President Moyeno opened the meeting at 7:03 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 furnished to The Jersey Journal and The Hoboken Reporter, The Bergen Record, The Newark Star-Ledger and also placed on the bulletin board in the lobby of City Hall."

The Council President then called for the Salute to the Flag.

The Clerk then called the roll:

PRESENT: Council persons Castellano, Del Boccio, Hudock, Ramos, Roberts, and President Moyeno.

ABSENT: Andreula, Cricco, Soares.

HEARING ON ORDINANCES

Second Reading and Public Hearing

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 192 OF THE CODE OF THE CITY OF HOBOKEN (PARKING FOR HANDICAPPED). (Approvals, 204 Hudson Street, 339 Garden Street)

President Moyeno directed the City Clerk to announce that the Council would consider for final passage the aforesaid ordinance and all persons interested at this time would be given an opportunity to be heard concerning said ordinance which was read in full.

No person present desiring to be heard and no written protests or objections received, President Moyeno asked for a motion to close the hearing.

Councilman Hudock moved that the hearing be closed.

Motion duly seconded by Councilwoman Castellano.

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

---Yeas: Council persons Castellano, Del Boccio, Hudock, Ramos, Roberts, and President Moyeno.

---Nays: None.

---Absent: Andreula, Cricco, Soares.
HEARING ON ORDINANCES

Third and Final Reading

Council President Moyeno then moved that the ordinance entitled, "AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 192 OF THE CODE OF THE CITY OF HOBOKEN (PARKING FOR HANDICAPPED). (Approvals, 204 Hudson Street, 339 Garden Street) " be taken from the table for its third and final reading.

Motion seconded by Councilwoman Castellano.
---Adopted by the following vote: YEAS: 6 - NAYS: 0 - ABSENT: 3
---Yeas: Council persons Castellano, Del Boccio, Hudock, Ramos, Roberts, and President Moyeno.
---Nays: None.
---Absent: Andreula, Cricco, Soares.

PETITIONS AND COMMUNICATIONS

01-1771

WHEREAS, Martin Luther King, Jr. was one of the greatest humanitarians and civil rights leaders in world history and in 1963 led a March on Washington, DC that changed the face of civil rights in this country; and

WHEREAS, Martin Luther King, Jr. advocated in the power of education saying “as long as the mind is enslaved, the body will never be free” and he also believed that education was more than knowledge, stating “intelligence plus character is the goal of true education; and

WHEREAS, the Hoboken Charter School was founded on the belief that strong academics must go hand in hand with community service to give students the opportunity to apply what they learn in school in a meaningful way in their families, the community in which they live and the world outside their classroom; and

WHEREAS, the Hoboken Charter School has partnership with the Hoboken Public School District, the City of Hoboken and many Hoboken based businesses and organizations to call attention to the needs within our community, and encourage all fellow citizens to give of themselves to make Hoboken a healthy and compassionate home; and

WHEREAS, the service of Martin Luther King, Jr. to our country will be recognized by the 2nd Annual March on Washington Street on January 12 and a Volunteer Service Fair on Martin Luther King Day, January 15, further recognizing King’s, belief that “anyone can be great, because anyone can serve”; 

NOW, THEREFORE, I, ANTHONY RUSSO, Mayor of the City of Hoboken, do hereby issue this proclamation in honor of Martin Luther King, Jr., recognizing his contributions to our country as a call to service for all residents for the purpose of helping people in need and improving the quality of life in our community.

--Received and filed.

01-1772
WHEREAS, Eugene and Joyce Flinn established Amandas, a fine food restaurant, in Hoboken about 8 years ago; and

WHEREAS, Amandas is one of Hoboken’s best places for dining, as well as one of the top 40 restaurants in New Jersey according to the Zagat Dining guide, having received reviews of 3 stars from the New York Times, 3 1/2 stars from the Bergen Record and 3 stars from the Newark Star Ledger; and

WHEREAS, Eugene and Joyce Flinn, along with their two children, Sam and Celia, are strongly connected to our community, with Eugene Flinn serving as an active member of the Hoboken Historical Museum and Joyce Flinn has contributed her time with the Steven’s Coop; and

WHEREAS, Eugene and Joyce Flinn, in recognition of our hard working Hoboken Crossing Guards, decided to open their hearts and their restaurant during the holidays, inviting all of Hoboken’s Crossing Guards to a Christmas Luncheon at Amanda’s;

NOW, THEREFORE, I, ANTHONY RUSSO, Mayor of the City of Hoboken, do hereby issue this proclamation in honor of Eugene and Joyce Flinn of Amanda’s thanking them for their generosity and recognizing their contributions to the City of Hoboken and its citizens.

--Received and filed.

Paste Communication here

--Received and filed.

APPLICATIONS FOR MISCELLANEOUS LICENSES

01-1773

Livery Drivers 2
Parking Lots 2
Music Machines 12

---Councilman Del Boccio moved that the licenses be granted.
---Motion duly seconded by Councilwoman Castellano.
---Adopted by the following vote: YEAS: 6 - NAYS: 0 - ABSENT: 3
---Yeas: Council persons Castellano, Del Boccio, Hudock, Ramos, Roberts, and President Moyeno.
---Nays: None.
---Absent: Andreula, Cricco, Soares.

REPORTS OF CITY OFFICERS

01-1774
A report from Municipal Tax Collector Louis Picardo for taxes collected; for the month ending November 30, 2000 - $13,201,608.10; and for the month ending December 31, 2000- $1,523,947.55

---Received and filed.
CLAIM RESOLUTIONS

01-1775
By Councilman Del Boccio:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $59,482.87 against the UNCLASSIFIED CLAIMS.

Seconded by Councilwoman Castellano.
---Adopted by the following vote: YEAS: 6 - NAYS: 0 - ABSENT: 3
---Yeas: Council persons Castellano, Del Boccio, Hudock, Ramos, Roberts, and President Moyeno.
---Nays: None.
---Absent: Andreula, Cricco, Soares.

By Councilman Del Boccio:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $331,842.77 against the DEPARTMENT OF ADMINISTRATION.

Seconded by Councilwoman Castellano.
---Adopted by the following vote: YEAS: 6 - NAYS: 0 - ABSENT: 3
---Yeas: Council persons Castellano, Del Boccio, Hudock, Ramos, Roberts, and President Moyeno.
---Nays: None.
---Absent: Andreula, Cricco, Soares.

By Councilman Del Boccio:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $172,510.14 against the DEPARTMENT OF ENVIRONMENTAL SERVICES.

Seconded by Councilwoman Castellano.
---Adopted by the following vote: YEAS: 6 - NAYS: 0 - ABSENT: 3
---Yeas: Council persons Castellano, Del Boccio, Hudock, Ramos, Roberts, and President Moyeno.
---Nays: None.
---Absent: Andreula, Cricco, Soares.

By Councilman Del Boccio:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $15,791.68 against the DEPARTMENT OF HUMAN SERVICES.

Seconded by Councilwoman Castellano.
---Adopted by the following vote: YEAS: 6 - NAYS: 0 - ABSENT: 3
---Yeas: Council persons Castellano, Del Boccio, Hudock, Ramos, Roberts, and President Moyeno.
---Nays: None.
---Absent: Andreula, Cricco, Soares.
---Absent: Andreula, Cricco, Soares.

PAYROLL RESOLUTIONS

01-1776
By Councilman Del Boccio:

RESOLVED, THAT WARRANTS DRAWN ON THE CITY TREASURER, TO THE ORDER OF THE CITY TREASURER, IN PAYMENT OF SERVICES OF OFFICERS AND EMPLOYEES OF THE CITY OF HOBOKEEN, FOR THE PERIOD DECEMBER 7, 2000 TO DECEMBER 20, 2000 FOR THE PAYROLL ARE HEREBY RATIFIED IN THE FOLLOWING AMOUNTS:

<table>
<thead>
<tr>
<th>Department</th>
<th>Account Num.</th>
<th>Regular Pay</th>
<th>Overtime</th>
<th>Other Pay</th>
<th>Total Pay</th>
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<tr>
<td>Mayor's Office</td>
<td>1-01-20-110</td>
<td>8788.49</td>
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<td>8788.49</td>
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<td>City Council</td>
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<td>City Clerks</td>
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<td>9902.79</td>
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<td>Elections</td>
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<td>Corporation Counsel</td>
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<td>Bus Adm. Office</td>
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<td>Personnel</td>
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<td>Treasurer's</td>
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<td>Emergency Mgmt</td>
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<td>Revenues</td>
<td>Expenditures</td>
<td>Totals</td>
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<td>Planning Board</td>
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<td>Central Garage</td>
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<td>Human Service Direct.</td>
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<td>5615.52</td>
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Meeting of January 3, 2001
Meeting of January 3, 2001

Cultural Affairs 1-01-27-176 2052.11
Public Defender 1-01-43-495 1861.11
Construction Code 1-01-22-195 20697.49
DDEF 0-01-55-901

Sub-Total 1043455.60 14700.88 1058156.48

Other
Water Utility 0-05-20-701-010 2148.23 684.68 2832.91
Police Outside Employ. T-14-10-000-000 30260.00
Police Grant.
Summer Lunch Progrm G-02-40-302-000 903.60

Grand Total 1045603.83 16289.16 30260.00 1092152.99

Motion by Councilman Del Boccio.
Seconded by Councilwoman Castellano.
---Adopted by the following vote: YEAS: 6 - NAYS: 0 - ABSENT: 3
---Yeas: Council persons Castellano, Del Boccio, Hudock, Ramos, Roberts, and President Moyeno.
---Nays: None.
---Absent: Andreula, Cricco, Soares.

RESOLUTIONS

Presented and Read

01-1777
---By Councilman Del Boccio:

RESOLVED, that the Chief Financial Officer is hereby directed, pursuant to N.J.S.A. 40A:4-20 to make the following additional temporary emergency appropriations:

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<tr>
<th>ACCOUNT</th>
<th>ACCOUNT #</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
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<td>(Other Expenses)</td>
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</tr>
<tr>
<td>Business Administration</td>
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<td>Insurance</td>
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<td>60,000.00</td>
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<td>Health Insurance</td>
<td>10123220020</td>
<td>300,000.00</td>
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<tr>
<td>North Hudson Mayor’s</td>
<td>10123222020</td>
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<tr>
<td>Fire Department</td>
<td>10125266021</td>
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<td>Parks &amp; Public Property</td>
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<td>Telephone</td>
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<td>25,000.00</td>
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<tr>
<td>Fuel Oil</td>
<td>10131447000</td>
<td>5,000.00</td>
</tr>
</tbody>
</table>
01-1778
---By Councilman Del Boccio:

WHEREAS, SJP Properties has received permits for constructing a Waterfront Corporate Center along River Street; First Street to Second Street, and-

WHEREAS, current construction work may cause a safety hazard to anyone and property in the immediate vicinity, and-

WHEREAS, SJP Properties Corporation has requested that as an added safety measure the City of Hoboken prohibit parking on the following street:

A. River Street, east side beginning at the northerly curb line of First Street and extending to the northerly curb line of Second Street.

RESOLVED, that parking is prohibited within the construction zone Monday through Friday for the hours of 7:00 AM to 6:00 PM starting on Thursday, January 4, 2001 and through and inclusive of Saturday, June 30, 2001, at which time this resolution may be subject to renewal for additional time if construction activity so requires it, and be it further-

RESOLVED, that a copy of this resolution be presented to the Department of Administration, Division of Signal & Traffic for immediate implementation of any necessary public notices and signage. The Signal and Traffic Division prepare the necessary traffic regulations and notifications to the New Jersey Department of Transportation.

---Motion duly seconded by Councilwoman Castellano.
---Adopted by the following vote: YEAS: 6 - NAYS: 0 - ABSENT: 3
---Yeas: Council persons Castellano, Del Boccio, Hudock, Ramos, Roberts, and President Moyeno.
---Nays: None.
---Absent: Andreula, Cricco, Soares.

01-1779
---By Councilman Del Boccio:

WHEREAS, pursuant to the resolution of the City Council the attached invoice has been received for services performed; and

WHEREAS, the Purchasing Agent recommends the payment of this invoice in compliance with the contractual agreement with the vendor, therefore, be it –

RESOLVED, that payment of Ten Thousand Six Hundred Thirty-Nine Dollars and Fifty-Two Cents ($10,639.52) be made to:
Dr. Joseph Palenski  
P.O. Box 273  
South Orange, N.J. 07079

Monies to fund this appropriation are resident in the School Based Partnership Grant Account.

---Motion duly seconded by Councilwoman Castellano.  
---Adopted by the following vote: YEAS: 6 - NAYS: 0 - ABSENT: 3  
---Yea: Council persons Castellano, Del Boccio, Hudock, Ramos, Roberts, and President Moyeno.  
---Nays: None.  
---Absent: Andreula, Cricco, Soares.

01-1780  
---By Councilman Del Boccio:  
WHEREAS, a summons was issued for a motor vehicle violation to the following; and  
WHEREAS, said motor vehicle was towed away at the expense of the owner; and  
WHEREAS, the Municipal Judge found the defendant not guilty and the defendant petitioned for reimbursement of the towing charges and storage fees; now, therefore, be it –  
RESOLVED, that warrants be drawn on the City Treasurer to the order of the following in the sum opposite the respective names as reimbursement of towing:  
Patricia Spallino, 407 First St. Hoboken, N.J.; 7/14/99; $106.80  
James Damis, 1111 Washington St. Hoboken, N.J.; 11/10/00; $75.00

---Motion duly seconded by Councilwoman Castellano.  
---Adopted by the following vote: YEAS: 6 - NAYS: 0 - ABSENT: 3  
---Yea: Council persons Castellano, Del Boccio, Hudock, Ramos, Roberts, and President Moyeno.  
---Nays: None.  
---Absent: Andreula, Cricco, Soares.

01-1781  
---By Councilman Del Boccio:  
WHEREAS, Rudolph Tesoroni, an employee of the Hoboken Fire Division, filed a Petition with the New Jersey Department of Labor and Industry Division of Workers' Compensation for an injury sustained on October 14, 1997; and  
WHEREAS, on November 9, 2000 Rose Mary Granados, Judge of Compensation, entered into an Order of Judgement, attached, for the Petitioner Rudolph Tesoroni requiring the City of Hoboken to pay to Petitioner Rudolph Tesoroni $2,277.00; and  
WHEREAS, Schneider, Goldberger, et al, Attorneys at Law, 1700 Galloping Hill Road, Kenilworth, N.J. 07033, for the Petitioner Rudolph Tesoroni was awarded legal fees of $455.00; $182.00 was assessed against petitioner Rudolph Tesoroni; $273.00 was assessed against respondent City of Hoboken; $100.00 was awarded to Dr. Arthur tiger; $50.00 was assessed
against petitioner Rudolph Tesoroni; $50.00 was assessed against respondent City of Hoboken. These amounts are to be paid directly to persons entitled to same; now, therefore, be it-

RESOLVED, that warrants be drawn on the City Treasurer to the following parties in the amount set forth opposite their respective names for the purposes herein above stated:

Rudolph Tesoroni $2,277.00
Dr. Arthur Tiger
600 Pleasant Ave.
Dover, N.J. 07801 $50.00
Schneider Goldberger, et al
1700 Galloping Hill Rd.
Kenilworth, N.J. 07033 $273.00
Advanced Court Reporting
1 Essex St.
Hackensack, N.J. $65.00
Total $2,615.00

And, be it further-

RESOLVED, respondent City of Hoboken shall continue to be responsible, during the lifetime of the petitioner Rudolph Tesoroni for all medical and associated costs in connection with his injury sustained on October 14, 1997, and be it further-

RESOLVED, that the aforesaid total award of $2,615.00 be charged to Workers Compensation Fund.

---Motion duly seconded by Councilwoman Castellano.
---Adopted by the following vote: YEAS: 6 - NAYS: 0 - ABSENT: 3
---Yeas: Council persons Castellano, Del Boccio, Hudock, Ramos, Roberts, and President Moyeno.
---Nays: None.
---Absent: Andreula, Cricco, Soares.

01-1782
---By Councilman Del Boccio:

WHEREAS, William James, an employee of the Hoboken Police Division, filed a petition with the New Jersey Department of Labor and Industry Division of Workers’ Compensation for an injury sustained from January 1989 through July 27, 1997; and

WHEREAS, on July 27, 2000 Rose Mary Granados, Judge of Compensation, entered an Order of Judgement, attached, for the petitioner William James requiring the City of Hoboken to pay to Petitioner William James $3,000.00; and

WHEREAS, $65.00 for stenographic services to Advanced Court Reporting was assessed against respondent City of Hoboken. These amounts are to be paid directly to persons entitled to same; now, therefore, be it-
RESOLVED, that warrants be drawn on the City Treasurer to the following parties in the amount set forth opposite their respective names for the purposes herein above stated:

William James $3,000.00

Advanced Court Reporting
1 Essex St. Suite 210
Hackensack, N.J. $65.00

Total $3,065.00

And be it further-

RESOLVED, respondent City of Hoboken shall continue to be responsible, during the lifetime of the petitioner William James for all medical and associated costs in connection with his injury sustained from January 1989 through July 27, 1997; and be it further-

RESOLVED, that the aforesaid total award of $3,065.00 be charged to Workers Compensation Fund.

---Motion duly seconded by Councilwoman Castellano.
---Adopted by the following vote: YEAS: 6 - NAYS: 0 - ABSENT: 3
---Yeas: Council persons Castellano, Del Boccio, Hudock, Ramos, Roberts, and President Moyeno.
---Nays: None.
---Absent: Andreula, Cricco, Soares.

01-1783
---By Councilman Del Boccio:

WHEREAS, Ruben Gonzalez, a former employee of the City of Hoboken, filed a Petition with the New Jersey Department of Labor and Industry Division of Workers' Compensation for an injury sustained on June 6, 1994; and

WHEREAS, on September 28, 2000 Rose Mary Granados, Judge of Compensation, entered into an Order of Judgment, attached, for the Petitioner Ruben Gonzalez requiring the City of Hoboken to pay to Petitioner Ruben Gonzalez $1,000.00; and

WHEREAS, $65.00 for stenographic services to Advanced Court Reporting was assessed against respondent City of Hoboken. These amounts are to be paid directly to persons entitled to same; now, therefore, be it -

RESOLVED, that warrants be drawn on the City Treasurer to the following parties in the amount set forth opposite their respective names for the purposes herein above stated:

Ruben Gonzalez $1,000.00

Advanced Court Reporting
1 Essex St.
Hackensack, N.J. $65.00

Total $1,065.00

Meeting of January 3, 2001
And, be it further-

RESOLVED, respondent City of Hoboken shall continue to be responsible, during the lifetime of the petitioner Ruben Gonzalez for all medical and associated costs in connection with his injury sustained on June 6, 1994, and be it further-

RESOLVED, that the aforesaid total award of $1,065.00 be charged to Workers Compensation Fund.

---Motion duly seconded by Councilwoman Castellano.
---Adopted by the following vote: YEAS: 6 - NAYS: 0 - ABSENT: 3
---Yeas: Council persons Castellano, Del Boccio, Hudock, Ramos, Roberts, and President Moyeno.
---Nays: None.
---Absent: Andreula, Cricco, Soares.

01-1784
---By Councilman Del Boccio:

WHEREAS, Enrico Gnassi, an employee of the Hoboken Police Division, filed a petition with the New Jersey Department of Labor and Industry Division of Workers Compensation for an injury sustained while working for the City; and

WHEREAS, on October 19, 2000 Rose Mary Granados, Judge of Compensation, entered an Order of Judgement, attached, for the petitioner Enrico Gnassi requiring the City of Hoboken to pay to petitioner Enrico Gnassi, $2,500; and

WHEREAS, $65.00 for stenographic services awarded to Advanced Court Reporting was assessed against respondent City of Hoboken; 150.00 was awarded to Dr. Eisenstein; 150.00 assessed against petitioner Enrico Gnassi; 65.00 was awarded to Drs. West and Matthews; $65.00 assessed against petitioner Enrico Gnassi; 500.00 was awarded to attorney for the petitioner, Marciano & Topazio, 801 Washington St., Hoboken, New Jersey; 500.00 assessed against petitioner Enrico Gnassi; 65.00 was awarded to Advanced Court Reporting; 65.00 assessed against respondent City of Hoboken. These amounts are to be paid directly to persons entitled to same; now, therefore, be it -

RESOLVED, that warrants be drawn on the City Treasurer to the following parties in the amount set forth opposite their respective names for the purposes herein above stated:

Enrico Gnassi $2,500.00
Advanced Court $65.00
1 Essex St.
Hackensack, N.J.

And, be it further-

RESOLVED, respondent City of Hoboken shall continue to be responsible, during the lifetime of the petitioner Enrico Gnassi for all medical and associated costs in connection with his injury sustained on June 6, 1994; and be it further-

RESOLVED, that the aforesaid total award of $2,565.00 be charged to Workers’ Compensation Fund.
---Motion duly seconded by Councilwoman Castellano.
---Adopted by the following vote: YEAS: 6 - NAYS: 0 - ABSENT: 3
---Yeas: Council persons Castellano, Del Boccio, Hudock, Ramos, Roberts, and President Moyeno.
---Nays: None.
---Absent: Andreula, Cricco, Soares.

01-1785
---By Councilman Del Boccio:

WHEREAS, the Homestead Rebate was erroneously sent to the City of Hoboken;

NOW, THEREFORE, BE IT RESOLVED, that this rebate in the amount of $68.23 for the property of 418 Jefferson Street, #2D be refunded to Ms. Lynn Caprioni.

---Motion duly seconded by Councilwoman Castellano.
---Adopted by the following vote: YEAS: 6 - NAYS: 0 - ABSENT: 3
---Yeas: Council persons Castellano, Del Boccio, Hudock, Ramos, Roberts, and President Moyeno.
---Nays: None.
---Absent: Andreula, Cricco, Soares.

All regular business concluded the following members of the public spoke at the “Public Portion” of the meeting: Tom Olivieri of 1126 Willow Avenue.

President Moyeno then adjourned the meeting at 7:32 p.m.

__________________________________________

PRESIDENT OF THE COUNCIL
President Moyeno opened the meeting at 7:02 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 furnished to The Jersey Journal and The Hoboken Reporter, The Bergen Record, The Newark Star - Ledger and also placed on the bulletin board in the lobby of City Hall."

The Council President then called for the Salute to the Flag.

The Clerk then called the roll:

PRESENT: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.

ABSENT: None.

RESOLUTIONS
Presented and Read

01-1786
By Council President Moyeno:

RESOLVED, that the Council of the City of Hoboken, by majority vote of the full membership hereby determine that the 2001 Municipal Budget shall be read by its title and we further declare that the conditions set forth in R.S. 40A: 4-8 (1A & 1B) of said section has been met.

---Motion duly seconded by Councilman Cricco.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.

PUBLIC HEARING FOR THE SFY 2001 MUNICIPAL BUDGET

At this time the meeting was open to the public to speak regarding the SFY 2001 Municipal Budget as follows: Michael Lenz of 408 Monroe Street; Fran Sachs of 77 River Street; Helen Hirsch of 98 Park Avenue.
After the speakers concluded their remarks, a motion was made to close the hearing as follows:

---By Councilman Del Boccio:
---Motion duly seconded by Councilman Cricco.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.

RESOLUTIONS CONTINUED

01-1787
By Councilman Cricco:

WHEREAS, the local Municipal budget for State Fiscal Year 2001 was approved on December 20, 2000; and

WHEREAS, it is desired to amend said Budget to revise certain items of Appropriations, now therefore, be it

RESOLVED, by the Governing body of the City of Hoboken, in the County of Hudson, that the following amendments to the approved Budget for State Fiscal Year 2001 be made:

<table>
<thead>
<tr>
<th>CURRENT FUND</th>
<th>FROM</th>
<th>TO</th>
</tr>
</thead>
<tbody>
<tr>
<td>8. General Appropriations</td>
<td></td>
<td></td>
</tr>
<tr>
<td>A. Operations within “CAPS”</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Office of the City Clerk</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Elections</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Salaries &amp; Wages</td>
<td>15,000.00</td>
<td>10,000.00</td>
</tr>
<tr>
<td>Total Office of the City Clerk</td>
<td>342,300.00</td>
<td>337,300.00</td>
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<tr>
<td>Dept. of Administration</td>
<td></td>
<td></td>
</tr>
<tr>
<td>General Administration</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Volunteer Ambulance Control Corp. N.J.40: 5-2</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other Expenses</td>
<td>113,500.00</td>
<td>131,000.00</td>
</tr>
<tr>
<td>Total General Administration</td>
<td>598,665.00</td>
<td>616,165.00</td>
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<tr>
<td>Other Administration</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Police Division</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other Expenses</td>
<td>67,388.14</td>
<td>327,388.14</td>
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<tr>
<td>Fire Division</td>
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<td></td>
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<tr>
<td>Other Expenses</td>
<td>174,000.00</td>
<td>194,000.00</td>
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<tr>
<td>Total Other Administration</td>
<td>19,802,607.14</td>
<td>20,082,607.14</td>
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<tr>
<td>Total Dept. of Administration</td>
<td>22,212,972.14</td>
<td>22,510,472.14</td>
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<tr>
<td>Dept. of Human Services</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Office of Hispanic Affairs</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Salaries &amp; Wages</td>
<td>130,000.00</td>
<td>125,000.00</td>
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<tr>
<td>Department</td>
<td>Original 2001</td>
<td>Revised 2001</td>
</tr>
<tr>
<td>------------------------------------------</td>
<td>---------------</td>
<td>--------------</td>
</tr>
<tr>
<td><strong>Salaries &amp; Wages</strong></td>
<td>341,685.00</td>
<td>321,685.00</td>
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<tr>
<td>Division of Cultural Affairs</td>
<td>75,000.00</td>
<td>70,000.00</td>
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<tr>
<td><strong>Total Dept. of Human Services</strong></td>
<td>1,468,379.48</td>
<td>1,438,379.48</td>
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<tr>
<td><strong>Dept. of Environmental Services</strong></td>
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<td></td>
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<tr>
<td>Transportation</td>
<td>14,000.00</td>
<td>19,000.00</td>
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<tr>
<td><strong>Total Dept. of Environmental Services</strong></td>
<td>6,746,003.60</td>
<td>6,751,003.60</td>
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<tr>
<td><strong>Unclassified</strong></td>
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<td></td>
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<tr>
<td>Settlement of Claims Against The City of Hoboken</td>
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<td></td>
</tr>
<tr>
<td>Other Expenses</td>
<td>300,000.00</td>
<td>200,000.00</td>
</tr>
<tr>
<td>Utilities – Electricity</td>
<td>300,000.00</td>
<td>259,000.00</td>
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<tr>
<td>Utilities – Telephone Telegraph</td>
<td>220,000.00</td>
<td>170,000.00</td>
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<tr>
<td><strong>Total Unclassified</strong></td>
<td>9,312,100.00</td>
<td>9,121,100.00</td>
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<tr>
<td><strong>Uniform Construction Code</strong></td>
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<td></td>
</tr>
<tr>
<td>Appropriations Offset by Dedicated Revenues (NJAC 5:23-4.17)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Salaries &amp; Wages</td>
<td>360,100.00</td>
<td>296,100.00</td>
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<tr>
<td>Other Expenses</td>
<td>12,600.00</td>
<td>100.00</td>
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<tr>
<td><strong>Total Uniform Construction Code</strong></td>
<td>372,700.00</td>
<td>296,200.00</td>
</tr>
<tr>
<td><strong>Detail</strong></td>
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<td></td>
</tr>
<tr>
<td>Salaries &amp; Wages</td>
<td>27,559,167.08</td>
<td>27,460,167.08</td>
</tr>
<tr>
<td>Other Expenses (Including ' Contingent)</td>
<td>13,774,488.14</td>
<td>13,873,488.14</td>
</tr>
<tr>
<td><strong>Operations – Excluded from CAPS</strong></td>
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<td></td>
</tr>
<tr>
<td>Municipal Court</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Salaries &amp; Wages</td>
<td>900,000.00</td>
<td>880,000.00</td>
</tr>
<tr>
<td>Other Expenses</td>
<td>35,000.00</td>
<td>55,000.00</td>
</tr>
<tr>
<td><strong>Detail</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Salaries &amp; Wages</td>
<td>2,942,862.22</td>
<td>2,922,862.22</td>
</tr>
<tr>
<td>Other Expenses</td>
<td>1,309,862.72</td>
<td>1,329,862.72</td>
</tr>
</tbody>
</table>

BE IT FURTHER RESOLVED, that a public hearing on this budget amendment be held on Wednesday, February 7, 2001, at 7:00 PM in the Hoboken City Hall, 94 Washington Street, Hoboken, New Jersey, and

BE IT FURTHER RESOLVED, that a copy of this budget amendment resolution be advertised in the Saturday, February 3, 2001 issue of the Jersey Journal, and

BE IT FURTHER RESOLVED, that three (3) certified copies of this resolution be filed forthwith in the Office of the Director of Local Government Services for approval.

Seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 6 - NAYS: 3
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, and President Moyeno.
---Nays: Ramos, Roberts, Soares.

**PETITIONS AND COMMUNICATIONS**

01-1788
A report from Municipal Clerk James J. Farina for bids received on January 12, 2001, for various goods and services.

--Received and filed.

**APPLICATIONS FOR MISCELLANEOUS LICENSES**

01-1789

<table>
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<tr>
<th>License</th>
<th>Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Raffles</td>
<td>1</td>
</tr>
<tr>
<td>Public Hack Drivers</td>
<td>2</td>
</tr>
<tr>
<td>Livery Drivers</td>
<td>4</td>
</tr>
<tr>
<td>Parking Lots</td>
<td>5</td>
</tr>
<tr>
<td>Parking Garages</td>
<td>1</td>
</tr>
<tr>
<td>Motor Vehicle Repair Shop</td>
<td>1</td>
</tr>
<tr>
<td>Junkyard</td>
<td>1</td>
</tr>
<tr>
<td>Lumber Yard</td>
<td>1</td>
</tr>
</tbody>
</table>

---Councilwoman Castellano moved that the licenses be granted.
---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSTENTIONS: 1
---Nays: None.
---Abstentions: President Moyeno.

**CLAIM RESOLUTIONS**

01-1790

By Councilwoman Castellano:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $503,570.50 against the UNCLASSIFIED CLAIMS.

Seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.

By Councilwoman Castellano:
RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $116,300.66 against the DEPARTMENT OF ADMINISTRATION.

Seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.

By Councilwoman Castellano:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $107,655.00 against the DEPARTMENT OF ADMINISTRATION, SECTION 8.

Seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 7 - NAYS: 0 - ABSTENTIONS: 2
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Roberts, Soares.
---Nays: None.
---Abstentions: Ramos, President Moyeno.

By Councilman Del Boccio:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $13,604.07 against the DEPARTMENT OF ENVIRONMENTAL SERVICES.

Seconded by Council President Moyeno.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.

By Councilwoman Andreula:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $19,997.34 against the DEPARTMENT OF HUMAN SERVICES.

Seconded by Councilwoman Castellano.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.
PAYROLL RESOLUTIONS

01-1791
By Councilwoman Castellano:

RESOLVED, THAT WARRANTS DRAWN ON THE CITY TREASURER, TO THE ORDER OF THE CITY TREASURER, IN PAYMENT OF SERVICES OF OFFICERS AND EMPLOYEES OF THE CITY OF HOBOKEN, FOR THE PERIOD DECEMBER 21, 2000 TO JANUARY 3, 2001 FOR THE PAYROLL ARE HEREBY RATIFIED IN THE FOLLOWING AMOUNTS:

<table>
<thead>
<tr>
<th>Department</th>
<th>Account Num.</th>
<th>Regular Pay</th>
<th>Overtime</th>
<th>Other Pay</th>
<th>Total Pay</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mayor's Office</td>
<td>1-01-20-110</td>
<td>8788.49</td>
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<td>8788.49</td>
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<tr>
<td>City Council</td>
<td>1-01-20-111</td>
<td>6594.95</td>
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<tr>
<td>City Clerks</td>
<td>1-01-20-120</td>
<td>9350.34</td>
<td>195.75</td>
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<td>9546.09</td>
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<td>Elections</td>
<td>1-01-20-122</td>
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<tr>
<td>Corporation Counsel</td>
<td>1-01-20-155</td>
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<tr>
<td>Bus Adm. Office</td>
<td>1-01-20-112</td>
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<tr>
<td>ABC Board</td>
<td>1-01-20-113</td>
<td>269.24</td>
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<td>Purchasing Dept.</td>
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<td>5891.72</td>
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<tr>
<td>Finance Supervisor</td>
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<tr>
<td>Accounts &amp; Controls</td>
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<td>Payroll Division</td>
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<td>Personnel</td>
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<td>Tax Collector's</td>
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<td>Assessor's Office</td>
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<td>Treasurer's</td>
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<td>Emergency Mgmt</td>
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<td>1543.92</td>
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<td>Police Division</td>
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<td>951.34</td>
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<td>506,110.07</td>
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<td>Crossing Guard</td>
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<tr>
<td>Fire Division</td>
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<td>4275.19</td>
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<td>414,972.22</td>
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<td>Water Utility</td>
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<tr>
<td>Department</td>
<td>Code</td>
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<td>Total 2</td>
<td>Total 3</td>
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<tr>
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<tr>
<td>Grants Management</td>
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<tr>
<td>Signal &amp; Traffic Dept.</td>
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<td>Public Library</td>
<td>1-01-29-390</td>
<td>19,297.50</td>
<td>159.03</td>
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<td>Zoning Officer</td>
<td>1-01-21-186</td>
<td>6623.95</td>
<td>1356.27</td>
<td>7980.22</td>
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<tr>
<td>Zoning Board of Adjust</td>
<td>1-01-21-185</td>
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<tr>
<td>Planning Board</td>
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<tr>
<td>Historic Preservation</td>
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<tr>
<td>Municipal Court</td>
<td>1-01-43-490</td>
<td>25381.02</td>
<td>848.24</td>
<td>26679.26</td>
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<tr>
<td>Envr. Ser. Dir. Office</td>
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<td>Streets &amp; Roads</td>
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<td>Solid Waste</td>
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<td>13,608.55</td>
<td>54,886.97</td>
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<td>Recycling</td>
<td>1-01-26-300</td>
<td>5932.02</td>
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<td>Housing Inspection</td>
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<td>Central Garage</td>
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<td>8466.20</td>
<td>2354.90</td>
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<td>Recreation Dept.</td>
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<td>Parks &amp; Public Prop.</td>
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<td>8672.32</td>
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<td>Human Service Direct.</td>
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<tr>
<td>Hispanic Affairs</td>
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<tr>
<td>Board of Health</td>
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<td>12,591.10</td>
<td>4509.73</td>
<td>17,100.83</td>
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<td>Div of Housing Svc</td>
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<td>Senior Citizens Div</td>
<td>1-01-27-336</td>
<td>11,297.47</td>
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<tr>
<td>Rent &amp; Stablization Bd</td>
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<td>Transportation</td>
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<td>868.45</td>
<td>5624.55</td>
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<td>Cultural Affairs</td>
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<td>Public Defender</td>
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<td>1861.11</td>
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</tr>
</tbody>
</table>
Motion by Councilwoman Castellano.  
Seconded by Councilman Del Boccio.  
---Adopted by the following vote: YEAS: 9 - NAYS: 0  
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.  
---Nays: None.

RESOLUTIONS CONTINUED

Presented and Read

01-1792  
---By Councilman Cricco:

RESOLVED, that the Chief Financial Officer is hereby directed, pursuant to N.J.S.A. 40A:4-20 to make the following additional temporary emergency appropriations:

<table>
<thead>
<tr>
<th>ACCOUNT</th>
<th>ACCT. #</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Other Expenses</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Corporation Counsel</td>
<td>10120155021</td>
<td>40,000.00</td>
</tr>
<tr>
<td>Labor counsel</td>
<td>10120157020</td>
<td>15,000.00</td>
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<td>Insurance</td>
<td>10123210020</td>
<td>190,000.00</td>
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<td>Workers Compensation</td>
<td>10123215020</td>
<td>50,000.00</td>
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<td>Solid Waste</td>
<td>10126305021</td>
<td>100,000.00</td>
</tr>
<tr>
<td>Board of Health</td>
<td>10127332021</td>
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<tr>
<td>Electricity</td>
<td>10131430000</td>
<td>80,000.00</td>
</tr>
<tr>
<td>Street Lights</td>
<td>10131435000</td>
<td>50,000.00</td>
</tr>
<tr>
<td>Gasoline</td>
<td>10131460000</td>
<td>30,000.00</td>
</tr>
</tbody>
</table>

Total Other Expenses         |             | 556,000.00 |

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0  
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.  
---Nays: None.

01-1793  
---By Councilwoman Castellano:

WHEREAS, pursuant to the resolution of the City Council and after public advertising thereof, the following proposals were received for the purchase of six (6) new motorcycles for the Police Department in accordance with Bid 01-04:

<table>
<thead>
<tr>
<th>Name of bidder</th>
<th>Amount of Total Bid</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mikes' Famous Harley-Davidson, Inc.</td>
<td>$75,600.00</td>
</tr>
<tr>
<td>2160 New Castle Ave. Newark, DE. 19720</td>
<td></td>
</tr>
</tbody>
</table>

And,

WHEREAS, the Purchasing Agent recommends the acceptance of the bid of Mike's Famous Harley Davidson, Inc.; now, therefore, be it –

RESOLVED, that the proposal of Mike's Famous Harley-Davidson, Inc., with the provision of accepting the return of ten (10) existing Hoboken Police Department motorcycles, for a net price of $10,000.00 be and the same is hereby accepted, and be it further-

RESOLVED, that a contract be drafted and entered into between the Mayor and Council of the City of Hoboken and Mike's Famous Harley-Davidson, Inc. for the aforementioned purchase of six (6) motorcycles for the Hoboken Police Department, form of which contract is to be prepared by the City's Corporate Counsel; and be it further-

RESOLVED, that the Mayor be and he is hereby authorized to execute the contract and the corporate seal of the City of Hoboken; and be it further –

RESOLVED, that upon execution of the aforementioned contract the bank check/bid bond deposited by this vendor be returned to them.

---Motion duly seconded by Councilman Del Boccio.  
---Adopted by the following vote: YEAS: 9 - NAYS: 0  
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.  
---Nays: None.

01-1794  
---By Councilman Del Boccio:

WHEREAS, on November 30, 2000 bids were received by the State of New Jersey Division of Property Management and Construction for the Castle Point Park Project, a joint venture of the State of New Jersey Division of Property Management and Construction, the New Jersey Department of Environmental Protection and the City of Hoboken; and

WHEREAS, the bids received are as follows:

<table>
<thead>
<tr>
<th>Contractor</th>
<th>Lump Sum Bid</th>
</tr>
</thead>
</table>

---
WHEREAS, the State of New Jersey Division of Property Management and Construction has evaluated all bids received and recommends IEW Construction Group, Inc. as the lowest responsible bidder; and

WHEREAS, the New Jersey Department of Environmental Protection has concurred in the award of bid to IEW Construction Group, Inc. for the construction of Castle Point Park; now, therefore, be it –

RESOLVED, that the City of Hoboken acting through the Mayor and Council hereby concurs with the State of New Jersey Division of Property Management and Construction and the New Jersey Department of Environmental Protection in the award of bid to IEW Construction Group, Inc. for the construction of Castle Point Park; and be it further –

RESOLVED, that certified copies of this resolution be forwarded to the State of New Jersey Division of Property Management and Construction and the New Jersey Department of Environmental Protection.

---Motion duly seconded by Council President Moyeno.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.

01-1795
---By Councilman Roberts:

WHEREAS, the Stevens Institute of Technology, ("Stevens") a non-profit corporation of the State of New Jersey, having its principal office at Castle Point on Hudson, Hoboken, N.J. 07030, operates a higher education institution along the Hoboken waterfront and owns a substantial area of lands thereon; and

WHEREAS, the Council finds it necessary to review the development plans for properties owned by Stevens including but not limited to Sixth Street, Eighth Street and the entire campus since such development will likely have a significant impact on the entire City; and

WHEREAS, the City Council understands that here is no requirement that Stevens comply with this request; however, the City Council finds it to be an appropriate request and seeks to foster relations with Stevens and the community and assure that the City is prepared for any sizable development;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Hoboken that the City Council hereby requests Stevens to prepare and disclose a master plan for development of its campus and adjacent lands owned by it, which plan would address all residential and other development proposed for the next five years and all phases of such development.

---Motion duly seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.

---

IEW Construction Group, Inc. $2,843,372.98
Agate Construction, In c. $3,849,950.00
D’Onofrio General Contractors Corp. $5,657,000.00
Simpson and Brown $3,044,950.00

And,

WHEREAS, the Stevens Institute of Technology, a non-profit corporation of the State of New Jersey, having its principal office at Castle Point on Hudson, Hoboken, N.J. 07030, operates a higher education institution along the Hoboken waterfront and owns a substantial area of lands thereon; and

WHEREAS, the Council finds it necessary to review the development plans for properties owned by Stevens including but not limited to Sixth Street, Eighth Street and the entire campus since such development will likely have a significant impact on the entire City; and

WHEREAS, the City Council understands that here is no requirement that Stevens comply with this request; however, the City Council finds it to be an appropriate request and seeks to foster relations with Stevens and the community and assure that the City is prepared for any sizable development;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Hoboken that the City Council hereby requests Stevens to prepare and disclose a master plan for development of its campus and adjacent lands owned by it, which plan would address all residential and other development proposed for the next five years and all phases of such development.

---Motion duly seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.

01-1796
---By Councilman Cricco:

RESOLVED, that the Mayor is hereby authorized to execute the attached Regional Contribution Escrow Agreement with the Council on Affordable Housing and the Trust Company of New Jersey to allow the Trust Company of New Jersey to serve as escrow agent for all Regional Contribution Agreement Funds received for affordable housing project in the Northwest Redevelopment Area.

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.

01-1797
---By Councilman Cricco:

WHEREAS, the residents of the City of Hoboken listed on the document attached hereto have overpaid for property tax payments to the City of Hoboken in the amounts set forth herein; and

WHEREAS, the Chief Financial Officer recommends reimbursement to the aforementioned residents of the overpayments:

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Hoboken that warrants be drawn on the City Treasurer payable to individuals and entities listed on the attached document in the amounts set forth therein representing the reimbursement of property tax overpayments.

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.

01-1798
--By Councilwoman Castellano:

WHEREAS, the New Jersey Youth Corps (administered by the Office of Education, Department of Human Services) is classified as a “Preferred Partner” for New Jersey Department of Transportation TEA-21 (Transportation Equity Act for the 21st Century) Transportation Enhancement funded projects; and

WHEREAS, the New Jersey Youth Corps of Camden, Newark and Phillipsburg in conjunction with the New Jersey Historical Commission, the New Jersey Department of Environmental Protection, Rutgers and Rowan State Universities and Warren County Community College is preparing a grant application for the New Jersey Underground Railroad Cultural Heritage Trails project; and

WHEREAS, the Historical Commission has identified through research that the City of Hoboken had a direct connection with that secret network of persons, places and transportation
WHEREAS, this joint project proposes further research into the connection between Hoboken and the Underground Railroad routes and such follow-up activities as are appropriate (such as the erection of signs, markers and plaques and inclusion of the City of Hoboken in such tourism guides, curriculum materials, digital photos and videos as the project shall complete);

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the City of Hoboken that this body supports the aforementioned grant application and authorizes the Mayor and City Clerk to designate a liaison person to work with the joint project sponsors and bring back to this body for approval any proposed activities in the City of Hoboken which require this body's approval; and

BE IT FURTHER RESOLVED, that this City Council affirms its support of the New Jersey Underground Railroad Cultural Heritage Trails application to the New Jersey Department of Transportation.

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.

01-1799
---By Councilman Hudock:

WHEREAS, Cablevision Systems Corp. Hoboken’s cable franchise partner, has implemented a cable rate increase for 2001 which represents an average State increase of 6.8 percent, with the average family cable rate increasing by an unprecedented 12.9 percent; and

WHEREAS, the Federal government ceased regulating cable rates in 1999 and the State of New Jersey only has power over basic rates, not expanded basic services or premium channels; and

WHEREAS, the lack of Federal regulation over the provision of cable services by cable service providers has allowed Cablevision to enjoy operating as an unregulated monopoly at the expense of end users, members of the public, mainly affecting low and moderate income families; now, therefore, be it –

RESOLVED, by the City Council of the City of Hoboken that the City Council finds the rate increase to be excessive, opposes the increase and hereby calls upon its elected Federal officials in the United States Congress to introduce legislation to regulate the rates cable service providers may charge thereby protecting the public against future excessive rate increases; and be it further-

RESOLVED, that copies of this resolution, certified to be true, forwarded by the City Clerk to Senator Robert Torricelli, Senator Jon Corzine and Congressman Robert Menendez.

---Motion duly seconded by Council President Moyeno.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.
ORDINANCES

Introduction and First Reading

01-1800
R-473

AN ORDINANCE GRANTING PERMISSION TO METRICOM, INC., TO INSTALL RADIOS AND ASSOCIATED EQUIPMENT ON CERTAIN FACILITIES LOCATED WITHIN THE PUBLIC RIGHT-OF-WAY IN THE CITY OF HOBOKEN.

THE MUNICIPAL COUNCIL OF THE CITY OF HOBOKEN DOES ORDAIN:

WHEREAS, Metricom Inc. ("Metricom"), with offices at 218 Middlesex Street, Suite 201, Harrison, New Jersey, 07029, is in the business of constructing, maintaining, and operating a mobile digital data communications radio network known as Ricochet, a network operated in accordance with regulations promulgated by the Federal Communications Commission, utilizing Radios and related equipment certified by the Federal Communications Commission; and

WHEREAS, Metricom, Inc. has requested permission to install Ricochet radios on facilities in the public right of way of the City of Hoboken, New Jersey (the "City") by attaching its Ricochet radios to facilities owned by third parties located in the public right of way of the City to facilitate wireless Internet and on line communications and services; and

WHEREAS, the City desires, pursuant to N.J.S.A. 54:30a-124 and N.J.S.A. 40:67-1, to grant permission for such use of the public right of way upon an annual payment of the estimated reasonable cost of actual services provided by the City and by posting certain safeguards for the protection of the general public; and

NOW, THEREFORE, BE IT ORDAINED, by the Municipal Council of the City of Hoboken, County of Hudson, State of New Jersey as follows:

Section 1. Definitions.

Section 1.1 Facilities. "Facilities" means third party owned utility poles, street light poles, lighting fixtures, and electroliers, within the Municipal Right of Way and may refer to such facilities in the singular or plural, as appropriate to the context in which used.

Section 1.2 Municipal Right of Way. "Municipal Right of Way" means the space in, upon, above, along, across, and over the public streets, roads, lanes, courts, ways, alleys, boulevards, and places, that are public utility easements as the same now or may hereafter exist, that are under the jurisdiction of the City.

Section 1.3 Use Agreements. "Use Agreement" means the Right of Way Use Agreement entered into between Metricom and the City of Hoboken. (Exhibit A)

Section 2. Findings and Conclusions. The City has reviewed all documentation regarding Metricom's request for the described use of the municipal right of way and finds that it is in the best interest of the residents to grant said request.

Section 3. Grant of Consent. The City hereby grants to Metricom the non-exclusive use of the public right of way for the installation and maintenance of its Ricochet radios and associated fixtures on existing facilities located within the public right of way. The conditions for the parameters of said use are set forth in Section 3 below. This consent shall permit Metricom to
place and maintain such radios on facilities located upon and along certain public highways and streets in the City, as described by Exhibit B, attached. This consent is subject to all provisions of this ordinance. The City and Metricom may make amendments to the map attached as Exhibit B due to redevelopment in the City, upon agreement by the parties, or in accordance with Section 5 of the Use Agreement. In the event that Metricom violates any provision of this ordinance, the City will give Metricom written notice of such violation. Such violation must be cured within forty-five (45) days and continuously prosecute such cure until completed. Failure to cure the violation within the prescribed time will result in appropriate action on behalf of the City, which may include, but is not limited to court intervention, revocation of this ordinance and the termination of any and all relationships between the City and Metricom.

Section 4. Conditions of Grant of Public Street Right of Way. This grant of consent to non-exclusive use of the public right of way is solely for the purpose of installing and maintaining radios installed on facilities to facilitate wireless Internet and on line communications and services.

Section 5. Continuing Obligation of Metricom. The needs of the City and the public to minimize interruptions in street and sidewalk traffic and public and private business, to avoid congestion, environmental degradation, undue cost, inconvenience, reduction in property values, private interests and the like, frustration or burdening of City planning for future utility installations and operations, maintenance of current utilities and general planning for development by the City shall be respected by Metricom and Metricom prior to installation will notify the City of the proposed location of the facilities on which Ricochet radios are to be installed.

Section 6. Territory. The consent granted by this ordinance shall apply to the facilities located in the City right of way described in Exhibit A, attached hereto. All questions of municipal boundary location, rights and interest in property, federal, state, county and/or other governmental or quasi-governmental rights, privileges, and/or interests in real estate, shall be investigated and researched at the cost and expense of Metricom.

Section 7. Compliance with Zoning and Other Ordinances. The foregoing consent is and at all times shall be subject to full and complete compliance with the City Land use and Development Ordinances, all other City ordinances and regulations, and all rules, regulations and laws applicable to all aspects of location, operation, and maintenance of the radios and fixtures necessary thereto. Installation of any fixture other than such facilities shall be subject to prior approval of the City.

Section 8. Fee and Term.

a. Reimbursement of Municipality’s recurring Costs and Expenses. Pursuant to and as allowed for in N.J.S.A. 54:30A-124, Metricom shall reimburse the City for recurring costs and expenses in providing actual services to administer this ordinance and the deployment of radios in the Municipal Right of Way hereunder. The parties hereto agree that a reasonable fixed annual reimbursement for such costs and expenses shall be Two Thousand Dollars ($2,000.00), which annual amount shall be payable no later than the 45th day after the date that Metricom first provides Services to commercially paying subscribers within the City using radios installed pursuant to this ordinance and the 45th day after the start of each calendar year thereafter or fraction thereof. The parties further agree that such reimbursement shall compensate the City for all expenses relating to this ordinance, except for costs and expenses specifically identified as payable by Metricom under this ordinance. The reimbursement provided for in this section shall not replace or excuse Metricom from the payment of any applicable Municipality permit fee for work undertaken in connection with this ordinance.

b. Metricom shall pay to the City within thirty (30) days of the effective date of this ordinance a legal fee in the amount of Two Thousand Five Hundred Dollars ($2,500.00).
c. In consideration of the City’s consent, the City shall have the right throughout the term of this consent to the use of ten (10) Ricochet (or such other named) basic service subscriptions from Metricom at no cost or expense to the City. The parties agree that the City has a daytime population of Eighty (80,000) people.

Section 9. Right of Way Fees.

a. In the event New Jersey law is modified to allow imposition of a Right of Way Fee by the City, then and only then, pursuant to the procedure set forth in this Section to the extent consistent with applicable law in order to reimburse the City for any costs it may incur in connection with Metricom’s entry upon and deployment within the Municipal Right of Way, Metricom shall pay to the City, on an annual basis, an amount equal to five percent (5%) (Or, if lesser, the maximum percentage allowed under New Jersey law) of Metricom’s Gross Revenues, as defined below, (the “Right of Way Fee”) which amount will be collected from subscribers of the Services with billing addresses in the City and remitted to the City as provided herein. The compensation provided under this Section shall be payable annually, on or before the 45th day after the start of each calendar year following notification by the City to Metricom that a Right of Way Fee is allowed under New Jersey law, and on or before the 45th day after the start of each calendar year thereafter, or fraction thereof, prorated as appropriate. Metricom shall furnish to the City with each payment of compensation required by this Section a statement, executed by an authorized officer of Metricom or his or her designee, showing the amount of Gross Revenues for the period covered by the payment. If Metricom discovers that it has failed to pay the entire or correct amount of compensation due, the City shall be paid by Metricom within thirty (30) days of discovery of the error or determination of the correct amount. Any overpayment to the City through error or other wise shall be refunded or offset against the next payment due from Metricom. Acceptance by the City of any payment due under this section shall not be deemed to be a waiver by the City of any breach of this Ordinance occurring prior thereto, nor shall the acceptance by the City of any such payments preclude the City from later establishing that a larger amount was actually due or from collecting any balance due to the City.

b. Gross Revenues. Gross Revenues means the gross dollar amount received by Metricom for its Services provided to subscribers with billing addresses in the City, excluding (1) the Right of Way Fee, if any, payable under this Section and any utility users’ tax, telecommunications tax, or similar tax or fee; (ii) local, state, or federal taxes that have been filled to the subscribers and separately stated on subscribers’ bills; and (iii) revenue uncollectible from subscribers (i.e., bad debts) with billing addresses in the City that was previously included in Adjusted Gross Revenues.

c. Reduction of Right of Way Fee by Amount of Utility Users or Telecommunications Tax. Notwithstanding any thing to the contrary in this ordinance, if the Services are subject to a utility users tax, telecommunications tax, or other similar tax or fee by operation of the City’s Municipal Code or other applicable law, then the amount of the Right of Way Fee shall be reduced by the amount of the applicable utility users tax, telecommunications tax, or such other similar tax or fee.

d. Accounting Matters. Metricom shall keep accurate books of account at its principal office for the purpose of determining the amounts potentially due to the City under this Section. The City may inspect Metricom’s books of account relative to the City at any time during regular business hours on fifteen (15) business days’ prior written notice and may audit the books from time to time at the City’s sole expense, but in each case only to the extent necessary to confirm the accuracy of payments potentially due under this Section. The City agrees to hold in confidence any non-public information it learns from Metricom to the fullest extent permitted by law.
e. Most Favored Municipality. Should Metricom, after the enactment of this ordinance, enter into an agreement with or be subject to an ordinance of another Municipality that is the same size or smaller than the City of Hoboken and is located in the New Jersey Metropolitan Statistical Area, and that grants permission to Metricom to use that Municipality’s public Right of Way, which agreement or ordinance contains financial benefits for such Municipality which, taken as a whole and balanced with the other terms of such agreement or ordinance, are in the City’s opinion substantially superior to those in this ordinance, the City shall have the right to modify this ordinance to incorporate the same or substantially similar superior benefits and such other terms and burdens by substitution, mutates mutandis, of such other agreement or otherwise.

Section 10. Conditions of Construction.

a. Restoration. In the event Metricom shall, from time to time, disturb any public or private pavement, street surface, curbs, gutters, sidewalks, driveways, above or below ground utilities lines, fixtures, equipment or other facilities, or trees, shrubs, or other landscaping or surfaces in the natural topography or any other matter whatsoever, Metricom shall, at no expense to the City, reasonably restore and replace such places and things so disturbed to as good condition as existed prior to each disturbance. In doing so, Metricom shall comply with all applicable ordinances, resolutions, laws, rulings, and requirements for securing street opening permits and regulations. All restoration is to be completed in accordance with the relevant ordinance, resolutions, laws, rulings, or regulations and shall be completed within thirty (30) working days of the work unless a longer period is specifically permitted by the applicable ordinance, resolution, law, ruling or regulation.

b. Relocation. If, at any time during the period of this consent, the City shall alter or change the grade of any public street or highway, or alter or change the location or grade of any public water or sewer facility, or other utility facility, and such alteration shall require the relocation of the Radio of Metricom in the public right of way in the City, Metricom shall, upon receipt of written consent of the City, relocate its Radios and other associated equipment at no expense to the City.

Section 11. Performance Bonds. To secure the faithful performance by Metricom of all of its obligations to the City, Metricom shall deliver to the City and maintain in force throughout the duration of its use of the public right of way within the City, a surety bond in the sum of Two Thousand Five Hundred Dollars ($2,500.00), conditioned on the faithful performance by Metricom of all of its undertakings pursuant to this Ordinance. The bonding company shall be authorized to do business in the State of New Jersey.

Section 12. Liability Insurance. During the term of the use of the public right of way within the City, Metricom shall deliver to the City Risk Manager and maintain in force, at no expense to the City, sufficient combined automobile and comprehensive general liability insurance naming the City and its agents, servants and employees as additional insurers and insuring against loss by any such claim, suit, judgment, execution or demand in the minimum amounts of:

a. One Million ($1,000,000.00) Dollars for Commercial General Liability Insurance and General Automobile Liability, per occurrence.

b. Five Million ($5,000,000.00) Dollars “umbrella” excess liability coverage in following form.

The insurance carrier must be authorized to do business in the State of New Jersey; Metricom shall assure that no such policy of insurance shall be canceled without a minimum of thirty (30) days notice to the City.

Section 13. Indemnity. In accepting the privileges of this Ordinance and the installation, maintenance and use hereby authorized, Metricom, their successors and assigns, hereby agree
to assume full, complete and undivided responsibility for any and all injury or damage to person or property by reason of said installation, maintenance and use, and to indemnify, defend and hold the City of Hoboken and its agents, servants, and employees harmless from all claims, suits and losses incurred in connection with said installation, maintenance and use pursuant to this ordinance except to the extent they arise from the negligence of or the willful misconduct of the City or its agents, employees, servants or contractors.

Section 14. Limitation. This ordinance is solely to permit Metricom to use the public right of way in the City for the installation and maintenance of radios on facilities.

Section 15. Time period. The grant of consent under this ordinance shall be for a period of ten (10) years, but may be extended or renewed for additional periods by ordinance adopted by the City.

Section 16. Separability. Should any provision of this ordinance be determined invalid by a court or administrative tribunal of competent jurisdiction, such determination shall not affect the remaining provisions.

Section 17. Captions. The captions and titles assigned to the sections of this ordinance are for convenience and reference only, and are in no way to be construed as defining, limiting or modifying the scope or intent of the various provisions of this ordinance.

Section 18. Law Changes. In the event applicable law shall, during the term hereof, modify any provisions of this ordinance, the ordinance shall be automatically modified to incorporate the change.

Section 19. Certificate of Authority. Prior to any installation within the City, Metricom shall provide the City Clerk upon request a certificate of authority from the Secretary of State evidencing its authority to do business in New Jersey.

Section 20. Assignment. The grant of consent to Metricom under this ordinance shall not be assigned by Metricom without the prior written consent of the City, which consent shall not be unreasonably withheld, delayed, or conditioned. Notwithstanding the foregoing, the transfer of the rights and obligations of Metricom under this ordinance to a parent, subsidiary, affiliate or any successor or entity acquiring fifty-one percent (51%) or more of Metricom's stock or assets shall not be deemed an assignment for the purposes of this ordinance except that Metricom shall notify the City at least thirty (30) days in advance of any such transfer.

Section 21. Indemnification Insurance. All costs and expenses incident to the introduction, passage and publication of this ordinance shall be borne and paid by Metricom.

Section 22. Effective date: This ordinance shall not become effective unless an acceptance hereof in writing shall be filed by Metricom with the City Clerk. In the event that Metricom shall not file with the City Clerk its acceptance in writing of the provisions of this ordinance within thirty (30) days after receiving notice of its passage, this ordinance shall become void and be of no effect.

Section 23. Execution of use Agreement. The Mayor be and is hereby authorized to execute a Right of Way Use Agreement on behalf of the City, in a form substantially in accordance with the document attached hereto as Exhibit A.

All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

This ordinance shall take effect at the time and in the manner as provided by law.

---Councilwoman Castellano moved that the ordinance pass its first reading as read and be laid on the table for public inspection to be further considered for final passage at a meeting of the Council to be held on FEBRUARY 7, 2001 at 7:00 PM.

Meeting of January 17, 2001
---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.

All regular business concluded the following members of the public spoke at the “Public Portion” of the meeting: Paul Amante of 736 Willow Avenue.

President Moyeno then adjourned the meeting at 8:05 p.m.
President Moyeno opened the meeting at 7:19 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 furnished to The Jersey Journal and The Hoboken Reporter, The Bergen Record, The Newark Star - Ledger and also placed on the bulletin board in the lobby of City Hall."

The Council President then called for the Salute to the Flag.

The Clerk then called the roll:

PRESENT: Council persons Andreula, Castellano, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.

ABSENT: Cricco.

PUBLIC HEARING
FOR THE AMENDMENT TO THE SFY 2001 MUNICIPAL BUDGET

President Moyeno directed the City Clerk to announce that the Council would consider for final passage the aforesaid amendment to the SFY 2001 Municipal Budget and all persons interested at this time would be given an opportunity to be heard concerning said amendment.

No person present desiring to be heard and no written protests or objections received, President Moyeno asked for a motion to close the hearing.

Councilman Del Boccio moved that the hearing be closed. Motion duly seconded by Councilman Hudock.
---Adopted by the following vote: YEAS: 5 - NAYS: 3 - ABSENT: 1
---Yeas: Council persons Andreula, Castellano, Del Boccio, Hudock, and President Moyeno.
---Nays: Ramos, Roberts, Soares.
---Absent: Cricco.

HEARING ON ORDINANCES
Second Reading and Public Hearing

AN ORDINANCE GRANTING PERMISSION TO METRICOM, INC., TO INSTALL RADIOS AND ASSOCIATED EQUIPMENT ON CERTAIN FACILITIES LOCATED WITHIN THE PUBLIC RIGHT-OF-WAY IN THE CITY OF HOBOKEN.

President Moyeno directed the City Clerk to announce that the Council would consider for final passage the aforesaid ordinance and all persons interested at this time would be given an opportunity to be heard concerning said ordinance which was read in full.

Before the hearing was closed, Lenard Franco, Jr., an attorney representing Metricom, addressed the City Council. No other person present desiring to be heard and no written protests or objections received, President Moyeno asked for a motion to close the hearing.

Councilman Del Boccio moved that the hearing be closed.
Motion duly seconded by Councilwoman Castellano.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Castellano, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.
---Absent: Cricco.

HEARING ON ORDINANCES

Third and Final Reading

Council President Moyeno then moved that the ordinance entitled, "AN ORDINANCE GRANTING PERMISSION TO METRICOM, INC., TO INSTALL RADIOS AND ASSOCIATED EQUIPMENT ON CERTAIN FACILITIES LOCATED WITHIN THE PUBLIC RIGHT-OF-WAY IN THE CITY OF HOBOKEN. " be taken from the table for its third and final reading.

Motion seconded by Councilwoman Castellano.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Castellano, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.
---Absent: Cricco.

At this time the City Clerk advised the City Council that although a vote was taken to close the Public Hearing for the SFY 2001 Budget Amendment, a vote was needed to pass the amendment to the SFY 2001 Municipal Budget, as well as the SFY 2001 Municipal Budget as amended. The following is the vote to 1) adopt the amendment, and 2) adopt the amended SFY 2001 Municipal Budget.

---Adopted by the following vote: YEAS: 5 - NAYS: 3 - ABSENT: 1
---Yeas: Council persons Andreula, Castellano, Del Boccio, Hudock, and President Moyeno.
---Nays: Ramos, Roberts, Soares.
---Absent: Cricco.
PETITIONS AND COMMUNICATIONS

01-1801

WHEREAS, in February of 1926, Dr. Carter C. Woodson, a noted African American author and scholar began what was then called Negro History Week to educate non-black Americans about Black American culture and history and to engineer pride among African Americans; and

WHEREAS, Dr. Woodson chose the month of February for the celebration because the month marks the birthdays of President Abraham Lincoln, who signed the Emancipation Proclamation ending slavery, and Frederick Douglass, the noted African American abolitionist; and

WHEREAS, an additional reason why Dr. Woodson chose the month of February for this important event was that the National Association for the Advancement of Colored People (NAACP), the nation’s oldest civil rights organization was founded in February of 1909; and

WHEREAS, Black History Month should be a reaffirmation of the struggle and determination to change attitudes and heighten the understanding of the African American experience and in the words of Ralph Crowder to make “the observance a testimony to those African pioneers who struggled to affirm the humanity of African peoples and a challenge to the present generation to protect and preserve the humanity of all peoples of African descent”; and

WHEREAS, for the past several years, City employee Shirley Cummins has assembled a public display in the lobby of City Hall highlighting the significant contributions made by Black Americans and Black residents of Hoboken, with this year’s display especially designed to honor the memory of Dr. Martin Luther King, Jr. and share his lessons of peace and equality with every Hoboken child;

NOW, THEREFORE, BE IT RESOLVED, that I, Anthony Russo, Mayor of the City of Hoboken, do hereby issue this proclamation in honor of Black History Month in the City of Hoboken and urge all citizens to join me in celebrating the contributions of Black Americans.

--Received and filed.

01-1802

February 7, 2001

Honorable Council Members of the City of Hoboken
94 Washington Street
Hoboken, New Jersey, 07030

Dear Ladies and Gentlemen:

I hereby recommend the reappointment of Frank Raia, 455-7th Street, Hoboken, New Jersey, as a Commissioner of the North Hudson Sewerage Authority for a five year term expiring February 1, 2006.

Very truly yours,

Anthony Russo
Mayor

--Received and filed.
APPLICATIONS FOR MISCELLANEOUS LICENSES

01-1803

Livery Drivers 1
Vendor 1
Parking Lots 1
Mechanical Amusement Devices 1
Motor Vehicle Repair Shops 6
Lumber yard 1
Movie theater 1

---Councilwoman Castellano moved that the licenses be granted.
---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Castellano, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.
---Absent: Cricco.

REPORTS OF CITY OFFICERS

01-1804
A report of Municipal Clerk James J. Farina indicating bids received on February 2, 2001 for various goods and services.

---Received and filed.

01-1805
A report from Municipal Tax Collector Louis Picardo for taxes collected; for the month ending January 31, 2001 - $431,755.91

---Received and filed.

01-1806
A report of the Municipal Court indicating receipts for the month of December 2000 as $218,765.97 and for the month of January 2001 as $240,271.89.

---Received and filed.

CLAIM RESOLUTIONS

01-1807
By Councilwoman Castellano:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $653,925.83 against the UNCLASSIFIED CLAIMS.

Seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Castellano, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.
---Absent: Cricco.

By Councilwoman Castellano:
RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $168,940.65 against the DEPARTMENT OF ADMINISTRATION.

Seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Castellano, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.
---Absent: Cricco.

By Councilman Del Boccio:
RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $83,729.90 against the DEPARTMENT OF ENVIRONMENTAL SERVICES.

Seconded by Councilwoman Castellano.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Castellano, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.
---Absent: Cricco.

By Councilwoman Castellano:
RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $12,224.22 against the DEPARTMENT OF HUMAN SERVICES.

Seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Castellano, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.
---Absent: Cricco.

By Councilman Del Boccio:
RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $11,500.00 against the CAPITAL ACCOUNT.

Meeting of February 7, 2001
Seconded by Councilwoman Castellano.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Castellano, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.
---Absent: Cricco.

PAYROLL RESOLUTIONS

01-1808
By Councilman Del Boccio:

RESOLVED, THAT WARRANTS DRAWN ON THE CITY TREASURER, TO THE ORDER OF THE CITY TREASURER, IN PAYMENT OF SERVICES OF OFFICERS AND EMPLOYEES OF THE CITY OF HOBOKEN, FOR THE PERIOD JANUARY 4, 2001 TO JANUARY 17, 2001 FOR THE PAYROLL ARE HEREBY RATIFIED IN THE FOLLOWING AMOUNTS:

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<th>Department</th>
<th>Account Num.</th>
<th>Regular Pay</th>
<th>Overtime</th>
<th>Other Pay</th>
<th>Total Pay</th>
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<td>Corporation Counsel</td>
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Meeting of February 7, 2001
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<th>Department</th>
<th>Code</th>
<th>Beginning Balance</th>
<th>Ending Balance</th>
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<td>Zoning Board of Adjust</td>
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<td>Planning Board</td>
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<td>Municipal Court</td>
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<td>DDEF</td>
<td>0-01-55-901</td>
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</table>

**Sub-Total**  
1,251,963.3  59,880.63  1,311,843.93

**Other**

<table>
<thead>
<tr>
<th>Department</th>
<th>Code</th>
<th>Amount</th>
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</thead>
<tbody>
<tr>
<td>Water Utility</td>
<td>0-05-20-701-01</td>
<td>2648.23</td>
<td>402.75</td>
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<tr>
<td>Police Outside</td>
<td>T-14-10-000-00</td>
<td>4835.00</td>
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<td>Police Grant.</td>
<td></td>
<td>9200.00</td>
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<tr>
<td>Fire Dept. Penalty</td>
<td>T-13-10-000-00</td>
<td>954.60</td>
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</table>

**Grand Total**  
1263,811.53  61,237.98  4835.00  1329884.51

Motion by Councilman Del Boccio.  
Seconded by Councilwoman Castellano.  
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1  
---Yeas: Council persons Andreula, Castellano, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.  
---Nays: None.  
---Absent: Cricco.

**RESOLUTIONS**

Presented and Read

**01-1809**

---By Councilman Del Boccio:
RESOLVED, that the Chief Financial Officer is hereby directed, pursuant to N.J.S.A. 40A:4-20 to make the following additional temporary emergency appropriations:

<table>
<thead>
<tr>
<th>Account</th>
<th>Account #</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Other expenses</td>
<td></td>
<td></td>
</tr>
<tr>
<td>City Council</td>
<td>10120110021</td>
<td>2,000.00</td>
</tr>
<tr>
<td>A.B.C. Board</td>
<td>10120113021</td>
<td>15,000.00</td>
</tr>
<tr>
<td>Legal Ads</td>
<td>10120121020</td>
<td>5,000.00</td>
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<td>Historic Commission</td>
<td>10120175021</td>
<td>200.00</td>
</tr>
<tr>
<td>Health Insurance</td>
<td>10123220020</td>
<td>1,000,000.00</td>
</tr>
<tr>
<td>Police Department</td>
<td>10125241021</td>
<td>45,000.00</td>
</tr>
<tr>
<td>Central Garage</td>
<td>10126301021</td>
<td>40,000.00</td>
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<td>Solid Waste</td>
<td>10126305021</td>
<td>200,000.00</td>
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<tr>
<td>Transportation</td>
<td>10127348021</td>
<td>6,000.00</td>
</tr>
<tr>
<td>Recreation</td>
<td>10128370021</td>
<td>25,000.00</td>
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<tr>
<td>Public Library</td>
<td>10129390021</td>
<td>40,000.00</td>
</tr>
<tr>
<td>Public health Priority</td>
<td>10140700018</td>
<td>9,110.00</td>
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<tr>
<td>Green Acres</td>
<td>10145940000</td>
<td>107,182.36</td>
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Total Other Expenses $1,494,492.36

---Motion duly seconded by Councilwoman Castellano.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Castellano, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.
---Absent: Cricco.

01-1810
---By Councilwoman Castellano:

RESOLVED, that warrants be drawn on the City Treasurer in a grand total of $39,519.10 for reimbursement of retired employee’s and/or spouse PART B MEDICARE benefit deductions. The amount of reimbursement is opposite each name or names (attached) for PART B MEDICARE during the year 2000 as per the appropriation of the adopted budget.

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Castellano, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.
---Absent: Cricco.

01-1811
---By Councilman Del Boccio:

WHEREAS, pursuant to the resolution of the Council of the City of Hoboken, advertisements were made for proposals to be submitted for the removal of solid waste within the City of Hoboken; and,

WHEREAS, these services have, in the past, been addressed as a unique business arrangement; therefore, be it –
RESOLVED, that the City Council of Hoboken hereby ratifies the actions of the Administration in the advertising for proposals for the Solid Waste Removal Services for the City of Hoboken.

---Motion duly seconded by Councilwoman Castellano.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Castellano, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.
---Absent: Cricco.

01-1812
---By Councilwoman Castellano:

WHEREAS, the Business Administrator recommends that a license fee for the sale of Christmas trees, during the 2000 calendar year, be refunded as the application was rejected by the City; and

WHEREAS, the application for the sales of Christmas trees was accompanied by a license fee of $100.00;

NOW, THEREFORE, BE IT RESOLVED, that a warrant be drawn on the City Treasurer payable to Magdi Ayoub in the amount of $100.00 for a refunding of Mr. Ayoub’s license application fee; and be it –

FURTHER RESOLVED, that Chief Financial Officer of the City of Hoboken shall, issue and forward said check to Mr. Ayoub at the address of 104 Washington Street, Hoboken, New Jersey, 07030.

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Castellano, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.
---Absent: Cricco.

01-1813
---By Councilman Del Boccio:

WHEREAS, by ordinance adopted May 20, 1998, the Council of the City of Hoboken, as the duly designated Redevelopment Agency of the City of Hoboken approved a redevelopment plan for the Northwest Redevelopment Area dated May 5, 1998, which document is on file with the City Clerk and available for public inspection; and

WHEREAS, on May 3, 2000, the City Council of the City of Hoboken passed a resolution designating 901-909 Madison Street, L.L.C. as the Redeveloper of a portion of the Northwest Redevelopment Area, specifically Block 95 Lots 1-5, contingent upon the execution of an acceptable Developer’s Agreement; and

WHEREAS, the May 3, 2000 resolution of the City Council of the City of Hoboken authorized the City to enter into an acceptable Developers’ Agreement, which includes a contribution to a recreation or affordable housing fund; and
WHEREAS, the City Council of the City of Hoboken has reviewed the proposed Developer’s Agreement, and finds same acceptable;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Hoboken that the Mayor of the City of Hoboken is hereby authorized to execute the proposed Developer’s Agreement.

---Motion duly seconded by Councilwoman Castellano.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Castellano, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.
---Absent: Cricco.

01-1814
---By Councilman Del Boccio:

WHEREAS, the City of Hoboken holds an interest in real property known as 310 Second Street, Hoboken, New Jersey, and

WHEREAS, consequently the City has been named a defendant in the matter of Zingale v. Grauso et al. Docket No. F-17762-00 which foreclosure action filed by a lienholder with priority over the City, seeks to foreclose the City’s interest in the property; and

WHEREAS, as a judgment creditor, the City would have to expend funds to foreclose all interests that others may have in the real property, thus the City’s ability to recover the entire amount due it under the judgment would be speculative; and

WHEREAS, the City has negotiated a settlement of the foreclosure action only, which provides that the Plaintiff remit the sum of $2,000.00 to the City while the City agrees to refrain from filing an Answer in the foreclosure action; be it –

RESOLVED, that the Council of the City of Hoboken authorizes the acceptance of the terms of the settlement of the foreclosure matter as set forth herein, specifically, that the City accept the sum of $2,000 in exchange for refraining from filing an Answer, and directs Corporation Counsel and the City Business Administrator to prepare and execute all documents necessary for resolution of that matter.

---Motion duly seconded by Councilwoman Castellano.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Castellano, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.
---Absent: Cricco.

01-1815
---By Councilwoman Castellano:

WHEREAS, pursuant to the resolution of the City Council and after public advertising thereof, the following proposals were received for Gasoline for the City of Hoboken in accordance with Bid 01-14:

<table>
<thead>
<tr>
<th>Name of Bidder</th>
<th>Amount of Bid</th>
</tr>
</thead>
</table>

Meeting of February 7, 2001
Per year
Current $  

<table>
<thead>
<tr>
<th>Company</th>
<th>Type</th>
<th>Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>Allied Oil</td>
<td>Diesel</td>
<td>$0.9930/Gallon</td>
</tr>
<tr>
<td>25 Old Camplain Rd.</td>
<td>unleaded</td>
<td>$0.9930/Gallon</td>
</tr>
<tr>
<td>Hillsborough, N.J. 07088</td>
<td></td>
<td></td>
</tr>
<tr>
<td>National Fuel Oil (incumbent)</td>
<td>Diesel</td>
<td>$0.8824/Gallon</td>
</tr>
<tr>
<td>175 Orange Street</td>
<td>unleaded</td>
<td>$0.9499/Gallon</td>
</tr>
<tr>
<td>Newark, N.J. 07103</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

And,

WHEREAS, the Purchasing Agent recommends the acceptance of the bid of National Fuel Oil at a delivery cost of $0.8824 per gallon of Diesel fuel and $0.9499 per gallon of Premium Unleaded Gasoline for the City of Hoboken;

RESOLVED, that the proposal of National Fuel Oil for the supply of Gasoline at the delivery price of:
- Diesel fuel $0.8824/Gallon and Premium Unleaded gasoline $0.9499/Gallon is hereby accepted; and

RESOLVED, that a contract be drafted and entered into between the Mayor and Council of the City of Hoboken and National Fuel Oil for the aforementioned supply of Gasoline, for a period of two (2) years, form of which contract is to be prepared by the City’s Corporate Counsel; and be it further-

RESOLVED, that the Mayor is hereby authorized to execute the contract and the City Clerk is hereby authorized to attest the same and to affix thereon the corporate seal of the City of Hoboken; and be it further-

RESOLVED, that upon execution of the aforementioned contract the bid bond deposited by the above bidders be returned to them.

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Castellano, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.
---Absent: Cricco.

01-1815
---By Councilman Del Boccio:

WHEREAS, the Business Personal Property tax, for years, has been paid by corporations involved in the telecommunications industry to help the vital municipal services and essential local programs on which the industry depends; and

WHEREAS, in 1999, one such corporation, now known as Verizon, was permitted to change the manner in which it calculated depreciation on its property, which change resulted in a significant reduction in its Business Personal Property tax liability; and

WHEREAS, the New Jersey State League of Municipalities, at that time, immediately informed then Governor Whitman and the New Jersey Legislature that, absent State action, the reduction in Business Personal Property taxes paid by the corporation now
known as Verizon would shift a greater proportion of the property tax burden onto residential property taxpayers; and

WHEREAS, both then Governor Whitman and the New Jersey Legislature immediately accepted the analysis prepared by the New Jersey State League of Municipalities, and responded with an appropriation to prevent the shift in tax burden onto the New Jersey's residential taxpayers; and

WHEREAS, both then Governor Whitman and the New Jersey Legislature also recognized the need for, and embarked on a process to find, an acceptable manner in which to enact a permanent solution to this crisis, as well as to extend to the people of New Jersey a policy that would permit them to enjoy the benefits of greater telecommunications market competition; and

WHEREAS, the fact that such a solution still awaits implementation is in no way the fault of municipal officials or our property taxpayers; and

WHEREAS, the fact that such a solution still awaits implementation caused the New Jersey State League of Municipalities to again inform then Governor Whitman and the New Jersey Legislature that, absent State action, the reduction in Business Personal Property taxes paid by the corporation now known as Verizon will shift a greater proportion of the property tax property burden onto residential property taxpayers; and

WHEREAS, despite this call, then Governor Whitman, in her proposed budget, allocated only $16 million, to be apportioned among 43 municipalities, rather than the $40 million, which will need to apportioned among over 540 municipalities;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Hoboken, on behalf of the residents of the City of Hoboken calls upon State Senator Bernard F. Kenny, Jr., Assemblyman Rudy Garcia, and Assemblyman Albio Sires to ignore the underfunded provisions contained in the budget proposed by then Governor Whitman and to appropriate $40 million, so that the taxpayers of the City of Hoboken, as well as all municipal taxpayer, in all municipalities, will be spared a greater share of the property tax burden because of a reduction in the Business personal Property liability of the corporation now known as Verizon, and be it –

FURTHER RESOLVED, that the City Council of the City of Hoboken, on behalf of the residents of the city of Hoboken calls upon Acting Governor Donald DiFrancesco and the New Jersey Legislature to implement a solution to this problem, so that New Jersey taxpayers are spared the possibility of being required in future years to pay a greater share of the property tax burden because of a reduction in the Business Personal Liability of the corporation now known as Verizon; and be it

FURTHER RESOLVED, that copies of this resolution shall be forwarded to Acting Governor Donald DiFrancisco, our State Senator and Assembly persons and the New Jersey State league of Municipalities.

---Motion duly seconded by Councilwoman Castellano.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Castellano, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.
---Absent: Cricco.

01-1817
---By Councilman Del Boccio:

WHEREAS, pursuant to Section 64-2 of the Code of the City of Hoboken, the
governing body of the City of Hoboken shall appoint three (3) members to the North Hudson
Sewerage Authority ("the Authority")

WHEREAS, the Mayor of the City of Hoboken has nominated Frank Raia of 450
Seventh St. Hoboken, N.J. whose term as a Commissioner of the North Hudson Sewerage
Authority expires on February 1, 2001 for reappointment as a member of the Authority;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Hoboken
that Frank Raia be and is hereby reappointed as a member of the Authority for a term of
five (5) years to expire on February 1, 2006.

Before the vote was taken the following spoke to the resolution: Helen Hirsch of 98 Park
Avenue; Karen O'Shea of 62 Washington Street.

---Motion duly seconded by Councilwoman Castellano.
---Adopted by the following vote: YEAS: 7 - NAYS: 0 - ABSENT: - 1
---Abstention: Hudock.

01-1818
---By Council President Moyeno:

WHEREAS, the City Council of the City of Hoboken has received complaints from
the residents of the City of Hoboken regarding the rates paid to PSE&G; and

WHEREAS, PSE&G dramatically increased its rates in October or November of
2000; and

WHEREAS, this rate increase presents a hardship to all residents of the City of
Hoboken, especially those who are on a fixed income; and

WHEREAS, the current winter is the coldest winter in three years, requiring
greater need for heat and electric by the residents of the City of Hoboken; and

WHEREAS, the dramatic rate increase PSE&G implemented in October or
November of 2000 has forced some Residents of the City of Hoboken to suffer through the
extreme cold of this winter, because they are unable to afford the exorbitant rates PSE&G
charges; and

WHEREAS, the City Council of the City of Hoboken desires for all residents to be
able to provide heat for their families;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of
Hoboken protests the extreme rate increase PSE&G has implemented and the debilitating
effects this increase has had upon the residents of the City of Hoboken; and be it-

FURTHER RESOLVED, that the City Council of the City of Hoboken calls upon
PSE&G to implement an immediate rate rollback, so that the residents of the City of
Hoboken will be ensured that they will continue to provide their families with heat during
this extremely cold winter; and be it –

FURTHER RESOLVED, that copies of this resolution shall be forwarded to Acting Governor Donald DiFrancesco, State Senator Bernard F. Kenny, Jr. Assemblyman Rudy Garcia, and Assemblyman Albio Sires, Mr. Alfred C. Koppe of the Public Service Board of Directors, the Board of Public Utilities President Herbert H. Tate, and all neighboring municipalities.

---Motion duly seconded by Councilman Hudock.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Castellano, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.
---Absent: Cricco.

01-1819
---By Councilman Roberts:

WHEREAS, on February 2, 2001 the Honorable Arthur N. D'Italia, A.J.S.C. rendered his decision with respect to the resolution passed by the Hoboken City Council on August 16, 2000 granting longevity payments to forty-five (45) City employees; and

WHEREAS, Judge D'Italia rendered the resolution approved by the City Council on August 16, 2000 invalid because of the City's improper calculation of longevity; and

WHEREAS, Judge D'Italia enjoined the City of Hoboken from prospectively granting longevity credit for service outside the City of Hoboken; and

WHEREAS, Judge D'Italia ordered the City of Hoboken to recover the $355,228 which was unlawfully paid to City employees; and

WHEREAS, Robert Murray, Esq. counsel to the Hoboken City Council, received longevity payment on-------------------; and

WHEREAS, the longevity payment made to Robert Murray, Esq. considered time served outside the employ of the City of Hoboken, which Judge D'Italia ordered to be an illegal form of calculating longevity.

THEREFORE, BE IT RESOLVED, that Robert Murray, Esq. has a direct conflict with this matter; and

BE IT FURTHER RESOLVED, that as a result of his conflict, Robert Murray, Esq. may not represent the Hoboken City Council with respect to this matter.

Before the vote was taken the following spoke to the resolutions regarding “longevity”: Karen O’Shea of 62 Washington Street; Michael Lenz of 408 Monroe Street.

---Motion duly seconded by Counciliman Ramos.
---Adopted by the following vote: YEAS: 4 - NAYS: 2 - ABSENT: 1 - ABSTENTIONS: 2
---Nays: Castellano, Hudock.
---Absent: Cricco.
---Abstentions: Del Boccio, President Moyeno.
WHEREAS, on February 2, 2001 the Honorable Arthur N. D'Italia, A.J.S.C.R rendered his decision with respect to the resolution passed by the Hoboken City Council on August 16, 2000 granting longevity payments to forty-five (45) City employees; and

WHEREAS, the longevity payments made to the forty-five City employees passed on August 16, 2000 considered in its calculation time served in the employ of other municipalities and government entities outside the City of Hoboken; and

WHEREAS, Judge D'Italia rendered the resolution approved by the City Council on August 16, 2000 invalid because of the City’s improper calculation of longevity; and

WHEREAS, Judge D'Italia enjoined the City of Hoboken from prospectively granting longevity credit for service outside the City of Hoboken; and

WHEREAS, Judge D'Italia ordered the City of Hoboken to recover the $355,228 which was unlawfully paid to City employees; and

WHEREAS, the City of Hoboken argued that the City has a past practice of granting to employees longevity payments based on time served outside the employ of the City of Hoboken; and

WHEREAS, the City of Hoboken admits that it has, since 1985, granted longevity Payments to employees for time served outside the employ of the City of Hoboken;

WHEREAS, the City of Hoboken is committed to the fair and honest representation of the taxpayers of the City of Hoboken; and

THEREFORE, BE IT RESOLVED, that the City Council will investigate this matter and determine how many employees have been granted longevity based on time served outside the employ of the City of Hoboken; and

THEREFORE, BE IT FURTHER RESOLVED, that the investigating party with respect to this matter will report back to the City Council no later than April 7, 2001.

---Motion duly seconded by Councilman Soares.
---Adopted by the following vote: YEAS: 4 - NAYS: 2 - ABSENT: 1 - ABSTENTIONS: 2
---Nays: Castellano, Hudock.
---Absent: Cricco.
---Abstentions: Del Boccio, President Moyeno.

WHEREAS, on February 2, 2001 the Honorable Arthur N. D'Italia, A.J.S.C. rendered his decision with respect to the resolution passed by the Hoboken City Council on August 16, 2000 granting longevity payments to forty-five (45) City employees; and

WHEREAS, Judge D'Italia rendered the resolution approved by the City Council on August 16, 2000 invalid because of the City's improper calculation of longevity; and
WHEREAS, Judge D'Italia enjoined the City of Hoboken from prospectively granting longevity credit for service outside the City of Hoboken; and

WHEREAS, Judge D'Italia ordered the City of Hoboken to recover the $355,228 which was unlawfully paid to City employees; and

WHEREAS, budget for fiscal year 2001-2002 has not yet been approved by the Hoboken City Council; and

WHEREAS, the Hoboken City Council is committed to the residents and taxpayers of the City of Hoboken; and

WHEREAS, the Hoboken City Council works in the best interests of the residents and taxpayers of the City of Hoboken,

THEREFORE, BE IT RESOLVED, that the $355,228 that the City of Hoboken has been ordered to recover will be deposited back into the treasury fund for the City of Hoboken so that the taxpayers of the City will benefit from the City’s recovery of these funds.

---Motion duly seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 4 - NAYS: 2 - ABSENT: 1 - ABSTENTIONS: 2
---Nays: Castellano, Hudock.
---Absent: Cricco.
---Abstentions: Del Boccio, President Moyeno.

01-1822
---By Councilman Roberts:

WHEREAS, on February 2, 2001 the Honorable Arthur N. D'Italia, A.J.S.C. rendered his decision with respect to the resolution passed by the Hoboken City Council on August 16, 2000 granting longevity payments to forty-five (45) City employees; and

WHEREAS, the longevity payments made to the forty-five City employees passed on August 16, 2000 considered in its calculation time served in the employ of other municipalities and government entities outside the City of Hoboken; and

WHEREAS, Judge D'Italia rendered the resolution approved by the City Council on August 16, 2000 invalid because of the City’ improper calculation of longevity; and

WHEREAS, Judge D'Italia enjoined the City of Hoboken from prospectively granting longevity credit for service outside the City of Hoboken; and

WHEREAS, the Hoboken City Council agrees with Judge D'Italia’s decision of February 2, 2001.

THEREFORE, BE IT RESOLVED, that the Hoboken City Council accepts Judge D'Italia’s decision and will not appeal this matter to the Appellate Division.

---Motion duly seconded by Councilman Soares.
---Adopted by the following vote: YEAS: 4 - NAYS: 2 - ABSENT: 1 - ABSTENTIONS: 2
---Nays: Castellano, Hudock.
---Absent: Cricco.
---Abstentions: Del Boccio, President Moyeno.

At this time, 8:21p.m., Council President Moyeno excused herself from the meeting, and Council Vice-President Del Boccio assumed the chair.

All regular business concluded the following members of the public spoke at the “Public Portion” of the meeting: William Perry of 927 Bloomfield Street;
at this time, 8:27p.m., Corporation Counsel Murray left the meeting;
speakers continued: Lynda Walker of 210 Harrison Street; Lorna C. Martinez of 2 Marine View Plaza - Apartment 15D; Larry A. Ramirez of 237 Garden Street; Michael Korman, Hoboken Public Information Officer; Robert Crespo of 230 Madison Street.

Vice-President Del Boccio then adjourned the meeting at 8:52 p.m.

________________________________________
PRESIDENT OF THE COUNCIL

________________________________________
CITY CLERK
President Moyeno 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 furnished to The Jersey Journal and The Hoboken Reporter, The Bergen Record, The Newark Star - Ledger and also placed on the bulletin board in the lobby of City Hall."

The Council President then called for the Salute to the Flag.

The Clerk then called the roll:

PRESENT: Council persons Castellano, Del Boccio, Hudock, Ramos, Roberts and President Moyeno.

ABSENT: Andreula, Cricco, Soares.

PETITIONS AND COMMUNICATIONS

01-1822-A

WHEREAS, the citizens of the City of Hoboken stand firmly committed to promoting reading as the catalyst for our students’ future academic success, their preparation for America’s jobs of the future and their ability to compete in a global economy; and

WHEREAS, the City of Hoboken has provided significant leadership in the area of community involvement in the education of our youth, grounded in the principle that educational investment is key to the community's well being and long-term quality of life; and

WHEREAS, “Read Across America,” a national celebration of Dr. Seuss’s birthday on March 2nd, promotes reading and adult involvement in the education of our community’s students;

NOW, THEREFORE, I, ANTHONY RUSSO, Mayor of the City of Hoboken, do hereby enthusiastically endorse the "Read Across America" program and urge all residents to ensure that every child is in a safe place, reading together with a caring adult, on the evening of March 2, 2001.

--Received and filed.
APPLICATIONS FOR MISCELLANEOUS LICENSES

01-1823
Motor Vehicle Repair Shops 3
Livery Drivers 5
Raffles 1
Music Machines 4

---Councilman Del Boccio moved that the licenses be granted.
---Motion duly seconded by Council President Moyeno.
---Adopted by the following vote: YEAS: 6 - NAYS: 0 - ABSENT: 3
---Yeas: Council persons Castellano, Del Boccio, Hudock, Ramos, Roberts and President Moyeno.
---Nays: None.
---Absent: Andreula, Cricco, Soares

REPORTS OF CITY OFFICERS

01-1824
A report of Municipal Clerk James J. Farina, indicating bids received on February 9, 2001 for Concessionaire Services/North Park Pavilion; bid #01-16.

---Received and filed.

01-1825

---Received and filed.

CLAIM RESOLUTIONS

01-1826

By Councilwoman Castellano:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $1,020,747.49 against the UNCLASSIFIED CLAIMS.

Seconded by Councilman del Boccio.
---Adopted by the following vote: YEAS: 6 - NAYS: 0 - ABSENT: 3
---Yeas: Council persons Castellano, Del Boccio, Hudock, Ramos, Roberts and President Moyeno.
---Nays: None.
---Absent: Andreula, Cricco, Soares

By Councilwoman Castellano:
RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $66,923.10 against the DEPARTMENT OF ADMINISTRATION.

Seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 6 - NAYS: 0 - ABSENT: 3
---Yeas: Council persons Castellano, Del Boccio, Hudock, Ramos, Roberts and President Moyeno.
---Nays: None.
---Absent: Andreula, Cricco, Soares

By Councilwoman Castellano:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $105,958.00 against the DEPARTMENT OF ADMINISTRATION, SECTION 8.

Seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 4 - NAYS: 0 - ABSENT: 3 - ABSTENTIONS: 2
---Yeas: Council persons Castellano, Del Boccio, Hudock, Roberts.
---Nays: None.
---Absent: Andreula, Cricco, Soares.
---Abstentions: Ramos, President Moyeno.

By Councilman del Boccio:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $264,847.73 against the DEPARTMENT OF ENVIRONMENTAL SERVICES.

Seconded by Council President Moyeno.
---Adopted by the following vote: YEAS: 6 - NAYS: 0 - ABSENT: 3
---Yeas: Council persons Castellano, Del Boccio, Hudock, Ramos, Roberts and President Moyeno.
---Nays: None.
---Absent: Andreula, Cricco, Soares

By Councilman Del Boccio:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $8,756.59 against the DEPARTMENT OF HUMAN SERVICES.

Seconded by Council President Moyeno.
---Adopted by the following vote: YEAS: 6 - NAYS: 0 - ABSENT: 3
---Yeas: Council persons Castellano, Del Boccio, Hudock, Ramos, Roberts and President Moyeno.
---Nays: None.

