to Fourth Street	East	<u>9:00 a.m. to 9:00 p.m./ 4.0 hours</u>
Jackson Street from Newark Street to Observer Highway	East	<u>9:00 a.m. to 9:00 p.m./ 4.0 hours</u>
Jackson Street from Paterson Avenue to Seventh Street	East	<u>9:00 a.m. to 9:00 p.m./ 4.0 hours</u>
Jackson Street from Eighth Street to Ninth Street	East	<u>9:00 a.m. to 9:00 p.m./ 4.0 hours</u>
Jefferson Street from Newark Street to Twelfth Street	East	<u>9:00 a.m. to 9:00 p.m./ 4.0 hours</u>
Jefferson Street from Thirteenth Street to Fourteenth Street	East	<u>9:00 a.m. to 9:00 p.m./ 4.0 hours</u>

Jefferson Street from Sixteenth Street to Fourteenth Street	Both	<u>9:00 a.m. to 9:00 p.m./ 4.0 hours</u>
Madison Street from Observer Highway to Fourteenth Street	East	<u>9:00 a.m. to 9:00 p.m./ 4.0 hours</u>
Madison Street from Fourteenth Street to the northernmost point of the public right-of-way	West	<u>9:00 a.m. to 9:00 p.m./ 4.0 hours</u>
Monroe Street from Observer Highway to Twelfth Street	East	<u>9:00 a.m. to 9:00 p.m./ 4.0 hours</u>
Newark Street from Park Avenue to Bloomfield Street	South	<u>9:00 a.m. to 9:00 p.m./ 4.0 hours</u>
Ninth Street from Jackson Street to Castle Point Terrace	South	<u>9:00 a.m. to 9:00 p.m./ 4.0 hours</u>
Observer Highway from Jackson Street to Paterson Avenue	North	<u>9:00 a.m. to 9:00 p.m./ 4.0 hours</u>
Park Avenue from Observer Highway to Fourteenth Street	East	<u>9:00 a.m. to 9:00 p.m./ 4.0 hours</u>
River Terrace from Fifth Street to Sixth Street	Both	<u>9:00 a.m. to 9:00 p.m./ 4.0 hours</u>
River Terrace from Sixth Street to northerly terminus of the public right-of-way	East	<u>9:00 a.m. to 9:00 p.m./ 4.0 hours</u>
Second Street from Marshall Drive to Bloomfield Street	South	<u>9:00 a.m. to 9:00 p.m./ 4.0 hours</u>
Seventh Street from Jackson Street to Bloomfield Street	South	<u>9:00 a.m. to 9:00 p.m./ 4.0 hours</u>
Sinatra Drive from Fifth Street to Hudson Street	East	<u>9:00 a.m. to 9:00 p.m./ 4.0 hours</u>

Sixteenth Street from the westerly terminus of the public right-of-way to Willow Avenue	Both	<u>9:00 a.m. to 9:00 p.m./ 4.0 hours</u>
Sixth Street from Jackson Street to Bloomfield Street	South	<u>9:00 a.m. to 9:00 p.m./ 4.0 hours</u>
Sixth Street from Hudson Street to River Street	South	<u>9:00 a.m. to 9:00 p.m./ 4.0 hours</u>
Tenth Street from Madison Street to Jefferson Street	South	<u>9:00 a.m. to 9:00 p.m./ 4.0 hours</u>
Tenth Street from Grand Street to Hudson Street	South	<u>9:00 a.m. to 9:00 p.m./ 4.0 hours</u>
Third Street from Jackson Street to Bloomfield Street	South	<u>9:00 a.m. to 9:00 p.m./ 4.0 hours</u>
Third Street from Hudson Street to River Street	South	<u>9:00 a.m. to 9:00 p.m./ 4.0 hours</u>
Thirteenth Street from Madison Street to Hudson Street	South	<u>9:00 a.m. to 9:00 p.m./ 4.0 hours</u>
Twelfth Street from Madison Street to Hudson Street	South	<u>9:00 a.m. to 9:00 p.m./ 4.0 hours</u>
Washington Street from Eighth Street to Fourteenth Street	Both	<u>9:00 a.m. to 9:00 p.m./ 2.0 hours</u>
Willow Avenue from Observer Highway to Thirteenth Street	East	<u>9:00 a.m. to 9:00 p.m./ 4.0 hours</u>

## **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.

This ordinance, upon its effective date, shall also repeal Resolution #22 of February 3, 2015 in its entirety.

