

SPECIAL MEETING OF FEBRUARY 18, 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 18, 2015 AT 6:15 PM

The City Clerk opened the meeting at 6:16 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)~~, -and President Giattino

Absent: Cunningham, ~~Mason~~ (see below) , ~~Oechipinti~~ (see below) ** and Russo

Council President reads the public notice calling for the Special Meeting:

15-114

Thursday, February 12, 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 Meeting of the Governing Body, for Wednesday, February 18, 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)(5), (B)(7) AND ATTORNEY CLIENT PRIVILEGE RELATING TO PENDING LITIGATION AND ACQUISITION OF PROPERTY COMMONLY REFERRED TO AS BLOCK 12 AND TO RECEIVE ADVICE FROM THE CITY'S LEGAL COUNSEL FOR THE MATTER, ED BUZAK, ESQ.

- 2.* RESOLUTION AUTHORIZING CLOSED SESSION TO DISCUSS MATTERS PURSUANT TO N.J.S.A. 10:4-12(B)(7) AND ATTORNEY CLIENT PRIVILEG (JONG SOOK NEE) RELATING TO ANTICIPATED LITIGATION IN THE MATTERS OF 1100 ADAMS STREET TAX LIENHOLDERS

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 Meeting in accordance with applicable laws and rules. Also, please publicly notice this Special Closed Session Meeting in accordance with the Open Public Meetings Act N.J.S.A. 10:4-6.

Very truly yours,

Special Meeting of February 18, 2015

//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 6:18 PM

Special Counsel Ed Buzak, Esq.
Special Counsel Jong Sook Nee, Esq on behalf of McManimon and Scotland

**** At 6:20 P.M. Special Counsel Ed Buzak, Esq. has arrived to the table for the Closed Session ****

To go into Closed Session

---Adopted by the following vote: YEAS: 5 - NAYS: 0 - ABSENT: 4 - 2 -PRESENT: 2
---Yeas: Council persons Castellano, Cunningham (arrived at 6:29 PM), Doyle, Giattino, Mason (arrived at 6:24 PM), Mello (see below), Occhipinti, and President Bhalla
---Nays: None.
---Absent: ~~Cunningham~~ (see below), ~~Mason~~, (see below), Occhipinti (see below) and ~~Russe~~
---Present: Cunningham, Mason

*******At 6:24 PM Councilwoman Mason has entered the closed session meeting*******

*******At 6:29 PM Councilman Cunningham has entered the closed session meeting*******

15-115

---By President Bhalla

RESOLUTION AUTHORIZING CLOSED SESSION TO DISCUSS MATTERS PURSUANT TO N.J.S.A. 10:4-12(B)(5), (B)(7) AND ATTORNEY CLIENT PRIVILEGE RELATING TO PENDING LITIGATION AND ACQUISITION OF PROPERTY COMMONLY REFERRED TO AS BLOCK 12 AND TO RECEIVE ADVICE FROM THE CITY'S LEGAL COUNSEL FOR THE MATTER, ED BUZAK, ESQ.

WHEREAS, the Council of the City of Hoboken is authorized to go into closed session for the reasons set forth in the Open Public Meetings Act, including without limitation N.J.S.A. 10:4-12(b)(5) and (b)(7), and for matters falling within attorney client privilege (for legal guidance on matters relating to pending litigation and acquisition of property); and

WHEREAS, the City seeks to obtain a status update and legal guidance on pending litigation and ongoing legal issues relating to the acquisition of Block 12; and

WHEREAS, one of the reasons to go into closed session is to receive advice from legal counsel, which is subject to attorney client privilege and which is offered regarding pending legal matters of the type listed herein; 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 6:39 P.M. Special Counsel Buzak, Esq. has left due to no other business during the Closed Session

Special Counsel Jong Sook Nee, Esq on behalf of McManimon and Scotland Corporation Counsel

**** At 6:39 P.M. Special Counsel Jong Sook Nee, Esq. has arrived to the table for the Closed Session ****

15-116

---By President Bhalla

RESOLUTION AUTHORIZING CLOSED SESSION TO DISCUSS MATTERS PURSUANT TO N.J.S.A. 10:4-12(B)(7) AND ATTORNEY CLIENT PRIVILEGE (JONG SOOK NEE) RELATING TO ANTICIPATED LITIGATION IN THE MATTERS OF 1100 ADAMS STREET TAX LIENHOLDERS

WHEREAS, the Council of the City of Hoboken is authorized to go into closed 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 anticipated 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, Jong Sook Nee, Esq. which is subject to attorney client privilege and/or which is offered regarding the above referenced anticipated 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 6:53 P.M. Special Counsel Sook Nee Esq. has left due to no other business during the Closed Session

At 6:53 P.M. the Governing Body on a motion by Council duly seconded by the Council

The City Clerk then adjourned the meeting at 6:53 P.M.

PRESIDENT OF THE COUNCIL

CITY CLERK