Meeting of February 21, 2001
---Absent: Andreula, Cricco, Soares

PAYROLL RESOLUTIONS

01-1827
By Councilwoman Castellano:

RESOLVED, THAT WARRANTS DRAWN ON THE CITY TREASURER, TO THE ORDER OF THE
CITY TREASURER, IN PAYMENT OF SERVICES OF OFFICERS AND EMPLOYEES OF THE
CITY OF HOBOKEN, FOR THE PERIOD JANUARY 18, 2001 TO JANUARY 31, 2001 FOR THE
PAYROLL ARE HEREBY RATIFIED IN THE FOLLOWING AMOUNTS:

<table>
<thead>
<tr>
<th>Department</th>
<th>Account Num.</th>
<th>Regular Pay</th>
<th>Overtime</th>
<th>Other Pay</th>
<th>Total Pay</th>
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<tr>
<td>Mayor's Office</td>
<td>1-01-20-110</td>
<td>8788.49</td>
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<td>Elections</td>
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<td>Corporation Counsel</td>
<td>1-01-20-155</td>
<td>9674.49</td>
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<td>Bus Adm. Office</td>
<td>1-01-20-112</td>
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<tr>
<td>ABC Board</td>
<td>1-01-20-113</td>
<td>269.24</td>
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<tr>
<td>Purchasing Dept.</td>
<td>1-01-20-114</td>
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<tr>
<td>Finance Supervisor</td>
<td>1-01-20-130</td>
<td>5444.12</td>
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<tr>
<td>Accounts &amp; Controls</td>
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<td>6743.14</td>
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<tr>
<td>Payroll Division</td>
<td>1-01-20-132</td>
<td>3801.03</td>
<td>245.85</td>
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<td>Personnel</td>
<td>1-01-20-105</td>
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<tr>
<td>Tax Collector's</td>
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<td>Assessor's Office</td>
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<td>Treasurer's</td>
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<tr>
<td>Emergency Mgmt</td>
<td>1-01-25-266</td>
<td>987.60</td>
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<tr>
<td>Police Division</td>
<td>1-01-25-241</td>
<td>410,659.96</td>
<td>15,846.48</td>
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<td>Crossing Guard</td>
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<td>9147.76</td>
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<td>Division</td>
<td>Code</td>
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<td>---------------------------------</td>
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<tr>
<td>Fire Division</td>
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<td>317,214.48</td>
<td>19.71</td>
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<td>Water Utility</td>
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<tr>
<td>Grants Management</td>
<td>1-01-20-116</td>
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<tr>
<td>Signal &amp; Traffic Dept.</td>
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<tr>
<td>Zoning Officer</td>
<td>1-01-21-186</td>
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<tr>
<td>Zoning Board of Adjust</td>
<td>1-01-21-185</td>
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<tr>
<td>Planning Board</td>
<td>1-01-21-180</td>
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<td>Historic Preservation</td>
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<td>75.00</td>
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<tr>
<td>Municipal Court</td>
<td>1-01-43-490</td>
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<td>Envir. Ser. Dir. Office</td>
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<td>Streets &amp; Roads</td>
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<td>Solid Waste</td>
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<td>Recycling</td>
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<td>Central Garage</td>
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<tr>
<td>Parks &amp; Public Prop.</td>
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<td>36145.31</td>
<td>5032.05</td>
<td>41,177.36</td>
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<td>Arts on Waterfront</td>
<td>1-01-27-177</td>
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<td>Human Service Direct.</td>
<td>1-01-27-330</td>
<td>5896.52</td>
<td>387.45</td>
<td>6283.97</td>
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<td>Hispanic Affairs</td>
<td>1-01-27-331</td>
<td>1705.96</td>
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<td>1705.96</td>
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<td>Board of Health</td>
<td>1-01-27-332</td>
<td>12644.72</td>
<td>1807.09</td>
<td>14451.81</td>
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<td>Div of Housing Svc</td>
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<td>Senior Citizens Div</td>
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<td>12,162.51</td>
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<td>12,162.51</td>
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<tr>
<td>Rent &amp; Stabilization Bd</td>
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<td>7463.61</td>
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<td>7463.61</td>
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<tr>
<td>Transportation</td>
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<td>5045.10</td>
<td>506.64</td>
<td>5551.74</td>
<td></td>
</tr>
</tbody>
</table>
Motion by Councilwoman Castellano.
Seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 6 - NAYS: 0 - ABSENT: 3
---Yeas: Council persons Castellano, Del Boccio, Hudock, Ramos, Roberts and President Moyeno.
---Nays: None.
---Absent: Andreula, Cricco, Soares

RESOLUTIONS

Presented and Read

01-1828
---By Councilwoman Castellano:

WHEREAS, the City of Hoboken Rent Leveling and Stabilization Board is an entity empowered to implement the Ordinance on Rent Leveling and Stabilization; and

WHEREAS, its powers include, but are not limited to, holding hearings and adjudicating applications from landlords and/or tenants; and

WHEREAS, the Rent Leveling and Stabilization Board requires the services of an attorney to assist in fulfilling its powers and duties; and
WHEREAS, the City of Hoboken, through its Rent Leveling and Stabilization Board, seeks to retain the legal services of Norman J. Sweeten, Esq. an experienced Rent Board Attorney who is admitted to the practice of law in the State of New Jersey; and

WHEREAS, the City Council of the City of Hoboken has determined that it would be in the best interest of the residents of the City to retain the legal services offered by Norman J. Sweeten, Esq.; now, therefore, be it –

RESOLVED, that the City of Hoboken shall retain the legal services of Norman J. Sweeten Esq. as counsel for the Rent Leveling and Stabilization Board for a period not to exceed one (1) year beginning January 1, 2001 and terminating December 31, 2001. Be it further-

RESOLVED, that payment for said legal services rendered by Mr. Norman Sweeten shall be $110.00 per hour, and payment shall occur after submission to the City Council of properly executed vouchers and upon approval thereof of City council resolution. The maximum amount of fees for these services shall be $27,000.00.

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 6 - NAYS: 0 - ABSENT: 3
---Yeas: Council persons Castellano, Del Boccio, Hudock, Ramos, Roberts and President Moyeno.
---Nays: None.
---Absent: Andreula, Cricco, Soares

01-1829
---By Councilman Del Boccio:

WHEREAS, the City of Hoboken has received Homestead Rebate Funds and/or New Jersey Saver Rebate from the State of New Jersey on behalf of the following taxpayers, which payments were forwarded to the City in error.

<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lynn Caprioni</td>
<td>418 Jefferson St. #2D</td>
<td>68.23</td>
</tr>
<tr>
<td>Yaakov Ringler</td>
<td>1314 Hudson St. #3</td>
<td>229.39</td>
</tr>
<tr>
<td>Douglas Hubert</td>
<td>80-82 Bloomfield St. #2A</td>
<td>229.39</td>
</tr>
<tr>
<td>Roger Sant</td>
<td>201-03 Washington St.</td>
<td>229.39</td>
</tr>
<tr>
<td>Donna Brooks</td>
<td>627 Madison St. #4C</td>
<td>229.39</td>
</tr>
<tr>
<td>Stephanie Glatt</td>
<td>P.O.Box 5062, Hoboken</td>
<td>229.39</td>
</tr>
<tr>
<td>David Ruzich, et al</td>
<td>360 First St. #2</td>
<td>229.39</td>
</tr>
<tr>
<td>John Timochko</td>
<td>19 Haddenfield Rd. Clifton, N.J. 07013</td>
<td>229.39</td>
</tr>
<tr>
<td>Basil Pallis 485 Route 17 And Rita Lamasney</td>
<td>229.39 Vernon, N.J. 07462</td>
<td></td>
</tr>
<tr>
<td>Robert Morrissey</td>
<td>50 Willow Terrace</td>
<td>229.39</td>
</tr>
</tbody>
</table>

WHEREAS, the tax collector recommends the refund of the aforesaid amounts to those individuals; and
NOW, THEREFORE, BE IT RESOLVED, that warrants be drawn on the City Treasurer in favor of the aforementioned individuals for the amounts set forth next to their names.

---Motion duly seconded by Council President Moyeno.
---Adopted by the following vote: YEAS: 6 - NAYS: 0 - ABSENT: 3
---Yea: Council persons Castellano, Del Boccio, Hudock, Ramos, Roberts and President Moyeno.
---Nays: None.
---Absent: Andreula, Cricco, Soares

01-1830
---By Councilman Del Boccio:

WHEREAS, the health and beauty of the Hudson River is critical to the economic vitality of our community and the Hudson River is a treasured asset; and

WHEREAS, the Hudson River has been designated an American Heritage River, and the Valley as a National Heritage Area; and

WHEREAS, nearly 200 miles of the Hudson River, from Hudson Falls to New York City, are a federal Superfund site due to the polychlorinated biphenyl (PCB) contamination; and

WHEREAS, PCBs are the most significant contaminant limiting full use and enjoyment of the Hudson River, and

WHEREAS, PCBs were banned in 1976 because of a variety of known and suspected impacts on humans and wildlife; and

WHEREAS, PCBs remain in the Hudson River exposing humans and wildlife to their effects, and

WHEREAS, an estimated $40 million annually has been lost over the last twenty years because of the closure of Hudson River commercial fisheries and restrictions on recreationally caught fish. As a result, the Hudson Valley has lost an important cultural heritage and way of life and the economic vitality of the Hudson River region continues to be hampered by the limitations on recreational use of the River and the stigma of PCB contamination; and

WHEREAS, U.S. ENVIRONMENTAL PROTECTION AGENCY (EPA) Superfund officials determined in February, 1997 that PCB “hot spots” in the sediment of the upper Hudson are the “dominant source” of PCB contamination to the River, and that microbial breakdown will not rid the River of PCBs; and

WHEREAS, the EPA’s Hudson River Reassessment has determined that without remediation, present levels of contamination will continue indefinitely; now, therefore, be it –

RESOLVED, that the City Council of the City of Hoboken hereby expresses support for the findings of the proposed remediation plan in the Hudson River Reassessment being conducted by the U.S. EPA under the Superfund, and urges EPA to complete the Reassessment and issue a Record of Decision (ROD) without delay, including the evaluation and timely implementation of remedial actions, which include environmental dredging, that can most effectively restore the Hudson river, as well as the evaluation of traditional disposal methods as well as innovative technologies that can be used to destroy PCBs and be it, further-
RESOLVED, that a copy of this resolution be forwarded to the Area II EPA Regional Administrator and to Christine Todd Whitman, the EPA Administrator establishing the City of Hoboken position and urge the U.S. EPA to fully consider public opinion and complete the Hudson River Reassessment as expeditiously as possible.

---Motion duly seconded by Council President Moyeno.
---Adopted by the following vote: YEAS: 6 - NAYS: 0 - ABSENT: 3
---Yeas: Council persons Castellano, Del Boccio, Hudock, Ramos, Roberts and President Moyeno.
---Nays: None.
---Absent: Andreula, Cricco, Soares

#01-1831
---By Councilman Del Boccio:

WHEREAS, on July 1, 1995 the Council of the City of Hoboken awarded a professional services contract to Paulus, Sokolowski and Sartor ("PS&S") for environmental consulting services related to the state and federal permitting process and development of the Hoboken South Waterfront for a term of one year; and

WHEREAS, the City Council subsequently authorized various extensions to this contract during 1996 and 1997 authorizing a new contract total not to exceed $545,850.000 for a term to end December 31, 1998; and

WHEREAS, on January 20, 1999 the City Council further extended this contract for a new total of $722,850.00 for additional services on Block A as well as the pending development of Blocks B and C; and

WHEREAS, PS&S has submitted a proposal (a copy of which is attached) for further services related to the existing waterfront development permit as well as permitting services for the demolition and reconstruction of Pier C at a cost not to exceed $99,000.00 the sum of which has previously been allocated within existing contract extensions and remains as surplus; now, therefore, be it-

RESOLVED, that the Council of the City of Hoboken hereby authorizes an extension of its professional services contract with Paulus, Sokolowski and Sartor, 67 Mountain Boulevard Extension, Warren, N.J. 07059 for environmental services and that the Mayor be and is hereby authorized to execute an extension of a professional services contract with PS&S for additional services relating to extensions of the existing waterfront development permit as well as permitting services for the demolition and reconstruction of Pier C at no increase in the current budget and for a new term ending December 31, 2002; and be it further-

RESOLVED, that funds for this contract extension are available through the Municipal Development Agreement for the Southern Waterfront between the Port Authority of New York and New Jersey and the City of Hoboken executed on August 16, 1995.

---Motion duly seconded by Council President Moyeno.
---Adopted by the following vote: YEAS: 6 - NAYS: 0 - ABSENT: 3
---Yeas: Council persons Castellano, Del Boccio, Hudock, Ramos, Roberts and President Moyeno.
---Nays: None.
---Absent: Andreula, Cricco, Soares

01-1832
---By Councilman Del Boccio:
WHEREAS, Daniel Rubino an employee of the Department of Environmental Services filed a petition with the New Jersey Department of Labor, Division of Workers' Compensation for an injury sustained on October 16, 1998; and

WHEREAS, on November 30, 2000, Rose Mary Granados, Judge of Compensation, entered Order for Judgment for the petitioner Daniel Rubino, per attached; and

WHEREAS, Stapleton & Nisenson, Esq. 744 Broad St, Suite 2000, Newark, N.J. 07102, attorney for the petitioner Daniel Rubino was awarded 1304.00; 521.00 assessed against the petitioner Daniel Rubino; 783.00 assessed against respondent City of Hoboken; 100.00 was awarded to Dr. Arthur Tiger; 50.00 assessed against petitioner Daniel Rubino; 50.00 assessed against respondent City of Hoboken; 75.00 for stenographic services to Advanced Court Reporting; 75.00 assessed against the respondent City of Hoboken. These amounts are to be paid directly to persons entitled to same; now, therefore, be it –

RESOLVED, that warrants be drawn on the City Treasurer to the following parties in the amounts set forth opposite their respective names for the purposes hereinabove stated:

Daniel Rubino 5949.50
Stapleton & Nisenson, Esq. 1304.00
Dr. Arthur Tiger 100.00
Advanced Court Reporting 75.00
Total 7428.50

And, be it further-

RESOLVED, that the aforesaid total award of 7428.50 be charged to Workers' Compensation Fund.

---Motion duly seconded by Council President Moyeno.
---Adopted by the following vote: YEAS: 6 - NAYS: 0 - ABSENT: 3
---Yeas: Council persons Castellano, Del Boccio, Hudock, Ramos, Roberts and President Moyeno.
---Nays: None.
---Absent: Andreula, Cricco, Soares

01-1833
---By Councilman Del Boccio:

WHEREAS, an overpayment of taxes has been made on the properties appearing on the list attached hereto, 8337.40; and

WHEREAS, tax appeals were filed by the property owners; and

WHEREAS, tax counsel recommends a settlement in these matters, as reached in court; now, therefore, be it –

RESOLVED, that a warrant be drawn on the Chief Financial Officer made payable to the taxpayers appearing on the attached list totaling 8337.49.

---Motion duly seconded by Council President Moyeno.
---Adopted by the following vote: YEAS: 6 - NAYS: 0 - ABSENT: 3
---Yeas: Council persons Castellano, Del Boccio, Hudock, Ramos, Roberts and President Moyeno.
---Nays: None.
---Absent: Andreula, Cricco, Soares

01-1834
---By Councilman Del Boccio:

WHEREAS, pursuant to the resolution of the City Council and after public advertising thereof, the following proposals were received for Concessionaire Services/North Park Pavilion for the City of Hoboken in accordance with Bid No.01-16:

<table>
<thead>
<tr>
<th>Name of Bidder</th>
<th>Amount of Bid Per year</th>
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</thead>
<tbody>
<tr>
<td>Cliff Street Restaurant Corp.</td>
<td>38,700.00</td>
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<tr>
<td>New York, N.Y.</td>
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<tr>
<td>Portofino Restaurant</td>
<td>120,000.00</td>
</tr>
<tr>
<td>700 Clinton St.</td>
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</tr>
<tr>
<td>Hoboken, N.J.</td>
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</tr>
<tr>
<td>Sinatra Park Café</td>
<td>12,000.00</td>
</tr>
<tr>
<td>P.O. Box 6209</td>
<td></td>
</tr>
<tr>
<td>Hoboken, N.J. 07030</td>
<td></td>
</tr>
</tbody>
</table>

And,

WHEREAS, the apparent low bidder, Portofino Restaurant, withdrew their proposal within twenty-four hours, and

WHEREAS, the Purchasing Agent therefore recommends the acceptance of the bid of Cliff Street Restaurant corp. at the annual rent of Thirty-Eight Thousand Seven Hundred Dollars per year for each of three (3) years payable to the City of Hoboken.

RESOLVED, that the proposal of Cliff Street Restaurant Corp. at an annual payment of 38,700.00 per year for a period of three years is hereby accepted; and

RESOLVED, that a contract be drafted and entered into between the Mayor and Council of the City of Hoboken and Cliff Street Restaurant Corp. for the aforementioned Concessionaire operation at the North Park Pavilion, for a period of three (3) years, form of which contract is to be prepared by the City's Corporate Counsel; and be it further-

RESOLVED, that the Mayor is hereby authorized to execute the contract and the City Clerk is hereby authorized to attest the same and to affix thereon the corporate seal of the City of Hoboken; and be it further-

RESOLVED, that upon execution of the aforementioned contract the checks deposited by the above bidders be returned to them.

---Motion duly seconded by Council President Moyeno.
---Adopted by the following vote: YEAS: 6 - NAYS: 0 - ABSENT: 3
---Yeas: Council persons Castellano, Del Boccio, Hudock, Ramos, Roberts and President Moyeno.
---Nays: None.
---Absent: Andreula, Cricco, Soares
01-1835
---By Councilman Del Boccio:

WHEREAS, pursuant to the resolution of the City Council and after public advertising thereof, the following proposals were received for Operation of Concession Stand on Pier A for the City of Hoboken in accordance with Bid 01-06:

<table>
<thead>
<tr>
<th>Name of Bidder</th>
<th>Amount of Bid</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fairgrounds Foods</td>
<td>1500.00/yr. ending</td>
</tr>
<tr>
<td>38 Kellogg St.</td>
<td>11/1/01</td>
</tr>
<tr>
<td>Jersey City, N.J.</td>
<td></td>
</tr>
</tbody>
</table>

And,

WHEREAS, the purchasing agent recommends the acceptance of the bid of Fairgrounds Foods at the annual rent of Fifteen Hundred Dollars for the period of the signing of a contract until 1 November 2001, payable to the City of Hoboken.

RESOLVED, that the proposal of Fairground Foods at an annual payment of 1500.00 per year is hereby accepted; and

RESOLVED, that a contract be drafted and entered into between the Mayor and Council of the City of Hoboken and Fairground Foods for the aforementioned Concessionaire operation at the Pier A Kiosk, for a one year period, form of which contract is to be prepared by the City’s Corporate Counsel; and be it further-

RESOLVED, that the Mayor is hereby authorized to execute the contract and the City Clerk is hereby authorized to attest the same and to affix thereon the corporate seal of the City of Hoboken; and be it further-

RESOLVED, that upon execution of the aforementioned contract the checks deposited by the above bidders be returned to them.

---Motion duly seconded by Council President Moyeno.
---Adopted by the following vote: YEAS: 6 - NAYS: 0 - ABSENT: 3
---Yeas: Council persons Castellano, Del Boccio, Hudock, Ramos, Roberts and President Moyeno.
---Nays: None.
---Absent: Andreula, Cricco, Soares

01-1836
---By Councilman Del Boccio:

WHEREAS, the City of Hoboken submitted a Public Notice to Bidders for Bid No. 01-02, Washington Street Improvements, Phase II for construction from 7th to 14th Street; and

WHEREAS, three (3) bids were received by the City of Hoboken Municipal Clerk on or before October 17, 2000; and

WHEREAS, the following bids were received on or before October 17, 2000:

| English Paving Company, Inc.               | 1,293,607.07 |
| P.O. Box 423                              |              |
Ridgefield, N.J.

Tec-Con Contractors, Inc.
9 Dodd St. 1,802,886.00
East Orange, N.J.

Marvec Construction Corp.
25-1/2 Grove Ave. 1,484,430.00
Verona, N.J.

WHEREAS, a grant has been approved by the State of New Jersey, Department of Transportation in the amount of One Million Three Hundred Seventy-Five Thousand Dollars 1,375,000.00 to fund this project; and

WHEREAS, the Purchasing Agent recommends the construction contract be awarded to English Paving Company, Inc. on a unit cost basis not to exceed state funding.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Hoboken, County of Hudson, State of New Jersey that the contract for the Washington Street Improvements, Phase II be awarded to the lowest complying bidder, English Paving Company, Inc. P.O. Box 423, Ridgefield, N.J. 07657; and

BE IT FURTHER RESOLVED, that the Mayor and Clerk are hereby authorized and directed to execute any documents necessary to award the contract to English Paving Company, Inc.

---Motion duly seconded by Council President Moyeno.
---Adopted by the following vote: YEAS: 6 - NAYS: 0 - ABSENT: 3
---Yeas: Council persons Castellano, Del Boccio, Hudock, Ramos, Roberts and President Moyeno.
---Nays: None.
---Absent: Andreula, Cricco, Soares

01-1837
---By Councilman Del Boccio:

WHEREAS, the Borough of North Haledon has a fair share obligation to provide housing opportunities to households of low and moderate income as established by the New Jersey Supreme Court and by the New Jersey Fair Housing Act, N.J.S.A. 52:27D:301 et seq; and

WHEREAS, the Fair Housing Act provides that municipalities within the same housing region, as defined by the Council on Affordable Housing (COAH) may meet up to 50 percent of that obligation through a regional contribution agreement (RCA) under which the sending municipality makes a cash payment to another municipality, known as the receiving municipality, which undertakes to provide low and moderate income housing which is credited toward the sending municipality’s fair share obligation, and

WHEREAS, the Borough of North Haledon proposes to transfer 24 units of its fair share obligation at a cost of $20,000, per unit or $480,000, in the form of an RCA with the City of Hoboken to fund a substantial rehabilitation or new construction; and

WHEREAS, the Borough of North Haledon and the City of Hoboken are in the same housing region as defined by COAH; and
WHEREAS, the City of Hoboken desires to provide affordable housing for its low and moderate income residents, which action will be furthered by funds made available through the RCA; and

WHEREAS, the RCA is in the best interests of the City of Hoboken and the Borough of North Haledon.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Hoboken that the aforesaid RCA is hereby approved subject to same being in such a form acceptable to the City Attorney and that the Mayor and Clerk are hereby authorized to execute such documents and exhibits as may be necessary to effectuate the RCA.

---Motion duly seconded by Council President Moyeno.
---Adopted by the following vote: YEAS: 6 - NAYS: 0 - ABSENT: 3
---Yea: Council persons Castellano, Del Boccio, Hudock, Ramos, Roberts and President Moyeno.
---Nays: None.
---Absent: Andreula, Cricco, Soares

01-1838
---By Councilman Del Boccio:

WHEREAS, Arbend Drishti, an employee of the Police Division of the Department of Administration filed a petition with the New Jersey Department of Labor and Industry Division of Workers’ Compensation for an injury sustained on August 26, 1998; and

WHEREAS, on December 15, 2000, Rose Mary Granados, Judge of Compensation, entered an Order Approving Settlement for the petitioner Arbend Drishti, per attached, and

WHEREAS, Craig R. Maschal, Esq. 1 Woodbridge Center, Suite 706, Woodbridge, N.J. 07095, attorney for the petitioner Arbend Drishti, was awarded 952.00; 380.00 was assessed petitioner Arbend Drishti, 572.00 was assessed against respondent City of Hoboken; 200.00 was awarded Craig R. Maschal, Esq. as reimbursement to Dr. Mitchell Steinway; 100.00 was assessed against petitioner Arbend Drishti, 100.00 was assessed against respondent City of Hoboken; 300.00 was awarded Craig R. Maschal, Esq. as reimbursement for costs; 300.00 was assessed against petitioner Arbend Drishti, 65.00 for stenographic services to Advanced Court Reporting was assessed against respondent City of Hoboken. These amounts are to be paid directly to persons entitled to same; now, therefore, be it –

RESOLVED, that warrants be drawn on the City Treasurer to the following parties in the amounts set forth opposite their respective names for the purposes hereinabove stated.

<table>
<thead>
<tr>
<th>Party</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arbend Drishti</td>
<td>3981.00</td>
</tr>
<tr>
<td>Craig R. Maschal, Esq.</td>
<td>952.00</td>
</tr>
<tr>
<td>Craig R. Maschal, Esq.</td>
<td>200.00</td>
</tr>
<tr>
<td>(reimbursement for Mitchell Steinway)</td>
<td></td>
</tr>
<tr>
<td>Craig R. Maschal, Esq.</td>
<td>300.00</td>
</tr>
<tr>
<td>(reimbursement for costs)</td>
<td></td>
</tr>
<tr>
<td>Advanced Court Reporting</td>
<td>65.00</td>
</tr>
<tr>
<td>Total</td>
<td>5498.00</td>
</tr>
</tbody>
</table>

And, be it further-
RESOLVED, that the aforesaid total award of 5498.00 be charged to Workers’ Compensation Fund.

---Motion duly seconded by Council President Moyeno.
---Adopted by the following vote: YEAS: 6 - NAYS: 0 - ABSENT: 3
---Yeas: Council persons Castellano, Del Boccio, Hudock, Ramos, Roberts and President Moyeno.
---Nays: None.
---Absent: Andreula, Cricco, Soares

ORDINANCES

Introduction and First Reading

01-1839
R-474


WHEREAS, the applicant, Hayrettin Kilie (the “applicant”) has petitioned the City of Hoboken for the granting of an easement over municipal lands immediately adjacent to 644 Washington Street, Hoboken, New Jersey (the “premises”) which premises is more particularly described as Block 205 Lot 25.1 on the Tax Map of the City of Hoboken, New Jersey; and

WHEREAS. The application for an easement is made to permit the applicant to utilize the stairwell along Seventh Street for the purpose of entering the basement of the premises; and

WHEREAS, the easement requested is described as follows:

BEGINNING at a point in the southerly line of Seventh Street, distant 38.67 feet westerly from the intersection formed by the westerly line of Washington Street with the southerly line of Seventh Street and running thence:

1. n-76 – 56’-W and along the southerly line of Seventh Street a distance of 17.00 feet to a point, thence
2. N-13-04’-E and parallel to Washington Street and onto the right of way of Seventh Street a distance of 6.25 feet to a point, thence
3. S-76-56’-W and parallel to Seventh Street a distance of 17.00 feet to a point, thence
4. S-13-04’-W and parallel to Washington Street a distance of 6.25 feet to a point in the southerly line of Seventh Street, said point being the point or place of beginning.

(See also Survey attached hereto and made a part hereof)

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the City of Hoboken that the City of Hoboken hereby grants the applicant, Hayrettin Kilie, the aforementioned easement subject to the following conditions and requirements.
1. The City of Hoboken expressly reserves the right to require the removal of any projections or encumbrances, under, over or upon any street, sidewalk or public easement, for cause including but not limited to destruction of the premises by fire.

2. The applicant shall immediately remove any or all projections or encumbrances, which are improperly maintained and thus present a public hazard.

3. The applicant shall indemnify the City of Hoboken for any and all damage or money loss occasioned by the City of Hoboken or its officers, agents, or employees by any neglect, wrong-doing, omissions, or commissions by the applicant arising from the use of the stairwell and the construction, use, and maintenance of the property described herein, and shall hold harmless the Mayor and Council of the City of Hoboken its officers, agents, or employees against all claims, charges, judgments, costs, penalties, remediation, or counsel fees arising from such damage or loss, including but not limited to death and injury to any person or damage to property of any person, firm company, partnership, or corporation occasioned wholly or in part from the construction, use, and maintenance of the property described herein, and the applicant shall maintain liability insurance with respect thereto, in the amount of $1,000,000.00 with a policy to be used by an insurance company approved by the Office of the Corporation Counsel, naming the City of Hoboken, the Mayor and Council Members as additional insured.

4. This easement shall run with the land and inure to the benefit of the applicant’s successors and assigns in title and interest to the property served by these easements, the covenants and conditions set forth herein shall similarly be the obligation of the applicant’s successors and assigns in title and interest to the property served by the within easements.

5. The permission granted herein is conditioned upon and shall be effective only upon the applicant obtaining any and all other necessary permits and executing any and all necessary documents that may be required by local and/or state law.

6. This ordinance shall take effect as provided by law.

---Council President Moyeno moved that the ordinance pass its first reading as read and be laid on the table for public inspection to be further considered for final passage at a meeting of the Council to be held on MARCH 7, 2001 at 7:00 PM.

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 6 - NAYS: 0 - ABSENT: 3
---Yeas: Council persons Castellano, Del Boccio, Hudock, Ramos, Roberts and President Moyeno.
---Nays: None.
---Absent: Andreula, Cricco, Soares

All regular business concluded the following member of the public spoke at the “Public Portion” of the meeting: Helen Hirsch of 98 Park Avenue.

President Moyeno then adjourned the meeting at 7:18 p.m.
President Moyeno opened the meeting at 7:04 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 furnished to The Jersey Journal and The Hoboken Reporter, The Bergen Record, The Newark Star-Ledger and also placed on the bulletin board in the lobby of City Hall."

The Council President then called for the Salute to the Flag.

The Clerk then called the roll:

PRESENT: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.

ABSENT: None.

Prior to the regular business of the Council Meeting, Hoboken City Council President Nellie Moyeno recognized Patricia Pope of 40 Hauxhurst Avenue, Weehawken, New Jersey. Ms. Pope gave a presentation to the City Council regarding the “Safe Heaven Protection Program”.

HEARING ON ORDINANCES

Second Reading and Public Hearing


President Moyeno directed the City Clerk to announce that the Council would consider for final passage the aforesaid ordinance and all persons interested at this time would be given an opportunity to be heard concerning said ordinance which was read in full.

No person present desiring to be heard and no written protests or objections received, President Moyeno asked for a motion to close the hearing.

Councilman Del Boccio moved that the hearing be closed. Motion duly seconded by Councilwoman Castellano.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.

HEARING ON ORDINANCES

Third and Final Reading

Council President Moyeno then moved that the ordinance entitled, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HOBOKEN GRANTING AN EASEMENT OVER CERTAIN PUBLIC LANDS WITHIN THE CITY OF HOBOKEN (644 Washington Street)" be taken from the table for its third and final reading.

Motion seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.

APPLICATIONS FOR MISCELLANEOUS LICENSES

01-1840

Raffles ................................................................. 1
Livery Drivers ....................................................... 2
Parking Lots ........................................................... 7
Mechanical Amusement Devices ................................. 2
Parking Garages ...................................................... 1
Music Machines ..................................................... 3
Motor Vehicle Repair Shop ........................................ 2

---Councilwoman Moyeno moved that the licenses be granted.
---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.

REPORTS OF CITY OFFICERS

01-1841

A report of Municipal Clerk James J. Farina, indicating bids received on March 2, 2001 for various goods and services.

---Received and filed.

01-1842

---Received and filed.

01-1843
A report from Municipal Tax Collector Louis Picardo for taxes collected; for the month ending February 28, 2001 - $311,400.70

---Received and filed.

CLAIM RESOLUTIONS

01-1844
By Councilwoman Castellano:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $148,798.08 against the UNCLASSIFIED CLAIMS.

Seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.

By Councilwoman Castellano:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $152,871.23 against the DEPARTMENT OF ADMINISTRATION.

Seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.

By Councilman Del Boccio:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $36,596.61 against the DEPARTMENT OF ENVIRONMENTAL SERVICES.

Seconded by Councilwoman Castellano.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.
By Councilwoman Castellano:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $22,986.11 against the DEPARTMENT OF HUMAN SERVICES.

Seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.

By Councilwoman Castellano:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $1,900.00 against the CAPITAL ACCOUNT.

Seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.

PAYROLL RESOLUTIONS

01-1845
By Councilwoman Castellano:

RESOLVED, THAT WARRANTS DRAWN ON THE CITY TREASURER, TO THE ORDER OF THE CITY TREASURER, IN PAYMENT OF SERVICES OF OFFICERS AND EMPLOYEES OF THE CITY OF HOBOKEN, FOR THE PERIOD FEBRUARY 1, 2001 TO FEBRUARY 14, 2001 FOR THE PAYROLL ARE HEREBY RATIFIED IN THE FOLLOWING AMOUNTS:

<table>
<thead>
<tr>
<th>Department</th>
<th>Account Num.</th>
<th>Regular Pay</th>
<th>Overtime</th>
<th>Other Pay</th>
<th>Total Pay</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mayor's Office</td>
<td>1-01-20-110</td>
<td>8,788.49</td>
<td></td>
<td></td>
<td>8,788.49</td>
</tr>
<tr>
<td>City Council</td>
<td>1-01-20-111</td>
<td>6,594.95</td>
<td></td>
<td></td>
<td>6,594.95</td>
</tr>
<tr>
<td>City Clerks</td>
<td>1-01-20-120</td>
<td>9,838.24</td>
<td>274.05</td>
<td></td>
<td>10,112.29</td>
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<tr>
<td>Elections</td>
<td>1-01-20-122</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Corporation Counsel</td>
<td>1-01-20-155</td>
<td>9,674.49</td>
<td></td>
<td></td>
<td>9,674.49</td>
</tr>
<tr>
<td>Bus Adm. Office</td>
<td>1-01-20-112</td>
<td>5,497.52</td>
<td></td>
<td></td>
<td>5,497.52</td>
</tr>
</tbody>
</table>

Meeting of March 7, 2001
<table>
<thead>
<tr>
<th>Department</th>
<th>Account No.</th>
<th>Amount</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>ABC Board</td>
<td>1-01-20-113</td>
<td>269.24</td>
<td>269.24</td>
</tr>
<tr>
<td>Purchasing Dept.</td>
<td>1-01-20-114</td>
<td>6,006.26</td>
<td>6,006.26</td>
</tr>
<tr>
<td>Finance Supervisor</td>
<td>1-01-20-130</td>
<td>5,444.12</td>
<td>5,444.12</td>
</tr>
<tr>
<td>Accounts &amp; Controls</td>
<td>1-01-20-131</td>
<td>7,046.94</td>
<td>7,046.94</td>
</tr>
<tr>
<td>Payroll Division</td>
<td>1-01-20-132</td>
<td>3,801.03</td>
<td>3,801.03</td>
</tr>
<tr>
<td>Personnel</td>
<td>1-01-20-105</td>
<td>2,246.69</td>
<td>2,246.69</td>
</tr>
<tr>
<td>Tax Collector’s</td>
<td>1-01-20-145</td>
<td>8,913.82</td>
<td>8,913.82</td>
</tr>
<tr>
<td>Assessor’s Office</td>
<td>1-01-20-150</td>
<td>8,488.68</td>
<td>8,488.68</td>
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<tr>
<td>Treasurer’s</td>
<td>1-01-20-131</td>
<td>523.92</td>
<td>523.92</td>
</tr>
<tr>
<td>Emergency Mgmt</td>
<td>1-01-25-266</td>
<td>523.92</td>
<td>523.92</td>
</tr>
<tr>
<td>Police Division</td>
<td>1-01-25-241</td>
<td>410,130.51</td>
<td>13,273.98</td>
</tr>
<tr>
<td>Crossing Guard</td>
<td>1-01-25-241</td>
<td>6,846.26</td>
<td>6,846.26</td>
</tr>
<tr>
<td>Fire Division</td>
<td>1-01-25-266</td>
<td>314,998.49</td>
<td>450.84</td>
</tr>
<tr>
<td>Water Utility</td>
<td>0-01-26-774</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Grants Management</td>
<td>1-01-20-116</td>
<td>8,825.64</td>
<td>8,825.64</td>
</tr>
<tr>
<td>Signal &amp; Traffic Dept.</td>
<td>1-01-25-267</td>
<td>10,427.35</td>
<td>10,427.35</td>
</tr>
<tr>
<td>Public Library</td>
<td>1-01-29-390</td>
<td>18,536.40</td>
<td>83.88</td>
</tr>
<tr>
<td>Zoning Officer</td>
<td>1-01-21-186</td>
<td>7,465.54</td>
<td>7,465.54</td>
</tr>
<tr>
<td>Zoning Board of Adjust</td>
<td>1-01-21-185</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Planning Board</td>
<td>1-01-21-180</td>
<td></td>
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</tr>
<tr>
<td>Historic Preservation</td>
<td>1-01-20-175</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Municipal Court</td>
<td>1-01-43-490</td>
<td>25,630.61</td>
<td>1,174.76</td>
</tr>
<tr>
<td>Envir. Ser. Dir. Office</td>
<td>1-01-26-290</td>
<td>7,082.79</td>
<td>7,082.79</td>
</tr>
<tr>
<td>Streets &amp; Roads</td>
<td>1-01-26-291</td>
<td>325.00</td>
<td>325.00</td>
</tr>
<tr>
<td>Solid Waste</td>
<td>1-01-26-305</td>
<td>42,105.60</td>
<td>4,128.84</td>
</tr>
<tr>
<td>Recycling</td>
<td>1-01-26-300</td>
<td>5,998.59</td>
<td>717.84</td>
</tr>
<tr>
<td>Agency</td>
<td>Code</td>
<td>Amount 1</td>
<td>Amount 2</td>
</tr>
<tr>
<td>--------------------------------</td>
<td>-------------</td>
<td>----------</td>
<td>----------</td>
</tr>
<tr>
<td>Housing Inspection</td>
<td>1-01-21-187</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Central Garage</td>
<td>1-01-26-301</td>
<td>9,221.65</td>
<td>3,115.08</td>
</tr>
<tr>
<td>Parks &amp; Public Prop.</td>
<td>1-01-28-375</td>
<td>37,615.91</td>
<td>2,573.16</td>
</tr>
<tr>
<td>Arts on Waterfront</td>
<td>1-01-27-177</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Human Service Direct.</td>
<td>1-01-27-330</td>
<td>5,896.52</td>
<td>359.78</td>
</tr>
<tr>
<td>Hispanic Affairs</td>
<td>1-01-27-331</td>
<td>1,705.96</td>
<td></td>
</tr>
<tr>
<td>Board of Health</td>
<td>1-01-27-332</td>
<td>11,694.72</td>
<td>2,832.91</td>
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<td>1-01-27-336</td>
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<td>Rent &amp; Stablization Bd</td>
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<td>Police Outside Employ.</td>
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<td>1,120.00</td>
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<td><strong>Grand Total</strong></td>
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<td>1,071,173.70</td>
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Motion by Councilwoman Castellano.
Seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.

RESOLUTIONS

Presented and Read

01-1846

---By Councilwoman Castellano:

WHEREAS, Jose Segarra, an employee of the Police Division of the Department of Administration filed a petition with the New Jersey Department of Labor and Industry Division of Workers’ Compensation for injuries sustained November 20, 1997; and

WHEREAS, on January 11, 2001, Rose Mary Granados, Judge of Compensation, entered an Order approving Settlement for the petitioner Jose Segarra, per attached; and

WHEREAS, Baker, Garber, Duffy & Petersen, Esq., attorney for the petitioner Jose Segarra was awarded 1980.00; 792.00 was assessed against petitioner Jose Segarra; 1188.00 was assessed against respondent City of Hoboken; 150.00 was awarded Dr. David Myers & Ormand Wilkie, c/o Saul/Myers Medical Associates; 75.00 was assessed against petitioner Jose Segarra; 75.00 was assessed against respondent City of Hoboken; 150.00 was awarded Dr. Bruce Johnson, c/o Saul/Myers Medical Associates; 75.00 to be assessed against petitioner Jose Segarra; 75.00 to be assessed against respondent City of Hoboken; 65.00 for stenographic services to Advanced Court Reporting assessed against respondent City of Hoboken. These amounts are to be paid directly to persons entitled to same; now, therefore, be it –

RESOLVED, that warrants be drawn on the City Treasurer to the following parties in the amounts set forth opposite their respective names for the purposes hereinabove stated:

Jose Segarra
Baker, Garber, Duffy & Pedersen
Dr. David Myers & Dr. Ormand Wilkie
Dr. Bruce Johnson, c/o Saul/Myers Medical Associates
Advanced Court Reporting

Total

And, be it further

RESOLVED, that the aforesaid total award of $11,303.00 be charged to Workers Compensation Fund.

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.

01-1847
---By Councilwoman Castellano:

RESOLVED, that warrants be drawn on the City Treasurer in a grand total of $56,369.40 for reimbursement of retired employee’s and/or spouse PART B MEDICARE benefit deductions. The amount of reimbursement is opposite each name or names (attached) for PART BE MEDICARE during the year 2000 as per the appropriation of the adopted budget.

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.

01-1848
---By Councilwoman Castellano:

WHEREAS, delinquencies, interest and penalties were incurred on various taxable parcels; and

WHEREAS, it has been determined by the Chief Financial Officer that this delinquencies, interest and penalties were incurred not at the fault of the property owner but as a result of problems with postal mail services and/or other clerical errors; and

WHEREAS, the Chief Financial Officer has recommended that reimbursements be made for these delinquencies, interest and penalties as noted on his attached report totaling $457.76 which is made a part of this resolution hereof; now, therefore, be it –

RESOLVED, that the Chief Financial Officer is hereby authorized to draw warrants on the City Treasurer to the various property owners of record on the attached list as a reimbursement of delinquencies, interest and penalties incurred on property tax

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.

01-1849
---By Councilwoman Castellano:

WHEREAS, the Council of the City of Hoboken adopted on June 1, 1994 an ordinance entitled, AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 192 OF THE CODE OF THE CITY OF HOBOKEN (PARKING FOR HANDICAPPED): (The Ordinance) to regulate and control the application and approval process for the issuance of special handicapped parking spaces within the City of Hoboken; and

WHEREAS, the Ordinance requires an application fee of $130.00 be paid with every application submitted for a handicapped parking space and $125.00 to be refunded for any application deemed ineligible; and

Meeting of March 7, 2001
WHEREAS, the Subcommittee for Handicapped Parking, meeting in session, has found the following applicants ineligible for a handicapped parking space:

Anthony Grossi                             414 Jefferson St.
Eleuterior Colon                           326 Madison St.

NOW, THEREFORE, BE IT RESOLVED, that payment be made in the amount of $125.00 to the above mentioned applicants as a refund of an application fee for a handicapped parking space.

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.

01-1850
---By Councilwoman Castellano:

WHEREAS, the Purchasing Agent, Department of Administration, requests authorization of the Council to dispose of abandoned vehicles, that are in the possession of the Hoboken Police Department for over thirty days, the said authorized pursuant to provision of N.J.S.A. 39:10A-1 and

NOW, THEREFORE, BE IT RESOLVED, the Purchasing Agent, Department of Administration or his duly authorized representative is hereby authorized to expose for sale at Public Auction, Friday, 16 March 2001, at 11:00 A.M. in the City Hall, Court Room, 94 Washington Street, the vehicles set forth on the attached list pursuant to law

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.

01-1851
---By Councilman Cricco:

RESOLVED, that the City Council approves and affirms the action of the Tax Collector in establishing a grace period for the payment of First Quarter taxes terminating on March 26, 2001 and establishing a grace period for the payment of Second Quarter taxes terminating on May 10, 2001 and be it further-

RESOLVED, that in the event payment is not made on or before the due date enumerated above, then interest shall be calculated from the initial date of February 1, 2001 for First Quarter taxes and May 1, 2001 for Second Quarter taxes.

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.
WHEREAS, the City of Hoboken received a copy of a traffic study for the City commissioned by the Hoboken Parking Authority ("the HPA Traffic Study") which study provided in part for certain road improvements and recommended that State of New Jersey Department of Transportation grant funds be pursued for said improvements; and

WHEREAS the City of Hoboken desires to create amenities such as recreational bike paths, jogging paths and other similar amenities within the City; and

WHEREAS, the City Council finds that it is in the best interest of the public that the Office of Grants Management pursue the award of grant funds for bike paths, jogging paths and similar recreational projects within the City in conjunction with any application filed by the City seeking funding for road improvements pursuant to the recommendations of the HPA Traffic Study; now, therefore, be it

RESOLVED that the Office of Grants Management be directed to seek funds for such improvements from the New Jersey Department of Transportation for State Aid under the New Jersey Transportation Trust Fund Authority Act in conjunction with any steps taken to pursue funds for road improvements pursuant to the HPA Traffic Study recommendations.

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.

WHEREAS, the City of Hoboken is being developed at a potentially unsustainable rate; and

WHEREAS, the City is already facing issues involving traffic congestion and lack of parking for the City’s residents, business owners, and visitors as well as issues regarding the infrastructure of the City, including the water and sewer systems; and

WHEREAS, these issues substantially threaten the unique atmosphere in the City, due to Hoboken’s size, scale, and unique neighborhoods; and

WHEREAS, the congestion in the City may raise health and environmental concerns for the residents of the City; and

WHEREAS, the priority of the City is to improve the quality of life for the residents of Hoboken; and

WHEREAS, the Council has a duty to insure that future development in the City is consistent with a finding of capacity in order to preserve the unique aspects of the City as well as the quality of life of its citizens; and

WHEREAS, a capacity study is necessary to maintain the quality of life for the residents of the City,
NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Hoboken that the Council shall engage an engineering firm with a national reputation in urban planning and experience in working with unique communities such as Hoboken to complete a capacity study of the City, and the impact of increased development; and

BE IT FURTHER RESOLVED, that the Council deems it necessary that a capacity study is completed before any further approvals are offered that are not consistent with the current master plan of the City.

BE IT FURTHER RESOLVED, that a copy of this resolution and any further resolutions regarding the capacity study shall be presented to the City Planning Board and Zoning Board for consideration when reviewing development applications.

---Motion duly seconded by Councilmen Roberts, Soares and Ramos.

After discussion of the above resolution a motion was made to TABLE the resolution and send it to committee for review.

The vote to TABLE as follows:

---By Councilman Hudock:
---Motion duly seconded by Councilwoman Del Boccio.
---Adopted by the following vote: YEAS: 6 - NAYS: 3
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock and President Moyeno.
---Nays: Ramos, Roberts, Soares.

All regular business concluded the following members of the public spoke at the “Public Portion” of the meeting: Fran Sacks of 77 River Street; Helen Hirsch of 98 Park Avenue; Larry A. Ramirez of 237 Garden Street; Michael Lenz of 408 Monroe Street; Lynda Walker of 210 Harrison Street.

President Moyeno then adjourned the meeting at 8:20 p.m.
CITY CLERK
President Moyeno 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 furnished to The Jersey Journal and The Hoboken Reporter, The Bergen Record, The Newark Star - Ledger and also placed on the bulletin board in the lobby of City Hall."

The Council President then called for the Salute to the Flag.

The Clerk then called the roll:

PRESENT: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.

ABSENT: None.

PETITIONS AND COMMUNICATIONS

01-1854

A communication from the New Jersey Department of Transportation (DOT) approving the action of the City of Hoboken in awarding a contract to IEW Construction Group, Inc. for the “Hudson River Waterfront Walkway – Castle Point.”

--Received and filed.

01-1854-A

A communication from Director of Human Services, Robert K. Drasheff, advising of the results of the 2000 Census for the City of Hoboken at 38,577 residents.

--Received and filed.

March 21, 2001

01-1854-B

The Honorable Council Members of the City Council
City of Hoboken
City Hall
94 Washington Street
Hoboken, NJ 07030
Ladies and Gentlemen:

Pursuant to section 44-35 (C) of the Code of the City of Hoboken, I hereby make the following appointments to the Historic Preservation Commission:

Lawrence Kriz, residing at 72 Garden Street, Hoboken, shall fill the vacant appointment previously held by George Kirchgessner and shall serve a term to expire on December 31, 2003.

Very truly yours,

ANTHONY RUSSO

cc/ James J. Farina, City Clerk
    Maria Canonico, Historic Preservation Commission Clerk

--Received and filed.

APPLICATIONS FOR MISCELLANEOUS LICENSES

01-1855

Raffles ------------------------------- 2
Public Hack Drivers --------------------- 63
Taxi Owners -------------------------- 24
Auto Garage -------------------------- 2
Livery Drivers/Limo Drivers: 39
Vendors ----------------------------- 1
Parking Lots ------------------------ 5
Music Machines ---------------------- 2
Bingo ------------------------------- 2

---Councilman Del Boccio moved that the licenses be granted.
---Motion duly seconded by Councilwoman Castellano.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.

REPORTS OF CITY OFFICERS

01-1856

A report of the Municipal Court indicating receipts for the month of February 2001 as $214,190.71.

---Received and filed.

CLAIM RESOLUTIONS
By Councilwoman Castellano:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $584,747.51 against the UNCLASSIFIED CLAIMS.

Seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.

By Councilwoman Castellano:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $1,071,989.10 against the DEPARTMENT OF ADMINISTRATION.

Seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.

By Councilwoman Castellano:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $107,635.00 against the DEPARTMENT OF ADMINISTRATION, SECTION 8.

Seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 7 - NAYS: 0 - ABSTENTIONS: 2
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Roberts, Soares.
---Nays: None.
---Abstentions: Ramos, President Moyeno.

By Councilman Del Boccio:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $78,041.40 against the DEPARTMENT OF ENVIRONMENTAL SERVICES.

Seconded by Councilwoman Castellano.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.

By Councilwoman Andreula:
RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $45,369.21 against the DEPARTMENT OF HUMAN SERVICES.

Seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.

PAYROLL RESOLUTIONS

01-1858
By Councilwoman Castellano:

RESOLVED, THAT WARRANTS DRAWN ON THE CITY TREASURER, TO THE ORDER OF THE CITY TREASURER, IN PAYMENT OF SERVICES OF OFFICERS AND EMPLOYEES OF THE CITY OF HOBOKEN, FOR THE PERIOD FEBRUARY 15, 2001 TO FEBRUARY 28, 2001 FOR THE PAYROLL ARE HEREBY RATIFIED IN THE FOLLOWING AMOUNTS:

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<th>Department</th>
<th>Account Num.</th>
<th>Regular Pay</th>
<th>Overtime</th>
<th>Other Pay</th>
<th>Total Pay</th>
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</tr>
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<td>Parks &amp; Public Prop.</td>
<td>1-01-28-375</td>
<td>36,602.71</td>
<td>4,518.94</td>
<td>41,121.65</td>
<td></td>
</tr>
<tr>
<td>Arts on Waterfront</td>
<td>1-01-27-177</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Human Service Direct.</td>
<td>1-01-27-330</td>
<td>5,896.52</td>
<td>359.78</td>
<td>6,256.30</td>
<td></td>
</tr>
<tr>
<td>Hispanic Affairs</td>
<td>1-01-27-331</td>
<td>1,705.96</td>
<td></td>
<td>1,705.96</td>
<td></td>
</tr>
<tr>
<td>Board of Health</td>
<td>1-01-27-332</td>
<td>12,482.22</td>
<td>1,762.73</td>
<td>14,244.95</td>
<td></td>
</tr>
</tbody>
</table>
Div of Housing Svc 1-01-27-346
Senior Citizens Div 1-01-27-336 11,882.63 11,882.63
Rent & Stablization Bd 1-01-27-347 7,258.39 7,258.39
Transportation 1-01-27-348 4,926.10 381.14 5,307.24
Cultural Affairs 1-01-27-176 3,882.06 3,881.06
Public Defender 1-01-43-495 1,861.11 1,861.11
Construction Code 1-01-22-195 23,752.70 23,752.70
DDEF 0-01-55-901

Sub-Total 1,079,888.20 38,307.85 1,118,196.05

Other
Water Utility 0-05-20-701-010 2,148.23 322.20 2,470.43
Police Outside Employ. T-14-10-000-000 7,950.00 7,950.00

Police Grant.
Summer Lunch Progrm G-02-40-302-000

Grand Total 1,082,036.43 38,630.05 7,950.00 1,128,616.48

Motion by Councilwoman Castellano.
Seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts,
Soares, and President Moyeno.
---Nays: None.

RESOLUTIONS

Presented and Read

01-1859
---By Councilman Del Boccio:

WHEREAS, the City of Hoboken desires to renovate and rehabilitate a portion or portions of the
Public Library building in order to bring it into compliance with the federal “Americans with
Disabilities Act” and to update utility systems and HVAC Systems; and

WHEREAS, the renovations and renovations and rehabilitation of the library structure will also
address significant problems in the roof structure and the masonry façade of the building; and
WHEREAS, prior to any renovation or rehabilitation work, an environmental survey of the building’s interior must be conducted; and NOW THEREFORE, BE IT –

RESOLVED, that the attached proposal from Boswell Engineering, 330 Phillips Avenue, South Hackensack, NJ 07608, for asbestos testing at the Public Library Building for an amount not to exceed $5,000.00 and projected laboratory analyses estimated at $960.00 be accepted; and BE IT FURTHER –

RESOLVED, that funds for this work are available in the Library’s State Aid Account, 2000 Reserve, #0—01-55-901-006.

---Motion duly seconded by Councilwoman Castellano.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.

01-1860
---By Councilman Del Boccio:

WHEREAS, Hoboken Harriers Running Club and All Saints Community Development Corporation, working in conjunction as the HOHAAA Classic Race Committee, have requested a permit from the City of Hoboken to conduct the “Third Annual HOHA Classic 5-Mile Race and 1 mile Fun Run” on May 20, 2001 in Hoboken, New Jersey; and

WHEREAS, the City of Hoboken is supportive of this endeavor provided that neither the 5-Mile Race nor the 1-Mile Race unduly interferes with the health, safety and welfare of the citizens of Hoboken and the City will not incur any substantial expenses in connection with the 5 Mile Race and/or 1 mile Fun Run (hereinafter collectively referred to as “the Event”). Now, therefore, be it –

RESOLVED, that the Celebration of the Event to be held on May 20, 2001, is hereby approved by the Council of the City of Hoboken upon the condition that Hoboken HarriersRunning Club and All Saints Community Development Corporation, working in conjunction as the HOHA Classic Race Committee (collectively referred to hereinafter as the “permittee”) be issued a permit by the Business Administrator, in a form approved by the office of the Corporation Counsel, with the following conditions:

1. Permittee shall deposit One Thousand Dollars $1,000.00 with the City of Hoboken as an estimated Permit fee to cover the extraordinary expenses to the City for services in connection with the Event, for, by way of example and not limitation, employee overtime and trash removal. In the event such costs are less than One Thousand Dollars $1,000, the balance shall be returned to the Permittee. In the event such costs exceed One Thousand Dollars, permittee shall pay such excess to the City upon presentation of an invoice from the City. This permit fee must be deposited with the City at least one week before the proposed race.

2. No alcoholic beverages shall be served by the Permittee, sponsors or vendors associated with the Event during the Event.

3. Permittee shall provide uniformed Hoboken Police Officers for the safety and security of runners, spectators and other members of the public, in a sufficient number to be determined by the Chief of Police, and at its sole expense from 8:15 a.m. to 1:00 p.m. on Sunday, May 20, 2001. These personnel may be in addition to the Hoboken Police Officers assigned by the City to the Event.

4. Permittee must provide no less than five (5) Port of Sans for use by patrons during the Event. They shall be located in designations to be determined by the
Business Administrator. The Port-o-sans shall not be installed on the property before 9:00 a.m. on Saturday, May 19, 2001 and must be removed before 6:00 p.m. on Monday, May 21, 199. Adequate toilet paper shall be provided for the Port o Sans.

5. Permittee shall provide for proper use and maintenance of trash receptacles which will be provided by the City of Hoboken, and must ensure that plastic bags in those receptacles are continuously emptied and disposed of in areas designated by the City of Hoboken as needed during the Event.

6. The Permittee shall provide civilian road guards to assist in erecting barricades and detouring vehicular and pedestrian traffic during the race as required by the Chief of Police.

7. No beverages in glass bottles shall be permitted to be sold by any vendors. The Permittee shall arrange security to prohibit glass bottles and alcoholic beverages from being carried by runners, spectators and/or members of the public during the event.

8. Before leaving the premises after the Event, the Permittee shall restore the property to the conditions it was in prior to usage. Such restoration shall be subject to the satisfaction of the Director of the Department of Environmental Services.

9. The Permittee must contact George W. Crimmins, Business Administrator, at least twenty-four (24) hours prior to the commencement of any activities on the property to which access is granted by this permit. In the absence, Timothy Callig, Director of Environmental Services may be inaccessible, the Permittee must contact the Hoboken Police Desk Officer at (201) 420-2131 who, in turn, will contact one of them.

10. There will be no modifications to any City property or property adjacent thereto, used by the Permittee.

11. The Permittee has the full responsibility to provide and have available such medical staff and medical assistance as necessary at its sole cost and expense.

12. The City’s Police Chief shall have complete control over the activities of the Permittee associated with the use hereby permitted including the actions of personnel of the Permittee in matters related to safety.

13. The Permittee shall furnish evidence, which shall be attached to the Permit as an Exhibit, that with respect to all incidents to the operations, activities and use of the property permitted by and performed under the Permit, it carries Comprehensive General Liability Insurance naming the City of Hoboken as additional insured providing for not less than $1,000,000.00 combined single limit per occurrence and $2,000,000.00 aggregate for bodily injury or death and property damage. It is to be understood and agreed that the procurement of insurance in those amounts does not in any way or manner whatsoever limit Permittee’s liability to the City of Hoboken under the Permit and in the event the insurance does not cover and particular loss, the Permittee shall be liable to the City of Hoboken, for the full amount of any and all loss and damage as provided herein.

14. The Permittee shall indemnify, keep and save harmless the City of Hoboken its agents, employees, servants and officials, each and every one of them, against all
claims, just or unjust, made against the City of Hoboken, its agents, employees, servants or officials on account of injuries, death, losses of any kind whatsoever, damages, suits, liabilities, judgments, claims for infringements of patent, trademark or copyright, costs and expenses which may in any wise accrue against the City of Hoboken, its agents, employees, servants and officials, and the permittee shall appear, defend and pay, at its own expense, all costs, including counsel fees, arising therefrom or incurred in connection therewith and if any judgment shall be rendered against the City of Hoboken, its agents, employees, servants and officials, in any action, the Permittee shall, as its own expense, satisfy and discharge the same.

15. In granting the Permit, the City of Hoboken will assume no obligation whatsoever in connection with the use by the Permittee and are not obliged to make any repairs to the property or furnish personnel, equipment or materials in connection therewith.

16. The City of Hoboken shall not be liable to the Permittee for loss, damage or liability of any kind or nature whatsoever sustained by the Permittee, its successors or assigns, by reason of any failure to fulfill its obligations herein the in the event of a strike or walkout on the part of their employees or on the part of any other person or persons or by reason of any embargo or requirement of any federal or state or other governmental authority or by reason of any other event of any kind beyond the control of the City of Hoboken which in any way affects the ability of the City of Hoboken to perform the obligations herein.

17. This permit may be terminated by the City of Hoboken without notice if any of the above conditions of the Permit are not met. The terms and conditions of the Permit are considered as understood and agreed upon prior to the Permittee undertaking the use set forth herein, and any unauthorized activities not specifically allowed herein may be considered cause for termination.

---Motion duly seconded by Councilwoman Castellano.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.

01-1861
---By Councilman Cricco:

WHEREAS, the Business Administrator recommends that a permit fee issued to Robert Stevens Photography, 1721 Artesia Boulevard, Manhattan Beach, California 90266, for photography in Hoboken on March 2, 2001; and

WHEREAS, the permit for the photography was never utilized as the event for which the permit was issued was canceled;

NOW, THEREFORE BE IT RESOLVED, that a warrant be drawn on the City Treasurer payable to Robert Stevens Photography in the amount of Three Hundred and Fifty Dollars ($350,000) for a refunding of the permit fee; and be it

FURTHER RESOLVED, that the Chief Financial Officer of the City of Hoboken shall, issue and forward said check to Robert Stevens Photography at the address of 1721 Artesia Boulevard, Manhattan Beach, California 90266.
---Motion duly seconded by Councilwoman Andreula.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.

01-1862
---By Councilman Cricco:

WHEREAS, the City of Hoboken, in the County of Hudson, New Jersey (the “City”) desires to make application to the Local Finance Board for its review and consent to a Refunding Bond ordinance pursuant to N.J.S.A.40A:2-51 et. seq.; and

WHEREAS, the City believes:

(a) it is in the public interest to accomplish such purpose;

(b) such purpose is in compliance with the requirements of N.J. S. A. 40A:3-1 et. seq;

(c) said purpose or improvements are for the health, wealth, convenience or betterment of the inhabitants of the local unit or units;

(d) the amounts to be expended for said purpose or improvements are not unreasonable or exorbitant and are consistent with the requirements of N.J.S.A. 40A:3-1 et. seq

(e) the proposal is an efficient and feasible means of providing services for the needs of the inhabitants of the City and will not create an undue financial burden to be placed upon the City;

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 Application to the Local Finance board for the purposes described in the Recitals hereof approved, and the City’s bond Counsel, DeCotiis, FitzPatrick, Gluck, Hayden & Cole, LLP, along with other representatives of the City, are hereby authorized to prepare such Application, to file such Application with the Local Finance board and to represent the City in matters pertaining thereto (including any related matters which may arise in the course of the Local Finance Board’s review of the Application).

Section 2. The Clerk is hereby directed to prepare and file a copy of this resolution and the proposed Refunding Bond Ordinance with the Local Finance Board as part of such application.

Section 3. The Local Finance board is hereby respectfully requested to consider such application and to record its finds, recommendations and/or approvals as provided by the applicable New Jersey Statute, including causes its consent to be endorsed upon a certified copy of the Refunding Bond Ordinance and any refunding bond resolution as finally adopted by the City.

---Motion duly seconded by Councilwoman Andreula.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.
01-1863
---By Councilwoman Castellano:

WHEREAS, pursuant to the resolution of the Council of the City of Hoboken, a car auction was held 16 March 2001 in the Municipal Court Room in City Hall, and,

WHEREAS, only one bid was received for the bulk sale of twenty (25) cars at a bid of One Thousand Two Hundred Fifty Dollars ($1,250.00) for these cars, and,

WHEREAS, said bidders, Hoboken Auto Body, Inc. tendered a check in full payment, for the bulk sale, in the amount of One Thousand Two Hundred Fifty Dollars ($1,250.00). Said payments were deposited in the City Finance Department for disposition in the City bank account, therefore, be it

RESOLVED, that the City Council of Hoboken hereby ratifies and approved said transaction.

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.

01-1864
---By Councilwoman Castellano:

WHEREAS, the City of Hoboken was a named defendant in litigation captioned 320 Monroe Street, LLC et al. V. City of Hoboken WATER, UTILITY AND SEWER DIVISION, AND TIMOTHY CALLIGY Director of Environmental Services, carrying Docket No. L-6573-00 in the Superior Court of New Jersey; and

WHEREAS, the Director of the Department of Environmental Services recommends settlement of the matter in the interest of economy; and

WHEREAS, by settling the matter, neither the City nor its agents and/or employees has admitted to any wrongdoing or liability;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Hoboken that the Council authorizes the terms of the settlement of 320 Monroe Street, LLC et al. V. City of Hoboken WATER, UTILITY AND SEWER DIVISION, AND TIMOTHY CALLIGY Director of Environmental Services, carrying Docket No. L-6573-00 in the Superior Court of New Jersey, Hudson County, and further authorizes, upon the filing of a stipulation of dismissal in the matter, the adjustment of water bills on the following properties as follows;

320 Monroe Street

<table>
<thead>
<tr>
<th>Usage</th>
<th>Interest</th>
<th>Sub-total</th>
</tr>
</thead>
<tbody>
<tr>
<td>7,234.16</td>
<td>5,759.10</td>
<td>12,993.26</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(1,760.60) less payment made by owner</td>
</tr>
<tr>
<td></td>
<td></td>
<td>11,262.66 total due</td>
</tr>
</tbody>
</table>

1218 Washington Street

<table>
<thead>
<tr>
<th>Usage</th>
<th>Interest</th>
<th>Sub-total</th>
</tr>
</thead>
<tbody>
<tr>
<td>5,979.70</td>
<td>1,789.20</td>
<td>7,768.90</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(1,177.30) paid by owner</td>
</tr>
<tr>
<td></td>
<td></td>
<td>6,591.60 total due</td>
</tr>
</tbody>
</table>
517 Adams Street

922.50 usage
1,660.50 interest
2,583.00 subtotal
(1,158.88) paid by owner
1,424.12 total due

FURTHER RESOLVED that the Director of the Department of Environmental Services be and is hereby authorized to execute any and all agreements, releases and other documents necessary to effectuate the settlement, each in a form to be approved by Corporation Counsel.

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.

---Message

ORDINANCES
Introduction and First Reading

01-1865
R-475
AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 190 OF THE ADMINISTRATIVE CODE OF THE CITY OF HOBOKEN ENTITLED VEHICLES AND TRAFFIC, ADOPTED SEPTEMBER 4, 1991 AS ORDINANCE #2278. (General Handicap Spaces)

THE COUNCIL OF THE MAYOR AND COUNCIL OF THE CITY OF HOBOKEN DOES HEREBY ORDAIN AS FOLLOWS:
Madison Street between 3rd & 4th Street.

Article XVIII
General Handicap Spaces

190-30.2 GENERAL HANDICAP SPACES DESIGNATED

Section 1, Pursuant to the authority granted to the city of Hoboken by N.J. S. A, 39:4-197. The following location is hereby designated as a Restricted Parking space for use by persons who have been issued special vehicle identification cards by the Division of Motor Vehicles. No other person shall be permitted to park in these spaces.

<table>
<thead>
<tr>
<th>Name of Street</th>
<th>Side</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>Madison Street</td>
<td>West</td>
<td>Beginning at a point of 338 feet north of the Northerly curbline of Third Street and extending 22 feet northerly therefrom.</td>
</tr>
</tbody>
</table>

Section 2, All ordinances and parts of ordinances inconsistent herewith are repealed.

Section 3, This ordinances 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 Hoboken code.
Section 4, This ordinance shall take effect as provided by law.

---Council President Moyeno moved that the ordinance pass its first reading as read and be laid on the table for public inspection to be further considered for final passage at a meeting of the Council to be held on APRIL 4, 2001 at 7:00 PM.

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.

01-1866
AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 190 OF THE ADMINISTRATIVE CODE OF THE CITY OF HOBOKEN ENTITLED VEHICLES AND TRAFFIC, ADOPTED SEPTEMBER 4, 1991 AS ORDINANCE #2278. (Time Limit Parking, Angle Parking)

ARTICLE XVII
TIME LIMITED PARKING

190-29 Time limit Parking Meters Zone
Section 1: The following location is hereby repealed as a parking meters zone.

Hudson Street, 9West Side,) beginning at the northerly curbline of First Street and extending 200 feet northerly therefrom.

ARTICLE XXVII
ANGLE PARKING

190-37 Angle Parking
Section 1, The following location is hereby designated angle parking for POLICE VEHICLES ONLY.

<table>
<thead>
<tr>
<th>STREET NAME</th>
<th>SIDES</th>
<th>ANGLE</th>
<th>LOCATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hudson Street</td>
<td>West</td>
<td>45°</td>
<td>First Street and extending 200' feet northerly therefrom.</td>
</tr>
</tbody>
</table>

Section 2: All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

Section 3: This ordinance shall be a part of the Hoboken code as though codified and fully set forth therein. The city clerk shall have this ordinance codified and incorporated in the official copies of the Hoboken code.

Section 4: This ordinance shall take effect as provided by law

---Council President Moyeno moved that the ordinance pass its first reading as read and be laid on the table for public inspection to be further considered for final passage at a meeting of the Council to be held on APRIL 4, 2001 at 7:00 PM.

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.
01-1866
R-477

REFUNDING BOND ORDINANCE OF THE CITY OF HOBOKEN, IN THE COUNTY OF HUDSON, NEW JERSEY, PROVIDING FOR THE REFUNDING OF A PORTION OF THE CITY’S GENERAL OBLIGATION BONDS SERIES 1992, APPROPRIATING AN AMOUNT NOT EXCEEDING $5,500,000 THEREFORE AND AUTHORIZING THE ISSUANCE OF NOT TO EXCEED $5,500,000 GENERAL OBLIGATION REFUNDING BONDS OF THE CITY OF HOBOKEN FOR FINANCING THE COST THEREOF.

Section 1. The City of Hoboken, in the County of Hudson, New Jersey (the “City”) is hereby authorized to refund all or part of the City’s outstanding (i) $11,125,000 General Obligation Bonds Series, 1992, dated November 15, 1992, maturing on or after November 15, 2003; and to provide for the payment of the costs of issuance.

Section 2. In order to finance the cost of the purpose described in Section 1 hereof, negotiable general obligation refunding bonds (the “Refunding Bonds”) are hereby authorized to be issued in the principal amount not to exceed $5,500,000 pursuant to the Local Bond Law.

Section 3. An aggregate amount not exceeding $150,000 for items of expense listed in and permitted under N.J. S. A. 40A:2-51(b) has been included in the aggregate principal amount of refunding bonds authorized herein.

Section 4. The purpose of the refunding is to provide debt service savings to the City.

Section 5. The full faith and credit of the City are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this refunding bond ordinance. The obligations shall be direct, unlimited obligations of the City, and the City shall be obligated to levy ad valorem taxes upon all the taxable real property within the City for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 6. A certified copy of this refunding bond ordinance as adopted on first reading has been filed with the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey prior to final adoption, together with a complete statement in the form prescribed by the Director and signed by the chief financial officer of the City as to the indebtedness to be financed by the issuance of the refunding bonds authorized herein.

Section 7. This refunding bond ordinance shall be effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law, provided that the consent of the Local Finance board has been endorsed upon a certified copy of this ordinance as finally adopted.

---Councilman Cricco moved that the ordinance pass its first reading as read and be laid on the table for public inspection to be further considered for final passage at a meeting of the Council to be held on APRIL 4, 2001 at 7:00 PM.

---Motion duly seconded by Councilwoman Andreula.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.

01-1868
R-478

ORDINANCE TO AMEND CHAPTER 196 OF THE CODE OF THE CITY OF HOBOKEN; ARTICLE V (SCHEDULE I: RESIDENTIAL DISTRICTS)

Meeting of March 21, 2001 14
ARTICLE V
Schedule I: Residential District

196-14. R-1 District; 1 (E) Subdistrict, R-1 (CS) Subdistrict.

A. Purpose. no change

B. Principal permitted uses shall be as follows:

(1) R-1 district. No change

(2) R-1 (E) Subdistrict
   (a) Colleges, universities, or other institutions of higher learning, including
       buildings owned or leased for administration and faculty offices, classrooms, laboratories, chapels, auditoriums, lecture halls, libraries. Student and faculty centers, dining halls, campus stores, athletic facilities [subject to the restrictions below], dormitories, fraternities, sororities and their houses and hospitals or health clinics.

   (1) Athletic field lighting (other than security lighting provided along pedestrian or vehicular accessways) shall be turned off by 10:30 Eastern Standard Time adjusted for daylight savings time.

   (2) Athletic fields shall not be leased or let to third parties for scheduled sporting events, except for Hoboken-based entities and for occasional events upon mutual agreement with the City.

   (b) No change
   (c) No change
   (d) No change

(3) R-1 (CS) Subdistrict. no change.

---Council President Moyeno moved that the ordinance pass its first reading as read and be laid on the table for public inspection to be further considered for final passage at a meeting of the Council to be held on APRIL 4, 2001 at 7:00 PM.

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.

All regular business concluded and no members of the public wishing to speak at the public portion of the meeting, the City Council recessed at 7:25 p.m.

The City Council returned at 7:38 p. m. to address the following item:

01-1869
A hearing before the Hoboken City Council for appeals regarding Zoning Board of Adjustment (ZBA) decisions on October 17, 2000, for properties located at 1) 100 Hudson Street and 2) 79-83 Hudson Street.
The following spoke regarding the above matter: Ira Karasick, attorney for 79 Hudson Street L.L.C.; Hugh McCluskey, acting as legal counsel for the City of Hoboken; Carl Schaeffer, attorney for the Hoboken Zoning Board of Adjustment; Joseph D. Youssouf, attorney for 100 Hudson Street Associates; Barry Sarkisian, (attorney) owner of 100 Hudson Street; George Crimmins, appellant.

At 8:04 p.m., the City Council went into executive session (closed session) on a motion, second, and vote as follows:

---By Councilman Del Boccio:
---Motion duly seconded by Councilwoman Castellano.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.

At 8:15 p.m., the City Council came out of executive session (closed session) on a motion, second, and vote as follows:

---By Councilman Cricco:
---Motion duly seconded by Councilwoman Andreula.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.

Council President Moyeno then stated: “The Council has unanimously decided that based on the presentation we have no jurisdiction. Therefore we are going to adjourned this meeting.” The meeting was adjourned at 8:16 p.m.

________________________________________________________

PRESIDENT OF THE COUNCIL

________________________________________________________

CITY CLERK
MEETING OF APRIL 4, 2001

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, APRIL 4, 2001 AT 7:00 PM

In the absence of President Moyeno, Vice-President Del Boccio 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 furnished to The Jersey Journal and The Hoboken Reporter, The Bergen Record, The Newark Star - Ledger and also placed on the bulletin board in the lobby of City Hall."

The Council President then called for the Salute to the Flag.

The Clerk then called the roll:

PRESENT: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares.

ABSENT: President Moyeno.

________________________________________

HEARING ON ORDINANCES

Second Reading and Public Hearing

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 190 OF THE ADMINISTRATIVE CODE OF THE CITY OF HOBOKEN ENTITLED VEHICLES AND TRAFFIC, ADOPTED SEPTEMBER 4, 1991 AS ORDINANCE #2278. (General Handicap Spaces)

Vice-President Del Boccio directed the City Clerk to announce that the Council would consider for final passage the aforesaid ordinance and all persons interested at this time would be given an opportunity to be heard concerning said ordinance which was read in full.

No person present desiring to be heard and no written protests or objections received, Vice-President Del Boccio asked for a motion to close the hearing.

Councilman Cricco moved that the hearing be closed. Motion duly seconded by Councilwoman Castellano.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Nays: None
---Absent: President Moyeno.

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 190 OF THE ADMINISTRATIVE CODE OF THE CITY OF HOBOKEN ENTITLED VEHICLES AND TRAFFIC, ADOPTED SEPTEMBER 4, 1991 AS ORDINANCE #2278. (Time Limit Parking, Angle Parking)
Vice-President Del Boccio directed the City Clerk to announce that the Council would consider for final passage the aforesaid ordinance and all persons interested at this time would be given an opportunity to be heard concerning said ordinance which was read in full.

No person present desiring to be heard and no written protests or objections received, Vice-President Del Boccio asked for a motion to close the hearing.

Councilwoman Castellano moved that the hearing be closed. Motion duly seconded by Councilman Cricco.

---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Nays: None
---Absent: President Moyeno.

REFUNDING BOND ORDINANCE OF THE CITY OF HOBOKEN, IN THE COUNTY OF HUDSON, NEW JERSEY, PROVIDING FOR THE REFUNDING OF A PORTION OF THE CITY’S GENERAL OBLIGATION BONDS SERIES 1992, APPROPRIATING AN AMOUNT NOT EXCEEDING $5,500,000 THEREFORE AND AUTHORIZING THE ISSUANCE OF NOT TO EXCEED $5,500,000 GENERAL OBLIGATION REFUNDING BONDS OF THE CITY OF HOBOKEN FOR FINANCING THE COST THEREOF.

The above ordinance will be continued at the April 18, 2001 meeting, awaiting review by the Local Finance Board.

ORDINANCE TO AMEND CHAPTER 196 OF THE CODE OF THE CITY OF HOBOKEN; ARTICLE V (SCHEDULE I: RESIDENTIAL DISTRICTS).

The above ordinance will be continued at the April 18, 2001 meeting, to allow sufficient advertising time in the Jersey Journal newspaper.

HEARING ON ORDINANCES

Third and Final Reading

Council Vice-President Del Boccio then moved that the ordinance entitled, "AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 190 OF THE ADMINISTRATIVE CODE OF THE CITY OF HOBOKEN ENTITLED VEHICLES AND TRAFFIC, ADOPTED SEPTEMBER 4, 1991 AS ORDINANCE #2278. (General Handicap Spaces)" be taken from the table for its third and final reading.

Motion seconded by Councilwoman Castellano.

---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Nays: None
---Absent: President Moyeno.
Council Vice-President Del Boccio then moved that the ordinance entitled, "AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 190 OF THE ADMINISTRATIVE CODE OF THE CITY OF HOBOKEN ENTITLED VEHICLES AND TRAFFIC, ADOPTED SEPTEMBER 4, 1991 AS ORDINANCE #2278. (Time Limit Parking, Angle Parking)" be taken from the table for its third and final reading.

Motion seconded by Councilwoman Castellano.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Nays: None
---Absent: President Moyeno.

PETITIONS AND COMMUNICATIONS

01-1870
A communication from Carole McLaughlin, Division Chief, Rent Leveling & Stabilization; regarding Rent Leveling & Stabilization Board Regulation Addition to regulation 18:54(A).

--Received and filed.

01-1871

WHEREAS, the Holocaust was the state-sponsored persecution and annihilation of European Jewry by Nazi Germany and its collaborators between 1933 and 1945 wherein Jews were the primary victims. With six million murdered; and Gypsies, the handicapped and Poles were also targeted for destruction or decimation for racial, ethnic, or national reasons and millions more, including homosexuals, Jehovah’s Witnesses. Soviet prisoners of war and political dissidents, also suffered grievous oppression and death under Nazi tyranny; and

WHEREAS, we the people of the City of Hoboken should always remember the terrible events of the Holocaust and remain vigilant against hatred, persecution, and tyranny; and actively rededicate ourselves to the principles of individual freedom in a just society; and

WHEREAS, the days of Remembrance have been set aside for the people of the City of Hoboken to remember the victims of the Holocaust as well as to reflect on the need for respect of all peoples; and pursuant to an Act of congress (Public Law 96-288, October 7, 1980) the united Stated Holocaust Memorial Council designates the Days of Remembrance of the Victims of the Holocaust to be Sunday, April 15 through Sunday, April 22, 2001, including the International day of Remembrance known as Yom Hashoah, April 19;

NOW THEREFORE, I ANTHONY RUSSO, Mayor of the City of Hoboken, do hereby do hereby proclaim the week of Sunday, April 15, through Sunday April 22, 2001, as

Days of Remembrance

in the City of Hoboken in memory of the victims of the Holocaust, and in honor of the survivors, as well as the rescuers and liberators I further urge that we, as citizens of the City of Hoboken strive to overcome intolerance and indifference through learning and remembering.

--Received and filed.

01-1872

WHEREAS, autism is a pervasive developmental disorder affecting the social, learning and behavioral skills of those affected by it; and
WHEREAS, autism was once thought to be a relatively rare disorder, affecting only one in 10,000 people; and

WHEREAS, as more and more health professionals become proficient in diagnosing autism; more children are being diagnosed on the autism spectrum, resulting in rates as low as one in 500 children; and

WHEREAS, while there is no cure for autism, it is well-documented that if an individual with autism receives early in their lives, it is often possible for that individual to make significant improvement; and

WHEREAS, the New Jersey Center for Outreach and Services for the Autism Community (COSAC) is spearheading an awareness effort in order to educate parents, professionals and the general public about autism and its effects;

NOW THEREFORE, I, ANTHONY RUSSO, Mayor of the City of Hoboken, do hereby proclaim the month of April 2001 as AUTISM AWARENESS MONTH

In the City of Hoboken and urge all Hoboken residents to become better educated on the subject of autistic spectrum disorders.

--Received and filed.

01-1873

A communication from the Hoboken Planning Board favorably recommending the adoption of the amendment to Chapter 196 (Article V (Schedule I: Residential Districts) (R-478).

--Received and filed.

APPLICATIONS FOR MISCELLANEOUS LICENSES

01-1874

<table>
<thead>
<tr>
<th>Application</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Raffles</td>
<td>2</td>
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<tr>
<td>Public Hack Drivers</td>
<td>24</td>
</tr>
<tr>
<td>Auto Garage</td>
<td>2</td>
</tr>
<tr>
<td>Mechanical Amusement Devices</td>
<td>3</td>
</tr>
<tr>
<td>Taxi Owners</td>
<td>16</td>
</tr>
<tr>
<td>Limousine Owners</td>
<td>8</td>
</tr>
<tr>
<td>Livery/Limo Drivers</td>
<td>17</td>
</tr>
<tr>
<td>Parking Garages</td>
<td>2</td>
</tr>
<tr>
<td>Vendor</td>
<td>1</td>
</tr>
<tr>
<td>Motor Vehicle Repair Shop</td>
<td>1</td>
</tr>
</tbody>
</table>

---Councilwoman Castellano moved that the licenses be granted.
---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Nays: None
---Absent: President Moyeno.

REPORTS OF CITY OFFICERS

01-1875
A report from City Clerk James Farina, regarding bids received on March 30, 2001, for Solid Waste Removal Services; bid #01-17.

---Received and filed.

01-1876

A report from Municipal Tax Collector Louis Picardo for taxes collected; for the month ending March 31, 2001 - $14,124,954.53

---Received and filed.

CLAIM RESOLUTIONS

01-1877

By Councilwoman Castellano:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $136,723.54 against the UNCLASSIFIED CLAIMS.

Seconded by Councilman Del Boccio.

---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Councilpersons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares.
---Nays: None
---Absent: President Moyeno.

By Councilwoman Castellano:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $188,178.26 against the DEPARTMENT OF ADMINISTRATION.

Seconded by Councilman Del Boccio.

---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Nays: None
---Absent: President Moyeno.

By Councilman Del Boccio:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $236,225.07 against the DEPARTMENT OF ENVIRONMENTAL SERVICES.

Seconded by Councilwoman Castellano.

---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Councilpersons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares.
---Nays: None
---Absent: President Moyeno.

By Councilwoman Andreula:
RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $22,722.54 against the DEPARTMENT OF HUMAN SERVICES.

Seconded by Councilman Cricco.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Nays: None
---Absent: President Moyeno.

PAYROLL RESOLUTIONS

01-1878
By Councilwoman Castellano:

RESOLVED, THAT WARRANTS DRAWN ON THE CITY TREASURER, TO THE ORDER OF THE CITY TREASURER, IN PAYMENT OF SERVICES OF OFFICERS AND EMPLOYEES OF THE CITY OF HOBOKEN, FOR THE PERIOD MARCH 1, 2001 TO MARCH 14, 2001 FOR THE PAYROLL ARE HEREBY RATIFIED IN THE FOLLOWING AMOUNTS:

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<thead>
<tr>
<th>Department</th>
<th>Account Num.</th>
<th>Regular Pay</th>
<th>Overtime</th>
<th>Other Pay</th>
<th>Total Pay</th>
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<tr>
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<td>1-01-20-110</td>
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<td>8,620.87</td>
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<td>Corporation Counsel</td>
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<td>Purchasing Dept.</td>
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<td>Personnel</td>
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<td>Base</td>
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<td>Assessor's Office</td>
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<td>Treasurer's</td>
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<td>Emergency Mgmt</td>
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<td>Water Utility</td>
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<td>Grants Management</td>
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<td>Signal &amp; Traffic Dept.</td>
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<td>Zoning Board of Adjust</td>
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<td>Planning Board</td>
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<td>Historic Preservation</td>
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<td>Municipal Court</td>
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<td>Envir. Ser. Dir. Office</td>
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<td>Streets &amp; Roads</td>
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<td>Recycling</td>
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<td>Central Garage</td>
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<td>Arts on Waterfront</td>
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<td>Human Service Direct.</td>
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### Board of Health
- 1-01-27-332: 12,132.22
- 1-01-27-336: 11,882.63
- 1-01-27-346: 7,229.02
- 1-01-27-347: 4,115.80
- 1-01-27-348: 2,307.09
- 1-01-27-349: 1,861.11
- 1-01-43-495: 2,307.09

### Div of Housing Svc
- 1-01-27-343: 12,132.22
- 1-01-27-344: 11,882.63
- 1-01-27-345: 7,229.02
- 1-01-27-346: 4,115.80
- 1-01-27-347: 2,307.09
- 1-01-27-348: 1,861.11
- 1-01-27-349: 2,307.09

### Senior Citizens Div
- 1-01-27-336: 11,882.63
- 1-01-27-337: 11,882.63

### Rent & Stabilization Bd
- 1-01-27-347: 7,229.02
- 1-01-27-348: 4,115.80
- 1-01-27-349: 2,307.09
- 1-01-27-349: 1,861.11

### Transportation
- 1-01-27-348: 4,115.80
- 1-01-27-349: 2,307.09
- 1-01-27-349: 1,861.11

### Cultural Affairs
- 1-01-27-176: 2,307.09

### Public Defender
- 1-01-43-495: 1,861.11

### Construction Code
- 1-01-45-495: 21,969.74

### DDEF
- 0-01-55-901: 1,861.11

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<th>Amount</th>
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<td>Police Grant</td>
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</tbody>
</table>

---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Nays: None
---Absent: President Moyeno.

---Resolutions
**Presented and Read**
01-1879
---By Councilman Cricco:

WHEREAS, an overpayment of taxes has been made on the properties appearing on the list attached hereto, $16,448.80; and

WHEREAS, tax appeals were filed by the property owners; and

WHEREAS, tax counsel recommends a settlement in these matters, as reached in court; now, therefore, be it –

RESOLVED, that a warrant be drawn on the Chief Financial Officer made payable to the taxpayers appearing on the attached list totaling $16,448.80.

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Nays: None
---Absent: President Moyeno.

01-1880
---By Councilwoman Andreula:

WHEREAS, for the past several years, the City of Hoboken has sponsored a summer food service program for the youth of the City; and

WHEREAS, funds for the operation of this program have been provided by the State of New Jersey, department of Agriculture; and

WHEREAS, the State of New Jersey, Department of Agriculture has once again invited the City of Hoboken to submit an application for funding for the 2001 Summer Food Service Program; now therefore, be it

RESOLVED, that the City of Hoboken will submit an application for such funds; and be it –

FURTHER RESOLVED, that the Mayor is hereby authorized to approve such application and submit information as may be required by the State of Agriculture on behalf of the City of Hoboken.

--Motion duly seconded by Councilman Cricco.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Nays: None
---Absent: President Moyeno.

01-1881
---By Councilwoman Castellano:

WHEREAS, this proposal did not meet the expectations of the Administration, and,

WHEREAS, the Purchasing Agent recommends the rejection of this bid, now therefore, be it

RESOLVED, that the proposal for City-Wide Printing Services, submitted by Advanced Printing, 8 Pinewood Drive, Englishtown, NJ 07726, be and is hereby rejected, and, be it further
RESOLVED, that the Administration of the City of Hoboken, be, and is hereby, authorizing to re-advertise for these goods and/or services.

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Nays: None
---Absent: President Moyeno.

01-1882
---By Councilwoman Castellano:

WHEREAS, this proposal did not meet the expectations of the Administration, and,

WHEREAS, the Purchasing Agent recommends the rejection of this bid, now therefore, be it

RESOLVED, that the proposal for a General Building Materials, submitted by Feldman Lumber, 300 N. Henry Street, Brooklyn, NY 11222, be and is hereby rejected, and, be it further

RESOLVED, that the Administration of the City of Hoboken, be, and is hereby, authorizing to re-advertise for these goods and/or services.

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Nays: None
---Absent: President Moyeno.

01-1883
---By Councilman Del Boccio:

WHEREAS, the Mayor and Council of the City of Hoboken recognize that pursuant to N.J.S.A. 58:10B-1.2, brownfields are lands which were formerly used for commercial and/or industrial use and which are presently contaminated with hazardous substances, pose a health risk to nearby residents, pose a threat to the environment, may be a blight to the neighborhood and/or a financial drain on the municipality; and

WHEREAS, the Brownfields demonstration Pilot Project was established to assist the City of Hoboken to fund the clean-up of brownfields in the City of Hoboken; and

WHEREAS, the Mayor and Council of the City of Hoboken seek to further implement the Brownfields Demonstration Pilot Project; and

WHEREAS, the Mayor and Council of the City of Hoboken recognize that property located on Park Avenue 7 15th Street, Block 267, Lot 1 formerly known as “Todd Shipyards Property” satisfies the criteria for a brownfield; and

WHEREAS, the Director of Environmental Services recommends that this property be submitted into the Brownfields Demonstration Pilot Project; and

WHEREAS, the Mayor and Council has determined that in order to ensure public health and safety, the property located on Park Avenue & 15th Street, block 267, Lot 1 formerly known as Todd Shipyards Property” shall be part of the Brownfield Demonstration Pilot Project.
NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Hoboken, that the property located on Park Avenue 7 15th Street, Block 267, Lot 1 formerly known as “Todd Shipyards Property” shall be part of the Brownfields Demonstration Pilot Project; and be it further

RESOLVED, that the administration is hereby authorized to execute any documents necessary to enforce this resolution.

---Motion duly seconded by Councilwoman Castellano.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yea Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares.
---Nays: None
---Absent: President Moyeno.

01-1884
---By Councilwoman Andreula:

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L. 1987, c. 102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing the City of Hoboken to apply for such tonnage grants will memorialize the commitment of the City of Hoboken to recycling and to indicate the assent of the Mayor and Council of the City of Hoboken to the efforts undertaken by the City of Hoboken and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the City of Hoboken that the City of Hoboken hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection for SFY 1999 and designates the Director of the Department of Environmental Services to ensure that the application is timely filed; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purpose of recycling.

---Motion duly seconded by Councilwoman Castellano.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yea Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares.
---Nays: None
---Absent: President Moyeno.

01-1885
---By Councilwoman Andreula:

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L. 1987, c. 102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing the City of Hoboken to apply for such tonnage grants will memorialize the commitment of the City of Hoboken to recycling and to indicate the assent of the Mayor and Council of the City of Hoboken to the efforts undertaken by the City of Hoboken and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the City of Hoboken that the City of Hoboken hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection for SFY 2000 and designates the Director of the Department of Environmental Services to ensure that the application is timely filed; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purpose of recycling.

---Motion duly seconded by Councilwoman Castellano.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Nays: None
---Absent: President Moyeno.

01-1886
---By Councilwoman Castellano:

WHEREAS, John Schisani is an employee with the City of Hoboken in the Department of Administration; and

WHEREAS, John Schisani was previously granted an unpaid personal leave of absence, and

WHEREAS, John Schisani has requested an additional personal leave of absence from March 1, 2001 through August 31, 2001; now

BE IT RESOLVED, that a leave of absence without pay or medical benefits and beginning March 1, 2001 through August 31, 2001 is approved for John Schisani authorizing an additional personal leave of absence to John Schisani from March 1, 2001 through August 31, 2001 without pay or medical benefits.

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Nays: None
---Absent: President Moyeno.

01-1887

---By Councilman Cricco:

WHEREAS, the City Council by resolution adopted December 20, 2000 authorized settlement of a lawsuit in the New Jersey Superior Court captioned CITY OF HOBOKEN V. JEFFERSON ADAMS REHAB COMPANY, ET AL., having Docket No. Hud-C126-00, wherein the City sought to enjoin the sale of Clock Tower Apartments ("the Project") and invalidate rent increases authorized by the State of New Jersey Department of Community Affairs; and

WHEREAS, Defendants Jefferson Adams Rehab Company, (JARC”) and Clock Towers, LLC, filed counterclaims alleging generally among other things that the City’s Rent Control Ordinance was invalid and/or unconstitutional and that the City engaged in the tortuous interference of an economic advantage; and

WHEREAS, JARC had requested that the settlement be subject to the condition that the real estate closing for the Project occur by March 31, 2001; and

WHEREAS, due to unexpected delays associated with financing, JARC and Clock Tower, LLC desire to modify that condition to provide that said closing occur no later than September 30, 2001;

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF HOBOKEN as follows:

1. The City hereby approves the aforesaid modification to the terms of the settlement of the above lawsuit and authorizes the Mayor and/or Corporation Counsel to execute any and all documents necessary to effectuate the settlement, as modified, with all forms to be approved by Corporation Counsel.

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Nays: None
---Absent: President Moyeno.

01-1888

---By Councilman Cricco:

WHEREAS, Marian Towers, MCU, L.P., a New Jersey limited partnership (hereinafter referred to as the “Sponsor”) proposes to acquire and renovate a housing project (hereinafter referred to as the “Project”) pursuant to the provisions of the New Jersey Housing and Mortgage Finance Agency Law of 1983, as amended (N.J.S.A. 55: 14 K-1 et. seq.) and the rules promulgated thereunder at N.J.A.C. 5:80-1 et. seq. (hereinafter referred to as the “HMFA Law”) within the City of Hoboken (hereinafter referred to as the “Municipality”) on a site described as Lot 1, block 31 as shown on the Official Assessment Map of the City of Hoboken, Hudson County and commonly known as Marian Towers Apartments, 400 First Street, Hoboken, New Jersey; and

WHEREAS, the Project will be subject to the HMFA Law and the mortgage and other loan
documents executed between the Sponsor and the New Jersey Housing and Mortgage Finance Agency (hereinafter referred to as the “Agency”); and

WHEREAS, the pursuant to the provisions of the HMFA Law, the governing body of the Municipality hereby determines that there is a need for this housing project in the Municipality; and

WHEREAS, the Municipality has determined that the Sponsor’s acquisition and renovation of the Project will help to preserve and improve the stock of affordable housing within the Municipality; and

WHEREAS, the Sponsor has presented to the Municipal Council a revenue projection for the Project which sets forth the anticipated revenue to be received by the Sponsor from the operation of the project as estimated by the Sponsor and the Agency, a copy of which is attached hereto and made a part hereof as exhibit A.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Hoboken (the “Council”) that:

1. The Council finds and determines that the proposed Project will meet or meets an existing housing need;

2. The Council does hereby adopt the within Resolution and makes the determination and findings herein contained by virtue of, pursuant to, and in the conformity with the provisions of the HMFA Law with the intent and purpose that the Agency shall rely thereon in making a mortgage loan to the Sponsor, which shall acquire, renovate, own and operate the Project; and

3. The Council does hereby adopt the within Resolution with the further intent and purpose that from the date of execution of the Agency mortgage, the proposed Project, including both the land and improvements thereon, will be exempt from real property taxation as provided in the HMFA Law, provided that payments in lieu of taxes for municipal services supplied to the Project are made to the Municipality in such amounts and manner set forth in the Agreement for Payments in Lieu of Taxes attached hereto as Exhibit “B” and

4. The Council hereby authorizes and directs the Mayor of the City of Hoboken to execute, on behalf of the Municipality, the Agreement for Payments in Lieu of Taxes in substantially the form annexed hereto as Exhibit “B”; and

5. The Council understands and agrees that the revenue projections set forth in Exhibit “A” are estimates and that the actual payments in lieu of taxes to be paid by the Sponsor to the Municipality shall be determined pursuant to the Agreement for Payments in Lieu of Taxes executed between the Sponsor and Municipality.

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Nays: None
---Absent: President Moyeno.

01-1889
By Councilman Cricco:
WHEREAS, by ordinance adopted May 20, 1998, the Council of the City of Hoboken, as the duly designated Redevelopment Agency of the City of Hoboken approved a redevelopment plan for the Northwest Redevelopment Area dated May 5, 1998, which document is on file with the City Clerk and available for public inspection; and

WHEREAS, on May 3, 2000, the City Council of the City of Hoboken passed a Resolution designating 901-909 Madison Street, L.L.C. as the Redeveloper of a portion of the Northwest Redevelopment Area, specifically Block 95 Lots 1-5, contingent upon the execution of an acceptable Developer’s Agreement; and

WHEREAS, the May 3, 2000 Resolution of the City Council of the City of Hoboken authorized the City to enter into an acceptable Developer’s Agreement; and

WHEREAS, a proposed Developer’s agreement was presented to the City Council on February 7, 2001 the City Council passed a resolution authorizing the May of the City of Hoboken to execute the proposed Developer’s Agreement; and

WHEREAS, subsequent to the February 7, 2001 resolution, the Developer’s Agreement has been amended to include a requirement that the Redeveloper contribute to both an affordable housing and a recreation fund; and

WHEREAS, the City Council of the City of Hoboken has reviewed the proposed amended Developer’s Agreement, and finds same acceptable:

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Hoboken that the Mayor of the City of Hoboken is hereby authorized to execute the proposed Developer’s Agreement.

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Nays: None
---Absent: President Moyeno.