### 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 **March 4, 2015 at 7:00 PM.**

---Motion duly seconded by Councilman Cunningham

---Adopted by the following vote: YEAS: 5 – NAYS: 1 - ABSENT: 3

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

---Nays: Castellano

---Absent: Mason, Occhipinti, Russo

**15-145**

**Z-336**

### **AN ORDINANCE TO AMEND CODE SECTION 192-1 REGARDING HANDICAPPED PARKING IN FRONT OF OR NEAR THE RESIDENCE OF HANDICAPPED PERSONS**

**WHEREAS**, the City of Hoboken seeks to amend the handicapped parking zone regulations near the residences of handicapped individuals, to allow the code regulations to assist handicapped persons, whether or not same can drive independently.

**NOW, THEREFORE, BE IT ORDAINED**, by the Council of the City of Hoboken, County of Hudson, State of New Jersey, as follows(additions noted in underline, deletions noted in strikethrough):

#### **SECTION ONE**

§ 192-1 Restricted parking zones in front of or near residences of handicapped persons ~~drivers~~.

A. The City of Hoboken may, for good cause shown, establish by ordinance restricted parking zones in front of or near residences occupied by handicapped persons ~~drivers~~, provided that such parking is not otherwise prohibited and does not interfere with the normal flow of traffic. ~~No~~ ~~restricted~~ parking zones shall only ~~will~~ be established for vehicles which are registered to the handicapped person making the application, ~~persons who do not transport~~

~~themselves and for which the registered handicapped person making said application shall who do not possess a valid handicapped person identification card and placard, a valid New Jersey driver's license indicating handicapped status and a valid vehicle registration and vehicle license plates indicating handicapped status as issued by the State of New Jersey, Division of Motor Vehicles, pursuant to N.J.S.A. 39:4-205 and 39:4-206; however, those handicapped persons obtaining a restricted handicapped parking zone hereunder who do not have a valid drivers license and/or are not capable of driving themselves for any other reason, must have their primary caregiver residing with them, on a full time basis in the same household, in order to obtain an approval hereunder. However~~ Additionally, those handicapped persons who are not eligible for vehicle ownership because they are minors shall still be entitled to a restricted handicapped parking zone for any vehicle which is owned and registered by a ~~do not transport themselves but are~~ parents or legal guardians of developmentally handicapped children residing on a full-time basis within the same household and conforming to Subsection B of this section ~~may be eligible~~. No restricted parking zones will be established for applicants who have a driveway, carport, garage or off-street space available for their use.

B. The term "handicapped ~~persons driver~~" means any ~~person driver~~ who has lost the use of one or more lower limbs as a consequence of paralysis, amputation or other permanent disability which severely limits ambulation.

C. There is hereby created a subcommittee of the Transportation and Parking Committee of the Council to be called the "Subcommittee on Handicapped Parking." The Subcommittee shall consist of three members, one of which shall be the Chairman of the Transportation and Parking Committee or his designated agent. The two remaining members shall be citizens and/or employees of the City of Hoboken nominated and appointed by a majority vote of the members of the Transportation and Parking Committee. It shall be the duty of the Subcommittee on Handicapped Parking to review every application for the establishment of a restricted parking zone for compliance or noncompliance with the provisions of this chapter.

D. Applications for the establishment of restricted parking zones may be obtained and shall be filed, along with any pertinent medical records, with the Hoboken office of the City Clerk. The applicant shall submit an initial processing fee of \$130 to the City Clerk and made payable to the City of Hoboken at the time said application is filed with the City Clerk. An annual renewal fee thereafter of \$5 shall be paid with the submission of each annual renewal application. The City Clerk shall then forward all applications to the Commander of the Police Transportation Bureau or his designated agent, who shall investigate each application for compliance with Subsection A. After the Commander of the Police Transportation Bureau has determined compliance or noncompliance with Subsection A of this section, he shall then submit the application to the City Council Committee on Transportation and Parking's Subcommittee on Handicapped Parking. The members of the Subcommittee on Handicapped Parking shall meet monthly to review all submitted applications for compliance with this chapter. The Subcommittee may at its discretion require a personal interview with the applicant and/or a medical examination of the applicant. The examining physician(s) shall be selected by the Subcommittee on Handicapped Parking. The cost of examination shall be borne completely by the applicant. The applicant shall bring to the examination any and all medical or other documentation which he or she believes relevant to the applicant's medical condition. Such documentation may include but not be limited to x-ray reports, computerized axial tomography scan reports, cardiograms, hospital and surgical records and attending physicians' reports. If the examining physician does not possess adequate documentation to verify the applicant's eligibility under Subsection B and cannot by examination alone verify such eligibility, the applicant may be rejected.

