

SPECIAL MEETING OF FEBRUARY 3, 2015

MINUTES OF A SPECIAL MEETING OF THE COUNCIL OF THE CITY OF HOBOKEN, NEW JERSEY, HELD IN THE COUNCIL CHAMBERS, CITY HALL, HOBOKEN, NEW JERSEY, TUESDAY, FEBRUARY 3, 2015 AT 6:30 PM

The City Clerk opened the meeting at 6:21 PM. 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, Oechipinti (see below), Russo~~ and President Giattino

ABSENT: Mason, Mello (see below) , ~~Oechipinti~~ (see below) ** and ~~Russo~~ (see below) **

Council President reads the public notice calling for the Special Meeting for this evening and would like to amend resolution #2 to include Gerry Krovatin, Esq. to participate in the Closed Session to advise the Governing Body.

15-83

Tuesday, January 27, 2015

Via Hand Delivery

City Clerk James Farina
94 Washington Street
Hoboken, New Jersey 07030

Dear City Clerk Farina:

Please be advised that as the Mayor of the City of Hoboken, I hereby call a Special Closed Session of the Governing Body, for Tuesday, February 3, 2015 to begin promptly at 6:15 PM in the City Council Chambers, 94 Washington Street, First Floor, Hoboken, New Jersey, for the following purposes:

- 1.* RESOLUTION AUTHORIZING CLOSED SESSION TO DISCUSS MATTERS PURSUANT TO N.J.S.A. 10:4-12(B)(7) AND ATTORNEY CLIENT PRIVILEGE (CUCCHIARO) RELATING TO PENDING LITIGATION IN THE MATTER OF HEALEY V. CITY OF HOBOKEN ET. AL (**submitted by Administration**)

- 2.* RESOLUTION AUTHORIZING CLOSED SESSION TO DISCUSS MATTERS PURSUANT TO N.J.S.A. 10:4-12(b)(7) AND ATTORNEY CLIENT PRIVILEGE (HANRAHAN) RELATING TO PENDING LITIGATION IN THE MATTER OF ALICEA V. CITY OF HOBOKEN ET. AL (**submitted by Administration**)

Action **may not** be taken at this meeting and **no other subjects shall be discussed**. Please ensure the City Council Members are noticed of this Special Closed Session in accordance with applicable laws and rules. Also, please publicly notice this Special Closed Session in accordance with the Open Public Meetings Act N.J.S.A. 10:4-6.

Very truly yours,

//s//

Dawn Zimmer
Mayor

Motioned by Council and seconded by the Governing Body.

City Clerk announces to the public that the Governing Body is entering into Closed Session at 6:22 PM

Special Counsel Thomas Hanrahan, Esq. and Gerry Krovatin, Esq.

**** At 6:25 P.M. Special Counsel Thomas Hanrahan, Esq. and Gerry Krovatin, Esq. has arrived to the table for the Closed Session ****

To go into Closed Session regarding Resolution # 2

---Motion duly seconded by Councilman

---Adopted by the following vote: YEAS: ~~6~~ 7 NAYS: 0 ABSENT: ~~3~~ 2

---Yeas: Council persons Castellano, Cunningham, Doyle, Giattino, ~~Mason~~, Mello (see below) , ~~Occhipinti~~, Russo (see below) and President Bhalla

---Nays:

---Absent: Mason, ~~Mello~~-(see below), Occhipinti and ~~Russo~~-(see below)

*******At 6:33 Councilman Mello has entered the meeting*******

15-84

---Councilman Mello

RESOLUTION AUTHORIZING CLOSED SESSION TO DISCUSS MATTERS PURSUANT TO N.J.S.A. 10:4-12(b)(7) AND ATTORNEY CLIENT PRIVILEGE (HANRAHAN & KROVATIN) RELATING TO PENDING LITIGATION IN THE MATTER OF ALICEA V. CITY OF HOBOKEN ET. AL

WHEREAS, the Council of the City of Hoboken is authorized to go into closed executive session for the reasons set forth in the Open Public Meetings Act, including without limitation N.J.S.A. 10:4-12(b) (7), and for matters falling within attorney client privilege; and

WHEREAS, the City seeks to discuss the legal issues relating to the above listed pending litigation and the legal ramifications relating thereto; and

WHEREAS, one of the reasons to go into closed session is to receive advice from legal counsels, Thomas Hanrahan, Esq. and **Gerald Krovatin, Esq.**, which is subject to attorney client privilege and/or which is offered regarding the above referenced pending litigation; and,

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Hoboken that it enter into closed session for the herein said purposes; and,

BE IT FURTHER RESOLVED that when the need for confidentiality no longer exists the decisions made therein will be made available to the public.

At 6:42 P.M. Special Counsel Hanrahan, Esq. and Gerry Krovatin has left due to no other business during the Closed Session

Special Meeting of February 3, 2015

To go into Closed Session regarding Resolution # 1.

---Motion duly seconded by Councilman Cunningham

---Adopted by the following vote: YEAS: 5 – NAYS: 0 - ABSENT: 3 - ABSTAIN: 1

---Yeas: Council persons Castellano, Cunningham, Giattino, ~~Mason~~, Mello (see above), ~~Occhipinti, Russo~~ and President Bhalla

---Nays: None.

---Absent: Mason, Mello (see above), Occhipinti, Russo

---Abstain: Doyle

*****At 6:42 Councilman Doyle has left the meeting due to a conflict with resolution #1*****

Special Counsel Ronald Cucchiaro on behalf of Weiner Lesniak, LLC

**** At 6:42 P.M. Special Counsel Ronald Cucchiaro, Esq. has arrived to the table for the Closed Session ****

15-85

RESOLUTION AUTHORIZING CLOSED SESSION TO DISCUSS MATTERS PURSUANT TO N.J.S.A. 10:4-12(B)(7) AND ATTORNEY CLIENT PRIVILEGE (CUCCHIARO) RELATING TO PENDING LITIGATION IN THE MATTER OF HEALEY V. CITY OF HOBOKEN ET. AL

WHEREAS, the Council of the City of Hoboken is authorized to go into closed executive session for the reasons set forth in the Open Public Meetings Act, including without limitation N.J.S.A. 10:4-12(b) (7), and for matters falling within attorney client privilege; and

WHEREAS, the City seeks to discuss the legal issues relating to the above listed pending litigation and the legal ramifications relating thereto; and

WHEREAS, one of the reasons to go into closed session is to receive advice from legal counsel, Ron Cucchiaro, Esq. which is subject to attorney client privilege and/or which is offered regarding the above referenced pending litigation; and,

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Hoboken that it enter into closed session for the herein said purposes; and,

BE IT FURTHER RESOLVED that when the need for confidentiality no longer exists the decisions made therein will be made available to the public.

*******At 6:49 Councilman Russo has entered the meeting*******

At 6:50 P.M. Special Counsel Ron Cucchiaro Esq. has left due to no other business during the Closed Session

At 6:50 P.M. the Governing Body on a motion by Council duly seconded by the Council

The City Clerk then adjourned the meeting at 6:50 P.M.

PRESIDENT OF THE COUNCIL

CITY CLERK