At this time, at the request of Corporation Counsel, Hugh McCloskey, Special Counsel for the City, was permitted to address the City Council. Mr. McCloskey advised the Council of a favorable ruling regarding the proposed Millennium Towers project in Jersey City. The Jersey City Planning Board's decision to allow the project to be built was ruled invalid in a court of law.

The City Council then returned to the regular order of business on the agenda.

ORDINANCES

Introduction and First Reading

01-1890
R-479

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 192 OF THE CODE OF THE CITY OF HOBOKEN (PARKING FOR HANDICAPPED). (Approvals, 221 Garden Street)

A. SECTION 192-4(A) is amended to add the following:

Deepak Gandhi, 221 Garden Street (east side of Garden St., beginning at a point 238 feet from the southeast curbline of Third Street and extending 22 feet southerly therefore)
B. All ordinances and parts of ordinances inconsistent herewith are hereby repealed. This ordinance shall be a part of the Hoboken Code as though codified and fully set forth therein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Hoboken code. This ordinance shall take effect as provided by law.

---Councilwoman Castellano moved that the ordinance pass its first reading as read and be laid on the table for public inspection to be further considered for final passage at a meeting of the Council to be held on APRIL 18, 2001 at 7:00 PM.

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Nays: None
---Absent: President Moyeno.

01-1891
R-480

ORDINANCE OF THE CITY OF HOBOKEN AMENDING CHAPTER 196 (ZONING) OF THE CODE OF THE CITY OF HOBOKEN, APPENDIX A: REDEVELOPMENT PLAN FOR THE NORTHWEST INDUSTRIAL AREA (THE NORTHWEST REDEVELOPMENT PLAN)

1. THE NORTHWEST REDEVELOPMENT PLAN IS HEREBY AMENDED AS FOLLOWS:

LAND USE AND BUILDING BULK REGULATIONS, APPLICATION AND INTERPRETATION

USES PERMITTED PER THE PLAN; PARKING REQUIREMENTS

Studios:

In Non-residential buildings (a building with more than 51% of its gross floor area devoted to non-residential uses, excluding parking areas):
Artists studio: non-residential work studio where artists (such as painter, sculptor, photographer, craftsperson but not limited thereto) may create and sell their own work; parking required at one space per 1000 gross s.f.

In Residential Buildings (a building with more than 51% of its gross floor area devoted to residential uses, excluding parking areas):
Live/work studio: a residential unit where part of the unit is used as a work studio/sales area for an artist. The sales area is to be limited to the artist's own work. No more than one additional person may work there. It shall be the developer's responsibility to designate and design such studios to have proper sound insulation and ventilation as appropriate to such uses. The artist shall not use any devices or substances prohibited by applicable municipal, state and federal law(s), rule(s) and/or regulation(s). Such units may only be created where they abut (on at least one side) a parking area or another non-residential area. In a residential structure designed to have residential floor area masking on-site parking floors (see Zone 1 and Zone 2 regulations below) or in a parking garage with residential units masking the façade, the studio/sales area that non-artist residents are protected from the movement of materials, products or visitors to the studios. Where such a unit is to satisfy the “activity area” requirement, the unit shall be a duplex; the groundfloor portion may be used alternatively as an office by a resident professional living on the second floor so long as the groundfloor office has windows on the street as described in the Urban Design Guidelines below. One parking space required for the residential unit; non required for the studio area.

2. There are no further amendments to this Chapter.
3. In the event that any provision of this Ordinance shall be declared invalid by any court of competent jurisdiction, such declaration of invalidity shall not affect the remaining provisions of this Ordinance except insofar as such provision of this Ordinance as if declared invalid shall be inseparable from the remainder of any provision thereof.

4. Any ordinances which are in conflict with or inconsistent with the terms of this Ordinance are hereby repealed to the extent that they are in conflict with or inconsistent with the terms of this Ordinance.

5. This Ordinance shall take effect as provided by law.

6. Councilman Cricco moved that the ordinance pass its first reading as read and be laid on the table for public inspection to be further considered for final passage at a meeting of the Council to be held on APRIL 18, 2001 at 7:00 PM.

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Nays: None
---Absent: President Moyeno.

01-1892
R-481

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HOBOoken AMENDING CHAPTER 186 OF THE HOBOoken CITY CODE AND CREATING A TREE PRESERVATION PROGRAM.

WHEREAS, the City Council of the City of Hoboken has concluded that the protection of the environment is of great importance to the residents of the City of Hoboken; and

WHEREAS, the City Council of the City of Hoboken has concluded that trees not only promote the environment of the City of Hoboken, but they also enhance the aesthetic nature of the City of Hoboken; and

WHEREAS, the City Council of the City of Hoboken desires to protect the environment and aesthetic appeal of the City of Hoboken; and

WHEREAS, the City Council of the City of Hoboken has determined that the enactment of this ordinance will further protect the safety, health and general welfare of the residents of this City:

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF HOBOoken THAT CHAPTER 186 OF THE CITY OF HOBOoken CODE IS CREATED AS FOLLOWS:

1. Section 186-1 of the City Code shall read:

186-1 Title

This chapter of the Hoboken code shall be known as the “Hoboken Tree Preservation Program”.

2. Section 186-2 of the City Code shall read:

186-2 Permit required
(A) It shall be a violation of this chapter for any person to

(1) remove, destroy, dislodge, excavate, extract, or uproot any tree, with a caliper of four inches (4") or longer, from any property, private or public within the City; or

(B) No violation of this Chapter shall occur if a permit has been issued to said person in accordance with the provisions of 186-3.

3. Section 186-3 of the City Code shall read:

186-3 Permit application

Permits for the removal, destruction, dislodging, excavating, extracting, or uprooting of shall be issued upon application in the following manner, with the appropriate application fee:

(A) An application shall be made to the Department of Environmental Services;

(B) Such application shall include all of the following information:

(1) Applicant's name, address, and phone number, and if such applicant is a business, the applicant shall also include the corporate name and address, and proof of liability insurance.

(2) The name, address, telephone number of the owner or lessee of the property, and the date of the applicant's last application.

(3) In the case of an application being made by a professional tree removal business, said application shall also include written confirmation by the property owner or lessee to have the tree(s) removed, destroyed, dislodged, excavated, extracted, or uprooted.

(4) A detailed plan of the property from which the tree(s) is (are) to be removed. Said plan shall be presented in the following manner:

   (i) For a single family residential property, a drawing or photograph of the landscape shall be presented in the following manner:

   (ii) for non-single family residential properties, a professional survey prepared by a licensed Land Surveyor indicating the tree(s) to be removed;

(5) All tree removal plans shall include:

   (i) A numbered description of all trees on the subject property;

   (ii) An indication of the tree(s) to be removed, with reference to the tree(s) assigned number(s);

   (iii) An indication of all tree(s) to remain, with reference to the tree(s) assigned number(s);

   (iv) A special indication of any and all tree(s) to be removed with a caliper of greater than twenty inches (20") or of a special or unique nature.

(6) Any other information reasonably required by the Director of the Department of Environmental Services or his/her designee.

(C) Any permit issued under this section shall expire within one year from the date of its issuance. No tree may be removed beyond this one year period without obtaining a new permit.
(D) The Director of the Department of Environmental Services shall have the right, either personally or through his/her designated representative, to inspect the property from which the subject trees are located, and shall have the right to inspect the physical condition of the tree(s), drainage and other physical characteristics of said property, and may also inspect adjacent properties to determine the impact upon the adjacent properties by the removal of the tree(s).

4. Section 186-4 of the City Code shall read:

**186-4 Delay in Building Permit**

When the construction of any building or other improvement requires that a tree with a caliper of four inches (4") or greater, be removed, destroyed, dislodged, excavated, extracted, or uprooted from any property, private or public within the City, no Building Permit shall issue, when the until such time as a permit is granted pursuant to the provisions of 186-3.

5. Section 186-5 of the City Code shall read:

**186-5 Requirement of replacing trees**

(A) Any permit issued for the removal, destruction, dislodging, excavating, extracting or uprooting of any tree(s) pursuant to this Chapter, said tree shall include a requirement that the applicant replaces the affected tree in accordance with section.

(B) All permits issued to any existing residential dwelling shall require replacement tree(s) whenever:

(1) Ten (10) or more trees are the subject of the permit; or

(2) The existing residential dwelling has been granted more than one permit for the removal of trees in any one calendar year, and during which time the aggregate number of trees permitted to be removed, destroyed, dislodged, excavated, extracted, or uprooted from any property exceeds ten (10), the applicant shall be required to replace any tree subsequent to the tenth tree.

(C) All new residential development areas shall be required to replace any and all removed, destructed, dislodged, excavated, extracted, or uprooted trees provided that fifty percent (50%) of the trees in the development area may be removed, destructed, dislodged, excavated, extracted, or uprooted without the applicant being required to replace them. However, any tree located in a public or private roadway or right-of-ways, drainage facility, parking area or proposed open space, shall be replaced notwithstanding that the applicant is permitted to clear fifty percent (50%) of the land.

(D) All plans within designated Redevelopment Areas must conform with appropriate streetscape requirements as indicated in the Redevelopment Area Developer Designation Agreement.

(E) All commercial and industrial businesses shall be required to replace any and all trees removed.

(F) There shall be requirement to replace any tree which is either dead or diseased.

6. Section 186–6 of the City Code shall read:
186-6 Tree escrow fund

(A) There shall be a fund established within the City of Hoboken entitled “Tree Escrow Fund”. Said Fund shall be established under separate line item within the City budget.

(B) All fees paid in conjunction with the following shall be placed into the “Tree Escrow Fund”:

1. Fees paid in accordance with 186-3 and 186-8 for tree removal permits;
2. All fines and penalties for violations of this chapter; or
3. All tree replacement fees paid in lieu of actually replacing trees pursuant to 186-7.

(C) The purpose of the “Tree Escrow Fund” shall be to promote environmental enhancement programs such as tree planting and preservation, park development, and landscaping on City owned properties and facilities.

(D) Any appropriations from the “tree Escrow Fund” shall only be made with the approval from the City’s Mayor and Council, upon recommendation of the Director of the Department of Environmental Services.

Section 186-7 of the City Code shall read:

186-7 Tree replacement valuations

(A) Should any applicant for a tree removal permit desire to not make any tree replacement, he/she may contribute to the City’s “Tree Escrow Fund” for each tree he/she does not replace in accordance with the tree replacement value calculations listed in part (B) hereof.

(B) The replacement value of any and all trees, either to be replaced or removed, shall be calculated as follows:

1. Trees removed with a caliper between four (4”) inches and twelve (12”) inches shall have a replacement value of $200.00;
2. Trees removed with a caliper between twelve (12”) inches and eighteen (18”) inches shall have a replacement value of $400.00;
3. Trees removed with a caliper between eighteen (18”) inches and twenty-four (24”) inches shall have a replacement value of $600.00; or trees removed with a caliper greater than twenty-four (24”) inches shall have a replacement value of $200.00.

(C) Dead and diseased trees shall not be counted as trees which are required to be replaced.

(D) The value of any proposed shade, ornamental, evergreen and/or shrub material shall be deducted from the calculated amount due for replacement trees, provided that the value of the proposed landscape material shall be calculated based upon average costs of the material in the area.
(E) The applicant shall receive one replacement tree credit should he/she preserve stands of ten (10) or more trees with a caliper of greater than four (4") inches within the tree removal area.

(F) For any situation in which the applicant proposes to replace trees with landscaping which is of a lesser value than that described in part (B) hereof, then the outstanding balance shall be provided with additional shade tree plantings on the property unless one (1) or more of the following conditions exists:

1. The property can not physically accommodate the total replacement amount of trees, in which case the applicant shall contribute an amount equal to the difference in value to the City's "Tree Escrow Account";
2. It is determined by the Director of the Department of Environmental Services that the installation of additional multilevel plant material (i.e. canopy trees, under story trees, shrubs, and ground covers) will increase the leaf area, and therefore will be more beneficial in terms of photosynthesis production, in which case the total dollar amount for the replacement of the removed trees can be applied to this method, subject to final approval by the City. This method of replacement is to be implemented as an additional supplement to the landscape plan.

8. Section 186-8 of the City Code shall read:

186-8 Permit application fees

All applications for a permit to remove, destroy, dislodge, excavate, extract or uproot any tree, with a caliper of four inches (4") or longer, from any property, private or public within the City shall be accompanied by the following fees:

(a) for existing single family dwellings: one dollar ($1.00) per tree;
(b) for new residential building lots: fifteen dollars ($15.00) per tree up to a maximum of $3,000.00; or
(c) for all other properties: fifteen dollars ($15.00) per tree, up to a maximum of $6,000.00.

9. 186-9 of the City Code shall read:

186-9 Penalties and enforcement

(A) Any person violating any portion of any sections of this chapter shall be subject to the penalties within the City's Code, with fines up to one thousand dollars ($1,000.00) per day for each offense.
(B) A violation of the terms of any section of this chapter shall be abated within five (5) days after written notice has been served, either via regular or certified mail or personal service. Each day that the violation continues thereafter shall constitute a separate offense.
(C) Violations and penalties will be enforced by the Director of the Department of Environmental Services or his/her designee, and/or the City's Code Enforcement Officer or his/her designee.

10. This ordinance shall take effect as provided by law.

11. Any inconsistencies within existing ordinances are hereby repealed.
---Councilman Roberts moved that the ordinance pass its first reading as read and be laid on the table for public inspection to be further considered for final passage at a meeting of the Council to be held on APRIL 18, 2001 at 7:00 PM.

---Motion duly seconded by Councilman Soares.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Nays: None
---Absent: President Moyeno.

All regular business concluded the following members of the public spoke at the “Public Portion” of the meeting: Helen Hirsch of 98 Park Avenue; Margaret O’Brien of 54 11th Street; William Perry of 927 Bloomfield Street; Polly Faxon of 1691 3rd Avenue, New York City; Gerri Falo of 520 Jefferson Street (City’s Cultural Affairs Coordinator); Joann Statz of 152 2nd Street; Michael Lenz of 408 Madison Street; Lynda Walker of 210 Harrison Street; Pedro A. Gonzalez of 936 Willow Avenue (President of Firemen’s Union Local 1078); Elizabeth Mason of 921 Hudson Street.

Councilman Hudock left the meeting at 9:09 p.m.

Vice-President Del Boccio then adjourned the meeting at 9:10 p.m.
President Moyeno opened the meeting at 7:12 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 furnished to The Jersey Journal and The Hoboken Reporter, The Bergen Record, The Newark Star - Ledger and also placed on the bulletin board in the lobby of City Hall."

The Council President then called for the Salute to the Flag.

The Clerk then called the roll:

PRESENT: Council persons Andreula, Castellano, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.

ABSENT: Cricco.

Council President Moyeno recognized Mayor Anthony Russo, and the mayor read the following proclamation into the record and presented it to Ricky Feliz, who was accompanied by family members.

**PETITIONS AND COMMUNICATIONS**

**01-1893**

WHEREAS, Ricky Feliz was born in Santiago in the Dominican Republic and traveled to the United States with his brother Melvin, and his mother Cleotilde in search of a better life; and

WHEREAS, Ricky Feliz is now an eighth grade student at the Demarest Middle School, where he has excelled in his studies and developed the ability to work well as a tutor with students younger than himself, providing assistance to others with their homework; and

WHEREAS, Ricky Feliz has served for the past two years as a volunteer counselor in the Reaching Adolescence Prevention Program (RAP) sponsored by St. Mary Hospital which helps children control their anger and modify their behavior; and

WHEREAS, Ricky Feliz is widely recognized for his volunteerism, especially his caring manner with children as a tutor, and has been nominated for and received an “everyday Hero Award” from a Jersey Journal newspaper;
NOW THEREFORE I, ANTHONY RUSSO, Mayor of the City of Hoboken, do hereby issue this proclamation in honor of Ricky Feliz, recognizing his contributions to the City of Hoboken and its citizens and congratulating him on being recognized as an “Everyday Hero”.

--Received and filed.

After the presentation President Moyeno returned to the regular order of the agenda.

HEARING ON ORDINANCES

Second Reading and Public Hearing

Councilman Roberts left the meeting at this point on the agenda.

REFUNDING BOND ORDINANCE OF THE CITY OF HOBOKEN, IN THE COUNTY OF HUDSON, NEW JERSEY, PROVIDING FOR THE REFUNDING OF A PORTION OF THE CITY’S GENERAL OBLIGATION BONDS SERIES 1992, APPROPRIATING AN AMOUNT NOT EXCEEDING $5,500,000 THEREFORE AND AUTHORIZING THE ISSUANCE OF NOT TO EXCEED $5,500,000 GENERAL OBLIGATION REFUNDING BONDS OF THE CITY OF HOBOKEN FOR FINANCING THE COST THEREOF.

President Moyeno directed the City Clerk to announce that the Council would consider for final passage the aforesaid ordinance and all persons interested at this time would be given an opportunity to be heard concerning said ordinance which was read in full.

No person present desiring to be heard and no written protests or objections received, President Moyeno asked for a motion to close the hearing.

Councilman Del Boccio moved that the hearing be closed. Motion duly seconded by Councilwoman Castellano.

---Adopted by the following vote: YEAS: 7 - NAYS: 0 - ABSENT: 2
---Yeas: Council persons Andreula, Castellano, Del Boccio, Hudock, Ramos, Soares, and President Moyeno.
---Nays: None.
---Absent: Cricco, Roberts.

ORDINANCE TO AMEND CHAPTER 196 OF THE CODE OF THE CITY OF HOBOKEN; ARTICLE V (SCHEDULE I: RESIDENTIAL DISTRICTS).

President Moyeno directed the City Clerk to announce that the Council would consider for final passage the aforesaid ordinance and all persons interested at this time would be given an opportunity to be heard concerning said ordinance which was read in full.

One member of the public spoke regarding the ordinance: Dan Tumpson of 230 Park Avenue. No other person present desiring to be heard and no written protests or objections received, President Moyeno asked for a motion to close the hearing.

Councilman Del Boccio moved that the hearing be closed. Motion duly seconded by Councilwoman Andreula.

---Adopted by the following vote: YEAS: 7 - NAYS: 0 - ABSENT: 2
---Yeas: Council persons Andreula, Castellano, Del Boccio, Hudock, Ramos, Soares, and President Moyeno.
AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 192 OF THE CODE OF THE CITY OF HOBOKEN (PARKING FOR HANDICAPPED). (Approvals, 221 Garden Street)

President Moyeno directed the City Clerk to announce that the Council would consider for final passage the aforesaid ordinance and all persons interested at this time would be given an opportunity to be heard concerning said ordinance which was read in full.

No person present desiring to be heard and no written protests or objections received, President Moyeno asked for a motion to close the hearing.

Councilwoman Castellano moved that the hearing be closed. Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Castellano, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.
---Absent: Cricco.

ORDINANCE OF THE CITY OF HOBOKEN AMENDING CHAPTER 196 (ZONING) OF THE CODE OF THE CITY OF HOBOKEN, APPENDIX A: REDEVELOPMENT PLAN FOR THE NORTHWEST INDUSTRIAL AREA (THE NORTHWEST REDEVELOPMENT PLAN)

The above ordinance will be continued at the May 2, 2001 meeting.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HOBOKEN AMENDING CHAPTER 186 OF THE HOBOKEN CITY CODE AND CREATING A TREE PRESERVATION PROGRAM.

President Moyeno directed the City Clerk to announce that the Council would consider for final passage the aforesaid ordinance and all persons interested at this time would be given an opportunity to be heard concerning said ordinance which was read in full.

One member of the public spoke regarding the ordinance: Dan Tumpson of 230 Park Avenue. No other person present desiring to be heard and no written protests or objections received, President Moyeno asked for a motion to close the hearing.

Councilman Del Boccio moved that the hearing be closed. Motion duly seconded by Councilwoman Andreula.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Castellano, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.
---Absent: Cricco.

HEARING ON ORDINANCES
Third and Final Reading

Council President Moyeno then moved that the ordinance entitled, "REFUNDING BOND ORDINANCE OF THE CITY OF HOBOKEN, IN THE COUNTY OF HUDSON, NEW JERSEY, PROVIDING FOR THE REFUNDING OF A PORTION OF THE CITY'S GENERAL OBLIGATION BONDS SERIES 1992, APPROPRIATING AN AMOUNT NOT EXCEEDING $5,500,000 THEREFORE AND AUTHORIZING THE ISSUANCE OF NOT TO EXCEED $5,500,000 GENERAL OBLIGATION REFUNDING BONDS OF THE CITY OF HOBOKEN FOR FINANCING THE COST THEREOF" be taken from the table for its third and final reading.

Motion seconded by Councilwoman Andreula.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Castellano, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.
---Absent: Cricco.

Council President Moyeno then moved that the ordinance entitled, "ORDINANCE TO AMEND CHAPTER 196 OF THE CODE OF THE CITY OF HOBOKEN; ARTICLE V (SCHEDULE I: RESIDENTIAL DISTRICTS)" be taken from the table for its third and final reading.

Motion seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Castellano, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.
---Absent: Cricco.

Council President Moyeno then moved that the ordinance entitled, "AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 192 OF THE CODE OF THE CITY OF HOBOKEN (PARKING FOR HANDICAPPED). [Approvals, 221 Garden Street]" be taken from the table for its third and final reading.

Motion seconded by Councilwoman Castellano.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Castellano, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.
---Absent: Cricco.

Council President Moyeno then moved that the ordinance entitled, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HOBOKEN AMENDING CHAPTER 186 OF THE HOBOKEN CITY CODE AND CREATING A TREE PRESERVATION PROGRAM" be taken from the table for its third and final reading.

The City Council members engaged in a debate regarding the restrictions of the ordinance. In particular, Councilman Hudock expresses concern that the ordinance included back-yard restrictions.
A motion was made by Councilman Hudock to make changes, amending the ordinance and reintroduce it for first reading. A vote was taken to amend and reintroduce as follows:

---By Councilman Hudock.
---Motion seconded by Councilman Roberts.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Castellano, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.
---Absent: Cricco.

PETITIONS AND COMMUNICATIONS CONTINUED

01-1984

APPLICATIONS FOR MISCELLANEOUS LICENSES

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<tr>
<th>Service</th>
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<tr>
<td>Raffles</td>
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<td>Public Hack Drivers</td>
<td>2</td>
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<tr>
<td>Livery Drivers</td>
<td>2</td>
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<tr>
<td>Auto Garage</td>
<td>5</td>
</tr>
<tr>
<td>Parking Lots</td>
<td>1</td>
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<tr>
<td>Music Machines</td>
<td>2</td>
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</tbody>
</table>

---Councilwoman Castellano moved that the licenses be granted.
---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Castellano, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.
---Absent: Cricco.

REPORTS OF CITY OFFICERS

01-1895

A report from City Clerk James Farina, regarding bids received on Friday, April 13, 2001, for various goods and services.

---Received and filed.

01-1896

A report of the Municipal Court indicating receipts for the month of March 2001 as $244,574.27.

---Received and filed.

01-1897

CLAIM RESOLUTIONS

By Councilwoman Castellano:
RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $348,977.67 against the UNCLASSIFIED CLAIMS.

Seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Castellano, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.
---Absent: Cricco.

By Councilwoman Castellano:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $135,319.51 against the DEPARTMENT OF ADMINISTRATION.

Seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Castellano, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.
---Absent: Cricco.

By Councilwoman Castellano:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $107,571.00 against the DEPARTMENT OF ADMINISTRATION, SECTION 8.

Seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 6 - NAYS: 0 - ABSENT: 1 - ABSTENTIONS: 2
---Yeas: Council persons Andreula, Castellano, Del Boccio, Hudock, Roberts, Soares.
---Nays: None.
---Absent: Cricco.
---Abstentions: Ramos, President Moyeno.

By Councilman Del Boccio:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $17,560.20 against the DEPARTMENT OF ENVIRONMENTAL SERVICES.

Seconded by Council President Moyeno.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Castellano, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.
---Absent: Cricco.

By Councilman Del Boccio:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $13,708.21 against the DEPARTMENT OF HUMAN SERVICES.

Seconded by Councilwoman Castellano.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Castellano, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.
---Absent: Cricco.

By Councilwoman Castellano:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $11,489.24 against the CAPITAL ACCOUNT.

Seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Castellano, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.
---Absent: Cricco.

PAYROLL RESOLUTIONS

01-1898

By Councilman Del Boccio:

RESOLVED, THAT WARRANTS DRAWN ON THE CITY TREASURER, TO THE ORDER OF THE CITY TREASURER, IN PAYMENT OF SERVICES OF OFFICERS AND EMPLOYEES OF THE CITY OF HOBOKEN, FOR THE PERIOD MARCH 15, 2001 TO MARCH 28, 2001 FOR THE PAYROLL ARE HEREBY RATIFIED IN THE FOLLOWING AMOUNTS:

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<th>Account Num.</th>
<th>Regular Pay</th>
<th>Overtime</th>
<th>Other Pay</th>
<th>Total Pay</th>
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<td>Fiscal Year 2</td>
<td>Fiscal Year 3</td>
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<td><strong>Other</strong></td>
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<td>Employ.</td>
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<td>Police Grant.</td>
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Meeting of April 18, 2001

Grand Total 1,198,320.7 41,636.08 7,490.00 1,247,446.82

RESOLUTIONS
Presented and Read

Councilman Roberts left the meeting at 7:50 p.m., prior to the vote on the “Consent Agenda” which encompassed the following seven resolutions.

01-1899
---By Councilwoman Castellano:

At the recommendation of the Department of Administration, Division of Revenue and Finance, it is hereby

RESOLVED, that warrants be drawn on the City Treasurer in a grand total of $12,062.20 for reimbursement of retired employee’s and/or spouse PART B MEDICARE benefits deductions. The amount of reimbursement is opposite each name or names (attached) for PART B MEDICARE during the year 2000 s per the appropriation of the adopted budget.

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 7 - NAYS: 0 - ABSENT: 2
---Yeas: Council persons Andreula, Castellano, Del Boccio, Hudock, Ramos, Soares, and President Moyeno.
---Nays: None.
---Absent: Cricco, Roberts.

01-1900
---By Councilwoman Castellano:

WHEREAS. On L. Youn, residing at 94 Colgate Avenue, Paramus, New Jersey 07652, submitting Business License Application and paid the license fee of $50.00; and
WHEREAS, George DeStefano, Chief Financial Officer by the attached hereto, recommends that refund be made, now, therefore, be it

RESOLVED, that warrant be drawn by the City Treasurer to the order of ON L. YOUN in the sum of $50.00 representing refund of Business License Application

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 7 - NAYS: 0 - ABSENT: 2
---Yeas: Council persons Andreula, Castellano, Del Boccio, Hudock, Ramos, Soares, and President Moyeno.
---Nays: None.
---Absent: Cricco, Roberts.

01-1901

---By Councilman Del Boccio:

WHEREAS, the City Council of the City of Hoboken has determined that there exists a need within the City of Hoboken for road improvements to Sinatra Drive between Fourth Street and Eleventh Street; and

WHEREAS, the City of Hoboken has applied for and is awaiting funding from the State of New Jersey for the aforesaid necessary road improvements to Sinatra Drive; and

WHEREAS, based upon this need for road improvements to Sinatra Drive between Fourth Street and Eleventh Street, the City Council of the City of Hoboken has determined there exists a need for engineering professional services related to the preparation of plans and specification and supervision of the aforesaid necessary road improvements to Sinatra Drive; and

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Hoboken that the Mayor be and is hereby authorized to execute a professional services contract with J.F. Caulfield Associates for a term of one year, for the provision of professional engineering services related to the aforesaid Sinatra Drive Improvement Project as follows: (1) Preparation of plans and specifications; and (2) Inspection services and material testing; and

BE IT FURTHER RESOLVED, that the fees to be paid J.F. Caulfield Associates for the preparation of plans and specifications, inspection services, and material testing shall be in accordance with the requirements of any funds provided in the City of Hoboken by the State of New Jersey for these improvements to Sinatra Drive; and

BE IT FURTHER RESOLVED, that State funds received for these payments shall be available and placed into an appropriate budgetary account; and

BE IT FURTHER RESOLVED, that notice of this action shall be published in a newspaper of general circulation within the City of Hoboken in accordance with the law

---Motion duly seconded by Council President Moyeno.
---Adopted by the following vote: YEAS: 7 - NAYS: 0 - ABSENT: 2
---Yeas: Council persons Andreula, Castellano, Del Boccio, Hudock, Ramos, Soares, and President Moyeno.
---Nays: None.
---Absent: Cricco, Roberts.

01-1902

---By Councilman Del Boccio:
WHEREAS, the following bids were received by the City of Hoboken by Friday, March 30, 2001 for the provision of Bid No. 01-17, Scavenger Services, to the City of Hoboken:

<table>
<thead>
<tr>
<th>Base Bid — (one year)</th>
<th>Company Name</th>
<th>Mileage</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. H.C. Company, Inc.</td>
<td>$650,000.00</td>
<td>$1.50</td>
</tr>
<tr>
<td>2. Waste Management of NJ</td>
<td>835,000.00</td>
<td>3.00</td>
</tr>
<tr>
<td>3. Suburban Disposal, Inc.</td>
<td>894,000.00</td>
<td>3.00</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Base Bid plus Limited Scavenger Service (one year)</th>
<th>Company Name</th>
<th>Mileage</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. H.C. Company, Inc.</td>
<td>$669,000.00</td>
<td>$1.50</td>
</tr>
<tr>
<td>2. Waste Management of NJ</td>
<td>870,000.00</td>
<td>3.00</td>
</tr>
<tr>
<td>3. Suburban Disposal, Inc.</td>
<td>894,000.00</td>
<td>3.00</td>
</tr>
</tbody>
</table>

WHEREAS, the Director of Department of Environmental Services, recommends the acceptance of the low bid, inclusive of the Limited Scavenger Services option, of H.C. Company, Inc. with offices at 4711 Dell Avenue, North Bergen, New Jersey 07011; and

WHEREAS, the City Council has reviewed the recommendation made by the Director on said bid;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Hoboken, County of Hudson, State of New Jersey that the contract for the provision of Scavenger Services consisting of Base Bid plus Limited Scavenger option, be and is hereby awarded to the lowest complying bidder, H.C. Company, Inc., for the term of one year; and

BE IT FURTHER RESOLVED, that the Mayor and Clerk are hereby authorized and directed to execute the contract for same upon the receipt of a performance bond and certificate of insurance from the bidder and necessary approvals; and

BE IT FURTHER RESOLVED, that the Municipal Clerk is hereby authorized and directed to return the certified check or bid bond of the bidders upon the receipt of a fully executed contract and performance bond and other required documents from the successful bidder, H.C. Company, Inc.

---Motion duly seconded by Councilwoman Castellano.
---Adopted by the following vote: YEAS: 7 - NAYS: 0 - ABSENT: 2
---Yeas: Council persons Andreula, Castellano, Del Boccio, Hudock, Ramos, Soares, and President Moyeno.
---Nays: None.
---Absent: Cricco, Roberts.

01-1903
---By Councilwoman Castellano:

WHEREAS, pursuant to the resolution of the City Council and after public advertising thereof, the following proposals were received for H.V.A.C. services for the City of Hoboken in accordance with Bid 01-15:
Name of Bidder

AbleMechanical, Inc.
P.O.Box 69
94 Railroad Avenue
Belford, NJ 07718

Professional Climate Control
382 Valley Street
South Orange, NJ 07079

<table>
<thead>
<tr>
<th>Name of Bidder</th>
<th>Amount of Bid per year</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Year #1</td>
</tr>
<tr>
<td>AbleMechanical, Inc.</td>
<td>Straight Time</td>
</tr>
<tr>
<td></td>
<td>Over Time</td>
</tr>
<tr>
<td>Professional Climate Control</td>
<td>Straight Time</td>
</tr>
<tr>
<td></td>
<td>Over Time</td>
</tr>
</tbody>
</table>

and:

WHEREAS, the Purchasing Agency recommends the acceptance of the bid of Professional Climate Control at the rates shown above for H.V.A.C. services for the City of Hoboken;

RESOLVED, that the proposal of Professional Climate Control for the supply of H.V.A.C. services at the hourly rates of:
Year # 1 - Straight Time $45.00/hour – Over Time $67.50/hour
Year #2 - Straight Time $48.00/hour – Over Time $72.00/hour
be and the same is hereby accepted, and be it further

RESOLVED, that a contract be drafted and entered into between the Mayor and Council of the City of Hoboken and Professional Climate Control for the aforementioned supply of H.V. A. C. services, for a period of two (2) years, form of which contract is to be prepared by the City’s Corporate Council; and be it further

RESOLVED, that the Mayor is hereby authorized to execute the contract and the City Clerk is hereby authorized to attest the same and to affix thereon the corporate seal of the City of Hoboken; and be it further

RESOLVED, that upon execution of the aforementioned contract the bid bond deposited by the above bidders be returned to them.

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 7 - NAYS: 0 - ABSENT: 2
---Yeas: Council persons Andreula, Castellano, Del Boccio, Hudock, Ramos, Soares, and President Moyeno.
---Nays: None.
---Absent: Cricco, Roberts.

**01-1904**

---By Councilwoman Castellano:

WHEREAS, pursuant to the resolution of the City Council and after public advertising thereof, the following proposals were received for City-Wide Printing services for the City of Hoboken in accordance with Bid 01-13;

<table>
<thead>
<tr>
<th>Name of Bidder</th>
<th>Amount of Bid per year</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Year #1</td>
</tr>
</tbody>
</table>

Meeting of April 18, 2001
Advanced Printing Co.  
415 Rt. 9 South  
Manalapan, NJ 07726  

The Poggi Press  
15 & Adams Streets  
Hoboken, NJ 07030

WHEREAS, the Purchasing Agent recommends the acceptance of the bid of The Poggi Press at the rates shown in their proposal for Cit-Wide Printing services for the City of Hoboken;

RESOLVED, that a contract be drafted and entered into between the Mayor and Council of the City of Hoboken and The Poggi Press for the aforementioned supply of City-Wide Printing services, for a period of two (2) years, form of which contract is to be prepared by the City’s Corporate Counsel; and be it further

RESOLVED, that the Mayor is hereby authorized to execute the contract and the City Clerk is hereby authorized to attest the same and to affix thereon the corporate seal of the City of Hoboken; and be it further

RESOLVED, that upon execution of the aforementioned contract the bid bond deposited by the above bidders be returned to them.

---Motion duly seconded by Councilman Del Boccio.  
---Adopted by the following vote: YEAS: 7 - NAYS: 0 - ABSENT: 2  
---Yeas: Council persons Andreula, Castellano, Del Boccio, Hudock, Ramos, Soares, and President Moyeno.  
---Nays: None.  
---Absent: Cricco, Roberts.

01-1905  
---By Councilwoman Castellano:

WHEREAS, this proposal did not meet the exceptions of the Administration, and,

WHEREAS, the Purchasing Agent recommends the rejections of this bid, now, therefore, be it

RESOLVED, that the proposal for the supply of Gasoline & diesel Fuel (Pumped), by the John Duffy Fuel Co., 156 Adams Street, Newark, NJ 07105, be and is hereby rejected, and , be it further

RESOLVED, that the Administration of the City of Hoboken, be, and is hereby, authorized to re-advertise for these goods and/or services.

---Motion duly seconded by Councilman Del Boccio.  
---Adopted by the following vote: YEAS: 7 - NAYS: 0 - ABSENT: 2  
---Yeas: Council persons Andreula, Castellano, Del Boccio, Hudock, Ramos, Soares, and President Moyeno.  
---Nays: None.  
---Absent: Cricco, Roberts.
Councilman Roberts returned to the meeting at 7:52 p.m.

**01-1906**
---By Councilman Del Boccio:

RESOLVED, that the Mayor is hereby authorized to execute a contract 9a copy of which is attached) with Blue Harp, Inc., FSO Southside Johnny for services as the headline artist at the May 6th 2001 Hoboken Art and Music Festival at a price of Fifteen Thousand Dollars ($15,000.00).

Before the vote was taken, one member of the public spoke regarding the resolution: Helen Hirsch of 98 Park Avenue.

---Motion duly seconded by Council President Moyeno.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Castellano, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.
---Absent: Cricco.

**01-1907**
---By Councilwoman Castellano:

WHEREAS, the City Council of the City of Hoboken is desirous of ensuring the highest quality of life and safety for all its residents; and

WHEREAS, the City Council of the City of Hoboken is aware that these currently exists during rush hour a “bottlenecking” problem along Observer Highway within the City of Hoboken; and

WHEREAS, this “bottlenecking” problem along Observer Highway causes a significant inconvenience to Hoboken residents, in the form of extended delay and possible environmental problems resulting from the automobile emissions caused by idling in traffic due to the “bottlenecking” delays; and

WHEREAS, this “bottlenecking” problem along Observer has endangered the lives of every Hoboken resident, due to the impediment this “bottlenecking” causes the City of Hoboken’s Emergency Personnel from delivering their most important time sensitive services; and

WHEREAS, the Hoboken Fire Chief has informed the City Council that this “bottlenecking” problem along Observer Highway has had a significant impact upon the Fire Department’s Observer Highway firehouse’s ability to promptly respond to emergencies; and

WHEREAS, the cause of this “bottlenecking” problem along Observer Highway has been determined to be a combination of a Jersey City developer, Webco, putting in underground utilities and NJ Transit installing its lightrail system; and

WHEREAS, it is beneficial and customary for State construction projects to avoid causing serious traffic pattern problems and safety concerns along major highways; and

WHEREAS, in order to avoid causing serious traffic problems and safety concerns, State construction projects normally take place either very late at night or during early morning hours, as is evident by the New Jersey Turnpike’s delaying its construction projects until such time as to avoid possible impact upon congestion or safety; and
WHEREAS, the City Council of the City of Hoboken believes that NJ Transit’s continued installation of its light rail system during rush hours periods will continue to jeopardize the safety and well being of all Hoboken residents; and

WHEREAS, the City Council of the City of Hoboken desires to see NJ Transit’s continued construction of its light rail system have its hours of operation altered so as to not take place during or immediately before rush hour periods:

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of Hoboken protests the continued construction by NJ Transit of its light rail system during or immediately before rush hour periods; and

BE IT FURTHER RESOLVED, that the Mayor and Business Administrator for the City of Hoboken are hereby authorized and directed to request NJ Transit officials to have this construction work occur only during non-rush hour periods not later than 9 p.m. and to take all other necessary steps to minimize the impact upon the City of Hoboken’s traffic solution this construction has had; and

BE ITS FURTHER RESOLVED, that copies of this resolution shall be forwarded to Acting Governor Donald DiFrancesco, State Senator Bernard F. Kenny, Jr., Assemblyman Rudy Garcia, and Assemblyman Albio Sires, the Chairman of NJ Transit, all Hudson County Freeholders, Mayor Bret Shundler of Jersey City, Mayor Brian Stack of Union City, and Mayor Richard Turner of Weehawken.

Councilman Ramos left the meeting at 7:53 p.m.
Councilman Ramos returned to the meeting at 7:55 p.m.

Before the vote was taken, one member of the public spoke regarding the resolution: Dan Tumpson of 230 Park Avenue.

After City Council discussion, a motion was made by Councilwoman Castellano and duly seconded by Councilman Del Boccio to have the resolution read “not later than 9 p.m.” A vote was taken on the change as follows:

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yea: Council persons Andreula, Castellano, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.
---Absent: Cricco.

After the vote to amend the resolution passed, the council than voted on the resolution in its’ entirety.

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yea: Council persons Andreula, Castellano, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.
---Absent: Cricco.

01-1908
---By Councilwoman Castellano:

WHEREAS, the City Council of the City of Hoboken is desirous of ensuring the highest quality of life and safety for all its residents; and
WHEREAS, the City Council of the City of Hoboken is aware that these currently exists during rush hour a “bottlenecking” problem along Observer Highway within the City of Hoboken; and

WHEREAS, this “bottlenecking” problem along Observer Highway causes a significant inconvenience to Hoboken residents, in the form of extended delay and possible environmental problems resulting from the automobile emissions caused by idling in traffic due to the “bottlenecking” delays; and

WHEREAS, this “bottlenecking” problem along Observer has endangered the lives of every Hoboken resident, due to the impediment this “bottlenecking” causes the City of Hoboken’s Emergency Personnel from delivering their most important time sensitive services; and

WHEREAS, the Hoboken Fire Chief has informed the City Council that this “bottlenecking” problem along Observer Highway has had a significant impact upon the Fire Department’s Observer Highway firehouse’s ability to promptly respond to emergencies; and

WHEREAS, the cause of this “bottlenecking” problem along Observer Highway has been determined to be a combination of a Jersey City developer, Webco, putting in underground utilities and NJ Transit installing its lightrail system; and

WHEREAS, it is beneficial and customary for State construction projects to avoid causing serious traffic pattern problems and safety concerns along major highways; and

WHEREAS, in order to avoid causing serious traffic problems and safety concerns, State construction projects normally take place either very late at night or during early morning hours, as is evident by the New Jersey Turnpike’s delaying its construction projects until such time as to avoid possible impact upon congestion or safety; and

WHEREAS, the City Council of the City of Hoboken believes that NJ Transit’s continued installation of its light rail system during rush hours periods will continue to jeopardize the safety and well being of all Hoboken residents; and

WHEREAS, the City Council of the City of Hoboken desires to see NJ Transit’s continued construction of its lightrail system have its hours of operation altered so as to not take place during or immediately before rush hour periods:

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of Hoboken protests the continued construction by NJ Transit of its lightrail system during or immediately before rush hour periods; and

BE IT FURTHER RESOLVED, that the Mayor and Business Administrator for the City of Hoboken are hereby authorized and directed to request NJ Transit officials to have this construction work occur only during non-rush hour periods not later than 9 p.m. and to take all other necessary steps to minimize the impact upon the City of Hoboken’s traffic solution this construction has had; and

BE ITS FURTHER RESOLVED, that copies of this resolution shall be forwarded to Acting Governor Donald DiFrancesco, State Senator Bernard F. Kenny, Jr., Assemblyman Rudy Garcia, and Assemblyman Albio Sires, the Chairman of NJ Transit, all Hudson County Freeholders, Mayor Bret Shundler of Jersey City, Mayor Brian Stack of Union City, and Mayor Richard Turner of Weehawken.

Before the vote was taken, one member of the public spoke regarding the resolution: Helen Hirsch of 98 Park Avenue.

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
WHEREAS, the Mayor and City Council of the City of Hoboken has determined that there exists an emergent temporary condition dictating special traffic regulations; and

WHEREAS, a Traffic Engineer, licensed by the State of New Jersey has determined that from 7:00 A.M. to 9:00 A.M., Monday through Friday; over 4,000 commuting vehicles pass through Hoboken, and

WHEREAS, the Mayor and City Council of the City of Hoboken, in reliance upon the recommendation of the Police Department, has determined that ongoing construction in Jersey City and non-resident commuter traffic has created a dangerous increase in traffic conditions during this same 7:00 AM to 9:00 AM. Monday through Friday time period; and

WHEREAS, the Mayor and City Council of the City of Hoboken has determined that this commuter traffic condition creates a substantial risk of harm to residents of Hoboken, by causing inaccessibility or delays in access by emergency vehicles to local schools due to the overwhelming and burdensome traffic conditions; and

WHEREAS, the Mayor and City Council of the City of Hoboken had determined that this commuter traffic condition creates a substantial risk of harm to residents of Hoboken, by causing inaccessibility or delays in access by emergency vehicles to local residences, including a number of senior citizens residences, due to the overwhelming traffic conditions; and

WHEREAS, the Mayor and City Council of the City of Hoboken has determined that this commuter traffic condition creates a substantial risk of harm to residents of Hoboken, by causing inaccessibility or delays in access by emergency vehicles to local businesses due to the overwhelming traffic conditions; and

WHEREAS, the Mayor and City Council of the City of Hoboken has determined that the increased commuter traffic creates a substantial risk of harm to residents of Hoboken, by making it more dangerous for children, senior citizens and other pedestrians to cross local streets during this time period; and

WHEREAS, the Mayor and City Council of the City of Hoboken has determined that the increased commuter traffic creates a substantial risk of harm to residents of Hoboken, by preventing fire services from being able to rapidly exit the fire station and quickly respond to emergency situations during this time period; and

WHEREAS, the Mayor and City Council of the City of Hoboken is responsible for the protection of persons and property, and for the preservation of the public health and safety and welfare of the City of Hoboken and its inhabitants pursuant to N.J.S.A. 40:48-2; and

WHEREAS, the Mayor and City Council of the City of Hoboken, has determined that special traffic regulations, including the diversion of traffic and the closing of certain streets, or portions thereof, to motor vehicle traffic during certain specified hours, is necessary to protect the safety, health and welfare of its residents; and

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Hoboken, pursuant to the provisions of N.J.S.A. 39:4-197.3 that the Mayor, after deliberation with the Chief of Police, be and is hereby authorized to adopt special traffic regulations in accordance with N.J.S.A. 39:4-
197 and N.J.S.A. 39:4-198, including the diversion of traffic and the closing of certain streets, or portions thereof, to motor vehicle traffic during certain specified hours, as it is determined that such closings are necessary to protect the safety, health and welfare of its residents, for a period of effectiveness thereof not to exceed three months from the effective date thereof; and be it

FURTHER RESOLVED, that a certified copy of this resolution and any other required materials be forwarded to the New Jersey Department of Transportation for its review and consent.

Before the vote was taken, one member of the public spoke regarding the resolution: Dan Tumpson of 230 Park Avenue.

Council President Moyeno left the meeting at 8:12 p.m., and Council Vice-President Del Boccio assumed the Chair.

Council President Moyeno returned to the meeting at 8:22 p.m., and resumed the Chair

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 5 - NAYS: 3 - ABSENT: 1
---Yeas: Council persons Andreula, Castellano, Del Boccio, Hudock, and President Moyeno.
---Nays: Ramos, Roberts, Soares.
---Absent: Cricco.

Prior to the vote on the next two resolutions, the following addressed the City Council: Dan Tumpson of 230 Park Avenue; Frank Leanza, attorney for, and interested party in, the development; Dan Davis, New Jersey Housing Mortgage and Finance Agency; Frank Raia, developer for the project; Julio Corea of 455 9th Street; Lynda Walker of 210 Harrison Street; Michele Russo of 10 Church Towers; Helen Hirsch of 98 Park Avenue; Alice Misiewicz of 1015 Washington Street.

Councilman Soares left the meeting from 9:06 p.m. until 9:08 p.m. and then again from 9:16 p.m. until 9:20 p.m.

01-1910
---By Councilwoman Castellano:

WHEREAS, Hoboken Block 99, L.L.C. (hereinafter referred to as the “Sponsor”) proposes to construct a housing project (hereinafter referred to as the “Project”) pursuant to the provision of the New Jersey Housing and Mortgage Finance Agency Law of 1983, as amended (N.J.S.A. 55:14K-1 et seq.), and the rules promulgated thereunder at N.J.A.C. 5:80-1 et seq. (the foregoing hereinafter referred to as the “HMFA Law”) within the City of Hoboken (hereinafter referred to as the “City”) on a site described as Lots 1-31, Block 99 as shown on the Official Assessment Map of the City of Hoboken, Hudson County and commonly known as 1001-1032 Madison Street and 1000-1032 Jefferson Street, Hoboken, New Jersey, and

WHEREAS, the Project will be subject to the HMFA Law and the mortgage and other loan documents executed between the Sponsor and the New Jersey Housing and Mortgage Finance Agency (hereinafter referred to as the “Agency”) and

WHEREAS, pursuant to the provision of the HMFA Law, the governing body of the Municipality hereby determines that there is a need for this housing project in the Municipality; and

WHEREAS, the Sponsor has presented to the City Council a revenue projection for the Project which sets forth the anticipated revenue to be received by the Sponsor from the operation of the Project as estimated by the Sponsor and the Agency, a copy of which is attached hereto and made a part hereof as Exhibit B.

NOW THEREFORE, BE IT RESOLVED, by the Council of the City of Hoboken (the “Council”) that:
1. The Council finds and determines that the proposed Project will meet or meets an existing housing need; and

2. The Council does hereby adopt the within Resolution and makes the determination and findings herein contained by virtue of, pursuant to, and in the conformity with the provision of the HMFA Law with the intent and purpose that the Agency shall rely thereon in making a mortgage loan to the Sponsor, which shall construct, own and operate the Project; and

3. The Council does hereby adopt the within Resolution with the further intent and Purpose that from the date of execution of the Agency mortgage, the proposed Project, including both the land and improvements thereon, will be exempt from real property taxation as provided in the HMFA Law, provided that payments in lieu of taxes for municipal services supplied to the Project are made to the Municipality in such amounts and manner set forth in the Agreement for Payments in Lieu of Taxes attached hereto as Exhibit “A”, and

4. The Council hereby authorizes and directs the Mayor of the City of Hoboken to Execute, on behalf of the City, the Agreement for Payments in Lieu of Taxes in substantially the form annexed hereto as Exhibit “A”; and

5. The Council understands and agrees that the revenue projections set forth in Exhibit “B” are estimates and that the actual payments in lieu of taxes to be paid by the Sponsor to the Municipality shall be determined pursuant to the Agreement for Payments in Lieu of Taxes executed between the Sponsor and City.

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 4 - NAYS: 0 - ABSENT: 1 - ABSTENTIONS: 4
---Yeas: Council persons Andreula, Castellano, Del Boccio, and President Moyeno.
---Nays: None.
---Absent: Cricco.

01-1911
---By Councilwoman Castellano:

WHEREAS, Hoboken Block 88, L.L.C. (hereinafter referred to as the “Sponsor”) proposes to construct a housing project (hereinafter referred to as the “Project”) pursuant to the provision of the New Jersey Housing and Mortgage Finance Agency Law of 1983, as amended (N.J.S.A. 55:14K-1 et. seq.) and the rules promulgated thereunder at N.J.A.C. 5:80-1 et seq. (the foregoing hereinafter referred to as the “HMFA Law”) within the City of Hoboken (hereinafter referred to as the “City”) on a site described as Lots 1-31, Block 88 as shown on the Official Assessment Map of the City of Hoboken, Hudson County and commonly known as 801-831 Madison Street and 800-832 Jefferson Street, Hoboken, New Jersey, and

WHEREAS, the Project will be subject to the HMFA Law and the mortgage and other loan documents executed between the Sponsor and the New Jersey Housing and Mortgage Finance Agency (hereinafter referred to as the “Agency”) and

WHEREAS, pursuant to the provision of the HMFA Law, the governing body of the Municipality hereby determines that there is a need for this housing project in the Municipality; and

WHEREAS, the Sponsor has presented to the City Council a revenue projection for the Project which sets forth the anticipated revenue to be received by the Sponsor from the operation of the
Project as estimated by the Sponsor and the Agency, a copy of which is attached hereto and made a part hereof as Exhibit B.

NOW THEREFORE, BE IT RESOLVED, by the Council of the City of Hoboken (the “Council”) that:

1. The Council finds and determines that the proposed Project will meet or meets an existing housing need; and

2. The Council does hereby adopt the within Resolution and makes the determination and findings herein contained by virtue of, pursuant to, and in the conformity with the provision of the HMFA Law with the intent and purpose that the Agency shall rely thereon in making a mortgage loan to the Sponsor, which shall construct, own and operate the Project; and

3. The Council does hereby adopt the within Resolution with the further intent and Purpose that from the date of execution of the Agency mortgage, the proposed Project, including both the land and improvements thereon, will be exempt from real property taxation as provided in the HMFA Law, provided that payments in lieu of taxes for municipal services supplied to the Project are made to the Municipality in such amounts and manner set forth in the Agreement for Payments in Lieu of Taxes attached hereto as Exhibit “A”, and

4. The Council hereby authorizes and directs the Mayor of the City of Hoboken to Execute, on behalf of the City, the Agreement for Payments in Lieu of Taxes in substantially the form annexed hereto as Exhibit “A”; and

5. The Council understands and agrees that the revenue projections set forth in Exhibit “B” are estimates and that the actual payments in lieu of taxes to be paid by the Sponsor to the Municipality shall be determined pursuant to the Agreement for Payments in Lieu of Taxes executed between the Sponsor and City.

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 4 - NAYS: 0 - ABSENT: 1 - ABSTENTIONS: 4
---Yeas: Council persons Andreula, Castellano, Del Boccio, and President Moyeno.
---Nays: None.
---Absent: Cricco.

ORDINANCES

Introduction and First Reading

01-1912 R-482

ORDINANCE AUTHORIZING THE HOBOKEN PARKING AUTHORITY TO ACQUIRE BY VIRTUE OF EMINENT DOMAIN, IF NECESSARY, CERTAIN REAL PROPERTY LOCATED AT 52-64 HUDSON STREET, HOBOKEN, NJ, AND THE PORTION OF THE PARCEL OF REAL PROPERTY LOCATED AT 51 - 83 WASHINGTON STREET, HOBOKEN, NJ, WHICH PORTION CONTAINS NO BUILDINGS, FOR THE CONSTRUCTION OF AN OFF-STREET PUBLIC PARKING FACILITY.
WHEREAS, the Hoboken Parking Authority ("the Authority") has identified a site which would be suitable for the construction of a public off-street parking facility and desires to acquire property; and

WHEREAS, the Authority seeks to acquire the entire property identified as block 210.1, Lots 26-29 on the official tax Maps of the City of Hoboken (also referred to as 52-64 Hudson Street) together with the portion of property identified as of Block 210, Lots 1-16 on the official Tax Maps of the City of Hoboken (also referred to as 51-83 Washington Street) upon which portion of property no building exist; and

WHEREAS, the Authority's acquisition of real property described herein is necessary for the construction, provision and operation of an off-street parking facility within the City of Hoboken ("the City") in order to promote the relief of traffic congestion on the streets of the City and to improve conditions affecting public safety and welfare within the City; and

WHEREAS, the Hoboken Code requires that the City Council consent to this acquisition in the event eminent domain proceedings are necessary;

NOW, THEREFORE, IT BE ORDAINED by the City Council of the City of Hoboken that the City Council hereby confers upon the Hoboken Parking Authority its consent to the acquisition of Block 210.1, Lots 26-29 on the official Tax Maps of the City of Hoboken (also referred to as 52-64 Hudson Street) together with the portion of property identified as of block 210, Lots 1-16 on the official Tax Maps of the City of Hoboken (referred to as 51-83 Washington Street) upon which

---Councilwoman Castellano moved that the ordinance pass its first reading as read and be laid on the table for public inspection to be further considered for final passage at a meeting of the Council to be held on MAY 2, 2001 at 7:00 PM.

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 5 - NAYS: 3 - ABSENT: 1
---Yeas: Council persons Andreula, Castellano, Del Boccio, Hudock, and President Moyeno.
---Nays: Ramos, Roberts, Soares.
---Absent: Cricco.

All regular business concluded the following members of the public spoke at the “Public Portion” of the meeting: William Perry of 927 Bloomfield Street; Margaret O’Brien of 54 11th Street.

President Moyeno then adjourned the meeting at 10:08 p.m.

________________________________________________________

PRESIDENT OF THE COUNCIL

________________________________________________________
Prior to the beginning of the regular council meeting, at 6:34 PM, the council entered into an executive (closed) session.

01-1913
---By Councilman Hudock:

WHEREAS, members of the Hoboken City Council wish to enter Executive Session to discuss matters pursuant to N.J.S.A. 10:4-12(b); and

WHEREAS, pursuant to N.J.S.A. 10:4-13 a resolution is required stating the general nature of the subject to be discussed and as precisely as possible, the time when and the circumstances under which the discussion in the Executive Session can be disclosed to the public; and

WHEREAS, the general nature of the subject(s) to be discussed at this meeting is as follows:

1- Litigation

BE IT RESOLVED, that the City Council shall at this time, 6:34 p.m., May 2, 2001, enter into Executive Session to discuss the matters as outlined above, and

BE IT FURTHER RESOLVED, that it can be disclosed to the public as follows:

Upon final disposition of the matter.

---Motion duly seconded by Council President Moyeno.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.

President Moyeno opened the meeting at 7:02 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 furnished to The Jersey Journal and The Hoboken Reporter, The Bergen Record, The Newark Star-Ledger and also placed on the bulletin board in the lobby of City Hall."

The Council President then called for the Salute to the Flag.

The Clerk then called the roll:
PRESENT: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.

ABSENT: None.

HEARING ON ORDINANCES
Second Reading and Public Hearing

ORDINANCE OF THE CITY OF HOBOKEN AMENDING CHAPTER 196 (ZONING) OF THE CODE OF THE CITY OF HOBOKEN, APPENDIX A: REDEVELOPMENT PLAN FOR THE NORTHWEST INDUSTRIAL AREA (THE NORTHWEST REDEVELOPMENT PLAN)

President Moyeno directed the City Clerk to announce that the Council would consider for final passage the aforesaid ordinance and all persons interested at this time would be given an opportunity to be heard concerning said ordinance which was read in full.

One member of the public spoke regarding the ordinance: Helen Hirsch of 98 Park Avenue. No other person present desiring to be heard and no written protests or objections received, President Moyeno asked for a motion to close the hearing.

Councilman Hudock moved that the hearing be closed. Motion duly seconded by Councilwoman Castellano.

---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.

ORDINANCE AUTHORIZING THE HOBOKEN PARKING AUTHORITY TO ACQUIRE BY VIRTUE OF EMINENT DOMAIN, IF NECESSARY, CERTAIN REAL PROPERTY LOCATED AT 52-64 HUDSON STREET, HOBOKEN, NJ, AND THE PORTION OF THE PARCEL OF REAL PROPERTY LOCATED AT 51 - 83 WASHINGTON STREET, HOBOKEN, NJ, WHICH PORTION CONTAINS NO BUILDINGS, FOR THE CONSTRUCTION OF AN OFF-STREET PUBLIC PARKING FACILITY.

President Moyeno directed the City Clerk to announce that the Council would consider for final passage the aforesaid ordinance and all persons interested at this time would be given an opportunity to be heard concerning said ordinance which was read in full.

The following members of the public spoke regarding the ordinance: Dan Tumpson of 230 Park Avenue; Helen Hirsch of 98 Park Avenue; Edward Koenig of 120 N. Main Street, New City, N.Y.; at this time President Moyeno recused herself from the position of chairperson and Councilman Del Boccio assumed the chair. Speakers continued: Dominic Casulli of 921 Castle Point Terrace. No person present desiring to be heard and no written protests or objections received, Vice-President Del Boccio asked for a motion to close the hearing.

The City Council by the following vote closed the public hearing.

---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.

Meeting of May 2, 2001
At this time a motion to TABLE the ordinance was made as follows:
Councilman Cricco moved that the ordinance be TABLED.
Motion duly seconded by Councilwoman Andreula.
---Adopted by the following vote: YEAS: 6 - NAYS: 2 - ABSTENTIONS: 1
---Nays: Castellano, Hudock.
---Abstentions: President Moyeno.

At this time Council President Moyeno resumed the chair.

HEARING ON ORDINANCES

Third and Final Reading

Council President Moyeno then moved that the ordinance entitled, “ORDINANCE OF THE CITY OF HOBOKEN AMENDING CHAPTER 196 (ZONING) OF THE CODE OF THE CITY OF HOBOKEN, APPENDIX A: REDEVELOPMENT PLAN FOR THE NORTHWEST INDUSTRIAL AREA (THE NORTHWEST REDEVELOPMENT PLAN)” be taken from the table for its third and final reading.

Motion seconded by Councilman Cricco.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.

PETITIONS AND COMMUNICATIONS

01-1914

WHEREAS, Edward “Roy” Huelbig was born and raised in Hoboken, attended Our Lady of Grace Grammar School, David E. Rue Junior High School and Saint Michael’s High School in Jersey City; is widowed, with three children and five grand-children; and

WHEREAS, Roy Huelbig entered the US Army in 1943 and served in the European Theater of Operations, earning four battle stars in combat for his bravery, as well as a Purple Heart for wounds received in the Battle of the Rhine; and

WHEREAS, Roy Huelbig was appointed in 1948 to the Hoboken Fire Department after attaining first place on the City’s first Civil Service list and served the department with distinction; and

WHEREAS, Roy Huelbig has dedicated his retirement years to volunteer organizations such as the March of Dimes, the Hoboken Joint Memorial Committee, the Hoboken Elks, the Serve America program with the Hoboken Public Schools, United Cerebral Palsy as well as being an active parishioner of St. Lawrence Church; and

WHEREAS, Roy Huelbig is recognized throughout Hoboken and Hudson County for his outstanding devotion to Veterans Affairs so that we continue to honor the valiant and brave efforts of the men and women of the United States military who served to protect our nation;
NOW THEREFORE, I, ANTHONY RUSSO, Mayor of the City of Hoboken, do hereby issue this proclamation in honor of Edward “Roy” Huelbig, as Hoboken’s nominee for “2001 Hudson County Senior Citizen of the Year”, recognizing his lifelong contributions to the City of Hoboken and its citizens.

--Received and filed.

01-1915
A communication from the Hoboken Planning Board, favorably recommending the adoption of the amendment to Chapter 196 (Zoning) for the Northwest Redevelopment Area (R-480).

--Received and filed.

01-1916
Honorable Council of The City of Hoboken
94 Washington Street
Hoboken, NJ 07030

Dear Ladies and Gentlemen:

Pursuant to Section 38-2 of the Code of the City of Hoboken, I hereby re-appoint Jean Rodriguez, 540 Marshall Drive, as a Commissioner of the Hoboken Housing Authority to a five year term expiring May 3, 2006.

Sincerely,

Anthony Russo
Mayor

01-1917

APPLICATIONS FOR MISCELLANEOUS LICENSES

<table>
<thead>
<tr>
<th>Public Hack Drivers</th>
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</thead>
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<tr>
<td>Livery Drivers</td>
<td>12</td>
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<td>Mechanical Amusement Devices</td>
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<td>Vendor</td>
<td>1</td>
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<tr>
<td>Music Machines</td>
<td>1</td>
</tr>
</tbody>
</table>

---Councilwoman Castellano moved that the licenses be granted.
---Motion duly seconded by Councilman Del Boccio.
--- Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yea: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.

01-1918

REPORTS OF CITY OFFICERS

A report from City Clerk James Farina, regarding bids received on Friday, April 27, 2001, for Traffic Calming Device(s), bid #01-21; no bids received.
---Received and filed.

**CLAIM RESOLUTIONS**

By Councilwoman Castellano:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $331,598.88 against the UNCLASSIFIED CLAIMS.

Seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.

By Councilwoman Castellano:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $243,980.13 against the DEPARTMENT OF ADMINISTRATION.

Seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.

By Councilman Del Boccio:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $333,029.64 against the DEPARTMENT OF ENVIRONMENTAL SERVICES.

Seconded by Councilwoman Castellano.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.

By Councilwoman Andreula:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $36,647.56 against the DEPARTMENT OF HUMAN SERVICES.
Seconded by Councilwoman Castellano.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.

By Councilwoman Castellano:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $2,061.00 against the CAPITAL ACCOUNT.

Seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.

**PAYROLL RESOLUTIONS**

01-1920
By Councilwoman Castellano:

RESOLVED, THAT WARRANTS DRAWN ON THE CITY TREASURER, TO THE ORDER OF THE CITY TREASURER, IN PAYMENT OF SERVICES OF OFFICERS AND EMPLOYEES OF THE CITY OF HOBOKEN, FOR THE PERIOD MARCH 29, 2001 TO APRIL 11, 2001 FOR THE PAYROLL ARE HEREBY RATIFIED IN THE FOLLOWING AMOUNTS:

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<th>Account Num.</th>
<th>Regular Pay</th>
<th>Overtime</th>
<th>Other Pay</th>
<th>Total Pay</th>
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<td>6,830.00</td>
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<tr>
<td>Outside Employ.</td>
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<td></td>
</tr>
<tr>
<td>Police Grant.</td>
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<td></td>
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</tr>
<tr>
<td>Summer Lunch</td>
<td>G-02-40-302-00</td>
<td>314.85</td>
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<td>314.85</td>
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<td>Progrm</td>
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<td></td>
<td></td>
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<tr>
<td><strong>Grand Total</strong></td>
<td><strong>1,080,130.2</strong></td>
<td><strong>26,322.00</strong></td>
<td></td>
<td><strong>1,113,282.21</strong></td>
<td></td>
</tr>
</tbody>
</table>

Motion by Councilwoman Castellano.
Seconded by Councilman Del Boccio.

Meeting of May 2, 2001
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.

RESOLUTIONS

Presented and Read

01-1921
---By Councilman Del Boccio:

WHEREAS, these proposals did not meet the expectations of the Administration, and,

WHEREAS, the Purchasing Agent recommends the rejection of these bids, now, therefore, be it

RESOLVED, that the proposals for the operation of Landscape Maintenance on Pier “A”, submitted by the firms listed as follows:

Green Lawn Plus
P.O. Box 883
Ramsey, NJ 07466
$21,773.35

Trees Now, Inc.
409 East Saddle River Road
Upper Saddle River, NJ 07458
$48,600.00

FJH Landscape Co.
548 Mount Prospect Avenue
Clifton, NJ 07012
$18,560.00

Be and are hereby rejected, and, be it further

RESOLVED, that the Administration of the City of Hoboken, be, and is here authorized to re-advertise for these goods and/or services.

---Motion duly seconded by Councilwoman Castellano.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.

01-1922
---By Councilman Cricco:

BE IT RESOLVED, that the following SFY 2001 budget (ending 6/30/01) appropriation Transfers are hereby authorized by the City of Hoboken:

<table>
<thead>
<tr>
<th>CURRENT FUND</th>
<th>FROM</th>
<th>TO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Green Lawn Plus</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Trees Now, Inc.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>FJH Landscape Co.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Operations – Within “CAPS”:

<table>
<thead>
<tr>
<th>Description</th>
<th>Code</th>
<th>Amount</th>
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</thead>
<tbody>
<tr>
<td>UNCLASSIFIED O.E.</td>
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<tr>
<td>Copiers O.E.</td>
<td>1-01-23-213-020</td>
<td>$15,000.00</td>
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<tr>
<td>Claims against City O.E.</td>
<td>1-01-23-219-020</td>
<td>$30,400.00</td>
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<tr>
<td>North Hudson Mayor’s OE</td>
<td>1-01-23-222-030</td>
<td>$400.00</td>
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<tr>
<td>Acquisition of Vehicles</td>
<td>1-01-25-242-020</td>
<td>$22,000.00</td>
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<td>Solid Waste OE</td>
<td>1-01-26-305-021</td>
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<td>Recreation OE</td>
<td>1-01-28-370-021</td>
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</tr>
<tr>
<td>Telecommunications OE</td>
<td>1-01-31-450-000</td>
<td>$2,000.00</td>
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<tr>
<td>Gasoline OE</td>
<td>1-01-31-460-000</td>
<td>$15,000.00</td>
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<td>Municipal Court</td>
<td>1-01-43-490-021</td>
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<td><strong>TOTALS</strong></td>
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<td><strong>$91,400.00</strong></td>
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</table>

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.

**01-1923**
---By Councilwoman Castellano:

WHEREAS, SJP Properties has received permits for constructing of a Waterfront Corporate Center along River Street; First Street to Second Street, and –

WHEREAS, current construction work may cause a safety hazard to anyone and property in the immediate vicinity; and

WHEREAS, SJP Properties Corporation has requested that an added safety measure the City of Hoboken prohibits parking on the following street;

(A) Second Street, (both sides) beginning at the easterly curbline of Sinatra Drive and extending to the easterly curbline of River Street

RESOLVED, That parking is hereby prohibited including private vehicles by the employees or agents of the contractors within the construction zone. Monday through Friday for hours of 7:00 A.M. to 6:00 P.M. Starting on Monday May 7, 2001 and through and Inclusive Friday November 2, 2001. At which time this resolution may be subject to renewal for additional time if construction activity so requires it, and be it further

RESOLVED, that a copy of this resolution be presented to the Department of Administration Division of Signal & Traffic for immediate implementation of any necessary Public notices and signage. The Signal and Traffic Division prepare the necessary traffic regulations and notifications to the New Jersey Department of Transportation.

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.

01-1924
---By Councilwoman Castellano:

WHEREAS, HAMZA CORP. has made application to the Mayor and Council of the City of Hoboken for transfer of TAXICAB #21 SAHM CORP., and

WHEREAS, HAMZA CORP. has consented to said Transfer of Ownership and the application for Transfer of TAXICAB License #21 has been duly investigated as required by law; now, therefore, be it

RESOLVED, by the Council of the City of Hoboken that TAXICAB License #21, expiring MARCH 31, 2002 subject to all of its terms and conditions is hereby transferred to SAHM CORP. and be it

FURTHER RESOLVED, that the consenting to and granting of the aforesaid License to Operate or run a mechanically driven vehicle as a TAXICAB upon the streets of the City of Hoboken be not effective until such time as SAHM CORP. shall have filed with the Municipal Clerk. of the City of Hoboken, NJ an insurance policy of a company duly licensed to transact business under the insurance laws of the State of New Jersey in the sum of $30,000.00 together with the filing of a Power of Attorney in accordance with the provisions of R.S. 48:16-3.

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.

01-1925
---By Councilwoman Castellano:

WHEREAS, the City of Hoboken, Timothy Calligy, in his official capacity as Director of the Department of Environmental Services (“Director”) and James Bender, in his official capacity as Zoning Officer, were named defendants in litigation captioned Stack v. Calligy et. al. Docket No. Hud-L-8418-96 pending in the New Jersey Superior Court; and

WHEREAS, Director recommends settlement of the matter in the interest of economy; and

WHEREAS, by settling the matter, neither the City nor any defendant has admitted to any wrongdoing or liability;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Hoboken that the Council ratifies the action of the administration in authorizing the settlement of Stack v. Calligy et al. docketed as L-8418-96 in New Jersey Superior Court, Hudson County, and further authorizes the disbursement of a settlement check in the amount of $1,500.00 payable to “George Pappas, Esq. as attorney for Plaintiffs”; and be it

FURTHER RESOLVED Corporation Counsel be and is hereby authorized to execute any and all agreements, releases and other documents necessary to effectuate the settlement.

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.

01-1926
---By Councilman Cricco:

WHEREAS, the City Council has adopted the Northwest Redevelopment Plan pursuant to which it has entered into an Amended Developer’s Agreement (“ADA”) with Frank Raia, (“Redeveloper”) for the undertaking of a project consisting of the acquisition of certain property, identified as 900-1022 Madison Street, Hoboken, New Jersey and identified as Block 94, Lot 1 through 16.2 and Lots 17.1 through 32 together with Block 98, Lots 1.1 through 16 and Lots 21 through 32.2 on the official Tax Maps of the City of Hoboken, New Jersey; and the property commonly known as Block 98, Lots 1.1 through 16 and Lots 21 through 32.2 on the official Tax Maps of the City of Hoboken, New Jersey (hereinafter collectively referred to as “the “Property”) and the construction thereon of a supermarket; and

WHEREAS, it is necessary for the City to acquire the Property through condemnation proceedings; and

WHEREAS, the New Jersey Redevelopment Authority (NJRA”) has agreed to loan to Northwest Redevelopment Supermarkets, (L.L.C., (“Northwest”) the sum of $4,750.000 (the “Loan”), the purpose of which loan is to finance the majority of the purchase price of the Property, which is to be acquired by Northwest from the City contemporaneously with the City’s acquisition of title thereto pursuant to the Condemnation Action. Said Loan is to be secured by, among other things, a first mortgage on the Property and an assignment of developer’s rights under the ADA.

NOW, THEREFORE, be it Resolved by the City Council of the City of Hoboken as follows:

1. The City council acknowledges the loan, and consents to the execution and delivery of a first mortgage on the property in favor of NJRA and the assignment of development rights to secure same, provided that the City makes no promises or warranties as to the validity or enforceability of the Loan Documents, or the collectibility of the loan, and if NJRA exercises its rights under the assignment, and seeks to replace the redeveloper with any other party other than itself or its subsidiary, City Council approval will be required, which approval shall not be unreasonably withheld; and be it further

2. The City is hereby authorized to enter in to the attached agreement between the City, the Redeveloper, Northwest and NJRA and the Mayor be and is hereby authorized to execute said Agreement on behalf of the City.

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.

All regular business concluded the following members of the public spoke at the “Public Portion” of the meeting: Dominic Casulli, 921 Castle Point Terrace; Beverly Altomare, 313 Grant Street; Elizabeth Mason, 921 Hudson Street; Paul Grygiel, APPS Inc., 434 Sixth Avenue, NYC, home address 417 Adams Street; Dominic Casulli, 921 Castle Point Terrace (2nd time); Elizabeth Mason, 921 Hudson Street, (2nd time); Mary Ondrejka, 159 9th Street.
President Moyeno then adjourned the meeting at 8:45 p.m.

______________________________

PRESIDENT OF THE COUNCIL

______________________________

CITY CLERK
President Moyeno opened the meeting at 7:10 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 furnished to The Jersey Journal and The Hoboken Reporter, The Bergen Record, The Newark Star-Ledger and also placed on the bulletin board in the lobby of City Hall."

The Council President then called for the Salute to the Flag.

The Clerk then called the roll:

PRESENT: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.

ABSENT: None.

01-1927
APPLICATIONS FOR MISCELLANEOUS LICENSES

<table>
<thead>
<tr>
<th>Public Hack Drivers</th>
<th>2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Livery/Limousine Drivers</td>
<td>1</td>
</tr>
<tr>
<td>Vendor</td>
<td>2</td>
</tr>
</tbody>
</table>

---Councilwoman Castellano moved that the licenses be granted.
---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.

REPORTS OF CITY OFFICERS

01-1928


Certificate of Election
May 8, 2001

I, JAMES J. FARINA, City Clerk of the City of Hoboken, in the County of Hudson, and State of New Jersey, DO HEREBY CERTIFY that the foregoing is a true, full and correct statement of the result of the Municipal Election, held on May 8, 2001, as the same is exhibited by the canvass of returns made by the aforesaid District Boards of Registry and Election from all of the Election Districts of the City of Hoboken to me as City Clerk, according to law, and as exhibited by the statement of returns made by the County Board of Elections of the County of Hudson of all the Election Districts of the City of Hoboken to me as City Clerk, according to law, and that the same exhibits the whole number of votes cast for each person for the Office of Mayor and for the Office of Councilperson-at-Large of the City of Hoboken, on the day aforesaid, as filed in the Office of the City Clerk.

From such canvass I do find that:

The total number of votes received by each of the following named persons for the Office of Mayor of the City of Hoboken aforesaid is as follows:

- Dave Roberts .................................. 6,064
- Anthony Russo ................................. 4,759
- Daniel Tumpson ............................... 532

The total number of votes received by each of the following named persons for the Office of Councilperson-at-Large aforesaid is as follows:

- Ruben Ramos, Jr. .............................. 6,055
- Anthony ‘Tony’ Soares ..................... 5,627
- Carol Marsh ................................. 5,102
- James Fitzsimmons .......................... 3,782
- Stephen Hudock ............................... 3,490
- Nellie Moyeno ................................. 3,432
- Terry La Bruno ............................... 1,541
- Helen Hirsch ................................ 796
- Cheryl Fallick ................................ 559
- Alice C. Misiewicz .......................... 528
- Salvatore De Meo ............................. 386
- Carrie Gilliard .............................. 383

NOW THEREFORE, I, JAMES J. FARINA, City Clerk of the City of Hoboken, in the County of Hudson and State of New Jersey, do determine that at the said Municipal Election held on the 8th day of May, 2001 in the aforesaid City of Hoboken, that,

I, JAMES J. FARINA, City Clerk of the City of Hoboken, in the County of Hudson and State of New Jersey, DO HEREBY CERTIFY that:

1. I made and filed in my office as City Clerk of the City of Hoboken the canvass of returns received by me on the 8th day of May 2001 from the District Boards of Registry and Election of all the Election Districts in the City of Hoboken on the 8th day of May 2001, for the election of mayor and three (3) councilpersons-at-large for the City of Hoboken, pursuant to the provisions of N.J.S.A. 40:45-16, and that I made and filed the canvass of returns received by me on the 8th day of May 2001, from the County Board of Elections of the County of Hudson of all the Election Districts of the City of Hoboken, pursuant to the provisions of N.J.S.A. 40:45-16, and that on the same day I made and filed in my office the official results of said canvass and my determination that at the Municipal Election held on the 8th day of May 2001 in the City of Hoboken, DAVE ROBERTS, was duly elected to the Office of Mayor of the City of Hoboken; RUBEN RAMOS, JR., was duly elected to the Office of Councilperson-at-Large of the City of Hoboken; ANTHONY SOARES, was duly elected to the Office of Councilperson-at-Large of the City of Hoboken and
CAROL MARSH, was duly elected to the Office of Councilperson-at-Large of the City of Hoboken.

2. I issued and delivered to each of such successful candidates as aforesaid a Certificate of Election as provided by law.

3. Each of such successful candidates aforesaid has taken and subscribed the oath of allegiance as required by law, and the same are filed in the Office of the City Clerk.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City of Hoboken this 14th day of May 2001.

____________________________________
JAMES J. FARINA
CITY CLERK

STATEMENT of the result of the Municipal Election held in the City of Hoboken, in the County of Hudson and the State of New Jersey, on the 8th day of May 2001 for a Mayor and three (3) Councilpersons-at-Large for the City of Hoboken, from the canvass of returns received by JAMES J. FARINA, City Clerk of the City of Hoboken, New Jersey on the 8th day of May 2001, from the District Boards of Registry and Election of all the Election Districts of the City of Hoboken that conducted the said Municipal Election on May 8, 2001, made in compliance with the provisions of N.J.S.A. 40:45-16 and from the canvass of returns received by JAMES J. FARINA, City Clerk of the City of Hoboken, Hudson County, New Jersey on the 8th day of May, 2001 from the County Board of Elections of the County of Hudson, State of New Jersey, of all the Election Districts of the said City of Hoboken, pursuant to the provisions of N.J.S.A. 40:45-16.

The said DAVE ROBERTS having received the majority of votes cast at said Election for the Office of Mayor was duly elected Mayor of the City of Hoboken, New Jersey.

The said RUBEN RAMOS, JR. having received the majority of votes cast at said Election for the Office of Councilperson-at-Large, was duly elected Councilperson-at-Large of the City of Hoboken, New Jersey.

The said ANTHONY SOARES having received the majority of votes cast at said Election for the Office of Councilperson-at-Large, was duly elected Councilperson-at-Large of the City of Hoboken, New Jersey.

The said CAROL MARSH having received the majority of votes cast at said Election for the Office of Councilperson-at-Large, was duly elected Councilperson-at-Large of the City of Hoboken, New Jersey.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City of Hoboken, New Jersey, this 14th day of May 2001.

____________________________________
JAMES J. FARINA
CITY CLERK

---Received and filed.

01-1929
A report from City Clerk James Farina, regarding bids received on Friday, May 11, 2001, for 1) Landscape Maintenance – Pier “A”, bid #01-18, one (1) bid received; and 2) Supply of Gasoline/Diesel Fuel (Pumped), bid #01-19, no bids received.

---Received and filed.

01-1930
A report of the Municipal Court indicating receipts for the month of April 2001 as $260,934.85.

---Received and filed.

CLAIM RESOLUTIONS

01-1931
By Councilwoman Castellano:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $51,716.97 against the UNCLASSIFIED CLAIMS.

Seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.

By Councilwoman Castellano:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $57,483.26 against the DEPARTMENT OF ADMINISTRATION.

Seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.

By Councilwoman Castellano:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $108,672.00 against the DEPARTMENT OF ADMINISTRATION, SECTION 8.

Seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 7 - NAYS: 0 - ABSTENTIONS: 2
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Roberts, Soares.
---Nays: None.
---Abstentions: Ramos, President Moyeno.
By Councilman Del Boccio:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $157,660.20 against the DEPARTMENT OF ENVIRONMENTAL SERVICES.

Seconded by Councilman Cricco.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.

By Councilwoman Andreula:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $11,384.51 against the DEPARTMENT OF HUMAN SERVICES.

Seconded by Councilwoman Castellano.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.

By Councilwoman Castellano:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $1,929.31 against the CAPITAL ACCOUNT.

Seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.

By Councilwoman Castellano:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $75,887.98 against the LATE CLAIMS.

Seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.
By Councilwoman Castellano:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $13,087.50 against the CITY CLERK’S OFFICE, MUNICIPAL ELECTION OF MAY 8, 2001.

Seconded by Councilwoman Andreula.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.

PAYROLL RESOLUTIONS

01-1932

By Councilwoman Castellano:

RESOLVED, THAT WARRANTS DRAWN ON THE CITY TREASURER, TO THE ORDER OF THE CITY TREASURER, IN PAYMENT OF SERVICES OF OFFICERS AND EMPLOYEES OF THE CITY OF HOBOKE, FOR THE PERIOD APRIL 12, 2001 TO APRIL 25, 2001 FOR THE PAYROLL ARE HEREBY RATIFIED IN THE FOLLOWING AMOUNTS:

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<tr>
<th>Department</th>
<th>Account Num.</th>
<th>Regular Pay</th>
<th>Overtime</th>
<th>Other Pay</th>
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Meeting of May 16, 2001
Hispanic Affairs 1-01-27-331 20,812.13 20,812.13
Board of Health 1-01-27-332 11,975.97 1,953.18 13,929.15
Div of Housing Svc 1-01-27-346
Senior Citizens Div 1-01-27-336 11,882.63 11,882.63
Rent & Stabilization Bd 1-01-27-347 7,277.97 7,277.97
Transportation 1-01-27-348 4,209.30 506.64 4,715.94
Cultural Affairs 1-01-27-176 2,219.34 2,003.09 4,222.43
Public Defender 1-01-43-495 1,861.11 1,861.11
Construction Code 1-01-22-195 22,169.94 22,169.94
DDEF 0-01-55-901

Sub-Total 1,187,756.8 46,620.97 1,234,377.86

Other

Water Utility 0-05-20-701-01 2,148.23 563.85 2,712.08

Police Outside T-14-10-000-00 6,820.00

Employ.

Police Grant.

Fire Dept. Penalty T-13-10-000-00 954.60 954.60

Grand Total 1,189,905.1 48,139.42 6,820.00 1,244,864.54

Motion by Councilwoman Castellano.
Seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.

01-1932A
By Councilwoman Castellano:
RESOLVED, THAT WARRANTS DRAWN ON THE CITY TREASURER, TO THE ORDER OF THE CITY TREASURER, IN PAYMENT OF SERVICES OF OFFICERS AND EMPLOYEES OF THE CITY OF HOBOKEN, FOR THE PERIOD APRIL 26, 2001 TO MAY 9, 2001 FOR THE PAYROLL ARE HEREBY RATIFIED IN THE FOLLOWING AMOUNTS:

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Other

- Water Utility: 0-05-20-701-01
- Police, Outside: T-14-10-000-001
- Police Grant
- Summer Lunch: G-02-40-302-001

Grand Total

Motion by Councilwoman Castellano.
Seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.

RESOLUTIONS

Presented and Read

01-1933
---By Councilwoman Castellano:

At the recommendation of the Department of Administration, Division of Revenue and Finance, it is hereby

RESOLVED, that warrants be drawn on the City Treasurer in the grand total of $6,051.50 for reimbursement of retired employee’s and/or spouse PART B MEDICARE benefits deductions. The amount of reimbursement is opposite each name or names (attached) for PART B MEDICARE during the year 2000 as per the appropriation of the adopted budget.

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.

01-1934
---By Councilman Cricco:
WHEREAS, an overpayment of taxes has been made on the properties appearing on the list attached hereto, $1,550.05; and

WHEREAS, tax appeals were filed by the property owners; and

WHEREAS, tax counsel recommends a settlement in these matters, as reached in court; now, therefore be it –

RESOLVED, that a warrant be drawn on the Chief Financial Officer made payable to the taxpayers appearing on the attached list totaling $1,550.50.

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.

01-1935
---By Councilwoman Castellano:

WHEREAS, The Environment Committee of Hoboken and the City of Hoboken is sponsoring a farmers market along Newark Street south side River Street to Hudson Street and –

WHEREAS, The Farmers Market will be every Tuesday beginning June 26, 2001 and every Tuesday thereafter ending Tuesday, October 30, 2001 and –

WHEREAS, The Environment Committee of Hoboken request that the Council of the City of Hoboken suspend parking meter rules on that section of Newark Street south side, River Street to Hudson Street so that the farmers can park their trucks to sell their goods, Therefore, be it –

RESOLVED, that parking meters along Newark Street south side River Street to Hudson Street is hereby suspended on every Tuesday from 1:00 to 8:00 P.M. beginning Tuesday June 26, 2001 and ending Tuesday, October 30, 2001 and be it further –

RESOLVED, that the Signal & Traffic Division shall post the necessary signage to effect said rules; and be it further –

RESOLVED, that the Police Division shall enforce this regulation and be it further –

RESOLVED, that a certified copies of this resolution be provided to;

Mayor Anthony Russo
Director George Crimmins
Director Tim Calligy
Police Chief Carmen LaBruno
Fire Chief John Casessa
Superintendent Thomas Vecchione
Central Garage John Colegrove
Hoboken Parking Authority
Hoboken Environment Committee Donna Cahill, President

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.
01-1936
By Councilwoman Castellano:

WHEREAS, the Council of the City of Hoboken adopted on June 1, 1994 an ordinance entitled, “AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 192 OF THE CODE OF THE CITY OF HOBOKEN (PARKING FOR HANDICAPPED).” (The Ordinance) to regulate and control the application and approval process for the issuance of special handicapped parking spaces within the City of Hoboken; and

WHEREAS, the Ordinances requires an application fee of $130.00 be paid with every application submitted for a handicapped parking space and $125.00 to be refunded for any application deemed ineligible; and

WHEREAS, the Subcommittee for handicapped Parking, meeting in session, has found the following applicant ineligible for a handicapped parking space:

Bienvendo Morales
413 First Street

NOW THEREFORE, BE IT RESOLVED, that payment be made in the amount of $125.00 to the above mentioned applicant as a refund of an application fee for a handicapped parking space.

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.

01-1937
---By Councilwoman Castellano:

WHEREAS, David Mendoza, an employee of the Fire Division the Department of the Department of Administration filed a Petition with the New Jersey Department of Labor and Industry Division of Worker's Compensation for injuries sustained October 22, 1998; and

WHEREAS, on March 15, 2001, Honorable Stephen Tuber, Judge of Compensation, entered an Order Approving Settlement for the Petitioner David Mendoza, per attached; and

WHEREAS, Schneider, Goldberger et al P.C., 1700 Galloping Hill Road, Kenilworth, N.J. 07033 attorney for the Petitioner David Mendoza was awarded $1000.00; $650.00 was assessed against Petitioner David Mendoza; $350.00 was assessed against Respondent City of Hoboken; $100.00 was awarded Dr. Arthur Tiger (10/26/99); $50.00 was assessed against Petitioner David Mendoza; $50.00 was assessed against Respondent City of Hoboken; $34,000 was awarded to Schneider, Goldberger et al P.C. for Litigation expenses and medical records; $34.00 was assessed against Petitioner David Mendoza; $65.00 for stenographic services to Advanced Court Reporting assessed against Respondent City of Hoboken. These amounts are to be paid directly to persons entitled to same; now, therefore, be it

RESOLVED, that warrants be drawn on the City Treasurer to the following parties in the amounts set forth opposite their respective names for the purposes hereinabove stated:

<table>
<thead>
<tr>
<th>Party</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>David Mendoza</td>
<td>$2,604.42</td>
</tr>
<tr>
<td>Schneider, Goldberger et al P.C.</td>
<td>$1,000.00</td>
</tr>
</tbody>
</table>
Dr. Arthur Tiger
Schneider, Goldberger et al P.C.
(reimbursement litigation & med. records)
Advanced Court Reporting
$3,803.42

and be it further

RESOLVED, that the aforesaid total award of $3803.42 be charged to WORKERS’ COMPENSATION FUND.

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.

01-1938
By Councilman Del Boccio:

WHEREAS, Francis Garrick, an employee of the Department of Environmental Services filed a Petition with the New Jersey Department of Labor and Industry Division of Worker’s Compensation for injuries sustained July 6, 1990 and August 1990; and

WHEREAS, on March 15, 2001, Honorable Stephen Tuber, Judge of Compensation, entered an Order Approving Settlement for the Petitioner David Mendoza, per attached; and

WHEREAS, Solomon Lefkowitz, Esq. 437 60th Street, West New York, N.J. 07093, attorney for the Petitioner Francis Garrick was awarded $300.00; $300.00 was assessed against Petitioner Francis Garrick; $130.00 was for stenographic services to Advanced Court Reporting was assessed against was assessed against Respondent City of Hoboken. These amounts are to be paid directly to persons entitled to same; now, therefore, be it

RESOLVED, that warrants be drawn on the City Treasurer to the following parties in the amounts set forth opposite their respective names for the purposes hereinabove stated:

Francis Garrick $1,200.00
Solomon Lefkowitz, Esq. $ 300.00
Advanced Court Reporting 130.00

$ 1,530.00

and be it further

RESOLVED, that the aforesaid total award of $1,530.00 be charged to WORKERS’ COMPENSATION FUND.

---Motion duly seconded by Councilman Cricco.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.

01-1939
---By Councilwoman Castellano:
WHEREAS, the Purchasing Agent, Department of Administration, requests authorization of the Council to dispose of surplus City Equipment at auction on Friday, 1 June 2001, the said authorized pursuant to law, now therefore,

BE IT RESOLVED, the Purchasing Agent, Department of Administration, or his duly authorized representative is hereby authorized to expose for sale at Public Auction, Friday, 1 June 2001, at 11:00 A.M. in the City Hall, Court Room, 94 Washington Street, the equipment set forth on the attached list pursuant to law.

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.

01-1940
---By Councilwoman Castellano:

WHEREAS, the City Council of the City of Hoboken believes that it is in the vital interest of the residents of Hoboken that the residents be provided with an opportunity to receive, medical care; and

WHEREAS, the City of Hoboken owns premises located at 124 Grand Street, Second Floor East Wing, Hoboken, New Jersey, which, by resolution and agreement authorized this day, have been leased to St. Mary Hospital; and

WHEREAS, St. Mary Hospital is a non-profit organization which has agreed to provide Health Care Services to the City of Hoboken and its residents; and

WHEREAS, a proposed agreement has been drafted providing for the services that St. Mary Hospital shall provide to the City of Hoboken and its residents; and

WHEREAS, the City Council of the City of Hoboken has reviewed said proposed agreement, and finds same to be acceptable:

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Hoboken that the Mayor and Clerk of the City of Hoboken are hereby authorized and directed to execute the agreement with St. Mary's Hospital for the providing of Health Services to the residents of Hoboken; and

BE IT FURTHER RESOLVED, that the Municipal Clerk is hereby authorized and directed to forward the executed agreement to the appropriate individual at St. Mary Hospital for his/her execution.

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.

01-1941
---By Council Members Hudock, Del Boccio, Castellano, Moyeno, Ramos, Roberts, Soares:
WHEREAS, the City of Hoboken has limited open space available for recreational purposes for the citizens of the City;

WHEREAS, the piers in the Hudson River that have not been developed are available and appropriate for recreational purposes;

NOW THEREFORE BE IT RESOLVED that the City Planner is directed to prepare appropriate ordinances restricting the use of said piers for exclusive recreational purposes with accessory commercial components;

AND BE IT FURTHER RESOLVED that the development of any new Master Plan shall also include this restriction.

---Motion duly seconded by Council Members: Hudock, Del Boccio, Castellano, Moyeno, Ramos, Roberts, Soares.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.

01-1942
---By Councilman Cricco:

WHEREAS, by ordinance adopted May 20, 1998, the Council of the City of Hoboken, as the duly designated Redevelopment Agency of the City of Hoboken approved a redevelopment plan for the Northwest Redevelopment Area dated May 5, 1998, which document is on file with the City Clerk and available for public inspection; and

WHEREAS, on July 12, 2000, the City Council of the City of Hoboken passed a Resolution designating Mark Settembre and James Caulfield as the Redeveloper of a portion of the Northwest Redevelopment Area, specifically Block 95 Lots 6-10, contingent upon the execution of an acceptable Developer's Agreement; and

WHEREAS, the July 12, 2000 Resolution of the City Council of the City of Hoboken authorized the City to enter into an acceptable Developer's Agreement; and

WHEREAS, the Redeveloper has formed a limited liability company, 915 Madison Street, LLC, and has assigned its contract rights to the limited liability company; and

WHEREAS, the City Council of the City of Hoboken has reviewed the proposed Developer's Agreement, and finds same acceptable:

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Hoboken that 915 Madison Street, LLC is designated as the Redeveloper of a portion of the Northwest Redevelopment Area, specifically Block 95 Lots 6-10; and

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Hoboken that the Mayor of the City of Hoboken is hereby authorized to execute the proposed Developer's Agreement.

Before the vote was taken, one member of the public spoke regarding this and the two following resolutions: Daniel Tumpson, 230 Park Avenue.

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
WHEREAS, by ordinance adopted May 20, 1998, the Council of the City of Hoboken, as the duly designated Redevelopment Agency of the City of Hoboken approved a redevelopment plan for the Northwest Redevelopment Area dated May 5, 1998, which document is on file with the City Clerk and available for public inspection; and

WHEREAS, on July 12, 2000, the City Council of the City of Hoboken passed a Resolution designating Mark Settembre and James Caulfield as the Redeveloper of a portion of the Northwest Redevelopment Area, specifically Block 95 Lots 6-10, contingent upon the execution of an acceptable Developer’s Agreement; and

WHEREAS, the July 12, 2000 Resolution of the City Council of the City of Hoboken authorized the City to enter into an acceptable Developer’s Agreement; and

WHEREAS, the Redeveloper has formed a limited liability company, 900 Jefferson Street, LLC, and has assigned its contract rights to the limited liability company; and

WHEREAS, the City Council of the City of Hoboken has reviewed the proposed Developer’s Agreement, and finds same acceptable:

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Hoboken that 915 Madison Street, LLC is designated as the Redeveloper of a portion of the Northwest Redevelopment Area, specifically Block 95 Lots 6-10; and

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Hoboken that the Mayor of the City of Hoboken is hereby authorized to execute the proposed Developer’s Agreement.

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.

01-1944
---By Councilman Cricco:

WHEREAS, by ordinance adopted May 20, 1998, the Council of the City of Hoboken, as the duly designated Redevelopment Agency of the City of Hoboken approved a redevelopment plan for the Northwest Redevelopment Area dated May 5, 1998, which document is on file with the City Clerk and available for public inspection; and

WHEREAS, on June 7, 2000 the City Council of the City of Hoboken passed a Resolution designating 9th Street Properties, L.L.C. as the Redeveloper of a portion of the Northwest Redevelopment Area, specifically Block 87 Lots 13-20, contingent upon the execution of an acceptable Developer’s Agreement; and

WHEREAS, the June 7, 2000 Resolution of the City Council of the City of Hoboken authorized the City to enter into an acceptable Developer’s Agreement; and
WHEREAS, the City Council of the City of Hoboken has reviewed the proposed Developer’s Agreement, and finds same acceptable:

NOW THEREFORE BEIT RESOLVED by the City Council of the City of Hoboken that the Mayor of the City of Hoboken is hereby authorized to execute the proposed Developer’s Agreement.