E. Applicants who meet all of the requirements of the above sections shall have their names and addresses submitted to the City Council for the approval of a restricted handicapped parking zone in front of or near their residence. The power of such approval is vested solely in the authority of the City Council acting through ordinance. If the City Council so approves, the Office of Street Safety within the Division of Transportation and Parking shall establish a restricted parking zone in front of or near the residence of the applicant and shall issue a permit which complies with N.J.S.A. 39:4-197.7. Only the motor vehicle for which a valid permit has been issued shall be parked in such zone and only when the permit is properly displayed. Only one permit shall be issued to the applicant.

F. Applicants who do not meet all of the requirements of the above sections shall be notified, by mail, of a denial of a restricted handicapped parking zone in front of or near their residence. The fee of \$125 will not be refunded until 10 days after the final determination of all appeals.

G. Restricted parking permits shall be valid for one year and shall be renewed thereafter in accordance with Subsections A through F.

H. Any party denied a restricted parking zone shall have the opportunity to request reconsideration of such decision. A letter requesting reconsideration must be received by the Subcommittee on Handicapped Parking within 20 days of the date of the notice of denial. The applicant will then be instructed to report for a medical examination with a different examining physician, and/or in appropriate cases the Committee may hold a hearing to reconsider any relevant evidence pertaining to the applicant's eligibility. As in the initial medical examination, costs shall be borne by the applicant and it shall be the applicant's responsibility to bring to the examination any and all documentation in support of his or her condition. The applicant will be notified by mail of the decision on reconsideration. No more than one reconsideration will be given each applicant. Thereafter, the applicant may reapply in accordance with Subsections A through F after one year has elapsed from the date of the notice of denial.

I. As a penalty for any fraudulent application, there will be a fine of \$500 per application. In case a permit is granted under a fraudulent application, an additional fine of \$50 per day will be imposed on the holder of the fraudulently procured license.

## **SECTION TWO**

All other sections of the Code shall remain unchanged.

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

**SECTION FOUR: 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 remain in effect; it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

**SECTION FIVE: EFFECTIVE DATE** This Ordinance shall take effect upon passage and publication as provided by law.

## **SECTION SIX: CODIFICATION**

This Ordinance shall be a part of the Administrative 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 Administrative Code.

The City Clerk and the Corporation Counsel are authorized and directed to change any Chapter, Article and/or Section number of the Administrative 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 Administrative 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 **March 4, 2015 at 7:00 PM.**

---Motion duly seconded by Councilman Cunningham

---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

**ORDINANCE OF THE CITY OF HOBOKEN, COUNTY OF HUDSON, NEW JERSEY,  
CANCELLING AND REAPPROPRIATING \$100,000 OF A FUNDED EMERGENCY  
APPROPRIATION BALANCE HERETOFORE ADOPTED TO PROVIDE FOR THE COSTS  
ASSOCIATED WITH A REAL PROPERTY REVALUATION PROJECT AUTHORIZED BY  
ORDINANCE NO. Z-204**

**BACKGROUND**

**WHEREAS**, the City Council of the City of Hoboken, County of Hudson, New Jersey ("City") has heretofore duly and finally adopted ordinance Z-204 ("Ordinance") authorizing a special emergency appropriation to fund the costs of associated with a complete real property revaluation program in and for the City ("Revaluation Project") in accordance with the New Jersey Local Budget Law (N.J.S.A. 40A:4-1 et seq.) and, in particular, in accordance with N.J.S.A. 40A:4-53(b), all as more particularly set forth in the Ordinance; and

**WHEREAS**, the City has determined that the costs of the Revaluation Project will be less than was originally contemplated and authorized by said Ordinance; and

**WHEREAS**, it is the desire of the City to permanently cancel a portion of the funded special emergency appropriation balance authorized by the Ordinance not necessary to fund the costs of the Revaluation Project and to re-appropriate said amount to offset ongoing deferred charges resulting from the original special emergency appropriation and to relieve the taxpayers of the City of such amount.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HOBOKEN, COUNTY OF HUDSON, NEW JERSEY, PURSUANT TO THE PROVISIONS OF THE LOCAL BUDGET LAW, AS FOLLOWS:**

**Section 1.** The sum of \$100,000 remaining as a funded special emergency appropriation balance in the Ordinance is hereby cancelled and re-appropriated for the purpose of offsetting deferred charges resulting from the original special emergency appropriation.

