

SPECIAL MEETING OF AUGUST 5, 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, WEDNESDAY, AUGUST 5, 2015 AT 6:15 PM

The City Clerk opened the meeting at 6:17 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 Castellano, Castellano, Doyle, Giattino, ~~Mason~~, Mello, ~~Russo~~, ~~Oechipinti~~, ~~Russo~~ and President Bhalla

Absent: ~~Doyle~~, Mason, ~~Mello~~ and ~~Oechipinti~~;

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

15-399

Friday, July 31, 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 Meeting of the Governing Body for Wednesday, August 5, 2015 to begin promptly at 6:15 P.M. in the City Council Chambers, 94 Washington Street, First Floor, Hoboken, New Jersey, for the following purpose:

- 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 THE BASF SITE 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 PRIVILEGE (ANDREW BREWER, ESQ.) RELATING TO ANTICIPATED LITIGATION BETWEEN THE CITY OF HOBOKEN, NEW JERSEY AND METROSTOP CONDOMINIUM ASSOCIATION REGARDING METROSTOP WORKFORCE HOUSING

No Action may be taken and no other matters maybe discussed and acted upon at this meeting. Please ensure the City Council Members are noticed of this Special Meeting in accordance with applicable laws and rules. Also, please publicly notice this Special Meeting, as required by 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 6:20 PM

Special Counsel Andrew Brewer, Esq.

Special Counsel Ed Buzak, Esq.

Director Forbes

Mayor Zimmer (arrived at 6:52 PM)

At 6:20 P.M. Special Counsel Andrew Brewer, Esq. has arrived to the table for the Closed Session

To go into Closed Session

---Adopted by the following vote: YEAS: 6- NAYS: 0 – ABSENT: 3

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

---Nays: None.

---Absent: Occhipinti, Russo, Mason

Occhipinti (arrived at 6:46 PM) Russo arrived at 6:50 PM)

The below resolution was heard first due to Mr. Buzak was delayed.

15-401

RESOLUTION AUTHORIZING CLOSED SESSION TO DISCUSS MATTERS PURSUANT TO N.J.S.A. 10:4-12(B) (7) AND ATTORNEY CLIENT PRIVILEGE (ANDREW BREWER, ESQ.) RELATING TO ANTICIPATED LITIGATION BETWEEN THE CITY OF HOBOKEN, NEW JERSEY AND METROSTOP CONDOMINIUM ASSOCIATION REGARDING METROSTOP WORKFORCE HOUSING

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 potential, 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, Andrew Brewer, Esq. which is subject to attorney client privilege and/or which is offered regarding the above referenced potential 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,

Special Meeting of August 5, 2015

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

MEETING: August 5, 2015

Special Counsel Andrew Brewer comments and gives an overview of the Closed Session.

At 6:40 P.M. Special Counsel Andrew Brewer, Esq. has left due to no other business during the Closed Session

*******Councilman Occhipinti arrived to the meeting at 6:46 PM*******

*******Councilman Russo arrived to the meeting at 6:50PM*******

At 6:52 P.M. Special Counsel Ed Buzak, Esq. has arrived to the table for the Closed Session

15-400

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 THE BASF SITE 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 the BASF site; 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 discussions had therein will be made available to the public.

At 7:11 P.M. Special Counsel Ed Buzak, Esq. has left due to no other business during the Closed Session

At 7:12 P.M. the Governing Body on a motion by Council duly seconded by the Council

The City Clerk then adjourned the special meeting at 7:12 P.M.

PRESIDENT OF THE COUNCIL

CITY CLERK