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yea: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.

ORDINANCES

Introduction and First Reading

01-1945
R-483

ORDINANCE ENTITLED “AUTHORIZATION TO LEASE THE PREMISES LOCATED AT 124 GRAND STREET TO ST. MARY HOSPITAL PURSUANT TO THE LOCAL LANDS AND BUILDING LAW, N.J.S.A. 40A:12-1 ET. SEQ.

WHEREAS, the City of Hoboken (“the City”) owns premises located at 124 Grand Street, Second Floor East Wing, Hoboken, New Jersey, which premises are fit up and suitable for a Health care facility; and

WHEREAS, St. Mary Hospital is a non-profit organization which shall provide Health Care Services to the City; and

WHEREAS, the Local Lands and buildings Law, N.J.S.A 40 A: 12-15, authorizes a municipality to lease, without public bidding, such municipally-owned premises to such non-profit corporations for service of the public purposes delineated therein, provided that such municipal owned premises are determined to be unneeded for public use; and

WHEREAS, the premises located at 124 Grand Street have been determined to be unneeded for public use and, therefore, appropriate for lease to St. Mary Hospital.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF HOBOKEN THE ORDINANCE ENTITLED “AUTHORIZATION TO THE LEASE ON THE PREMISES LOCATED AT 124 GRAND STREET TO ST. MARY HOSPITAL PURSUANT TO THE LOCAL LANDS AND BUILDING LAW, N.J.S.A. 40A: 12-1 ET. SEQ. BE AND IS HEREBY ADOPTED:

The premises at 124 Grand Street, Hoboken, New Jersey are hereby determined to be unnecessary for public use, and as such the least of said premises, substantially in accordance with the form of Lease Agreement attached hereto and made a part hereof as “Exhibit A,” to St.Mary Hospital pursuant to the provisions of the Local Lands and Buildings Law, N.J.S.A. 40A:12-1 et_seq, is hereby authorized in accordance with the following terms and conditions herein pursuant to N.J.S.A. 40A:12-14(c):

1. St. Mary Hospital shall be the Lessee (“Lessee”).

2. The consideration under the lease shall be $10,000.00 Dollars as an annual rent.
3. The public purposes observed by the Lessee shall be provision of health care and services.

4. The number of persons benefiting from the public purpose served by the Lessee, whether within or without the City of Hoboken, will be approximately 2,000 per year.

5. The term of said lease shall be two (2) years with a start date of May 16, 2001.

6. The officer, employee or agency responsible for the enforcement of the lease shall be the Director of the Department of Human Services of the City of Hoboken.

7. The Lessee shall submit annually to the Director of the Department of Human Services a report setting out the use to which the leasehold was put during the year; the activities of the Lessee undertaken in furtherance of the public purpose for which the lease was granted; the appropriate value or costs, if any, of such activities in furtherance of the purpose; and an affirmation of the continued tax-exempt status of the non-profit corporation pursuant to State and Federal law.

8. The Lessee agrees to use the facility for the sole purpose of providing health care services and the Lessee activities. It will not rent or lease the facility for commercial purposes without first obtaining City permission nor will any commercial activities be conducted at the facility.

9. The Lessee will provide liability insurance and building insurance in adequate amounts and name the City as an insured party.

10. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

---Councilman Del Boccio moved that the ordinance pass its first reading as read and be laid on the table for public inspection to be further considered for final passage at a meeting of the Council to be held on JUNE 6, 2001 at 7:00 PM.

---Motion duly seconded by Councilman Cricco.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.
A. Purpose.

(1) R-1 District. The purpose of this district is to conserve the architecture, scale and grain of residential blocks and street patterns; to reinforce the residential character of the district; acknowledge the traditional relationship between Stevens Institute, adjacent residential neighborhoods and neighborhood retail businesses and services; to regulate those buildings and activities not comparable with district objectives.

(2) R-1 (E) Subdistrict. The purpose of the Educational Subdistrict is to acknowledge the interaction between Stevens Institute and the remainder of the R-1 District while at the same time modifying the specific conditions of this zoning district within the subdistrict boundaries shown on the Zoning Map in recognition of the unique requirements of an institution of higher learning, which may be inconsistent with standards prevailing elsewhere in the district. The design of buildings and uses in the R-1 (E) Subdistrict, particularly in portions of the buildings and uses in the R-1 (E) Subdistrict, particularly in portions of the subdistrict adjacent to the R-1 District, shall be integrated with prevailing character of adjacent districts, streets, buildings and uses. The Higher Education Subdistrict appears on the Zoning Map superimposed on the R-1 District, and its regulations supplement those of the district on which it is superimposed.

(3) R-1 (CS) Subdistrict. The purpose of the Court Street subdistrict is to preserve the architecture and scale of accessory structures fronting on Court Street, to encourage residential use, to control height and density in relation to limited utility service and fire fighting accessibility, to limit automobile traffic, to encourage pedestrian use, and to otherwise reinforce the scale and quality of this district.

B. Principal permitted uses shall be as follows:

(1) R-District:

   (a) Residential buildings.

   (b) Retail businesses and services in accordance with 196-33 of this chapter.

(2) R-1 (E) Subdistrict:

   (a) Colleges, universities or other institutions of higher learning, including buildings owned or leased for administration and faculty offices, classrooms, laboratories, chapels, auditoriums and lecture halls with less than one hundred (100) seats, libraries, student and faculty centers, dining halls, campus stores, athletic facilities and dormitories, fraternities, sororities and their houses, but excluding uses listed in 196-14D(2).

   (b) Residential buildings for faculty and staff.

(4) R-1 CS) Subdistrict as in R-1 District.

C. Accessory used shall be as follows:

(1) R-1 District:

   (a) Accessory garages.
(b) Home occupations.

(c) Signs. See 196-31.

(d) Other uses customarily incident to principal permitted uses and on the same lot.

(2) R-1 (E) Subdistrict: accessory uses customarily incident to principal uses within the subdistrict.

(3) R-1 (CS) Subdistrict: accessory uses customarily incident to principal uses within the subdistrict.

D. Conditional uses shall be as follows:

(1) R-1 District:

(a) Bars.

(b) Clubs and community centers.

(c) Educational uses not otherwise mentioned.

(d) Essential utilities or public services.

(e) Funeral homes.

(f) Instructional uses.

(g) Clinics and nursing homes.

(h) Nursery schools.

(i) Office buildings.

(j) Places of worship, associated residences and schools.

(k) Public buildings and uses, such as schools, libraries, parks and playgrounds.

(l) Professional or business offices, other than home occupations, when located above street level.

(m) Public parking facilities.

(n) Restaurants.

(o) Sidewalk cafes.

(p) Accessory uses customarily incident to a principal permitted use but not on the same lot.

(2) R- (E) Subdistrict.

(a) Auditoriums and lecture halls with one hundred (100) or more seats.
(b) Hospitals or health clinics.

(c) Physical plant, facilities maintenance and other similar buildings.

(d) Scientific or research laboratories and offices of corporations, institutions and other agencies, including governmental entities; such facilities may be accessory, public or a combination of both. Facilities for more than (5) vehicles will be subject to Sections 196-26 and 196-38R.

(e) Parking facilities whether owned exclusively by Stevens Institute or owned and operated jointly with the city or other governmental entities; such facilities may be accessory, public or a combination of both. Facilities for more than fifty (50) vehicles will be subject to Sections 196-26 and 196-38R.

(3) R-1 (CS) Subdistrict:

(a) Accessory apartments.

(b) Other uses as in the R-1 District.

E. Area, yard and building requirements for principal and accessory buildings shall be as follows:

(1) Lot area, minimum:

(a) R-1 District: two thousand (2,000) square feet.

(b) R-1 (E) Subdistrict: two thousand (2,000) square feet.

(c) R-1 (CS) Subdistrict: two thousand (2000) square feet.

(2) Lot width, minimum:

(a) R-1 District: twenty (20) feet.

(b) R-1 (E) Subdistrict: twenty (20) feet.

(c) R-1 (CS) Subdistrict: twenty (20) feet.

(3) Lot depth, minimum:

(a) R-1 District: one hundred (100) feet.

(b) R-1 (E) Subdistrict: one hundred (100) feet.

(c) R-1 (CS) Subdistrict: one hundred (100) feet.

(4) Lot coverage, maximum:

(a) R-1 District: sixty percent (60%).

(b) R-1 (E) Subdistrict: fifty percent (50%).

(c) R-1 (CS) Subdistrict:
[1] For principal building, sixty percent (60%).

[2] For accessory building, twenty percent (20%) or four hundred (400) square feet, but in no event shall the distance between principal and accessory buildings be less than twenty (20) feet.

(5) Building height:

(a) R-1 District principal buildings, a maximum of four (4) stories and in no event more than forty (40) feet above base flood elevation. Where new building occupies no more than fifty feet of frontage between two existing adjacent principal buildings whose height is lower than the maximum permitted for the district, the new structure shall match the height of the two buildings. Where the adjacent buildings are higher than the maximum permitted for the district, the new structure may match the lower of the two buildings. Final height in such a case includes any front parapet.

(b) R-1(E) Subdistrict: a maximum of four (4) stories or forty (40) feet for buildings within two hundred (200) feet of any residential district. Otherwise, a maximum of ten (10) stories or one hundred (100) feet.

(c) R-1(CS) Subdistrict: two thousand (2,000) square feet.

[1] For principal building, as in R-1 District.

[2] For accessory building, one (1) residential story over accessory garage, total height not to exceed thirty (30) feet.

(6) Yard dimension, minimum:

(a) R-1 District:

[1] Front: prevailing setback where applicable; otherwise, a maximum of ten (10) feet.

[2] Rear: thirty (30) feet or thirty percent (30%) of lot depth, whichever is less. In no event shall the rear building wall of extension, enlargement or new construction be permitted at depth greater than seventy (70) feet from the front lot line.

[3] Side: zero (0) or five (5) feet.

(b) R-1 Subdistrict:

[1] Front: prevailing setback where applicable; otherwise a minimum of ten (10) feet.
Rear: ten (10) feet.

Side: zero (0) or five (5) feet.

(c) R-1(CS) Subdistrict: see coverage.

(7) Other regulations in the R-1(E) Subdistrict:

(a) Distance between buildings, minimum: twenty-five (25) feet, plus one (1) foot for each foot of height that the taller building exceeds twenty five (25) feet.

(b) Building length, maximum: two hundred (200) feet. Vertical demarcations shall be required no less than every fifty (50) linear feet of building façade; these may be achieved by a change of color or material, by a stack of bay windows or balconies, or by a vertical “line” created by a variation in the surface of the façade (minimum variation of eight (8) inches). Additional vertical demarcations shall required no less than every one hundred (100) linear feet of building façade, which shall be achieved by a variation in the façade not less than four (4) feet in depth.

(c) Open space ratio, fifty percent (50%). On properties with an area of greater than (1) acre, open space shall be dispersed throughout the property to provide relief to all areas of the entire property and nearby areas.

(d) Buffer, minimum: a minimum twenty(20) foot wide planted and screened area shall be provided adjacent to any property line of a residential district or use.

F. Off-street parking shall be as follows:

(1) R-1 District:

(a) None permitted or required for residential use either new or existing. Where such use is located within eight hundred (800) feet of a public parking facility, the parking requirement shall be satisfied through participation in the Park & Shop program (or its successor or equivalent program) or other contractual arrangement with the parking operator. See Article XI.

(2) R-1(E) Subdistrict.

(a) For all dormitories or sorority or fraternity houses, at least one (1) off-street parking space for each two (2) beds. For all other residential uses, at least (1) parking space per dwelling unit.

(b) For theaters, auditoriums and other similar places of Assembly, at least (one (1) off-street parking space for every five (5) seats.)
(c) For all other structures in the subdistrict, exclusive of space for every one thousand (1,000) square feet of floor area.

(d) The requirements of this subsection may be complied with by group parking facilities provided within the subdistrict or on space owned or leased for such purpose in other non-residential districts. Required parking spaces shall be provided for each individual building or use and may not be credited to more than one building or use. Required parking spaces shall be provided for each individual building or use and may not be credited to more than one building or use. Required parking spaces for each building or use shall be provided before issuance of a certificate of occupancy.

(e) In the case of a combination of uses in one building, the Off-street parking requirement shall consist of the sum of the spaces required for each individual use.

(3) R-1 (CS) Subdistrict:

(a) For principal buildings, as in the R-1 District.

(b) For accessory apartments, one (1) off-street parking space in on-site garage below.

G. Building facades in the R-1(E) Subdistrict:

(1) Purpose. The purpose of this section is to encourage development of buildings located adjacent to residential zones to be sympathetic to and compatible with the adjacent neighborhood.

(2) Application.

(a) This subsection shall apply to the façade of any building in the R-1(E) Subdistrict that is located within one hundred (100) feet of a residential of a residential district.

(b) Terminology. The word “façade” as used in this section refers to the building wall facing the street. In most instances, this will be the only front wall. In the case of a corner building, the regulations apply to both building walls facing the street.

(3) Materials.

(a) To be used at least seventy-five percent (75%) of the building façade:


[2] Stone (e.g., brownstone, limestone, sandstone).

(b) To be limited to less than twenty-five (25%) of the building façade:

Façade:

[2] Synthetic stucco systems or exterior insulation and finish systems.


(4) Articulation. Variation in the surface is to be achieved with a combination of some or all of the following features: bay windows, balconies, stoops, and vertical and/or horizontal demarcations as outlined below:

(a) Vertical articulation: vertical demarcations shall be required no less than every fifty (50) linear feet of street façade; these may be achieved by a change of color or material, by a stack of bay windows or balconies, or by a vertical “line” created by a variation in the surface of the façade (minimum variation of eight (8) inches). Additional vertical demarcations shall required no less than every one hundred (100) linear feet of street façade, which shall be achieved by a variation in the façade not less than four (4) feet in depth.

(b) Horizontal articulation: horizontal demarcations shall be required for building taller than four (4) stories; these may be achieved by such elements as a cornice line, a course of brick or stone which projects or is differently colored or differently laid, or a floor (such as the ground floor) which has a different material from that of the main façade.

(5) Fenestration.

(a) All windows shall be inset in the masonry opening a minimum of 3 inches and shall be operable (i.e., ribbon windows and extensive glazing such as curtain wall construction shall not be permitted.)

(b) The pattern or rhythm of fenestration shall be similar to that of the Residential buildings on the balance of the same or opposite blockface to the greatest extent possible.

(c) Glazing shall represent at least forty-five percent (45%) of the total façade area.

(d) Garage openings and service areas shall not be permitted along any façade as defined in 196-14 g(2).

H. Sound and lighting standards in the R-1(E) Subdistrict:

(1) The use of loudspeakers or other public address systems shall be Prohibited between 10:00PM and 10:00AM.

(2) Sports lighting for lighted athletic fields may only be used during scheduled games of intercollegiate athletic teams or intramural activities. Any sports lighting shall be set back at least 100 feet from a property line adjacent to a residential district. Lighted athletic fields shall not be illuminated between 10:00 PM and 10:00 AM. Necessary security lighting for such fields may be provided by light fixtures mounted at a height of not more than twenty (20) feet above ground.
2. Chapter 196, section 38 is hereby amended by adding the following subsection:

   W. Conditional uses in the R-19E) Subdistrict. Any part of any building or facility containing, auditoriums and lecture halls with one hundred (100) or more seats, non-university laboratories and offices, physical plant, facilities maintenance and other similar buildings and parking facilities shall be located at least one hundred (100) feet from any property line adjacent to a residential district.

3. There are no further amendments to this Chapter.

4. In the event that any provision of this Ordinance shall be declared invalid by any court of competent jurisdiction, such declaration of invalidity shall not affect the remaining provisions of this Ordinance except insofar s such provision of this Ordinance as if declared invalid shall be inseparable from the remainder of any provision thereof.

5. Any ordinances which are in conflict with or inconsistent with the terms of this Ordinance are hereby repealed to the extent that they are in conflict with or inconsistent with the terms of this Ordinance.

6. This Ordinance shall take effect as provided by law.

---Councilman Soares moved that the ordinance pass its first reading as read and be laid on the table for public inspection to be further considered for final passage at a meeting of the Council to be held on JUNE 6, 2001 at 7:00 PM.

---Motion duly seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.

01-1947
R-485


THE CITY COUNCIL OF THE CITY OF HOBOKEN DOES HEREBY ORDAIN AS FOLLOWS:

1. CHAPTER 196 (Zoning) of the Code of the City of Hoboken, Appendix A: Redevelopment Plan for the Northwest Industrial Area (The Northwest Redevelopment Plan) is hereby amended as follows:

   Land Use and Building Bulk Regulations, application and interpretation

   The plan area will be sub-divided into Zones 1, 2, & 3. Zones 1 & 2 will permit residential use, Zone 3 will not. Otherwise, all other permitted uses will be the same in all zones. The primary difference between Zones 1 & 2 will be the building configuration possible for residential. A set of urban design guidelines is included in the plan and will apply to all new construction and substantial rehabilitation. Minimum site size is 10,000 s.f. unless otherwise specified.
Residential buildings, both principal and accessory, shall be constructed only within the boundaries of Zones 1 & 2 which permit residential use. Where a property owner owns and develops adjacent lots which overlap a residential and non-residential zone, no part of the principal or accessory residential building (e.g. accessory parking) shall be located within the abutting non-residential zone (Zone 3). Public recreation space created to generate bonus residential units shall be located on the same lots as the principal residential building receiving the bonus (i.e. only within the boundaries of Zone 1 or Zone 2) unless granted a special exception by the City Council or as indicated below in the Sub-Zone regulations and in the Urban Design Guidelines.

Permitted Land Uses – All Areas
The following uses are currently permitted in the underlying I-1 zone and may continue to be created as new uses or may be expanded (all other uses now listed in 196-17B(1) and D(1) of the Hoboken Zoning Ordinance as permitted or conditional uses are not permitted under the Plan but may continue as non-conforming uses and may be rehabilitated but not expanded unless specifically permitted under the Plan); parking and loading requirement is pursuant to 196-44 & 196-45 unless otherwise indicated.

See Urban Design Guidelines: General Building Bulk and Yard Requirements for application of street setbacks and yard locations.

Office/research labs: Bldg. Ht. 60ft. (4 floors at 50ft. total, over one floor of parking at 10ft.)

Yards, Min.: street setback requirements per guidelines; rear – 0 ft. up to 10 ft. above grade; 20 ft. for floors housing principal use above 10 ft.; open rear yard parking permitted with trellis covering or trees to buffer view from above on adjacent properties or enclosed parking, see lot coverage below

Lot coverage- 70% for floors housing the principal use; 90% for parking floor

Factory Outlet stores (free-standing)
Bldg. Ht.: 40 ft. (2 floors at 15 ft. per floor, over one floor of parking at 10ft)

Yards, Min.: street setback requirements per guidelines; rear – 0ft. to 10ft. above grade; 20ft. for floors housing principal use above 10ft.; open rear yard parking permitted with trellis covering or trees to buffer view from above on adjacent properties or enclosed parking, see lot coverage below

Lot coverage – 70% for floors housing the principal use; 90% for parking floor

Public parking garages:Bldg. Ht., max.: 60ft.

Yards, Min.: street setback requirements per guidelines; rear – 0ft. up to 10ft. above grade 5 ft. for remaining floors

Lot coverage, max.: 90%

USES PERMITTED PER THE PLAN; PARKING REQUIREMENTS
Minimum site size is 10,000 s.f. unless otherwise specified. Minimum parking is required pursuant to 196-44 unless otherwise specified.

Accessory parking for residential buildings shall be located as described above; accessory parking for non-residential uses located on floors above the groundfloor shall be satisfied on-site; retail or office uses which serve as required activity areas in corners of building base will not require parking if each gross area is less than 1000 s.f.; all other non-residential uses located on the groundfloor may satisfy their parking requirement on or off-site (at a public parking facility within 800 ft.).
Small scale retail: permitted on ground floor of all buildings in all sub-zones of the Plan area; required for corners of large-scale residential projects; limit of 1000 s.f. of customer service area only when located on groundfloor of residential buildings.

Commercial recreation: uses such as health clubs, gyms, billiards, bowling, skating, movie theaters, indoor play places for children, etc.; parking required per 196-44 or at current industry standards for urban locations.

Bars/restaurants/sidewalk cafes: 1000 s.f. limit for customer service area, sidewalk cafes per City Code; parking required at one space per four persons permitted pursuant to maximum occupancy code.

Professional & business offices/instructional & other educational uses.

Community facilities: uses such as educational facilities, daycare centers, charter schools and other social, recreational or cultural activities owned or operated by governmental or non-profit organizations.

Studios:

In Non-residential Buildings (a building with more than 51% of its gross floor area devoted to non-residential uses, excluding parking areas): Artist studio: non-residential work studio where artists (such as painter, sculptor, photographer, craftsperson but not limited thereto) may create and sell their own work; parking required at one space per 1000 gross s.f.

In Residential Buildings (a building with more than 515 of its gross floor area devoted to residential uses, excluding parking areas): Live/work studio: a residential unit where part of the unit is used as a work studio/sales area for an artist. The sales area is to be limited to the artist’s own work. No more than one additional person may work there. It shall be the developer’s responsibility to designate and design such studios to have proper sound insulation and ventilation as appropriate to such uses. The artist shall not use any devices or substances prohibited by applicable municipal, state and federal law(s), rule(s) and/or regulation(s). Such units may only be created where they abut (on at least one side) a parking area or another non-residential area. In a residential structure designed to have residential floor area masking the on-site parking floors (see Zone 1 and Zone 2 regulations below) or in a parking garage with residential units masking the façade, the studio/sales area shall have direct, exclusive access to the street or to the parking area such that non-artist residents are protected from the movement of materials, products or visitors to the studios. Where such a unit is used to satisfy the “activity area” requirement, the unit shall be duplex; the groundfloor portion may be used alternatively as an office by a resident professional living on the second floor so long as the groundfloor office has windows on the street as described in the Urban Design Guidelines below. One parking space required for the residential unit; non required for the studio area.

Dance, rehearsal or exercise studio: a large open space for the practice of the performing arts or for instruction in various physical skills (e.g. yoga, martial arts); parking required at one space per 400 s.f. of instructional area.

Music studios: areas for the recording, rehearsing & related performance of music; sound insulation shall be required to protect adjacent residential uses; parking required at one space per 1000 s.f.; if fixed seating is provided for performance space, additional parking will be required for that area at one space per 5 seats.

Gallery: a room in which works of art are displayed for sale or exhibition; may be operated.
commercially or communally by participating artisans; parking to be provided at one space per 400 s.f. of exhibition space

Communication/telecom services: establishments primarily engaged in the provision of broadcasting and other information technologies accomplished through the use of electronic, fiber optic cable and telephonic mechanisms (e.g. publishing, internet0; parking required at one space per 1000 gross. s.f.

Large scale retail (supermarket, shopping center): this use is encouraged to provide second floor space for various non-retail office space which does not normally require street frontage such as dance studios, daycare centers, educational and professional office uses; although open parking will be permitted, such sites are encouraged to provide enclosed parking facilities which can also function as public parking facilities; if facilities will have differing hours of operation, proof may be offered to show that some of the parking spaces may be “shared”

Site size, min.: 40,000 s.f.

Bldg. Ht. max.: 40 ft.

Yards, Min.: setback from east-west public streets or from east-west private streets along the line of extension of the curb-line of adjacent public street – 5 ft.; setback from north-south public streets – non required for building, 5 ft. required for open parking area

Permitted encroachment in setback area required from private street: overhead canopies/arcades provided to cover loading areas or to provide weather protection for pedestrians; up to but in no event beyond the curb line

Lot coverage, max.: 50% if open parking provided; 65% if parking garage is included

Parking:

Minimum of three spaces per 1000 s.f. of sales area of the supermarket; one space per 400 s.f. of other retail, office & instructional use; one space per four (4) movie theater seats

See Urban Design Guidelines: Parking & Parking Design

Zone 1

The following blocks will be permitted to have residential buildings: (Blocks B. 88; B.89; B.95; B.99;B.100; B.104. Lots 1-12&22-33;B.109; B110; B.114: Lots 1-10 & 24-33; B,115: Lots 1-14 19-32; b.150; B.151; b.156).

Where a re-developer chooses to combine residential use with permitted non-residential principal uses such as community facility or office or commercial recreation in a single building, all residential use – except for lobby access – must be located on floors above the other uses and have separate secure entrances. In such a case, the floor area of each use must be pro-rated relative to the site. Such pro-rating shall also apply to instances where pre-existing non-residential buildings remain whether for continued non-residential use or renovated for residential use. Residential floor area may abut parking areas which are physically separated but technically on the same level. Maximum building height shall be the maximum permitted for residential use and all residential floors shall have rear yards as required for residential buildings.
Where such a mixed-use building directly abuts an off-site residential development, The design shall be evaluated by the Planning Board as to potential negative impact on the access to light and air of the adjoining building’s residential floors.

Residential buildings shall be designed as follows:

Building Height five residential floors (50 ft.) over one floor (10 ft.) of parking (max. total building height 60 ft.) except as varied below where residential floors area is used to mask the parking, the ground floor residential shall no be counted as a “residential floor” so long as maximum FAR and density have not been exceeded; in such a design, the parking floors are completely masked and so long as all other regulations specified herein are complied with; the ground floor height may exceed 10ft. only to the extent necessary to raise the first residential floor level to base floor elevation

Bonus Bldg. Ht. where stoops are provided pursuant to the bonus provision described below, maximum total building height may exceed 60 ft.

Alternate A: where stoops are provided along the north- south frontage(s) of a site at least once every 50 ft., floor to floor heights may be increased to 11ft.; no fewer than two such stoops per north-south frontage may be provided to qualify for the bonus; in such a case, maximum building height is 65 ft.; if a parapet is required by BOCA or local Fire Dept. regulations, it shall not exceed in height the minimum required

Alternate B: where residential floor area is used to mask parking floors and stoops are provided along the north-south frontage(s) of a site at least once every 50 ft., floor-to-floor heights may be increased to 11ft.; the ground floor height may exceed 10 ft. only to the extent necessary to raise the first residential floor level to base floor elevation or to create a minimum four-step stoop; no fewer than two such stoops per north-south frontage may be provided to qualify for the bonus; if a parapet is required by BOCA or local Fire Dept. regulations, it shall not exceed in height the minimum required

Floor Area Ratio 3.0 for residential floor area; to be calculated using only those lots located within the residential zone boundary to be used for the residential structure (except as varied below)

- Bonus FA: where public recreation space is created within the footprint of the residential structure or on adjacent lots within the residential zone boundaries (unless granted special exception by the City Council), the builder may add an equivalent amount of floor area to the building in the form of one penthouse level occupying no more than half the area of the roof below and set back a minimum of ten feet from the front façade subject to the following controls:
  - the public recreation space may be no smaller than 50 ft. in size if open, 25 ft. by 25. ft. if enclosed
  - penthouse may not rise higher than 10 ft. above maximum building height permitted for the site

- Corner Bldgs.: any residential building which “wrap around” a corner may exceed the maximum floor area permitted for the principal portion of that structure only to the extent necessary to allow such building structure to be located anywhere within a square defined by a line drawn 70ft.along the lot lines extending
Density: max. dwelling units permitted on the site shall be calculated by dividing permitted FA (to be calculated at 3.0 as described above – whether the site is an interior or corner location) by 1000; bonus FA may be translated into additional dwelling units by dividing it by 1000.

Lot coverage: 60% for the residential portion of building (except on corner sites as described in the discussion of building depth and rear yards; see Urban Design Guidelines: General Building Bulk and Yard Requirements)

90% for parking level up to 10ft. above grade as required for second level as described above

Parking:
one space for each dwelling unit except for bonus units;
no spaces required for public recreation space or any publicly accessible activity areas required in the building base so long as no individual activity area exceeds 1000 s.f. gross

Zone 2

Blocks 80/81, 86 & 87 near the railroad along the Jersey City municipal boundary will be permitted to have residential buildings:

Where a re-developer chooses to combine residential use with permitted non-residential principal uses such as community facility or office or commercial recreation in a single building, all residential use – except for lobby access - must be located on floors above the other uses and have separate secure entrances. In such a case, the floor area of each use must be pro-rated relative to the site. Such pro-rating shall also apply to instances where pre-existing non-residential buildings remain whether for continued non-residential use or renovated for residential use. Residential floor area may abut parking areas which are physically separate but technically on the same level. Maximum building height shall be the maximum permitted for residential use and all residential floors shall have rear yards as required for residential buildings.

Where such a mixed-use building directly abuts an off-site residential development, the design shall be evaluated by the Planning Board as to potential negative impact on the access to light and air of the adjoining residential building or residential floors of such building.

The re-developer of Block 80/81, which currently is a merged block encompassing the formerly vacated portion of Jackson St. between 7th & 8th St. shall open Jackson St. through the block to the extent necessary to allow vehicular circulation by the public in a manner mutually agreed on between the re-developer and the city. The land itself may remain privately owned and maintained, may be counted toward developable floor area, but there shall be a permanent public easement provided to ensure public access along the designated right-of-way (ROW). If the vehicular ROW is designed as part of a programmable public space, the re-developer may design the ROW in a manner different in appearance and alignment from standard city streets subject to review by the city's engineer. If the ROW is so designed and programmed, the re-developer may count the area of the ROW toward a...
bonus and shall enter into an agreement with the city to permit limited closings for specified public events.

Where a single entity has been designated as re-developer of all of block 80/81 (with the exception of one lot owned by NJT) and Block 87 (lots 1-12 and 21-32), and whereas existing building may remain, the following rules may be applied: multiple principal buildings may be created so long as the maximum permitted floor area, maximum permitted lot coverages and minimum open space (i.e. yard areas) of the various uses are pro-rated as discussed above. The Planning Board may regard the combined site as a large-scale development and permit exceptions from the strict application of the setback requirements and the location of yards and parking in the interest of providing light, air and open space and a desirable visual environment so Long as the general intent of the Plan is carried out.

Residential buildings shall be designed as follows or pursuant to the Zone 1 option:

Building Height
ten residential floors (100 ft.) over maximum of two floors (20 ft.) except as varied below and under “Bonus FA”:

where residential floor area is used to mask the parking, such residential use shall not be counted as a “residential floor so long as maximum FAR and density have not been exceeded; if a combination of residential and non-residential (non-parking) floor area is so used, the parking may occupy up to two levels covering 90% of the site so long as the parking floors are completely masked and so long as all other regulations specified herein are complied with; the ground floor height may exceed 10 ft. only to the extent necessary to raise the first residential “floor” level to base flood elevation

a residential accessory parking structure may be 40 ft. tall if all such floors are completely masked by residential or other non-parking floor area on at least three sides so long as the roof the parking is landscaped and accessible to tenants of the site (see “Bonus FA” below); if the fourth side abuts an off-site development with the Plan area, the structure above the height must be set back a minimum of 15 ft. or sufficient to minimize any negative impact on the light and air of the adjoining property; the visible portion of the wall which is set back from the property line shall be designed in a manner to disguise the parking use; where such structure is proposed on land adjacent to the railroad on Blocks 80/81 or Block 86, maximum height is 60 ft. so long as the structure is not immediately adjacent to an off-site residential development.

Floor Area Ratio
3.0 9 except as varied below)

  o Bonus FA where public recreation space is created with the footprint of residential zone boundaries( unless granted special exception by the City Council), the builder may add an equivalent amount of floor area to the building addition no more than an additional two floors (20 ft., for a total building height of 140 ft.) subject to the following controls:

  o an area equivalent to at least 30% of any site attributable to residential use shall be developed ad accessible exclusively to site residents as private open space; such space may be calculated as any combination of on-grade areas and/or

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rooftops other than the roof above residential floors e.g. garage or office building roofs; bonusable public space may be proposed from remaining open areas whether on-grade or on rooftops (each 1.0 sq. ft. of rooftop space may generate 1.0 sq. ft. of bonus residential floor area only if the Planning Board find the design satisfactory including but not limited to the provision of easy and obvious accessibility to the public)

- the public recreation space may be no smaller than 50 ft. by 50 ft. in size if open, 25 ft. by 25 ft. if enclosed

**Density**  
max dwelling units permitted on the site shall be calculated dividing permitted FA by 1000; bonus FA ay be translated into additional dwelling units by dividing it by 1000

**Lot coverage**  
50% for the residential portion of the building or buildings; where multiple towers are planned, they shall be no closer than 60 ft. window to window; see Urban Design Guidelines : General building Bulk and Yard Requirements)

90% for first parking level up to 10 ft. above grade; if two levels of parking are created, the second floor of parking may not extend beyond a line drawn around all the exterior walls of the residential portion of the building; wherecompletemasking is provided as described under “BuildingHeight”above, the second parking floor may also cover 90%

**Parking**  
one space for each dwelling unit except for bonus units; spaces required for public recreation space or any publicly accessible activity areas required in the building base so long as no individual activity area exceeds 1000 s.f. gross

**Zone 3**
The following blocks or portions of blocks will not be permitted to have residential buildings or any structure housing a use accessory to a residential building. They will be permitted to have all other non-residential uses permitted in the Plan.

- Blocks 94/98
- Block 102, Lots 1-6 & 27-32
- Block 103, Lots 1-6 & 27-32
- Block 104, Lots 13-21
- Block 113, Lots 11-22
- Block 114, Lots 11-23
- Block 115, Lots 15-18

Block 94/98, which currently is a merged block encompassing the formerly vacated Tenth St., shall open Tenth St. through the block to allow vehicular circulation by the public. The land itself may remain privately owned and maintained but there shall be a permanent public easement provided to ensure public access along the designated right-of-way. The subject area may be counted toward developable floor area and need not provide the mandated setbacks for east-west streets except as provided above or below.

Where the specified lots on Blocks 102, 103, and 113 are developed as single entities, the rear yard shall be measured from the Plan boundary line running east-west through the subject blocks.
URBAN DESIGN GUIDELINES
The urban design guidelines are to be applied within the redevelopment area for all new construction and to substantial alterations (where possible). Signage shall be governed by 196-31A & B. Roof coverage shall be governed by the limitations specified in 196-23A for residential districts (roof appurtenances shall include decorative roof forms).

General Building Bulk and Yard Requirements

• 10 ft. minimum front yd. setback required from north-south streets for entire structure (including garage base) for all uses except large-scale retail, see below; stoops may encroach into the street setback area

• 5 ft. minimum side-street setback required from east-west streets at 40ft. above grade (or at the floor level closest to 40 ft. above grade) for all uses except free-standing parking garages

• rear yard to be measured from mid-block line (N-S) except as modified elsewhere in the text

• balconies/decks/bay windows within project lot lines will be counted toward lot coverage so long as their aggregate they do not exceed five (5) percent of the site area; in no event may such projections encroach into the north-south street setback area below a height of 10ft. above grade nor may they encroach into the east-west street setback at 40ft. above grade

• corner sites other than large-scale developments (where building wraps around the corner)

• rear wall of the residential portion of a building may not be more than 70 ft. distant from the street lot line measured along a line running perpendicularly from said lot line toward the interior of the lot whether on the N-S or E-W street

• rear yard to be measured as follows: an area with a minimum depth of 30 ft. must be provided between the rear wall of a residential building or portion of building and the nearest lot line or the N-S mid-block line (where a garage forms the ground floor of the building, rear yards are to be measured behind the first residential floor).

• Rear yard for a double corner building to be measured as follows: an area with a minimum depth of 30 ft. must be provided between the rear wall of a residential building or portion of building facing the east-west street and the nearest east-west lot line; where a residential building is single-loaded on one of the north-south streets, a minimum distance of 60 ft. shall be provided in the interior of the site between the rear walls of the residential structures facing the north-south streets (where a garage forms the ground floor of the building, rear yards are to be measured behind the first residential floor facing the interior courtyard.)

• Any residential building which “wraps around” a corner may exceed the maximum lot coverage permitted for the principal portion of that structure only to the extent necessary to allow such building structure to be located anywhere within a square defined by a line drawn 70ft. along the lot lines extending in each direction from the street intersection and two perpendicular lines drawn to connect them, provided that all setback requirements have been met.

Building Base Design
Windows/doors/stoops required as activity points at least every 10 ft. of a building façade as follows (activity areas satisfy this requirement):

windows to be designed as follows;

- The sill shall begin at a height no greater than 4ft.-6 inches above the average grade of the blockfront on which is located
  - Where residential floor area is used to mask parking floors, the window may begin at a height demonstrated by the applicant as reasonable for the residential design; in such case, the base of the building shall be heavily landscaped
- such window shall have an opening no smaller than two feet by two feet
- window openings must have decorative grill work where glass is not provided (see Parking & Parking Design below)
- doors are to be provided at least every 100 ft. of street facade

at least one prominent pedestrian entrance/lobby required on every N-S street front of the building base

Parking & Parking Design

• garages – whether free-standing or comprising a building base, they are to be designed as follows:
  - all exposed facades are to be clad like residential or office buildings to the greatest extent possible (applied facades are required for robotic garages and are to be designed to be compatible with adjacent buildings)
  - where public parking garages are adjacent to residential structures, special design considerations regarding aesthetics, noise and light are to be given to the façade and window treatment on any wall facing the residential structure
  - all building base garage roofs are to be landscaped and accessible to tenants; a portion of the roof may be used as private terraces for immediately adjacent units; in no event may the area of such private terraces exceed the length of the unit and a depth of 10 ft.
  - no more than one driveway will be permitted per 100 ft. of street frontage
  - public parking facilities can be used to satisfy non-residential off-street parking requirements for land uses within 800 ft. as described above with proof of lease or equivalent
  - window openings are required where the garage forms the building base and shall be designed in the same style as the building above; no window openings may begin below 4ft.-above grade no may they be larger than three ft. by three ft.; decorative grills, glass blocks or similar material designed to create 50% opacity or evergreen buffer planting shall be provided to block the view into the garage no parking will be permitted except as specified:
• rear yard parking (where permitted) must be trellised or landscaped to provide screening from above and must be paved with decorative brick pavers, grass pavers or the equivalent.

no parking is permitted in any required street setback area

Large scale Retail (Supermarkets/Shopping Centers)

o 5 ft. setbacks will be required from north-south streets only for the parking area; 5 ft. setbacks will be required from east-west public streets or the line of extension of a public street- no other yard requirements apply; see “Uses Permitted Pursuant to the Plan” for lot coverage limitations and permitted encroachments.

o loading dock size shall be determined after consultation with the Directors of Environmental Services and Public Safety as to what size tractor-trailer can safely access the site.

o in no event shall the required loading dock be smaller than 33 ft. in length, 12 ft. in width and 14 ft. in vertical clearance the loading docks shall be enclosed by the building and screened along street frontages as follows:

o the roof of the building or a substantial canopy structure must cover the entire loading dock area as viewed from above (roof plan view).

o roll-down doors shall be provided for each individual loading dock.

o no signs shall be attached to any structure in the loading dock/trash/recycling area other than a single sign no larger than 2 ft. by 2 ft. indicating information dictated by local regulations or providing emergency phone numbers.

• in order to provide street wall articulation and visual relief, windows, doors, plantings and/or artwork shall be provided every 10 ft. along the street façade other than the loading area n some combination of the following (note that a single row of street trees is required):

  ▪ _fenestration_ shall occupy a minimum of 50% of the linear street frontage; it shall begin at a height such that passersby can view the activity inside the store; where individual windows are used (as opposed to ribbon windows), there shall be no more than 10 ft. of linear distance between them.

  ▪ the benches specified by the Washington St. streetscape specs. may be placed inside the setback area of between the street trees which shall be spaced every 25 ft. or as appropriate for mature size of the species of tree chosen; so long as the seating area is lighted and firmly anchored.

  ▪ mural (applied directly or attached), recesses or projections treated with decorative masonry or ironwork (no smaller than 4 ft. by 4 ft.), or other artwork to be approved by the Planning board.

  ▪ evergreen ivy or other vines using trellises or shrubs which provide year-round interest may be planted in the areas between the required windows.

  ▪ a screened and covered trash and recycling area shall be provided adequate for the private or public pick-up schedule (to be shown to the Planning Board); it shall be located in or immediately adjacent to the loading area.
open parking for large-scale retail uses shall have:

- a driveway giving access to parking area (no backing over curb)
- a single row of trees along the curb as well as buffer landscaping along the street side of the open parking area (may be combination of ferns, shrubs, & decorative fences to a height of at least three feet above sidewalk grade)

**Streetscape Requirements**

- double row of street trees on north-south streets at least every 25ft. or as appropriate for the tree species chosen (one row along the curb, one row inside the property line); see planting requirement for large-scale retail above
- new sidewalks and curbs, lighting and other street furniture pursuant to the Washington Street streetscape specifications as amended
- activity areas such as retail, office or ancillary uses (such as laundry rooms or gym facilities or live/work studios in residential buildings) required in corners of building base (activity areas available to the public will not require parking if each gross area is less than 1000 s.f.)
- any site having only the minimum required site size (10,000 s.f.) regardless of location on the block may satisfy the activity area requirement with a prominent lobby/pedestrian entrance sites from 10,000 s.f. to 20,000 s.f. in area:
- activity areas required at street corners of at least 400 s.f. in area; where a façade is no longer than 100 ft., a lobby may be used to satisfy the activity area requirement; any street façade longer than 100 ft. must provide either an activity area or at least two stoops
- east-west street façade must have at least one significant pedestrian or vehicular pedestrian entrance
- north-south street façade must have at least one significant pedestrian entrance/lobby sites larger than 20,000 s.f. in area:
  - activity area required at street corners and interior corners of at least 400 s.f. in area; lobby may not be used to satisfy the activity area requirement
  - east-west street façade must have at least one significant pedestrian or vehicular/pedestrian entrance
  - north-south street façade must have at least one significant pedestrian entrance/lobby or one activity area every 100ft.

**Public Recreation Space:**

- If intended to generate bonus residential space, the public recreation space must be located on lots zoned for residential use see Sub-Zone regulations for special application

Enclosed space must be available to the public as follows:

- with a fee but subject to reasonable scheduling by the building management or coop board – signage at location should direct interested parties to the individual who can provide information and access
• space must be serviced with lights, electric outlets, sink and toilet
• minimal furnishing must be available in the form of folding tables and chairs which may be kept in a locked area of the room with the key readily available from the management
• room must be available during the week at least from mid-afternoon to evening hours and during morning hours as well on weekends
• signage must be placed to clearly indicate location and accessibility of the public space (must be open at least 6 hours between 2pm & 10pm; weekends between 10am and 5pm)

Open Space must be designed as follows:

- designed & built for at least passive use (plantings & park furniture required)
- design to be approved by Planning Board property owner must provide permanent public easements signage must be placed to clearly indicate location and accessibility of the public open space (must be open at least 12 hours between 8am & 10pm)

landscaped rooftops which are attributed to the rear yard/private open space
requirement of the residential building surrounding them may not be credited toward public recreation space, see full discussion under Sub-Zone 2 regulations

Miscellaneous

1. bay windows and stoops extending no more than eighteen inches into the street right–of-way may be approved by the Planning Board on presentation of appropriate liability insurance approved by the City attorney minimum dwelling unit size 750 s.f.

2. There are no further amendments to this Ordinance.

3. All ordinances or parts of ordinances inconsistent herewith are repealed to the extent of said inconsistencies.

4. This ordinance shall become effective pursuant to law.

---Councilman Cricco moved that the ordinance pass its first reading as read and be laid on the table for public inspection to be further considered for final passage at a meeting of the Council to be held on JUNE 6, 2001 at 7:00 PM.

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.

All regular business concluded the following members of the public spoke at the “Public Portion” of the meeting: Tom Kennedy, 10 Church Towers; Lynda Walker, 210 Harrison Street; Elizabeth Mason, 921 Hudson Street.
President Moyeno then adjourned the meeting at 7:52 p.m.

PRESIDENT OF THE COUNCIL

CITY CLERK
MEETING OF JUNE 6, 2001

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, JUNE 6, 2001 AT 7:00 PM

President Moyeno opened the meeting at 7:13 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 furnished to The Jersey Journal and The Hoboken Reporter, The Bergen Record, The Newark Star - Ledger and also placed on the bulletin board in the lobby of City Hall."

The Council President then called for the Salute to the Flag.

The Clerk then called the roll:

PRESENT: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Roberts, Soares, and President Moyeno.

ABSENT: Ramos.

HEARING ON ORDINANCES

Second Reading and Public Hearing

ORDINANCE ENTITLED "AUTHORIZATION TO LEASE THE PREMISES LOCATED AT 124 GRAND STREET TO ST. MARY HOSPITAL PURSUANT TO THE LOCAL LANDS AND BUILDING LAW, N.J.S.A. 40A:12-1 ET. SEQ.

President Moyeno directed the City Clerk to announce that the Council would consider for final passage the aforesaid ordinance and all persons interested at this time would be given an opportunity to be heard concerning said ordinance which was read in full.

One member of the public spoke regarding the ordinance; Helen Hirsch, 98 Park Avenue. No other person present desiring to be heard and no written protests or objections received, President Moyeno asked for a motion to close the hearing.

Councilman Hudock moved that the hearing be closed. Motion duly seconded by Councilman Del Boccio.

---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Roberts, Soares, and President Moyeno.
---Nays: None.
---Absent: Ramos.

ORDINANCE OF THE CITY OF HOBOKEN AMENDING CHAPTER 196 (ZONING) OF THE CODE OF THE CITY OF THE CITY OF HOBOKEN, ARTICLE V, SCHEDULE I: RESIDENTIAL DISTRICTS TO AMEND CERTAIN REGULATIONS OF THE R-1(E) EDUCATIONAL SUBDISTRICT AND TO AMEND ARTICLE X, CONDITIONAL USES.

President Moyeno directed the City Clerk to announce that the Council would consider for final passage the aforesaid ordinance and all persons interested at this time would be given an opportunity to be heard concerning said ordinance which was read in full.

No person present desiring to be heard and no written protests or objections received, President Moyeno asked for a motion to close the hearing.

Councilman Hudock moved that the hearing be closed. Motion duly seconded by Councilman Cricco.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Roberts, Soares, and President Moyeno.
---Nays: None.
---Absent: Ramos.

---Adopted by the following vote: YEAS: 7 - NAYS: 0 - ABSENT: 1 - ABSTENTIONS: 1
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Roberts, Soares, and President Moyeno.
---Nays: None.
---Absent: Ramos.
---Abstentions: Hudock.

HEARING ON ORDINANCES

Third and Final Reading

Council President Moyeno then moved that the ordinance entitled, "ORDINANCE ENTITLED \"AUTHORIZATION TO LEASE THE PREMISES LOCATED AT 124 GRAND STREET TO ST.}\n
---Absent: Ramos.
MARY HOSPITAL PURSUANT TO THE LOCAL LANDS AND BUILDING LAW, N.J.S.A. 40A:12-1 ET. SEQ. be taken from the table for its third and final reading.

Motion seconded by Councilman Del Boccio.  
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1  
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Roberts, Soares, and President Moyeno.  
---Nays: None.  
---Absent: Ramos.

Council President Moyeno then moved that the ordinance entitled, "ORDINANCE OF THE CITY OF HOBOKEN AMENDING CHAPTER 196 (ZONING) OF THE CODE OF THE CITY OF HOBOKEN, APPENDIX A: REDEVELOPMENT PLAN FOR THE NORTHWEST INDUSTRIAL AREA (THE NORTHWEST REDEVELOPMENT PLAN)" be taken from the table for its third and final reading.

Motion seconded by Councilman Cricco.  
---Adopted by the following vote: YEAS: 7 - NAYS: 0 - ABSENT: 1 - ABSTENTIONS: 1  
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Roberts, Soares, and President Moyeno.  
---Nays: None.  
---Absent: Ramos.  
---Abstentions: Hudock.

PETITIONS AND COMMUNICATIONS

01-1948  
A communication from the Hoboken Planning Board regarding the proposed amendments to Chapter 196 (Zoning).

---Received and filed.

01-1949  
WHEREAS, the Luzzi family has lived in Hoboken since 1883 and have become woven into the social fabric of our community; and

WHEREAS, Leonard A. Luzzi, a lifelong resident of Hoboken, married Marie Loffredo in 1967 and they are the proud parents of Leonard, Jr. and Joseph, and grandparents of four; and

WHEREAS, Lenny Luzzi has a long history of civic involvement, serving as past President to the Hoboken Jaycees, a member of the Hoboken Civil Defense, past President of Saints Peter and Paul Holy Name Society, its Parish Council and their Boy Scout Troop #146; and

WHEREAS, Lenny Luzzi also served as the Chairman of the Hudson County World War II Fiftieth Anniversary Commemorative Committee, as a member of the Hoboken Mayor’s Waterfront Advisory Committee, as a member of the Hoboken Preservation Committee since 1992, Vice President of the Hoboken Battleship New Jersey Committee, President of the Hoboken Historical museum and as a member of the New Jersey Historic Sites Council from 1997 through 2001; and
WHEREAS, Lenny Luzzi has demonstrated his commitment to preserving Hoboken history and ensuring that future generations can learn from the significant historical contributions that have made Hoboken so unique;

NOW THEREFORE, I, ANTHONY RUSSO, Mayor of the City of Hoboken, do hereby issue this proclamation appointing Leonard A. Luzzi to the position of City Historian, in recognition of his lifelong commitment to preserving the history of the City of Hoboken and its citizens.

--Received and filed.

01-1950

APPLICATIONS FOR MISCELLANEOUS LICENSES

Raffles ----------------------------------------------- 1
Livery Owners ---------------------------------------- 6
Public Hack Drivers --------------------------------- 3
Livery Drivers --------------------------------------- 3
Vendor --------------------------------------------- 3
Music Machines ------------------------------------- 1
Carnival -------------------------------------------- 1
Mechanical Amusement Devices ------------------------ 3

---Councilwoman Castellano moved that the licenses be granted.
---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Roberts, Soares, and President Moyeno.
---Nays: None.
---Absent: Ramos.

REPORTS OF CITY OFFICERS

01-1951
A report from Municipal Tax Collector Louis Picardo for taxes collected; for the month ending April 30, 2001 - $6,667,201.71.

---Received and filed.

01-1952
A report from City Clerk James Farina, regarding bids received on Friday, June 1, 2001, for Intersection Improvements, bid #01-21.

---Received and filed.

01-1953
A report from City Clerk James Farina, regarding bids received on Wednesday, June 6, 2001, for Summer Lunch Program, bid #01-20.

---Received and filed.

01-1954
A report of the Municipal Court indicating receipts for the month of May 2001 as $309,924.29.
---Received and filed.

CLAIM RESOLUTIONS

01-1955
By Councilwoman Castellano:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $737,576.52 against the UNCLASSIFIED CLAIMS.

Seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Roberts, Soares, and President Moyeno.
---Nays: None.
---Absent: Ramos.

By Councilwoman Castellano:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $185,372.75 against the DEPARTMENT OF ADMINISTRATION.

Seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Roberts, Soares, and President Moyeno.
---Nays: None.
---Absent: Ramos.

By Councilman Del Boccio:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $57,132.37 against the DEPARTMENT OF ENVIRONMENTAL SERVICES.

Seconded by Councilwoman Castellano.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Roberts, Soares, and President Moyeno.
---Nays: None.
---Absent: Ramos.

By Councilwoman Andreula:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in
payment of approved claims totaling $47,286.63 against the DEPARTMENT OF HUMAN SERVICES.

Seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yea: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Roberts, Soares, and President Moyeno.
---Nays: None.
---Absent: Ramos.

By Councilwoman Castellano:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $700.00 against the CAPITAL ACCOUNT.

Seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yea: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Roberts, Soares, and President Moyeno.
---Nays: None.
---Absent: Ramos.

By Councilwoman Castellano:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $12,769.84 against the CITY CLERK’S OFFICE, MUNICIPAL ELECTION OF MAY 8, 2001.

Seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yea: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Roberts, Soares, and President Moyeno.
---Nays: None.
---Absent: Ramos.

By Councilwoman Castellano:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $17,549.05 against the LATE CLAIMS.

Seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yea: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Roberts, Soares, and President Moyeno.
---Nays: None.
---Absent: Ramos.
PAYROLL RESOLUTIONS

01-1956
By Councilwoman Castellano:

RESOLVED, THAT WARRANTS DRAWN ON THE CITY TREASURER, TO THE ORDER OF THE CITY TREASURER, IN PAYMENT OF SERVICES OF OFFICERS AND EMPLOYEES OF THE CITY OF HOBOKEN, FOR THE PERIOD MAY 10, 2001 TO MAY 23, 2001 FOR THE PAYROLL ARE HEREBY RATIFIED IN THE FOLLOWING AMOUNTS:

<table>
<thead>
<tr>
<th>Department</th>
<th>Account Num.</th>
<th>Regular Pay</th>
<th>Overtime</th>
<th>Other Pay</th>
<th>Total Pay</th>
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<tbody>
<tr>
<td>Mayor's Office</td>
<td>1-01-20-110</td>
<td>16,659.58</td>
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<td>City Council</td>
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<td>City Clerks</td>
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<td>9,386.95</td>
<td>195.75</td>
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<td>9,582.70</td>
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<td>Elections</td>
<td>1-01-20-122</td>
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<tr>
<td>Corporation Counsel</td>
<td>1-01-20-155</td>
<td>9,674.49</td>
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<td>Bus Adm. Office</td>
<td>1-01-20-112</td>
<td>5,497.52</td>
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<td>ABC Board</td>
<td>1-01-20-113</td>
<td>269.24</td>
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<td>Purchasing Dept.</td>
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<td>Finance Supervisor</td>
<td>1-01-20-130</td>
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<tr>
<td>Accounts &amp; Controls</td>
<td>1-01-20-131</td>
<td>6,612.98</td>
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<td>Payroll Division</td>
<td>1-01-20-132</td>
<td>3,801.03</td>
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<td>Personnel</td>
<td>1-01-20-105</td>
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<td>Tax Collector's</td>
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<td>Assessor's Office</td>
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<td>Treasurer's</td>
<td>1-01-20-131</td>
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<td>Emergency Mgmt</td>
<td>1-01-25-266</td>
<td>987.60</td>
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<td>Police Division</td>
<td>1-01-25-241</td>
<td>413,786.64</td>
<td>17,267.72</td>
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<td>431,054.36</td>
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<td>Crossing Guard</td>
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<td>Fire Division</td>
<td>1-01-25-266</td>
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<td>Water Utility</td>
<td>0-01-26-774</td>
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Meeting of June 6, 2001
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<thead>
<tr>
<th>Department</th>
<th>Code</th>
<th>Expenses</th>
<th>Budget</th>
<th>Development</th>
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</thead>
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<tr>
<td>Grants Management</td>
<td>1-01-20-116</td>
<td>7,288.18</td>
<td>7,288.18</td>
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<td>Signal &amp; Traffic Dept.</td>
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<td>234.72</td>
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<td>Public Library</td>
<td>1-01-29-390</td>
<td>22,113.74</td>
<td>688.11</td>
<td>22,801.85</td>
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<td>Zoning Officer</td>
<td>1-01-21-186</td>
<td>7,767.63</td>
<td>7,767.63</td>
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<tr>
<td>Zoning Board of Adjust</td>
<td>1-01-21-185</td>
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<tr>
<td>Planning Board</td>
<td>1-01-21-180</td>
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<td>Historic Preservation</td>
<td>1-01-20-175</td>
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<tr>
<td>Municipal Court</td>
<td>1-01-43-490</td>
<td>24,252.78</td>
<td>1,360.19</td>
<td>25,612.97</td>
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<td>Envir. Ser. Dir. Office</td>
<td>1-01-26-290</td>
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<td>Streets &amp; Roads</td>
<td>1-01-26-291</td>
<td>325.00</td>
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<tr>
<td>Solid Waste</td>
<td>1-01-26-305</td>
<td>40,480.88</td>
<td>2,803.49</td>
<td>43,284.37</td>
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<td>Recycling</td>
<td>1-01-26-300</td>
<td>5,881.11</td>
<td>540.36</td>
<td>6,421.47</td>
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<td>Housing Inspection</td>
<td>1-01-21-187</td>
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<tr>
<td>Central Garage</td>
<td>1-01-26-301</td>
<td>9,260.88</td>
<td>1,578.36</td>
<td>10,839.24</td>
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<td>Recreation Dept.</td>
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<td>18,585.68</td>
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<td>18,993.74</td>
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<td>Parks &amp; Public Prop.</td>
<td>1-01-28-375</td>
<td>31,789.59</td>
<td>3,412.84</td>
<td>35,202.43</td>
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<td>Arts on Waterfront</td>
<td>1-01-27-177</td>
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<td>Human Service Direct.</td>
<td>1-01-27-330</td>
<td>24,799.56</td>
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<td>24,997.20</td>
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<td>Hispanic Affairs</td>
<td>1-01-27-331</td>
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<tr>
<td>Board of Health</td>
<td>1-01-27-332</td>
<td>12,644.72</td>
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<td>Div of Housing Svc</td>
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<td>Senior Citizens Div</td>
<td>1-01-27-336</td>
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<td>Rent &amp; Stablization Bd</td>
<td>1-01-27-347</td>
<td>7,277.97</td>
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<td>25.50</td>
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<td>Cultural Affairs</td>
<td>1-01-27-176</td>
<td>2,187.34</td>
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<td>Public Defender</td>
<td>1-01-43-495</td>
<td>1,861.11</td>
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</table>

Meeting of June 6, 2001
Construction Code 1-01-22-195 21,976.24 21,976.24
DDEF 0-01-55-901
Sub-Total 1,105,751.9 30,544.73 1,136,296.66

Other
Water Utility 0-05-20-701-01
Police Outside T-14-10-000-00 14,460.00 14,460.00
Employ.
Police Grant.
Summer Lunch G-02-40-302-00
Program
Grand Total 1,107,900.1 31,068.31 14,460.00 1,153,428.47

Motion by Councilwoman Castellano. Seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Roberts, Soares, and President Moyeno.
---Nays: None.
---Absent: Ramos.

RESOLUTIONS
Presented and Read

01-1957
---By Councilman Cricco:

BE IT RESOLVED, that the following SFY 2001 budget (ending 6/30/01) appropriation transfers are hereby authorized by the City of Hoboken:

<table>
<thead>
<tr>
<th>CURRENT FUND FROM</th>
<th>TO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Operations – Within “Caps”</td>
<td></td>
</tr>
</tbody>
</table>

| ADMINISTRATION ELECTIONS | 1-01-20-122-021 | $60,000.00 |
Meeting of June 6, 2001

---Motion duly seconded by Councilwoman Castellano.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Roberts, Soares, and President Moyeno.
---Nays: None.
---Absent: Ramos.

01-1958
---By Councilman Cricco:

WHEREAS, N.J.S.A. 40A:2-1 et. seq. (the ‘Local Bond Law” of the State of New Jersey authorizes the issuance by the City of Hoboken, in the County of Hudson, New Jersey (the “City”) of bonds for the purpose of refunding outstanding bonds of the City; and

WHEREAS, in accordance with the Local Bond Law, the City Council has heretofore finally adopted on April 18, 2001 Ordinance No. 01-1866 (the “Refunding Ordinance”) authorizing the issuance by the City of refunding bond in an amount not to exceed $5,500.00 for the purpose of refunding the City’s outstanding $11,250.00 General Obligation Bonds, Series 1992, dated November 15, 1992, which mature on or after November 15, 2003 (the “Refunded 1992 Bonds”) in order to provide debt service savings for the City; and

WHEREAS, pursuant to the Local Bond Law, the City has sought and obtained approvals on April 11, 2001 from the Local Finance Board of the Department of Community Affairs of the State of New Jersey (the “Local Finance Board”) of the adoption by the City Council of the Refunding Ordinance and the issuance of obligations there under; and

WHEREAS, pursuant to the Municipal Qualified Bond Act, N.J.S.A. 40A:3-1 et. seq. (the “Qualified Bond Act”), the City has sought and obtained approval from the Local Finance Board to issue the refunding bonds as qualified bonds under the Qualified Bond Act; and

WHEREAS, the City desires to provide for the refunding of the Refunded 1992 Bonds; and

WHEREAS, in accordance with the Local Bond Law, the City desires to (i) authorize the issuance of refunding bonds in the aggregate principal amount of not to exceed $5,500.000 to be issued as one (1) series designated as General Obligation Refunding bonds, Series 2001 (the “Refunding Bonds”) for the purpose of refunding the Refunded 1992 Bonds; and (ii) to provide for the form, maturities and other details of the Refunding Bonds; and

WHEREAS, in connection with the issuance of the Refunding Bonds, the City also desires to approve and authorize (i) the distribution of a preliminary official statement (the “Preliminary Official Statement”), and (ii) the appointment of an escrow agent for the Refunded 1992 Bonds.
NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HOBOKEN, IN THE
COUNTY OF HUDSON, NEW JERSEY (not less than two-thirds of all members thereof, affirmatively
concurring), AS FOLLOWS:

Section 1. The City hereby authorizes the issuance of the Refunding Bonds of the City in the
aggregate principal amount of not to exceed FIVE MILLION FIVE HUNDRED THOUSAND DOLLARS
($5,500,000).

Section 2. The Refunding Bonds shall be issued as one (1) series of bonds to be designated as
‘General Obligation Refunding Bonds, Series 2001’. The Refunding Bonds shall be dated June 1,2001, or
such other date as shall be determined by the Chief Financial Officer, shall be numbered from 1 upward in the
denomination of $5,000 each or any multiple thereof, shall be issued as fully registered bonds and shall
mature on June 1 in each of the years and in the principal amounts, and shall bear interest at the rates as shall
be provided by subsequent resolution of the City. The Refunding Bonds shall be substantially in the form as
provided in this Resolution, with such omissions, insertions and variations as are properly required.

Section 3. The Refunding Bonds will be initially issued in book-entry form only in the form of one
certificate for the aggregate principal amount of the Refunding Bonds of each series maturing in each year
and, when issued, will be registered in the name of and held by Cede & Co., as registered owner and
nominee for The Depository Trust Company, New York, New York (‘DTC), which is hereby appointed to act as
securities depository for the Refunding Bonds. The Refunding Bonds will bear interest payable on
December 1, 2001 and semiannually thereafter on the first days of June and December, respectively, or
such other dates as shall be determined by the Chief Financial Officer, in each year until maturity. As long as
DTC or its nominee, Cede 7 Co., is the registered owner of the Bonds, payments of the principal of and
interest on the Bonds will be made by the City, or The Trust Company of New Jersey, as paying agent and
bond registrar for the Bonds (the “Paying Agent”), directly to DTC or nominee, Cede & co., which will credit
payments of principal of and interest on the Bonds to the participants of DTC as listed on the records of DTC
as of each next preceding May 15 and November 15 (the “Record Dates” for the payment of interest on the
Refunding Bonds), which participants will in turn credit such payments to the beneficial owners of the
Refunding Bonds. The registration books of the City shall be kept by the Paying Agent as its corporate trust
office.

The Refunding Bonds shall be payable as to both principal and interest in lawful money of the United
States of America. The Refunding Bonds shall be executed by the manual or facsimile signatures of the
Mayor and the Chief Financial Officer under the official seal or facsimile thereof affixed, printed, engraved or
reproduced thereon and attested by the manual or facsimile signature of the City Clerk. The Refunding
Bonds shall be authenticated by the manual signature of the Paying Agent. The following matters are hereby
determined with respect to the Bonds (with such changes as shall be determined by the Chief Financial
Officer.):

Date of Refunding Bonds:       June 1, 2001
Interest Payment Dates:        December 1, 2001 and each June 1 and
                                December 1 thereafter until maturity, with
                                Payment being made to DTC, or its authorized
                                nominee, by the City or the Paying Agent
Bond Registrar/Paying Agent:    The Trust Company of New Jersey, Jersey City
                                New Jersey
Securities Depository:          The Depository Trust Company
                                New York, New York
Authorized Denominations:       $5,000 or any integral multiple thereof
Section 4. The Refunding Bonds shall not be subject to redemption prior to their stated maturities.

Section 5. The distribution by the City of the Preliminary Official Statement and the use of contents of the Official Statement in substantially the form of the Preliminary Official Statement presented to this meeting are hereby approved with such changes as counsel may advise, and the use of the information contained therein concerning the City in connection with the sale of the Refunding Bonds are hereby approved and authorized and the Mayor of the City is hereby authorized and directed, upon the sale of the Refunding Bonds, to execute and deliver to the purchaser of the Refunding Bonds the final Official Statement with such changes as counsel may advise and the officer executing the same may approve, such approval to be evidenced by such officer's execution thereof. The Mayor or the Chief Financial Officer is hereby authorized to deem the Preliminary Official Statement final for purposes of Rule 15c2-12 of the Securities and Exchange Commission.

Section 6. Intentionally Omitted.

Section 7. The Trust Company of New Jersey, Jersey City, New Jersey is hereby appointed as Escrow Agent for the Refunded 1992 Bonds and as Paying Agent and Bond Registrar for the Refunding Bonds. The Escrow Agent, Paying Agent and Bond Registrar shall signify its acceptance of the duties imposed upon it by this Resolution by a written certificate delivered to the City prior to the delivery of the Refunding Bonds.

Section 8. The Refunding Bonds shall be in substantially the following form with such changes as may be appropriate:

[FORM OF REFUNDING BOND]

No. $108x6

UNITED STATES OF AMERICA
STATE OF NEW JERSEY
COUNTY OF HUDSON
CITY OF HOBOKEN
GENERAL OBLIGATION
REFUNDING BOND, SERIES 2001

Qualified pursuant to the Municipal Qualified Bond Act (N.J. S.A. 40A:3-1 et. seq., as amended)

<table>
<thead>
<tr>
<th>Date of Authentication</th>
<th>Date of Original Issuance</th>
<th>Maturity Date</th>
<th>Rate of Interest Per Annum</th>
<th>CUSIP</th>
</tr>
</thead>
<tbody>
<tr>
<td>________________</td>
<td>________________,2001</td>
<td>____________</td>
<td>_____%</td>
<td>______</td>
</tr>
</tbody>
</table>

The CITY OF HOBOKEN, in the County of Hudson, New Jersey (the "City"), a municipal corporation of the State of New Jersey, hereby acknowledges itself indebted and for value received promises to pay to CEDE & CO. or its registered assigns, on the Maturity Date specified above, upon presentation and surrender of this bond, the principal sum of _______ Dollars ($_______), and to pay interest on such sum from the Date of Original Issue stated above until it matures at the Rate of Interest Per Annum specified above payable on December 1, 2001 and semiannually thereafter on the first day of June and December in each year until maturity. As long as The Depository Trust Company, New York, New York ("DTC") or its nominee, Cede &Co., which will credit payment of principal of interest on the Bonds to the participants of DTC as listed on the records of DTC as of each next preceding May 15 and November 15 (the "Record Dates" for the payment of interest on the Bonds), which participants will in turn credit such payments to the beneficial owners of the Bonds. Both the principal of an the interest on this bond are payable in lawful money of the United States of America.

No transfer of this bond shall be valid unless made on the registration books of the City kept for that purpose by The Trust Company of New Jersey, Jersey City, New Jersey (the "Paying Agent") and by
surrender of this bond (together with a written instrument of transfer satisfactory to the Paying Agent duly executed by the registered owner or by his or her duly authorized attorney) and the issuance of a new bond or bonds in the same form and tenor as the original bond except for the differences in the name of its registered owner, the denominations and the Date of Authentication. The owner of any bond or bonds may surrender same (together with a written instrument of transfer satisfactory to the Paying Agent duly executed by the registered owner or by his or her duly authorized attorney), in exchange for an equal aggregate principal amount of bonds of any authorized denominations. Notwithstanding the foregoing, as long as the Bonds remain in book-entry form, transfer of ownership interests in the Bonds shall be made by DTC and its participants by book-entries which are made on the records of DTC and its participants.

The Bonds are not subject to redemption prior to their stated maturities.

This bond is one of an authorized issue of bonds issued pursuant to the Local Bond Law of the State of New Jersey; resolutions of the City duly adopted June 6, 2001 and June 20, 2001, and the bond ordinance referred to therein, each in all respects duly approved and published as required by law.

The full faith and credit of the City are hereby irrevocably pledged for the punctual payment of the principal of and the interest on this bond according to its terms.

It is hereby certified and recited that all conditions, acts and things required by the Constitution or statutes of the State of New Jersey to exist, to have happened or to have been performed precedent to or in the issuance of this bond exist, have happened and have been performed and that the issue of bonds of which this is one, together with all other indebtedness of the City, is within every debt and other limit prescribed by such Constitution or statutes.

IN WITNESS WHEREOF, the CITY OF HOBOKEN has caused this bond to be executed in its name by the manual or facsimile signatures of its Mayor and its Chief Financial Officer, its corporate seal to be hereunto imprinted or affixed, this bond and the seal to be attested by the manual or facsimile signature of its City Clerk, and this bond to be dated the Date of Original Issue as specified above.

[SEAL]

CERTIFICATE OF AUTHENTICATION CITY OF HOBOKEN, IN THE COUNTY OF HUDSON, NEW JERSEY

This bond is one of the bonds described in the within mentioned resolution

By __________________ Mayor

THE TRUST COMPANY OF NEW JERSEY

By __________________
Chief Financial Officer

ATTEST:

By __________________ By __________________
Municipal Clerk

Section 9. The Administrator is hereby authorized and directed to certify to the State Treasurer the details of the sale of the Refunding Bonds in accordance with and pursuant to the Qualified Bond Act.

Section 10. The Chief Financial Officer is hereby authorized to enter into an agreement with DTC setting forth the respective obligations of DTC, the City and the Paying Agent with respect to the payment and transfer of the Bonds. The City agrees to comply with all obligations set forth in such agreement.
Section 10. The Chief Financial Officer is hereby authorized to enter an agreement with DTC setting forth the respective obligations of DTC, the City and the Paying Agent with respect to the payment and transfer of the Bonds. The City agrees to comply with all obligations set forth in such agreement.

Section 11. In the event that DTC shall determine to discontinue providing its services as securities depository with respect to the Refunding Bonds, the City and the Paying Agent may enter into an agreement with a substitute securities depository, if available. Alternatively, the City and the Paying Agent may cause the Refunding Bonds to thereafter be registered in the names of, and delivered to, each beneficial of the Refunding Bonds.

Section 12. The City may terminate the services of DTC as securities depository with respect to the Refunding Bonds if the City determines that (i) DTC is unable to discharge its responsibilities with respect to the Refunding Bonds, or (ii) continued use of the book-entry system is not in the best interests of the beneficial owners of the Refunding Bonds. In such event, the City and the Paying Agent shall either contract with a substitute securities depository or cause the Bonds to be registered in the names of the beneficial owners thereof, as provided in Section 11 hereof.

Section 13. A Continuing Disclosure Certificate in substantially the following form is hereby approved, and the Mayor or the Administrator is hereby authorized and directed to execute and deliver a Continuing Disclosure Certificate on behalf of the City in substantially such form, with such insertions and changes therein as the Mayor or Administrator may approve, such approval to be evidenced by his/her execution thereof:

(Form of Continuing Disclosure Certificate for the Refunding Bonds)

CONTINUING DISCLOSURE CERTIFICATE

This continuing Disclosure Certificate (the “Disclosure Certificate”) is executed and delivered by the City of Hoboken, in the County of Hudson, New Jersey (the “Issuer”) in connection with the issuance by the Issuer of $5,500.00 principal amount of its General Obligation Refunding Bonds, Series 2001 (the “Bonds”). The Bonds are being issued pursuant to a Refunding Bond Ordinance (the “Ordinance”) duly adopted by the City Council of the Issuer (the “Council”) on April 18, 2001 and resolutions duly adopted by the Council on June 6, 2001 and June 20, 2001 (together, the “Resolution”). The Bonds are dated June 1, 2001 and shall mature on December 1 in the years 2001 through 2007, inclusive. The Issuer covenants and agrees as follows:

Section 1. Purpose of the Disclosure Certificate. This Disclosure Certificate is being executed and delivered by the Issuer for the benefit of the Bondholders and Beneficial Owners of the Bonds and in order to assist the Participating Underwriter in complying with S.E.C. Rule 15c2-12(b)(5).

Section 2. Definitions. In addition to the definitions set forth in the Resolution, which apply to any capitalized term used in this Disclosure Certificate unless otherwise defined in this Section, the following capitalized terms shall have the following meanings:

“Annual Report” shall mean any Annual Report provided by the Issuer pursuant to, and as described in, Section 3 and 4 of this Disclosure Certificate.

“Beneficial Owner” shall mean any person which (a) has the power, directly or indirectly, to vote or consent with respect to, or to dispose of ownership of, any Bonds (including persons holding Bonds through nominees, depositories or other intermediaries), or (b) is treated as the owner of any Bonds for federal income tax purposes.

“Bondholder” shall mean any person who is the registered owner of any Bond, including holders of beneficial interest in the Bonds.

“Dissemination Agent” shall mean the Issuer, or any successor Dissemination Agent designated in writing by the Issuer and which has filed with the Issuer a written acceptance of such designation.

“Listed Events” shall mean any of the events listed in Section 5 (a) of this Disclosure Certificate.

Meeting of June 6, 2001
“National Repository” shall mean any Nationally Recognized Municipal Securities Information Repository for purposes of the Rule. As of the date hereof, the National Repositories currently approved by the Securities and Exchange Commission are set forth in Exhibit B.

“Participating Underwriter” shall mean any of the original underwriters of the Bonds required to comply with the Rule in connection with offering of the Bonds.

“Repository” shall mean each National Repository and each State Repository.

“Rule” shall mean Rule 15c2-12(b)(5) adopted by the Securities and Exchange Commission under the Securities exchange Act of 1934, as the same may be amended from time to time.

“State” shall mean the State of New Jersey.

“State Repository” shall mean any public or private repository or entity designated by the State as a state repository for the purpose of the Rule and recognized as such by the Securities and Exchange Commission. As of the date of this Disclosure Certificate, there is no State Repository.

Section 3. **Provisions of Annual Reports.**

(a) The Issuer shall, or shall cause the Dissemination Agent to, not later than nine (9) months after the end of the Issuer's fiscal year, commencing with the Annual Report for the fiscal year ending June 30, 2001, provide to each Repository an Annual Report which is consistent with the requirements of Section 4 of this Disclosure Certificate. The Annual Report may be submitted as a single document or as separate documents comprising a package, and may cross-reference other information as provided in Section 4 of this Disclosure Certificate; provided that the audited financial statements of the Issuer may be submitted separately from the balance of the Annual Report and later than the date required above for the filing of the Annual Report if they are not available by that date. If the Issuer’s fiscal year changes, it shall give notice of such change in the same manner as for a Listed Event under Section 5 (c).

(b) No later than fifteen (15) Business days prior to said date, the Issuer shall provide the Annual Report to the Dissemination Agent (if other than the Issuer). If the Issuer is unable to provide to the Repositories an Annual Report by the date required in subsection (a), the Issuer shall send a notice to each National Repository or the Municipal Securities Rulemaking Board, and to the State Repository, if any, in substantially the form attached as Exhibit A.

(c) The Dissemination Agent shall:

(i) determine each year prior to the date for providing the Annual Report the name and address of each National Repository and the State Repository, if any; and

(ii) if the Dissemination Agent is other than the Issuer, file a report with the Issuer certifying that the Annual Report has been provided pursuant to this Disclosure Certificate, stating the date it was provided and listing all the Repositories to which it was provided.

Section 4. **Content of Annual Reports.** The Issuer’s Annual Report shall contain or include by reference the following:

1. The audited financial statements of the Issuer for the prior fiscal year, prepared in accordance with generally accepted accounting standards (GAAS) as from time to time in effect, and as prescribed by the Division of Local Government Services in the Department of Community Affairs of the State pursuant to Chapter 5 of Title 40A of the New Jersey Statutes. If the Issuer's audited financial statements are not available by the time the Annual Report is required to be filed pursuant to Section 3(a), the Annual Report shall contain unaudited financial statements and the audited financial statements shall be filed in the same manner as the Annual Report when they become available.

Section 5. Reporting of Significant Events.

(a) Pursuant to the provisions of this Section 5, the Issuer shall give, or cause to be given, notice of the occurrence of any of the following events with respect to the Bonds, if material:

5. principal and interest payment delinquencies;
6. non-payment related defaults;
7. unscheduled draws on debt service reserves reflecting financial difficulties;
8. unscheduled draws on credit enhancements reflecting financial difficulties;
9. substitution of credit or liquidity providers, or their failure to perform;
10. adverse tax opinions or events affecting the tax-exempt status of the Bonds;
11. modifications to rights of Bondholders;
12. optional, contingent or unscheduled Bond calls;
13. defeasances;
14. release, substitution, or sale of property securing repayment of the Bonds; and
15. rating changes.

(b) Whenever the Issuer obtains knowledge of the occurrence of a Listed Event, the Issuer shall as soon as possible determine if such event would be material under applicable federal securities laws.

(c) If the Issuer determines that knowledge of the occurrence of a Listed Event the Issuer shall promptly file a notice of such occurrence with each National Repository or the Municipal Securities Rulemaking Board, and with the State Repository, if any. Notwithstanding the foregoing, notice of Listed Events described in subsections (a)(8) and (9) need not be given under this subsection ay earlier than the notice (if any) of the underlying event is given to Bondholders of affected Bonds pursuant to the Resolution.

Section 6. Termination of Reporting Obligation. The Issuer’s obligations under this Disclosure Certificate shall terminate upon the legal defeasance, prior redemption or payment in full of all of the Bonds. If such termination occurs prior to the final maturity of the Bonds, the Issuer shall give notice of such termination in the same manner as for a Listed Event under Section 5 (c).

Section 7 Dissemination Agent. The Issuer may, from time to time, appoint or engage a Dissemination Agent to assist it in carrying out its obligations under the Disclosure Certificate, and may discharge any such Dissemination Agent, with or without appointing a successor Dissemination Agent. The Dissemination Agent shall not be responsible in any manner for the content of any notice or report prepared by the Issuer pursuant to this Disclosure Certificate. The initial Dissemination Agent shall be the Issuer.

Section 8. Amendment Waiver. Nowithstanding any other provision of this Disclosure Certificate, the Issuer may amend this Disclosure Certificate, and any provision of this Disclosure Certificate may be waived, provided that the following conditions are satisfied:

(a) If the amendment or waiver relates to the provisions of Section 3 (a), 4 or 5 (a), it may only be made in connection with a change in circumstances that arises from a change in legal requirements, change in law, or change in the identity, nature or status of an obligated person with respect to the Bonds, or the type of business conducted;
(b) The undertaking, as amended or taking into account such waiver, would in the opinion of nationally recognized bond counsel, have complied with the requirements of the Rule at the time of the original issuance of the Bonds, after taking into account
any amendments or interpretations of the Rule, as well as any change in circumstances; and

(c) The amendment or waiver does not, in the opinion of nationally recognized bond counsel, materially impair in the interests of the Bondholders or Beneficial Owners of the Bonds.

In the event of any amendment or waiver of a provision of this Disclosure Certificate, the Issuer shall describe such amendment in the next Annual Report, and shall include, as applicable, a narrative explanation of the reason for the amendment or waiver and its impact on the type (or in the case of a change of accounting principles, on the presentation) of financial information or operating data being presented by the Issuer. In addition, if the amendment relates to the accounting principles to be followed in preparing financial statements, (i) notice of such change shall be given in the same manner as for a Listed Event under Section 5(c), and (ii) the Annual Report for the year in which the change is made should present a comparison (in narrative form and also, if feasible, in quantitative form) between the financial statements as prepared on the basis of the new accounting principles and those prepared on the basis of the former accounting principles.

Section 9. Additional Information. Nothing in this Disclosure Certificate shall be deemed to prevent the Issuer from disseminating any other information, using the means of dissemination set forth in this Disclosure Certificate of any other means of communication, or including any other information in any notice of occurrence of a Listed Event, in addition to that any Annual Report or notice of occurrence of a Listed Event in addition to that which is specifically required by this Disclosure Certificate, the Issuer shall have no obligation under this Disclosure Certificate to update such information or include it in any future Annual Report or notice of occurrence of a Listed Event.

Section 10. Default. In the event of a failure of the Issuer to comply with any provision of this Disclosure Certificate any Bondholder or Beneficial Owner of the Bonds may take such actions as may be necessary and appropriate, including seeking mandamus or specific performance by court order, to cause the Issuer to comply with its obligations under this Disclosure Certificate. A default under this Disclosure Certificate shall not be deemed an Event of Default on the Bonds, and the sole remedy under this Disclosure Certificate in the event of any failure of the Issuer to comply with this Disclosure Certificate shall be an action to compel performance.

Section 11. Duties, Immunities and Liabilities of Dissemination Agent. The Dissemination Agent shall have only such duties as are specifically set forth in this Disclosure Certificate, and the Issuer agrees to indemnify and save the Dissemination Agent, its officers, directors, employees, and agents, harmless against any loss, expense and liabilities which it may incur arising out of or in the exercise or performance of its powers and duties hereunder, including the costs and expenses (including reasonable attorneys’ fees) of defending against any claim of liability, but excluding liabilities due to the Dissemination Agent’s gross negligence or willful misconduct. The obligations of the Issuer under this Section 11 shall survive resignation or removal of the Dissemination Agent and payment of the Bonds.

Section 12. Beneficiaries. This Disclosure Certificate shall inure solely to the benefit of the Issuer, the Dissemination Agent, the Participating Underwriters and the Bondholders and Beneficial Owners from time to time of the Bonds, and shall create no rights in any other person or entity.

Dated 2001

CITY OF HOBOKEN, IN THE COUNTY OF HUDSON, NEW JERSEY

EXHIBIT A
NOTICE TO REPOSITORIES OF FAILURE TO FILE ANNUAL REPORT

Name of Issuer: The City of Hoboken, County of Hudson, New Jersey

Name of Bond Issuer: $5,500,000 General Obligation Refunding Bonds, Series 2001

Dated Date: _______________ 2001

NOTICE IS HEREBY GIVEN that the Issuer has not provided an Annual Report with respect to the above-named Bonds as required by Section 3(a) of the Continuing Disclosure Certificate dated _______________ 2001

CITY OF HOBOKEN, IN THE COUNTY OF HUDSON, NEW JERSEY

BY:

NAME

TITLE:

EXHIBIT B

Nationally Recognized Municipal Securities Information Repositories approved by the Securities and Exchange Commission:

Bloomberg Municipal Repositories
P.O. Box 840
Princeton, NJ 08542-0840
E-Mail: MUNIS@bloomberg.com
Phone: (609) 279-3225
FAX: (609) 279-5962

Interactive Data
Attn: Repository
100 Williams Street
New York, NY 10038
Email: nrmsir@interactivedata.com
Phone: (212) 771-6899
FAX: (212) 771-7390

DPC Data, Inc.
One Executive Drive
Fort Lee, New Jersey 07024
Email: nrmsir@dpcdata.com
Phone: (212) 438-4595
FAX: (212) 438-3975
Email: nrmsir@repository@sandp.com

Section 14. The proceeds of the General Obligation Refunding Bonds shall be applied for the purposes of refunding the 1992 Refunded Bonds and financing certain costs incurred by the City in connection with the issuance of the Refunding Bonds. The City will make no use of the proceeds of the Refunding Bonds which would cause the Refunding Bonds to be arbitrage bonds.

Section 15. In order to maintain the exclusion from gross income for federal income tax purposes of interest on the Refunding Bonds, and for no other purpose, the City covenants to comply with each applicable to the Refunding bonds, and any technical corrections thereto applicable to the Refunding Bonds, and the City covenants not to take any action or fail to take any action which would cause the interest on the Refunding Bonds to lose the exclusion from gross income for federal income taxation purposes under Section 103 of the Code. In furtherance of the covenant contained in the proceeding sentence, the City agrees to comply with the Letter of Instructions (the"Letter of Instructions") as to the Code delivered by Bond Counsel on the date of initial issuance and delivery of the bonds, as such letter may be amended from time to time, as a source of guidance for achieving compliance with the Code.
The City covenants and agrees with the holders of the Refunding Bonds that the City shall not take any action or omit to take any action or omission, if reasonably expected on the date of initial issuance and delivery of the Refunding Bonds, would cause the Refunding bonds to be “private activity bonds” or “arbitrage bonds” within the meaning of Section 14(a) and 148, respectively, of the Code, or any successor provision.

Section 16. The City covenants that it will take no action which would cause the Refunding Bonds to be federally guaranteed (within the meaning of Section 149(b) of the Code).

Section 17. Ryan, Beck & Co. is hereby designated as the City’s investment banker in connection with the Refunding Bonds.

Section 18. Intentionally Omitted.

Section 19. The Escrow Deposit Agreement pertaining to the refunding of the Refunded 1992 Bonds shall be substantially in the form attached to this Resolution as Exhibit A and made a part hereof and the Mayor, Business Administrator or Chief Financial Officer of the City are hereby authorized to execute same.

Section 20. The Mayor, the Business Administrator and/or a Financial Officer of the City shall be and they are hereby authorized and directed to execute and deliver, for and on behalf of the City, and any and all instruments, opinions, affidavits, certificates, documents, Internal Revenue Service forms or other papers, including, but not limited to Escrow Deposit Agreement, and to do and to perform or cause to be done any and all acts as they may deem necessary or appropriate in order to implement the issuance, execution and delivery of the Refunding Bonds and the matters herein and are hereby to pay out of the proceeds of the Refunding Bonds the costs of issuance therefore.

Section 21. This resolution shall take effect immediately.

CERTIFICATE

I, James J. Farina, Clerk of the City of Hoboken, in the County of Hudson, State of New Jersey, HEREBY CERTIFY that the foregoing is a true and compared copy of an original resolution now on file and of record in my office which was duly adopted at a meeting of the City Council of the City of Hoboken, on the 6th day of June, 2001.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said City this ____ day of June, 2001.

_________________________
James J. Farina
City Clerk

Appendix A
Form of Escrow Deposit Agreement

ESCROW DEPOSIT AGREEMENT

Dated as of June 1, 2001
Between
CITY OF HOBOKEN, IN THE COUNTY OF HUDSON, NEW JERSEY
AND
THE TRUST COMPANY OF NEW JERSEY, as Escrow Agent

Providing for the Payment of a portion of the below described Bonds: $11,250,000 General Obligation Bonds Dated November 15, 1992
---Motion duly seconded by Councilwoman Castellano.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Roberts, Soares, and President Moyeno.
---Nays: None.
---Absent: Ramos.

01-1959
---By Councilwoman Castellano:

WHEREAS, the Council of the City of Hoboken adopted on June 1, 1994 an ordinance entitled, “AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 192 OF THE CODE OF THE CITY OF HOBOKEN (PARKING FOR HANDICAPPED).” (The Ordinance) to regulate and control the application and approval process for the issuance of special handicapped parking spaces within the City of Hoboken; and

WHEREAS, the Ordinances requires an application fee of $130.00 be paid with every application submitted for a handicapped parking space and $125.00 to be refunded for any application deemed ineligible; and

WHEREAS, the Subcommittee for handicapped Parking, meeting in session, has found the following applicant ineligible for a handicapped parking space:

Andrew Guglielmi 409 Jefferson Street

NOW THEREFORE, BE IT RESOLVED, that payment be made in the amount of $125.00 to the above mentioned applicant as a refund of an application fee for a handicapped parking space.

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Roberts, Soares, and President Moyeno.
---Nays: None.
---Absent: Ramos.

01-1960
---By Councilwoman Castellano:

At the recommendation of the Department of Administration, Division of Revenue and Finance, it is hereby

RESOLVED, that warrants be drawn on the City Treasurer in the grand total of $1,092.00 for reimbursement of retired employee’s and /or spouse PART B MEDICARE benefits deductions. The amount of reimbursement is opposite each name or names (attached) for PART B MEDICARE during the year 2000 as per the appropriation of the adopted budget.

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Roberts, Soares, and President Moyeno.
---Nays: None.
---Absent: Ramos.
WHEREAS, St. Mary Hospital has requested a permit from the City of Hoboken to conduct its 3rd annual 5K Race on June 10, 2001 in Hoboken, starting at Pier A along Sinatra Drive to Fourteenth Street and back; and

WHEREAS, the City of Hoboken is supportive of this endeavor provided that the races do not unduly interfere with the health, safety and welfare of the citizens of Hoboken and the City will not incur any substantial expenses in connection with the races (hereinafter collectively referred to as "the Event"). Now, therefore, be it

RESOLVED, that the celebration of the Event to be held on June 10, 2001, is hereby approved by the Council of the City of Hoboken upon the condition that St. Mary Hospital (the “permittee”) be issued a permit by the Business Administrator, in a form approved by the Office of the Corporation Counsel, with the following conditions:

1. Permittee shall deposit (One Thousand Dollars) $1,000.00 with the City of Hoboken as an estimated Permit fee to cover the extraordinary expenses to the City for services in connection with the Event, for, by way of example and not limitation, employee overtime and trash removal. In the event such costs exceed (One Thousand Dollars) $1,000.00 permittee shall pay such excess to the City upon presentation of an invoice from the City. This permit fee must be deposited with the City at least one week before the proposed race.

2. No alcoholic beverages shall be served by the permittee, sponsors or vendors associated with the Event during the Event.

3. Permittee shall provide uniformed Hoboken Police Officers for the safety and security of runners, spectators and other members of the public, in a sufficient number to be determined by the Chief of Police, and at its sole expense from 8:15 a.m. to 1:00 p.m. On Sunday, June 10, 2001. These personnel may be in addition to the Hoboken Police Officers assigned by the City to the Event.

4. Permittee must be provide no less than five (5) Port-o-Sans for use by patrons during the Event. They shall be located in designations to be determined by the Business Administrator. The Port-o-Sans shall not be installed on the property before 9:00 a.m. on Friday, June 8, 2001 and must be removed before 6:00 p.m. on Monday June 11, 2001. Adequate toilet paper shall be provided for the Port-o-Sans.

5. Permittee shall provide for proper use and maintenance of trash receptacles which will be provided by the City of Hoboken and must ensure that that plastic bags in those receptacles are continuously emptied and disposed of in areas designated by the City of Hoboken as needed during the Event.

6. The permittee shall provide civilian road guards to assist in erecting barricades and detouring vehicular and pedestrian traffic during the race as required by the Chief of Police.

7. No beverages in glass bottles shall be permitted to be sold by any vendors. The Permittee shall arrange security to prohibit glass bottles and alcoholic beverages from being carried by runners, spectators and/or members of the public during the event.

8. Before leaving the premises after the Event the Permittee shall restore the property to the condition it was in prior to usage. Such restoration shall be subject to the satisfaction of the Director of the Department of Environmental Services.
9, The Permittee must contact George W. Crimmins, Business Administrator, at least twenty-four (24) hours prior to the commencement of any activities on the property to which access is granted by this permit. In his Absence, Timothy Calligy, Director of Environmental Services, shall be contacted. In case of emergency, when the Business Administrator or the Director of Environment Services may be inaccessible, the Permittee must contact the Hoboken Police Officer at (201) 429-2131 who, in turn will contact one of them.

10, There will be no modification to any City property or property adjacent thereto, used by the Permittee.

11, The Permittee has the full responsibility to provide and have available such medical staff and medical assistance as necessary at its sole cost and expense.

12. The City’s Police Chief shall have complete control over the activities of the Permittee associated with the use hereby permitted including the actions of personnel of the Permittee in matters related to safety.

13, The Permittee shall furnish evidence, which shall be attached to the Permit as an Exhibit, that with respect to all incidents to the operations, activities and use of the property permitted by and performed under the Permit, it carries Comprehensive General Liability Insurance naming the City of Hoboken as additional insured providing for not less than $1,000,000.00 combined single limit per occurrence and $2,000,000.00 aggregate for bodily injury or death and property damage. It is to be understood and agreed that the procurement of insurance in those amounts does not in any way or manner whatsoever limit Permittee’s liability to the City of Hoboken under the Permit and in the event the insurance does not cover and particular loss, the Permittee shall be liable to the City of Hoboken, for the full amount of any and all loss and damage as provided herein.

14, The Permittee shall indemnify, keep and save harmless the City of Hoboken its agents, employees, servants and officials, each and every one of them, against all claims, just or unjust, made against the City of Hoboken, its agents, employees, servants or officials on account of injuries, death, losses of any kind whatsoever, damages, suit, liabilities, judgments, claims for infringements of patent, trademark or copyright, costs and expenses which may in any wise accrue against the City of Hoboken, its agents, employees, servants and officials, and the Permittee shall appear, defend and pay, at its own expense, all costs, including counsel fees, arising there from or incurred in connection therewith and if any judgment shall be rendered against the City of Hoboken, its agents, employees, servants and officials, in any action, the Permittee shall, at its own expense, satisfy and discharge the same.

15, In granting the Permit, the City of Hoboken will assume no obligation whatsoever in connection with the use by the Permittee and are not obliged to make any repairs to the property or furnish personnel, equipment or materials in connection therewith.

16, The City of Hoboken shall not be liable to the Permittee for loss, damage or liability of any kind or nature whatsoever sustained by the Permittee, its successors or assigns, by reason of any failure to fulfill its obligations herein in the event of a strike or walkout on the part of their employees or on the part of any other person or persons or by reason of any other embargo or requirement of any federal or state or other government authority or by reason of any other event of any kind beyond the control of the City of Hoboken which in any way affects the ability of the City of Hoboken to perform the obligations herein.

17, The Permit may be terminated by the City of Hoboken without notice if any of the above conditions of the Permit are not met. The terms and conditions of the Permit are considered as understood and agreed upon prior to the Permittee undertaking the use set forth herein, and any unauthorized activities not specifically allowed herein may be considered cause for termination.

---Motion duly seconded by Councilwoman Castellano.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Roberts, Soares, and President Moyeno.
---Nays: None.
---Absent: Ramos.

01-1962
---By Councilman Cricco:

WHEREAS, by ordinance adopted May 20, 1998, the Council of the City of Hoboken, as the duly designated Redevelopment Agency of the City of Hoboken approved a redevelopment plan for the Northwest Redevelopment Area dated May 5, 1998, which document is on file with the City Clerk and available for public inspection; and

WHEREAS, on October 4, 2000, the City Council of the City of Hoboken passed a Resolution designating Monroe Center Development, L.L.C. as the Redeveloper of a portion of the Northwest Redevelopment Area, specifically Block 80 Lots 1-19 & 19.1, Block 81 Lots 1-34 &1.1, and Block 87 Lots 1-12 & 21-32, contingent upon the execution of an acceptable Developer’s Agreement; and

WHEREAS, the October 4, 2000 Resolution of the City Council of the City of Hoboken authorized the City to enter into an acceptable Developer’s Agreement; and

WHEREAS, a proposed Developer’s agreement was been drafted; and

WHEREAS, the City Council of the City of Hoboken has reviewed the proposed Developer’s Agreement, and finds same acceptable:

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Hoboken that the Mayor of the City of Hoboken is hereby authorized to execute the proposed Developer’s Agreement; and

BE IT RESOLVED, by the City Clerk is hereby instructed that upon execution of the Developer’s Agreement by the Mayor, the Clerk is to immediately forward said agreement to Joseph Daly, Esq., attorney for Monroe Center Development, L.L.C., with a mailing address of 629 Parsippany Road, P.O. Box 0438, Parsippany, New Jersey 07054-0438.