**Section 2.** The balance of the funded special emergency appropriation balance heretofore authorized by the Ordinance in the amount of \$900,000 shall remain unaffected by this ordinance and shall remain available to pay for the costs of the Revaluation Project.

**Section 3.** All other ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of such inconsistency.

**Section 4.** This ordinance shall take effect immediately upon adoption.

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 **March 4, 2015 at 7:00 PM.**

---Motion duly seconded by Councilman Cunningham

---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

**NEW BUSINESS**

Councilwoman Castellano comments on Uber Taxi situation.

Councilwoman Mason has returned to the table at 8:54 PM.

Councilwoman Mason comments on the bikes on the sidewalk.

Chief Ferrante comments that there will be a 3 prong approach to attack the issue, 1<sup>st</sup> is to educate teens and adults and 2<sup>nd</sup> is educating the businesses in town and 3<sup>rd</sup> is enforcement and will add officers on this issue in March and there will be bike officers and there have no reports of pedestrians being hit by bikes the past three (3) months.

Councilwoman Mason comments would like to thank Senator Bob Menendez, Congressman Nadler and Sires for their effort for the restriction of the tourist helicopters with their noise, the crossing on 11<sup>th</sup> going north from Elysian toward Maxwell Place, the light seems to skip when you are going north, if that could be checked out.

Councilman Doyle comments on procedures for license agreements and asked Director Forbes for some criteria and Special Counsel provided an ordinance but was not helpful and feel like we should pick back that process and the Council should relook into this and commends Councilwoman Giattino for going to the construction site at 504 Grand St., hopefully there can be a checklist, regarding the ordinance and Master Plan committee, hoping by the end of March, get an ordinance to introduce and address some of the issues, this Saturday night, Feb. 21<sup>st</sup> which is the HOHA snowball taken place at the Elks club from 7:30-11:30 Pm with live music.

Councilwoman Giattino comments and wanted a health and human service sub-committee for next week, would like to thank Chief Ferrante on the NJ Transit issue on Hudson St., what did the city collect from the W Hotel for hotel tax.

Councilman Cunningham comments that he discussed on the residential metering and having Director Morgan to look into sizes and see if Metric can provide something smaller and appreciate the explanation on hang tags and need to provide flexibility on the 4 hours, and hopefully restore some parking spots due to curb cuts, hopefully have a meeting regarding Water music, North Hoboken and the Post office, lastly the budget process, we will be talking about the workshop process and how are the Directors pulling their materials.

BA Wiest comments and hopefully introduced the budget in the second meeting in March and the workshops in the later half of March.

Councilman Mello comments on the workshops to be corrected online, would like a need study and if the County has gotten back regarding the warrant analysis.

Director Morgan comments that the warrant analysis was received last Fall and would like to thank Chief Ferrante and his leadership for the City.

Councilman Cunningham comments that he feels that the City is not doing a great job on pedestrian safety on certain intersections throughout the city even with these warrant studies and there needs to be a better way to manage every intersections in time or come up with better calming devices

Councilwoman Mason comments that Councilman Cunningham is correct, if there is a possibility for a stanchion sign, there's one on 10<sup>th</sup> and Hudson, originally a request for a speed hump.

Council President comments about warrant studies to see if traffic calming measures are warranted, these findings guide us and provide us empirical information, would like to commend the HFD on Valentine's day, two families were displaced.

Councilman Doyle comments on the 26<sup>th</sup> at the Elk's club for the victims of the fire from 7-11 PM

Councilwoman Mason this sat. at the boys and girls club for the Youth Empowerment and encourage

Council President comments on Uber and Lyft, it is the nature of supply and demand and what you can provide to the market, I don't think banning uber is the right approach, the law is not keeping pace with technology, we need to find ways integrating these technologies and allow them to operate them legally instead of illegally and we have the obligation to change the law, it's happening on the state level in Trenton.

Councilwoman Castellano comments that we need to change the law and make them legal.

At 9:27 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 9:27 PM

---

PRESIDENT OF THE COUNCIL

---

CITY CLERK