---Motion duly seconded by Councilwoman Castellano.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Roberts, Soares, and President Moyeno.
---Nays: None.
---Absent: Ramos.

01-1963
---By Councilwoman Castellano:

WHEREAS, Hoboken Parking Authority has received permits for constructing of a Parking Garage, and

WHEREAS, current construction work may cause a safety hazard to anyone and property in the immediate vicinity; and

WHEREAS, Hoboken Parking Authority has requested that an added safety measure the City of Hoboken prohibit parking on the following street;
(A) Clinton Street, (west sides) beginning at the northerly curbline of Third Street and extending to the southerly curbline of Fourth Street

(B) To erect a fence 10'feet within the street for the safety of the construction equipment and workers

RESOLVED, That parking is hereby prohibited including private vehicles by the employees or agents of the contractor within the construction zone. Starting on June 11,2001, through and inclusive June 30, 2001. At which time this resolution may be subject to renewal for additional time if construction activity so requires it, and be it further

RESOLVED, that a copy of this resolution be presented to the Department of Administration Division of Signal & Traffic for immediate implementation of any necessary public notices and signage. The Signal and Traffic Division prepare the necessary traffics regulations and notifications to the New Jersey Department of Transportation.

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Roberts, Soares, and President Moyeno.
---Nays: None.
---Absent: Ramos.

**01-1964**
---By Councilman Cricco:

WHEREAS, the Borough of Demarest has a fair share obligation to provide housing opportunities to households of low and moderate income as established by the New Jersey Supreme Court and by the New Jersey Fair Housing Act, N.J.S.A 52:27D-301 et seq.; and

WHEREAS, the Fair Housing Act provides that municipalities with the same housing region, as defined by the Council on Affordable Housing (COAH), may meet up to 50 percent of that obligation through a regional contribution agreement (RCA), under which the sending municipality makes a cash payment to another municipality, known as receiving municipality, which undertakes to provide low and moderate income housing which is credited toward the sending municipality’s fair share obligation; and

WHEREAS, the Borough of Demarest proposes to transfer nine (9) units of its fair share obligation at a cost of $25,000.00 per unit or $225,000.00 in the form of an RCA with the City of Hoboken to fund a substantial rehabilitation or new construction; and

WHEREAS, the Borough of Demarest and the City of Hoboken are in the same housing region as defined by COAH; and

WHEREAS, the City of Hoboken desires to provide affordable housing for its low and moderate income residents, which action will be furthered by funds made available through the RCA; and

WHEREAS, the RCA is the best interests of the City of Hoboken and the Borough of Demarest.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Hoboken that the aforesaid RCA is hereby approved subject to same being in such a form acceptable to the City Attorney and that the Mayor and Clerk are hereby authorized to execute such documents and exhibits as may be necessary to effectuate the RCA.

---Motion duly seconded by Councilwoman Castellano.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Roberts, Soares, and President Moyeno.
---Nays: None.
---Absent: Ramos.

01-1965
---By Councilwoman Castellano:

WHEREAS, pursuant to the resolution of the Council of the City of Hoboken, a City auction was held on 1 June 2001 in the Municipal Court Room in City Hall, and,

WHEREAS, several bids were received during the auction of numerous surplus vehicles and equipment totaling Seventeen Hundred Six Dollars ($1,706.00), and,

WHEREAS, said bidders, Jersey One; Liberty Towing: Mt. Laurel Towing; Pete’s Towing; and Joseph Cicala (an individual) all tendered checks upon receipt of the said surplus vehicles and equipment and their respective titles, said checks being deposited in the City bank account, therefore, be it

RESOLVED, that the City Council of Hoboken hereby ratifies and approves said transaction.

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Roberts, Soares, and President Moyeno.
---Nays: None.
---Absent: Ramos.

01-1966
---By Councilwoman Castellano:

WHEREAS, the Chief Financial Officer recommends that the City refund a rental security deposit to River City, 629 Madison Street, Hoboken, New Jersey; and

WHEREAS, pursuant to bank statement dated March 30, 2001, the deposit plus interest earned amounted to the sum of $4,177.38;

NOW, THEREFORE BE IT RESOLVED that a warrant be drawn on the City Treasurer payable to River City in the amount of $4,177.38, plus additional interest accrued thereon since March 30, 2001, if any, the total representing a refund of security deposited with the City.

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Roberts, Soares, and President Moyeno.
---Nays: None.
---Absent: Ramos.

01-1967
---By Councilman Cricco:

WHEREAS, N.J.S.A. 40 A: 4-87 provides that the Director of the Division of Local Government Services may approve the insertion of a special item of revenue into the Municipal Budget of the City of Hoboken for SFY 2001 when such item shall have been made available by law and the amount thereof was no determined at the time of adoption of the budget; and
WHEREAS, said Director of the Division of Local Government Services may also approve the insertion of all appropriation item of an amount equal to any such special item of revenue. Now, therefore, be it

RESOLVED that the City Council of the City of Hoboken hereby request the Director of the Division of Local Government Services to approve the insertion of an item of revenue into the Municipal Budget for SFY 2001 in the sum of $11,992.57 which is now available as a revenue from the Department of Justice, which is administered by the Department of Justice, pursuant to the statutory provisions, and be it further

RESOLVED, that a like sum in the amount of $11,992.57 be hereby appropriated under the caption;

---Motion duly seconded by Councilwoman Castellano.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Roberts, Soares, and President Moyeno.
---Nays: None.
---Absent: Ramos.

01-1968
---By Councilman Cricco:

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of Division of Local Government Services may approve the insertion of a special item of revenue Municipal Budget of the City of Hoboken for SFY 2001 when such item shall have been made available by law and the amount thereof was not determined at the time of adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation of equal amount;

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Hoboken, Hudson County, New Jersey, that it hereby requests the Director of Division of Local Government Services to approve the insertion of an item of revenue in the budget of the SFY 2001 in the sum of $52,272.11 which is now available as a revenue from the Department of Community Affairs which is administered by OPSAIL, pursuant to the provision of statute; and

BE IT FURTHER RESOLVED that a like sum of $52,272.11 is hereby appropriated under the caption

---Motion duly seconded by Councilwoman Castellano.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Roberts, Soares, and President Moyeno.
---Nays: None.
---Absent: Ramos.

01-1969
---By Council President Moyeno:

WHEREAS, George W. Crimmins, City Business Administrator, is a named defendant in a civil action docketed in the New Jersey Superior Court, Hudson County, captioned Rashad Casey v. City of Hoboken, et al. Docket No. L-9121-01; and

WHEREAS, the matter has been duly forwarded to the City’s insurance carrier; and
WHEREAS, the allegations lodged against George W. Crimmins relate directly to his performance of duties as Business Administrator and allege generally negligent supervision and vicarious liability; and

WHEREAS, the Complaint does not allege any specific facts that demonstrate intentional wrongdoing by George W. Crimmins;

NOW, THEREFORE, BE IT RESOLVED Y THE COUNCIL OF THE CITY OF HOBOKEN that the Council shall hereby indemnify and hold harmless George W. Crimmins for any and all causes of action, charges, complaints, claims, judgments, damages, liabilities, obligations, promises, agreements, rights, costs, losses, debts and expenses of any nature whatsoever related to the Casey v. Hoboken matter;

---Motion duly seconded by Councilman Hudock.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Roberts, Soares, and President Moyeno.
---Nays: None.
---Absent: Ramos.

01-1970
---By Councilman Cricco:

WHEREAS, the City of Hoboken (the “City”) is a participant in the United States Environmental Protection Agency-sponsored Hudson County Brownfields Assessment Demonstration Pilot Program (the “Pilot Program”); and,

WHEREAS, the Pilot Program was established to engender environmental remediation, encourage economic redevelopment, promote the rehabilitation and reuse of real properties which have been or will be the subject of environmental assessment and cleanup; and,

WHEREAS, the City Council of the City of Hoboken believes that it is in the best interests of the City to include the site known as the former Todd Shipyards, located at 15th Street and Park Avenue, Hoboken, New Jersey (the “Todd Shipyards”), within the Pilot Program.

NOW THEREFORE BE IT RESOLVED that the City of Hoboken does hereby authorize the inclusion of the Todd Shipyards within the Pilot Program, effective immediately.

BE IT FURTHER RESOLVED that the City's Director of Environmental Services is hereby authorized to execute any and all documents and to take such action as is necessary to effect the intent of this Resolution.

---Motion duly seconded by Councilwoman Castellano.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Roberts, Soares, and President Moyeno.
---Nays: None.
---Absent: Ramos.

01-1971
---By Councilman Del Boccio:

WHEREAS, St. Ann’s Church has requested permission to conduct their annual Feast in Honor of St. Ann from Friday, July 20th through Thursday, July 26th, 2001, and
WHEREAS, St. Ann’s Church has indicated on the attached agenda and its requirements to successfully conduct the Feast as follows:

1) To have a procession with the Statue of St. Ann through the streets of Hoboken
2) To erect a bandstand at the corner of 7th & Jefferson Streets and one in their courtyard
3) To have electrical illumination and decorations in the Church area.
4) To erect concession stands for vendors of food, novelties, games and rides in the Church area.
5) To have lights and fireworks prior to the feast and during the procession and the filing of the necessary surety bonds as provided by law and local ordinance.
6) To have music and entertainment on the bandstands.
7) To close street s to traffic as outlined in the attached diagram, on the following days and hours:
   - Friday, July 20th, Monday, July 23, Tuesday, July 24th and Wednesday, July 25th from 6:00 p.m. through 12:00 Midnight.
   - Saturday, July 21st & Sunday July 22nd from 3:00 p.m. through Midnight.
   - Thursday, July 26th from 10:00 am through 12:00 Midnight.
8) To have rides on Madison Street between 7th and 8th Streets.
9) To have streets cleared of all vehicles, per enclosed diagram, from Wednesday, July 18th at 8:00 a.m. through Friday, July 27th at 8:00 p.m. in order to do the following:
   1) Put trailers into place, 2) erect rides; 3) set up vendor booths; and 4) clean up after festival.

---Motion duly seconded by Councilman Hudock.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Roberts, Soares, and President Moyeno.
---Nays: None.
---Absent: Ramos.

The following spoke to the next resolution on the agenda: John O’Donnell, attorney for Frank Raia; John J. Curley, representing the property owner; Frank Raia, 450 7th Street; Michael Sciarra for Mark Settembre (property owner).

**01-1972**

---By Councilman Cricco:

WHEREAS, on July 12, 2000, the Council of the City of Hoboken designated Frank Raia to be developer of Tax Block 104, Lots 1 – 33 inclusive; and

WHEREAS, ADAMS ST. REALTY CORP./MARK SETTEMBRE, (to be assigned to Adams Street Development, LLC) wishes to develop this property; and

WHEREAS, ADAMS ST. REALTY CORP./MARK SETTEMBRE, would be assigned to Adams Street Development, LLC, and wishes to develop this property into a residential building with a total number of dwelling units to be 180 and 2000 s.f. of commercial office space and approximately 180 accessory parking spaces with a roof top courtyard; and

NOW, THEREFORE BE IT RESOLVED, that the designation of Frank Raia as redeveloper of Block 104, Lots 1-12 and Lots 22-33 is hereby rescinded and be it –
FURTHER RESOLVED, that ADAMS ST.REALTY CORP./MARK SETTEMBRE (to be assigned to Adams Street Development, LLC) is hereby designated redeveloper of Block 104, Lots 1-12 and Lots 22-23.

---Motion duly seconded by Councilman Del Boccio.

After discussion it was decided to withdraw the above resolution at this time.

01-1973
---By Councilman Del Boccio:

WHEREAS, pursuant to the resolution of the City Council and after public advertising thereof, the following proposals were received for landscape maintenance services on Pier “A” for the City of Hoboken in accordance with Bid 01-08:

<table>
<thead>
<tr>
<th>Name of Bidder</th>
<th>Amount of Bid</th>
</tr>
</thead>
<tbody>
<tr>
<td>It's Greener Now, Inc.</td>
<td>$39,800.00</td>
</tr>
<tr>
<td>409 East Saddle River Road Upper Saddle River, NJ 07458</td>
<td></td>
</tr>
</tbody>
</table>

and:

WHEREAS, the Purchasing Agent recommends the acceptance of the bid of It's Greener Now, Inc. for landscaping maintenance on Pier “A” for the City of Hoboken;

RESOLVED, that the proposal of It's Greener Now, Inc., for the landscape maintenance on Pier “A” is hereby accepted, and be it further

RESOLVED, that a contract be drafted and entered into between the Mayor and Council of the City of Hoboken and It's Greener Now, Inc. for the aforementioned landscape maintenance service, for a period of (1) year, form of which contract is to be prepared by the City's Corporate Counsel; and be it further

RESOLVED, that upon execution of the aforementioned contract the bid bond deposited by the above bidders be returned to them.

---Motion duly seconded by Councilwoman Castellano.

After discussion it was decided to withdraw the above resolution at this time.

ORDINANCES

Introduction and First Reading

01-1974 R-486

SECOND AMENDMENT TO CONTRACT FOR PUBLIC/PRIVATE PARTNERSHIP AND OPERATION, MAINTENANCE AND MANAGEMENT SERVICE FOR THE CITY OF HOBOKEN’S MUNICIPAL WATER SYSTEM.
WHEREAS, the City of Hoboken (City) and United Water New Jersey, formerly known as Hackensack Water Company (Contract Partner) and United Water Hoboken, Inc. (United Water Hoboken), formerly known as United Water Mid-Atlantic also formerly known as Mid-Atlantic Utilities Corporation and herein (Mid-Atlantic) are currently parties to a Public/Private Partnership Agreement and Operation, Maintenance and Management Services Agreement for the City of Hoboken’s Municipal Water System, dated May 18, 1994 (the Contract) for the operation, maintenance and management of the City’s water system pursuant to and accordance with the provisions N.J.S.A. 40A:31.17 et seq. and pursuant to said Contract, the Contract partner took over the operation and maintenance of the City’s water system on July 1, 1994; and

WHEREAS, a Contract Amendment was entered into between the parties in June, 1996 extending the term of said contract through June 30, 2014 (the First Amendment”); and

WHEREAS, it is the mutual desire of the parties to enter into this Second Amendment to said Contract to provide for the continued operation and maintenance and management of the System through June 30, 2024, pursuant to and in accordance with the provisions of N.J.S.A. 40A; 31-1 et. seq., and thereby amend the Contract as set forth herein; and

WHEREAS, the Mayor and City Council of the City has determined that the public health, safety and welfare of the residents of the City can be best protected by entering into this Amendment to the Contract to provide for the continued operation, maintenance, and management of the System as set forth herein.

NOW THEREFORE, in consideration of the mutual covenants, conditions, and terms contained herein, the City, the Contract Partner and United Water Hoboken intending to be legally bound agree to amend certain provisions of the Contract, dated May 18, 1994 and the first Amendment thereto, dated June, 1996 as follows.

SECTION 1: TERM

The parties agree that the term of the Contract shall be extended to expire on June 30, 2024. In that regard, Section 2 of the Contract shall be amended to read as follows:

A. The Term of this agreement shall commence on July 1, 1994 (the “Commencement Date”), and unless earlier terminated in accordance with Section 5 hereof shall expire on June 30, 2024, subject to such annual or other earlier renewal as may be required by law and to such renewal as is contemplated in subsection B of this section 2.

B. As of the date of the execution of this Agreement the parties hereto intend to extend the term of this agreement for one (1) additional ten (10) year renewal commencing on July 1, 2024 and expiring on June 30, 2034. On or prior to the September 1 preceding July 1, 2024, the parties hereto shall commence discussions to renegotiate the provisions of sections 5, 7, 8, 16, 17 and 19 thereof which shall become effective on the following July 1. Additionally, the parties shall commence discussions to renegotiate and/or clarify contract terms that have proven impractical, ambiguous or unclear. If, on or prior to the April 1 preceding July 1, 2024, the parties shall fail to agree upon all of the terms and conditions of such Agreement which shall become effective on the following July 1, then unless the parties shall otherwise agree to extend the term of this Agreement, this Agreement shall automatically terminate on the following July 1.

SECTION 2: PAYMENT TO THE CITY

On or prior to June 30, 2001, United Water Hoboken will pay to the City Two Million Seven Hundred Thousand Dollars ($2,700,000.00). Said payment to the City shall constitute partial consideration for United Water Hoboken’s and the Contract Partner’s investment and undertaking as the City’s partner in the public/private partnership venture created hereby and does not convey
to United Water Hoboken or the Contract Partner any ownership interest or leasehold interest in the physical assets of the system.

In addition to the instant payment of $2,700,000.00 the Contract Partner and United Water Hoboken have paid the City a total of $10,500,000.00 in earlier payments from the original contract and the First Amendment, as well as other payments stemming from said earlier Agreements.

SECTION 3: TERMINATION

Section 5 of the Contract shall be modified as follows. The formula set forth in section 5(B)4, 5(D) 2, shall be deleted and replaced with the following formula:

\[(A + B + C) \times \frac{D}{8395}\]

Where:
- \(A\) = The amount paid to the City in accordance with Section 4 of the contract, Section 2 of the First amendment and Section 2 hereof or any Amendment s thereto.

Where:
- \(B\) = The unamortized portion, if any, as of The date of termination of this Agreement, of any advances previously made by United Water Hoboken and the Contract Partner for System capital improvements repairs in Accordance with Section 7 of the Contract, Section 4 of the First Amendment and Section 4 hereof.

Where:
- \(C\) = The actual cost to the Contract Partner of the modification of the Automatic Meter Reading equipment ("AMR") as certified to the City in accordance with the provisions of subsection B of Section 6 of the Contract, plus the actual costs of retrofitting the AMR equipment in accordance with Section 5 hereof, which cost is estimate to be $300,000.00.

Where:
- \(D\) = The number of days in the period beginning with the Date of termination of this Agreement and ending with June 30, 2024.

SECTION 4: SYSTEM CAPITAL IMPROVEMENTS AND/OR REPAIRS

Section 7 of the Contract shall remain in full force and effect until June 30, 2001. Thereafter, beginning July 1, 2001, Section 7A and 7B of the Contract shall be suspended and shall read as follows:

A. For the one year period commencing on July 1, 2001 and ending June 30, 2002 and for each one year period thereafter commencing on July 1 of each year and ending on June 30 of the following year, the Contract Partner, after consulting with the City and/or its consultants, shall prepare a budget for such period which sets forth in detail the capital improvements and/or repairs to be made to the System during such period. The Contract Partner shall be obligated to make and pay for at its sole cost and expense the first $350,000.00 of the capital improvements and/or repairs to be made to the System during each such period set forth in such budget. All charges
made against the Contract Partner’s obligation to pay for the first $350,000.00 of the capital improvements and/or repairs to be made to the System during each such period shall be made at the Contract Partner’s direct cost of labor, material and overhead, based upon the formula provided in the Agreement, dated as of May 18, 1994, between the Contract Partner and United Water Hoboken. The overhead cost charged by United Water Hoboken to the Contract Partner shall be reasonable and shall not exceed the costs charged by United Water Hoboken to other water utilities for similar services.

B. If for any reason, the Contract partner does not incur expenditures for System capital improvements and/or repairs in any one year period which are equal to $350,000.00, then the Contract Partner’s obligation to contribute to the System capital improvements and/or repairs during the next one year period shall be increased to the sum of $350,000.00 plus the difference between $350,000.00 and the amount actually incurred by the Contract Partner in the preceding one year period. Such carry over shall be for one year only. Expenditures made in any year shall first be charged against the current year requirement of $350,000.00.

Comencing July 1, 2014 the Capital Improvement Budget shall be adjusted upward annually by the increase in the CPI. It is the intent of the parties hereto that the Contract Partner shall have contributed a total of at least $9,500,000.00 for System capital improvements and/or repairs between May 18, 1994 and June 30, 2024. If for any reason the Contract Partner’s total contribution for System capital improvements and/or repairs by June 30, 2024 is less than $9,500,000.00, the Contract Partner shall pay to the City difference between $9,500,000.00 and the amount actually contributed by the Contract Partner over the contract term.

SECTION 5: AUTOMATIC METER READING RETROFIT

It is the determination of the City and the Contract Partner that the current Automatic Reading System (“AMR”) requires retrofitting as a result of advances in fiberoptic technology, which has impacted Contract Partner’s meter reading capability. Therefore, the Contract Partner agrees to upgrade the existing system at its costs and expense, estimated to be $300,000.00.

SECTION 6: CAPITAL IMPROVEMENT BUDGET SURPLUS

It is the determination of the City that certain extraordinary expense will occur in 2001 and 2002, specifically improvements to Pier C, which will require main extensions and other infrastructure improvements. For all prior periods ending June 30, 2001, the parties have agreed that there exists a Capital Improvement Budget Surplus of $250,000.00. The parties agree that notwithstanding any other provision of the Contract, or the First or this Second Amendment thereto, said surplus will be carried over and applied to the Pier C improvements, or such other improvements designated by the City to the full exhaustion of this surplus. Any funds not spent for said improvements will be carried over until the balance is expended.

SECTION 7: RATES FEES AND CHARGES

Section 17 of the Contract shall remain in full force and effect, including Amendments thereto. This Second Amendment to the Contract contemplates no additional rate increases, except as otherwise provided for in the Contract and the First Amendment for capital improvement expenditures beyond the annual capital improvement budget and for the annual adjustments based on the Consumer Price Index (CPI) for the years 2014 through 2024. (See Exhibit D).

Section 8:

of February 17, 1999, the Company agreed to provide the City with water supply at a rate of $1,500.00 per million gallons through June 30, 2014. Since it is impossible to project the future wholesale cost of water to the Company is greater than $1,500.00 per million gallons, the excess cost will be a pass through to the City beginning July 1, 2014 through the contract termination on June 30, 2024.

SECTION 9:

Except as amended herein all other provisions of the Contract dated May 18, 1994, between the City and the Contract Partner and Mid-Atlantic or its successor shall remain in full force and effect through the term of said Contract as amended herein.

---Councilwoman Castellano moved that the ordinance pass its first reading as read and be laid on the table for public inspection to be further considered for final passage at a meeting of the Council to be held on June 20, 2001 at 7:00 PM.

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 5 - NAYS: 2 - ABSENT: 1 - ABSTENTIONS: 1
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, and President Moyeno.
---Nays: Roberts, Soares.
---Absent: Ramos.
---Abstentions: Hudock.

All regular business concluded the following members of the public spoke at the “Public Portion” of the meeting: Annie Forbes, 400 Marshal Drive; Lynda Walker, 210 Harrison Street; Beth Mason, 921 Hudson Street; Tom Kennedy, 10 Church Towers; James Fitzsimmons, 509 Willow Avenue; Dinorah Vargas, 1217 Washington Street; Paul Avante, 736 Willow Avenue; Peter Croce, 1301 Washington Street.

President Moyeno then adjourned the meeting at 8:24 p.m.
President Moyeno opened the meeting at 7:14 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 furnished to The Jersey Journal and The Hoboken Reporter, The Bergen Record, The Newark Star - Ledger and also placed on the bulletin board in the lobby of City Hall."

The Council President then called for the Salute to the Flag.

The Clerk then called the roll:

PRESENT: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.

ABSENT: None.

HEARING ON ORDINANCES

Second Reading and Public Hearing

Motion to reopen the Public Hearing on the following ordinance:

By Councilman Soares:
Seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.

ORDINANCE OF THE CITY OF HOBOKEN AMENDING CHAPTER 196 (ZONING) OF THE CODE OF THE CITY OF THE CITY OF HOBOKEN, ARTICLE V, SCHEDULE I: RESIDENTIAL DISTRICTS TO AMEND CERTAIN REGULATIONS OF THE R-1(E) EDUCATIONAL SUBDISTRICT AND TO AMEND ARTICLE X, CONDITIONAL USES

President Moyeno directed the City Clerk to announce that the Council would consider for final passage the aforesaid ordinance and all persons interested at this time would be given an opportunity to be heard concerning said ordinance which was read in full.
The following spoke regarding the ordinance: Paul Grygiel, 434 Sixth Avenue, New York City; Jeffery Kantowitz, attorney representing Bo Zeeman, 732 Hudson Street; Lisa Conde, 632 Hudson Street; Annabelle Bexiga, 1201 Hudson Street; David White, 1217 Garden Street; Randy Brummette, 1201 Hudson Street; Glen Davis, 802 Hudson Street; Dominic Casulli, 921 Castle Point Terrace; Daniel deCavagnac, 636 Hudson Street; Charles Liebling, attorney, Windels, Marx, Lane and Mittendorf, 120 Albany Street Plaza, New Brunswick, NJ; Thomas Bogdan, (same as last); Stephen Santangelo, 1103 Washington Street; Alice Galmann, 919 Washington Street; Dan Tumpson, 230 Park Avenue; David White, 1217 Washington Street (2nd time); Lea Healy, 806 Park Avenue. No other person present desiring to be heard and all written protests or objections received, President Moyeno asked for a motion to close the hearing.

Councilman Roberts moved that the hearing be closed. Motion duly seconded by Councilwoman Castellano.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.

SECOND AMENDMENT TO CONTRACT FOR PUBLIC/PRIVATE PARTNERSHIP AND OPERATION, MAINTENANCE AND MANAGEMENT SERVICE FOR THE CITY OF HOBOKEN'S MUNICIPAL WATER SYSTEM.

President Moyeno directed the City Clerk to announce that the Council would consider for final passage the aforesaid ordinance and all persons interested at this time would be given an opportunity to be heard concerning said ordinance which was read in full.

No person present desiring to be heard and no written protests or objections received, President Moyeno asked for a motion to close the hearing.

Councilman Del Boccio moved that the hearing be closed. Motion duly seconded by Councilman Roberts.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSTENTIONS: 1
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.
---Abstentions: Hudock.

HEARING ON ORDINANCES

Third and Final Reading

Council President Moyeno then moved that the ordinance entitled, "ORDINANCE OF THE CITY OF HOBOKEN AMENDING CHAPTER 196 (ZONING) OF THE CODE OF THE CITY OF THE CITY OF HOBOKEN, ARTICLE V, SCHEDULE I: RESIDENTIAL DISTRICTS TO AMEND CERTAIN REGULATIONS OF THE R-1(E) EDUCATIONAL SUBDISTRICT AND TO AMEND ARTICLE X, CONDITIONAL USES" be taken from the table for its third and final reading.

Motion seconded by Councilman Soares.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.
Council President Moyeno then moved that the ordinance entitled, "SECOND AMENDMENT TO CONTRACT FOR PUBLIC/PRIVATE PARTNERSHIP AND OPERATION, MAINTENANCE AND MANAGEMENT SERVICE FOR THE CITY OF HOBOKEN’S MUNICIPAL WATER SYSTEM" be taken from the table for its third and final reading.

Motion seconded by Councilwoman Castellano.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSTENTIONS: 1
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.
---Abstentions: Hudock.

01-1975

PETITIONS AND COMMUNICATIONS

WHEREAS, Margaret O’Brien is the firstborn daughter of two Army Officers who settled in Hoboken after World War II and she is the proud mother of three sons, Tim, Darrin and Brendan; and

WHEREAS, Margaret O’Brien has been involved civically in Hoboken for decades, serving as an active participant in public school matters and as past president of several Parent Teacher Organizations, attending public meetings to address issues of concern in our community, and expressing her ideas in countless letters to the editors of local newspapers; and

WHEREAS, Margaret O’Brien is well known throughout Hoboken for her more than three decades of service as a Crossing Guard, a position in which she has always excelled, as evidenced by the love and admiration of hundreds of children and Senior Citizens who she has helped to protect over the years; and

WHEREAS, Margaret O’Brien is a historian in her own right, having worked tirelessly for years to research the history of Hoboken, as compiled in her soon to be published book “Hoboken Captains, Fore and Aft”, and other works, including “The Ladies of Castle Stevens”, “The Pal Moon Memoriam”, “Hoboken, the First”, “Stories of Ye Olde Hoboken” and many other available for reading on the Internet; and

WHEREAS, Margaret O’Brien is clearly someone who has demonstrated her love for Hoboken, its people and its history, through nearly a lifetime of commitment to sharing her knowledge with local historians, Native American Indian Reservations, schools, daycare centers and the public in general;

NOW THEREFORE, I, ANTHONY RUSSO, Mayor of the City of Hoboken, do hereby issue this proclamation in honor of Margaret O’Brien, recognizing her lifelong contributions to the City of Hoboken and its citizens.

01-1976

WHEREAS, Nellie Moyeno is a lifelong resident of the City of Hoboken, married to Luis, both the proud parents of Luis and Rosemarie; and proud grandparents to granddaughters Elizabeth and Victoria; and
WHEREAS, Nellie Moyeno has a long history of public service in the City of Hoboken, serving as the first Director of the Office of Hispanic and Minority Affairs with the Vezzetti Administration, and as a volunteer in many civic and cultural organizations, most notably for events highlighting Puerto Rican history and culture; and

WHEREAS, Nellie Moyeno was elected Councilwoman at Large in June 1993 and again in 1997 to “Turn the Tide” for a better Hoboken and served with distinction as City Council President in 1999 and 2000, the first Hispanic Council President in the history of our City; and

WHEREAS, Nellie Moyeno deserves recognition for her heroic actions in risking her own life recently to save the life of a distraught woman who threatened to jump off of a 10-story Housing Authority building; and

NOW THEREFORE, I, ANTHONY RUSSO, Mayor of the City of Hoboken, do hereby issue this proclamation in honor of City Council President Nellie Moyeno, recognizing her commitment, dedication and bravery in the face of a life-threatening situation, on behalf of the City of Hoboken and its citizens.

--Received and filed.

01-1977

WHEREAS, James Fitzsimmons is a lifelong resident of the City of Hoboken, and son of retired Deputy Fire Chief Edward Fitzsimmons; and

WHEREAS, James Fitzsimmons was appointed to the Hoboken Police Department in May 1979, became a Detective in 1984 and was promoted to Sergeant in 1989, serving admirably as a one of the first coordinators of the D.A.R.E. Program in our State, which educated Hoboken children on the dangers of drug use; and

WHEREAS, James Fitzsimmons was elected Councilman at Large in June 1993 to “Turn the Tide” for a better Hoboken and served with distinction as City Council President in 1993 and 1994, he won re-election in 1997, and left the Council in 1999 to return as a Lieutenant to the Hoboken Police Department, and

WHEREAS, James Fitzsimmons deserves recognition for his heroic actions recently in helping to save a distraught woman’s life when she threatened to jump off a 10-story Hoboken Housing Authority building;

NOW THEREFORE, I, ANTHONY RUSSO, Mayor of the City of Hoboken, do hereby issue this proclamation in honor of James Fitzsimmons, recognizing his commitment, dedication and bravery in the face of a life-threatening situation, on behalf of the City of Hoboken and its citizens.

--Received and filed.

01-1978

A report from the Hoboken Planning Board regarding the proposed ordinance amending Chapter 196 (Zoning); stating their findings as the ordinance is “inconsistent with the Master Plan”.

--Received and filed.

01-1979

A communication from Corinne M. Mullen, Esq. requesting the City Clerk to include resolution (No. 14) to the City Council meeting on June 20, 2001.

--Received and filed.
**01-1980**
A communication dated and received June 20, 2001, from Roger T. Cole, Vice President, Facilities and Support Services, Stevens Institute of Technology; protesting the adoption of the Ordinance Amending Chapter 196, R-1 (E) Educational Subdistrict and Conditional Uses.

--Received and filed.

**01-1981**
A communication from Windels, Marx, Lane and Mittendorf, attorneys for Stevens Institute of Technology; opposing the proposed amendment to the Zoning Ordinance for R-1 (E) Educational District.

--Received and filed.

**01-1982**

President & Members of Council
City of Hoboken
94 Washington Street
Hoboken, NJ 07030

Re: Zoning Board

Dear President Moyeno:

There is currently a vacancy as second alternate on the Hoboken Zoning Board of Adjustment due to the resignation of Mr. Lawrence Kriz.

Accordingly, I am appointing Mr. Michael Russo, 10 Church Towers, to this vacant position as second alternate on the Zoning Board of Adjustment.

Thank you for your attention to this matter.

Very truly yours,

Anthony Russo, Mayor

--Received and filed.

**01-1983**

APPLICATIONS FOR MISCELLANEOUS LICENSES

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<td>Limousine Owners</td>
<td>3</td>
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<td>1</td>
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<tr>
<td>Mechanical Amusement Devices</td>
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---Councilwoman Castellano moved that the licenses be granted.
---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yea: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.
01-1984

REPORTS OF CITY OFFICERS

A report from Municipal Tax Collector Louis Picardo for taxes collected; for the month ending May 31, 2001 - $8,881,000.31.

---Received and filed.

01-1985

At this time, 8:30 p.m., the City Council entered into closed (executive) session.

By Council President Moyeno:

WHEREAS, Members of the Hoboken City Council wish to enter Executive Session to discuss matters pursuant to N.J.S.A. 10:4-12(b); and

WHEREAS, pursuant to N.J.S.A. 10:4-13 a resolution is required stating the general nature of the subject to be discussed and as precisely as possible, the time when and the circumstances under which the discussion in the Executive Session can be disclosed to the public; and

WHEREAS, the general nature of the subject(s) to be discussed at this meeting is as follows:

1- A discussion of litigation and labor negotiations; now therefore - police department personnel matters

BE IT RESOLVED, that the City Council shall at this time, 8:30 pm, June 20, 2001, enter into Executive Session to discuss the matters as outlined above, and-

BE IT FURTHER RESOLVED, that it can be disclosed to the public as follows:

Upon final disposition of the matter.

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.

The City Council came out of closed (executive) session and returned to the regular agenda at 10:01 p.m., on a motion by Councilman Del Boccio, seconded by Councilwoman Andreula; unanimous vote.

CLAIM RESOLUTIONS

01-1986

By Councilwoman Castellano:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $1,193,466.93 against the UNCLASSIFIED CLAIMS.
Seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.

By Councilwoman Castellano:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $236,553.92 against the DEPARTMENT OF ADMINISTRATION.

Seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.

By Councilwoman Castellano:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $111,103.00 against the DEPARTMENT OF ADMINISTRATION, SECTION 8.

Seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 7 - NAYS: 0 - ABSTENTIONS: 2
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Roberts, Soares.
---Nays: None.
---Abstentions: Ramos, President Moyeno.

By Councilman Del Boccio:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $220,944.82 against the DEPARTMENT OF ENVIRONMENTAL SERVICES.

Seconded by Councilwoman Castellano.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.

By Councilwoman Andreula:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in
payment of approved claims totaling $10,983.88 against the DEPARTMENT OF HUMAN SERVICES.

Seconded by Councilwoman Castellano.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.

By Councilwoman Castellano:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $30,482.10 against the CAPITAL ACCOUNT.

Seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.

By Councilwoman Castellano:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $11,940.40 against the LATE CLAIMS.

Seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.

PAYROLL RESOLUTIONS

01-1987
By Councilwoman Castellano:

RESOLVED, THAT WARRANTS DRAWN ON THE CITY TREASURER, TO THE ORDER OF THE CITY TREASURER, IN PAYMENT OF SERVICES OF OFFICERS AND EMPLOYEES OF THE CITY OF HOBOKEN, FOR THE PERIOD MAY 24, 2001 TO JUNE 6, 2001 FOR THE PAYROLL ARE HEREBY RATIFIED IN THE FOLLOWING AMOUNTS:

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</table>
Motion by Councilwoman Castellano.
Seconded by Councilman Del Boccio.

After discussion it was decided that the above payroll resolution would be tabled at this time because some Council Members questioned large payments to certain individuals. It will be return for ratification at a subsequent meeting.

01-1987A
By Councilwoman Castellano:

RESOLVED, THAT WARRANTS DRAWN ON THE CITY TREASURER, TO THE ORDER OF THE CITY TREASURER, IN PAYMENT OF UNIFORM ALLOWANCE OF OFFICERS AND EMPLOYEES OF THE CITY OF HOBOKEN, FOR THE PERIOD ENDING JUNE 6, 2001 ARE HEREBY RATIFIED IN THE FOLLOWING AMOUNTS:

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<th>Department</th>
<th>Account Num.</th>
<th>Regular Pay</th>
<th>Overtime</th>
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<td>Accounts &amp; Controls</td>
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<td>Personnel</td>
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<td>Tax Collector's</td>
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<td>Assessor's Office</td>
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<td>Treasurer's</td>
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<td>Code</td>
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<td>2001 Budget</td>
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Meeting of June 20, 2001

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<thead>
<tr>
<th>Senior Citizens Div</th>
<th>1-01-27-336</th>
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<tr>
<td>Rent &amp; Stabilization Bd</td>
<td>1-01-27-347</td>
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<tr>
<td>Transportation</td>
<td>1-01-27-348</td>
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<tr>
<td>Cultural Affairs</td>
<td>1-01-27-176</td>
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<td>Public Defender</td>
<td>1-01-43-495</td>
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<tr>
<td>Construction Code</td>
<td>1-01-22-195</td>
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**Sub-Total** 164,358.00 164,358.00

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<tr>
<td>Water Utility</td>
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<td>Police Outside Employ.</td>
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<tr>
<td>Police Grant.</td>
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<tr>
<td>Summer Lunch Progrm</td>
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**Grand Total** 164,708.00

---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.

**RESOLUTIONS**

Presented and Read

**01-1988**
---By Councilman Cricco:

BE IT RESOLVED, that the following SFY 2001 budget (ending 6/30/01) appropriation transfers are hereby authorized by the City of Hoboken:

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<thead>
<tr>
<th>CURRENT FUND</th>
<th>FROM</th>
<th>TO</th>
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<td>ADMINISTRATION O.E.</td>
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<tr>
<td>CITY COUNCIL</td>
<td>1-01-20-111-021</td>
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<tr>
<td>CITYCLERK-</td>
<td>1-01-20-120-021</td>
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### Legal Ads

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<td>1-01-20-122-021</td>
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<td>1-01-20-156-020</td>
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### Elections

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<td>1-01-26-291-021</td>
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### Special Counsel

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<th>Description</th>
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<td>1-01-26-291-021</td>
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### Environmental Services O.E.

<table>
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### Unclassified O.E.

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### Administration S/W

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<td>City Clerk</td>
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<tr>
<td>Elections</td>
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<td>$12,000.00</td>
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<td>Accts. &amp; Control</td>
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### Environmental

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<td>1-01-26-300-011</td>
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<td>Central Garage</td>
<td>1-01-26-301-011</td>
<td>$19,000.00</td>
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### Current Fund

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<th>To</th>
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### Unclassified S/W

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**Total S/W** $61,500.00

**Grand Total** $339,269.00

--- Motion duly seconded by Councilwoman Castellano.
--- Adopted by the following vote: YEAS: 9 - NAYS: 0
--- Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
--- Nays: None.

--- By Councilwoman Castellano:
WHEREAS, pursuant to City Council Resolution adopted March 3, 1999, a Professional Service Agreement has been entered between the City of Hoboken and Marchetto Caulfield Associates, 1 Henderson Street, Hoboken, New Jersey, for professional architectural and engineering services and expenses related to the Hoboken City Hall Preservation Grant Improvements Project for a fee of $116,975.00; and

WHEREAS, Marchetto Caulfield Associates has modified its proposal for professional services for the Hoboken City Hall Historic Preservation Grant Improvements Projects based upon increased costs for a restoration subcontractor; and

WHEREAS, the increase is $26,770.00

NOW, THEREFORE, BE IT RESOLVED, the City Council awards an amended professional services contract to Marchetto Caulfield Associates to complete the Hoboken City Hall Preservation Grant Improvements Project which contract shall provide for $26,770.00 additional compensation; and

BE IT FURTHER RESOLVED, that the Mayor be authorized to execute an amended contract on behalf of the City; and

BE IT FURTHER RESOLVED, that the funds are available in the account captioned “NJ Historic Trust Fund Grant Account; City Hall”.

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yea: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.

01-1990
---By Councilman Cricco:

WHEREAS, property located on Block 3., Lot 14, 501-505 Newark Street in Hoboken was purchased by Fields Realty Company, One Henderson Street, Hoboken, New Jersey on March 6, 1978; and

WHEREAS, the Mayor and Council agree that the property has been a vacant lot since 1950, void of any utilities; and

WHEREAS, water bills have been sent to the previous owner of the property and have remain unpaid; and

WHEREAS, as a result of the outstanding water bills a water lien was placed on the property in 1998; and

WHEREAS, the Mayor and Council have determined that the water bills that have accumulated since Fields Realty Company purchased the property on March 6, 1978 despite there being no water service to the property since the date of purchase by Fields Realty Company; and

WHEREAS, the Mayor and Council find that the water lien on the property be removed and the records regarding water bills to the property located on 501-505 Newark Street, Block 3.2, Lot 14 be adjusted to reflect no charges for water service since March 6, 1978.

NOW, THEREFORE BE IT RESOLVED, that the Administration is hereby authorized to adjust any and all records to reflect no charges for water service on property located on 501-505 Newark Street, Block 3.2, Lot 14 be adjusted to reflect no charges for water service since March 6, 1978.
NOW, THEREFORE BE IT RESOLVED, that the Administration is hereby authorized to adjust any and all records to reflect no charges for water service on property located on 501-505 Newark, Street, Block 3.2, Lot 14 as of March 6, 1978; and be it further

RESOLVED, that the Administration is hereby authorized to remove the water lien placed on 501-505 Newark Street, Block 3.2, Lot 14 in 1998.

---Motion duly seconded by Councilwoman Castellano.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.

01-1991
---By Councilwoman Castellano:

WHEREAS, a summons was issued for a motor vehicle violation to the following; and

WHEREAS, said motor vehicle was towed away at the expense of the owner; and

WHEREAS, the Municipal Judge found the defendants not guilty and the defendants petition to the City Council for reimbursement of the towing charges and storage fees; now, therefore, be it – RESOLVED, that warrants be drawn on the City Treasurer to the order of the following, in the sum opposite their respective names, as reimbursement of towing:

<table>
<thead>
<tr>
<th>Name/Address</th>
<th>Summons Date</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Christopher McCutcheon 132 Madison Street Hoboken, NJ 07030</td>
<td>9/14/00</td>
<td>$75.00</td>
</tr>
<tr>
<td>Thompson Young 450-7th Street Hoboken, NJ 07030</td>
<td>9/20/00</td>
<td>$117.50</td>
</tr>
<tr>
<td>Joel Gilburt 119 Willow Avenue Hoboken, NJ 07030</td>
<td>4/05/00</td>
<td>$75.00</td>
</tr>
</tbody>
</table>

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.

01-1992
---By Councilwoman Castellano:

WHEREAS, N.J.S.A. 40:69A-181 (b) provides that the twenty day lapse which must occur before an ordinance becomes effective may be waived if the City Council adopts a resolution declaring the matter an emergency and at least two-thirds of all the members of the council vote in favor of such resolution; and

WHEREAS, the City Council has determined that the adoption of an Ordinance entitled “SECOND AMENDMENT TO CONTRACT FOR PUBLIC/PRIVATE PARTNERSHIP AND OPERATION, MAINTENANCE AND MANAGEMENT SERVICE FOR THE CITY OF HOBOKEN’S MUNICIPAL WATER SYSTEM” calls for emergent action;
NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE COUNCIL OF THE CITY OF HOBOKEN, that the Council declares that the enactment of an Ordinance entitled “SECOND AMENDMENT TO CONTRACT FOR PUBLIC/PRIVATE PARTNERSHIP AND OPERATION, MAINTENANCE AND MANAGEMENT SERVICE FOR THE CITY OF HOBOKEN’S MUNICIPAL WATER SYSTEM” requires emergent action pursuant to N.J.S.A. 40:69A0181(b), the twenty day lapse which must occur before an ordinance become effective shall be waived, and the Ordinance shall go into effect immediately.

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.

01-1993
---By Councilman Cricco:

WHEREAS, the City of Hoboken Chief Financial Officer recommends that the following outstanding checks remitted by the City of Hoboken in 1997, 1998, 1999, and 2000, be canceled:

<table>
<thead>
<tr>
<th>Account No.</th>
<th>Account Name</th>
<th>Total Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>107-01-1398-5</td>
<td>General Account</td>
<td>$194,056.11</td>
</tr>
</tbody>
</table>

WHEREAS, the specific check numbers to be canceled are set forth in the correspondence from the Chief Financial Officer attached hereto and made a part hereof; now, therefore, be it

RESOLVED, by the Council of the City that the outstanding checks set forth in the attached recommendation of the Chief Financial Officer totaling $194,056.11 be canceled by the City.

---Motion duly seconded by Councilwoman Castellano.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.

01-1994
---By Councilman Cricco:

WHEREAS, the City of Hoboken Tax Collector recommends the settlement of the matters listed below which pertain to the payment of a tax refunds due; now therefore, be it

RESOLVED, that warrants be drawn on the City Treasurer in favor of the following tax payers for the amounts set forth opposite the respective names, same being the overpayment of taxes allowed by the State Tax Court.

<table>
<thead>
<tr>
<th>Name</th>
<th>Block</th>
<th>Lot</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Blau &amp; Blau</td>
<td>204</td>
<td>32</td>
<td>$3,876.25</td>
</tr>
</tbody>
</table>

55 Morris Avenue
Springfield, NJ 07087

---Motion duly seconded by Councilwoman Castellano.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.

Meeting of June 20, 2001 17
WHEREAS, property located on Block 59, Lot 7, 415 Madison Street in Hoboken had a tax sale certificate #93-280 on the property for a sewerage lien; and

WHEREAS, North Hudson Sewerage Authority authorized that the account has been paid and the certificate shall be released.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council authorize that tax sale certificate #93-280 for 415 Madison Street, Block 59, Lot 7 be released; and

BE IT FURTHER RESOLVED that the Administration is hereby authorized to release the tax sale certificate #93-280 for 415 Madison Street, Block 59, Lot 7.

---By Councilman Cricco:

---Motion duly seconded by Councilwoman Castellano.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.

WHEREAS, N.J.S.A. 40A: 2-1 et. seq. (the “Local Bond Law” of the State of New Jersey authorizes the issuance by the City of Hoboken, in the County of Hudson, New Jersey (the “City”) of bonds for the purpose of refunding outstanding bonds of the City; and

WHEREAS, in accordance with the Local Bond Law, the City Council has heretofore finally adopted on April 18, 2001 Ordinance No. 01-1866 (the “Refunding Ordinance”) authorizing the issuance by the City of refunding bond in an amount not to exceed $5,500,000 for the purpose of refunding the City’s outstanding $11,250,000 General Obligation Bonds, Series 1992, dated November 15, 1992, which mature on or after November 15, 2003 (the “Refunded 1992 Bonds”) in order to provide debt service savings for the City; and

WHEREAS, pursuant to the Local Bond Law, the city has sought and obtained approvals on April 11, 2001 from the Local Finance Board of the Department of Community Affairs of the State of New Jersey (the “Local Finance Board”) of the adoption by the City Council of the Refunding Ordinance and the issuance of obligations thereunder; and

WHEREAS, by Resolution adopted June 6, 2001 (the “Bond Resolution”), the City provided for the refunding of the 1992 Bonds maturing on and after November 15, 2003 and for the issuance of not to exceed $5,500,000 of the City’s General Obligation Refunding Bonds, Series 2001 (the “Refunding Bonds”); and

WHEREAS, the City now desires to authorize, among other things, (i) the sale and issuance of the Refunding Bonds, (ii) the execution of a bond purchase contract (the “Purchase Contract”) with Ryan, Beck & Co., Livingston, New Jersey, as the purchaser of the Refunding Bonds (the “Purchaser”), and (iii) the execution and distribution of an official statement (the “Official Statement”).

WHEREAS, pursuant to the Municipal Qualified Bond Act, N.J.S.A. 40A: 3-1 et. seq. (the “Qualified Bond Act”), the City has sought and obtained approval from the Local Finance Board to issue the refunding bonds as qualified bonds under the Qualified Bond Act; and
NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF CITY COUNCIL OF THE CITY OF HOBOKEN, IN THE COUNTY OF HUDSON, NEW JERSEY (not less than two-thirds of all members thereof, affirmatively concurring), AS FOLLOWS:

Section 1. The City hereby authorizes the issuance of the Refunding Bonds of the City in the aggregate principal amount of not to exceed FIVE MILLION THREE HUNDRED SIXTY THOUSAND DOLLARS ($5,360,000).

Section 2. The Refunding Bonds shall be issued as one (1) series of bonds to be designated as ‘General Obligation Refunding Bonds, Series 2001”. The Refunding Bonds shall be issued in the aggregate principal amount of $5,360,000. Each series of the Refunding Bonds shall be dated June 1, 2001, shall be numbered from 1 upward in the denomination of $5,000 each of any multiple of $1,000 in excess thereof shall be issued as fully registered bonds and shall mature on November 15 in each of the years and in the principal amounts, and shall bear interest at the rates as follows:

<table>
<thead>
<tr>
<th>Year</th>
<th>Principal Amount</th>
<th>Interest Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>2001</td>
<td>$ 40,000</td>
<td>2.750%</td>
</tr>
<tr>
<td>2002</td>
<td>90,000</td>
<td>3.000%</td>
</tr>
<tr>
<td>2003</td>
<td>1,090,000</td>
<td>3.250%</td>
</tr>
<tr>
<td>2004</td>
<td>1,070,000</td>
<td>3.375%</td>
</tr>
<tr>
<td>2005</td>
<td>1,045,000</td>
<td>3.600%</td>
</tr>
<tr>
<td>2006</td>
<td>1,025,000</td>
<td>3.700%</td>
</tr>
<tr>
<td>2007</td>
<td>1,000,000</td>
<td>3.900%</td>
</tr>
<tr>
<td>TOTAL</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Section 3. The Refunding Bonds are not subject to redemption prior to their stated maturity

Section 4. The distribution by the City of the Preliminary Official Statement dated June 11, 2001 and the use of the Official Statement in substantially the form of the Preliminary Official Statement presented to this meeting are hereby approved with such changes as counsel may advise, and the use of the information contained therein concerning the City in connection with the sale of the Refunding Bonds are hereby approved and authorized and the Mayor, the Administrator or the Chief Financial Officer of the City is hereby authorized and directed, to execute and deliver to the Purchaser of the Refunding Bonds the final Official Statement with such changes as counsel may advise and the officer executing the same may approve, such approval to be evidenced by such officer’s execution thereof.

Section 5. The Purchase Contract with respect to the Refunding Bonds, substantially in the form submitted to the City Council at this meeting, is hereby approved and accepted, subject to such changes and corrections as are deemed necessary or appropriate by the Mayor, the Administrator or Chief Financial Officer after consultation with the City’s counsel and/or bond counsel, his, her or their execution thereof to be conclusive evidence of such acceptance and approval. The Refunding Bond are hereby awarded to Ryan, Beck & Co. (the “Underwriter”) upon the terms set forth in such Purchase Contract, which provides for a purchase price of $5,318,998.00 (the $5,360,000 par amount of the Refunding Bonds, less original issue discount of $14,202.00 and less underwriter’s discount of $26,800.00), plus accrued interest from June 1, 2001 to the date of issuance of the Refunding Bonds. The Mayor, Administrator and/or Chief Financial Officer of the City are each hereby authorized, empowered and directed to execute and deliver said Purchase Contract on behalf of the City.

Section 6. The Mayor, the Administrator, the Chief Financial Officer and the Clerk of the City are hereby designated, authorized and directed to perform or determine any other matters or details relating to the Refunding Bonds, are authorized to pay upon receipt of invoices therefore the costs of issuance of the Refunding Bonds, including, but not limited to those persons or firms listed on Exhibit A hereto, and are authorized to execute, among other things, one or more
subscriptions for the purchase of United States Treasury Obligations, State and Local Government Series or such other securities and/or investment agreements in accordance with the Escrow Deposit Agreement, and an arbitrage certificate certifying that, among other things, the City, to the extent it is empowered and allowed under applicable law, covenants that it will do and perform all acts and things necessary or desirable for the purpose of monitoring compliance to assure that interest paid on the Refunding Bonds is excludable from gross income under the Internal Revenue Code of 1986, as amended.

Section 7. This resolution shall take effect immediately.

---Motion duly seconded by Councilwoman Castellano.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.

01-1997
---By Councilman Ramos:

WHEREAS, parades are frequently organized in the City of Hoboken; and,

WHEREAS, the City of Hoboken, in the exercise of its police powers, regulates parades; and,

WHEREAS, the City of Hoboken encourages multi-culturalism and supports the cause of the Latin Cultural Festival; and

WHEREAS, the Association Civic Pro Parade Puertorriquena de Hoboken has obtained the necessary permits.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Hoboken that the Asociacion Civica Pro Parada Puertorriquena de Hoboken may be permitted to use Frank Sinatra Park on Friday, July 13, 2001 through Sunday, July 15, 2001 from 1:00 p.m. to 11 p.m. with no parking regulation commencing at 10:00 a.m.

---Motion duly seconded by Councilman Roberts.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.

01-1998
---By Councilman Del Boccio:

WHEREAS, Carmen LaBruno, Chief of the City of Hoboken Police Department, has been named a defendant in a civil action docketed in the New Jersey Superior Court, Hudson County, captioned Rashad Casey v. City of Hoboken, et al. Docket No. L-3121-01, and which civil action also names as defendants, the City of Hoboken, George Crimmins, the City of Hoboken Police Department, Joseph Taglieri, Anthony P. Falco, Jeffrey Vigna, and other John Does; and

WHEREAS, the matter has been duly forwarded to the City's insurance carrier; and

WHEREAS, the allegations lodged against Chief Carmen LaBruno relate directly to his performance of duties as Chief of the Hoboken Police Department and allege generally malicious prosecution, defamation, violations of 42 U.S.C. 1983, and violations of 42 U.S.C.1985 (2); and

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF HOBOoken that the Council shall, pursuant to Hoboken Code 54-40, hereby indemnify and hold harmless Carmen LaBruno for any and all causes of action, charges, complaints, claims, judgments, damages,
liabilities, obligations, promises, agreements, rights, costs, losses, debts and expenses of any nature whatsoever related to the Casey v. Hoboken matter, except that Hoboken Code 54-40 (C) provides that "nothing in this section shall authorize the City to pay punitive or exemplary damages assessed against an employee or any damages resulting from the commission of a crime, actual malice, actual fraud or willful misconduct; and be it

FURTHER RESOLVED that, in the event the insurance company does not provide a defense for Carmen LaBruno and the other defendants, the defendants shall be reimbursed for all reasonable counsel fees incurred in defending this action.

---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.

01-1999
---By Councilman Del Boccio:

WHEREAS, various City employees, have been named a defendant in a civil action docketed in the New Jersey Superior Court, Hudson County, captioned Rashad Casey v. City of Hoboken, et al. Docket No. L-3121-01, which civil action also names as defendants, the City of Hoboken, George Crimmins, the City of Hoboken Police Department, Joseph Taglieri, Anthony P. Falco, Jeffrey Vigna, and other John Does; and

WHEREAS, the matter has been duly forwarded to the City's insurance carrier; and

WHEREAS, the insurance carrier has reserved its rights and will neither defend the charges of nor pay an award for punitive damages;

WHEREAS, to the extent that the allegations lodged against individual defendants relate to their performance of duties as City employees, the City shall provide said employees with a legal defense to the charges;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF HOBOKEN that the Council hereby authorizes the above-named individual defendants facing charges of misconduct warranting punitive damages, which charges relate to their performance of duties as City employees to retain legal counsel to defend said charges; and it is further

RESOLVED, the professional services contract permitted hereunder shall be subject to an agreed upon hourly rate.

---Motion duly seconded by Councilman Cricco.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.

01-2000
---By Councilman Soares:

WHEREAS, the Hoboken City Council desires to amend the provisions of the R-1 (E) District;

WHEREAS, the Hoboken Planning Board has transmitted its recommendation regarding the proposed ordinance amendment;

WHEREAS, the Planning Board's recommendation noted an inconsistency between the proposed ordinance and the Circulation Plan Element of the Master Plan but was silent as to any
such inconsistency between the proposed ordinance and the Land Use Plan Element and Housing Plan Element of the Master Plan, or whether the proposed zoning ordinance amendment was not designed to effectuate the Land Use Plan Element and the Housing Plan Element of the Master Plan;

WHEREAS, notwithstanding the Planning Board’s recommendation, the City Council desires to adopt the proposed ordinance amendment,

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

1. Ordinance #                to amend the provisions to be adopted.

2. The reasons for this action are:

   The City Council finds the proposed ordinance inconsistent with the Circulation Plan Element of the Master Plan. Despite this funding the following reasons support the ordinance:

   a. Zoning and planning are dynamic and must respond to changes in the land and area on which they operate.

   b. The R-1 (E) district is a distinct district w/different characteristics from other districts in Hoboken.

      c. The need for adequate and sufficient parking call for enhanced parking requirements in that district

   d. The uses of the land governed by the R-1 (E) zone are different from uses in other uses in other zone districts in that they are used as educational facilities. They may not be as sharply delineated as other uses where shared parking otherwise. 

   e. 196-40(E) (2) speaks about allowing “time-share parking”, for 2 different uses, that section cautions that it be subject to adequate documentation of the usage characteristics of each use. Here, the R-1 (E) campus functions as a unique campus and is therefore no different from other zones to which time-share parking may apply.

   f. Given the need to sufficient parking and the changes in development in Hoboken since the parking provisions of the R-1 (E) were first adopted, the proposed ordinance amendment is an appropriate response to these changed and dynamic conditions.

3. This Resolution shall be spread on the minutes of the June 20, 2001 meeting of the City Council.

---Motion duly seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.

01-2001
---By Councilwoman Castellano:

WHEREAS, the City Council finds that it should consider the area identified as Hudson Street from First to Thirteenth Streets for inclusion in the Historic District as defined in Section 36-2 of the Hoboken Code; now therefore, be it
RESOLVED, that the City Council hereby requests the Historic Preservation Commission to review the structures and buildings located on Hudson Street, from First to Thirteenth streets to determine whether such area, or any portion thereof, is appropriately included in the Historic District and report its findings to the City Council; and be it further

RESOLVED, that a certified copy of this resolution be forwarded by the City Clerk to the Clerk and Chairperson of the Hoboken Historic Preservation Commission.

---Motion duly seconded by Councilman Hudock.
---Adopted by the following vote: YEAS: 6 - NAYS: 3
---Yea: Council persons Castellano, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nay: Andreula, Cricco, Del Boccio.

01-2002
---By Council President Moyeno:

WHEREAS, Mr. Michael Stefano, Commissioner to the Hoboken Housing Authority, has submitted his resignation to take effect immediately; and

WHEREAS, a vacancy now exists on the Hoboken Housing Authority;

NOW, THEREFORE, BE IT RESOLVED, that Mr. Julio Correa, of 455-9th Street, Hoboken, NJ, is hereby appointed as Commissioner to the Hoboken Housing Authority, to a term beginning immediately, which shall expire on May 3, 2006.

---Motion duly seconded by Councilman Del Boccio.

A motion was made to TABLE the above resolution as follows:
---By Councilman Ramos:
---Motion duly seconded by Councilman Soares.
---Motion carried by the following vote: YEAS: 6 - NAYS: 3
---Nay: Castellano, Del Boccio, President Moyeno.

The resolution was TABLED.

ORDINANCES
Introduction and First Reading

01-2003
R-487
ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 133 OF THE HOBOKEN CODE DEFINING AND REGULATING THE USE OF MOBILE TELEPHONES WHILE OPERATING A MOTOR VEHICLE.

WHEREAS, the Council of the City of Hoboken has not previously defined and or regulated the use of mobile telephones while operating a motor vehicle within the City limits; and

WHEREAS, the City Council believes that the operation of motor vehicles on public roadways while using mobile telephones may cause the operator to maintain less than full attention to the operation of said motor vehicle; and
WHEREAS, the City Council believes that the regulation of the use of mobile telephones while operating motor vehicles within the City will enhance the safety of those persons operating motor vehicles as well as pedestrians in the City.

NOW THEREFORE BE IT ORDAINED by the City Council of the City of Hoboken, that Chapter 133 of the Code of the City of Hoboken be and hereby is amended as follows:

1. That a new Chapter 133 be and hereby is established entitled "MobileTelephones".

2. That within said new Chapter 133 there be established a Section 133-1 entitled "Definitions" to read as follows:

   “Mobile telephone” – including not limited to cellular, analog, wireless and digital telephones.

   “Use” – to use a mobile telephone in: (a) diaing; (b) answering; (c) talking; (d) listening.

   “Park” – for an automatic transmission vehicle that the vehicle is in the park gear, for a standard transmission that the vehicle is in the neutral gear and the brake is being utilized or the vehicle is otherwise stationary.

3. That within said new Chapter 133 there be established a Section 133-2 entitled "Purpose" to read as follows:

   It is the purpose of this Ordinance and the policy of the municipality to regulate the use of mobile telephones by persons operating motor vehicles in order to protect other persons within the municipality. This ordinance shall be liberally construed and applied to promote its purposes and policy.

4. That within said new Chapter 133 there be established a Section 133-3 entitled “Severability” to read as follows:

   In the event that any provision of this Ordinance is found by a Court of competent jurisdiction to be invalid, unconstitutional or unenforceable, such provision shall be deemed severable from the remainder of this Ordinance and shall not cause the invalidity of unenforceability of the remainder of this Ordinance; and if a provision shall be deemed invalid only because of excessive scope of breadth, the provision shall be deemed valid to the extent of the scope and breadth permitted by law.

5. That within said new Chapter 133 there be established a Section 133-4 entitled “Use Restrictions” to read as follows:

   (A) Permitted Uses.

   Notwithstanding anything contained in this chapter to the contrary, this ordinance shall not be construed to prohibit the use of mobile telephones by:

   1. any law enforcement, public safety or police officers, emergency management officials, first aid, emergency medical technicians and personnel, and fire safety officials in the performance of duties arising out of and in the course of their employment as such.

   2. a person who is using mobile telephone to contact public safety forces; or

   3. a person maintaining the vehicle in the parked position either on public or private property, or with a “hands free device” which would allow the operator to maintain both hands on the applicable steering device while using the mobile telephone.
4. **(B) Restrictions**

No person shall operate a motor vehicle on any street or highway while engaging in any conduct defined as the “use” of a mobile telephone unless the operator is using a mobile telephone with “hands-free” technology for dialing, answering, talking and listening.

5. That within said new Chapter 133 there be established a Section 133-5 entitled “Penalties” to read as follows:

Violations of any provision of this ordinance shall be punishable by a fine not to exceed $250.00.

6. This ordinance shall take effect as provided by law.

---Councilwoman Castellano moved that the ordinance pass its first reading as read and be laid on the table for public inspection to be further considered for final passage at a meeting of the Council to be held on JULY 11, 2001 at 7:00 PM.

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Castellano, Cricco, Del Boccio, Hudock, Ramos, Roberts, Soares, and President Moyeno.
---Nays: None.

All regular business concluded the following members of the public spoke at the “Public Portion” of the meeting: Alan Cohen of 551 Observer Highway; President Moyeno left the meeting at 10:11 p.m. and Councilman Del Boccio assumed the chair. Speakers continued: Eileen Huelbig of 819 Park Avenue; Theresa Pino of #2 Marine View Plaza; Stephen Santangelo of 1103 Washington Street; President Moyeno returned at 10:16 p.m. and resumed as chairperson. Speakers continued: Jeffrey Kantowitz of 200 Executive Drive, West Orange, NJ; James Fitzsimmons of 509 Willow Avenue.

After the “Public Portion” of the meeting Councilman Del Boccio addressed the public and presented plaques to outgoing Council Members Stephen Hudock, Nellie Moyeno and David Roberts (Mayor Elect) and outgoing Mayor Anthony Russo.

President Moyeno then adjourned the meeting at 10:50 p.m.
The City Clerk opened the meeting at 12:56 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 furnished to The Jersey Journal and The Hoboken Reporter, The Bergen Record, The Newark Star - Ledger and also placed on the bulletin board in the lobby of City Hall."

The City Clerk then called for the Salute to the Flag.

The Clerk then called the roll:

PRESENT: Council persons Andreula, Castellano, Cricco, Del Boccio, Marsh, Ramos, and Soares.

ABSENT: None.

RESOLUTIONS

At this time the City Clerk asked for nominations to fill the vacancy in the Fourth Ward for City Council. Councilwoman Castellano nominated Lynda Walker, but there were no seconds. Then a resolution was presented as follows:

01-1
---By Councilman Ramos:

WHEREAS, the Council of the City of Hoboken consists of nine (9) Council members; and

WHEREAS, as a result of the May 8, 2001, two Council seats have become vacant; and

WHEREAS, pursuant to N.J.S.A. 40A: 16-4(b) the vacant positions may be filled by the Council of the City of Hoboken by appointment; and

WHEREAS, the Council of the City of Hoboken wishes to appoint a Council member to fill the Council seat for the Fourth (4th) Ward.

NOW, THEREFORE, BE IT RESOLVED that the Council for the City of Hoboken hereby appoints Christopher Campos serve as Councilperson for the Fourth (4th) Ward. Christopher Campos as Fourth Ward Councilman of the City of Hoboken, filling the vacant seat.

---Motion duly seconded by Councilman Soares.
---Adopted by the following vote: YEAS: 5 - NAYS: 1 - ABSTENTIONS: 1
---Nays: Castellano.
---Abstentions: Del Boccio.

The City Clerk then administered the Oath of Office to Councilman Campos.

The City Clerk then asked for nominations to fill the vacancy in the Sixth Ward for City Council. The following resolution was presented.

**01-2**
---By Councilman Soares:

WHEREAS, the Council of the City of Hoboken consists of (9) Council members; and

WHEREAS, as a result of the May 8, 2001, two Council seats have become vacant; and

WHEREAS, pursuant to N.J.S.A. 40A:16-4(b) the vacant positions may be filled by the Council of the City of Hoboken by appointment; and

WHEREAS, the Council of the City of Hoboken wishes to appoint a Council member to fill the Council seat for the Sixth (6th) Ward.

NOW, THEREFORE, BE IT RESOLVED that the Council for the City of Hoboken hereby appoints A."Nino" Giacchi to serve as the Councilperson for the Sixth (6th) Ward.

---Motion duly seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 8 - NAYS: 0
---Nays: None.

The City Clerk then administered the Oath of Office to Councilman Giacchi.

The next order of business was the appointment of the City Council President. Councilman Ramos nominated Councilman Anthony Soares. Councilwoman Castellano nominated Councilwoman Rosanne Andreula; she declined the nomination. The City Clerk then called a vote to close the nominations.

---Nays: None.
--Abstentions: Castellano.

Then the vote was taken to appoint the City Council President.

**01-3**
---By Councilman Ramos:

RESOLVED, that Anthony "Tony" Soares be and is hereby appointed President of the Hoboken City Council for a one year term expiring June 30, 2002

---Motion duly seconded by Councilwoman Andreula.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSTENTIONS: 1
---Nays: None.
---Abstentions: Castellano.

The City Clerk then administered the Oath of Office to City Council President Soares.

President Soares assumed the position as the Chair.

The next order of business was the appointment of the City Council Vice-President. Councilwoman Andreula nominated Councilman Ramos. Councilwoman Castellano nominated Councilman Del Boccio; he thanked her and respectfully declined the nomination. The City Clerk then called a vote to close the nominations on a motion by Councilwoman Andreula and duly seconded by Councilman Cricco as follows:

---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

Then the vote was taken to appoint the City Council Vice-President.

**01-4**
---By Councilwoman Andreula:

RESOLVED, that Ruben Ramos, Jr be and is hereby appointed Vice-President of the Hoboken City Council for a one year term expiring June 30, 2002
---Motion duly seconded by Councilwoman Marsh.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

The City Clerk then administered the Oath of Office to City Council Vice-President Ramos.

**PETITIONS AND COMMUNICATIONS**

**01-5**
Mr. James J. Farina, City Clerk
City Hall
City of Hoboken
100 Washington Street
Hoboken, New Jersey 07030

Dear Mr. Farina:

Pursuant to my authority as the Mayor of the City of Hoboken, I am making the following appointments:

- Laurie Cotter as Business Administrator commencing July 1, 2001.
- Katia Stack as the Finance Supervisor commencing July 1, 2001.
- Esther Suarez as Corporation Counsel commencing July 1, 2001.
- Cassandra Wilday as Director of Environmental Services commencing July 1, 2001.
- Carmelo Garcia as Director of Human Services commencing July 1, 2001.
- Suzanne Hetman as Special Assistant to the Mayor commencing July 1, 2001.
- Cassandra Wilday and Kimberly Fox as members of the Hoboken Planning Board.
I am recommending the following members to the Board:

- Lynda Walker as a member to the Hoboken Housing Authority.
- Alan Cohen and Daniel DeCavaignac as members to the Hoboken Parking Authority.
- Carol Marsh as Council representative to the Hoboken Planning Board.

Kindly provide the Council for the City of Hoboken with a copy of this letter.

Very truly yours,

DAVID ROBERTS
Mayor for the City of Hoboken

--Received and filed.

RESOLUTIONS CONTINUED

Presented and Read

01-6
---By Councilman Ramos:

WHEREAS, the Code for the City of Hoboken establishes the Division of Finance within the Department of Administration, pursuant to the Code of the City of Hoboken, 4-8 et.seq., and

WHEREAS, Mayor David Roberts is hereby appointing Katia Stack as the Finance Supervisor, pursuant to the Code of the City of Hoboken; and

WHEREAS, funds are available for this purpose.

NOW, THEREFORE, BE IT RESOLVED that the Council for the City of Hoboken hereby concurs in the appointing of Katia Stack as the Finance Supervisor, pursuant to the Code of the City of Hoboken, 4-8 et. seq.; and

BE IT FURTHER RESOLVED, that Katia Stack is to be compensated at a salary of seventy thousand ($70,000) dollars per annum.

---Motion duly seconded by Council President Soares.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

01-7
---By Councilwoman Marsh:

WHEREAS, the Code for the City of Hoboken establishes the Department of Environmental Services, pursuant to the Code of the City of Hoboken, 58-1 et. seq.; and
WHEREAS, Mayor David Roberts is hereby appointing Cassandra Wilday as the Director of Environmental Services, pursuant to the Code of the City of Hoboken, 58-5 et. seq.; and

WHEREAS, funds are available for this purpose.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Hoboken hereby concurs in the appointing of Cassandra Wilday as Director of Environmental Services, pursuant the Code of the City of Hoboken, 58-5 et. seq.; and

BE IT FURTHER RESOLVED, that Cassandra Wilday is to be compensated at a salary of seventy thousand ($70,000.00) dollars per annum.

---Motion duly seconded by Council President Soares.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

01-8
---By Councilman Ramos:

WHEREAS, the Code for the City of Hoboken establishes the Department of Human Services, pursuant to the Code of the City of Hoboken, 39-1 et. seq.; and

WHEREAS, Mayor David Roberts is hereby appointing Carmelo Garcia as the Director of Human Services, pursuant to the Code of the City of Hoboken, 39-5 et. seq.; and

WHEREAS, funds are available for this purpose; and

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Hoboken hereby concurs in the appointing of Carmelo Garcia as the Director of Human Services pursuant the Code of the City of Hoboken, 39-5 et. seq.; and

BE IT FURTHER RESOLVED, that Carmelo Garcia is to be compensated at an annual salary of seventy thousand ($70,000.00) dollars per annum.

---Motion duly seconded by Council President Soares.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

01-9
---By Councilman Ramos:

WHEREAS, the City of Hoboken requires the services of an engineer for various projects pursuant to N.J.S.A. 40A:9-140.

WHEREAS, the City of Hoboken has reviewed the qualifications of Schoor DePalma, Inc. with Ralph Tango, P.E. as designee, and has determined that Schoor DePalma, Inc., with Ralph Tango, P.E. as designee, can provide these services for the City of Hoboken in an efficient manner.

WHEREAS, this type of work constitutes a professional service as defined by N.J.S.A. 40A:11-2(b) and as such, is exempt from the bidding requirements pursuant to N.J.S.A. 40A:11-5; and
NOW, THEREFORE, BE IT RESOLVED, that the City of Hoboken does hereby authorize a contract between the City of Hoboken and Schoor DePalma, Inc., with Ralph Tango, P.E. as designee, for various engineering services.

BE IT FURTHER RESOLVED, that Schoor DePalma, Inc., with Ralph Tango, P.E. as designee, shall be paid in accordance with their proposal from grant funds.

BE IT FURTHER RESOLVED, that the Clerk and the Mayor or the person designated by Ordinance to execute contracts on behalf of the City of Hoboken is hereby authorized to execute this contract.

BE IT FURTHER RESOLVED, that the City Clerk has published a brief notice stating the name of the contractor, nature of the contract, duration of the contract, the services performed and that the City Clerk have published and that the City’s legal advertisements as required by N.J.S.A. 40A:11-5(1)(a).

BE IT FURTHER RESOLVED, that a copy of this resolution shall be published and the City Clerk shall keep a copy of this contract in accordance to N.J.S.A. 40A:11-1 et seq.

---Motion duly seconded by Council President Soares.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

01-10
---By Councilwoman Andreula:

WHEREAS, the Council of the City of Hoboken considers it necessary and proper to hire special legal counsel in connection with the authorization and the issuance of bonds and bond anticipation notes in the City of Hoboken, New Jersey, including the review of such procedures and the rendering of approving legal opinions acceptable to the financial community; and

WHEREAS, such special legal services can be provided by a recognized bond counsel firm, and the law firm of Wolff & Samson, 5 Becker Farm Road, Roseland, New Jersey 07068 is so recognized by the financial community; and

WHEREAS, said legal services are a professional service as defined under N.J.S.A. 40A:11-2(6) and as such constitutes an exception to the bidding requirements pursuant to N.J.S.A. 40A:11-5(1); and

WHEREAS, funds for this agreement are available for this purpose;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Hoboken in the County of Hudson that the Supervisor of Revenue and Finance and City Clerk are hereby authorized to execute an agreement with the law firm of Wolff & Samson, thereby retaining them to provide the specialized legal services necessary in connection with the authorization and the issuance of bonds and notes by the City of Hoboken in accordance with the agreements which are attached hereto and made a part hereof;

BE IT FURTHER RESOLVED, that this agreement shall be effective as of July 1, 2001 and terminate June 30, 2002.

BE IT FINALLY RESOLVED by the Council of the City of Hoboken in County of Hudson that the City Clerk have published a brief notice stating the name of the contractor, nature of the contract, duration of the contract, the services performed and that a copy of the contract is on file with the City Clerk stating the amount of the contract, in one newspaper authorized by law to publish the City’s legal advertisements as required by N.J.S.A. 40A:11-5(1)(a).
---Motion duly seconded by Council President Soares.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

01-11
---By Councilman Ramos:

WHEREAS, the Council of the City of Hoboken considers it necessary and proper to hire special legal counsels for the coming years; and

WHEREAS, said legal services are specialized and qualitative in nature and fall within the definition of a professional service as provided under N.J.S.A. 40A:11-2(6) and as such constitutes an exception to the bidding requirements under N.J.S.A. 40A:11-5(1)(a)(ii); and

WHEREAS, funds for these agreements are available for this purpose and will be part of the Fiscal Year 2002 budget.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Hoboken in the County of Hudson that contracts for the following law firms be prepared and executed for the period commencing on July 1, 2001 to June 30, 2002;

(1) Scarinci & Hollenbeck, LLC
    500 Plaza Drive
    P.O. Box 3189
    Secaucus, New Jersey 07096

(2) Sarkisian, Florio & Kenny
    100 Hudson Street
    P.O. Box 771
    Hoboken, NJ 07030

Conflicts Counsel to the City of Hoboken shall be:

(3) Pojanowski, Trawinski, P.C.
    1439 Broad Street
    Clifton, New Jersey 07013

BE IT FURTHER RESOLVED, that this contract shall commence July 1, 2001, and shall be paid at a rate of $140 an hour.

BE IT FURTHER RESOLVED, by the Council of the City of Hoboken in the County of Hudson that notice be given as provided by N.J.S.A. 40A:11-5(1)(a).

---Motion duly seconded by Council President Soares.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

01-12
---By Council President Soares:
Whereas, the City of Hoboken is interested in providing insurance coverages for employee health benefits and property/casualty insurance that are both cost-effective and comprehensive in nature, and

Whereas, employee benefits and general insurance programs are a significant part of the City’s annual budget, and

Whereas, the City of Hoboken seeks the professional services of both an insurance consultant (regarding the design and funding of its various insurance programs) and insurance brokerage services (regarding the placement of insurance and the ongoing services of loss control, claims management and general insurance services), and

Whereas, these professional services can be provided by a firm with the expertise and resources which can help save money in the areas of employee benefits and general insurance, and

Whereas, the City has reviewed the capabilities of three firms that have the specialized services and expertise needed to meet our needs of the City, with such designation not changing current insurers or insuring arrangements and not increasing the cost of the current program, and

Whereas, these designations are made in compliance with NJSA 40A:11-1 et. seq., a professional service award,

Now, therefore, it is resolved that the City of Hoboken hereby makes the following appointments:

**Business and Government Insurance Agency (BGIA)**, with principal offices located at 900 Route 9N, P.O. Box 39, Woodbridge, NJ 07095, as insurance consultant, for an annual retainer of $30,000, a reduction of $12,000 compared to the prior consulting fees,

**Highview Planning, L.L.C.**, with principal offices located at 26 Columbia Turnpike, Florham Park, NJ 07932, as broker for its employee health benefits program, which include the medical, dental, prescription drug and voluntary benefit plans, and

**R.A.M. Insurance, Inc.** with principal offices located at 484 West Side Avenue, Jersey City, NJ 07304, as broker for the property and liability insurance plans.

These appointments take effect immediately and replace all previous such designations. A copy of this resolution shall be forwarded to the appropriate insurance carriers, administrators of funds, and shall serve as a broker of record designation, in regard to our insurance plans.

---Motion duly seconded by Councilwoman Andreula.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

01-13
---By Councilman Ramos:

**WHEREAS**, pursuant to the Code of the City of Hoboken 44-1 the City of Hoboken has established a Planning Board; and

**WHEREAS**, the Code of the City of Hoboken 44-2 provides for nine (9) members to serve on the Planning Board; and

**WHEREAS**, the Planning Board currently has a vacancy for the position of a Council representative of the Planning Board; and
WHEREAS, the Council of the City of Hoboken wishes to appoint a member to the Planning Board as the Council Representative.

NOW, THEREFORE, BE IT RESOLVED, that the Council for the City of Hoboken hereby appoints Carol Marsh to serve as the Council Representative for the Planning Board for the City of Hoboken.

---Motion duly seconded by Council President Soares.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

01-14
---By Councilman Ramos:

WHEREAS, pursuant to the Code of the City of Hoboken 38-1, the City of Hoboken has established a Housing Authority; and

WHEREAS, the Code of the City of Hoboken 38-2 provides for seven (7) members to serve on the Housing Authority; and

WHEREAS, the Housing Authority currently has six (6) members serving on the Housing Authority; and

WHEREAS, the Council of the City of Hoboken wishes to appoint one (1) member to the Housing Authority.

NOW, THEREFORE, BE IT RESOLVED that the Council for the City of Hoboken hereby appoints Lynda Walker to serve as a member to the Housing Authority.

---Motion duly seconded by Council President Soares.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

01-15
---By Council President Soares:

WHEREAS, State of New Jersey, Department of Agriculture, Summer Food Service Program for Children has approved the City of Hoboken’s 2001 Summer Food Service application; and

WHEREAS, bids from State approved vendors were solicited through public notice; and

WHEREAS, the following proposal was received on June 6, 2001 by the City Clerk:

<table>
<thead>
<tr>
<th>Name</th>
<th>Unit Price</th>
<th>Total Bid</th>
</tr>
</thead>
<tbody>
<tr>
<td>Karson Food Service, Inc.</td>
<td>$1.89</td>
<td>$28,085.40</td>
</tr>
<tr>
<td>2109 Heck Avenue</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Neptune, NJ 07753</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

And
WHEREAS, the City's Summer Food Service Program will begin on July 1, 2001; now, therefore, be it

RESOLVED, by the Council of the City of Hoboken that the following proposal for the State Summer Food Service Program for Children is hereby accepted:

Name : Karson Food Service, Inc.
Address : 2109 Heck Avenue, Neptune, NJ 07753
Unit Price : $1.89
Total Bid : $28,085.40

FURTHER RESOLVED, that the Mayor is hereby authorized to execute a contract with Karson Food Service, Inc. for a unit price of $1.89 per lunch.

--- Motion duly seconded by Councilman Ramos.
--- Adopted by the following vote: YEAS: 9 - NAYS: 0
--- Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
--- Nays: None.

01-16
--- By Council President Soares:

THIS RESOLUTION AUTHORIZES TEMPORARY APPROPRIATIONS FOR SFY 2002 UNTIL SUCH AS A FORMAL BUDGET IS ADOPTED

<table>
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<tr>
<th>Account Description</th>
<th>Account No.</th>
<th>SFY 2002</th>
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<tr>
<td>Mayor's Office</td>
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<tr>
<td>S&amp;W</td>
<td>20-110-1</td>
<td>64,225.00</td>
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<td>Other Expenses</td>
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<td>375.00</td>
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<tr>
<td>Codifications of Ordinances</td>
<td>20-121-2</td>
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<tr>
<td>Expert Real Estate Appraisal</td>
<td>20-155-2</td>
<td>1,075.00</td>
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Assessor's Office

| S&W                            | 20-150-1    | 60,125.00|
| Other Expenses                 | 20-150-2    | 1,250.00 |
| Expert Real Estate Appraisal   | 20-158-2    | 20,000.00|

Business Administrator's Office

| S&W                            | 20-112-1    | 36,250.00|
| Other Expenses                 | 22,113-2    | 1,250.00 |

Volunteers Ambulance Control Corp.NJ-40 Purchasing Division

<p>| S&amp;W                            | 20-114-1    | 40,447.50|
| Other Expenses                 |             |          |</p>
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<td>Acquisition of Police Vehicles</td>
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<td>25,000.00</td>
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<td>Environmental Services Director's Office</td>
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<td>46,625.00</td>
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<td>Other Expenses</td>
<td>26-290-2</td>
<td>1,250.00</td>
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<td>Recreation</td>
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<td>S&amp;W</td>
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<td>Other Expenses</td>
<td>28-370-2</td>
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<td>73,683.66</td>
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<td>Other Expenses</td>
<td>26-301-2</td>
<td>50,000.00</td>
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<td>Streets &amp; Roads</td>
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<td>S&amp;W</td>
<td>26-291-1</td>
<td>2,125.00</td>
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<td>Transportation</td>
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<td>4,750.00</td>
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<td>Recycling</td>
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<td>Postage</td>
<td>23-211-2</td>
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<td>Municipal Dues &amp; Membership</td>
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<td>Group Health Insurance</td>
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<td>Photocopy Machine</td>
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<td>Labor Arbitration</td>
<td>23-214-2</td>
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<td>Celebration/Memorial Day (40:48-5.4)</td>
<td>23-216-2</td>
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<td>Office Machine Maintenance</td>
<td>23-217-2</td>
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<td>Stationary &amp; Office Supplies</td>
<td>23-218-2</td>
<td>2,000.00</td>
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<td>Financial Consulting Services</td>
<td>23-226-2</td>
<td>12,500.00</td>
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<td>Settlement of Claims Against the City</td>
<td>23-219-2</td>
<td>50,000.00</td>
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<td>N.J. Right to Know Law</td>
<td>23-221-2</td>
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<td>Code</td>
<td>Amount</td>
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<td>North Hudson Regional Council of Mayors</td>
<td>23-222-2</td>
<td>14,200.00</td>
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<td>Utilities- Gasoline</td>
<td>31-435-2</td>
<td>32,375.00</td>
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<td>Utilities-Fuel Oil</td>
<td>31-447-2</td>
<td>3,800.00</td>
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<td>Utilities-Electricity</td>
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<td>Utilities- Telephone Telegraph</td>
<td>31-440-2</td>
<td>42,500.00</td>
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<td>Utilities Street Lighting</td>
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<td>Utilities Water and Sewer charges</td>
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<td>Telecommunications</td>
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<td>Engineering</td>
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<td>Post-Retirement Benefits</td>
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<td>S&amp;W</td>
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<td>S&amp;W</td>
<td>23-210-2</td>
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<td>Waterfront Development</td>
<td>31-462-2</td>
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<td>Maintenance of Lands for Recreation and Conserv</td>
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<td>sion in connection with SJP PILOT (Dedicated portion)</td>
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<td>Other Expenses</td>
<td>28-375-2</td>
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<td>Other Expenses</td>
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<td>(2) STATUTORY EXPENDITURES</td>
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<td>Public Employees Retirement System</td>
<td>36-471</td>
<td>13,175.00</td>
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<td>Social Security System (O.A.S.I.)</td>
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<td>Consolidated Police &amp; Fireman’s Pension</td>
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<td>45,500.00</td>
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<td>Police &amp; Fireman’s Retirement System of NJ</td>
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<td>507,842.25</td>
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<td>Police &amp; Fire Widow Pension</td>
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<td>Unemployment Compensation</td>
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<td>Municipal Court</td>
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<td>S&amp;W</td>
<td>43-490-1</td>
<td>220,000.00</td>
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<td>Other Expenses</td>
<td>43-490-2</td>
<td>13,750.00</td>
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<td>Public Defender</td>
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<tr>
<td>S&amp;W</td>
<td>43-490-1</td>
<td>23,750.00</td>
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<tr>
<td>Other Expenses</td>
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<tr>
<td>S&amp;W</td>
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<td>137,500.00</td>
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<tr>
<td>Other Expenses</td>
<td>29-390-2</td>
<td>45,750.00</td>
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</tr>
</tbody>
</table>

(D) Municipal Debt Service- Excluded from “CAPS”
---Motion duly seconded by Councilwoman Marsh.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

01-17
---By Council President Soares:

WHEREAS, the maximum rate permitted is eight (8%) percent per annum on the first One Thousand Five Hundred ($1,500.00) Dollars of any delinquency and eighteen (18%) percent per annum on any amount in excess of One Thousand Five Hundred ($1,500.00) Dollars, said amount to be calculated from the date the tax was payable to the date that actual payment to the lien holder will be next authorized; now, therefore, be it –

RESOLVED, that in accordance with Chapter 435 Laws of New Jersey 1979 (R.S. 54:4-67) the rate of interest shall be chargeable for non-payment of taxes and assessments on real property in the City of Hoboken on or before the date when they would become delinquent; and be it further –

RESOLVED, that the rate of interest for the non-payment of taxes and assessments on real property in the said City of Hoboken, on or before the date when they would become delinquent, shall be eight (8%) percent per annum on the first One Thousand Five Hundred ($1,500.00) Dollars of the said $1,500.00, provided, however, that no interest shall be charged if payment of any installment is made within ten (10) days after the date upon which the same became payable. Installments of taxes or assessments received after the expiration of the grace period herein granted shall bear interest from the due date of the installments; and, be it further

RESOLVED, that the City shall impose a penalty of 65 of the amount of any delinquency charged to a taxpayer with a delinquency in excess of $10,000 who fails to pay that delinquency prior to the end of the fiscal year. If such taxes are fully paid and satisfied by the holder of an outstanding tax sale certificate, the holder shall be entitled to receive the amount of the penalty as part of the amount required to redeem such certificate of sale; and, be it further

RESOLVED, that any resolution heretofore adopted with respect to the payments of interest by reason of the non-payment of delinquent installments upon taxes and assessments inconsistent herewith is rescinded.

---Motion duly seconded by Councilwoman Marsh.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

01-18
---By Councilman Ramos:

WHEREAS, the City of Hoboken is required to establish a cash management plan pursuant to N.J.S.A. 40A:5-14; and

WHEREAS, the City must deposits its funds pursuant to the plan; and

WHEREAS, State law provides that the Council may, pursuant to a resolution adopted by a majority vote of all its members, authorize the governing body to use money for the purchase of the types of securities elucidated in N.J.S.A. 40A:5-15.1;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Hoboken that the City hereby adopts a cash management plan pursuant to N.J.S.A. 40A:5-14 as follows:

1. The City of Hoboken may make deposits with the State of New Jersey cash Management fund established pursuant to Section 1 of P.L. 1977. c. 281 (C.52:18A:90.4).

2. The City of Hoboken may use monies which may be in hand for the purchase of the types of securities elucidated in N.J.S.A. 40 A:5-15.1.

3. This cash management plan shall be subject to the annual audit conducted pursuant to N.J.S.A. 40A:5-4.

---Motion duly seconded by Council President Soares.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

01-19
---By Councilwoman Andreula:

WHEREAS, PURSUANT TO N.J.S.A. 54:5-52.1, the Tax Collector may, if duly authorized by resolution of the governing body, issue and execute a new certificate of tax sale in place of one which has been lost or destroyed; now, therefore, be it –

RESOLVED, by the City Council of the City of Hoboken that the Tax Collector be and is hereby authorized pursuant to N.J.S.A. 54:5-52-1 to issue a duplicate certificate of tax sale for any certificate that has been lost or destroyed provided that there appears on the new certificate the following information:

1. a statement that it is a duplicate of the original one which was destroyed or lost;
2. the date of the tax sale upon which it was issued; and
3. the name and title of the officer who issued same; and, be it further –

RESOLVED, that the Tax Collector shall collect a $100.00 fee on behalf of the City as payment for the duplicate certificate.
01-20
---By Councilman Ramos:

CITY COUNCIL, July 1, 2001 offered and moved adoption of the following resolution:

WHEREAS, on July 14, 1994, The Public Laws of 1994, Chapter 72 of the State of New Jersey were enacted, and

WHEREAS, the law, which is an act concerning the delivery and payment of real property tax bills, requires that the Governing body of each municipality operating under the State Fiscal year, shall certify, by resolution, a preliminary municipal tax levy to be utilized in the calculation of the municipal portion of the third and fourth installments of property taxes; and

WHEREAS, unless otherwise approved by the Director, the amount of the preliminary municipal tax levy shall not be less than 95% of the prior fiscal year’s tax levy; and

WHEREAS, the Tax Collector recommends that the municipal portion of the preliminary tax levy be set at $16,635,000.00.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the City of Hoboken, in accordance with the Public Laws of 1994, Chapter 72, certifies a preliminary SFY 2002 municipal tax levy to be $16,635,000.00.

---Motion duly seconded by Council President Soares.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

01-21
---By Councilman Ramos:

WHEREAS, N.J.S.A. 40A:5-21 authorizes the establishment of a Petty Cash Fund in any county or municipality by application and resolution; and

WHEREAS, it is the desire of the Chief Finance Officer, City of Hoboken, County of Hudson to establish such a fund for the City of SFY 2002 as follows:

<table>
<thead>
<tr>
<th>Office/Department</th>
<th>Amount</th>
<th>Use</th>
<th>Custodian</th>
</tr>
</thead>
<tbody>
<tr>
<td>Department of Administration</td>
<td>$150.00</td>
<td>Miscellaneous</td>
<td>Business Administrator</td>
</tr>
<tr>
<td>Revenue &amp; Finance</td>
<td>$100.00</td>
<td>Miscellaneous</td>
<td>Chief Finance Officer</td>
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<tr>
<td>Environmental Services</td>
<td>$150.00</td>
<td>Miscellaneous</td>
<td>Director, Department of Environmental Services</td>
</tr>
</tbody>
</table>
NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Hoboken hereby authorizes such action and that two copies of this resolution be filed with the Division of Local Government Services, New Jersey Department of Community Affairs for approval.

---Motion duly seconded by Councilwoman Andreula.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

01-22
---By Councilman Ramos:

WHEREAS, the following were by resolution heretofore adopted by the governing body of the City of Hoboken designated as legal depositories of said City of Hoboken for SFY 2002:

First Union Bank
Fleet Bank
Haven Savings Bank
Hudson United Bank
Midlantic Bank
Provident Savings Bank
Statewide Savings Bank
Trust Company of New Jersey
Summit Bank

now, therefore, be it

RESOLVED, that said legally designated depositories be and they are hereby requested, authorized and directed to honor checks, drafts, or other orders for the payment of money drawn in the corporate name of the City of Hoboken, including those payable to the individual order of any person or persons whose names appear thereon as signer or signers thereof, when bearing or purporting to bear the facsimile signatures or signatures of any of the following:

David Roberts, Mayor
George DeStefano, Treasurer

and, be it further -

RESOLVED, that said legal depositories as above stated shall be entitled to honor and charge to the specified accounts of the City of Hoboken such checks, drafts, or other regardless of by whom or by what means the actual or purported facsimile signature or signatures specimens duly certified to or filed with the depositories; and, be it further –

RESOLVED, that all previous authorizations for the signing and honoring of checks, drafts, and other orders for the payment of money drawn on said City of Hoboken and signed by

Reorganization Meeting of July 1, 2001
David Roberts, Mayor
George DeStefano, Treasurer

RESOLVED, that all previous authorization for the signing and honoring of checks, drafts and other order for the payment of money drawn on said City of Hoboken are hereby continued in full force and effect as amplified hereby; and, be it further -

RESOLVED, that the banks mentioned in the first paragraph hereof be furnished with a certified copy of this resolution.

---Motion duly seconded by Council President Soares.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

01-23
---By Councilman Ramos:

RESOLVED, that the Jersey Journal, the Newark Star-Ledger and the Bergen Record are hereby designated as the official newspaper of the City of Hoboken for all purposes of legal advertising and official notices.

---Motion duly seconded by Councilwoman Andreula.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

01-24
---By Councilman Ramos:

WHEREAS, the City of Hoboken considers it necessary and proper to hire legal counsel to represent the City of Hoboken for Alcoholic Beverage Control matters; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1 et. seq. Permits the award of a professional services contract without public bidding; and this is a professional service contract and therefore does not need to be bid pursuant to N.J.S.A. 40A:11-1 et. seq.

NOW, THEREFORE, BE IT RESOLVED that the Council for the City of Hoboken that Neil Carol, Jr., is hereby retained as special legal counsel to represent the City of Hoboken to prosecute cases involving Alcoholic Beverage Control; and

BE IT FURTHER RESOLVED, that this contract shall commence July 1, 2001, and continue until June 30, 2002 and the ABC Prosecutor shall be paid at a rate of $36,000 a year.

BE IT FURTHER RESOLVED, that a copy of this resolution shall be published and a copy of this contract shall be kept by the City Clerk in accordance to N.J.S.A. 40A:11-1 et. seq.

---Motion duly seconded by Council President Soares.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
WHEREAS, N.J.S.A. 40A:9-136 authorizes the municipality to create the position of the business administrator; and

WHEREAS, the Code for the City of Hoboken 4-5 et. seq. created the position of the business administrator in the City of Hoboken; and

WHEREAS, N.J.S.A. 40A:0-137 provides that the business administrator’s term of office shall be at the pleasure of the governing body; and

WHEREAS, the Code for the City of Hoboken 4-5 et.seq. also provide that the term of office of the business administrator shall be at the pleasure of the governing body;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the City of Hoboken that pursuant to N.J.S.A. 40A:9-138 and the Code for the City of Hoboken 4-5 effective July 1,2001, Laurie Cotter is appointed as Business Administrator for the City of Hoboken; and

BE IT FURTHER RESOLVED, that Laurie Cotter is to be compensated at a salary of one hundred nine thousand ($109,000.00) dollars per annum.

---Motion duly seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.
01-27
---By Councilman Ramos:

WHEREAS, the Council of the City of Hoboken has determined that they require the services of a financial advisor to aid in the preparation of a budget for the City of Hoboken, as well as other financial departmental matters; and

WHEREAS, this is a professional service contract and therefore does not need to be bid pursuant to N.J.S.A. 40A: 11-1 et. seq.

NOW, THEREFORE, BE IT RESOLVED that the Council for the City of Hoboken that Scott Elliott shall be retained as Financial Advisor to consult with and advise the City of Hoboken in financial matters.

BE IT FURTHER RESOLVED, that this contract shall commence July 1, 2001, and continue until June 30, 2002 and the Financial Advisor shall be paid at a rate of $175 an hour, for a total amount not to exceed $70,000.

BE IT FURTHER RESOLVED, that a copy of this resolution shall be published and a copy of this contract shall be kept by the City Clerk in accordance to N.J.S.A.40A: 11-1 et. seq.

---Motion duly seconded by Council President Soares.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSTENTIONS: 1
---Nays: None.
---Abstentions: Castellano.

01-28
---By Councilman Ramos:

WHEREAS, the City of Hoboken considers it necessary and proper to hire a financial consultant to assist the City in the preparation of documents, reports and analysis; and

WHEREAS, such specialized financial consultant services can be provided by a recognized auditing firm, and the audit firm of Ernest & Young of 99 Wood Avenue South, Iselin, New Jersey 08830 is so recognized; and

WHEREAS, said financial consulting services are a professional service as defined under N.J.S.A. 40A:11-2(6) and as such constitutes an exception to the bidding requirements pursuant to N.J.S.A. 40A:11-5(1); and

WHEREAS, funds for this agreement are available for this purpose;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Hoboken in the County of Hudson that the Revenue and Finance Supervisor and City Clerk are hereby authorized to execute an agreement with the accounting firm of Ernest & Young in an amount not to exceed $210,000 to provide the specialized financial services necessary.

BE IT FURTHER RESOLVED, that this agreement shall be effective as of July 1, 2001 and terminate on or prior to June 30, 2002 unless otherwise extended or modified by the Council of the City of Hoboken by resolution;

BE IT FINALLY RESOLVED by the Council of the City of Hoboken and County of Hudson that the City Clerk have published a brief notice stating the name of the contractor, nature of the contract, duration of the contract, the services performed and that a copy of the contract is

Reorganization Meeting of July 1, 2001
on file with the City Clerk stating the amount of the contract, in one newspaper authorized by law to publish the City’s legal advertisements as required by N.J.S.A. 40A:11-5(1)(a).

---Motion duly seconded by Council President Soares.
---Adopted by the following vote: YEAS: 8 - NAYS: 1
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, and President Soares.
---Nays: Del Boccio.

01-29
---By Council President Soares:

WHEREAS, N.J.S.A. App. A:9-40 et. al. provides that every municipality shall have a Coordinator for the Office of Emergency Management; and

WHEREAS, N.J.S.A. App. A:9-40 et. al. provides that the Mayor of the City of Hoboken may designate the Coordinator for the Office of Emergency Management; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the City of Hoboken in the County of Hudson that pursuant to its authority as provided above, Thomas Kennedy is hereby designated as Emergency Management Coordinator for the remaining portion of the term served by the prior Coordinator for the Office of Emergency Management.

---Motion duly seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSTENTIONS: 1
---Nays: None.
---Abstentions: Castellano.

01-30
---By Councilwoman Andreula:

WHEREAS, pursuant to the Code of the City of Hoboken 56-1, the City of Hoboken has established a Parking Authority; and

WHEREAS, the Code of the City of Hoboken 56-21 provides for seven (7) members to serve on the Parking Authority; and

WHEREAS, the Parking Authority currently has five (5) members serving on the Parking Authority; and

WHEREAS, the Council of the City of Hoboken wishes to appoint a member to the Parking Authority for a two (2) year term.

NOW, THEREFORE, BE IT RESOLVED that the Council for the City of Hoboken hereby appoints Daniel DeCavaignac to serve as members of the Parking Authority.

---Motion duly seconded by Council President Soares.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSTENTIONS: 1
---Nays: None.
---Abstentions: Castellano.
01-31
---By Councilwoman Andreula:

WHEREAS, pursuant to the Code of the City of Hoboken 56-1, the City of Hoboken has established a Parking Authority; and

WHEREAS, the Code of the City of Hoboken 56-21 provides for seven (7) members to serve on the Parking Authority; and

WHEREAS, the Parking Authority currently has five (5) members serving on the Parking Authority; and

WHEREAS, the Council of the City of Hoboken wishes to appoint a member to the Parking Authority for a one (1) year term.

NOW, THEREFORE, BE IT RESOLVED that the Council for the City of Hoboken hereby appoints Alan Cohen to serve as members of the Parking Authority.

---Motion duly seconded by Council President Soares.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSTENTIONS: 1
---Nays: None.
---Abstentions: Castellano.

ORDINANCES

Introduction and First Reading

01-32

DR-1
ORDINANCE CREATING AND ESTABLISHING A DEPARTMENT OF COMMUNITY DEVELOPMENT IN THE GOVERNMENT OF THE CITY OF HOBOKEN.

WHEREAS, the City of Hoboken has an Office of Waterfront Development within the Department of Human Services, Code of the City of Hoboken 39-45 et. al.; and

WHEREAS, as a result of the continued development activities within the City of Hoboken and to guarantee that all development is in the best interest of all citizens of the City, the City needs to create a Department of Community Development.

NOW, THEREFORE, BE IT ORDAINED that the Office of Waterfront Development within the Department of Human Services is hereby eliminated; and

BE IT FURTHER ORDAINED that the following provisions shall be adopted in a new Title of the City Code entitled “Department of Community Development.”

SECTION I

Title regarding “Department of Community Development” shall read as follows:

1 Establishment.

There is hereby created and established in the government of the City of Hoboken a department that shall be known as the “Department of Community Development.”
2 **Personnel.**

There is hereby assigned and transferred to said Department all the subordinate officers and employees in the Office of the Waterfront Development in the City of Hoboken holding their offices and positions under tenure of office under any law of this state or Title 11A, Civil Service, of the Revised Statutes of New Jersey and now exercising and performing any of the functions, powers and duties in the offices.

3 **Property and records.**

There is hereby transferred and assigned to said Department all of the property, books, papers and records relating to any of the offices and other governmental agencies hereinabove allocated and assigned to said Department, except such books, papers and records as are now required by law or ordinances of the City of Hoboken to be kept in the office of some other officer or department of the city government.

4 **Director.**

There is hereby created the office of Director of the Department of Community Development. The Director shall be appointed by the Mayor with the advise and consent of the Council and shall serve during the term of the Mayor appointing him and until the appointment and qualification of his/her successor and shall be subject to removal as provided by law. Vacancies in the office of Director shall be filled in the same manner as the original appointment but for the unexpired term only.

5 **Director duties and authority.**

The Director shall be head of the Department and, in addition to the functions, powers and duties that are hereby or may hereafter be conferred and imposed upon him/her by law and the ordinances of the city, shall:

Be responsible for the appointment and supervision of personnel employed within.

A. Exercise supervision and have general responsibility for all the operations of said Department and of the personnel employed therein.

B. Supervise the organization of the Department and changes in the organization thereof, and, to the extent to which the organization of the Department is now prescribed by law, the Director may organize the Department into such divisions and bureaus and make such assignments as he may deem advisable, except that the officers and other governmental agencies and positions hereby allocated and assigned to said Department shall be maintained.

C. Make recommendations to the Council for the hiring of such outside consultants and contractors as are necessary for the operations of the Department of Community Development.

D. Formulate and adopt, subject to the approval of the Mayor, rules and regulations for the efficient conduct of the work and general administration of the Department and the officers and employees thereof.
E. Have the power and authority to negotiate with and enter into agreements with public and private agencies as may become necessary for the operations of the Department of Community Development.

F. Make periodic reports with such recommendations as deemed appropriate to the Mayor and to the Council concerning the affairs of the Department.

6. Staff.

The personnel staff in the Department of Community Development shall include a clerical staff position and such other necessary personnel within the budgetary constraints established by the Council.

7. Transfer of Appropriations.

All appropriations available or to become available to any department, office or other governmental agency, the functions, powers and duties of which are hereby assigned and transferred to said Department are hereby transferred to the Department established hereby, and shall be available for the objects and purposes for which appropriated.

The following section of the Code of the City of Hoboken is hereby specifically repealed:

Chapter 39, Article XII, sections 39-45 and 39-46 (Office of Waterfront Development).

SECTION II

This ordinance shall take effect after publication thereof, or after final passage as provided by the law.

SECTION III

If any section or provision of this Ordinance shall be held in valid in any Court, the same shall not effect the other sections or provisions of this Ordinance except so far as the section or provision so declared invalid and shall be inseparable for the remainder or portion thereof.

SECTION IV

All ordinances or parts of Ordinances in consistent herewith are hereby repealed to the extent of such inconsistency.

SECTION V

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

---Councilman Ramos moved that the ordinance pass its first reading as read and be laid on the table for public inspection to be further considered for final passage at a meeting of the Council to be held on JULY 11, 2001 at 7:00 PM.

---Motion duly seconded by Council President Soares.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSTENTIONS: 1
---Nays: None.
---Abstentions: Castellano.
ORDINANCE CREATING AND ESTABLISHING A DEPARTMENT OF PUBLIC SAFETY IN THE GOVERNMENT OF THE CITY OF HOBOKEN.

WHEREAS, the City of Hoboken has the following Divisions and offices within the Department of Administration: Division of Police, Code of the City of Hoboken 4-34 et al; Outside Police Personnel Employment, Code of the City of Hoboken 4-46 et al.; Division of Fire, Code of the City of Hoboken 4-53 et al.; Arson Investigation Unit, Code of the City of Hoboken 4-59 et al; Division of Signal and Traffic, Code of the City of Hoboken 4-65 et al; Special Law Enforcement Officer, Code of the City of Hoboken 4-70 et al; Office of Emergency Management, Code of the City of Hoboken 4-53 et al; and

WHEREAS, the City of Hoboken had previously established a Department of Public Safety which was consolidated with the Department of Administration on November 22, 1993; and

WHEREAS, a Department of Public Safety is necessary for the effective management and supervision of the Division of Police and Division of Fire and other related offices, so to ensure safety to all citizens of the City of Hoboken.

NOW, THEREFORE, BE IT ORDAINED that the following Divisions and offices within the Department of Administration are hereby eliminated: Division of Police, Outside Police Personnel Employment, Division of Fire, Arson Investigation Unit, Division of Signal and Traffic, Special Law Enforcement Officer, Office of Emergency Management; and

BE IT FURTHER ORDAINED that the following provisions shall be adopted in a new Title of the City Code entitled “Department of Public Safety.”

Title regarding “Department of Public Safety” shall read as follows:

_____ -1 Establishment of Department.

There is hereby created and established in the government of the City of Hoboken a Department that shall be known as the “Department of Public Safety.”

_____ -2 Authority.

Said Department shall embrace and there is hereby allocated and assigned thereto the Division of Police, Outside Police Personnel Employment, Division of Fire, Arson Investigation Unit, Division of Signal and Traffic, Special Law Enforcement Officer, Office of Emergency Management.

_____ -3 Personnel.

There is hereby assigned and transferred to said Department all of the subordinate officers and employees in the City of Hoboken holding their offices and positions under tenure of office under any law of this state of Title 11 (Civil Service) of the Revised Statutes of New Jersey and now exercising and performing any of the functions, powers and duties in the office and divisions enumerated in _____ -2.

_____ -4 Property and Records.

There is hereby transferred and assigned to said Department all of the property, books, papers and records relating to any of the offices and other governmental agencies hereinabove
allocated and assigned to said Department, except such books, papers and records as are now required by law or ordinances of the City of Hoboken to be kept in the office of some other officer or department of the city government.

Establishment of Office of Director; Deputy Director

A. There is hereby created the office of Director of the Department of Public Safety. He shall be appointed by the Mayor with the advice and consent of the council and shall serve during the term of the Mayor appointing him and until the appointment and qualification of his successor and shall be subject to removal as provided by law. He shall receive such compensation for his services as the Council shall by ordinance provide. Vacancies in the office of Director shall be filled in the same manner as the original appointment but for the unexpired term only.

B. There is hereby created the office of Deputy Director of Public Safety. The Mayor may appoint the Deputy Director as may be required to assist the Director of Public Safety in the fulfillment of required duties and responsibilities, within the budgetary constraints established by Council. He shall serve during the term of the Mayor appointing him and until the appointment and qualification of his successor and shall be subject to removal as provided by law. He shall receive such compensation for his services as the Council shall by ordinance provide. Vacancies in the office of Director shall be filled in the same manner as the original appointment but for the unexpired term only.

C. Formulate and adopt subject to the approval of the Mayor rules and regulations for the efficient conduct of the work and general administration of the Department, the officers and employees thereof.

D. Make periodic reports with such recommendations as he deems appropriate to the Mayor and to the Council concerning the affairs of the Department under jurisdiction.

Transfer of Appropriations.

All appropriations available or to become available to any department, office or other governmental agency, the functions, powers and duties of which are hereby assigned and transferred to said Department are hereby transferred to the Department established hereby, and shall be available for the objects and purposes for which appropriated.

Article II

DIVISION OF POLICE

Establishment of Division.

A. A Division of Police in the Department of Public Safety is hereby established in and for the City of Hoboken, which shall not exceed the following force;

<table>
<thead>
<tr>
<th>Rank/Position</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chief</td>
<td>1</td>
</tr>
<tr>
<td>Captains</td>
<td>5</td>
</tr>
<tr>
<td>Lieutenants</td>
<td>17</td>
</tr>
<tr>
<td>Sergeants</td>
<td>25</td>
</tr>
<tr>
<td>Police Officers</td>
<td>127</td>
</tr>
</tbody>
</table>

B. All personnel constituting the Division of Police heretofore and in service prior to July 1, 1986, are hereby continued in their employment and in their respective
ranks or position and made a part of the Division of Police hereby established, with all rights to which they are now entitled as to years of service and pension.

C. In the event of a vacancy in any rank or position, such rank or position shall not be filled by the appointing authority unless there shall be vacant rank or position pursuant to the table of organization set forth herein, it being the intention of this Article to obtain the desired number of personnel in their respective ranks or positions by attrition and not be demotion or dismissal.

---9

**Police Chief**

There is hereby created and established the position of Police Chief, who shall also serve as head of the Division. The Police Chief shall be appointed in accordance with Title 11A, Civil Service, of the Revised Statutes of New Jersey by the Director of the Department of Administration. The duties and powers of the Police Chief are vested in state statutes, rules and regulations and city ordinances.

---10

**Bureaus.**

A. The division of Police shall include but not be limited to the following bureaus:

2. Bureau of Inspection Services.
5. (Reserved).

---11

**Authority.**

Said Division shall embrace and there is hereby allocated and assigned thereto the Division of Police.

---12

**Personnel.**

There is hereby assigned and transferred to said Division all of the subordinate officers and employees in the City of Hoboken holding their offices and positions under tenure of office under any law of this state of Title 11 (Civil Service) of the Revised Statutes of New Jersey and now exercising and performing any of the functions, powers and duties as heretofore. Nothing herein contained shall be construed to affect or impair the tenure of office, civil service, or pension rights of any of the officers and employees transferred to said Division.

---12.1

**Residency Requirements.**

A. The City of Hoboken as appointing authority for police and firefighter candidates hereby requires that each candidate be a resident of the City of Hoboken on the announced closing date(s) of the open competitive examination(s) and each candidate shall be required to be a continuous resident of the City of Hoboken (jurisdiction) from the announced closing date of the examination down to the date of appointment of the candidate to a position of police officer or firefighter. A breach in the candidate’s residency as required herein shall disqualify a candidate for appointment.
B. The conditions of residency as required by this chapter shall apply to all open competitive examinations police and firefighter (entry level) given by the New Jersey Department of Personnel after the effective date of this section.

C. A certified copy of this section shall be filed with the New Jersey Department of Personnel.

---13. **Property and Records.**

There is hereby transferred and assigned to said Division all of the property, books, papers and records relating to any of the offices and other governmental agencies hereinabove allocated and assigned to said Division, except such books, papers and records as are now required by law or ordinances of the City of Hoboken to be kept in the office of some other officer or department of the city government.

---14 **Transfer of Appropriations.**

All appropriations available or to become available to any department, office or other governmental agency, the functions, powers and duties of which are hereby assigned and transferred to said Division are hereby transferred to the Division established hereby, and shall be available for the objects and purposed for which appropriated.

---15 **Parking Enforcement Officer.**

There is hereby established the position of parking Enforcement Officer in the Division of Police, Department of Public Safety, to enforce state, county or municipal statutes, resolutions, ordinances or regulations related to the parking of vehicles within the municipality.

---16 **Powers and Duties.**

A. Under the direction of the Director or the Police Chief, the Parking Enforcement Officer(s) shall possess the power and authority, in the manner and to the extent granted by the municipality, to issue a parking ticket for a parking offense as defined by N.J.S.A. 39:4-139.2 et. seq.; to serve and execute all process for any parking offense issuing out of the Hoboken Municipal Court; and to cause any vehicle parked, stored or abandoned in the municipality in violation of a statute, resolution, ordinance or regulation to be towed away from the scene of the violation and to collect from the vehicle owner or the owner’s agent, on behalf of the municipality, the costs of the towing and subsequent storage of the vehicle before surrendering the vehicle to the owner or agent.

B. No Parking Enforcement Officer may carry or use a firearm while on duty.

---17 **Qualifications.**

A. Parking Enforcement Officer shall possess the following minimum qualifications. He shall:

   A. Be a resident of the City of Hoboken during the term of his appointment.
   B. Have the ability to read, write and understand the English language well and intelligently.
   C. Be of sound mind and in good health.
   D. Be of good moral character.
   E. Be free from conviction of any offense involving dishonesty or which would make the person unfit to perform the duties of his office.

---18 **Determination of eligibility and qualification.**

A. An applicant for the position of Parking Enforcement Officer in the Division of Police appointed pursuant to this Article shall have fingerprints taken, which
fingerprints shall be filed with the Division of State Police and the Federal Bureau of Investigation.

B. Before any Parking Enforcement Officer in the Division is appointed pursuant to this Article, the Chief of Police of the City of Hoboken shall ascertain the eligibility and qualifications of the applicant and report these determinations, in writing, to the Director of the Department of Administration.

C. No person appointed as a Parking Enforcement Officer in the Division of Police shall commence duties without successfully completing a training course conducted or approved by the municipality. This requirement may be waived for any person otherwise eligible to be appointed as a Parking Enforcement Office if that person possesses substantially equivalent training and background, as determined by the Chief of Police of the City of Hoboken.

Uniform.

Prior to the commencement of duties, every Parking Enforcement Officer shall be furnished with a uniform clearly identifying the officer’s function and including, but not limited to, a hat and appropriate badges which shall bear an identification number or name tag and the name of the municipality which clearly indicates the officer’s status as a Parking Enforcement officer, and the uniform shall be distinct in color from the uniform of a regular police officer or special law enforcement officer. A permanent insignia shall be issued to a Parking Enforcement Officer no later than ninety days (90) days following appointment. The municipality may issue a temporary insignia for use prior to the issuance of a permanent insignia.

Administrative processing and service fees.

The following fees are hereby established for certain services provided by the Division of Police:

- Copies of non-criminal reports: $5.00
  (Also requires record searching fee be levied)
- Record sharing fee: $5.00
- Letters of good conduct: 10.00
- Viewing only of photographs of accident scenes: 10.00
  (Also requires record searching fee be levied)
- Copies of photos for discovery
  (Also requires record searching fee be levied)
  - 5”x7” (each): 5.00
  - 8”x10” (each): 10.00
  - 11”x14” (each): 15.00
  - 16”x20” (each): 20.00
- Processing citizenship applications: 10.00
- Fingerprinting of applicants for permits other than firearms: 10.00
- Fingerprinting of applicants for firearms: 50.00
  Photostats (per page)
(Also requires record searching fee be levied)  2.00
Alien registrations  10.00
Automobile accident reports (by mail)  7.00
Automobile accident reports (in person)  5.00

No fees shall be charged for any requested search or information made by any federal, state county, or municipal law enforcement department or agency.

**ARTICLE III**

**OUTSIDE POLICE PERSONNEL EMPLOYMENT**

---21  **Assignments.**

A. The Chief of Police shall designate three (3) members of the Department to act in the capacity of outside employment liaison officers. These officers shall be responsible for the assignment of police personnel to outside employment assignments.

B. The outside liaison officers shall maintain an alphabetical list whereby police officers shall be contacted on a rotating basis concerning availability of outside employment.

---22  **Contracts with private entities.**

A. Any private person or entity desiring to retain the services of police officers of the City of Hoboken for outside police-related activities shall be required to enter into a contract with the City of Hoboken. The contract shall include by not limited to the nature of duties, the date and hours of service and the rate of payment for services the officers provide. The contract may also provide for deposits in advance by the contractor for services to be performed.

B. At the time a private person or entity applies for a permit for the City of Hoboken sub-code officials for street construction, excavation, paving, etc., the permit shall state that as a condition for its issuance the private person or entity shall contact the Commander, Bureau of Transportation, Hoboken Police Department, who shall determine whether or not it will be necessary to assign a police officer to that particular site in order to ensure public safety and well-being.

(1) The criterion which the Commander of the Bureau of Transportation shall use in order to base his determination as to whether or not a police presence at a particular work site is required shall be the Manual On Uniformed Traffic Control and device Statutes, specifically N.J.S.A. 39:4-120, 39:4-183.6, 39:4-183.27 and 39:4-191.1 and the City of Hoboken Traffic Ordinance 190-1 et seq.

(2) In the event that the determination is made that a police officer should be assigned, the officers designated as liaisons by the Chief of Police will be contacted by the Commander of the Bureau of Transportation so that an officer may be assigned from the rotation. All private person or entities shall be required to make all payment for outside assignments payable to the Division of Revenue and Finance, City of Hoboken. The moneys shall be collected from the private persons or entities by the Finance Department and earmarked for payment of the officers performing the outside employment.
C. All members of the Police Department shall be paid for services performed on one (1) of two (2) standard rates. The officers performing this service shall be paid on a regular pay date, after the receipt of funds from the contracting entity and upon the submission of appropriate documentation certifying the performance of duty by the officer(s) concerned.

23 Payment Schedule.

A. A two-tier payment schedule has been established by the city for outside employment:

(1) Tier A payment schedule is twenty-five dollars ($25) per hour.

(2) Tier B payment schedule is thirty dollars ($30) per hour.

B. The Tier A payment schedule shall be used in all circumstances, unless such employment requires a supervising officer to work in a supervisory capacity. If an officer of rank is required to exercise a supervisory function in connection with the outside employment, he shall be paid under the Tier B payment schedule. The Tier B payment schedule shall apply to all supervising officers, regardless of their respective ranks. This salary rate may be adjusted from time to time by the Director of Administration. The City of Hoboken shall not be required to allow its equipment to be used on any off-duty assignment.

24 Overtime.

Any outside assignment which exceeds eight (8) continuous hours shall be charged at an overtime rate of time and one-half of either the Tier A, Tier B, or grandfather schedule.

25 Grandfather provision.

All outside assignments which have been contracted prior to the Police Department's Outside Police Personnel Employment Order, implemented under the auspices of this Article, shall merge with the procedural requirements of said departmental order. The sole exception shall be that the rate of pay agreed to relative to those outside assignments shall not be disturbed. A separate list shall be afforded the Department of Administration indicating the payment rate of those specific assignments. However, once that particular assignment terminates, the resurrection of that assignment shall then require the implementation of the payment schedule.

26 Emergencies.

A. The Chief of Police of his designee shall have the authority to order any police officer engaged in an outside assignment within the City of Hoboken to respond to an emergency situation occurring within the City of Hoboken. The Chief of Police or his designee shall also have the right to order any outside assignment terminated whenever said assignment created an unacceptable risk to the health, safety and welfare of the officer and/or the citizens for the City of Hoboken.

B. In the event that an officer is assigned to an emergency situation, the Police Chief or his designee shall make note of said emergency situation, as well as the time said officer was removed from said outside assignment. In any situation where a police officer is performing an outside assignment and is called to an emergency situation, said private person or entity shall not be responsible for the payment of the officer's hourly rate until such time as said police officer returns to the outside employment.

27 Administrative Fee.

Due to the increase in the work load of the Department of Revenue and Finance, which includes but is not limited to additional payment and processing of checks by automatic data processing and the additional time expended in computing appropriate follow-up procedures to ensure payment is made to the city by
third parties, an administrative fee on one dollar ($1) per hour per man shall be charged. This figure shall be reviewed by the Director of the Department of Administration within sixty (60) days of implementation to determine if any modification is necessary.

**ARTICLE IV**

**DIVISION OF FIRE**

_____ - 28 *Establishment; functions.*

There is hereby established a Division of Fire in the Department of Public Safety, which shall be responsible for providing fire prevention and fire protection in the city. The Division of Fire shall also be responsible for enforcement of state statutes, rules and regulations and city ordinances governing fire prevention.

_____ - 29 *Fire Chief.*

There is hereby created and established the position of Fire Chief, who shall also serve as head of the Division. The Fire Chief shall be appointed in accordance with Title 11A, Civil Service, of the Revised Statutes of New Jersey by the Director of the Department of Administration. The duties and powers of the Fire Chief are vested in state statute, rules and regulations and city ordinances.

_____ - 30 *Staff.*

A. The staff of the Division of Fires shall not exceed the following force, within the budgetary constraints established by the Council:

<table>
<thead>
<tr>
<th>Rank/Position</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chief</td>
<td>1</td>
</tr>
<tr>
<td>Deputy Chiefs</td>
<td>1</td>
</tr>
<tr>
<td>Battalion Chiefs</td>
<td>4</td>
</tr>
<tr>
<td>Capitains</td>
<td>25</td>
</tr>
<tr>
<td>Training Officer UFD (Captain)</td>
<td>1</td>
</tr>
<tr>
<td>Supervising Fire Prevention Specialist UFD</td>
<td>1</td>
</tr>
<tr>
<td>Fire Prevention Specialist UFD</td>
<td>2</td>
</tr>
<tr>
<td>Lieutenants</td>
<td>10</td>
</tr>
<tr>
<td>Fire Fighters</td>
<td>92</td>
</tr>
</tbody>
</table>

B. All personnel constituting the Division of Police heretofore and in service prior to July 1, 2001 are hereby continued in their employment and in their respective ranks or position and made a part of the Division of Police hereby established, with all rights to which are they are now entitled as to years of service and pension.

C. In the event of vacancy in any rank or position, such rank or position shall not be filled by the appointing authority unless there shall be vacant rank or position pursuant to the table of organization set forth herein, it being the intention of this Article to obtain the desired number of personnel in their respective ranks or positions by attrition and not be demotion or dismissal.

D. The maximum number of firefighters in this ordinance shall not be applicable until a certified Captains’ Eligibility List is promulgated by the New Jersey Department of Personnel.

_____ - 31 *Personnel.*

Reorganization Meeting of July 1, 2001
There is hereby assigned and transferred to said Division all of the subordinate officers and employees in the City of Hoboken holding their offices and positions under tenure of office under any law of this state of Title 11 (Civil Service) of the Revised Statutes of New Jersey and now exercising and performing any of the functions, powers and duties as heretofore. Nothing herein contained shall be construed to affect of impair the tenure of office, civil service or pension rights of any of the officers and employees transferred to said Division.

-31.1  Residency Requirements.

A. The City of Hoboken as the appointing authority for police and firefighter candidates hereby requires that each candidate be a resident of the City of Hoboken on the announced closing date(s) of the open competitive examination(s) and each candidate shall be required to be a continuous resident of the City of Hoboken (jurisdiction) from the announced closing date of examination down to the date of the appointment of the candidate to a position of police officer or firefighter. A beach in the candidate’s residency as required herein shall disqualify a candidate for appointment.

B. The conditions of residency as required by this chapter shall apply to all open competitive examinations police and firefighter (entry level) given by the New Jersey Department of Personnel after the effective date of this section.

C. A certified copy of this section shall be filed with the New Jersey Department of Personnel.

-32  Property and Records.

There is hereby transferred and assigned to said Division all of the property, books, papers and records relating to any of the offices and other governmental agencies hereinabove allocated and assigned to said Division, except such books, paper and records as are now required by law or ordinances of the City of Hoboken to be kept in the office of some other officer or department of the city government.

-33  Transfer of Appropriations.

All appropriations available or to become available to any department, board, commission, office or other governmental agency, the functions, powers and duties of which are hereby assigned and transferred to said Division are hereby transferred to the Division established hereby, and shall be available for the objects and purposed for which appropriated.

ARTICLE V
ARSON INVESTIGATION UNIT

-34  Establishment.

Pursuant to N.J.S.A. 40A:14-7.1, there is hereby established within the Fire Department of the City of Hoboken an Arson Investigation Unit, which shall be responsible for conducting investigations of arson, suspicious fires and explosions within the City of Hoboken.

-35  Training course.

Before any member of the Fire Department shall be assigned to the Arson Investigation Unit, he shall have successfully completed a course of training approved by the Police Training Commission and an arson investigation training course approved by the Department of Law and Public Safety.

-36  Powers.

Reorganization Meeting of July 1, 2001
Members of the Arson Investigation Unit shall have the same powers and authority as police officers within the City of Hoboken while engaged in the actual performance of arson investigation duties, specifically the right to carry firearms pursuant to N.J.S.A. 2C:396a(8).

____-37 Personnel.

There is hereby assigned and transferred to said Division all of the subordinate officers and employees in the City of Hoboken holding their offices and positions under tenure of office under any law of this state of Title 11 (Civil Service) of the Revised Statutes of New Jersey and now exercising and performing any of the functions, powers and duties as heretofore. Nothing herein contained shall be construed to affect the tenure of office, civil service or pension rights of any of the officers and employees transferred to said Division.

____-38 Property and Records.

There is hereby transferred and assigned to said Division all of the property, books, papers and records relating to any of the offices and other governmental agencies hereinabove allocated and assigned to said Division, except such books, papers and records as are now required by law or ordinances of the City of Hoboken to be kept in the office of some other officer or department of the city government.

____-39 Transfer of Appropriations.

All appropriations available or to become available to any department, board, commission, office or other governmental agency, the functions, powers and duties of which are hereby assigned and transferred to said Division are hereby transferred to the Division established hereby, and shall be available for the objects and purposed for which appropriated.

ARTICLE VI
DIVISION OF SIGNAL AND TRAFFIC

____-40 Transfer of Appropriations.

There is hereby established a Division of Signal and Traffic in the Department of Administration, which shall be responsible for the maintenance of the city's police and fire communication system, installation and maintenance of traffic signals, striping and signage, including street and curb markings, and street signs, as well as assisting the Division of Police in parking enforcement. The Division shall also assist in the installation and maintenance of the electrical system in all buildings and facilities owned by the city.

____-41 Signal and Traffic System Superintendent.

There is hereby created and established the position of Signal and Traffic System Superintendent, who shall also serve as head of the Division.

____-42 Staff.

The personnel staff of the Division of Signal and Traffic shall consist of an Assistant Signal and Traffic Superintendent, a Senior Signal System Repairer, Signal Systems Repairers, Traffic Maintenance Workers and Parking Enforcement Officers, within the budgetary constraints established by the Council.

____-43 Property and Records.

There is hereby transferred and assigned to said Division all of the property, books, papers and records relating to any of the offices and other governmental agencies hereinabove allocated and assigned to said Division, except such books, papers and records as are now required by law or ordinances of the City of Hoboken to be kept in the office of some other officer or department of the city government.
Transfer of Appropriations.

All appropriations available or to become available to any department, board, commission, office or other governmental agency, the functions, powers and duties of which are hereby assigned and transferred to said Division are hereby transferred to the Division established hereby, and shall be available for the objects and purposed for which appropriated.

ARTICLE VII

SPECIAL LAW ENFORCEMENT OFFICER

Position established; duties.

A. There is hereby established the position of Special Law Enforcement Officer Class II in the Department of Administration, Division of Police, pursuant to N.J.S.A. 40:A14-146.8 et. seq.

B. The Special Law Enforcement Officer Class II shall have the same power and authority of a full-time, permanent Hoboken police officer only when on duty and in full uniform actually performing their public safety function as designated by the Chief of Police and when receiving compensation from the City of Hoboken. A special law enforcement officer shall not be deemed to be on duty for purposes of this Article while performing private security duties for private employee, which duties are not assigned by the Chief of Police.

Term of Appointment; firearms; supervision.

A. Special law enforcement officers shall be appointed for a term not to exceed four (4) months and can be separated from appointment at any time, without cause or hearing. Nothing herein shall be construed to require reappointment at the end of the term. The special law enforcement officers so appointed shall not be members of the police force, and their powers and duties shall cease at the expiration of the term of which appointed.

B. Special law enforcement officers shall carry, only after satisfactory completion of an approved firearms course as set forth by the Police Training Commission and when specifically authorized by the Chief of police, a firearm issues and approved by the Police Division while on duty, in uniform and while actually engaged in their assigned public safety duties. Special law enforcement officers shall be issued the approved firearm at the start of their tour and shall return said firearm to the Police Desk Officer upon the completion of their tour. No special law enforcement officer may carry a firearm except while engaged in the actual performance of the officer’s official duties.

C. The special law enforcement officer shall work under the direct supervision of the Chief of Police or, in his absence, the Police Chief’s designee.

Compensation; hours of duty; uniform.

A. Special law enforcement officers shall be compensated at the rate of twelve dollars and fifty cents ($12.50) an hour and shall not receive any benefits.

B. Special law enforcement officers shall work part-time and shall not exceed twenty (20) hours per week except during periods of emergency and will be assigned at the direction of the Chief of Police.
C. The special law enforcement officer shall wear the appropriate uniform of the day as directed by the Chief of Police, which shall include: hat, badge, name tag, Hoboken Police Division uniform patch and insignia issued by the Police Training Commission which clearly indicated the officer’s status as a Class II Special Law Enforcement Officer.

Qualifications.

A. Qualifications for a special law enforcement officers shall be as follows:

(1) The person is a resident of the City of Hoboken.
(2) The person is able to read, write and speak the English language well and has as high school diploma or its equivalent.
(3) The person is sound in body, mind and in good health.
(4) The person is a good moral character.
(5) The person has not been convicted of any offense involving dishonesty which would make him or her unfit to perform the duties of his or her office.
(6) The person has successfully completed a background investigation by the Hoboken Police Division and has successfully undergone the same physical and psychological testing as full-time, permanent Hoboken police officers.

B. All applicants for special law enforcement officer shall be fingerprinted and shall have the same file with the Hoboken Police Division, Division of State Police and the Federal Bureau of Investigation.

C. No person shall be appointed to serve in more than one local unit at the same time, and no full-time permanent police officer in any local unit may be appointed. However, any full-time permanent police officer who was separated from service in good standing may be appointed a special law enforcement officer, and any training for said position may be waived at the discretion of the Police Training Commission.

D. No public official with the responsibility of setting law enforcement policy or exercising authority over the budget of the Department of Public Safety shall be appointed a special law enforcement officer.

Training.

A. No person may commence his or her duties as a special law enforcement officer unless he or she has completed a training course approved by the Police Training Commission, a which time a certificate of training will be issued to the officer.

B. No special law enforcement officer shall carry or be issued any firearm unless he or she has completed the basic firearm course approved by the Police Training Commission. All special law enforcement officers shall qualify semiannually with their issued firearms.

Limitation on employment.

A. Special law enforcement officers may be employed only to assist the local law enforcement unit but may not be employed to replace or substitute for full-time regular police officers or in any way diminish the number of full-time officers.

B. The number of Class II Special Law Enforcement Officers shall not exceed twenty-five percent (25%) of the total number of regular police officers.
There is hereby established an Office of Emergency Management within the Department of Administration and pursuant to the Civil Defense and disaster Control Act (N.J.S.A. App. 9-33 et. seq.) and the Federal Civil Defense Act of 1950, as amended. The Office of Emergency Management’s basic goal is the maximum survival of the general population in the event of natural disaster, man-made incident or attack. Emergency management is municipal government operating during an emergency, e.g. war, flood, hazardous material spill, nuclear accident, etc., to protect the lives and property of its citizens.

Emergency Management Council.

The Mayor shall appoint an Emergency Management Council to assist in the planning and development of an emergency management program. Members of the Council shall be selected from the city government and medical and business communities.

Staff.

There is hereby established the position of Emergency Management Coordinator, to be appointed by the Mayor in accordance with state law. The Mayor shall establish the compensation of the Emergency Management Coordinator as provided by law. The Emergency Management Coordinator shall complete the basic training for municipal emergency management coordinators as established by law. The Emergency Management Coordinator shall appoint a Deputy Emergency Management Coordinator with the approval of the Mayor. Such Deputy shall be appointed from among the salaried officers and employees of the City of Hoboken.

The following sections of the Code of the City of Hoboken are hereby specifically repealed:

Chapter 4, Article VII, sections 4-34 through 45.1 inclusive (Division of Police); Chapter 4, Article VIII, sections 4-46 through 52 inclusive (Outside Police Personnel Employment); Chapter 4, Article IX, sections 4-53 through 58 inclusive (Division of Fire); Chapter 4, Article X, sections 4-59 through 64 inclusive (Arson Investigation Unit); Chapter 4, Article XI, sections 4-65 through 69 inclusive (Division of Signal and Traffic); Chapter 4 Article XII, sections 4-70 through 75 inclusive (Special Law Enforcement Officer), Chapter 4, Article XIII, sections 4-76 through 78 inclusive (Office of Emergency Management).

SECTION II

This ordinance shall take effect after publication thereof, or after final passage as provided by the law.

SECTION III

If any section or provision of this Ordinance shall be held in valid in any Court, the same shall not effect the other sections or provisions of this Ordinance except so far as the section or provision so declared invalid and shall be inseparable for the remainder or portion thereof.

SECTION IV
All Ordinances or parts of Ordinances in consistent herewith are hereby repealed to the extent of such inconsistency.

**SECTION V**

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

---Councilwoman Andreula moved that the ordinance pass its first reading as read and be laid on the table for public inspection to be further considered for final passage at a meeting of the Council to be held on JULY 11, 2001 at 7:00 PM.

---Motion duly seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSTENTIONS: 1
---Nays: None.
---Abstentions: Castellano.

**ORDINANCE AMENDING THE CODE OF THE CITY OF HOBOKEN, CHAPTER 44-1. (Planning Board)**

WHEREAS, the City of Hoboken has a Planning Board consisting of nine (9) members, consisting of members Class I-IV, Code of the City of Hoboken 44-1 et al; and

WHEREAS, N.J.S.A. 40:55D-23 describes a Class I member as “the mayor or the mayor's designee in the absence of the Mayor…”

WHEREAS, the Code of the City of Hoboken 44-1 describes a Class I member as “the Mayor.”

NOW, THEREFORE, BE IT ORDAINED that the following provision shall be amended to the Code of the City of Hoboken, 44-1.

**SECTION I**

44-1 Establishment; composition

A. Members. There is hereby established pursuant to P.L. 1975, c. 291, in the City of Hoboken, a Planning Board of members consisting of the following (4) classes:

(1) Class I: the Mayor or the Mayor's designee in the absence of the Mayor.

(2) Class II: one (1) of the officials of the municipality, other than a member of the governing body, to be appointed by the Mayor.

(3) Class III: a member of the governing body to be appointed by it.

(4) Class IV: six (6) other citizens of the municipality to be appointed by the Mayor.

B. The members of Class IV shall hold no other municipal office, position or employment. For purposes of this section, membership on a municipal board or commission whose
function is advisory in nature and the establishment of which is discretionary and not required by statute shall not be considered the holding of municipal office.

C. Alternate members.

(1) Not more than two (2) alternate members, who shall meet the qualifications of Class IV members, may be appointed by the Mayor.

Such alternate members shall be designated at the time of appointment as “Alternate No. 1” and “Alternate 2.” The terms of the alternate members shall be two (2) years, except that such terms shall be such that the term of not more than one (1) alternate member shall expire in any one (1) year; provided, however, that in no instance shall the term of the alternate member first appointed exceed two (2) years. A vacancy occurring otherwise than by expiration of term shall be filled by the Mayor for the unexpired term only.

(2) Alternate members may participate in discussions of the proceedings but may not vote, except in the absence or disqualification of any member of the regular class. A vote shall not be delayed in order that a regular member may vote instead of an alternate member. In the event that a choice must be made as to which alternate member is to vote, Alternate No. 1 shall vote.

SECTION II

This ordinance shall take effect after publication thereof, or after final passage as provided by the law.

SECTION III

If any section or portion of this Ordinance shall be held in valid in any Court, the same shall not effect the other sections or provisions of this Ordinance except so far as the section or provision so declared invalid and shall be inseparable for the remainder or portion thereof.

SECTION IV

All Ordinances or parts of Ordinances in consistent herewith are hereby repealed to the extent of such inconsistency.

SECTION V

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

--- Council President Soares moved that the ordinance pass its first reading as read and be laid on the table for public inspection to be further considered for final passage at a meeting of the Council to be held on JULY 11, 2001 at 7:00 PM.

--- Motion duly seconded by Councilwoman Marsh.
--- Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSTENTIONS: 1
--- Nays: None.
--- Abstentions: Castellano.
ORDINANCE OF THE CITY OF HOBOKEN AMENDING CHAPTER 196 (ZONING) OF THE CODE OF THE CITY OF HOBOKEN, ARTICLE V, SCHEDULE I: RESIDENTIAL DISTRICTS TO AMEND CERTAIN REGULATIONS OF THE R-1 (E) EDUCATIONAL SUBDISTRICT AND TO AMEND ARTICLE X, CONDITIONAL USES.

THE COUNCIL OF THE CITY OF HOBOKEN DOES ORDAIN AS FOLLOWS:

1. CHAPTER 196, Section 14 is hereby amended as follows to modify certain regulations of the R-1 (E) Subdistrict:

196-14.R-1 District; R-1 (E) Subdistrict: R-1 (CS) Overlay District.

A. Purpose.

(1) R-1 District. The purpose of this district is to conserve the architecture, scale and grain of residential blocks and street patterns; to reinforce the residential character of the district; acknowledge the traditional relationship between Stevens Institute, adjacent residential neighborhoods and neighborhood retail businesses and services; to regulate those buildings and activities not comparable with district objectives.

(2) R-1 (E) Subdistrict. The purpose of the Educational Subdistrict is to acknowledge the interaction between Stevens Institute and the remainder of the R-1 District while at the same time modifying the specific conditions of this zoning district within the subdistrict boundaries shown on the Zoning Map in recognition of the unique requirements of an institution of higher learning, which may be inconsistent with standards prevailing elsewhere in the district. The design of buildings and uses in the R-1 (E) Subdistrict, particularly in portions of the buildings and uses in the R-1 (E) Subdistrict, particularly in portions of the subdistrict adjacent to the R-1 District, shall be integrated with prevailing character of adjacent districts, streets, buildings and uses. The Higher Education Subdistrict appears on the Zoning Map superimposed on the R-1 District, and its regulations supplement those of the district on which it is superimposed.

(3) R-1 (CS) Subdistrict. The purpose of the Court Street subdistrict is to preserve the architecture and scale of accessory structures fronting on Court Street, to encourage residential use, to control height and density in relation to limited utility service and fire fighting accessibility, to limit automobile through traffic, to encourage pedestrian use and to otherwise reinforce the scale and quality of this district.

B. Principal permitted uses shall be as follows:

(1) R-District:

(a) Residential buildings.

(b) Retail businesses and services in accordance with 196-33 of this chapter.

(2) R-1 (E) Subdistrict:
(a) Colleges, universities or other institutions of higher learning, including buildings owned or leased for administration and faculty offices, classrooms, laboratories, chapels, auditoriums and lecture halls with less than one hundred (100) seats, libraries, student and faculty centers, dining halls, campus stores, athletic facilities and dormitories, fraternities, sororities and their houses, but excluding uses listed in 196-14D (2).

(b) Residential buildings for faculty and staff.

(4) R-1 (CS) Subdistrict as in R-1 District.

C. Accessory used shall be as follows:

(1) R-1 District:

(a) Accessory garages.

(b) Home occupations.

(c) Signs. See 196-31.

(d) Other uses customarily incident to principal permitted uses and on the same lot.

(2) R-1 (E) Subdistrict: accessory uses customarily incident to principal uses within the subdistrict.

(3) R-1 (CS) Subdistrict: accessory uses customarily incident to principal uses within the subdistrict.

D. Conditional uses shall be as follows:

(1) R-1 District:

(a) Bars.

(b) Clubs and community centers.

(c) Educational uses not otherwise mentioned.

(d) Essential utilities or public services.

(e) Funeral homes.

(f) Instructional uses.

(g) Clinics and nursing homes.

(h) Nursery schools.

(i) Office buildings.

(j) Places of worship, associated residences and schools.

(k) Public buildings and uses, such as schools, libraries, parks and playgrounds.
(l) Professional or business offices, other than home occupations, when located above street level.

(m) Public parking facilities.

(n) Restaurants.

(o) Sidewalk cafes.

(p) Accessory uses customarily incident to a principal permitted use but not on the same lot.

(2) R- (E) Subdistrict.

(a) Auditoriums and lecture halls with one hundred (100) or more seats.

(b) Hospitals or health clinics.

(c) Physical plant, facilities maintenance and other similar buildings.

(d) Scientific or research laboratories and offices of corporations, institutions and other agencies engaged in the following: research, development, design, management consulting services or experimentation.

(e) Parking facilities whether owned exclusively by Stevens Institute or owned and operated jointly with the city or other governmental entities; such facilities may be accessory, public or a combination of both. Facilities for more than fifty (50) vehicles will be subject to Sections 196-26 and 196-38R.

(3) R-1 (CS) Subdistrict:

(a) Accessory apartments.

(b) Other uses as in the R-1 District.

E. Area, yard and building requirements for principal and accessory buildings shall be as follows:

(1) Lot area, minimum:

(a) R-1 District: two thousand (2,000) square feet.

(b) R-1 (E) Subdistrict: two thousand (2,000) square feet.

(c) R-1 (CS) Subdistrict: two thousand (2000) square feet.

(2) Lot width, minimum:

(a) R-1 District: twenty (20) feet.

(b) R-1 (E) Subdistrict: twenty (20) feet.

(c) R-1 (CS) Subdistrict: twenty (20) feet.
(3) Lot depth, minimum:
   (a) R-1 District: one hundred (100) feet.
   (b) R-1 (E) Subdistrict: one hundred (100) feet.
   (c) R-1 (CS) Subdistrict: one hundred (100) feet.

(4) Lot coverage, maximum:
   (a) R-1 District: sixty percent (60%).
   (b) R-1 (E) Subdistrict: fifty percent (50%).
   (c) R-1 (CS) Subdistrict:
      [1] For principal building, sixty percent (60%).
      [2] For accessory building, twenty percent (20%) or four hundred (400) square feet, but in no event shall the distance between principal and accessory buildings be less than twenty (20) feet.

(5) Building height:
   (a) R-1 District principal buildings, a maximum of four (4) stories and in no event more than forty (40) feet above base flood elevation. Where new building occupies no more than fifty feet of frontage between two existing adjacent principal buildings whose height is lower than the maximum permitted for the district, the new structure shall match the height of the two buildings. Where the adjacent buildings are higher than the maximum permitted for the district, the new structure may match the lower of the two buildings. Final height in such a case includes any front parapet.

   (b) R-1(E) Subdistrict: a maximum of four (4) stories or forty (40) feet for buildings within two hundred (200) feet of any residential district. Otherwise, a maximum of ten (10) stories or one hundred (100) feet.

   (c) R-1(CS) Subdistrict: two thousand (2,000) square feet.
      [1] For principal building, as in R-1 District.
      [2] For accessory building, one (1) residential story over accessory garage, total height not to exceed thirty (30) feet.

(6) Yard dimension, minimum:
   (a) R-1 District:
      [1] Front: prevailing setback where applicable; otherwise, a maximum of ten (10) feet.
Rear: thirty (30) feet or thirty percent (30%) of lot depth, whichever is less. In no event shall the rear building wall of any extension, enlargement or new construction be permitted at depth greater than seventy (70) feet from the front lot line.

Side: zero (0) or five (5) feet.

(b) R-1 Subdistrict:

[1] Front: prevailing setback where applicable; otherwise a minimum of ten (10) feet.


[3] Side: zero (0) or five (5) feet.

(c) R-1 (CS) Subdistrict: see lot coverage.

(7) Other regulations in the R-1(E) Subdistrict:

(a) Distance between buildings, minimum: twenty-five (25) feet, plus one (1) foot for each foot of height that the taller building exceeds twenty five (25) feet.

(b) Building length, maximum: two hundred (200) feet. Vertical demarcations shall be required no less than every fifty (50) linear feet of building façade; these may be achieved by a change of color or material, by a stack of bay windows or balconies, or by a vertical “line” created by a variation in the surface of the façade (minimum variation of eight (8) inches). Additional vertical demarcations shall required no less than every one hundred (100) linear feet of building façade, which shall be achieved by a variation in the façade not less than four (4) feet in depth.

(c) Open space ratio, minimum: fifty percent (50%). On properties with an area of greater than one (1) acre, open space shall be dispersed throughout the property to provide relief to all areas of the entire property and nearby areas.

(d) Buffer, minimum: a minimum twenty (20) foot wide planted and screened area shall be provided adjacent to any property line of a residential district or use.

F. Off-street parking shall be as follows:

(1) R-1 District:

(a) None permitted or required for residential use either new or existing. See Article XI
(b) None permitted on-site for nonresidential use either new or existing. Where such use is located within eight hundred (800) feet of a public parking facility, the parking requirement shall be satisfied through participation in the Park & Shop program (or its successor or equivalent program) or other contractual arrangement with the parking operator. See Article XI.

(2) R-1 (E) Subdistrict.

(a) For all dormitories or sorority or fraternity houses, at least one (1) off-street parking space for each two (2) beds. For all other residential uses, at least (1) parking space per dwelling unit.

(b) For theaters, auditoriums and other similar places of Assembly, at least (one (1) off-street parking space for every five (5) seats.

(c) For all other structures in the subdistrict, exclusive of garages, one (1) off-street parking space for every one thousand (1000) square feet of floor area.

(d) The requirements of this subsection may be complied with by group parking facilities provided within the subdistrict or on space owned or leased for such purpose in other nonresidential districts. Required parking spaces shall be provided for each individual building or use and may not be credited to more than one building or use. Required parking spaces shall be provided for each individual building or use and may not be credited to more than one building or use. Required parking spaces for each building or use shall be provided before issuance of a certificate of occupancy.

(e) In the case of a combination of uses in one building, the off-street parking requirement shall consist of the sum of the spaces required for each individual use.

(3) R-1 (CS) Subdistrict:

(a) For principal buildings, as in the R-1 District.

(b) For accessory apartments, one (1) off-street parking space in on-site garage below.

G. Building facades in the R-1 (E) Subdistrict:

(1) Purpose. The purpose of this section is to encourage development of buildings located adjacent to residential zones to be sympathetic to and compatible with the adjacent neighborhood.

(2) Application.

(a) This subsection shall apply to the façade of any building in the R-1(E) Subdistrict that is located within one hundred (100) feet of a residential of a residential district.
(b) Terminology. The word “façade” as used in this section refers to the building wall facing the street. In most instances, this will be the only front wall. In the case of a corner building, the regulations apply to both building walls facing the street.

(3) Materials.

(a) To be used over at least seventy-five percent (75%) of the building façade:


[2] Stone (e.g., brownstone, limestone, sandstone).

(b) To be limited to less than twenty-five percent (25%) of the building façade:


[2] Synthetic stucco systems or exterior insulation and finish systems.


(4) Articulation. Variation in the surface is to be achieved with a combination of some or all of the following features: bay windows, balconies, stoops and vertical and/or horizontal demarcations as outlined below:

(a) Vertical articulation: vertical demarcations shall be required no less than every fifty (50) linear feet of street façade; these may be achieved by a change of color or material, by a stack of bay windows or balconies, or by a vertical “line” created by a variation in the surface of the façade (minimum variation of eight (8) inches). Additional vertical demarcations shall required no less than every one hundred (100) linear feet of street façade, which shall be achieved by a variation in the façade not less than four (4) feet in depth.

(b) Horizontal articulation: horizontal demarcations shall be required for any building taller than four (4) stories; these may be achieved by such elements as a cornice line, a course of brick or stone which projects or is differently colored or differently laid, or a floor (such as the ground floor) which has a different material from that of the main façade.

(5) Fenestration.

(a) All windows shall be inset in the masonry opening a minimum of (3) inches and shall be operable (i.e., ribbon windows and extensive glazing such as curtain wall construction shall not be permitted.)

(b) The pattern or rhythm of fenestration shall be similar to that of the
residential buildings on the balance of the same or opposite blockface to the greatest extent possible.

(c) Glazing shall represent at least forty-five percent (45%) of the total façade area.

(d) Garage openings and service areas shall not be permitted along any facade as defined in 196-14 g (2).

H. Sound and lighting standards in the R-1 (E) Subdistrict:

(1) The use of loudspeakers or other public address systems shall be prohibited between 10:00PM and 10:00AM.

(2) Sports lighting for lighted athletic fields may only be used during scheduled games of intercollegiate athletic teams or intramural activities. Any sports lighting shall be set back at least 100 feet from a property line adjacent to a residential district. Lighted athletic fields shall not be illuminated between 10:00 PM and 10:00 AM. Necessary security lighting for such fields may be provided by light fixtures mounted at a height of not more than twenty (20) feet above ground.

2. Chapter 196, section 38 is hereby amended by adding the following subsection:

W. Conditional uses in the R-19 (E) Subdistrict. Any part of any building or facility containing, auditoriums and lecture halls with one hundred (100) or more seats, non-university laboratories and offices, physical plant, facilities maintenance and other similar buildings and parking facilities shall be located at least one hundred (100) feet from any property line adjacent to a residential district.

3. There are no further amendments to this Chapter.

4. In the event that any provision of this Ordinance shall be declared invalid by any court of competent jurisdiction, such declaration of invalidity shall not affect the remaining provisions of this Ordinance except insofar as such provision of this Ordinance as if declared invalid shall be inseparable from the remainder of any provision thereof.

5. Any ordinances which are in conflict with or inconsistent with the terms of this Ordinance are hereby repealed to the extent that they are in conflict with or inconsistent with the terms of this Ordinance.

6. This Ordinance shall take effect as provided by law.

--- Council President Soares moved that the ordinance pass its first reading as read and be laid on the table for public inspection to be further considered for final passage at a meeting of the Council to be held on JULY 12, 2001 at 7:00 PM.

---Motion duly seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.
All regular business concluded the following members of the public spoke at the “Public Portion” of the meeting: Jude Fitzgibbons, 456 6th Street; Beth Mason, 921 Hudson Street; James Fitzsimmons, 509 Willow Avenue.

President Soares then adjourned the meeting at 1:52 p.m.
MEETING OF JULY 11, 2001

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, JULY 11, 2001 AT 7:00 PM

01-36
---By Councilman Ramos:

WHEREAS, Members of the Hoboken City Council wish to enter Executive Session to discuss matters pursuant to N.J.S.A. 10:4-12(b); and

WHEREAS, pursuant to N.J.S.A. 10:4-13 a resolution is required stating the general nature of the subject to be discussed and as precisely as possible, the time when and the circumstances under which the discussion in the Executive Session can be disclosed to the public; and

WHEREAS, the general nature of the subject(s) to be discussed at this meeting is as follows:

1- personnel matters-

BE IT RESOLVED, that the City Council shall at this time, 6:30 pm, July 11, 2001, enter into Executive Session to discuss the matters as outlined above, and-

BE IT FURTHER RESOLVED, that it can be disclosed to the public as follows:

Upon final disposition of the matter.

---Motion duly seconded by Councilwoman Andreula.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Nays: None.
---Absent: Castellano.

President Soares opened the meeting at 7:06 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 furnished to The Jersey Journal and The Hoboken Reporter, The Bergen Record, The Newark Star - Ledger and also placed on the bulletin board in the lobby of City Hall."

The Council President then called for the Salute to the Flag.

The Clerk then called the roll:
PRESENT: Council persons Andreula, Campos, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.

ABSENT: Castellano.

HEARING ON ORDINANCES
Second Reading and Public Hearing

ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 133 OF THE HOBOKEN CODE DEFINING AND REGULATING THE USE OF MOBILE TELEPHONES WHILE OPERATING A MOTOR VEHICLE.

The above ordinance was withdrawn at this time.

ORDINANCE CREATING AND ESTABLISHING A DEPARTMENT OF COMMUNITY DEVELOPMENT IN THE GOVERNMENT OF THE CITY OF HOBOKEN.

President Soares directed the City Clerk to announce that the Council would consider for final passage the aforesaid ordinance and all persons interested at this time would be given an opportunity to be heard concerning said ordinance which was read in full.

No person present desiring to be heard and no written protests or objections received, President Soares asked for a motion to close the hearing.

Councilman Del Boccio moved that the hearing be closed. Motion duly seconded by Councilwoman Andreula.

---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Nays: None.
---Absent: Castellano.

ORDINANCE CREATING AND ESTABLISHING A DEPARTMENT OF PUBLIC SAFETY IN THE GOVERNMENT OF THE CITY OF HOBOKEN.

President Soares directed the City Clerk to announce that the Council would consider for final passage the aforesaid ordinance and all persons interested at this time would be given an opportunity to be heard concerning said ordinance which was read in full.

No person present desiring to be heard and no written protests or objections received, President Soares asked for a motion to close the hearing.

Councilman Giacchi moved that the hearing be closed. Motion duly seconded by Councilwoman Andreula.

---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Nays: None.
---Absent: Castellano.

ORDINANCE AMENDING THE CODE OF THE CITY OF HOBOKEN, CHAPTER 44-1. (Planning Board)

President Soares directed the City Clerk to announce that the Council would consider for final passage the aforesaid ordinance and all persons interested at this time would be given an opportunity to be heard concerning said ordinance which was read in full.

No person present desiring to be heard and no written protests or objections received, President Soares asked for a motion to close the hearing.

Councilman Ramos moved that the hearing be closed. Motion duly seconded by Councilwoman Marsh.

---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Nays: None.
---Absent: Castellano.

ORDINANCE OF THE CITY OF HOBOKEN AMENDING CHAPTER 196 (ZONING) OF THE CODE OF THE CITY OF HOBOKEN, ARTICLE V, SCHEDULE I: RESIDENTIAL DISTRICTS TO AMEND CERTAIN REGULATIONS OF THE R-1 (E) EDUCATIONAL SUBDISTRICT AND TO AMEND ARTICLE X, CONDITIONAL USES.

The above ordinance will be heard for second reading (public hearing) and third reading (final reading) at a special meeting on Thursday, July 12, 2001.

HEARING ON ORDINANCES

Third and Final Reading

Council President Soares then moved that the ordinance entitled, "ORDINANCE CREATING AND ESTABLISHING A DEPARTMENT OF COMMUNITY DEVELOPMENT IN THE GOVERNMENT OF THE CITY OF HOBOKEN" be taken from the table for its third and final reading.

Motion seconded by Councilman Ramos.

---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Nays: None.
---Absent: Castellano.

Council President Soares then moved that the ordinance entitled, "ORDINANCE CREATING AND ESTABLISHING A DEPARTMENT OF PUBLIC SAFETY IN THE GOVERNMENT OF THE CITY OF HOBOKEN" be taken from the table for its third and final reading.

Motion seconded by Councilwoman Andreula.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Nays: None.
---Absent: Castellano.

Council President Soares then moved that the ordinance entitled, "ORDINANCE AMENDING THE CODE OF THE CITY OF HOBOKEN, CHAPTER 44-1. (Planning Board)" be taken from the table for its third and final reading.

Motion seconded by Councilwoman Marsh.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Nays: None.
---Absent: Castellano.

PETITIONS AND COMMUNICATIONS

01-37
A communication dated July 11, 2001 from the Hoboken Planning Board regarding: The Proposed Ordinance for the R-1 (E) Zone; finding that the Ordinance as proposed is not consistent with the Master Plan.

--Received and filed.

01-38
A communication from Charles B. Liebling of Windels, Marx, Lane and Mittendorf, attorneys for Stevens Institute of Technology; in opposition to the proposed amendment to the Zoning Ordinance for R-1 (E) District.

--Received and filed.

01-39
APPLICATIONS FOR MISCELLANEOUS LICENSES

<table>
<thead>
<tr>
<th>Application</th>
<th>Quantity</th>
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</thead>
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<tr>
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</tr>
<tr>
<td>Public Hack Drivers</td>
<td>0</td>
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<td>Auto Garage</td>
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<tr>
<td>Mechanical Amusement Devices</td>
<td>0</td>
</tr>
</tbody>
</table>

---Councilman Ramos moved that the licenses be granted.
---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Nays: None.
---Absent: Castellano.
REPORTS OF CITY OFFICERS

01-40
A report from Municipal Tax Collector Louis Picardo for taxes collected; for the month ending June 30, 2001 - $1,213,348.23.

---Received and filed.

01-41
Certification of Preliminary State Fiscal Year Tax Levies, 3rd and 4th Installments 01; from Tax Collector Louis Picardo.

---Received and filed.

CLAIM RESOLUTIONS

01-42
By Councilman Ramos:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $111,987.00 against the UNCLASSIFIED CLAIMS.

Seconded by Councilman Del Boccio.

---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Nays: None.
---Absent: Castellano.

By Councilman Ramos:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $218,059.08 against the DEPARTMENT OF ADMINISTRATION.

Seconded by Councilman Del Boccio.

---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Nays: None.
---Absent: Castellano.

By Councilman Ramos:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $50,344.00 against the DEPARTMENT OF ADMINISTRATION, SECTION 8.

Seconded by Councilwoman Andreula.
---Adopted by the following vote: YEAS: 7 - NAYS: 0 - ABSENT: 1 - ABSTENTIONS: 1
---Yeas: Council persons Andreula, Campos, Cricco, Del Boccio, Giacchi, Marsh, and President Soares.
---Nays: None.
---Absent: Castellano.
---Abstentions: Ramos.

By Councilman Ramos:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $358,101.00 against the DEPARTMENT OF ENVIRONMENTAL SERVICES.

Seconded by Councilwoman Andreula.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Nays: None.
---Absent: Castellano.

By Councilman Ramos:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $52,431.79 against the DEPARTMENT OF HUMAN SERVICES.

Seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Nays: None.
---Absent: Castellano.

By Councilman Ramos:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $1,850.35 against the CAPITAL ACCOUNT.

Seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Nays: None.
---Absent: Castellano.

By Councilman Ramos:
RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $23,600.00 against the LATE CLAIMS, ADMINISTRATION & ENVIRONMENTAL SERVICES.

Seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Nays: None.
---Absent: Castellano.

PAYROLL RESOLUTIONS

01-43
By Councilman Ramos:

RESOLVED, THAT WARRANTS DRAWN ON THE CITY TREASURER, TO THE ORDER OF THE CITY TREASURER, IN PAYMENT OF SERVICES OF OFFICERS AND EMPLOYEES OF THE CITY OF HOBOKEN, FOR THE PERIOD MAY 24, 2001 TO JUNE 6, 2001 FOR THE PAYROLL ARE HEREBY RATIFIED IN THE FOLLOWING AMOUNTS:

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<tr>
<th>Department</th>
<th>Account Num.</th>
<th>Regular Pay</th>
<th>Overtime</th>
<th>Other Pay</th>
<th>Total Pay</th>
</tr>
</thead>
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<td>9,587.61</td>
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<tr>
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<td>1-01-20-113</td>
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<tr>
<td>Purchasing Dept.</td>
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<td>6,884.21</td>
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<tr>
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<tr>
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Board of Health  1-01-27-332  12,261.72  2,945.55  15,207.27
Div of Housing Svc  1-01-27-346
Senior Citizens Div  1-01-27-336  11,905.70  11,905.70
Rent & Stabilization Bd  1-01-27-347  7,277.97  7,277.97
Transportation  1-01-27-348  4,115.80  25.50  4,141.30
Cultural Affairs  1-01-27-176  1,711.59  1,711.59
Public Defender  1-01-43-495  1,861.11  1,861.11
Construction Code  1-01-22-195  22,255.78  747.09  23,002.87
DDEF  0-01-55-901

Sub-Total  1,212,176.63  45,098.80  1,257,275.43

Other
Water Utility  0-05-20-701-010  2,148.23  161.10  2,309.33
Police Outside Employ.  T-14-10-000-000  5,680.00  5,680.00

Police Grant.
Summer Lunch Progrm  G-02-40-302-000

Grand Total

Motion by Councilman Ramos.
Seconded by Councilwoman Andreula.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Nays: None.
---Absent: Castellano.

The above payroll resolution, which was tabled at the June 20, 2001 meeting and brought back at this time, was passed with conditions and reservations. Concerns were expressed by Council Members regarding monies paid to certain high ranking outgoing officials, and questions were raised regarding how these payments were calculated.

01-44
By Councilman Ramos:

RESOLVED, THAT WARRANTS DRAWN ON THE CITY TREASURER, TO THE ORDER OF THE CITY TREASURER, IN PAYMENT OF SERVICES OF OFFICERS AND EMPLOYEES OF THE CITY OF HOBNOK, FOR THE PERIOD JUNE 7, 2001 TO JUNE 20, 2001 FOR THE PAYROLL ARE HEREBY RATIFIED IN THE FOLLOWING AMOUNTS:

Meeting of July 11, 2001  9
<table>
<thead>
<tr>
<th>Department</th>
<th>Account Num.</th>
<th>Regular Pay</th>
<th>Overtime</th>
<th>Other Pay</th>
<th>Total Pay</th>
</tr>
</thead>
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<tr>
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<td>269.24</td>
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<tr>
<td>Purchasing Dept.</td>
<td>1-01-20-114</td>
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<td>5,957.11</td>
</tr>
<tr>
<td>Finance Supervisor</td>
<td>1-01-20-130</td>
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<td>5,482.56</td>
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<tr>
<td>Payroll Division</td>
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<tr>
<td>Personnel</td>
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<tr>
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<tr>
<td>Treasurer’s</td>
<td>1-01-20-131</td>
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<td>7,288.18</td>
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<td>7,288.18</td>
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Meeting of July 11, 2001
Water Utility 0-05-20-701-010 2,148.23 2,148.23
Police Outside Employ. T-14-10-000-000 16,250.00 16,250.00
Police Grant.
Summer Lunch Progm G-02-40-302-000

Grand Total 1,090,451.83 21,287.53 16,250.00 1,127,989.36

Motion by Councilman Ramos.
Seconded by Councilwoman Andreula.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Nays: None.
---Absent: Castellano.

01-45
By Councilman Ramos:

RESOLVED, THAT WARRANTS DRAWN ON THE CITY TREASURER, TO THE ORDER OF THE CITY TREASURER, IN PAYMENT OF SERVICES OF OFFICERS AND EMPLOYEES OF THE CITY OF HOBOKEN, FOR THE PERIOD JUNE 21, 2001 TO JULY 4, 2001 FOR THE PAYROLL ARE HEREBY RATIFIED IN THE FOLLOWING AMOUNTS:

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Meeting of July 11, 2001
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Motion by Councilman Ramos.  
Seconded by Councilwoman Andreula.  
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1  
---Nays: None.  
---Absent: Castellano.

**RESOLUTIONS**

**Presented and Read**

**01-46**  
---By Councilman Ramos:
WHEREAS, the Council of the City of Hoboken adopted on June 1, 1994 an ordinance entitled, “AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 192 OF THE CODE OF THE CITY OF HOBOKEN (PARKING FOR HANDICAPPED).” (The Ordinance) to regulate and control the application and approval process for the issuance of special handicapped parking spaces within the City of Hoboken; and

WHEREAS, the Ordinances requires an application fee of $130.00 be paid with every application submitted for a handicapped parking space and $125.00 to be refunded for any application deemed ineligible; and

WHEREAS, the Subcommittee for handicapped Parking, meeting in session, has found the following applicant ineligible for a handicapped parking space:

Zulma Ramos                           1302 Washington Street
Mary Pepe                            1130 Willow Avenue
Giovanni Pizzo                       158-Sixth Street

NOW THEREFORE, BE IT RESOLVED, that payment be made in the amount of $125.00 to the above mentioned applicant as a refund of an application fee for a handicapped parking space.

---Motion duly seconded by Councilwoman Andreula.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Nays: None.
---Absent: Castellano.

01-47
---By Councilman Ramos:

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

WHEREAS, The Annual Report of Audit for the year 2000 has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body, and

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

WHEREAS, The Local Finance Board has promulgated a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled:

General Comments

Recommendations

and
WHEREAS, The members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled:

General Comments
Recommendations

as evidenced by the group affidavit form of the governing body, and

WHEREAS, Such resolution certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, as per the regulations of the Local Finance Board, and

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

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

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

NOW, THEREFORE, BE IT RESOLVED, That the governing body of the City of Hoboken, hereby states that it has complied with the promulgation of the Local Finance Board of the State of New Jersey dated July 30, 1968 and does not hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.


---Motion duly seconded by Councilwoman Andreula.
---Adopted by the following vote: YEAS: 7 - NAYS: 0 - ABSENT: 1 - ABSTENTIONS: 1
---Yeas: Council persons Andreula, Campos, Cricco, Del Boccio, Giacchi, Ramos, and President Soares.
---Absent: Castellano.
---Abstentions: Marsh.

01-48
---By Councilman Ramos:

WHEREAS, The Societa’ Madonna Dei Martiri fra Molfettesi e D’Intorni Inc., with offices at 332 Adams Street, Hoboken has requested permission to conduct their annual Feast in honor of their patron saint, Madonna Dei Martiri” for five consecutive days starting on Wednesday, September 5, 2001 through and inclusive Sunday, September 9, 2001 on Sinatra Drive and Sinatra Park, and

WHEREAS, Societa’ Madonna Dei Martiri has indicated its agenda and requirement to successfully conduct the feast;
Meeting of July 11, 2001

(1) To solicit contribution from the general public, to be used solely to pay part of the expenses and religious contributions.

(2) To have a procession with the statue of "Madonna Dei Martiri" – "Mothers of Martyrs" through the streets of Hoboken.

(3) To install electric lights on Sinatra Drive from the corner of Fourth Street and River Street up to the Union Dry Dock Property.

(4) To erect a bandstand in Sinatra Park to hold nightly concerts.

(5) To erect concession stands and trucks on Sinatra Drive, for vendors of food, novelties, games and rides.

(6) To hold a raffle to be drawn on Sunday September 9, 2001.

(7) On Saturday September 8, 2001 after the procession at about 9:00 P.M. to shoot a special pyrotechnic fireworks show on the River front from a barge in front of Sinatra Park, subject to the approval of the U.S. Coast Guard and local Fire Permits.

(8) To have the streets cleared of all vehicles and traffic, and

WHEREAS, that the Signal & Traffic Division prepare the necessary Traffic regulations and notifications to the New Jersey Department of Transportation and

WHEREAS, The City Council of the City of Hoboken endorses this program provided the Societa Madonna Dei Martiri secure all the necessary permits, Licenses and insurances in a form to be approved by Corporation Counsel; now, therefore, be it

RESOLVED, The City Council hereby grants permission to Societa Madonna Dei Martiri to conduct its feast and fireworks display on the above dates and wishes them success for a happy event subject to the applicant's compliance with all requirement regarding permits, licenses and insurance and further subject to the approval of the U.S. Coast Guard.

---Motion duly seconded by Councilwoman Andreula.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Nays: None.
---Absent: Castellano.

-01-49
---By Councilman Ramos:

At the recommendation of the Department of Administration, Division of Revenue and Finance, it is hereby

RESOLVED, that warrants be drawn on the City Treasurer in the grand total of $3,367.00 for reimbursement of retired employee’s and /or spouse PART B MEDICARE benefits deductions. The amount of reimbursement is opposite each name or names (attached) for PART B MEDICARE during the year 2001 as per the appropriation of the adopted budget.

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Nays: None.
---Absent: Castellano.

01-50
---By Councilman Ramos:
WHEREAS, the City of Hoboken (City) has, in recent years, experienced rapid changes in its development, both in terms of scale and location; and

WHEREAS, the City’s current master plan was prepared in 1986, with the last reexamination report completed in 1998; and

WHEREAS, the City, in contemplation of undertaking a new comprehensive land use master plan and subsequent zoning ordinance, would like an opportunity to gather and review information regarding qualifications and experience of professional firms prior to soliciting proposals.

NOW, THEREFORE, BE IT RESOLVED, the City of Hoboken is authorized to prepare and remit to all interested, professional services qualification questionnaire and statement, more commonly referred to as a Request for Qualifications (RFQ), for the purpose of a new comprehensive master plan.

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Nays: None.
---Absent: Castellano.

01-51
---By Councilman Ramos:

WHEREAS, pursuant to the resolution of the City Council and after public advertising thereof, the following proposals were received for landscape maintenance services on Pier “A” for the City of Hoboken in accordance with Bid 01-08:

<table>
<thead>
<tr>
<th>Name of Bidder</th>
<th>Amount of Bid</th>
</tr>
</thead>
<tbody>
<tr>
<td>It’s Greener Now, Inc.</td>
<td>$39,800.00</td>
</tr>
<tr>
<td>409 East Saddle River Road</td>
<td></td>
</tr>
<tr>
<td>Upper Saddle River, NJ 07458</td>
<td></td>
</tr>
</tbody>
</table>

and:

WHEREAS, the Purchasing Agent recommends the acceptance of the bid of It’s Greener Now, Inc. for landscaping maintenance on Pier “A” for the City of Hoboken;

RESOLVED, that the proposal of It’s Greener Now, Inc., for the landscape maintenance on Pier “A” is hereby accepted, and be it further

RESOLVED, that a contract be drafted and entered into between the Mayor and Council of the City of Hoboken and It’s Greener Now, Inc. for the aforementioned landscape maintenance service, for a period of (1) year, form of which contract is to be prepared by the City’s Corporate Counsel; and be it further

RESOLVED, that upon execution of the aforementioned contract the bid bond deposited by the above bidders be returned to them.

---Motion duly seconded by Councilwoman Andreula.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Nays: None.
---Absent: Castellano.

01-52
---By Councilman Ramos:

WHEREAS, the following were by resolution heretofore adopted by the governing body of the City of Hoboken designated as legal depositories of said City of Hoboken for State Fiscal Year 2002:

- First Union Bank
- Haven Savings Bank
- Midlantic Bank
- Statewide Savings Bank
- Summit Bank
- Fleet Bank
- Hudson United Bank
- Provident Savings Bank
- Trust Company of New Jersey

NOW, THEREFORE BE IT RESOLVED, that said legally designated depositories be and they are hereby requested, authorized and directed to honor checks, drafts, or other orders for the payment of money drawn in the corporate name of the City of Hoboken, including those payable to the individual order of any person or persons whose names appear thereon as signer or signers thereof, when bearing or purporting to bear the facsimile signatures or signatures of any of the following:

David Roberts, Mayor
George DeStefano, Chief Financial Officer (CFO)

BE IT FURTHER RESOLVED, that said legal depositories as above stated shall be entitled to honor and charge to the specified accounts of the City of Hoboken such checks, drafts, or other regardless of by whom or by what means the actual or facsimile signature thereon may have been affixed thereto if such signatures resemble the specimens duly certified to or filed with the depositories; and,

BE IT FURTHER RESOLVED, that all previous authorizations for the signing and honoring of checks, drafts, and other orders for the payment of money drawn on the said City of Hoboken and signed by

David Roberts, Mayor
George DeStefano, Chief Financial Officer (CFO)

are hereby ratified and confirmed and are hereby continued in full force and effect as amplified hereby; and

BE IT FURTHER RESOLVED, that the depositories listed herein are furnished with a certified copy of this resolution.

---Motion duly seconded by Councilwoman Andreula.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Nays: None.
---Absent: Castellano.

01-53
---By Councilman Ramos:
RESOLVED, that the Chief Financial Officer is hereby directed, pursuant to N.J. S.A. 40A:4-20 to make the following additional temporary emergency appropriations:

<table>
<thead>
<tr>
<th>ACCOUNT#</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>City Council</td>
<td>2-01-20-111-021</td>
</tr>
<tr>
<td>Elections</td>
<td>2-01-20-122-021</td>
</tr>
<tr>
<td>Codification</td>
<td>2-01-20-123-020</td>
</tr>
<tr>
<td>Insurance</td>
<td>2-01-23-210-020</td>
</tr>
<tr>
<td>North Hudson Mayor's</td>
<td>2-01-23-222-020</td>
</tr>
<tr>
<td>Streets &amp; Roads</td>
<td>2-01-26-291-021</td>
</tr>
</tbody>
</table>

Total Other Expenses $113,700.00

---Motion duly seconded by Councilwoman Andreula.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Nays: None.
---Absent: Castellano.

01-54
---By Councilman Ramos:

BE IT RESOLVED, that the following SFY 2001 budget appropriation reserve transfers are hereby authorized by the City of Hoboken:

<table>
<thead>
<tr>
<th>CURRENT FUND</th>
<th>FROM</th>
<th>TO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Operations – Within “Caps”</td>
<td></td>
<td></td>
</tr>
<tr>
<td>City Clerk</td>
<td>1-01-20-120-021</td>
<td>764.00</td>
</tr>
<tr>
<td>Assessor’s Office S/W</td>
<td>1-01-20-150-011</td>
<td>$4,800.00</td>
</tr>
<tr>
<td>Unemployment O.E.</td>
<td>1-01-23-225-02</td>
<td>764.00</td>
</tr>
<tr>
<td>Electricity</td>
<td>1-01-21-430-000</td>
<td>15,000.00</td>
</tr>
<tr>
<td>Street Lighting</td>
<td>1-01-31-435-000</td>
<td>$30,000.00</td>
</tr>
<tr>
<td>Telephone</td>
<td>1-01-31-440-000</td>
<td>15,000.00</td>
</tr>
<tr>
<td>Waterfront Dev. O.E.</td>
<td>1-01-31-462-000</td>
<td>4,800.00</td>
</tr>
</tbody>
</table>

TOTALS 35,564.00 $ 35,564.00

---Motion duly seconded by Councilwoman Andreula.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Nays: None.
---Absent: Castellano.

01-55
---By Councilman Ramos:
WHEREAS, the Council of the City of Hoboken passed Resolution Number 01-20 on July 1, 2001 appointing Daniel DeCavaignac to a two (2) year term on the Hoboken Parking Authority; and

WHEREAS, the Council of the City of Hoboken has discovered that the legal authority for the appointment of Daniel DeCavaignac to a two (2) year term on the Hoboken Parking Authority vests under N.J.S.A. 40:11A-4.

NOW, THEREFORE, BE IT RESOLVED that the Council for the City of Hoboken hereby amends Resolution No. 01-20 to designate N.J.S.A. 40:11A-4 as the appropriate appointment of Daniel DeCavaignac to a two (2) year term on the Hoboken Parking Authority.

---Motion duly seconded by Councilwoman Andreula.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Nays: None.
---Absent: Castellano.

01-56
---By Councilman Ramos:

WHEREAS, the Council of the City of Hoboken passed Resolution Number 01-21 on July 1, 2001 appointing Alan Cohen to a one (1) year term on the Hoboken Parking Authority; and

WHEREAS, the Council of the City of Hoboken has discovered that the legal authority for the appointment of Alan Cohen to a one (1) year term on the Hoboken Parking Authority vests under N.J.S.A. 40:11A-4.

NOW, THEREFORE, BE IT RESOLVED that the Council for the City of Hoboken hereby amends Resolution No. 01-21 to designate N.J.S.A. 40:11A-4 as the appropriate appointment of Alan Cohen to a one (1) year term on the Hoboken Parking Authority.

---Motion duly seconded by Councilwoman Andreula.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Nays: None.
---Absent: Castellano.

01-57
---By Councilman Ramos:

WHEREAS, the City of Hoboken (City) is eligible to apply to the State Department of Transportation for grant funds for the resurfacing of streets; and

WHEREAS, the application is requesting funds for the following streets:

- Henderson Street from City Line to Observer Highway
- Observer Highway from Paterson Avenue to the City Line
- 8th Street from Jackson Street to Adams Street
- 9th Street from Westerly City Line to Jefferson Street

---By Councilman Ramos:
NOW, THEREFORE, BE IT RESOLVED, the City of Hoboken is authorized to submit an application for fiscal year 2002 Department of Transportation grand funds.

BE IT FURTHER RESOLVED, that upon notification of grant award, the Mayor and/or Business Administrator is authorized to enter into an agreement with the State Department of Transportation for Fiscal Year 2002 Municipal Aid grant funds.

---Motion duly seconded by Councilwoman Andreula.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Nays: None.
---Absent: Castellano.

ORDINANCES

Introduction and First Reading

01-58
DR-5
AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 190 OF THE CODE OF THE CITY OF HOBOKEN ENTITLED “VEHICLES AND TRAFFIC”. (Stop Streets)

THE MAYOR AND COUNCIL OF THE CITY OF HOBOKEN DOES HEREBY ORDAIN AS FOLLOWS:

Article IV: Stop Streets

190-9 Stop Streets Designated:

Section 1. This ordinance shall be amended to include the following location as contained herein:

<table>
<thead>
<tr>
<th>INTERSECTION</th>
<th>STOP SIGN LOCATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clinton Street &amp; Thirteenth Street</td>
<td>Thirteenth Street</td>
</tr>
<tr>
<td>Grand Street &amp; Twelfth Street</td>
<td>Twelfth Street</td>
</tr>
<tr>
<td>Grand Street &amp; Thirteenth Street</td>
<td>Thirteenth Street</td>
</tr>
<tr>
<td>Grand Street &amp; Eleventh Street</td>
<td>Eleventh Street</td>
</tr>
</tbody>
</table>

Section 2. This ordinance shall be a part of the Code of the City of Hoboken as though codified and fully set forth herein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Hoboken Code,

Section 3. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

Section 4. This ordinance shall take effect as provided by law.

---Councilman Ramos moved that the ordinance pass its first reading as read and be laid on the table for public inspection to be further considered for final passage at a meeting of the Council to be held on AUGUST 15, 2001 at 7:00 PM.

---Motion duly seconded by Councilwoman Andreula.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Nays: None.
---Absent: Castellano.

01-59
DR-6
AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED “AN ORDINANCE TO ADOPT IN AND FOR THE CITY OF HOBOKEN A SCHEDULE OF CLASSIFICATIONS AND ALLOCATIONS OF TITLE FOR ALL POSITIONS IN SAID MUNICIPALITY DESIGNATING THE APPROPRIATE STANDARDIZED TITLE FOR EACH POSITION IN SAID MUNICIPALITY; FIXING AND ADOPTING FOR EACH POSITION A SALARY RANGE, AND ESTABLISHING AND CREATING IN AND FOR THE CITY OF HOBOKEN THE RESPECTIVE POSITIONS MENTIONED IN THE SCHEDULE SET FORTH HEREIN, AND FIXING AND PRESCRIBING THE DUTIES THEREOF” passed December 29, 1950, amended August 6, 1997.

1. The Alphabetical List of Titles, City of Hoboken, set forth in the ordinance to which this ordinance is an amendment be and the same is hereby amended so that the following titles, salaries and ranges contained therein shall be included as follows:

<table>
<thead>
<tr>
<th>Title</th>
<th>Minimum</th>
<th>Max 7/01/01</th>
</tr>
</thead>
<tbody>
<tr>
<td>Additional Municipal Court Judge</td>
<td>$15,600.00</td>
<td>32,214.37</td>
</tr>
<tr>
<td>Administrative Clerk</td>
<td>$34,879.52</td>
<td>41,948.67</td>
</tr>
<tr>
<td>Administrative Clerk (40hr wk)</td>
<td>$27,000.00</td>
<td>47,629.70</td>
</tr>
<tr>
<td>Admin. Secy.</td>
<td>$28,000.00</td>
<td>51,006.24</td>
</tr>
<tr>
<td>Admin. Secy. (40hr work week)</td>
<td>$30,000.00</td>
<td>54,034.95</td>
</tr>
<tr>
<td>Aide to the Mayor – Fire Liaison</td>
<td>$20,000.00</td>
<td>30,000.00</td>
</tr>
<tr>
<td>Aide to the Mayor – Police Liaison</td>
<td>$20,000.00</td>
<td>30,000.00</td>
</tr>
<tr>
<td>Assessor</td>
<td>$59,425.00</td>
<td>83,156.87</td>
</tr>
<tr>
<td>Assistant Assessor</td>
<td>$29,000.00</td>
<td>55,221.94</td>
</tr>
<tr>
<td>Assistant City Clerk</td>
<td>$30,900.00</td>
<td>55,221.94</td>
</tr>
<tr>
<td>Assistant City Attorney</td>
<td>$33,280.00</td>
<td>40,024.96</td>
</tr>
<tr>
<td>Assistant City Attorney (Zoning)</td>
<td>$40,000.00</td>
<td>48,106.00</td>
</tr>
<tr>
<td>Assistant Corp. Counsel</td>
<td>$35,000.00</td>
<td>43,777.43</td>
</tr>
<tr>
<td>Assistant Library Director</td>
<td>$45,000.00</td>
<td>66,844.83</td>
</tr>
<tr>
<td>Assistant Super. Recreation</td>
<td>$27,000.00</td>
<td>33,538.04</td>
</tr>
<tr>
<td>Assistant Violations Clerk</td>
<td>$25,000.00</td>
<td>39,104.04</td>
</tr>
<tr>
<td>Assistant Zoning Officer</td>
<td>$21,000.00</td>
<td>31,269.50</td>
</tr>
<tr>
<td>Asst. Signal System Supt.</td>
<td>$28,000.00</td>
<td>56,285.10</td>
</tr>
<tr>
<td>Asst. Supt. Water/Sewer</td>
<td>$37,268.00</td>
<td>51,281.98</td>
</tr>
<tr>
<td>Building Service Supv.</td>
<td>$28,000.00</td>
<td>49,009.32</td>
</tr>
<tr>
<td>Business Administrator</td>
<td>$62,432.00</td>
<td>109,000.00</td>
</tr>
<tr>
<td>Chief Financial Officer</td>
<td>$50,000.00</td>
<td>78,173.76</td>
</tr>
<tr>
<td>Chief Financial Officer (P/T)</td>
<td>$10,000.00</td>
<td>12,507.79</td>
</tr>
<tr>
<td>City Attorney</td>
<td>$50,000.00</td>
<td>62132.20</td>
</tr>
<tr>
<td>City Clerk</td>
<td>$50,359.00</td>
<td>74,421.42</td>
</tr>
<tr>
<td>Community Development Director</td>
<td>$60,000.00</td>
<td>80,000.00</td>
</tr>
<tr>
<td>Comptroller</td>
<td>$35,000.00</td>
<td>78,166.25</td>
</tr>
<tr>
<td>Coordinator of Maintenance Services</td>
<td>$37,269.44</td>
<td>44,822.95</td>
</tr>
<tr>
<td>Council Member</td>
<td>$12,500.00</td>
<td>18,761.70</td>
</tr>
<tr>
<td>Council President</td>
<td>$14,000.00</td>
<td>20,637.87</td>
</tr>
<tr>
<td>Cultural Affairs Coordinator</td>
<td>$20,000.00</td>
<td>30,670.37</td>
</tr>
<tr>
<td>Deputy City Clerk</td>
<td>$30,000.00</td>
<td>47,404.56</td>
</tr>
<tr>
<td>Deputy/Court Admin.</td>
<td>$30,000.00</td>
<td>45,558.42</td>
</tr>
<tr>
<td>Dir.ofHous/Neigh.Preserva.</td>
<td>$40,144.00</td>
<td>57,083.09</td>
</tr>
<tr>
<td>Emer.Manage.Coordinator</td>
<td>$10,000.00</td>
<td>12,507.79</td>
</tr>
<tr>
<td>Environ.Services Director</td>
<td>$60,000.00</td>
<td>87,554.61</td>
</tr>
<tr>
<td>Executive Asst. to the Mayor</td>
<td>$60,000.00</td>
<td>70,000.00</td>
</tr>
<tr>
<td>General Supv. Env. Services</td>
<td>$33,000.00</td>
<td>56,286.10</td>
</tr>
<tr>
<td>Position</td>
<td>Annual Salary</td>
<td>Overtime</td>
</tr>
<tr>
<td>----------------------------------------------</td>
<td>---------------</td>
<td>--------------</td>
</tr>
<tr>
<td>General Supv. Laborer</td>
<td>$33,000.00</td>
<td>52,612.82</td>
</tr>
<tr>
<td>Health Officer</td>
<td>$37,000.00</td>
<td>75,046.81</td>
</tr>
<tr>
<td>Human Services Director</td>
<td>$52,000.00</td>
<td>87,554.61</td>
</tr>
<tr>
<td>Library Director</td>
<td>$38,000.00</td>
<td>77,985.62</td>
</tr>
<tr>
<td>Management Specialist</td>
<td>$35,000.00</td>
<td>50,031.21</td>
</tr>
<tr>
<td>Mayor</td>
<td>$65,000.00</td>
<td>101,000.00</td>
</tr>
<tr>
<td>Mechanic Supervisor</td>
<td>$28,000.00</td>
<td>45,503.38</td>
</tr>
<tr>
<td>Municipal Court Administrator</td>
<td>$34,000.00</td>
<td>52,742.89</td>
</tr>
<tr>
<td>Municipal Court Director</td>
<td>$37,000.00</td>
<td>61,145.64</td>
</tr>
<tr>
<td>Municipal Court Judge</td>
<td>$41,284.00</td>
<td>62,539.01</td>
</tr>
<tr>
<td>Municipal Prosecutor</td>
<td>$36,400.00</td>
<td>45,528.39</td>
</tr>
<tr>
<td>Parks Superintendent</td>
<td>$32,000.00</td>
<td>57,762.28</td>
</tr>
<tr>
<td>Payroll Supervisor</td>
<td>$28,000.00</td>
<td>56,285.10</td>
</tr>
<tr>
<td>Personnel Supervisor</td>
<td>$35,000.00</td>
<td>56,285.10</td>
</tr>
<tr>
<td>Plumbing SubCode Offic.</td>
<td>$30,000.00</td>
<td>64,944.25</td>
</tr>
<tr>
<td>Project Coordinator, Construction</td>
<td>$31,000.00</td>
<td>71,282.86</td>
</tr>
<tr>
<td>Public Defender</td>
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<tr>
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| Firefighter First Year                   | 23400.00        | 23400.00           | 23400.00    |
| Firefighter Second Year                  | 26000.00        | 26000.00           | 26000.00    |
| Firefighter Third Year                   | 30000.00        | 30000.00           | 30000.00    |
| Firefighter Fourth Year                  | 34000.00        | 34000.00           | 34000.00    |
| Firefighter Fifth Year                   | 38000.00        | 38000.00           | 38000.00    |
| Firefighter Sixth Year                   | 42000.00        | 42000.00           | 42000.00    |
| Firefighter Seventh Year, Fire Fighter   | 49028.00        | 59475.00           | 61646.00    |
| Firefighter Start of Ninth Yr.           | 55868.00        | 60136.00           | 62331.00    |
| Fire Lieutenant First Year               | 58187.00        | 67353.16           | 69810.34    |
| Fire Lieutenant Second Year              | 59226.00        | 68555.84           | 71058.12    |
| Fire Lieutenant Third Year               | 60265.00        | 69,758.51          | 72304.69    |
| Fire Captain First Year                  | 60265.00        | 76975.00           | 79785.00    |
| Fire Captain Second Year                 | 61305.00        | 78178.00           | 81031.00    |
| Fire Captain Third Year                  | 68575.00        | 79381.00           | 82278.45    |
| Fire Battalion Chief First Year          | 87155.11        | 93813.00           | 97237.17    |
| Fire Battalion Chief Second Year         | 82086.00        | 95016.97           | 98485.08    |
| Fire Battalion Chief Third Year          | 83125.00        | 96219.65           | 99731.66    |

| Fire Deputy Chief First Year             | 88320.00        | 102233.01          | 105964.51   |
| Fire Deputy Chief Second Year            | 89359.00        | 103435.68          | 107211.08   |
| Fire Deputy Chief Third Year             | 90398.00        | 104638.36          | 108457.66   |
| Fire Chief                               | 118458.00       | 127508.92          |             |
| Fire Training Off UFD Fst Yr             | 64806.87        | 67975.00           | 70000.00    |
| Fire Training Off UFD Scd Yr             | 65925.25        | 71522.59           | 74133.16    |
| Fire Training Off UFD Third Yr           | 67042.00        | 72164.35           | 74798.34    |
| Confidential Aide                       | 28840.00        | 70000.00           |             |
| Police Officer – first six months        | 23400.00        | 23000.00           |             |
| Police Officer – scd. 6 months           | 23400.00        | 24600.00           |             |
| Police Officer – 2nd Year                | 26000.00        | 27600.00           |             |
| Police Officer – 3rd Year                | 34140.13        | 36748.65           |             |
| Police Officer – 4th Year                | 38609.34        | 41559.34           |             |

Meeting of July 11, 2001
Police Officer – 5th Year 4 3518.44 46843.52
Police Officer – 6th Year 47987.65 51654.21
Police Officer – 5-8 yrs. Of service 55840.07 60160.60
Police Officer – 9-12 yrs. Of service 56383.44 60691.49
Police Officer – 13+ yrs. Of service 56719.82 61053.57
Construction Code Official 35000.00 80631.11
Police Sergeant First Year 63526.19 68379.99
Police Sergeant Second Year 64660.59 69601.06
Police Sergeant Third Year 65794.99 70822.14
Police Lieutenant First Year 72601.36 78148.55
Police Lieutenant Second Year 73735.76 79369.63
Police Lieutenant Third Year 74780.16 80493.82
Police Captain First Year 88482.91 95243.56
Police Captain Second Year 89617.31 96464.62
Police Captain Third Year 90751.71 97685.71
Police Chief 118458.00 128444.57

2. If the Alphabetical List of Titles, City of Hoboken, herein set forth contains any position or positions, the duties of which are not enumerated in the Plan for the Standardization of Municipal Class Titles, which is a part of the ordinance to which this ordinance is an amendment, then in that event the duties of the said position or positions shall be those which pertain to the particular position or positions set forth in any other ordinance adopted and now in force and effect in any statute of the State of New Jersey relating to said position or provisions of this ordinance or the ordinance amended hereby.

3. The provisions of this ordinance shall in no way effect the tenure or Civil Service status of any employee presently employed by the City of Hoboken in any of the various positions set forth in the Alphabetical List of Titles, City of Hoboken, herein above.

4. The Alphabetical List of Titles referred to herein as well as the salary ranges for all positions in the City shall be on file in the Office of the City Clerk.

5. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

6. This ordinance shall take effect as provided by law.

---Councilman Ramos moved that the ordinance pass its first reading as read and be laid on the table for public inspection to be further considered for final passage at a meeting of the Council to be held on AUGUST 15, 2001 at 7:00 PM.

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Nays: None.
---Absent: Castellano.

All regular business concluded the following members of the public spoke at the “Public Portion” of the meeting: David Anthony, 629 Madison Street; Theresa Burns, Hoboken Board of Education; Scott Gibson, 616 Monroe Street; Bob DuVal, 97 Palisade Avenue, Jersey City and Vito Brunetti (no address given); Margaret O’Brien, 54 11th Street; Helen Hirsch, 98 Park Avenue; William Handler, attorney for BBD Partners; George Pappas, 53 Newark Street, attorney for P. Sedecus owner of 800-812 Madison Street; John Curley, 5 Marine View Plaza, attorney for Mark Setembre (1100 Adams Street); Ellen Buxbaum, 912 Willow Avenue, attorney, Adams Street
Realty Corp., owners of 1100 Adams Street; Michael Sciarra, 71 Grand Street; Frank Leanza, 913 Hudson Street, attorney and partner with Frank Raia (developer); William Handler, attorney (second time speaking); James Fitzsimmons, 509 Willow Avenue; Stephen Hudock, 1129 Bloomfield Street.

President Soares then adjourned the meeting at 8:46 p.m.

_______________________________
PRESIDENT OF THE COUNCIL

_______________________________
CITY CLERK
President Soares opened the meeting at 7:05 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 furnished to The Jersey Journal and The Hoboken Reporter, The Bergen Record, The Newark Star - Ledger and also placed on the bulletin board in the lobby of City Hall."

The Council President then called for the Salute to the Flag.

At this time the City Clerk read the following letter dated July 5, 2001 into the record:

01-60
The Honorable Anthony ‘Tony” Soares
Hoboken City Council President
551 Observer Highway
Hoboken, NJ 07030

Dear Council President Soares:

I hereby call a special meeting of the Hoboken City Council to be held on Thursday, July 12, 2001 at 7:00 pm in the City Council Chambers, 94 Washington Street, Hoboken, New Jersey 07030. The purpose of this meeting is to discuss and review the following:

ORDINANCE OF THE CITY OF HOBOoken AMENDING CHAPTER 196 “ZONING” OF THE CODE OF THE CITY OF HOBOoken, ARTICLE V, SCHEDULE I: RESIDENTIAL DISTRICTS TO AMEND CERTAIN REGULATIONS OF THE R-1 (E) EDUCATIONAL SUBDISTRICT AND TO AMEND ARTICLE X, CONDITIONAL USES.

This ordinance will be considered for second and third (final) reading. Action will be taken at this meeting.

Very truly yours,
DAVID ROBERTS
Mayor
City of Hoboken

DR:sh
Cc: Esther Suarez, Corporation Counsel
    Laurie Cotter, Business Administrator
    James J. Farina, City Clerk
    All Council Members
    Jersey Journal/Bergen Record/Star Ledger

The Clerk then called the roll:
PRESENT: Council persons Andreula, Campos, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.

ABSENT: Castellano.

________________________________________

HEARING ON ORDINANCES

Second Reading and Public Hearing

ORDINANCE OF THE CITY OF HOBOKEN AMENDING CHAPTER 196 (ZONING) OF THE CODE OF THE CITY OF HOBOKEN, ARTICLE V, SCHEDULE I: RESIDENTIAL DISTRICTS TO AMEND CERTAIN REGULATIONS OF THE R-1 (E) EDUCATIONAL SUBDISTRICT AND TO AMEND ARTICLE X, CONDITIONAL USES.

President Soares directed the City Clerk to announce that the Council would consider for final passage the aforesaid ordinance and all persons interested at this time would be given an opportunity to be heard concerning said ordinance which was read in full.

The following members of the public spoke regarding the ordinance: Charles Liebling, 120 Albany Street Plaza, New Brunswick, NJ; Thomas Bogden, 120 Albany Street Plaza, New Brunswick, NJ; Carl Kirshan, 924 Castle Point Terrace; Mary Ondrejka, 159 9th Street; Paul Griegel, 434 6th Venue, New York City and 417 Adams Street; Beth Mason, 921 Hudson Street; Margaret O'Brien, 54 11th Street; Dan Tumpson, 230 Park Avenue; Jefferey Kantowitz of West Orange, NJ, represents Bo Zeeman, 732 Hudson Street; Randy Brunette, 1201 Hudson Street; Debbie Culhane, 520 Garden Street; Inez Garcia Keim, 1114 Park Avenue; Alice Galmann, 919 Washington Street, owner 722 Hudson Street; Dominic Casculli, 923 Castle Point Terrace; Helen Manogue, 1108 Park Avenue. No other person present desiring to be heard and no written protests or objections received, President Soares asked for a motion to close the hearing.

Councilman Del Boccio moved that the hearing be closed.
Motion duly seconded by Councilman Cricco.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Nays: None.
---Absent: Castellano.

________________________________________

HEARING ON ORDINANCES

Third and Final Reading

Council President Soares then moved that the ordinance entitled, "ORDINANCE OF THE CITY OF HOBOKEN AMENDING CHAPTER 196 (ZONING) OF THE CODE OF THE CITY OF HOBOKEN, ARTICLE V, SCHEDULE I: RESIDENTIAL DISTRICTS TO AMEND CERTAIN REGULATIONS OF THE R-1 (E) EDUCATIONAL SUBDISTRICT AND TO AMEND ARTICLE X, CONDITIONAL USES" be taken from the table for its third and final reading.
Before the vote was taken the following Council Members spoke: Councilwoman Marsh; Councilman Campos; Councilman Giacchi; Councilman Cricco and Council President Soares.

Motion seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 7 - NAYS: 0 - ABSENT: 1 - ABSTENTIONS: 1
---Yeas: Council persons Andreula, Campos, Cricco, Del Boccio, Marsh, Ramos, and President Soares.
---Nays: None.
---Absent: Castellano.
---Abstentions: Giacchi.

After the vote was taken President Soares allowed Jefferey Kantowitz to address the Council. President Soares then conferred with Corporation Counsel Suarez. Afterwards, Councilman Giacchi asked a question. City Clerk James Farina explained the rules regarding a Special Council Meeting. Corporation Counsel Suarez then spoke again. At this time Councilwoman Marsh read a statement into the record.

President Soares then adjourned the meeting at 8:30 p.m.

__________________________________________
PRESIDENT OF THE COUNCIL

__________________________________________
CITY CLERK
President Soares 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 furnished to The Jersey Journal and The Hoboken Reporter, The Bergen Record, The Newark Star-Ledger and also placed on the bulletin board in the lobby of City Hall."

The Council President then called for the Salute to the Flag.

The Clerk then called the roll:

PRESENT: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, and President Soares.

ABSENT: Ramos.

Prior to the regular meeting Mayor Roberts addressed the City Council and the Public regarding electrical power shortages that had taken place throughout the City. Afterwards, representatives from Public Service Electric & Gas (PSE&G) addressed the City Council as follows: Richard Dwyer, Public Affairs Manager; Pat Downes, Vice President; Ralph LaRosa, Director. After members of the City Council asked questions of the representatives the floor was opened to members of the public as follows: Jean Forest, 2 Marine View Plaza; Scott Gibson, 616 Monroe Street; Elizabeth Markevitch, 706 Grand Street; Danny DeCavagnac, 636 Hudson Street; Steve Hudock, 1129 Bloomfield Street; Beth Mason, 921 Hudson Street; Kim Fox, 161 13th Street; Mary Ondrejka, 159 9th Street; Carl Kirshen, 924 Castle Point Terrace; Dan Tumpson, 230 Park Avenue. This presentation was completed at 8:08 p.m.

HEARING ON ORDINANCES

Second Reading and Public Hearing

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 190 OF THE CODE OF THE CITY OF HOBOKEN ENTITLED “VEHICLES AND TRAFFIC”. (Stop Streets) President Soares directed the City Clerk to announce that the Council would consider for final passage the aforesaid ordinance and all persons interested at this time would be given an opportunity to be heard concerning said ordinance which was read in full.
No person present desiring to be heard and no written protests or objections received, President Soares asked for a motion to close the hearing.

Councilman Del Boccio moved that the hearing be closed. Motion duly seconded by Councilwoman Andreula.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, and President Soares.
---Nays: None.
---Absent: Ramos.

AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "AN ORDINANCE TO ADOPT IN AND FOR THE CITY OF HOBOoken A SCHEDULE OF CLASSIFICATIONS AND ALLOCATIONS OF TITLE FOR ALL POSITIONS IN SAID MUNICIPALITY DESIGNATING THE APPROPRIATE STANDARDIZED TITLE FOR EACH POSITION IN SAID MUNICIPALITY; FIXING AND ADOPTING FOR EACH POSITION A SALARY RANGE, AND ESTABLISHING AND CREATING IN AND FOR THE CITY OF HOBOoken THE RESPECTIVE POSITIONS MENTIONED IN THE SCHEDULE SET FORTH HEREIN, AND FIXING AND PRESCRIBING THE DUTIES THEREOF" passed December 29, 1950, amended August 6, 1997.

President Soares directed the City Clerk to announce that the Council would consider for final passage the aforesaid ordinance and all persons interested at this time would be given an opportunity to be heard concerning said ordinance which was read in full.

One member of the public spoke at this time: Fran Sacks 77 River Street. No other person present desiring to be heard and no written protests or objections received, President Soares asked for a motion to close the hearing.

Councilman Del Boccio moved that the hearing be closed. Motion duly seconded by Councilman Campos.
---Adopted by the following vote: YEAS: 7 - NAYS: 1 - ABSENT: 1
---Yeas: Council persons Andreula, Campos, Cricco, Del Boccio, Giacchi, Marsh, and President Soares.
---Nays: Castellano.
---Absent: Ramos.

HEARING ON ORDINANCES

Third and Final Reading

Council President Soares then moved that the ordinance entitled, "AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 190 OF THE CODE OF THE CITY OF HOBOoken ENTITLED "VEHICLES AND TRAFFIC", (Stop Streets)" be taken from the table for its third and final reading.

Motion seconded by Councilwoman Andreula.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, and President Soares.
---Nays: None.
---Absent: Ramos.
Council President Soares then moved that the ordinance entitled, "AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED “AN ORDINANCE TO ADOPT IN AND FOR THE CITY OF HOBOKEN A SCHEDULE OF CLASSIFICATIONS AND ALLOCATIONS OF TITLE FOR ALL POSITIONS IN SAID MUNICIPALITY DESIGNATING THE APPROPRIATE STANDARDIZED TITLE FOR EACH POSITION IN SAID MUNICIPALITY; FIXING AND ADOPTING FOR EACH POSITION A SALARY RANGE, AND ESTABLISHING AND CREATING IN AND FOR THE CITY OF HOBOKEN THE RESPECTIVE POSITIONS MENTIONED IN THE SCHEDULE SET FORTH HEREIN, AND FIXING AND PRESCRIBING THE DUTIES THEREOF” passed December 29, 1950, amended August 6, 1997" be taken from the table for its third and final reading.

Motion seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 7 - NAYS: 1 - ABSENT: 1
---Yeas: Council persons Andreula, Campos, Cricco, Del Boccio, Giacchi, Marsh, and President Soares.
---Nays: Castellano.
---Absent: Ramos.

PETITIONS AND COMMUNICATIONS

01-61

August 10, 2001

James J. Farina, City Clerk
City Hall
94 Washington Street
Hoboken, NJ 07030

Re: The Mayor’s Advisory Committee on the Hoboken Municipal Master Plan

Dear Mr. Farina:

I am pleased to announce that I am creating an advisory committee to assist the Council of the City of Hoboken and myself in the development of the Municipal Master Plan for the City of Hoboken. This committee shall be known as The Mayor’s Advisory Committee on the Hoboken Municipal Master Plan and shall be comprised of Hoboken residents and local business leaders. The purpose of the committee is to share ideas and views on the development of the Master Plan. Also, I look forward to working with the Council Master Plan Subcommittee and have the two committees exchange findings and information.

Kindly provide the Council for the City of Hoboken with a copy of this letter.

Very truly yours,

DAVID ROBERTS
MAYOR

--Received and filed.

01-62

A communication from Chief Financial Officer George DeStefano, with the “Annual Debt Statement 2001”.

Meeting of August 15, 2001 3
--Received and filed.

**01-63**

APPLICATIONS FOR MISCELLANEOUS LICENSES

- Raffles --------------------------------------------- 2
- Public Hack Drivers --------------------------------- 1
- Motor Vehicle Repair Shop-------------------------------------------- 3
- Mechanical Amusement Devices -------------------------------------- 1

---Council President Soares moved that the licenses be granted.
---Motion duly seconded by Councilwoman Andreula.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, and President Soares.
---Nays: None.
---Absent: Ramos.

**REPORTS OF CITY OFFICERS**

**01-64**
A report from Municipal Tax Collector Louis Picardo for taxes collected; for the month ending July 31, 2001 - $94,561.75.

---Received and filed.

**01-65**
An “Affidavit of Tax Bill Mailing” from Municipal Tax Collector Louis Picardo, stating that the mailing of the 3rd and 4th Quarter tax bills was completed on July 30, 2001.

---Received and filed.

**01-66**
A report of the Municipal Court indicating receipts for the month of June 2001 as $279,479.71.

---Received and filed.

**01-67**
A report of the Municipal Court indicating receipts for the month of July 2001 as $253,571.79.

---Received and filed.

**CLAIM RESOLUTIONS**

**01-68**
By Council President Soares:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $1,096,538.99 against the UNCLASSIFIED CLAIMS.
Seconded by Councilwoman Andreula.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, and President Soares.
---Nays: None.
---Absent: Ramos.

---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, and President Soares.
---Nays: None.
---Absent: Ramos.

---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, and President Soares.
---Nays: None.
---Absent: Ramos.

---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, and President Soares.
---Nays: None.
---Absent: Ramos.

---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, and President Soares.
---Nays: None.
---Absent: Ramos.

---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, and President Soares.
---Nays: None.
---Absent: Ramos.

---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, and President Soares.
---Nays: None.
---Absent: Ramos.

---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, and President Soares.
---Nays: None.
---Absent: Ramos.

---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, and President Soares.
---Nays: None.
---Absent: Ramos.

---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, and President Soares.
---Nays: None.
---Absent: Ramos.

---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, and President Soares.
---Nays: None.
---Absent: Ramos.

---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, and President Soares.
---Nays: None.
---Absent: Ramos.

---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, and President Soares.
---Nays: None.
---Absent: Ramos.

---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, and President Soares.
---Nays: None.
---Absent: Ramos.

---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, and President Soares.
---Nays: None.
---Absent: Ramos.

---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, and President Soares.
---Nays: None.
---Absent: Ramos.

---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, and President Soares.
---Nays: None.
---Absent: Ramos.

---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, and President Soares.
---Nays: None.
---Absent: Ramos.

---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, and President Soares.
---Nays: None.
---Absent: Ramos.

---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, and President Soares.
---Nays: None.
---Absent: Ramos.

---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, and President Soares.
---Nays: None.
---Absent: Ramos.

---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, and President Soares.
---Nays: None.
---Absent: Ramos.

---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Mash, and President Soares.
---Nays: None.
---Absent: Ramos.

---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, and President Soares.
---Nays: None.
---Absent: Ramos.

---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, and President Soares.
---Nays: None.
---Absent: Ramos.

---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, and President Soares.
---Nays: None.
---Absent: Ramos.

---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, and President Soares.
---Nays: None.
---Absent: Ramos.

---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, and President Soares.
---Nays: None.
---Absent: Ramos.

---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, and President Soares.
---Nays: None.
---Absent: Ramos.

---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, and President Soares.
---Nays: None.
---Absent: Ramos.

---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, and President Soares.
---Nays: None.
---Absent: Ramos.

---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Mash, and President Soares.
---Nays: None.
---Absent: Ramos.

---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, and President Soares.
---Nays: None.
---Absent: Ramos.

---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, and President Soares.
---Nays: None.
---Absent: Ramos.

---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, and President Soares.
---Nays: None.
---Absent: Ramos.

---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, and President Soares.
---Nays: None.
---Absent: Ramos.
payment of approved claims totaling $35,886.47 against the DEPARTMENT OF HUMAN SERVICES.

Seconded by Councilman Cricco.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, and President Soares.
---Nays: None.
---Absent: Ramos.

By Councilwoman Marsh:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $8,206.18 against the CAPITAL ACCOUNT.

Seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, and President Soares.
---Nays: None.
---Absent: Ramos.

**PAYROLL RESOLUTIONS**

**01-69**
By Councilwoman Marsh:

RESOLVED, THAT WARRANTS DRAWN ON THE CITY TREASURER, TO THE ORDER OF THE CITY TREASURER, IN PAYMENT OF SERVICES OF OFFICERS AND EMPLOYEES OF THE CITY OF HOBOKEN, FOR THE PERIOD JULY 5, 2001 TO JULY 18, 2001 FOR THE PAYROLL ARE HEREBY RATIFIED IN THE FOLLOWING AMOUNTS:

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<th>Account Num.</th>
<th>Regular Pay</th>
<th>Overtime</th>
<th>Other Pay</th>
<th>Total Pay</th>
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**Sub-Total**

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<td>1,115,135.30</td>
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**Other**

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**Grand Total**

|                      | 1,062,180.17 | 9,108.64      | 46,075.29      | 1,117,364.10   |                |

Motion by Councilwoman Marsh.
Seconded by Councilman Del Boccio.

---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, and President Soares.
---Nays: None.
---Absent: Ramos.

**01-70**

By Councilman Marsh:
RESOLVED, THAT Warrants drawn on the City Treasurer, to the order of the City Treasurer, in payment of services of officers and employees of the City of Hoboken, for the period July 19, 2001 to August 1, 2001 for the payroll are hereby ratified in the following amounts:

<table>
<thead>
<tr>
<th>Department</th>
<th>Account Num.</th>
<th>Regular Pay</th>
<th>Overtime</th>
<th>Other Pay</th>
<th>Total Pay</th>
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Meeting of August 15, 2001
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<th>Revenue 3</th>
<th>Revenue 4</th>
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<tr>
<td>Zoning Board of Adjust</td>
<td>1-01-21-185</td>
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<tr>
<td>Planning Board</td>
<td>1-01-21-180</td>
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<tr>
<td>Historic Preservation</td>
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<td>1,719.28</td>
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</table>
Meeting of August 15, 2001

Sub-Total 

|               | 1,057,814.56 | 24,291.73 | 58,398.48 | 1,140,504.77 |

Other 

|               |              |            |            |              |
| Water Utility  | 0-05-20-701-010 | 2,228.80  | 334.32    | 2,563.12     |
| Police Outside Employ. | T-14-10-000-000 |          | 16,622.00 | 16,220.00    |
| Fire Dept. Penalty | T-13-10-000-001 |          | 1,236.90  | 1,236.90     |
| Summer Lunch Progrm | G-02-40-302-000 | 1,852.50  | 1,852.50  | 1,852.50     |

Grand Total 

|               | 1,060,043.36 | 25,862.95 | 74,618.48 | 1,160,524.79 |

Motion by Councilwoman Marsh. 
Seconded by Councilman Del Boccio. 
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1 
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, and President Soares. 
---Nays: None. 
---Absent: Ramos.

---By Council President Soares:

**RESOLUTIONS**

Presented and Read

01-71

WHEREAS, the Purchasing Agent, Department of Administration requests authorization of the Council to advertise for the above Police Motorcycles, the said authorized pursuant to provision of N.J. S.A. 39: 10 A-1 and

NOW THEREFORE BE IT RESOLVED, the Purchasing Agent, Department or his duly authorized representative is hereby authorized to give public notice of the City of Hoboken’s intent to receive proposals for Police Motorcycles (2), Friday, 3 August 2001, at 11:00 A.M. in the City Hall, Court Room, 94 Washington Street, the vehicles set forth on the attached specification list pursuant to law.

---Motion duly seconded by Councilwoman Andreula. 
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1 
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, and President Soares. 
---Nays: None. 
---Absent: Ramos.

01-72

WHEREAS, these proposals did not meet the expectations of the Administration, and,
WHEREAS, the, then, City Engineer recommends the rejection of these bids, now, therefore, be it

RESOLVED, that the proposals for the intersection improvements, submitted by the firm listed as follows:

<table>
<thead>
<tr>
<th>Firm</th>
<th>Address</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Owl Contracting</td>
<td>21 Gill Avenue Rockaway, NJ 07866</td>
<td>$64,600.00</td>
</tr>
</tbody>
</table>

be and is hereby rejected, and, be it further

RESOLVED, that the Administration of the City of Hoboken, be, and is hereby, authorized to re-advertise for these goods and/or services.

---Motion duly seconded by Councilwoman Andreula.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, and President Soares.
---Nays: None.
---Absent: Ramos.

01-73
---By Council President Soares:

WHEREAS, the City of Hoboken is in need of various goods and services for its efficient operation; and

WHEREAS, such goods and services are governed by the Local Contracts Law, N.J.S.A. 40A:11-12 and certain goods and services must be bid and advertised according to that law; and

WHEREAS, the Purchasing Agent is responsible for such purchases.

NOW, THEREFORE, BE IT RESOLVED, the City’s Purchasing Agent is authorized to advertise and receive bids for the City’s purchase of such goods and services pursuant to law.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately and remain in effect for the Fiscal Year 2002.

---Motion duly seconded by Councilwoman Andreula.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, and President Soares.
---Nays: None.
---Absent: Ramos.

01-74
---By Council President Soares:

WHEREAS, the City of Hoboken wishes to purchase various goods and/or services from an authorized vendor under the State of New Jersey Cooperative Purchasing Program 1-NJCP; and,

WHEREAS, the purchase of good and services by local contracting units is authorized by the Local Public Contracts Law, N.J.S.A. 40A:11-12; and
WHEREAS, the following firms have been awarded New Jersey Contracts for the period 1 July 2001 thru 30 June 2002; and,
WHEREAS, the purchasing agent recommends the utilization of these contracts on the grounds that they represent the best composite price available; and,
WHEREAS, the actual cost of the purchase of each of these individual various goods and/or services is expected not to exceed $45,000.00; and,
WHEREAS, the Chief Financial Officer has certified the availability funds for these contracts,

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

M&G Auto Parts, Inc., 6023 Kennedy Blvd., North Bergen, Contract #A86609 be awarded a contract for fiscal year 2002 for Automotive Parts, and,
Generator Exchange, 667-669 Communipaw Ave., Jersey City, Contract # A81090 be awarded a contract for fiscal year 2002 for Automotive Parts, and,
Resnick Office Equipment, 900 Bergen Ave., Jersey City Contract #A84540, be awarded a contract for fiscal year 2002 for Office Supplies, and,
Double Eagle Equipment, 285 Ridge Road, Dayton, Contract # A77063, be awarded a contract for fiscal year 2002 for Park &Public Properties Equipment & Maintenance, and,
Goldie’s Auto/Truck/Bus Parts, 1010 Belleville Turnpike, Kearney, Contract #A81052 be awarded a contract for fiscal year 2002 for Automotive Parts, and,
Foley Machinery, 855 Centennial Ave., Piscataway, Contract #A40908 be awarded a contract for fiscal year 2002 for Automotive Parts, and,
Major Police Supply, 19 Route 10 East, Succasunna, Contract #A83856 be awarded a contract for fiscal year 2002 for Automotive Parts.

---Motion duly seconded by Councilwoman Andreula.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, and President Soares.
---Nays: None.
---Absent: Ramos.

01-75
---By Councilwoman Marsh:

WHEREAS, N.J.S.A. 40A:5-21 authorizes the establishment of a Petty Cash Fund in any county or municipality by application and resolution; and

WHEREAS, an application was made for permission to establish various funds by resolution dated July 1, 2001, by the Council of the City of Hoboken; and

WHEREAS, two (2) additional Petty Cash Funds have been determined to be needed in the Department of Human Services and the Office of Corporation Counsel; and

WHEREAS, it is the desire of the council to request that permission be granted to establish additional petty cash funds in these departments pursuant to the provision of N.J.S.A. 40A: 5-21 as follows:

<table>
<thead>
<tr>
<th>Office/Department</th>
<th>Amount</th>
<th>Use</th>
<th>Custodian</th>
</tr>
</thead>
<tbody>
<tr>
<td>Department of Human Services</td>
<td>$300.00</td>
<td>Miscellaneous</td>
<td>Director</td>
</tr>
<tr>
<td>Office of Corporation Counsel</td>
<td>$300.00</td>
<td>Miscellaneous</td>
<td>City Attorney</td>
</tr>
</tbody>
</table>

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Hoboken hereby authorizes such action and that two copies of this resolution be filed with the Division of Local Government Services, New Jersey Department of Community Affairs for approval.
---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, and President Soares.
---Nays: None.
---Absent: Ramos.

**01-76**
---By Councilwoman Marsh:

WHEREAS, N.J.S.A. 54:4-66 et. seq provides for when taxes shall be payable and shall be delinquent, and designates the twenty-fifth calendar day after the date that the tax bill for the installment was mailed or otherwise delivered to be the payable date, after which date if unpaid shall be come delinquent; and

WHEREAS, R.S. 54:4-67 allows for the governing body to provide that no interest be charged if payment of any installment is made within the tenth calendar day following the date upon which installment is payable,

NOW THEREFORE, BE IT RESOLVED, that the Council of the City of Hoboken approves and affirms the action of the Tax Collector in establishing a grace period for the payment of Third Quarter taxes terminating on August 28, 2001 and establishing a grace period for the payment of Fourth Quarter taxes terminating on November 12, 2001; and

BE IT FURTHER RESOLVED, that in the event payment is not made on or before the due date enumerated above, then interest shall be calculated from the initial date of August 2, 2001 for Third Quarter taxes and November 1, 2001 for Fourth Quarter taxes.

--Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, and President Soares.
---Nays: None.
---Absent: Ramos.

**01-77**
---By Council President Soares:

WHEREAS, Albino Bruno has made application to the Mayor and the Council of the City of Hoboken for transfer of License No. 2 to Tower Taxi Service, Inc.; and

WHEREAS, Albino Bruno has consented to said Transfer of Ownership and the application for Transfer of License No. 2 has been duly investigated as required by law;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Hoboken that Public Hack and Taxicab License No. 2 expiring on March 31, 2002 subject to all of its terms and conditions is hereby transferred to Tower Taxi Service, Inc.;

BE IT FURTHER RESOLVED, that the consenting to and granting of the aforesaid License to operate or run a mechanically driven vehicle as a public Hack and Taxicab upon the streets of the City of Hoboken be not effective until such time as Tower Taxi Service, Inc. shall have filed with the Office of the City Clerk of the City of Hoboken, New Jersey an insurance policy of a company duly licensed to transact business under the insurance laws of the State of New Jersey in the sum of $35,000 together with the filing of a Power of Attorney in accordance with the provisions of R.S. 48:16-3.
---Motion duly seconded by Councilwoman Andreula.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, and President Soares.
---Nays: None.
---Absent: Ramos.

01-78
---By Councilwoman Marsh:

WHEREAS, various fiscal year 2001 bills have been presented for payment in fiscal year 2002, which bills were not covered by order number and/or recorded at the time of transfers between the 2001 Budget Appropriation Reserve, in the last two months of fiscal year 2001, and

WHEREAS, N.J.S.A. 40A: 4-59 provides that all unexpended balances carried forward after the close of the year are available, until lapsed at the close of the succeeding year, to meet specific claims, commitments or contracts incurred during the preceding fiscal year, and allow transfers to be made from unexpended balances which are expected to be insufficient balances which are expected to be insufficient during the first three months of the succeeding year;

NOW THEREFORE, BE IT RESOLVED by the council of the City of Hoboken that the transfers in the amount of $234,450.00 be made between the fiscal year 2001 Budget Appropriation Reserves as follows (see attached)

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, and President Soares.
---Nays: None.
---Absent: Ramos.

01-79
---By Councilwoman Marsh:

WHEREAS, N.J.S.A. 40A:4-20 provides for the creation of an emergency temporary appropriation whereby an emergent condition arises with respect to appropriations needed to pay claims until an official budget is adopted and sufficient provision has not been made in the fiscal year 2002 temporary appropriations for the aforesaid purpose, and

WHEREAS, temporary appropriations and total emergency temporary resolutions adopted in the fiscal year 2002 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A:4-20 including this resolution total $14,304,738.36.

NOW THEREFORE BE IT RESOLVED by the Council of the City of Hoboken that in accordance with the provisions of N.J.S.A. 40A: 4-20;

1. Emergency temporary appropriations be and the same is hereby made for the below listed appropriations in the amounts noted.

   (SEE ATTACHED)

2. That said emergency temporary appropriations will be provided for in the fiscal year 2002 budget under their respective titles.
3. That one certified copy of this resolution be filed with the Director of Local Government Services.

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, and President Soares.
---Nays: None.
---Absent: Ramos.

01-80
---By Council President Soares:

WHEREAS, a summons was issued for a motor vehicle violation to the following individuals; and

WHEREAS, said motor vehicle(s) were towed away the expense of the owner; and

WHEREAS, the Municipal Judge found the defendants not guilty and the defendants are entitled to reimbursement of the towing charges and storage fees;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Hoboken that warrants be drawn on the City Treasurer to the order of the following sums opposite their respective names as reimbursement of towing charges:

<table>
<thead>
<tr>
<th>Name/Address</th>
<th>Summons Date</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ms. Andrea Korb</td>
<td>06/23/00</td>
<td>$75.00</td>
</tr>
<tr>
<td>257 12th St. Apt. 2A</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hoboken, NJ 07030</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ms. Amy Peletiari</td>
<td>06/14/01</td>
<td>$138.60</td>
</tr>
<tr>
<td>909 Washington St.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hoboken, NJ 07030</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ms. Margaret Carroll</td>
<td>03/28/01</td>
<td>$96.20</td>
</tr>
<tr>
<td>714 Garden Street</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hoboken, NJ 07030</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ms. Laura Boyd</td>
<td>06/29/00</td>
<td>$130.00</td>
</tr>
<tr>
<td>306 Madison St</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hoboken, NJ 07030</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ms. Melanie Wolf</td>
<td>07/26/01</td>
<td>$75.00</td>
</tr>
<tr>
<td>209 Park Avenue</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hoboken, NJ 07030</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ms. Stephanie Didomenico</td>
<td>03/08/01</td>
<td>$75.00</td>
</tr>
<tr>
<td>28 Locust St. Ist Fl.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Greenwich, CT 06830</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mr. Robert Depoortere</td>
<td>01/25/01</td>
<td>$400.00</td>
</tr>
<tr>
<td>83 Old Mill Road</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Chester, NJ 07930</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mr. Robert Mopsick</td>
<td>05/14/01</td>
<td>$96.20</td>
</tr>
<tr>
<td>101 Park Ave. Apt. 2D</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Hoboken, NJ 07030

Mr. Mark Wamsley
408 Grand St. Apt. 4L 02/27/01 $117.40
Hoboken, NJ

Ms. Laurie Morrison
118 Schuyler Place, Apt. 1 08/7/01 $75.00
Ithaca, New York 14850

Doreen Geerlof
2 MarineView Plaza, 11B 04/27/00 $138.60
Hoboken, NJ 07030

---Motion duly seconded by Councilwoman Andreula.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, and President Soares.
---Nays: None.
---Absent: Ramos.

01-81
---By Councilwoman Marsh:

WHEREAS, an overpayment of taxes has been made on the properties on appearing on the list attached hereto, $14,777.02; and
WHEREAS, tax appeals were filed by the property owners; and
WHEREAS, tax counsel recommends a settlement in these matters, as reached in court;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Hoboken that a warrant be drawn on the Chief Financial Officer made payable to the taxpayers appearing on the attached list totaling $14,777.02.

---Motion duly seconded by Councilman Campos.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, and President Soares.
---Nays: None.
---Absent: Ramos.

01-82
---By Councilman Giacchi:

WHEREAS, Senator Robert Torricelli and Congressman Robert Mendendez introduced two bills to redesignate the facility of the United States Postal Service located at 89 River Street in Hoboken, New Jersey, as the “Frank Sinatra Post Office Building”, and

WHEREAS, the Mayor and Council for the City of Hoboken support the effort of Ed Shirk, Jr., founder of this Hoboken Sinatra museum, “From Here to Eternity”, working in conjunction with Assistant Hoboken Postmaster Thomas Corrado, in submitting to Senator Torricelli and Congressman Mendendez the required petition to introduce such legislation; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council for the City of Hoboken support a resolution to redesignate the Main Hoboken Post Office, as the “Frank Sinatra Post Office Building.”
---Motion duly seconded by Councilman Cricco.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, and President Soares.
---Nays: None.
---Absent: Ramos.

01-83
---By Councilwoman Marsh:

WHEREAS, the City of Hoboken considers it necessary and proper to hire legal counsel to represent the City of Hoboken for land use matters; and

WHEREAS, the Local Public Contracts Law, N.J. S.A. 40A:11-1 et seq. permits the award of a professional services contract without public bidding; and

WHEREAS, funds are available for this purpose and will be part of the fiscal year 2001 budget; and

WHEREAS, the City of Hoboken has reviewed the qualifications of Michael Pane, Esq.

NOW, THEREFORE BE IT RESOLVED, that Michael Pane, Esq. with offices at 307 North Main Street, Hightstown, New Jersey shall be retained to represent the City of Hoboken and counsel the Council for the City of Hoboken on matters pertaining to land use, including, but not limited to, projects such as development at Maxwell House and Stevens Institute.

BE IT FURTHER RESOLVED, that the rate of compensation shall be $140 an hour, with a maximum of $15,000.

BE IT FURTHER RESOLVED, Mayor and City Clerk are hereby authorized to execute an Agreement to provide legal services with Michael Pane, Esq.

---Motion duly seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, and President Soares.
---Nays: None.
---Absent: Ramos.

01-84
---By Council President Soares:

WHEREAS, Helen Hirsch (“Plaintiff”) and the City of Hoboken all the individually named City employees (“Defendants”) wish to settle all claims alleged by Helen Hirsch against the City of Hoboken and the individually named City employees, pending in the Superior Court of New Jersey, Law Division, Docket No. HUD-L-6363-01; and

WHEREAS, the settlement is offered in exchange for a complete release of all claims against Defendants; and

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Hoboken does hereby approve the Settlement and General Release Agreement between Helen Hirsch and the City of Hoboken and the named City employees, in accordance with the terms and conditions of the Settlement and General Release Agreement attached hereto.

BE IT FURTHER RESOLVED that the Mayor of the City of Hoboken and the Business Administrator are hereby authorized to execute the Settlement and General Release Agreement and Resolution in settlement of all the allegations raised by the Plaintiff.
---Motion duly seconded by Councilwoman Andreula.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, and President Soares.
---Nays: None.
---Absent: Ramos.

01-85
---By Councilman Del Boccio:

WHEREAS, the City of Hoboken (City) is sponsoring a senior picnic at Fox Hill Gardens on August 17, 2001; and

WHEREAS, a rider to the City's insurance is needed to provide indemnification to the property owner.

NOW, THEREFORE, BE IT RESOLVED THAT, the City of Hoboken provide a rider of indemnification to Fox Hill Gardens for the annual senior picnic.

---Motion duly seconded by Councilwoman Andreula.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, and President Soares.
---Nays: None.
---Absent: Ramos.

01-86
---By Councilwoman Andreula:

WHEREAS, the City of Hoboken (City) is sponsoring an event at Shipyard Park on August 21, 2001; and

WHEREAS, a rider to the City's insurance is needed to provide indemnification to the property owner.

NOW, THEREFORE, BE IT RESOLVED THAT, the City of Hoboken provide a rider of indemnification to the Applied Companies for the performance in Shipyard Park.

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, and President Soares.
---Nays: None.
---Absent: Ramos.

01-87
---By Council President Soares:

WHEREAS, the City of Hoboken requires the services of a landscape architect for various projects pursuant to N.J.S.A. 40A:9-140; and

WHEREAS, the City of Hoboken has reviewed the qualifications of Arnold Associates and has determined that Arnold Associates can provide these services for the City of Hoboken in an efficient manner; and
WHEREAS, this type of work constitutes a professional service as defined by N.J.S.A. 40A:11-2(b) and as such, is exempt from the bidding requirements pursuant to N.J.S.A. 40A:11-5; and

WHEREAS, funds are available for this purpose.

NOW, THEREFORE, BE IT RESOLVED, that a contract for professional landscape services be awarded to Arnold Associates in an amount not to exceed $10,000 as outlined in the attached letter dated August 2, 2001 to be executed by the Mayor and City Clerk.

BE IT FURTHER RESOLVED, that a copy of this resolution shall be published and the City Clerk shall keep a copy of this contract in accordance to N.J. S.A. 40A:11-1 et. seq.

---Motion duly seconded by Councilwoman Marsh.
---Adopted by the following vote: YEAS: 7 - NAYS: 1 - ABSENT: 1
---Yeas: Council persons Andreula, Campos, Cricco, Del Boccio, Giacchi, Marsh, and President Soares.
---Nays: Castellano.
---Absent: Ramos.

ORDINANCES

Introduction and First Reading

01-88
DR-7

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 192 OF THE CODE OF THE CITY OF HOBOKE (PARKING FOR HANDICAPPED). (Approvals: 70 Washington St.; 733 Park Ave.; 305 Willow Ave.; 914 Garden St.; Deletions: 1251 Bloomfield Street).

THE COUNCIL OF THE MAYOR AND COUNCIL OF THE CITY OF HOBOKE DO HEREBY ORDAIN AS FOLLOWS:

A. Section 192-4 (A) is amended to add the following:

Janette Rodriguez, 70 Washington Street #1L (West side of Washington Street, beginning at a point 156 feet from the southwest curbline of Newark Street and extending 22 feet southerly therefrom).

Leon Critides, 733 Park Avenue (East side of Park Avenue, beginning at a point 320 feet from the northeast curbline of Seventh Street and extending 22 feet southerly therefrom).

Hector Genao, 305 Willow Avenue (East of Willow Avenue, beginning at a point 359 feet from the southwest curbline of Fourth Street and extending 22 feet southerly therefrom).

Boris Super, 914 Garden Street (West side of Garden Street, beginning at a point 273 feet from the southwest curbline of Tenth Street and extending 22 feet southerly therefrom).

B. Section 192-4 (A) is amended to delete the following:

Thomas Vernaglia, 1251 Bloomfield Street (East side of Bloomfield Street, beginning at a point 35 feet from the southeast curbline of Thirteenth Street and extending 22 feet southerly therefrom).

C. All ordinances and parts of ordinances inconsistent herewith are hereby repealed. This ordinance shall be a part of the Hoboken Code as though codified and fully set forth therein.
City Clerk shall have this ordinance codified and incorporated in the official copies of the Hoboken Code. This ordinance shall take effect as provided by law.

---Council President Soares moved that the ordinance pass its first reading as read and be laid on the table for public inspection to be further considered for final passage at a meeting of the Council to be held on SEPTEMBER 5, 2001 at 7:00 PM.

---Motion duly seconded by Councilwoman Andreula.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, and President Soares.
---Nays: None.
---Absent: Ramos.

01-89
DR-8

ORDINANCE AMENDING CHAPTER 145 OF THE CODE OF THE CITY OF HOBOKEN ENTITLED “PEACE AND GOOD ORDER”.

WHEREAS, the City Council is concerned with the levels of noise in the City; and

WHEREAS, gas powered go-peds, mopeds, and skateboards are being used in the City in increasing numbers; and

Whereas, the noise created by these go-peds, mopeds, and skateboards that do not comply with the decibel level requirements of the Hoboken Code, Section 133, entitled “Noise Control” shall be considered a violation of the peace and good order pursuant to this chapter. Further, the following uses shall also be considered violations of this chapter:

(1) In such a manner to create a noise disturbance across real property boundaries or within a noise sensitive zone;

(2) When used on any street or sidewalk, playground, school, park or common area of any building, in such a manner as to create a noise disturbance.

C. Any person who violates any provision of this section or any rule promulgated hereunder shall be liable for a fine of not less than seventy-five ($750) dollars nor more than three hundred and fifty dollars ($350). For the first offense of this section, a penalty of seventy-five dollars ($75) shall be imposed. For the second offense of this section, a penalty of one hundred and fifty dollars shall be imposed. Each and every subsequent offense of this section shall be a matter of judicial discretion and/or determination. Each day a violation of this section shall continue shall constitute a separate offense.

SECTION II

If any section or provision of this Ordinance shall be held invalid in any Court, the same shall not effect the other sections or provisions of this Ordinance except so far as the section or provision so declared invalid and shall be inseparable for the remainder or portion thereof.

SECTION III

All ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION IV

This Ordinance shall take effect upon publication.
---Councilman Cricco moved that the ordinance pass its first reading as read and be laid on the table for public inspection to be further considered for final passage at a meeting of the Council to be held on SEPTEMBER 5, 2001 at 7:00 PM.

---Motion duly seconded by Councilman Del Boccio
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, and President Soares.
---Nays: None.
---Absent: Ramos.

01-90
DR-9

ORDINANCE AMENDING CHAPTER 33 OF THE CODE OF THE CITY OF HOBOKEN ENTITLED "NOISE CONTROL".

WHEREAS, the City Council is concerned with the levels of noise in the City; and

WHEREAS, the Police Department should be allowed to enforce the noise control ordinance to ensure that proper levels of sound in the City are being maintained; and

WHEREAS, proper equipment is necessary in order for the police to enforce the noise control ordinance.

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

SECTION I

Section 133-7 of the Hoboken Code shall be amended to read as follows:

133-7 Enforcement:

A. Violation of any provision of this chapter shall be cause for an enforcement document to be issued to the violator by the noise control officer, or a Police Officer who is certified in noise enforcement pursuant to N.J.A.C. 7:29-1.1, according to the procedures set forth in N.J.A.C. 7:29-1.6 Police Officers shall receive training in administering the noise meters used to measure the decibel level of the noise and Officers shall be certified in noise enforcement. Such training and funding for Police Officers shall be provided by the Hoboken Police Department. The Police patrol cars of trained officers shall be outfitted with noise meters to determine decibel levels, pursuant to the requirements of N.J.A.C. 7:29-2.6. The recipient of an enforcement document shall be entitled to a hearing in municipal court having jurisdiction to contest such action.

B. Any person who violates any provision of this chapter shall be subject to a civil penalty for each offense of not more than three thousand dollars (3,000). If the violation is of a continuing nature, each day during which it occurs shall constitute an additional, separate, and distinct offense.

C. No provision of this chapter shall be construed to impair any common law or statutory cause of action, or legal remedy there from, of any person for injury or damage arising from any violation of this chapter or from other law.

SECTION II
If any section or provision of this Ordinance shall be held invalid in any Court, the same shall not affect the other sections or provisions of this Ordinance except so far as the section or provision so declared invalid and shall be inseparable for the remainder or portion thereof.

SECTION III

All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION IV

This Ordinance shall take effect upon publication.

---Councilman Cricco moved that the ordinance pass its first reading as read and be laid on the table for public inspection to be further considered for final passage at a meeting of the Council to be held on SEPTEMBER 5, 2001 at 7:00 PM.

---Motion duly seconded by Councilman Del Boccio
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, and President Soares.
---Nays: None.
---Absent: Ramos.

01-91
DR-10

ORDINANCE AMENDING CHAPTER 56 OF THE CODE OF THE CITY OF HOBOKEN ENTITLED “PARKING AUTHORITY”.

WHEREAS, N.J.S.A 40:11A-4 provides a municipal parking authority may consist of five (5) members, with an additional two (2) members allowed in municipalities having a population of 35,000 or more; and

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

Section I.

56-2 Membership

a. The governing body shall appoint five persons as commissioners of the authority. The commissioners who are first appointed shall be designated to serve for terms of 1, 2, 3, 4 and 5 years, respectively, from the date of their appointment, but thereafter commissioners shall be appointed as aforesaid for a term of 5 years, except that all vacancies shall be filled for the unexpired term.

b. As the City has 35,000 or more residents, two additional commissioners shall be appointed who shall serve 1 and 2 year terms, respectively, from the date of said appointment, but thereafter, such commissioners shall be appointed as aforesaid, and the Mayor shall appoint the two additional commissioners, to terms of five years, except that all vacancies shall be filled for the unexpired term.

Section II
If any section or provision of this Ordinance shall be held invalid in any Court, the same shall not effect the other sections or provisions of this Ordinance except so far as the section or provision so declared invalid and shall be inseparable for the remainder or portion thereof.

Section III

All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION IV

This Ordinance shall take effect upon publication.

---Council President moved that the ordinance pass its first reading as read and be laid on the table for public inspection to be further considered for final passage at a meeting of the Council to be held on SEPTEMBER 5, 2001 at 7:00 PM.

---Motion duly seconded by Councilwoman Andreuila.
---Adopted by the following vote: YEAS: 7 - NAYS: 0 - ABSENT: 1 - ABSTENTIONS: 1
---Yeas: Council persons Andreuila, Campos, Cricco, Del Boccio, Giacchi, Marsh, and President Soares.
---Nays: None.
---Absent: Ramos.
---Abstentions: Castellano.

All regular business concluded the following members of the public spoke at the “Public Portion” of the meeting: Joseph of 614 Monroe Street; Scott Gibson of 616 Monroe Street; William Perry of 927 Bloomfield Street; Elizabeth Markevitch of 706 Grand Street; Rose Markel of 630 Grand Street; Helen Hirsch of 98 Park Avenue; Peggy McGeary of 1042 Bloomfield Street; Larry Ramirez of 237 Garden Street; Kim Fox of 161 13th Street; Lia Healy of 806 Park Avenue; Augusta Pryzgoda of 222 Garden Street; Dan Tumpson of 230 Park Avenue.

President Soares then adjourned the meeting at 9:27 p.m.

__________________________________________________________________________

PRESIDENT OF THE COUNCIL
At this time the City Clerk read the following letter dated August 22, 2001 into the record:

**01-92**
The Honorable Anthony Soares
Hoboken City Council President
551 Observer Highway
Hoboken, NJ 07030

Dear Council President Soares:

I hereby call a special meeting of the Hoboken City Council to be held on Friday, August 24, 2001 at 4:00 pm in the City Council Chambers, 94 Washington Street, Hoboken, New Jersey 07030. The purpose of this meeting is to reintroduce and review the following:

**ORDINANCE AMENDING CHAPTER 56 OF THE CODE OF THE CITY OF HOBOoken ENTITLED “PARKING AUTHORITY”.**

This new ordinance will be considered for Introduction and First Reading; it does not change the purpose or intent of the ordinance introduced at the August 15, 2001 meeting. Rather, it will cause the ordinance to be consistent with Judge D'Italia's decision of August 21, 2001. Action will be taken at this meeting.

Very truly yours,
DAVID ROBERTS
Mayor
City of Hoboken

DR/jdp
Cc: Esther Suarez, Corporation Counsel
    Laurie Cotter, Business Administrator
    James J. Farina, City Clerk
    All Council Members
    Jersey Journal/Bergen Record/Star Ledger

President Soares opened the meeting at 4:10 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 furnished to The Jersey Journal, The Bergen Record, The Newark Star - Ledger and also placed on the bulletin board in the lobby of City Hall."

The Council President then called for the Salute to the Flag.

The Clerk then called the roll:
PRESENT: Council persons Andreula, Campos, Del Boccio, Giacchi, Marsh, and President Soares.

ABSENT: Castellano, Cricco, Ramos.

ORDINANCES

Introduction and First Reading

01-93
DR-11

ORDINANCE AMENDING CHAPTER 56 OF THE CODE OF THE CITY OF HOBOKEN ENTITLED “PARKING AUTHORITY” SO AS TO EXPAND THE HOBOKEN PARKING AUTHORITY.

Whereas, N.J.S.A., 40:11A-4 provides that a Municipal Parking Authority may consist of five (5) members, with an additional two (2) members allowed in municipalities having a population of 35,000 or more; and

Whereas, the issue of Hoboken’s Parking Authority and its constitutive membership was the subject of litigation resulting in decision from the New Jersey superior Court on August 21, 2001; and

Whereas, The City Counsel seeks to expand the membership of its Parking Authority from (5) to (7) members based upon it having a population of 35,000.

Now. Therefore. Be It Ordained, by the City Counsel of the City of Hoboken as follows:

Section I

Section 56-2 of the code of the City of Hoboken is amended to read as follows:

Chapter 56-2 Membership

a) The governing body herewith in accordance with N.J.S.A. 40A:11A-4 herewith provides for the appointment of two additional commissioners for a total of 7 commissioners.

b) The two (2) additional commissioners shall be appointed as provided by law.

Section II

The balance of Chapter 56 shall remain in full force and effect.

Section III

If any section or provision of the Ordinance shall be held invalid in any Court, the same shall not effect the other sections or provisions of the Ordinance except so bar as the section or provision so declared invalid and shall be inseparable for the remainder or portion thereof.

Section IV

All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.
Section V

The City Clerk is hereby authorized and directed to file a copy of this amendatory Ordinance, duly certified, with the Clerk of the County of Hudson, to be recorded in the records of certificates of incorporation.

Section VI

This Ordinance shall take effect upon adoption.

---Councilman Del Boccio moved that the ordinance pass its first reading as read and be laid on the table for public inspection to be further considered for final passage at a meeting of the Council to be held on September 5, 2001 at 7:00 PM.

---Motion duly seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 6 - NAYS: 0 - ABSENT: 3
---Yeas: Council persons Andréula, Campos, Del Boccio, Giacchi, Marsh, and President Soares.
---Nays: None.
---Absent: Castellano, Cricco, Ramos.

At this time President Soares allowed a member of the public to address the City Council: Helen Hirsch of 98 Park Avenue.

President Soares then adjourned the meeting at 4:14 p.m.

________________________________________

PRESIDENT OF THE COUNCIL

________________________________________

CITY CLERK
President Soares opened the meeting at 7:08 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 furnished to The Jersey Journal and The Hoboken Reporter, The Bergen Record, The Newark Star - Ledger and also placed on the bulletin board in the lobby of City Hall."

The Council President then called for the Salute to the Flag.

The Clerk then called the roll:

PRESENT: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.

ABSENT: None.

HEARING ON ORDINANCES
Second Reading and Public Hearing

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 192 OF THE CODE OF THE CITY OF HOBOKEN (PARKING FOR HANDICAPPED). (Approvals: 70 Washington St.; 733 Park Ave.; 305 Willow Ave.; 914 Garden St.; Deletions: 1251 Bloomfield Street).

President Soares directed the City Clerk to announce that the Council would consider for final passage the aforesaid ordinance and all persons interested at this time would be given an opportunity to be heard concerning said ordinance which was read in full.

No person present desiring to be heard and no written protests or objections received, President Soares asked for a motion to close the hearing.

Councilman Del Boccio moved that the hearing be closed. Motion duly seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

ORDINANCE AMENDING CHAPTER 145 OF THE CODE OF THE CITY OF HOBOKEN ENTITLED "PEACE AND GOOD ORDER". 
President Soares directed the City Clerk to announce that the Council would consider for final passage the aforesaid ordinance and all persons interested at this time would be given an opportunity to be heard concerning said ordinance which was read in full.

No person present desiring to be heard and no written protests or objections received, President Soares asked for a motion to close the hearing.

Councilman Del Boccio moved that the hearing be closed.  
Motion duly seconded by Councilwoman Andreula.  
---Adopted by the following vote: YEAS: 9 - NAYS: 0  
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.  
---Nays: None.

ORDINANCE AMENDING CHAPTER 33 OF THE CODE OF THE CITY OF HOBOoken ENTITLED “NOISE CONTROL”.  

President Soares directed the City Clerk to announce that the Council would consider for final passage the aforesaid ordinance and all persons interested at this time would be given an opportunity to be heard concerning said ordinance which was read in full.

No person present desiring to be heard and no written protests or objections received, President Soares asked for a motion to close the hearing.

Councilman Del Boccio moved that the hearing be closed.  
Motion duly seconded by Councilman Campos.  
---Adopted by the following vote: YEAS: 9 - NAYS: 0  
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.  
---Nays: None.

ORDINANCE AMENDING CHAPTER 56 OF THE CODE OF THE CITY OF HOBOoken ENTITLED “PARKING AUTHORITY”.  

The above ordinance was withdrawn at this time.  
NO ACTION TAKEN.

ORDINANCE AMENDING CHAPTER 56 OF THE CODE OF THE CITY OF HOBOoken ENTITLED “PARKING AUTHORITY” SO AS TO EXPAND THE HOBOoken PARKING AUTHORITY.  

President Soares directed the City Clerk to announce that the Council would consider for final passage the aforesaid ordinance and all persons interested at this time would be given an opportunity to be heard concerning said ordinance which was read in full.

No person present desiring to be heard and no written protests or objections received, President Soares asked for a motion to close the hearing.

Councilman Del Boccio moved that the hearing be closed.  
Motion duly seconded by Councilwoman Andreula.  
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSTENTIONS: 1  
---Nays: None.
---Abstentions: Castellano.

HEARING ON ORDINANCES

Third and Final Reading

Council President Soares then moved that the ordinance entitled, "AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 192 OF THE CODE OF THE CITY OF HOBOKEN (PARKING FOR HANDICAPPED). (Approvals: 70 Washington St.; 733 Park Ave.; 305 Willow Ave.; 914 Garden St.; Deletions: 1251 Bloomfield Street)" be taken from the table for its third and final reading.

Motion seconded by Councilwoman Andreula.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

Council President Soares then moved that the ordinance entitled, "ORDINANCE AMENDING CHAPTER 145 OF THE CODE OF THE CITY OF HOBOKEN ENTITLED 'PEACE AND GOOD ORDER'" be taken from the table for its third and final reading.

Motion seconded by Councilman Cricco.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

Council President Soares then moved that the ordinance entitled, "ORDINANCE AMENDING CHAPTER 33 OF THE CODE OF THE CITY OF HOBOKEN ENTITLED 'NOISE CONTROL'" be taken from the table for its third and final reading.

Motion seconded by Councilman Cricco.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

Council President Soares then moved that the ordinance entitled, "ORDINANCE AMENDING CHAPTER 56 OF THE CODE OF THE CITY OF HOBOKEN ENTITLED “PARKING AUTHORITY” SO AS TO EXPAND THE HOBOKEN PARKING AUTHORITY" be taken from the table for its third and final reading.

Motion seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSTENTIONS: 1
---Nays: None.
---Abstentions: Castellano.

PETITIONS AND COMMUNICATIONS

01-94

September 5, 2001

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

Re: Appointments to the Hoboken Parking Authority

Dear Mr. Farina:

Consistent with the decision rendered by Judge Arthur N. D’Italia on August 21, 2001, and pursuant to my authority under Hoboken Code 56-2, please be advised that I am appointing Alan Cohen and Daniel DeCavagnac as Commissioners to the Hoboken Parking Authority.

Kindly provide the Council for the City of Hoboken with a copy of this letter.

Very truly yours,

DAVID ROBERTS,
MAYOR

. Received and filed.

01-95

September 5, 2001

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

Re: The Mayor’s Designee to the Hoboken Planning Board

Dear Mr. Farina:

Kindly note that I am designating Elizabeth Mason residing at 921 Hudson Street as the Mayor’s designee for the Hoboken Planning Board, as permitted by Hoboken Code 44-1, Class I Membership. Ms. Mason will attend the meetings the Planning Board Meetings and act on my behalf when I am unavailable.

Kindly provide the Council for the City of Hoboken with a copy of this letter.

Very truly yours,
The Honorable Members of the City Council
City of Hoboken
City Hall
94 Washington Street
Hoboken, NJ 07030

Dear Ladies and Gentlemen:

Pursuant to my authority under Chapter 48, Section 2 of the Hoboken Code, I hereby reappoint Ms. Barbara Armenio, Hoboken, New Jersey to serve as a Trustee of the Hoboken Public Library for a term of five (5) years to expire on June 30, 2006.

Pursuant to my authority under Chapter 48, Section 2 of the Hoboken Code, I also reappoint Ms. Jane Zeff, Hoboken, New Jersey, to serve as a Trustee of the Hoboken Public Library for a term of five (5) years to expire on June 30, 2006.

Very truly yours,

David Roberts,
Mayor

cc/James Farina, City Clerk
   Laurie Cotter, Business Administrator
   Esther Suarez, Corporation Counsel
   Library Director
   President, Library Board of Trustees

---Received and filed.

APPLICATIONS FOR MISCELLANEOUS LICENSES

Bingos  -------------------------------------------------------------- 2
Mechanical Amusement Devices ---------------------------------------- 5
Music Machines  ---------------------------------------------------- 1

---Councilman Ramos moved that the licenses be granted.
---Motion duly seconded by Council President Soars.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

REPORTS OF CITY OFFICERS

---Received and filed.
A report of Municipal Clerk James J. Farina for bids received on August 31, 2001 for (2) Police Motorcycles; public bid #02-01 (no bids received).

---Received and filed.

**CLAIM RESOLUTIONS**

01-99
By Councilman Ramos:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $231,755.40 against the UNCLASSIFIED CLAIMS.

Seconded by Council President Soares.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yea: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nay: None.

By Councilman Ramos:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $124,368.21 against the DEPARTMENT OF ADMINISTRATION.

Seconded by Council President Soares.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yea: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nay: None.

By Councilwoman Marsh:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $301,017.80 against the DEPARTMENT OF ENVIRONMENTAL SERVICES.

Seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yea: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nay: None.

By Councilman Giacchi:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $24,600.93 against the DEPARTMENT OF HUMAN SERVICES.
Seconded by Councilman Cricco.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

PAYROLL RESOLUTIONS

01-100
By Councilwoman Marsh:

RESOLVED, THAT WARRANTS DRAWN ON THE CITY TREASURER, TO THE ORDER OF THE CITY TREASURER, IN PAYMENT OF SERVICES OF OFFICERS AND EMPLOYEES OF THE CITY OF HOBOKEN, FOR THE PERIOD AUGUST 2, 2001 TO AUGUST 15, 2001 FOR THE PAYROLL ARE HEREBY RATIFIED IN THE FOLLOWING AMOUNTS:

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<th>Overtime</th>
<th>Other Pay</th>
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Rent & Stabilization Bd 1-01-27-347  7,010.98  50.00  7,060.98
Transportation 1-01-27-348  4,171.57  133.50  4,305.07
Cultural Affairs 1-01-27-176  1,658.53  25.00  1,683.53
Public Defender 1-01-43-495  1,930.92  1,930.92
Construction Code 1-01-22-195  24,752.94  200.00  24,952.94
DDEF 0-01-55-901

Sub-Total  1,068,423.52  17,347.51  15,425.67  1,101,196.70

Other
Water Utility 0-05-20-701-010

Police Outside Employ. T-14-10-000-000  4,200.00  4,200.00

Police Grant.

Summer Lunch Progrm G-02-40-302-000

Grand Total  1,070,652.32  17,514.67  19,625.67  1,107,792.66

Motion by Councilwoman Marsh. Seconded by Councilman Ramos. ---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

RESOLUTIONS

Presented and Read

01-101
---By Councilman Ramos:

WHEREAS, the Purchasing Agent, Department of Administration requests authorization of the Council to dispose of abandoned vehicles, that are in possession of the Hoboken Police Department for over thirty days, the said authorized pursuant to provision of N.J. S.A. 39: 10 A-1 and

NOW THEREFORE BE IT RESOLVED, the Purchasing Agent, Department or his duly authorized representative is hereby authorized to expose for sale at Public Auction, Monday, 24 September 2001, at 11:00 A.M. in the City Hall, Court Room, 94 Washington Street, the vehicles set forth on the attached specification list pursuant to law.

---Motion duly seconded by Council President Soares.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

01-102
---By Councilman Ramos:

WHEREAS, the Purchasing Agent, Department of Administration requests authorization of the Council to dispose of abandoned vehicles, that are in possession of the Hoboken Police Department for over thirty days, the said authorized pursuant to provision of N.J. S.A. 39: 10 A- 1 and

NOW THEREFORE BE IT RESOLVED, the Purchasing Agent, Department or his duly authorized representative is hereby authorized to expose for sale at Public Auction, Monday, 24 September 2001, at 11:00 A.M. in the City Hall, Court Room, 94 Washington Street, the vehicles set forth on the attached specification list pursuant to law.

---Motion duly seconded by Council President Soares.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

01-103
---By Councilwoman Marsh:

WHEREAS, the City Council of the City of Hoboken recognizes that pursuant to N.J.S.A. 54:5-104.48 of the New Jersey Revised Statutes, the City of Hoboken is entitled to re-coup the extra expenses associated with accelerated tax sales; and

WHEREAS, the above-referenced status provides that said extra expenses should be charged to delinquent taxpayer; and

WHEREAS, the acceleration expenses shall be automatically included in the tax sale, and the delinquent taxpayer shall forward said expenses to the Office of the Collector of Revenue for the City of Hoboken; and

RESOLVED, that the City Council of the City of Hoboken is hereby authorized to require that the additional costs of acceleration tax sales be charged to the delinquent taxpayer, with estimated costs from twenty-five dollars ($25.00) to fifty dollars ($50.00) per property owner.

---Motion duly seconded by Councilman Romos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

01-104
---By Councilman Ramos:

WHEREAS, the Council for the City of Hoboken passed on Ordinance expanding the Hoboken Parking Authority from five (5) to seven (7) members; and
WHEREAS, the Hoboken Parking Authority has not been able to conduct a complete and productive meeting as a result of the confusion with the previously appointed members of the Hoboken Parking Authority; and

WHEREAS, the Hoboken Parking Authority has outstanding business it needs to conduct as soon as possible; and

WHEREAS, pursuant N.J.S.A. 40:69A-181(b), the Council of the City of Hoboken may cause the Ordinance expanding the Hoboken Parking Authority to be effective immediately.

NOW, THEREFORE, BE IT RESOLVED, that the Council for the City of Hoboken hereby deems an emergency with respect to the Ordinance expanding the Hoboken Parking Authority.

BE IT FURTHER RESOLVED THAT the Ordinance expanding the Hoboken Parking Authority from five (5) to seven (7) members is effective immediately.

---Motion duly seconded by Council President Soares.
---Adopted by the following vote: YEAS: 8 - NAYS: 1
---Nays: Castellano.

01-105
---By Councilwoman Marsh:

WHEREAS, N.J.S.A. provides that the City Council may by resolution direct that unpaid taxes or other municipal liens or charges, or part thereof, are n arrears as of the 11th day of the eleventh month of the fiscal year when the same became in arrears, the tax collector shall enforce the lien by selling the property; and

Whereas, such sale shall include only such unpaid taxes or other municipal liens or charges as were in areas in the fiscal year designated in the Council resolution, provided that the sale is conducted no earlier than in the last month of the fiscal year; and

WHEREAS, the Council may authorize the tax collector to enter into an installment agreement with the owner or person interested in the property upon which such delinquent taxes may be due; provided that said agreement shall require payment of such installment payments in amounts large enough to pay in full all delinquent taxes, assessments and other municipal liens held by the municipality, in nor more than five years from the date of such agreement; and provided that the extension of time for payment of such arrearage shall not apply to any parcel of property which previously had been included in any plan adopted by the City pursuant to any State statute whereunder prior extensions for payment of delinquent taxes were authorized; and provided further, that the right of any person interested in such property to pay such installments shall be conditioned on the prompt payment of installments of taxes for the current year in which such agreement is made, and all subsequent taxes, assessments and other municipal liens imposed or becoming a lien thereafter, including all installments thereafter payment on assessments theretofo levied, and also the prompt payment of all installments of arrears as hereinbefore authorized; and provided further, that in case any such installment of arrears or any new taxes, assessments or other liens are not promptly paid within thirty (30) days after the date when the same is due and payable, then such agreement shall be void, and in any such case the tax collector shall proceed to enforce such lien by selling the property; and

WHEREAS, the Council may be resolution direct that there shall be omitted from such sale any or all such unpaid taxes, and other municipal liens, or parts thereof, on real property, upon which regular, equal monthly installment payments are being made, pursuant to an
installment agreement between the tax collector and the owners or person interested in the property upon which such delinquent taxes may be due;

NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF HOBOKEN that the tax collector be and is hereby authorized to (1) enter into installment agreements pursuant to the terms as hereinbefore provided; and (2) conduct a tax sale for SFY 2002 pursuant to the terms set forth in N.J.S.A. 54:5-19 and repeated herein.

---Motion duly seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

01-106
---By Councilwoman Marsh:

WHEREAS, various fiscal year 2001 bills have been presented for payment in fiscal year 2002, which bills were not covered by order number and/or recorded at the time of transfers between the 2001 Budget Appropriation Reserve, in the last two months of fiscal year 2001, and

WHEREAS, N.J.S.A. 40A: 4-59 provides that all unexpended balances carried forward after the close of the year are available, until lapsed at the close of the succeeding year, to meet specific claims, commitments contracts incurred during the preceding fiscal year, and allow transfers to be made from unexpended balances which are expected to be insufficient balances which are expected to be insufficient during the first three months of the succeeding year;

NOW THEREFORE, BE IT RESOLVED by the council of the City of Hoboken that the transfers in the amount of $11,370.00 be made between the fiscal year 2001 Budget Appropriation Reserves as follows

(SEE ATTACHED)

<table>
<thead>
<tr>
<th>Account Description</th>
<th>Account No.</th>
<th>FROM</th>
<th>TO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Operations – ‘Within Caps”</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Workers Compensation Insurance O/E</td>
<td>23-215-2</td>
<td>1,000.00</td>
<td></td>
</tr>
<tr>
<td>Claims Against the City O/E</td>
<td>23-219-2</td>
<td>500.00</td>
<td></td>
</tr>
<tr>
<td>Towing &amp; Storage of Abandoned Vehicles O/E</td>
<td>23-223-2</td>
<td>1,100.00</td>
<td></td>
</tr>
<tr>
<td>Board of Health O/E</td>
<td>27-332-2</td>
<td>750.00</td>
<td></td>
</tr>
<tr>
<td>Recreation O/E</td>
<td>28-370-2</td>
<td>9,200.00</td>
<td></td>
</tr>
<tr>
<td>Public Library O/E</td>
<td>29-390-2</td>
<td>320.00</td>
<td></td>
</tr>
<tr>
<td>Utilities-Electricity</td>
<td>31-430-0</td>
<td>1,300.00</td>
<td></td>
</tr>
<tr>
<td>Utilities Street Lighting</td>
<td>31-435-0</td>
<td>5,100.00</td>
<td></td>
</tr>
<tr>
<td>Utilities-Telephone/Telegraph</td>
<td>31-440-0</td>
<td>2,900.00</td>
<td></td>
</tr>
<tr>
<td>Utilities-Fuel Oil</td>
<td>31-447-0</td>
<td>570.00</td>
<td></td>
</tr>
<tr>
<td>TOTAL</td>
<td></td>
<td>$11,370.00</td>
<td></td>
</tr>
</tbody>
</table>

---Motion duly seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

01-107
---By Councilman Ramos:

WHEREAS, Anthony Lisa, an employee of the Fire Division the Department of Administration filed a Petition with the New Jersey Department of Labor and Industry Division of Workers’ Compensation for occupational injuries received October 4, 1999, and

WHEREAS, on May 17, 2001, Rose Mary Grandados, Judge of Compensation, entered an Order Approving Settlement With Dismissal, per attached, and

WHEREAS, Horn, Schechtman, P.C., 587 Summit Avenue, P.O. Box 8238 Jersey City, N.J. 07398, attorney for the Petitioner Anthony Lisa was awarded $2400.00; $2400.00 was assessed against Petitioner Anthony Lisa; Dr. M. Hermele was awarded $75.00; $75.00 was assessed against Petitioner Anthony Lisa; Horn, Schechtman P.C. was awarded $164.00 as reimbursement for litigation costs; $164.00 was assessed against Petitioner Anthony Lisa; Horn, Schechtman, P.C. was awarded $75.00 as reimbursement for medical examinations; $75.00 was assessed against Petitioner Anthony Lisa; $75.00 for stenographic services to Advanced Court Reporting was assessed against Respondent City of Hoboken. These amounts are to be paid directly to persons entitled to same; now, therefore be it

RESOLVED, that warrants be drawn on the City Treasurer to the following parties in the amounts set forth opposite their respective names for the purposes hereinabove stated:

<table>
<thead>
<tr>
<th>Party</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anthony Lisa</td>
<td>9,286.00</td>
</tr>
<tr>
<td>Horn, Schechtman, P.C.</td>
<td>2,400.00</td>
</tr>
<tr>
<td>Dr. M. Hermele</td>
<td>75.00</td>
</tr>
<tr>
<td>Horn, Schechtman, P.C.</td>
<td></td>
</tr>
<tr>
<td>(reimbursement for Litigation Costs)</td>
<td>164.00</td>
</tr>
<tr>
<td>Horn, Schechtman, P.C.</td>
<td></td>
</tr>
<tr>
<td>(reimbursement for medical examination)</td>
<td>75.00</td>
</tr>
<tr>
<td>Advanced Court Reporting</td>
<td></td>
</tr>
<tr>
<td></td>
<td>75.00</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>12,075.00</td>
</tr>
</tbody>
</table>

And be it further

RESOLVED, that the aforesaid total award of $12,075.00 be charged to WORKERS’ COMPENSATION FUND.

---Motion duly seconded by Council President Soares.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

01-108
---By Councilman Ramos:

WHEREAS, Richard Ladage, an employee of the Fire Division the Department of Administration filed a Petition with the New Jersey Department of Labor and Industry Division of Workers’ Compensation for injuries sustained May 5, 1994, and
WHEREAS, on June 28, 2001, Rose Mary Grandados, Judge of Compensation, entered an Order Approving Settlement With Dismissal, per attached, and

WHEREAS, Horn, Schechtman, P.C., 587 Summit Avenue, Jersey City, N.J. 07306, attorney for the Petitioner Richard Ladage was awarded $864.00; $346.00 was assessed against Petitioner Richard Ladage; $518.00. was assessed against Respondent City of Hoboken; $75.00 was awarded Dr. M. Hermele; $75.00 was awarded to Horn, Schechtman P.C. as reimbursement for Dr. Hermele; $75.00 was assessed against Petitioner Richard Ladage; $75.00 assessed against Petitioner Richard Ladage; $75.00 assessed against Respondent City of Hoboken; $75.00 for stenographic services to Advanced Court Reporting was assessed against Respondent City of Hoboken. These amounts are to be paid directly to persons entitled to same; now, therefore be it

RESOLVED, that warrants be drawn on the City Treasurer to the following parties in the amounts set forth opposite their respective names for the purposes hereinabove stated:

<table>
<thead>
<tr>
<th>Party</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Richard Ladage</td>
<td>$3,924.00</td>
</tr>
<tr>
<td>Horn, Schechtman, P.C.</td>
<td>864.00</td>
</tr>
<tr>
<td>Dr. M. Hermele</td>
<td>75.00</td>
</tr>
<tr>
<td>Horn, Schechtman, P.C.</td>
<td></td>
</tr>
<tr>
<td>(reimbursement for Litigation Costs)</td>
<td>75.00</td>
</tr>
<tr>
<td>Horn, Schechtman, P.C.</td>
<td></td>
</tr>
<tr>
<td>(reimbursement for Dr. Velez)</td>
<td></td>
</tr>
<tr>
<td>Advanced Court Reporting</td>
<td>150.00</td>
</tr>
<tr>
<td></td>
<td>75.00</td>
</tr>
</tbody>
</table>

$5,163.00

And be it further

RESOLVED, that the aforesaid total award of $5,163.00 be charged to WORKERS’ COMPENSATION FUND.

---Motion duly seconded by Council President Soares.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

01-109
---By Councilman Ramos:

WHEREAS, Evelyn Lopez, an employee of the Police Division the Department of Administration filed a Petition with the New Jersey Department of Labor and Industry Division of Workers’ Compensation for occupational injuries received April 20, 1999, and

WHEREAS, on June 6, 2001, Rose Mary Grandados, Judge of Compensation, entered an Order Approving Settlement With Dismissal, per attached, and

WHEREAS, Fuchs, Greenberf, Sapin & Leven. Esqs. 895 Bergen Avenue, Jersey City, N.J. 07306, attorney for the Petitioner Evelyn Lopez was awarded $1200.00; $1200.00 was assessed against Petitioner Evelyn Lopez; Dr. Morris Horwitz was awarded $150.00; $150.00 was assessed against Petitioner Evelyn Lopez; Dr. Morris Horwitz was awarded $150.00; $150.00 was assessed against Petitioner Evelyn Lopez; $75.00 for stenographic services to Advanced Court Reporting was assessed against Respondent City of Hoboken. These amounts are to be paid directly to persons entitled to same; now, therefore be it

RESOLVED, that warrants be drawn on the City Treasurer to the following parties in the amounts set forth opposite their respective names for the purposes hereinabove stated:
And be it further

RESOLVED, that the aforesaid total award of $6,075.00 be charged to WORKERS' COMPENSATION FUND.

---Motion duly seconded by Council President Soares.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

01-110
---By Councilwoman Marsh:

WHEREAS, an overpayment of taxes has been made on property listed below; and

WHEREAS, Louis P. Picardo, Collector of Revenue by his letter hereto attached and made a part hereof, recommends that refunds be made; now, therefore, be it –

RESOLVED, that a warrant be drawn on the City Treasurer to the order of the following taxpayer in the sum opposite their respective name, totaling $14,730.47 representing overpayment of taxes:

<table>
<thead>
<tr>
<th>NAME</th>
<th>BLOCK</th>
<th>LOT/UNIT</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kevin Killeen</td>
<td>21</td>
<td>1-C001M</td>
<td>$861.20</td>
</tr>
<tr>
<td>Kevin’s Auto Repair</td>
<td>26</td>
<td>7</td>
<td>3,297.28</td>
</tr>
<tr>
<td>Cendant Mortgage</td>
<td>48</td>
<td>27</td>
<td>9,818.25</td>
</tr>
<tr>
<td>John R. Butler</td>
<td>193</td>
<td>49.1</td>
<td>753.74</td>
</tr>
</tbody>
</table>

---Motion duly seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

01-111
---By Councilwoman Marsh:

WHEREAS, Louis P. Picardo, Collector of Revenue by his letter hereto attached and made a part hereof, recommends that refunds be made; now, therefore, be it –

RESOLVED, that a warrant be drawn on the City Treasurer to the order of the following taxpayer in the sum opposite their respective name, totaling $6,235.98 representing overpayment of taxes:

<table>
<thead>
<tr>
<th>NAME</th>
<th>BLOCK</th>
<th>LOT/UNIT</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sara Stojkovic</td>
<td>36</td>
<td>30-C0003</td>
<td>$3,150.48</td>
</tr>
<tr>
<td>Tranamerican</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
---Motion duly seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

01-112
---By Councilman Ramos:

WHEREAS, John Schisani is an employee with the City of Hoboken in the Department of Administration; and

WHEREAS, he has requested and received personal leaves of absence in 1996, 1997 and most recently from March, 2000 through August, 2001; and

WHEREAS, John Schisani has requested an additional personal leave of absence from August 31, 2001 through March 31, 2002.

NOW, THEREFORE BE IT RESOLVED, that a final leave of absence, without pay or medical benefits, from August 31, 2001 through March, 2002, is granted to John Schisani with the understanding that no further leaves will be approved.

---Motion duly seconded by Council President Soares.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

01-113
---By Councilwoman Castellano:

WHEREAS, on August 5, 2001, Acting Governor Donald DiFrancesco has signed a bill into law allowing for fifteen (15) “Off Track Betting Parlors” to operate at various yet undetermined locations throughout the State of New Jersey; and

WHEREAS, the business “Off Track Betting” detracts from the quality of community life and is a threat to the public good; and

WHEREAS, the Council for the City of Hoboken realizes that the choice of designated locations for the “Off Track Betting Parlors” lies in the State’s jurisdiction; and

WHEREAS, the Council for the City of Hoboken reaffirms the commitment to sustain and preserve our quality of life as a city, neighborhood and a family community.

NOW, THEREFORE, BE IT RESOLVED, that on behalf of this Council and the residents of the City of Hoboken, the City of Hoboken wishes to be excluded from consideration of possible locations for “Off Track Betting Parlors.”

BE IT ALSO RESOLVED, that the City Council for the City of Hoboken shall present this resolution to the office of the Acting Governor Donald DiFrancesco.

---Motion duly seconded by Councilman Del Boccio.
01-114
---By Councilwoman Marsh:

WHEREAS, N.J.S.A. 40A:4-20 provides for the creation of an emergency temporary appropriation whereby an emergent condition arises with respect to appropriations needed to pay claims until an official budget is adopted and sufficient provision has not been made in the fiscal year 2002 temporary appropriations for the aforesaid purpose, and

WHEREAS, temporary appropriations and total emergency temporary resolutions adopted in the fiscal year 2002 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A:4-20 including this resolution total $15,096,503.70.

NOW THEREFORE BE IT RESOLVED by the Council of the City of Hoboken that in accordance with the provisions of N.J.S.A. 40A: 4-20;

1. Emergency temporary appropriations be and the same is hereby made for the below listed appropriations in the amounts noted.

(SEE ATTACHED)

2. That said emergency temporary appropriations will be provided for in the fiscal year 2002 budget under their respective titles.

3. That one certified copy of this resolution be filed with the Director of Local Government Services.

--Motion duly seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

01-115
---By Councilman Ramos:

WHEREAS, pursuant to the Code of the City of Hoboken 38-1, the City of Hoboken has be established a Housing Authority; and

WHEREAS, the Code of the City of Hoboken 38-2 provides for seven (7) members to serve on the Housing Authority; and

WHEREAS, New Jersey law gives authority to the City Council to appoint five (5) members serving on the Housing Authority; and

WHEREAS, the City Council President has received a communication from the State of New Jersey Department of Community Affairs, dated August 6, 2001, indicating that a vacancy exists in the Hoboken Housing Authority; and

WHEREAS, the Corporation Counsel’s office conferred with the Department of Community Affairs and this vacancy is attributable to the seat held by Frank Raia, which is an appointment made by the City Council.
WHEREAS, the Council of the City of Hoboken wishes to fill this one (1) vacancy to the Housing Authority.

NOW, THEREFORE, BE IT RESOLVED, that the Council for the City of Hoboken Hereby appoints Jessica Andreula to serve as a member of the Hoboken Housing Authority to fill the unexpired term of Frank Raia.

Before the vote was taken, one member of the public spoke: James Fitzsimmons of 509 Willow Avenue.

---Motion duly seconded by Councilman Campos.
---Adopted by the following vote: YEAS: 7 - NAYS: 1 - ABSTENTIONS: 1
---Yeas: Council persons Campos, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: Castellano.
---Abstentions: Andreula.

ORDINANCES

Introduction and First Reading

01-116
DR-12

ORDINANCE AMENDING AND SUPPLEMENTING PART II, GENERAL LEGISLATION, OF THE "CODE OF THE CITY OF HOBOKEN" BY ADDING A NEW CHAPTER 147 ENTITLED MOBILE TELEPHONES.

WHEREAS, the City Council of the City of Hoboken has not previously defined and/or regulated the use of mobile telephones while operating a motor vehicle within the City limits; and

WHEREAS, the City Council believes that the operation of motor vehicles on public roadways while using mobile telephones may cause the operator to maintain less than full-time attention to the operation of said mobile vehicle; and

WHEREAS, the City Council of the City of Hoboken believes that the regulation of the use of mobile telephones while operating motor vehicle within the City will enhance the safety of those persons operating motor vehicles as well as pedestrians in the City.

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Hoboken, in the County of Hudson and State of New Jersey, that the Code of the City of Hoboken be and hereby is amended as follows:

Section One:

That a new Chapter 147 be and hereby is established entitled, “Mobile Telephones”, which shall read as follows:

Section 147-1. DEFINITIONS

MOBILE TELEPHONE – including but not limited to cellular, analog, wireless and digital telephones.
USE – to use a mobile telephone in (a) dialing; (b) answering; (c) talking; (d) listening.

PARK – for an automatic transmission vehicle that the vehicle is in the park gear or for a standard transmission that the vehicle is in the neutral gear and the break is being utilized or the vehicle is otherwise stationary.

Section 147-2. PURPOSE

It is the purpose of this Ordinance and the policy of the City to regulate the use of mobile telephones by persons operating motor vehicles in order to protect other persons within the City. This Ordinance shall be liberally construed and applied to promote its purpose and policy.

Section 147-3. USE; RESTRICTIONS

(A) PERMITTED USES – Nowithstanding anything contained in this Chapter to the contrary, this Ordinance shall not be construed to prohibit the use of mobile telephones by:

(1) any law enforcement, public safety or police officers, emergency management officials, first aid, emergency medical technicians and personnel, and fire safety officials in the performance of duties arising out of and in the course of their employment as such.

(2) a person who is using the mobile telephone to contact public safety forces; or

(3) while maintaining the vehicle in the parked position either on public or private property, or with a “hands free device” which allows the operator to maintain both hands on the applicable steering device while using the mobile telephone.

(B) RESTRICTIONS – No person shall operate a motor vehicle on any street or highway while engaging in any conduct defined as the “use” of a mobile telephone unless the operator is using a mobile telephone with “hands-free” technology for dialing, answering, talking and listening.

Section 147-4. PENALTIES

Violations of any provision of this Ordinance shall be punishable by a fine not to exceed $250.00.

Section Two:

This Ordinance is hereby declared to be an emergency measure dealing with the daily operation of a municipal department, and provided it receives the affirmative vote of two-thirds of all members elected to the Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Section Three:

SEVERABILITY – In the event that any provision of this Ordinance is found by a court of competent jurisdiction to be invalid, unconstitutional or unenforceable, such provision shall be deemed severable from the remainder of this Ordinance, and shall not cause the invalidity of unenforceability of the remainder of this Ordinance; and if a provision shall be deemed invalid only
because of excessive scope of breadth, the provision shall be deemed valid to the extent of the scope and breadth permitted by law.

---Councilwoman Castellano moved that the ordinance pass its first reading as read and be laid on the table for public inspection to be further considered for final passage at a meeting of the Council to be held on SEPTEMBER 19, 2001 at 7:00 PM.

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

01-117
DR-13
ORDINANCE AMENDING VARIOUS ORDINANCES FOR THE RESTRUCTURING OF DEPARTMENTS IN THE CITY OF HOBOKEN.

THE CITY COUNCIL OF THE CITY OF HOBOKEN DOES ORDAIN the following amendments and supplements to Chapters 4, 20, 39, 58 and 59A of the Code of the City of Hoboken, which restructures the departments, divisions and offices of the City of Hoboken.

Chapters 4, 39, and 58 of the Code of the City of Hoboken are amended and renumbered as presented below:

Chapter 4
ADMINISTRATION, DEPARTMENT OF

ARTICLE I
General Provisions

4-1. Establishment.

There is hereby established in the government of the City of Hoboken a department that shall be known as the Department of Administration.

4-1. Divisions enumerated.

Said Department shall embrace and there is hereby allocated and assigned thereto the Office of the Business Administrator, Division of Revenue and Finance, Division of Personnel and Health Benefits, Division of Purchasing, Division of Payroll, Division of Constituent Services, Office of the Tax Assessor, Office of the Collector of Revenue, the Chief Financial Officer, the Corporation Counsel, Taxis and Livery, the Zoning Officer, the Construction Code Official, Municipal Court, Board of Alcoholic Control, municipally owned properties acquired through nonpayment of taxes or any other municipal charges, and all of the administrative functions, powers and duties relating thereto.

4.3 Personnel.

There is hereby assigned and transferred to said Department all the subordinate officers and employees in the City of Hoboken holding their offices and positions under tenure of office under any law of this state or Title 11A, Civil Service, of the Revised Statutes of New Jersey and now exercising and performing any of the functions, powers and duties in the offices and divisions enumerated in 4-2.
4.4 Property and records.

There is hereby transferred and assigned to said Department all of the property, books, papers and records relating to any of the offices and other governmental agencies hereinabove allocated and assigned to said Department, except such books, papers and records as are now required by law or the ordinances of the City of Hoboken to be kept in the office of some other officer or department of the City government.

4-5. Business Administrator.

There is hereby created the Office of the Business Administrator. The Business Administrator shall be appointed by the Mayor with the advice and consent of the Council and shall serve during the term of the Mayor appointing him and until the appointment and qualifications of his/her successor and shall be subject to removal as provided by law. Vacancies in the office of the Business Administrator shall be filled in the same manner as the original appointment but for the unexpired term only.

4-6 Duties of Administrator.

The Business Administrator shall be the Director of the Department of Administration and the Chief Administrator Officer of the City and, in addition to the functions, powers and duties that are hereby or may hereafter be conferred and imposed upon him/her by law and ordinances of the City, shall, under the direction and supervision of the Mayor:

A. Assist in the preparation of the municipal budget.

B. Administer a centralized purchasing system.

C. Develop and administer a sound personnel system.

D. Formulate and adopt, subject to approval of the Mayor, rules and regulations for the efficient conduct of the work and general administration of the Department, the officers and employees thereof.

E. Supervise the organization of the Department and changes in the organization thereof, and to the extent to which the organization of the Department is not prescribed by law, may additionally organize his Department into such divisions or bureaus and make such assignment of powers and duties among them and, from time to time, change such organization or assignment as he may deem advisable.

F. Make periodic reports with such recommendations, as he deems appropriate to the Mayor, and to the Council concerning the affairs of the Department under his jurisdiction.

G. Perform such other duties as may be prescribed.

4-7. Staff.

The personnel staff in the Office of the Business Administrator may include clerical, operational, supervisory and managerial positions as deemed necessary within the budgetary limits established by the Council.

4-8. Transfer of Appropriations.

All appropriations available or to become available to any department, office or other governmental agency, the functions, powers and duties of which are hereby assigned and transferred to said Department are hereby transferred to the Department established hereby, and shall be available for the objects and purposes for which appropriated.
ARTICLE II
Division of Revenue and Finance

4-9. Established; functions, powers and duties.

There is hereby established in the Department of Administration a Division of Revenue and Finance, which shall be responsible for the accounting management of the fiscal affairs of the City and the control of the receipt and disbursement of funds. Said Division shall embrace and is hereby allocated and assigned thereto the Chief Financial Officer, the Collector of Revenue, the Tax Assessor, municipally owned properties acquired through nonpayment of taxes and all of the administrative functions, powers and duties relating thereto.

4-10. Staff.

The head of the Division shall be the Revenue and Finance Supervisor. The personnel staff in the Division of Revenue and Finance may include clerical, operational, supervisory and managerial positions as deemed necessary within the budgetary limits established by the Council.

Previously numbered 4-13.
No Changes.

ARTICLE III
Division of Personnel and Health Benefits

4-12. Established; functions, powers and duties.

There is hereby established in the Department of Administration a Division of Personnel and Health Benefits, which shall be responsible for the design, maintenance and administration of personnel records, procedures and programs in accordance with Title 11A, Civil Service, of the Revised Statutes of New Jersey, any other law of the State, or local law.

4-13. Staff.

The personnel staff in the Division of Personnel and Health Benefits may include clerical, operational, supervisory and managerial positions as deemed necessary within the budgetary limits established by the Council.

ARTICLE IV
Division of Purchasing

4-14. Established; functions, powers and duties.

There is hereby established in the Department of Administration a Division of Purchasing, which shall be responsible for the maintenance and administration of a centralized purchasing system for all goods and services needed by the City, in accordance with the requirements of The Local Public Contracts Law of the State of New Jersey and the Purchasing Ordinance of the City of Hoboken.

4-15. Staff

The personnel staff in the Division of Purchasing may include clerical, operational, supervisory and managerial positions as deemed necessary within the budgetary limits established by the Council.

4-16. Established; functions, powers and duties.
There is hereby established in the Department of Administration a Division of Payroll, which shall be responsible for the maintenance and administration of a centralized timekeeping and payroll system for all municipal employees.

4-17. Staff.

The personnel staff in the Division of Payroll may include clerical, operational, supervisory and managerial positions as deemed necessary within the budgetary limits established by the Council.

ARTICLE VI
Division of Constituent Services.

4-18. Established; functions, powers and duties.

There is hereby established in the Department of Administration a Division of Constituent Services, which shall be responsible for the centralization of all citizens' and organizations' complaints and inquiries on all aspects of City services and operations to enhance citizen confidence in government by expediting the handling of complaints and inquiries in coordination with the various departments of City government. Complaints and inquiries to be coordinated through the Division of Constituent Services will include, but are not limited to, the handling of counseling and referrals for social services, tenant assistance and education, housing and employment inquiries, taxi and livery complaints, quality of life issues, violations of City codes and general inquiries of City services available. The Division will also be the source of liaison activities for the Hispanic and minority community.

4-19. Staff.

The personnel staff in the Division of Constituent Services may include clerical, operational, supervisory and managerial positions as deemed necessary within the budgetary limits established by the Council.

CHAPTER 39
HUMAN SERVICES, DEPARTMENT OF

ARTICLE I
General Provisions

39-1. Establishment.

There is hereby established in the government of the City of Hoboken a department that shall be known as the Department of Human Services.


Said Department shall embrace and there is hereby allocated and assigned thereto the Office of the Director, Division of Health, Division of Rent Leveling, Division of Housing Inspection, Division of Senior Citizens, Division of Transportation, Division of Recreation and Cultural Affairs, Board of Trustees of the Free Public Library and the Office of the Public Defender.


There is hereby transferred and assigned to said Department all of the property, books, papers and records relating to any of the offices and other governmental agencies hereinabove allocated and assigned to said Department, except such books, papers, and records as are now required by law or the ordinances of the City of Hoboken to be kept in the office of some other officer or department of the City government.
39-4. Director.

There is hereby created the Office of the Director of the Department of Human Services. The Director shall be appointed by the Mayor with the advice and consent of the Council and shall serve during the term of the Mayor appointing him and until the appointment and qualifications of his/her successor and shall be subject to removal as provided by law. Vacancies in the office of Director shall be filled in the same manner as the original appointment but for the unexpired term only.

39-5. Powers and duties of Director.

The Director shall be head of the Department and, in addition to the functions, powers and duties that are hereby or may hereafter be conferred and imposed upon him by law and the ordinances of the City, shall:

A. Exercise supervision and have general responsibility for the operations of said Department and of the personnel employed herein.

B. Supervise the organization of the Department and changes in the organization thereof, and to the extent to which the organization of the Department is not prescribed by law, may additionally organize his Department into such divisions or bureau and make such assignment of powers and duties among them and, from time to time, change such organization or assignment as he may deem advisable.

C. Formulate and adopt, subject to the approval of the Mayor, rules and regulations for the efficient conduct of the work and general administration of the Department, the officers and employees thereof.

D. Make periodic reports with such recommendations, as he deems appropriate to the Mayor and to the Council concerning the affairs of the Department under his jurisdiction.

39.7. Staff.

The personnel staff in the Office of the Director may include clerical, operational, supervisory and managerial positions as deemed necessary within the budgetary limits established by the Council.


All appropriations available or to become available to any department, office or other governmental agency, the functions, powers and duties of which are hereby assigned and transferred to said Department are hereby transferred to the Department established hereby, and shall be available for the objects and purposes for which appropriated.

ARTICLE II
Division of Health


There is hereby established a Division of Health in the Department of Human Services, which shall exercise and perform all the functions, powers and duties devolving by law to local health agencies by Title 26, Health and Vital Statistics, of the Revised Statutes of New Jersey in coordination with the Board of Health.

39-10. Staff.
The Director of the Division of Health shall be the Health Officer, who shall be qualified and appointed as provided by State and local laws. The personnel staff in the Division of Health may include clerical, operational, supervisory and managerial positions as deemed necessary within the budgetary limits established by the Council.

ARTICLE III
Division of Rent Leveling

39.-11. Established; functions, powers and duties.

There is hereby established in the Department of Human Services a Division of Rent Leveling to administer and enforce the Rent Control Ordinance and the Rental Housing; Warehousing Ordinance of the City of Hoboken in coordination with the Rent Leveling Board.


The personnel staff in the Division of Rent Leveling may include clerical, operational, supervisory and managerial positions as deemed necessary within the budgetary limits established by the Council.

ARTICLE IV
Division of Housing Inspections


There is hereby established a Division of Housing Inspection in the Department of Human Services, which shall exercise the functions, powers and duties of enforcement of local ordinances, including not limited to Chapter 95, Dwellings; Minimum Standards, and Chapter 120, Housing Standards, of the Code of the City of Hoboken. Additionally, the Division shall enforce the Hotel and Multiple Dwelling Law (Chapter 13A of Title 55 of the Revised Statutes of New Jersey). The Division shall also establish a census count of residential dwelling units within the City. The Division may also contract with the State of New Jersey, Department of Community Affairs under the State-local cooperative inspection program.


The personnel staff in the Division of Housing Inspection may include clerical, operational, supervisory and managerial positions as deemed necessary within the budgetary limits established by the Council.

ARTICLE V
Division of Senior Citizens


There is hereby established a Division of Senior Citizens within the Department of Human Services, which shall be responsible for the coordination of services and activities for senior citizens in the community.

39-16. Staff.

The personnel staff in the Division of Senior Services may include clerical, operational, supervisory and managerial positions as deemed necessary within the budgetary limits established by the Council.

ARTICLE VI
Division of Recreation and Cultural Affairs

There is hereby established a Division of Recreational and Cultural Affairs in the Department of Human Services, which shall develop, operate, promote and encourage recreation and cultural arts program for the children and adults in the City of Hoboken.

39-20. Staff.

The personnel staff in the Division of Recreation and Cultural Affairs may include clerical, operational, supervisory and managerial positions ad deemed necessary within the budgetary limits established by the Council.

ARTICLE VIII
Office of the Public Defender


There is hereby established within the Department of Human Services the Office of the Municipal Defender, the head of which shall be the Chief Public Defender. The Director of the department of Human Services authority over this office shall extend only to matters of budgeting, personnel and purchasing.


A. The Office of the Municipal Public Defender shall render legal advice, counseling and representation to all eligible defendants in the Hoboken Municipal Court; in addition, Municipal Public Defenders shall represent eligible defendants charged with no indictable offenses involving gambling in both the Superior Court of Hudson County and the Municipal Court of Hoboken.

B. The Office shall also appeal any conviction or sentence where an appeal is warranted in the opinion of the Municipal Public Defender.

C. The Office of the Municipal Public Defender shall maintain a list of available attorneys to serve as assigned counsel to eligible defendants on a rotating basis when required because of the disqualification of the Public Defender for any reason.

D. Neither the Municipal Public Defender(s) nor their staff be obligated to offer any legal advice or representation to any person for any matter other than those specified above.

Chapter 58
ENVIRONMENTAL SERVICES, DEPARTMENT OF

ARTICLE I
General Provisions

58-1. Establishment.

There is hereby established in the government of the City of Hoboken a department that shall be known as the Department of Environmental Services.


Said Department shall embrace and there is hereby allocated and assigned thereto the Office of the Director, Division of Roads, Division of Signal and Traffic, Division of Sanitation,
Division of Water, Division of Parks and Public Property and the Division of Vehicle Maintenance and Repair.


There is hereby assigned and transferred to said Department all the subordinate officers and employees in the City of Hoboken holding their offices and positions under tenure of office under any law of this state or Title 11A, Civil Service, of the Revised Statutes of New Jersey and now exercising and performing any of the functions, powers and duties in the offices and divisions enumerated in 58-2.

58-4. Property and records.

There is hereby transferred and assigned to said Department all the property, books, papers and records relating to any of the offices and other governmental agencies hereinabove allocated and assigned to said Department, except such books, papers, and records as are now required by law or the ordinances of the City of Hoboken to be kept in the office of some other officer or department of the City government.

58-5. Director.

There is hereby created the Office of the Director of the Department of Environmental Services. The Director shall be appointed by the Mayor with the advice and consent of the Council and shall serve during the term of the Mayor appointing him and until the appointment and qualifications of his/her successor and shall be subject to removal as provided by law. Vacancies in the office of Director shall be filled in the same manner as the original appointment but for the unexpired term only.

58-6. Powers and duties of Director.

The Director shall be head of the Department and, in addition to the functions, powers and duties that are hereby or may hereafter be conferred and imposed upon him by law and the ordinances of the City, shall:

A. Exercise supervision and have general responsibility for the operations of said Department and of the personnel employed therein.

B. Supervise the organization of the Department and changes in the organization thereof, and to the extent to which the organization of this Department is not prescribed by law, may additionally organize his Department into such division or bureaus and make assignment of powers and duties among them, and, from time to time, change such organization or assignment as he may deem advisable.

C. Formulate and adopt, subject to the approval of the Mayor, rules and regulations for the efficient conduct of the work and general administration of the Department, the officers and employees thereof.

D. Make periodic reports with such recommendations, as he deems appropriate to the Mayor and to the Council concerning the affairs of the Department under his jurisdiction.

E. Prepare and obtain approval and implement a capital improvement program for the City’s infrastructure in coordination with the City Engineer or engineering consultants.

F. Operate and maintain a water distribution system for the furnishing and delivery of potable water to the residents and businesses of the City.

58-7. Staff.
The personnel staff in the Office of the Director may include clerical, operational, supervisory, and managerial positions as deemed necessary within the budgetary limits established by the Council.


All appropriations available or to become available to any department, office or other governmental agency, the functions, powers and duties of which are hereby assigned and transferred to said Department are hereby transferred to the Department established hereby, and shall be available for the objects and purposes for which appropriated.

ARTICLE II
Division of Roads


There is hereby established a Division of Roads in the Department of Environmental Services which shall maintain and repair the City’s streets and roads, including but not limited to mechanical street cleaning, snow removal and road repair.

58-10. Staff.

The personnel staff in the Division of Roads may include clerical, operational, supervisory and managerial positions as deemed necessary within the budgetary limits established by the Council.

ARTICLE III
Division of Signal and Traffic


There is hereby established a Division of Signal and Traffic in the Department of Environmental Services, which shall be responsible for the installation and maintenance of traffic signals, striping and signage, including street and curb markings and street signs, as well as assisting the Division of Police in parking enforcement.

58-12. Staff.

The personnel staff in the Division of Signal and Traffic may include clerical, operational, supervisory and managerial positions as deemed necessary within the budgetary limits established by the Council.

ARTICLE IV
Division of Sanitation


There is hereby established in the Department of Environmental Services a Division of Sanitation which shall be responsible for the collection and disposal of solid waste and recycling, and street cleaning.

58-14. Staff.

The personnel staff in the Division of Sanitation may include clerical, operational, supervisory and managerial positions as deemed necessary within the budgetary limits established by the Council.

Recycling programs and procedures will be implemented in accordance with N.J.S.A. 40A:11-1 et.eq. and the Recycling Ordinance of the City of Hoboken.

ARTICLE VI
Division of Parks and Public Property


There is hereby established a Division of Parks and Public Property in the Department of Environmental Services which shall operate and maintain the City’s parks, athletic fields, green areas, City owned vacant land, landscaping of City grounds and City owned buildings with the exception of the Free Public Library.


The personnel staff in the Division of Parks and Public Property may include clerical, operational, supervisory and managerial positions as deemed necessary within the budgetary limits established by the Council.


The term “park” as used in this Article shall include all public parks, athletic fields, playgrounds, green areas and outdoor recreation areas within the City including City owned vacant land and landscaping of City grounds.

Previously numbered 58-21.2
No Changes.

Previously numbered 58-21.3
No changes.

Previously numbered 58-21.4
No Changes.

Previously numbered 58-21.4.1

Previously numbered 58-21.6
No Changes.

Previously numbered 58-21.7
No Changes.

ARTICLE VII
Division of Vehicle Maintenance and Repair

58-27. Established; functions, powers and duties.
There is hereby established a Division of Maintenance and Repair in the Department of Environmental Services which shall be responsible for the servicing, maintenance, and repair of various types of motorized and mechanized automotive and construction equipment, and the maintenance, inventory and safety of the garage equipment and facility.


The personnel staff in the Division of Maintenance and Repair may include clerical, operational, supervisory and managerial positions as deemed necessary within the budgetary limits established by the Council.

ARTICLE VIII
Civil Actions

Previously numbered 58-35.
No Changes.

The following chapter is amended to include the following:

Chapter 20
COMMUNITY DEVELOPMENT, DEPARTMENT OF
ARTICLE II
Office of Grants Management

20-8. Established; functions, powers and duties.

There is hereby established an Office of Grants Management in the Department of Community Development which shall be responsible for the maintenance of a centralized grants application and management system for the City's various financial assistance programs.

20-9. Staff.

The personnel staff in the Office of Grants Management may include clerical, operational, supervisory and managerial positions deemed necessary within the budgetary limits established by the Council.

The following sections of the Code of the City of Hoboken are hereby specifically repealed:

Chapter 59A, Department of Public Safety, Article VI, sections 59A-40 through 59A-44 inclusive (Division of Signal and Traffic).

If any section or provision of this Ordinance shall be held invalid in any Court, the same shall not effect the other sections or provisions of this ordinance except so far as the section or provision so declared invalid and shall be inseparable for the remainder or portion thereof.

All Ordinances or parts of Ordinance inconsistent herewith are hereby repealed to the extent of such inconsistency.

This Ordinance shall take effect as provided by law

---Council President Soares moved that the ordinance pass its first reading as read and be laid on the table for public inspection to be further considered for final passage at a meeting of the Council to be held on SEPTEMBER 19, 2001 at 7:00 PM.

---Motion duly seconded by Councilwoman Marsh.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

All regular business concluded the following members of the public spoke at the “Public Portion” of the meeting: William Perry of 927 Willow Avenue; Helen Hirsch of 98 Park Avenue; Margaret O’Brien of 54 11th Street; Scott Gibson of 616 Monroe Street; Beverly Altomare of 313 Grand Street; Michael Mongiello of 624 Jefferson Street; Ray Falco of 300 Adams Street; David Mussara of 233 Washington Street; Paul Summerville of 1245 Bloomfield Street; Peggy McGeary of 1042 Bloomfield Street; Larry Ramirez of 237 Garden Street.

President Soares then adjourned the meeting at 9:16 p.m.

_________________________________________________________

PRESIDENT OF THE COUNCIL

_________________________________________________________

CITY CLERK
President Soares 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 furnished to The Jersey Journal and The Hoboken Reporter, The Bergen Record, The Newark Star - Ledger and also placed on the bulletin board in the lobby of City Hall."

The Council President then called for the Salute to the Flag.

The Clerk then called the roll:

PRESENT: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.

ABSENT: None.

Prior to the regular business on the agenda for this City Council Meeting, Councilman Ramos read the following letter from Mayor Roberts into the record:

01-118

September 19, 2001

The Honorable Members of the
Hoboken City Council
94 Washington Street
Hoboken, NJ 07030

Dear Council Members:

The tragic events of September 11, 2001, have touched the people of Hoboken in a very deep and personal way. Our thoughts and prayers are with everyone who has been affected by this disaster, but they are especially with our Hoboken neighbors and their loved ones.

I ask all of you to join me in deploring these unspeakable acts. This brazen assault was a cowardly attempt to pierce the heart of America. But where these doers of evil expected to find weakness, they have instead tapped a well of interminable strength called the American spirit.

Beneath the broken glass and mounds of rubble lies the fabric of our nation, and it is strong; nowhere is this more evident than in our great City of Hoboken. Scores of Hoboken residents and businesses came forward in the wake of this tragedy to give of themselves in selfless acts of kindness to total strangers since this terrible incident.
I would also like to commend the Hoboken Police Department, Hoboken Fire Department, and Hoboken Emergency Medical Services personnel for the professionalism and heroism they displayed during last week’s terrible events. I was especially proud to stand by Hoboken Firefighters as they left to assist with the efforts at Ground Zero. Yet, even during the aftermath of this tragedy, these fine men and women continue to demonstrate why they are “Hoboken’s finest” by their expert handling of Hoboken’s traffic and safety issues.

The lives of all Americans have been profoundly changed forever. We in Hoboken have a special burden to bear in helping our country heal, but we are up to the challenge. Together, we will rise up from this tragedy as a stronger nation, and as a closer Hoboken community. Thank you for your continued support through this tragedy.

Gold bless us all, and God bless Hoboken.

Very truly yours,

Mayor, City of Hoboken

HEARING ON ORDINANCES

Second Reading and Public Hearing

ORDINANCE AMENDING AND SUPPLEMENTING PART II, GENERAL LEGISLATION, OF THE “CODE OF THE CITY OF HOBNOKEN” BY ADDING A NEW CHAPTER 147 ENTITLED MOBILE TELEPHONES.

President Soares directed the City Clerk to announce that the Council would consider for final passage the aforesaid ordinance and all persons interested at this time would be given an opportunity to be heard concerning said ordinance which was read in full.

No person present desiring to be heard and no written protests or objections received, President Soares asked for a motion to close the hearing.

Councilman Del Boccio moved that the hearing be closed. Motion duly seconded by Councilwoman Castellano.

---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

ORDINANCE AMENDING VARIOUS ORDINANCES FOR THE RESTRUCTURING OF DEPARTMENTS IN THE CITY OF HOBNOKEN.

The above ordinance was withdrawn at this time. NO ACTION TAKEN.

HEARING ON ORDINANCES
Third and Final Reading

Council President Soares then moved that the ordinance entitled, "ORDINANCE AMENDING AND SUPPLEMENTING PART II, GENERAL LEGISLATION, OF THE “CODE OF THE CITY OF HOBOKEN” BY ADDING A NEW CHAPTER 147 ENTITLED MOBILE TELEPHONES" be taken from the table for its third and final reading.

Motion seconded by Councilwoman Castellano.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

PETITIONS AND COMMUNICATIONS

01-119
A communication received September 11, 2001, signed by Mayor David Roberts and Emergency Management Coordinator James Fitzsimmons stating a “Declaration of Emergency” in the City of Hoboken, due to the terrorist bombing of the World Trade Center.

--Received and filed.

01-120
WHEREAS, the City of Hoboken has sponsored and funded a variety of senior citizens activities and services for over twenty-five years; and

WHEREAS, the Division of Senior Citizens and Handicapped Services is sponsoring weeklong events beginning on September 24th through September 28th; and

WHEREAS, these events will be held at the Senior Citizens Center, Multi-Service Center Building, 124 Grand Street and they will include a variety of activities designed to provide information and referral to the City’s seniors; and

WHEREAS, representatives from AARP, Quick Check Pharmacy, Social Security as well as Freeholder Maurice Fitzgibbons and Elder Law Attorney Jo Ann Jeffreys will be available to discuss a wide range of topics which are of special interest to our senior citizens; and

WHEREAS, it is important for our senior citizens to discuss these issues and receive expert information so they are informed and aware of options available to them; and

WHEREAS, the City of Hoboken desires to improve upon its senior citizen awareness program in order to assure all seniors receive the highest standard of care and support services; now therefore,

I, David Roberts, Mayor of the City of Hoboken, do hereby proclaim the week of

September 24-28
as
Senior Citizen Week

In the City of Hoboken, and encourage the senior citizen residents of our community to participate in these weeklong events.

--Received and filed.
01-121

September 18, 2001

James Farina
City Clerk
City Hall
94 Washington Street
Hoboken, NJ 07030

RE: John Branciforte
1020 Garden Street
Hoboken, NJ 07030

Dear Mr. Farina:

Kindly note that I am appointing Mr. John Branciforte to serve as a regular member of the Zoning Board of Adjustment, as permitted by Hoboken Code 44-4, Class I Membership. This appointment is to fill the unexpired term of Rocco Romano. Mr. Branciforte’s appointment shall be effective immediately and expires December 31, 2004.

Please provide the Council for the City of Hoboken with a copy of this letter and include this as a part of the minutes to the City Council of September 19, 2001.

Very truly yours,

DAVID ROBERTS
MAYOR

--Received and filed.

01-122

A communication dated September 12, 2001, from the State of New Jersey, Department of Community Affairs, appointing William F. Noonan, 711 Garden Street, as Commissioner to the Hoboken Housing Authority; term effective September 20, 2001 through November 24, 2003.

--Received and filed.

01-123

APPLICATIONS FOR MISCELLANEOUS LICENSES

| Public Hack Drivers                      | 2 |
| Livery/Limousine Drivers                 | 7 |
| Mechanical Amusement Devices             | 1 |

---Councilman Ramos moved that the licenses be granted.
---Motion duly seconded by Councilwoman Andreula.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

REPORTS OF CITY OFFICERS

01-124
A report from Municipal Tax Collector Louis Picardo for taxes collected; for the month ending August 31, 2001 - $16,175,283.74

---Received and filed.

01-125
A report of the Municipal Court indicating receipts for the month of August 2001 as $279,811.12.

---Received and filed.

CLAIM RESOLUTIONS

01-126
By Councilman Ramos:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $742,439.08 against the UNCLASSIFIED CLAIMS.

Seconded by Councilwoman Andreula.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

By Councilman Ramos:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $106,773.29 against the DEPARTMENT OF ADMINISTRATION.

Seconded by Councilwoman Andreula.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

By Councilman Giacchi:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $100,855.00 against the DEPARTMENT OF ADMINISTRATION, SECTION 8.

Seconded by Councilwoman Andreula.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSTENTIONS: 1
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, and President Soares.
---Nays: None.
---Abstentions: Ramos.
By Councilwoman Marsh:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $407,131.13 against the DEPARTMENT OF ENVIRONMENTAL SERVICES.

Seconded by Councilwoman Andreula.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

By Councilman Giacchi:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $18,309.36 against the DEPARTMENT OF HUMAN SERVICES.

Seconded by Councilwoman Andreula.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

**PAYROLL RESOLUTIONS**

**01-127**

By Councilman Ramos:

RESOLVED, THAT WARRANTS DRAWN ON THE CITY TREASURER, TO THE ORDER OF THE CITY TREASURER, IN PAYMENT OF SERVICES OF OFFICERS AND EMPLOYEES OF THE CITY OF HOBBOKEN, FOR THE PERIOD AUGUST 16, 2001 TO AUGUST 29, 2001 FOR THE PAYROLL ARE HEREBY RATIFIED IN THE FOLLOWING AMOUNTS:

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<th>Overtime</th>
<th>Other Pay</th>
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Motion by Councilman Ramos.
Seconded by Councilwoman Andreula.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.
RESOLUTIONS
Presented and Read

01-128
---By Councilman Ramos:

WHEREAS, N.J.S.A. 40A:4-20 provides for the creation of an emergency temporary appropriation whereby an emergent condition arises with respect to appropriations needed to pay claims until an official budget is adopted and sufficient provision has not been made in the fiscal year 2002 temporary appropriations for the aforesaid purpose, and

WHEREAS, temporary appropriations and total emergency temporary resolutions adopted in the fiscal year 2002 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A:4-20 including this resolution total $15,202,318.70.

NOW THEREFORE BE IT RESOLVED by the Council of the City of Hoboken that in accordance with the provisions of N.J.S.A. 40A: 4-20;

1. Emergency temporary appropriations be and the same is hereby made for the below listed appropriations in the amounts noted.

(SEE ATTACHED)

2. That said emergency temporary appropriations will be provided for in the fiscal year 2002 budget under their respective titles.

3. That one certified copy of this resolution be filed with the Director of Local Government Services.

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<th>Account Description</th>
<th>Account No.</th>
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<td><strong>Board of Health</strong></td>
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<td>27-332-1</td>
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<td><strong>Office of Hispanic Affairs</strong></td>
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<td><strong>Rent Leveling &amp; Stabilization Bd.</strong></td>
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<td>Other Expenses</td>
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<td><strong>Division of Cultural Affairs</strong></td>
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<td>Salary &amp; Wages</td>
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<td>Other Expenses</td>
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<td>Salaries &amp; Wages</td>
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<td><strong>Streets &amp; Roads</strong></td>
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<td>Salaries &amp; Wages</td>
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<td>Other Expenses</td>
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<td><strong>Transportation</strong></td>
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<td><strong>Meeting of September 19, 2001</strong></td>
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<td>Category</td>
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<td>Budgeted Amount</td>
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<td>Salaries &amp; Wages</td>
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<td>NJ Right to Know</td>
<td>23-220-2</td>
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<td>23-221-2</td>
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<td>Utilities- Water &amp; Sewer Charges</td>
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<td>Maintenance of Lands for Recreation and Conservation in connection with SJP PILOT (Dedicated portion)</td>
<td>Other Expenses</td>
<td>28-376-2</td>
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<td>Uniform Construction Code</td>
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<td>Other Expenses</td>
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<td>(2) STATUTORY EXPENDITURES</td>
<td>Public Employees Retirement System</td>
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<td>Social Security System (O.A.S.I.)</td>
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<td>Police &amp; Firemen's Retirement System Of NJ</td>
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<td>507,842.00</td>
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<td>Police &amp; Fire Widow Pension</td>
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<td>Workers Compensation Insurance</td>
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<td>Unemployment Compensation</td>
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<td>Public Defender</td>
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<td>Public Library</td>
<td>Salaries &amp; Wages</td>
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<td>Other Expenses</td>
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<td>(D) Municipal Debt Service-Excluded from “CAPS”</td>
<td>Payment of Bond Principal</td>
<td>45-920</td>
<td>71,000.00</td>
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<td>Pymt. Of Bond Anticipation Notes &amp;</td>
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Meeting of September 19, 2001 13
Capital Notes 45-925 177,750.00
                        177,750.00
Interest on Bonds 45-930 537,106.38
                        537,106.38
Interest on Notes 45-935 22,663.13
                        22,663.13

Green Trust Loan Program
Loan Repayments for Principal & Interest 45-940 53,591.16
                        53,591.16
Interest on Tax Anticipation Notes 45-942 109,700.00
                        109,700.00
Payment of Bond Principal 48-920 37,250.00
                        37,250.00
Interest on Bonds 48-930 3,029.13
                        3,029.13

TOTAL 15,099,818.70
        15,202,318.70

---Motion duly seconded by Councilwoman Andreula.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

01-129
---By Councilman Ramos:

WHEREAS, various fiscal year 2001 bills have been presented for payment in fiscal year 2002, which bills were not covered by order number and/or recorded at the time of transfers between the 2001 Budget Appropriation Reserve, in the last two months of fiscal year 2001, and

WHEREAS, N.J.S.A. 40A:4-59 provides that all unexpended balances carried forward after the close of the year are available, until lapsed at the close of the succeeding year, to meet specific claims, commitments or contracts incurred during the preceding fiscal year, and allow transfers to be made from unexpended balances which are expected to be insufficient during the first three months of the succeeding year;

NOW THEREFORE, BE IT RESOLVED by the council of the City of Hoboken that the transfers in the amount of $4,270.00 be made between the fiscal year 2001 Budget Appropriation Reserves as follows

<table>
<thead>
<tr>
<th>Account Description</th>
<th>(SEE ATTACHED)</th>
<th>FROM</th>
<th>TO</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>Account No.</td>
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<tr>
<td>Operations – ‘Within Caps”</td>
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<tr>
<td>Elections O/E</td>
<td>20-122-2</td>
<td>600.00</td>
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<tr>
<td>Planning Board O/E</td>
<td>21-180-2</td>
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<td>21,320.00</td>
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<tr>
<td>Recycling O/E</td>
<td>26-300-2</td>
<td>1,070.00</td>
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</tr>
<tr>
<td>Recreation O/E</td>
<td>28-370-2</td>
<td>2,000.00</td>
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</tr>
<tr>
<td>Parks &amp; Public Property O/E</td>
<td>28-375-2</td>
<td>1,200.00</td>
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<td>Utilities-Fuel Oil</td>
<td>31-447-0</td>
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<td>2,350.00</td>
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</table>
---Motion duly seconded by Councilwoman Andreula.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

01-130
---By Councilman Giacchi:

WHEREAS, the City of Hoboken, Department of Community Development has a need for professional planning assistance with regard to various planning and redevelopment activities; and

WHEREAS, the City of Hoboken, Department of Community Development is desirous of awarding a professional services contract to Vandor & Vandor, LTD, 26 Leroy Avenue, Tarrytown, New York to provide planning and consulting services; and

WHEREAS, the maximum amount of the contract for professional services to Elizabeth Vandor shall be twenty-five thousand dollars ($25,000.00) for a term of one year (August 1, 2001 to July 31, 2002); and

WHEREAS, the type of work constitutes a professional service as defined by N.J.S.A. 40A:11-5(1)(a)(i) and as such is exempt from the bidding requirements; and

WHEREAS, funds are available for this purpose;

NOW, THEREFORE, BE IT RESOLVED, that a professional services contract be hereby awarded to Elizabeth Vandor in an amount not to exceed $25,000.00 for a term of one year (August 1, 2001 to July 31, 2002) and that the Mayor of the City of Hoboken is hereby authorized to execute the above stated contract and attested by the City Clerk.

BE IT FURTHER RESOLVED, that a copy of this resolution shall be published by the City Clerk and the City Clerk shall keep a copy of the contract on file in accordance with N.J.S.A. 40A:11-1 et seq.

---Motion duly seconded by Councilwoman Andreula.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

01-131
---By Councilwoman Andreula:

WHEREAS, the City of Hoboken has determined that aspects of the City of Hoboken’s Zoning Ordinance is in need of review to address issues that include density, parking requirements and open space; and

WHEREAS, Elizabeth Vandor. Planning consultant for the City of Hoboken has local knowledge and professional expertise to review said subjects and provide recommendations to the Hoboken City Council as to proposed amendments; and
NOW, THEREFORE, BE IT RESOLVED, that Elizabeth Vandor is hereby authorized to review and recommend to the Hoboken City Council amendments which shall address aspects of the aforesaid issues, until such time as the City of Hoboken’s Master Plan is approved.

---Motion duly seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

01-132
---By Councilman Ramos:

WHEREAS, a summons was issued for a motor vehicle violation to the following individuals; and

WHEREAS, said motor vehicle(s) were towed away the expense of the owner; and

WHEREAS, the Municipal Judge found the defendants not guilty and the defendants are entitled to reimbursement of the towing charges and storage fees;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Hoboken that warrants be drawn on the City Treasurer to the order of the following sums opposite their respective names as reimbursement of towing charges:

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<thead>
<tr>
<th>Name/Address</th>
<th>Summons Date</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mr. Robert Verga</td>
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<tr>
<td>652 First St. Apt. 2F</td>
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<tr>
<td>Hoboken, NJ 07030</td>
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<tr>
<td>Mr. Ken Lowerfish</td>
<td>06/15/01</td>
<td>$96.20</td>
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<tr>
<td>205 Hudson St. At. 608</td>
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</tr>
<tr>
<td>Hoboken, NJ 07030</td>
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</tr>
<tr>
<td>Ms. Marie Perfetto</td>
<td>05/02/01</td>
<td>$96.20</td>
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<tr>
<td>405 First St. Apt. 5</td>
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---Motion duly seconded by Councilwoman Andreula.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

01-133
---By Councilman Ramos:
WHEREAS, the City Council of the City of Hoboken has recently passed an ordinance regulating the use of mobile telephones while operating a motor vehicle within City limits; and

WHEREAS, the City Council of the City of Hoboken believes that the regulation of the use of mobile telephones while operating motor vehicles in all municipalities within the State and County will enhance the safety of those persons operating motor vehicles as well as pedestrians; and

WHEREAS, only some municipalities within the County of Hudson and the State of New Jersey have passed similar ordinances regulating the use of mobile phones in the City of Hoboken; and

WHEREAS, it will be difficult for members of the community who travel through many municipalities to decipher which municipalities regulate the use of mobile phones which allow for the unrestricted use of the mobile phones; and

WHEREAS, the City of Hoboken is concerned about the residents and non-residents of Hoboken alike and believes that there should be a consistent law regarding the use of mobile phones throughout the County and State.

NOW, THEREFORE, BE IT RESOLVED, that on behalf of this Council and the residents of the City of Hoboken, the City of Hoboken asks that the State of New Jersey County of Hudson pass similar legislation regulating the use of mobile phones in motor vehicles to allowing only the use of "hands-free".

BE IT RESOLVED, that the City Council for the City of Hoboken shall present this resolution to the office of the Acting Governor Donald DiFrancesco and to the Hudson County Freeholders, Chairman Sal Vega.

---Motion duly seconded by Council President Soares.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

ORDINANCES

Introduction and First Reading

01-134
DR-14

THE COUNCIL OF THE CITY OF HOBOKEN DOES ORDAIN AS FOLLOWS:

1. Chapter 196, Section 26 is hereby amended as follows to modify certain general supplementary regulations (note that “N.C.” means no change to current text):

   196-26 Site plan review.

   A. General conditions
(1) Site plan review and approval by the Planning board shall be required prior to the issuance by the Zoning Officer for a first certificate of zoning compliance for new construction or substantial alteration resulting in ten (10) or more dwelling units, new nonresidential structures with more than five thousand (5000) square feet of floor area or additions and alterations to existing non-residential structures increasing by fifty percent (50%) or more the gross floor area or building coverage existing at the time of the passage of this subsection.

Site plan review shall also be required for:

(a) N.C.
(b) N.C.
(c) N.C.

There shall be no minor site plan review. If the proposed site plan involves one (1) more zoning discrepancies as specified in N.J.S.A. 40:55D-70d, the applications for site plan approval and zoning ordinance variance shall be submitted to the Zoning Board of Adjustment.

(2) N.C.
(3) N.C.

B. Procedures – N.C.
C. Standards for drawings – N.C.
D. Required submissions – N.C.
E. Consideration – N.C.

2. Chapter 196, Section 39 is hereby amended as follows to modify certain parking regulations:

196-39 Application.

Except as noted below, there shall be provided, at the time any building or structure is erected, enlarged or changed in use, off-street parking spaces and loading and unloading areas in accordance with the requirements of this Article. Such standards shall apply only where parking areas containing (9) or more spaces are provide. Required facilities shall be available for use prior to the issuance of a certificate of occupancy.

There will be no curbcuts permitted anywhere in the R-1 district for new or existing development. There will be no curbcuts permitted on Washington Street within the CBD or R-1 district for new or existing development. No curbcuts will be permitted in any zone on development sites with less than a fifty (50) foot frontage. No curbcuts will be permitted on east-west streets with rights-of-way measuring (50) feet where the travel lane has less than fourteen (14) feet except where access is being provided for multiple lot sites.

3. Chapter 196, Section 40 is hereby amended as follows to modify certain parking design standards:

196-40 Design standards for off-street parking areas.

For accessory parking facilities with fewer than twenty-five (25) spaces, the applicant must demonstrate that there is a minimum of three hundred (300) square feet of gross area for each parking space to be provided. A parking layout, which may include tandem parking spaces (see limitations below), must be shown to demonstrate that the required number of cars can maneuver in the area provided but it will not be used as a basis for variances. The layout should be based on
the dimensions below. Note that any accessory facility with more than twenty-five (25) spaces and any public parking facility of any size must comply with the dimension below:

A. Dimensions of parking spaces – N.C.
B. Access aisles and driveways – N.C.
C. Curbing and pedestrian circulation – N.C.
D. General standards for parking area – N.C.
E. Joint facilities – N.C.
F. Responsibilities of owners – N.C.

4. Chapter 196, Section 60 is hereby amended as follows to modify application for first certificate of zoning compliance (note that “N.C.” means no change to current text):

196-60 Certificate of compliance.
A. Purposes – N.C.
B. Application for first certificate of zoning compliance.
   (1) Applications for zoning certifications shall be the same as applications for building permits.
   (2) The Zoning Officer shall act upon application either to approve, refer to the Planning Board, Zoning Board of Adjustment or deny, within ten (10) business days of the receipt of a complete application.
   (3) Any application not acted on by the Zoning Officer within ten (10) business days of the receipt of a complete application shall be deemed to be an approval.
C. Issuance of certification – N.C.
D. Denial of certification – N.C.
E. Revocation of zoning certification – N.C.
F. Expiration of building permits – N.C.

5. There are no further amendments to this Ordinance.

6. All ordinances or parts of ordinances inconsistent herewith are repealed to the extent of said inconsistencies.

7. This ordinance shall become effective pursuant to law.

---Councilwoman Andreula moved that the ordinance pass its first reading as read and be laid on the table for public inspection to be further considered for final passage at a meeting of the Council to be held on OCTOBER 17, 2001 at 7:00 PM.

---Motion duly seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

01-135
DR-15

ORDINANCE OF THE CITY OF HOBOKEN AMENDING CHAPTER 196 (ZONING) OF THE CODE OF THE CITY OF HOBOKEN, ARTICLE V, SCHEDULE I: RESIDENTIAL DISTRICTS TO AMEND
CERTAIN REGULATIONS OF THE R-1 (E) EDUCATIONAL SUBDISTRICT AND TO AMEND
ARTICLE X, CONDITIONAL USES.

THE COUNCIL OF THE CITY OF HOBOKEN DOES ORDAIN AS FOLLOWS:

1. CHAPTER 196, Section 14 is hereby amended as follows to modify certain
regulations of the R-1 (E) Subdistrict:

196-14.R-1 District; R-1 (E) Subdistrict: R-1 (CS) Overlay District.

A. Purpose.

(1) R-1 District. The purpose of this district is to conserve the architecture,
scale and grain of residential blocks and street patterns; to reinforce the
residential character of the district; acknowledge the traditional relationship
between Stevens Institute, adjacent residential neighborhoods and
neighborhood retail businesses and services; to regulate those buildings and
activities not comparable with district objectives.

(2) R-1 (E) Subdistrict. The purpose of the Educational Subdistrict is to
acknowledge the interaction between Stevens Institute and the remainder of
the R-1 District while at the same time modifying the specific conditions of this
zoning district within the subdistrict boundaries shown on the Zoning Map in
recognition of the unique requirements of an institution of higher learning,
which may be inconsistent with standards prevailing elsewhere in the district.
The design of buildings and uses in the R-1 (E) Subdistrict, particularly in
portions of the buildings and uses in the R-1 (E) Subdistrict, particularly in
portions of the subdistrict adjacent to the R-1 District, shall be integrated with
prevailing character of adjacent districts, streets, buildings and uses. The
Higher Education Subdistrict appears on the Zoning Map superimposed on
the R-1 District, and its regulations supplement those of the district on which it
is superimposed.

(3) R-1 (CS) Subdistrict. The purpose of the Court Street subdistrict is to
preserve the architecture and scale of accessory structures fronting on Court
Street, to encourage residential use, to control height and density in relation
to limited utility service and fire fighting accessibility, to limit automobile
through traffic, to encourage pedestrian use and to otherwise reinforce the
scale and quality of this district.

B. Principal permitted uses shall be as follows:

(1) R-District:

(a) Residential buildings.

(b) Retail businesses and services in accordance with 196-33 of
this chapter.

(2) R-1 (E) Subdistrict:

(a) Colleges, universities or other institutions of higher learning, including
buildings owned or leased for administration and faculty offices,
classrooms, laboritories, chapels, auditoriums and lecture halls with less
than one hundred (100) seats, libraries, student and faculty centers,
dining halls, campus stores, athletic facilities and dormitories, fraternities, sororities and their houses, but excluding uses listed in 196-14D(2).

(b) Residential buildings for faculty and staff.

(4) R-1 CS Subdistrict as in R-1 District.

C. Accessory used shall be as follows:

(1) R-1 District:

(a) Accessory garages.
(b) Home occupations.
(c) Signs. See 196-31.
(d) Other uses customarily incident to principal permitted uses and on the same lot.

(2) R-1 (E) Subdistrict: accessory uses customarily incident to principal uses within the subdistrict.

(3) R-1 (CS) Subdistrict: accessory uses customarily incident to principal uses within the subdistrict.

D. Conditional uses shall be as follows:

(1) R-1 District:

(a) Bars.
(b) Clubs.
(c) Educational uses not otherwise mentioned.
(d) Essential utilities or public services.
(e) Funeral homes.
(f) Instructional uses.
(g) Clinics and nursing homes.
(h) Nursery schools.
(i) Office buildings.
(j) Places of worship, associated residences and schools.
(k) Public buildings and uses, such as schools, libraries, parks and playgrounds.
(l) Professional or business offices, other than home occupations, when located above street level.
(m) Public parking facilities.
(n) Restaurants.

(o) Sidewalk cafes.

(p) Accessory uses customarily incident to a principal permitted use but not on the same lot.

(2) R- (E) Subdistrict.

   (a) Auditoriums and lecture halls with one hundred (100) or more seats.

   (b) Hospitals or health clinics.

   (c) Physical plant, facilities maintenance and other similar buildings.

   (d) Scientific or research laboratories and offices of corporations, institutions and other agencies, including governmental entities; such facilities may be accessory, public or a combination of both. Facilities for more than (5) vehicles will be subject to Sections 196-26 and 196-38R.

(3) R-1 (CS) Subdistrict:

   (a) Accessory apartments.

   (b) Other uses as in the R-1 District.

E. Area, yard and building requirements for principal and accessory buildings shall be as follows:

  (1) Lot area, minimum:

      (a) R-1 District: two thousand (2,000 square feet).

      (b) R-1 (E) Subdistrict: two thousand (2,000 square feet).

      (c) R-1 (CS) Subdistrict: two thousand square feet.

  (2) Lot width, minimum:

      (a) R-1 District: twenty (20) feet.

      (b) R-1 (E) Subdistrict: twenty (20) feet.

      (c) R-1 (CS) Subdistrict: twenty (20) feet.

  (3) Lot depth, minimum:

      (a) R-1 District: one hundred (100) feet.

      (b) R-1 (E) Subdistrict: one hundred (100) feet.

      (c) R-1 (CS) Subdistrict: one hundred (100) feet.

  (4) Lot coverage, maximum:
(a) R-1 District: sixty percent (60%).

(b) R-1 (E) Subdistrict: fifty percent (50%).

(c) R-1 (CS) Subdistrict:

[1] For principal building, sixty percent (60%).

[2] For accessory building, twenty percent (20%) or four hundred (400) square feet, but in no event shall the distance between principal and accessory buildings be less than twenty (20) feet.

(5) Building height:

(a) R-1 District principal buildings, a maximum of four (4) stories and in no event more than forty (40) feet above base flood elevation. Where new building occupies no more than fifty feet of frontage between two existing adjacent principal buildings whose height is lower than the maximum permitted for the district, the new structure shall match the height of the two buildings. Where the adjacent buildings are higher than the maximum permitted for the district, the new structure may match the lower of the two buildings. Final height in such a case includes any front parapet.

(b) R-1(E) Subdistrict: a maximum of four (4) stories or forty (40) feet for buildings within two hundred (200) feet of any residential district. Otherwise, a maximum of ten (10) stories or one hundred (100) feet.

(c) R-1(CS) Subdistrict: two thousand (2,000) square feet.

[1] For principal building, as in R-1 District.

[2] For accessory building, one (1) residential story over accessory garage, total height not to exceed thirty (30) feet.

(6) Yard dimension, minimum:

(a) R-1 District:

[1] Front: prevailing setback where applicable; otherwise, a maximum of ten (10) feet.

[2] Rear: thirty (30) feet or thirty percent (30%) of lot depth, whichever is less. In no event shall the rear building wall of extension, enlargement or new construction be permitted at at depth greater than seventy (70) feet from the front lot line.

[3] Side: zero (0) or five (5) feet.
(b) R-1 Subdistrict:

[1] Front: prevailing setback where applicable; otherwise a minimum of ten (10) feet.


[3] Side: zero (0) or five (5) feet.

(c) R-1 (CS) Subdistrict: see lot coverage.

(7) Other regulations in the R-1(E) Subdistrict:

(a) Distance between buildings, minimum: twenty-five (25) feet, plus one (1) foot for each foot of height that the taller building exceeds twenty five (25) feet.

(b) Building length, maximum: two hundred (200) feet. Vertical demarcations shall be required no less than every fifty (50) linear feet of building façade; these may be achieved by a change of color or material, by a stack of bay windows or balconies, or by a vertical “line” created by a variation in the surface of the façade (minimum variation of eight (8) inches). Additional vertical demarcations shall required no less than every one hundred (100) linear feet of building façade, which shall be achieved by a variation in the façade not less than four (4) feet in depth.

(c) Open space ratio, fifty percent (50%). On properties with an area of greater than (1) acre, open space shall be dispersed throughout the property to provide relief to all areas of the entire property and nearby areas.

(d) Buffer, minimum: a minimum twenty (20) foot wide planted and screened area shall be provided adjacent to any property line of a residential district or use.

F. Off-street parking shall be as follows:

(1) R-1 District:

(a) None permitted or required for residential use either new or existing. Where such use is located within eight hundred (800) feet of a public parking facility, the parking requirement shall be satisfied through participation in the Park & Shop program (or its successor or equivalent program) or other contractual arrangement with the parking operator. See Article XI.

(2) R-1(E) Subdistrict.

(a) For all dormitories or sorority or fraternity houses, at least one (1) off-street parking space for each two (2) beds. For all other residential uses, at least (1) parking space per dwelling unit.
(b) For theaters, auditoriums and other similar places of Assembly, at least (one (1) off-street parking space for every five (5) seats.

(c) For all other structures in the subdistrict, exclusive of space for every one thousand (1,000) square feet of floor area.

(d) The requirements of this subsection may be complied with by group parking facilities provided within the subdistrict or on space owned or leased for such purpose in other non-residential districts. Required parking spaces shall be provided for each individual building or use and may not be credited to more than one building or use. Required parking spaces shall be provided for each individual building or use and may not be credited to more than one building or use. Required parking spaces for each building or use shall be provided before issuance of a certificate of occupancy.

(e) In the case of a combination of uses in one building, the Off-street parking requirement shall consist of the sum of the spaces required for each individual use.

(3) R-1 (CS) Subdistrict:

(a) For principal buildings, as in the R-1 District.

(b) For accessory apartments, one (1) off-street parking space in on-site garage below.

G. Building facades in the R-1(E) Subdistrict:

(1) Purpose. The purpose of this section is to encourage development of buildings located adjacent to residential zones to be sympathetic to and compatible with the adjacent neighborhood.

(2) Application.

(a) This subsection shall apply to the façade of any building in the R-1(E) Subdistrict that is located within one hundred (100) feet of a residential of a residential district.

(b) Terminology. The word “façade” as used in this section refers to the building wall facing the street. In most instances, this will be the only front wall. In the case of a corner building, the regulations apply to both building walls facing the street.

(3) Materials.

(a) To be used at least seventy-five percent (75%) of the building façade:


[2] Stone (e.g., brownstone, limestone, sandstone).
(b) To be limited to less than twenty-five percent (25%) of the building Façade:


[2] Synthetic stucco systems or exterior insulation and finish systems.


(4) Articulation. Variation in the surface is to be achieved with a combination of some or all of the following features: bay windows, balconies, stoops, and vertical and/or horizontal demarcations as outlined below:

(a) Vertical articulation: vertical demarcations shall be required no less than every fifty (50) linear feet of street façade; these may be achieved by a change of color or material, by a stack of bay windows or balconies, or by a vertical “line” created by a variation in the surface of the façade (minimum variation of eight (8) inches). Additional vertical demarcations shall required no less than every one hundred (100) linear feet of street façade, which shall be achieved by a variation in the façade not less than four (4) feet in depth.

(b) Horizontal articulation: horizontal demarcations shall be required for building taller than four (4) stories; these may be achieved by such elements as a cornice line, a course of brick or stone which projects or is differently colored or differently laid, or a floor (such as the ground floor) which has a different material from that of the main façade.

(5) Fenestration.

(a) All windows shall be inset in the masonry opening a minimum of (3 inches and shall be operable (i.e., ribbon windows and extensive glazing such as curtain wall construction shall not be permitted.)

(b) The pattern or rhythm of fenestration shall be similar to that of the Residential buildings on the balance of the same or opposite blockface to the greatest extent possible.

(c) Glazing shall represent at least forty-five percent (45%) of the total façade area.

(d) Garage openings and service areas shall not be permitted along any façade as defined in 196-14 g(2).

H. Sound and lighting standards in the R-1(E) Subdistrict:

(1) The use of loudspeakers or other public address systems shall be Prohibited between 10:00PM and 10:00AM.

(2) Sports lighting for lighted athletic fields may only be used during scheduled games of intercollegiate athletic teams or intramural activities. Any sports lighting shall be set back at least 100 feet from a property line adjacent to a residential district. Lighted athletic fields
shall not be illuminated between 10:00 PM and 10:00 AM. Necessary security lighting for such fields may be provided by light fixtures mounted at a height of not more than twenty (20) feet above ground.

2. Chapter 196, section 38 is hereby amended by adding the following subsection:

W. Conditional uses in the R-19E) Subdistrict. Any part of any building or facility containing, auditoriums and lecture halls with one hundred (100) or more seats, non-university laboratories and offices, physical plant, facilities maintenance and other similar buildings and parking facilities shall be located at least one hundred (100) feet from any property line adjacent to a residential district.

3. There are no further amendments to this Chapter.

4. In the event that any provision of this Ordinance shall be declared invalid by any court of competent jurisdiction, such declaration of invalidity shall not affect the remaining provisions of this Ordinance except insofar as such provision of this Ordinance as if declared invalid shall be inseparable from the remainder of any provision thereof.

5. Any ordinances which are in conflict with or inconsistent with the terms of this Ordinance are hereby repealed to the extent that they are in conflict with or inconsistent with the terms of this Ordinance.

6. This Ordinance shall take effect as provided by law.

---Council President Soares moved that the ordinance pass its first reading as read and be laid on the table for public inspection to be further considered for final passage at a meeting of the Council to be held on OCTOBER 17, 2001 at 7:00 PM.

---Motion duly seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

All regular business concluded the following members of the public spoke at the “Public Portion” of the meeting: Michele Russo of 10 Church Towers; Robert McGill of 112 Elm Avenue, Hackensack, NJ, President of the Hoboken Motorcycle Club; Helen Hirsch of 98 Park Avenue; Alan Cohen of 551 Observer Highway; Raul Morales of 1302 Washington Street; Fran Sacks of 77 River Street.

President Soares then adjourned the meeting at 7:30 p.m.
President Soares opened the meeting at 7:02 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 furnished to The Jersey Journal and The Hoboken Reporter, The Bergen Record, The Newark Star - Ledger and also placed on the bulletin board in the lobby of City Hall."

The Council President then called for the Salute to the Flag.

The Clerk then called the roll:

PRESENT: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, and President Soares.

ABSENT: Ramos.

HEARING ON ORDINANCES

Second Reading and Public Hearing


The above Ordinance was continued to the October 17, 2001 City Council meeting, to allow sufficient time for legal advertising in The Jersey Journal newspaper.

ORDINANCE OF THE CITY OF HOBOKEN AMENDING CHAPTER 196 (ZONING) OF THE CODE OF THE CITY OF HOBOKEN, ARTICLE V, SCHEDULE I: RESIDENTIAL DISTRICTS TO AMEND CERTAIN REGULATIONS OF THE R-1 (E) EDUCATIONAL SUBDISTRICT AND TO AMEND ARTICLE X, CONDITIONAL USES.

The above Ordinance was continued to the October 17, 2001 City Council meeting, to allow sufficient time for legal advertising in The Jersey Journal newspaper.
PETITIONS AND COMMUNICATIONS

01-136
A communication from Mayor David Roberts, as a veto to Ordinance DR-12 entitled “ORDINANCE AMENDING AND SUPPLÉMÉNTER PART II, GENERAL LEGISLATION, OF THE “CODE OF THE CITY OF HOBOKEN” BY ADDING A NEW CHAPTER 147 ENTITLED MOBILE TELEPHONES”.

--Received and filed.

01-137

WHEREAS, October 2001 is National Breast Cancer Awareness Month; and

WHEREAS, October 19, 2001 is National Mammography Day; and

WHEREAS, an estimated 192,200 new cases of female breast cancer will be diagnosed in 2001 and 40,200 will die of the disease; and

WHEREAS, an estimated 1,500 new cases of male breast cancer will be diagnosed in 2001 and 400 die of the disease; and

WHEREAS, early detection and prompt treatment can significantly reduce suffering and deaths caused by this disease; and

WHEREAS, mammography, an “x-ray” of the breast, is recognized as the single most effective method of detecting breast changes that may be cancer long before physical symptoms can be seen or felt; and

WHEREAS, a number of events and activities are being planned to increase awareness and foster breast cancer prevention –

- On Tuesday, October 9th at 10:30am the Senior Citizen and Handicapped Services Program at the Multi-Service Center, 124 Grand Street, Senior Citizen Dining Room, will sponsor a Breast cancer Awareness Presentation to be made by a representative from Hoboken Family Planning Clinic.
- On Tuesday, October 23rd, at 5:30pm the Hoboken Public Library, 500 Park Avenue, will provide an informational workshop on resources for finding useful and reliable information about breast cancer, using the Internet, electronic databases and other sources available at your local public library.
- A variety of Breast Cancer Awareness and Prevention packets/informational materials will be available for the public on National Mammography Day, Friday, October 19th at the following locations:

  Hoboken Public Library, 500 Park Avenue, 1st Floor  
  Hoboken City Hall, 94 Washington St., 3rd Floor, Office of the Health Officer  
  Hoboken Health Department Clinic Services, 124 Grand St., 2nd Floor

- Hoboken resident may obtain a Free Breast and PAP Exam by call the Hoboken H Department Clinic at 201-610-9472 and scheduling an appointment.

NOW, THEREFORE, I, David Roberts, Mayor of the City of Hoboken, do hereby proclaim the month of October 2001 as NATIONAL BREAST CANCER AWARENESS MONTH and October 1st NATIONAL MAMMOGRAPHY DAY in the City of Hoboken.

--Received and filed.
-01-138

APPLICATIONS FOR MISCELLANEOUS LICENSES

| Public Hack Drivers                                      | 7 |
| Vendors                                                  | 1 |
| Mechanical Amusement Devices                             | 2 |

---Councilman Del Boccio moved that the licenses be granted.
---Motion duly seconded by Councilwoman Andreula.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, and President Soares.
---Nays: None.
---Absent: Ramos.

REPORTS OF CITY OFFICERS

01-139
A report of Municipal Clerk James J. Farina indicating bids received on September 24, 2001 for Motorcycles (2) for the H.P.D.; bid #02-01.

---Received and filed.

01-140
A report from Municipal Tax Collector Louis Picardo for taxes collected; for the month ending September 30, 2001 - $951,912.40

---Received and filed.

CLAIM RESOLUTIONS

01-141
By Councilman Del Boccio:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $112,869.71 against the UNCLASSIFIED CLAIMS.

Seconded by Councilwoman Andreula.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, and President Soares.
---Nays: None.
---Absent: Ramos.

By Councilman Del Boccio:
RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $126,190.63 against the DEPARTMENT OF ADMINISTRATION.

Seconded by Councilwoman Andreula.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, and President Soares.
---Nays: None.
---Absent: Ramos.

By Councilwoman Marsh:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $405,945.78 against the DEPARTMENT OF ENVIRONMENTAL SERVICES.

Seconded by Councilman Cricco.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, and President Soares.
---Nays: None.
---Absent: Ramos.

By Councilman Giacchi:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $33,353.65 against the DEPARTMENT OF HUMAN SERVICES.

Seconded by Councilman Cricco.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, and President Soares.
---Nays: None.
---Absent: Ramos.

PAYROLL RESOLUTIONS

01-142
By Councilman Del Boccio:

RESOLVED, THAT WARRANTS DRAWN ON THE CITY TREASURER, TO THE ORDER OF THE CITY TREASURER, IN PAYMENT OF SERVICES OF OFFICERS AND EMPLOYEES OF THE CITY OF HOBOKEN, FOR THE PERIOD AUGUST 30, 2001 TO SEPTEMBER 12, 2001 FOR THE PAYROLL ARE HEREBY RATIFIED IN THE FOLLOWING AMOUNTS:

<table>
<thead>
<tr>
<th>Department</th>
<th>Account Num.</th>
<th>Regular Pay</th>
<th>Overtime</th>
<th>Other Pay</th>
<th>Total Pay</th>
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</table>

Meeting of October 3, 2001
<table>
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<th></th>
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<tbody>
<tr>
<td>Mayor's Office</td>
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<td>Elections</td>
<td>1-01-20-122</td>
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<td>Corporation Counsel</td>
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<td>Payroll Division</td>
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Meeting of October 3, 2001
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<th>Department</th>
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<td>Historic Preservation</td>
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<td>Human Service Direct.</td>
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<td>Board of Health</td>
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<td>Rent &amp; Stabilization Bd</td>
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<td>26,109.96</td>
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<td>DDEF</td>
<td>0-01-55-901</td>
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<td><strong>Sub-Total</strong></td>
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<td>1,081,275.98</td>
<td>33,348.65</td>
<td>9,524.94</td>
<td>1,124,149.57</td>
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<td><strong>Other</strong></td>
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<td>Water Utility</td>
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<td>2,228.80</td>
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<td>2,395.96</td>
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Meeting of October 3, 2001
Police Outside Employ.  T-14-10-000-000  11,327.50  11,327.50

Police Grant.

Summer Lunch Progrm  G-02-40-302-000

**Grand Total**  
1,083,504.78  33,515.81  20,852.44  1,137,873.03

Motion by Councilman Del Boccio.  
Seconded by Councilwoman Andreula.  
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1  
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, and President Soares.  
---Nays: None.  
---Absent: Ramos.

---RESOLUTIONS---

**Presented and Read**

**01-143**  
---By Councilman Del Boccio:

WHEREAS, a summons was issued for a motor vehicle violation to the following individuals; and

WHEREAS, said motor vehicle(s) were towed away the expense of the owner; and

WHEREAS, the Municipal Judge found the defendants not guilty and the defendants are entitled to reimbursement of the towing charges and storage fees;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Hoboken that warrants be drawn on the City Treasurer to the order of the following sums opposite their respective names as reimbursement of towing charges:

<table>
<thead>
<tr>
<th>Name/Address</th>
<th>Summons Date</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mrs. Maria Perfetto 405 First St. Apt. 5</td>
<td>05/2/01</td>
<td>$42.40</td>
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<tr>
<td>Hoboken, NJ 07030 114094</td>
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<tr>
<td>Mr. Joseph Betancourt 1216 Central Avenue</td>
<td>4/21/01</td>
<td>$75.00</td>
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<tr>
<td>Union City, NJ 07087 109375</td>
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<tr>
<td>Ms. Marie Perfetto 405 First St. Apt. 5</td>
<td>05/02/01</td>
<td>$96.20</td>
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<td>Hoboken, NJ 07030</td>
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</tr>
<tr>
<td>Ms. Christina Hancox 5 Marine View Plz, Apt. 11G</td>
<td>01/13/01</td>
<td>$75.00</td>
</tr>
<tr>
<td>Hoboken, NJ 07030 0904441</td>
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Total: $192.40
---Motion duly seconded by Councilwoman Andreula.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, and President Soares.
---Nays: None.
---Absent: Ramos.

01-144
---By Councilman Del Boccio:

WHEREAS, this proposal did not meet the requirements of the Public Bid specifications of the Administration, and,

WHEREAS, the Purchasing Agents recommends the rejection of this bid, now, therefore, be it

RESOLVED, that the proposal for the supply of two (2) Harley-Davidson Police motorcycles submitted by the firm of Mike's Famous Harley-Davidson, 2160 New Castle Avenue, New Castle, Delaware, 19720, is hereby rejected, and, be it further

RESOLVED, that the Administration of the City of Hoboken, be, and is hereby, authorized to re-advertise for these goods and/or services.

---Motion duly seconded by Councilwoman Andreula.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, and President Soares.
---Nays: None.
---Absent: Ramos.

01-145
---By Councilman Del Boccio:

WHEREAS, N.J.S.A. 40A:4-20 provides for the creation of an emergency temporary appropriation whereby an emergent condition arises with respect to appropriations needed to pay claims until an official budget is adopted and sufficient provision has not been made in the fiscal year 2002 temporary appropriations for the aforesaid purpose, and

WHEREAS, temporary appropriations and total emergency temporary resolutions adopted in the fiscal year 2002 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A:4-20 including this resolution total $15,804,318.70 (an increase of 602,000 over the September 19, 2001 Emergency Temporary Resolution).

NOW THEREFORE BE IT RESOLVED by the Council of the City of Hoboken that in accordance with the provisions of N.J.S.A. 40A: 4-20;

1. Emergency temporary appropriations be and the same is hereby made for the below listed appropriations in the amounts noted.

(SEE ATTACHED)

2. That said emergency temporary appropriations will be provided for in the fiscal year 2002 budget under their respective titles.
3. That one certified copy of this resolution be filed with the Director of Local Government Services.

<table>
<thead>
<tr>
<th>Account Description</th>
<th>Account No.</th>
<th>FROM</th>
<th>To</th>
</tr>
</thead>
</table>

Meeting of October 3, 2001
<table>
<thead>
<tr>
<th><strong>Mayor’s Office</strong></th>
<th><strong>Salaries &amp; Wages</strong></th>
<th><strong>Expenses</strong></th>
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<tbody>
<tr>
<td>20-110-1</td>
<td>89,225.00</td>
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<tr>
<td>20-110-2</td>
<td>27,375.00</td>
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**City Council**

| **20-111-1**     | 47,250.00           | 47,250.00   |
| 20-111-2         | 1,250.00            | 1,250.00    |

**Elections**

| **20-122-1**     | 9,500.00            | 9,500.00    |
| 20-122-2         | 20,000.00           | 20,000.00   |

**Assessor’s Office**

| **20-150-1**     | 62,300.00           | 62,300.00   |
| 20-150-2         | 2,750.00            | 2,750.00    |

**Alcoholic Beverages Control Bd.**

| **20-113-1**     | 1,900.00            | 1,900.00    |
| 20-113-2         | 10,000.00           | 10,000.00   |

**Volunteer Ambulance Control Corp. of NJ-40.5-2**

| **25-260-2**     | 35,000.00           | 35,000.00   |

**Purchasing Division**

| **20-114-1**     | 43,500.00           | 43,500.00   |
| 20-114-2         | 2,750.00            | 2,750.00    |

**Grants Management**

| **20-116-1**     | 53,014.00           | 53,014.00   |
| 20-116-2         | 500.00              | 500.00      |

**Personnel Division**

| **20-105-1**     | 25,400.00           | 25,400.00   |
| 20-105-2         | 500.00              | 500.00      |

**Finance Supervisor’s Office**

| **20-130-1**     | 59,000.00           | 59,000.00   |
| 20-130-2         | 7,000.00            | 7,000.00    |

**Collection of Taxes**

| **20-145-1**     | 60,860.00           | 60,850.00   |
| 20-145-2         | 13,750.00           | 13,750.00   |

**Accounts & Controls**

| **20-131-1**     | 53,250.00           | 53,250.00   |
| 20-131-2         | 1,500.00            | 1,500.00    |

**Audit**

| **20-135-2**     | 25,000.00           | 25,000.00   |

**Payroll Dept.**

| **20-132-1**     | 29,200.00           | 29,200.00   |
| 20-132-2         | 1,000.00            | 1,000.00    |

**Corporation Counsel**

| **20-155-1**     | 67,000.00           | 67,000.00   |
| 20-155-2         | 103,325.00          | 103,325.00  |
| **20-156-2**     | 54,775.00           | 104,775.00  |
| **20-157-2**     | 26,050.00           | 46,050.00   |

**Police Division**

| **25-241-1**     | 3,035,856.75        | 3,035,856.75|
| 25-241-2         | 101,847.04          | 101,847.04  |

**Fire Division**

| **25-266-1**     | 2,714,973.00        | 2,714,973.00|
| 25-266-2         | 48,500.00           | 73,500.00   |

**Uniform Fire Safety**

<p>| <strong>25-265-2</strong>     | 15,250.00           | 15,250.00   |</p>
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<th>Other Expenses</th>
<th>Towing &amp; Storage of Abandoned Veh.</th>
<th>Code</th>
<th>Salary &amp; Wages</th>
<th>Other Expenses</th>
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<td>26-290-2</td>
<td>5,250.00</td>
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<td><strong>Recreation</strong></td>
<td>26-291-1</td>
<td>2,625.00</td>
<td>2,625.00</td>
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<td>26-291-2</td>
<td>33,150.00</td>
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<td><strong>Parks &amp; Public Property</strong></td>
<td>26-295-1</td>
<td>300,571.24</td>
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<td>26-295-2</td>
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<td><strong>Central Garage</strong></td>
<td>26-296-1</td>
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<td>26-296-2</td>
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<td><strong>Streets &amp; Roads</strong></td>
<td>26-297-1</td>
<td>2,625.00</td>
<td>2,625.00</td>
<td></td>
<td>26-297-2</td>
<td>33,150.00</td>
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<td><strong>Solid Waste Collection</strong></td>
<td>26-298-1</td>
<td>350,000.00</td>
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<td>26-298-2</td>
<td>1,137,500.00</td>
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<td><strong>Transportation</strong></td>
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<td>37,596.00</td>
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<td>26-299-2</td>
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<td>26-300-2</td>
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<td><strong>Unclassified</strong></td>
<td>23-211-2</td>
<td>27,500.00</td>
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<td>23-211-2</td>
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<td>5,000.00</td>
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<td>23-212-2</td>
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<td>Municipal Dues &amp; Membership</td>
<td>23-220-2</td>
<td>1,575,000.00</td>
<td>1,575,000.00</td>
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<td>23-220-2</td>
<td>1,575,000.00</td>
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<tr>
<td>Group Health Insurance</td>
<td>23-221-2</td>
<td>43,750.00</td>
<td>43,750.00</td>
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<td>23-221-2</td>
<td>43,750.00</td>
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Meeting of October 3, 2001
<table>
<thead>
<tr>
<th>Description</th>
<th>Code</th>
<th>Amount 1</th>
<th>Amount 2</th>
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<tbody>
<tr>
<td>Labor Arbitration</td>
<td>23-214-2</td>
<td>4,000.00</td>
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<tr>
<td>Celebration/Memorial (40:48-5.4)</td>
<td>23-215-2</td>
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<tr>
<td>Office Machine Maintenance</td>
<td>23-216-2</td>
<td>375.00</td>
<td>375.00</td>
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<tr>
<td>Stationary &amp; Office Supplies</td>
<td>23-217-2</td>
<td>3,500.00</td>
<td>3,500.00</td>
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<tr>
<td>Financial Consulting Services</td>
<td>23-226-2</td>
<td>12,500.00</td>
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<td>Settlement of Claims Against the City</td>
<td>23-219-2</td>
<td>50,000.00</td>
<td>50,000.00</td>
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<tr>
<td>NJ Right to Know</td>
<td>23-220-2</td>
<td>25.00</td>
<td>25.00</td>
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<tr>
<td>N. Hudson Council of Mayors</td>
<td>23-221-2</td>
<td>28,400.00</td>
<td>28,400.00</td>
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<tr>
<td>Utilities-Gasoline</td>
<td>31-460-0</td>
<td>32,375.00</td>
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<td>Utilities-Fuel Oil</td>
<td>31-447-0</td>
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<td>3,800.00</td>
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<td>Utilities-Electricity</td>
<td>31-430-0</td>
<td>64,750.00</td>
<td>64,750.00</td>
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<td>Utilities-Telephone Telegraph</td>
<td>31-440-0</td>
<td>42,500.00</td>
<td>67,500.00</td>
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<td>Utilities-Street Lighting</td>
<td>31-435-0</td>
<td>163,500.00</td>
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<td>Utilities-Water &amp; Sewer Charges</td>
<td>31-445-0</td>
<td>4,250.00</td>
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<td>Telecommunications</td>
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<td>2,500.00</td>
<td>5,500.00</td>
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<td>Engineering</td>
<td>31-461-0</td>
<td>4,000.00</td>
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<td>Post-Retirement Benefits</td>
<td>31-477-0</td>
<td>25.00</td>
<td>25.00</td>
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<td>Prior Year Bills</td>
<td>30-410-0</td>
<td>3,315.00</td>
<td>3,315.00</td>
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<tr>
<td><strong>Zoning Officer- Administration</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Salary &amp; Wages</td>
<td>21-186-1</td>
<td>54,250.00</td>
<td>54,250.00</td>
</tr>
<tr>
<td>Other Expenses</td>
<td>21-186-2</td>
<td>950.00</td>
<td>950.00</td>
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<td><strong>Planning Board</strong></td>
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<td></td>
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<tr>
<td>Salary &amp; Wages</td>
<td>21-180-1</td>
<td>3,675.00</td>
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<td>Other Expenses</td>
<td>21-180-2</td>
<td>21,725.00</td>
<td>21,725.00</td>
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<td><strong>Zoning Board of Adjustment</strong></td>
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<tr>
<td>Salary &amp; Wages</td>
<td>21-185-1</td>
<td>13,750.00</td>
<td>13,750.00</td>
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<tr>
<td>Other Expenses</td>
<td>21-185-2</td>
<td>5,250.00</td>
<td>5,250.00</td>
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<td><strong>Insurance</strong></td>
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<td>Other Expenses</td>
<td>23-210-2</td>
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<tr>
<td><strong>Historic Preservation Committee</strong></td>
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<tr>
<td>Salary &amp; Wages</td>
<td>20-175-1</td>
<td>125.00</td>
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<td>Other Expenses</td>
<td>20-175-2</td>
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<td>Waterfront Development</td>
<td>31-462-0</td>
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<td>21,250.00</td>
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<td><strong>Maintenance of Lands for Recreation and Conservation in connection with SJP</strong></td>
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<tr>
<td>Salary &amp; Wages</td>
<td>28-376-1</td>
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<tr>
<td>Other Expenses</td>
<td>28-376-2</td>
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<td><strong>Uniform Construction Code</strong></td>
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<tr>
<td>Salary &amp; Wages</td>
<td>22-195-1</td>
<td>164,025.00</td>
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<tr>
<td>Other Expenses</td>
<td>22-195-2</td>
<td>25,000.00</td>
<td>25,000.00</td>
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<td>(2) STATUTORY EXPENDITURES</td>
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<tr>
<td>Public Employees Retirement System</td>
<td>36-471</td>
<td>13,175.00</td>
<td>13,175.00</td>
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<td>Social Security System (O.A.S.I.)</td>
<td>36-472</td>
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<td>Consolidated Police &amp; Firemen's Pension Fund</td>
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<td>Police &amp; Firemen's Retirement System of NJ</td>
<td>36-475</td>
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<td>Police &amp; Fire Widow Pension</td>
<td>36-476</td>
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<td>Workers Compensation Insurance</td>
<td>23-215</td>
<td>90,000.00</td>
<td>90,000.00</td>
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<td>Unemployment Compensation</td>
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<td><strong>Municipal Court</strong></td>
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<td>Salary &amp; Wages</td>
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<td>Other Expenses</td>
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<td>23,750.00</td>
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<td><strong>Public Defender</strong></td>
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<tr>
<td>Salaries &amp; Wages</td>
<td>43-495-1</td>
<td>23,750.00</td>
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<tr>
<td>Other Expenses</td>
<td>43-495-2</td>
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<tr>
<td><strong>Public Library</strong></td>
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</table>

Meeting of October 3, 2001  12
Salaries & Wages 29-390-1 151,000.00 151,000.00
Other Expenses 29-390-2 65,750.00 65,750.00

(D) Municipal Debt Service-Excluded from “CAPS”
Payment of Bond Principal 45-920 71,000.00 71,000.00
Pymt. Of Bond Anticipation Notes & Capital Notes 45-925 177,750.00 177,750.00
Interest on Bonds 45-930 537,106.38 537,106.38
Interest on Notes 45-935 22,663.13 22,663.13

Green Trust Loan Program
Loan Repayments for Principal & Interest 45-940 53,591.16 53,591.16
Interest on Tax Anticipation Notes 45-942 109,700.00 249,700.00
Payment of Bond Principal 48-920 37,250.00 37,250.00
Interest on Bonds 48-930 3,029.13 3,029.13

TOTAL 15,202,318.70 15,804,318.70

---Motion duly seconded by Councilwoman Andreula.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, and President Soares.
---Nays: None.
---Absent: Ramos.

01-146
---By Councilman Giacchi:

WHEREAS, each year the Department of Human Services applies to the Hudson County Office of Aging, Department of Health and Human Services, for funding for Hoboken’s Comprehensive Program for the Elderly; and

WHEREAS, the Office on Aging has notified the City of Hoboken that Hoboken’s allocation of the Family Caregiver Funds under the Older American’s Act for the balance of 2001, beginning September 1, 2001, and ending December 31, 2001, has been increased; and

WHEREAS, we have been notified that the family caregiver allocation is now $12,500; respite housekeeping, adult day medical and Alzheimer allocation is $10,500 and chore services to persons with 1ADL has been allocated at $2,000; and

WHEREAS, the City of Hoboken upon acceptance of this allocation will take into consideration the assignment of a social worker to assist with the delivery of services under the Family Caregiving and JACC services for the balance of 2001; and

WHEREAS, the City of Hoboken agrees to participate in this program by using our JACC revenue as a local public match in the Family Caregiver contract; now, therefore be it –

RESOLVED, that the Mayor is hereby authorized and directed to:

• Submit the completed Family Caregiver contract.
• Provide additional information as may be required.
• Act as authorized correspondent of the City of Hoboken.
• The Mayor of the City of Hoboken is hereby authorized to execute the above stated contract and attested by the City Clerk.
BE IT FURTHER RESOLVED, that a copy of this resolution shall be published by the City Clerk and the City Clerk shall keep a copy of the contract on file in accordance with N.J.S.A. 40A:11-1 et. seq.

---Motion duly seconded by Councilman Cricco.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, and President Soares.
---Nays: None.
---Absent: Ramos.

01-147
---By Councilman Del Boccio:

WHEREAS, the City of Hoboken is a recipient of a FY2001 Local Law Enforcement Block Grant No. 2001-LB-BX-1971 received from the United States Department of Justice in the amount of $35,887.00 with a local match of funds in the amount of $3,987.00 for a total of $39,874.00; and

WHEREAS, the Police Division, together with the Advisory Board for this Grant, shall propose that items to support law enforcement be purchased with this grant such as: innovative technology and other police related equipment; now, therefore, be it –

RESOLVED, that the Mayor and Council of the City of Hoboken have reviewed the proposed submitted by the Police Division and allowed for public comment, and hereby assent to the purchases subject to a final review and approval by the Mayor and Business Administrator and that said purchases are in conformance with the New Jersey Local Public Contracts Law.

---Motion duly seconded by Councilwoman Andreula.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, and President Soares.
---Nays: None.
---Absent: Ramos.

01-148
---By Councilman Del Boccio:

WHEREAS, pursuant to the resolution of the Council of the City of Hoboken, a City auction was held on 24 September 2001 in the City Clerk’s Office in City Hall, and,

WHEREAS, one bid was received during the auction for the bulk sale of nineteen (19) abandoned vehicles in the amount of Nine Hundred Fifty Dollars ($950.00), and,

WHEREAS, said bidder, Hoboken Auto Body, Inc., tendered its’ check for the said abandoned vehicles and their respective titles, said check being deposited in the City bank account, therefore, be it

RESOLVED, that the City Council of Hoboken hereby ratifies and approves said transaction.

---Motion duly seconded by Councilwoman Andreula.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, and President Soares.
---Nays: None.
---Absent: Ramos.
**01-149**

---By Councilman Del Boccio:

WHEREAS, Louis P. Picardo, Collector of Revenue by his letter hereto attached and made a part hereof, recommends that refunds be made; now, therefore, be it –

RESOLVED, that a warrant be drawn on the City Treasurer to the order of the following taxpayer in the sum opposite their respective name, totaling $2,942.64 representing overpayment of taxes:

<table>
<thead>
<tr>
<th>NAME</th>
<th>BLOCK</th>
<th>LOT/UNIT</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mahendra N. Chokshi</td>
<td>183</td>
<td>17-C001R</td>
<td>$994.08</td>
</tr>
<tr>
<td>915 Park Ave. Unit 2</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hoboken, NJ 07030</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Kimberly Backus</td>
<td>18</td>
<td>20 C001R</td>
<td>958.46</td>
</tr>
<tr>
<td>18 Ringwood Avenue</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Pompton Lakes, NJ 07442</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tranamerican Finance Corp.</td>
<td>21</td>
<td>1 C007H</td>
<td>990.10</td>
</tr>
<tr>
<td>1201 Elm St. Suite 400</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dallas, Texas 75270</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Attn: Nicole Lazard</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Contract #010 6009155</td>
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---Motion duly seconded by Councilwoman Andreula.

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

---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, and President Soares.

---Nays: None.

---Absent: Ramos.

**01-150**

---By Councilman Del Boccio:

WHEREAS, an overpayment of taxes has been made on the properties on appearing on the list attached hereto, and

WHEREAS, tax appeals were filed by the property owners; and

WHEREAS, tax counsel recommends a settlement in these matters, as reached in court; therefore, be it -

RESOLVED, that a warrant be drawn on the City Treasurer made payable to the taxpayers appearing on the attached list totaling $27,694.41.

---Motion duly seconded by Councilwoman Andreula.

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

---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, and President Soares.

---Nays: None.
---Absent: Ramos.

01-151
---By Councilman Del Boccio:

WHEREAS, Section 97-3.h of the Hoboken City Code allows the City Council to waive certain requirements of Chapter 97 of the Hoboken City Code if it determines that strict compliance with such limitations will pose an unreasonable burden upon the applicant; and

WHEREAS, the Business Administrator has reviewed the film permit application and recommends the reimbursement of the permit fee of $350 to Daniel Nemet-Nejat, who filmed footage as part of his academic curriculum.

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Hoboken that the film permit fee by Daniel Nemet-Nejat is reimbursed

---Motion duly seconded by Councilwoman Andreula.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, and President Soares.
---Nays: None.
---Absent: Ramos.

01-152
---By Councilman Del Boccio:

WHEREAS, the City of Hoboken has received an invitation from the New Jersey department of Community Affairs, Office of Recreation to participate in a grant completion, “Safe Kids Playground Initiative”, to make needed safety improvements for the elimination of playground hazards; and

WHEREAS, the City wishes to participate in the aforementioned grant competition and submit application; now therefore –

BE IT RESOLVED, that the Mayor or Business Administrator of the City of Hoboken be hereby authorized on behalf of the City of Hoboken to:

1. Execute and submit an application to the New Jersey Department of Community Affairs, Office of Recreation under the “Safe Kids Playground Initiative”;

2. Furnish such documents as may be required;

3. Act as the authorized correspondent of the City of Hoboken.

---Motion duly seconded by Councilwoman Andreula.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, and President Soares.
---Nays: None.
---Absent: Ramos.
01-153
---By Councilman Del Boccio:

WHEREAS, the City of Hoboken authorizes the Finance Office to establish an account at the Trust Company of NJ that shall be called the Hoboken September 11 Memorial Fund; and

WHEREAS, the monies raised for this account will be for the purpose of establishing a memorial to honor the Hoboken victims of the World Trade Center tragedy or any other expenses related to this cause as may be deemed necessary.

NOW, THEREFORE BE IT RESOLVED, the City of Hoboken is authorized to set up this special account on Thursday, October 4, 2001.

---Motion duly seconded by Councilwoman Andreula.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, and President Soares.
---Nays: None.
---Absent: Ramos.

ORDINANCES

Introduction and First Reading

01-154
DR-16
ORDINANCE AMENDING VARIOUS ORDINANCES FOR THE RESTRUCTURING OF DEPARTMENTS IN THE CITY OF HOBOKEN. (Amending Chapters 4, 20, 39, 58 and 59A)

THE CITY COUNCIL OF THE CITY OF HOBOKEN DOES ORDAIN the following amendments and supplements to Chapters 4, 20, 39, 58 and 59A of the Code of the City of Hoboken, which restructures the departments, divisions and offices of the City of Hoboken.

Chapters 4, 39, and 58 of the Code of the City of Hoboken are amended and renumbered as presented below:

Chapter 4
ADMINISTRATION, DEPARTMENT OF

ARTICLE I
General Provisions

4-1. Establishment.

There is hereby established in the government of the City of Hoboken a department that shall be known as the Department of Administration.

4.2 Divisions enumerated.

Said Department shall embrace and there is hereby allocated and assigned thereto the Office of the Business Administrator, Division of Revenue and Finance, Division of Personnel and
Health Benefits, Division of Purchasing, Division of Payroll, Division of Constituent Services, Office of the Tax Assessor, Office of the Collector of Revenue, the Chief Financial Officer, the Corporation Counsel, Taxis and Livery, the Zoning Officer, the Construction Code Official, Municipal Court, Board of Alcoholic Control, municipally owned properties acquired through nonpayment of taxes or any other municipal charges, and all of the administrative functions, powers and duties relating thereto.

4.3 **Personnel.**

There is hereby assigned and transferred to said Department all the subordinate officers and employees in the City of Hoboken holding their offices and positions under tenure of office under any law of this state or Title 11A, Civil Service, of the Revised Statutes of New Jersey and now exercising and performing any of the functions, powers and duties in the offices and divisions enumerated in 4-2.

4.4 **Property and records.**

There is hereby transferred and assigned to said Department all of the property, books, papers and records relating to any of the offices and other governmental agencies hereinabove allocated and assigned to said Department, except such books, papers and records as are now required by law or the ordinances of the City of Hoboken to be kept in the office of some other officer or department of the City government.

4-5. **Business Administrator.**

There is hereby created the Office of the Business Administrator. The Business Administrator shall be appointed by the Mayor with the advice and consent of the Council and shall serve during the term of the Mayor appointing him and until the appointment and qualifications of his/her successor and shall be subject to removal as provided by law. Vacancies in the office of the Business Administrator shall be filled in the same manner as the original appointment but for the unexpired term only.

4.6. **Duties of Administrator.**

The Business Administrator shall be the Director of the Department of Administration and the Chief Administrator Officer of the City and, in addition to the functions, powers and duties that are hereby or may hereafter be conferred and imposed upon him/her by law and ordinances of the City, shall, under the direction and supervision of the Mayor:

A. Assist in the preparation of the municipal budget.

B. Administer a centralized purchasing system.

C. Develop and administer a sound personnel system.

D. Formulate and adopt, subject to approval of the Mayor, rules and regulations for the efficient conduct of the work and general administration of the Department, the officers and employees thereof.

E. Supervise the organization of the Department and changes in the organization thereof, and to the extent to which the organization of the Department is not prescribed by law, may additionally organize his Department into such divisions or bureaus and make such assignment of powers and duties among them and, from time to time, change such organization or assignment as he may deem advisable.

F. Make periodic reports with such recommendations, as he deems appropriate to the Mayor, and to the Council concerning the affairs of the Department under his jurisdiction.
G. Perform such other duties as may be prescribed.

4-7. Staff.

The personnel staff in the Office of the Business Administrator may include clerical, operational, supervisory and managerial positions as deemed necessary within the budgetary limits established by the Council.

4-8. Transfer of Appropriations.

All appropriations available or to become available to any department, office or other governmental agency, the functions, powers and duties of which are hereby assigned and transferred to said Department are hereby transferred to the Department established hereby, and shall be available for the objects and purposes for which appropriated.

ARTICLE II
Division of Revenue and Finance

4-9. Established; functions, powers and duties.

There is hereby established in the Department of Administration a Division of Revenue and Finance, which shall be responsible for the accounting management of the fiscal affairs of the City and the control of the receipt and disbursement of funds. Said Division shall embrace and there is hereby allocated and assigned thereto the Chief Financial Officer, the Collector of Revenue, the Tax Assessor, municipally owned properties acquired through nonpayment of taxes and all of the administrative functions, powers and duties relating thereto.

4-10. Staff.

The head of the Division shall be the Revenue and Finance Supervisor. The personnel staff in the Division of Revenue and Finance may include clerical, operational, supervisory and managerial positions as deemed necessary within the budgetary limits established by the Council.


Previously numbered 4-13.
No Changes.

ARTICLE III
Division of Personnel and Health Benefits

4-12. Established; functions, powers and duties.

There is hereby established in the Department of Administration a Division of Personnel and Health Benefits, which shall be responsible for the design, maintenance and administration of personnel records, procedures and programs in accordance with Title 11A, Civil Service, of the Revised Statutes of New Jersey, any other law of the State, or local law.

4-13. Staff.

The personnel staff in the Division of Personnel and Health Benefits may include clerical, operational, supervisory and managerial positions as deemed necessary within the budgetary limits established by the Council.

ARTICLE IV
Division of Purchasing

4-14. Established; functions, powers and duties.
There is hereby established in the Department of Administration a Division of Purchasing, which shall be responsible for the maintenance and administration of a centralized purchasing system for all goods and services needed by the City, in accordance with the requirements of The Local Public Contracts Law of the State of New Jersey and the Purchasing Ordinance of the City of Hoboken.

4-15. Staff

The personnel staff in the Division of Purchasing may include clerical, operational, supervisory and managerial positions as deemed necessary within the budgetary limits established by the Council.

4-16. Established; functions, powers and duties.

There is hereby established in the Department of Administration a Division of Payroll, which shall be responsible for the maintenance and administration of a centralized timekeeping and payroll system for all municipal employees.

4-17. Staff.

The personnel staff in the Division of Payroll may include clerical, operational, supervisory and managerial positions as deemed necessary within the budgetary limits established by the Council.

ARTICLE VI
Division of Constituent Services.

4-18. Established; functions, powers and duties.

There is hereby established in the Department of Administration a Division of Constituent Services, which shall be responsible for the centralization of all citizens’ and organizations’ complaints and inquiries on all aspects of City services and operations to enhance citizen confidence in government by expediting the handling of complaints and inquiries in coordination with the various departments of City government. Complaints and inquiries to be coordinated through the Division of Constituent Services will include, but are not limited to, the handling of counseling and referrals for social services, tenant assistance and education, housing and employment inquiries, taxi and livery complaints, quality of life issues, violations of City codes and general inquiries of City services available. The Division will also be the source of liaison activities for the Hispanic and minority community.

4-19. Staff.

The personnel staff in the Division of Constituent Services may include clerical, operational, supervisory and managerial positions as deemed necessary within the budgetary limits established by the Council.

CHAPTER 39
HUMAN SERVICES, DEPARTMENT OF

ARTICLE I
General Provisions

39-1. Establishment.

There is hereby established in the government of the City of Hoboken a department that shall be known as the Department of Human Services.

Said Department shall embrace and there is hereby allocated and assigned thereto the Office of the Director, Division of Health, Division of Rent Leveling, Division of Housing Inspection, Division of Senior Citizens, Division of Transportation, Division of Recreation and Cultural Affairs, Board of Trustees of the Free Public Library and the Office of the Public Defender.


There is hereby transferred and assigned to said Department all of the property, books, papers and records relating to any of the offices and other governmental agencies hereinabove allocated and assigned to said Department, except such books, papers, and records as are now required by law or the ordinances of the City of Hoboken to be kept in the office of some other officer or department of the City government.

39-4. Property and records.

There is hereby transferred and assigned to said Department all of the property, books, papers and records relating to any of the offices and other governmental agencies hereinabove allocated and assigned to said Department, except such books, papers and records as are now required by law or the ordinances of the City of Hoboken to be kept in the office of some other officer or department of the City government.

39-5. Director.

There is hereby created the Office of the Director of the Department of Human Services. The Director shall be appointed by the Mayor with the advice and consent of the Council and shall serve during the term of the Mayor appointing him and until the appointment and qualifications of his/her successor and shall be subject to removal as provided by law. Vacancies in the office of Director shall be filled in the same manner as the original appointment but for the unexpired term only.

39-6. Powers and duties of Director.

The Director shall be head of the Department and, in addition to the functions, powers and duties that are hereby or may hereafter be conferred and imposed upon him by law and the ordinances of the City, shall:

A. Exercise supervision and have general responsibility for the operations of said Department and of the personnel employed herein.

B. Supervise the organization of the Department and changes in the organization thereof, and to the extent to which the organization of the Department is not prescribed by law, may additionally organize his Department into such divisions or bureau and make such assignment of powers and duties among them and, from time to time, change such organization or assignment as he may deem advisable.

C. Formulate and adopt, subject to the approval of the Mayor, rules and regulations for the efficient conduct of the work and general administration of the Department, the officers and employees thereof.
D. Make periodic reports with such recommendations, as he deems appropriate to the Mayor and to the Council concerning the affairs of the Department under his jurisdiction.

39.7. Staff.

The personnel staff in the Office of the Director may include clerical, operational, supervisory and managerial positions as deemed necessary within the budgetary limits established by the Council.


All appropriations available or to become available to any department, office or other governmental agency, the functions, powers and duties of which are hereby assigned and transferred to said Department are hereby transferred to the Department established hereby, and shall be available for the objects and purposes for which appropriated.

ARTICLE II
Division of Health


There is hereby established a Division of Health in the Department of Human Services, which shall exercise and perform all the functions, powers and duties devolving by law to local health agencies by Title 26, Health and Vital Statistics, of the Revised Statutes of New Jersey in coordination with the Board of Health.

39-10. Staff.

The Director of the Division of Health shall be the Health Officer, who shall be qualified and appointed as provided by State and local laws. The personnel staff in the Division of Health may include clerical, operational, supervisory and managerial positions as deemed necessary within the budgetary limits established by the Council.

ARTICLE III
Division of Rent Leveling


There is hereby established in the Department of Human Services a Division of Rent Leveling to administer and enforce the Rent Control Ordinance and the Rental Housing; Warehousing Ordinance of the City of Hoboken in coordination with the Rent Leveling Board.


The personnel staff in the Division of Rent Leveling may include clerical, operational, supervisory and managerial positions as deemed necessary within the budgetary limits established by the Council.

ARTICLE IV
Division of Housing Inspections


There is hereby established a Division of Housing Inspection in the Department of Human Services, which shall exercise the functions, powers and duties of enforcement of local
ordinances, including not limited to Chapter 95, Dwellings; Minimum Standards, and Chapter 120, Housing Standards, of the Code of the City of Hoboken. Additionally, the Division shall enforce the Hotel and Multiple Dwelling Law (Chapter 13A of Title 55 of the Revised Statutes of New Jersey). The Division shall also establish a census count of residential dwelling units within the City. The Division may also contract with the State of New Jersey, Department of Community Affairs under the State-local cooperative inspection program.


The personnel staff in the Division of Housing Inspection may include clerical, operational, supervisory and managerial positions as deemed necessary within the budgetary limits established by the Council

ARTICLE V
Division of Senior Citizens


There is hereby established a Division of Senior Citizens within the Department of Human Services, which shall be responsible for the coordination of services and activities for senior citizens in the community.

39-16. Staff.

The personnel staff in the Division of Senior Services may include clerical, operational, supervisory and managerial positions as deemed necessary within the budgetary limits established by the Council.

ARTICLE VI
Division of Transportation

39.17. Established; functions, powers and duties.

There is hereby established a Division of Transportation in the Department of Human Services, which shall be responsible for the operations of a cross-town bus service as authorized by referendum of the voters of the City of Hoboken, adopted November 5, 1968.

39.18 Staff/

The personnel staff in the Division of Transportation may include clerical, operational, supervisory and managerial positions ad deemed necessary within the budgetary limits established by the Council.

ARTICLE VII
Division of Recreation and Cultural Affairs

39.19 Established; functions, powers and duties.

There is hereby established a Division of Recreational and Cultural Affairs in the Department of Human Services, which shall develop, operate, promote and encourage recreation and cultural arts program for the children and adults in the City of Hoboken.

39.20 Staff.
The personnel staff in the Division of Recreation and Cultural Affairs may include clerical, operational, supervisory and managerial positions as deemed necessary within the budgetary limits established by the Council.

ARTICLE VIII
Office of Hispanic and Minority Affairs

39.21 Established.

There is hereby established within the Department of Human Services the Office of Hispanic Affairs. Within the limits of its legal authority and funds available to it pursuant to law, the Office shall: 1) Advise and counsel the Director regarding Hispanic and minority issues and affairs; 2) Provide liaison between the city government and individuals and organizations with the Hispanic and minority community; 3) Undertake that appropriate information, notices and other communications distributed by or on behalf of the municipality are available in bilingual form; 4) Act as municipal ombudsman for the Hispanic and minority community; 5) Perform other duties related to the office as requested by the Director.

39.22 Staff.

The personnel staff in the Office of Hispanic and Minority Affairs may include clerical, operational, supervisory and managerial positions as deemed necessary within the budgetary limits established by the Council.

ARTICLE IX
Office of the Public Defender

39.23 Established.

There is hereby established within the Department of Human Services the Office of the Municipal Public Defender, the head of which shall be the Chief Public Defender. The Director of the Department of Human Services' authority over this office shall extend only to matters of budgeting, personnel and purchasing.

39.24 Functions, powers and duties.

A. The Office of the Municipal Public Defender shall render legal advice, counseling and representation to all eligible defendants in the Hoboken Municipal Court; in addition, Municipal Public Defenders shall represent eligible defendants charged with no indictable offenses involving gambling in both the Superior Court of Hudson County and the Municipal Court of Hoboken.

B. The Office shall also appeal any conviction or sentence where an appeal is warranted in the opinion of the Municipal Public Defender.

C. The Office of the Municipal Public Defender shall maintain a list of available attorneys to serve as assigned counsel to eligible defendants on a rotating basis when required because of the disqualification of the Public Defender for any reason.

D. Neither the Municipal Public Defender(s) nor their staff be obligated to offer any legal advise or representation to any person for any matter other than those specified above.

Chapter 58
ENVIRONMENTAL SERVICES, DEPARTMENT OF

ARTICLE I
General Provisions

58-1. Establishment.

There is hereby established in the government of the City of Hoboken a department that shall be known as the Department of Environmental Services.


Said Department shall embrace and there is hereby allocated and assigned thereto the Office of the Director, Division of Roads, Division of Signal and Traffic, Division of Sanitation, Division of Water, Division of Parks and Public Property and the Division of Vehicle Maintenance and Repair.


There is hereby assigned and transferred to said Department all the subordinate officers and employees in the City of Hoboken holding their offices and positions under tenure of office under any law of this state or Title 11A, Civil Service, of the Revised Statutes of New Jersey and now exercising and performing any of the functions, powers and duties in the offices and divisions enumerated in 58-2.

58-4. Property and records.

There is hereby transferred and assigned to said Department all of the property, books, papers and records relating to any of the offices and other governmental agencies hereinabove allocated and assigned to said Department, except such books, papers, and records as are now required by law or the ordinances of the City of Hoboken to be kept in the office of some other officer or department of the City government.

58-5. Director.

There is hereby created the Office of the Director of the Department of Environmental Services. The Director shall be appointed by the Mayor with the advice and consent of the Council and shall serve during the term of the Mayor appointing him and until the appointment and qualifications of his/her successor and shall be subject to removal as provided by law. Vacancies in the office of Director shall be filled in the same manner as the original appointment but for the unexpired term only.

58-6. Powers and duties of Director.

The Director shall be head of the Department and, in addition to the functions, powers and duties that are hereby or may hereafter be conferred and imposed upon him by law and the ordinances of the City, shall:

A. Exercise supervision and have general responsibility for the operations of said Department and of the personnel employed therein.

B. Supervise the organization of the Department and changes in the organization thereof, and to the extent to which the organization of this Department is not prescribed by law, may additionally organize his Department into such division or
bureaus and make assignment of powers and duties among them, and, from time to
time, change such organization or assignment as he may deem adviseable.

C. Formulate and adopt, subject to the approval of the Mayor, rules and regulations for
the efficient conduct of the work and general administration of the Department, the
officers and employees thereof.

D. Make periodic reports with such recommendations, as he deems appropriate to the
Mayor and to the Council concerning the affairs of the Department under his
jurisdiction.

E. Prepare and obtain approval and implement a capital improvement program for the
City’s infrastructure in coordination with the City Engineer or engineering consultants.

F. Operate and maintain a water distribution system for the furnishing and delivery of
potable water to the residents and businesses of the City.

58-7. Staff.

The personnel staff in the Office of the Director may include clerical, operational,
supervisory, and managerial positions as deemed necessary within the budgetary limits
established by the Council.


All appropriations available or to become available to any department, office or other
governmental agency, the functions, powers and duties of which are hereby assigned and
transferred to said Department are hereby transferred to the Department established hereby, and
shall be available for the objects and purposes for which appropriated.

ARTICLE II
Division of Roads


There is hereby established a Division of Roads in the Department of Environmental
Services which shall maintain and repair the City’s streets and roads, including but not limited to
mechanical street cleaning, snow removal and road repair.

58-10. Staff.

The personnel staff in the Division of Roads may include clerical, operational, supervisory
and managerial positions as deemed necessary within the budgetary limits established by the
Council.

ARTICLE III
Division of Signal and Traffic


There is hereby established a Division of Signal and Traffic in the Department of
Environmental Services, which shall be responsible for the installation and maintenance of traffic
signals, striping and signage, including street and curb markings and street signs, as well as
assisting the Division of Police in parking enforcement.
58-12. **Staff.**

The personnel staff in the Division of Signal and Traffic may include clerical, operational, supervisory and managerial positions as deemed necessary within the budgetary limits established by the Council.

**ARTICLE IV**
**Division of Sanitation**

58-13. **Established; functions, powers and duties.**

There is hereby established in the Department of Environmental Services a Division of Sanitation which shall be responsible for the collection and disposal of solid waste and recycling, and street cleaning.

58-14. **Staff.**

The personnel staff in the Division of Sanitation may include clerical, operational, supervisory and managerial positions as deemed necessary within the budgetary limits established by the Council.

58-15. **Recycling.**

Recycling programs and procedures will be implemented in accordance with N.J.S.A. 40A:11-1 et.seq. and the Recycling Ordinance of the City of Hoboken.

**ARTICLE V**
**Division of Water**

58.16. **Established; functions, powers and duties.**

There is hereby established in the Department of Environmental Services a Division of Water, which may also be operated as a water utility. The Division of Water shall operate and maintain the potable water distribution system, either directly or through contractual agreement.

58.17. **Staff.**

The Director of the Division of Water shall be the Water Superintendent, who shall be qualified and appointed as provided by State and local laws. The personnel staff in the Division of Water may include clerical, operational, supervisory and managerial positions as deemed necessary within the budgetary limits established by the Council.

**ARTICLE VI**
**Division of Parks and Public Property**

58-18. **Established; functions, powers and duties.**
There is hereby established a Division of Parks and Public Property in the Department of Environmental Services which shall operate and maintain the City’s parks, athletic fields, green areas, City owned vacant land, landscaping of City grounds and City owned buildings with the exception of the Free Public Library.

58.19. Staff.

The personnel staff in the Division of Parks and Public Property may include clerical, operational, supervisory and managerial positions as deemed necessary within the budgetary limits established by the Council.

58.20. “Park” defined.

The term “park” as used in this Article shall include all public parks, athletic fields, playgrounds, green areas and outdoor recreation areas within the City including City owned vacant land and landscaping of City grounds.

Previously numbered 58-21.2
No Changes.

58.22. Access to parks.
Previously numbered 58-21.3
No changes.

58.23. Permits.
Previously numbered 58-21.4
No Changes.

58.24. Pier A; concessions.
Previously numbered 58-21.4.1

58.25. Enforcement.
Previously numbered 58-21.5
No Changes.

Previously numbered 58-21.6β

58.27. Separability.
Previously numbered 58-21.7
No Changes.

ARTICLE VII
Division of Vehicle Maintenance and Repair

58.28. Established; functions, powers and duties.

There is hereby established a Division of Maintenance and Repair in the Department of Environmental Services which shall be responsible for the servicing, maintenance, and repair of various types of motorized and mechanized automotive and construction equipment, and the maintenance, inventory and safety of the garage equipment and facility.

58.29. Staff.
The personnel staff in the Division of Maintenance and Repair may include clerical, operational, supervisory and managerial positions as deemed necessary within the budgetary limits established by the Council.

**ARTICLE VIII**
**Civil Actions**

58.30. Notice.
Previously numbered 58-35.
No Changes.

The following chapter is amended to include the following:

**Chapter 20**
**COMMUNITY DEVELOPMENT, DEPARTMENT OF**

**ARTICLE II**
**Office of Grants Management**

20-8. Established; functions, powers and duties.

There is hereby established an Office of Grants Management in the Department of Community Development which shall be responsible for the maintenance of a centralized grants application and management system for the City's various financial assistance programs.

20-9. Staff.

The personnel staff in the Office of Grants Management may include clerical, operational, supervisory and managerial positions ad deemed necessary within the budgetary limits established by the Council.

The following sections of the Code of the City of Hoboken are hereby specifically repealed:

Chapter 59A, Department of Public Safety, Article VI, sections 59A-40 through 59A-44 inclusive (Division of Signal and Traffic).

If any section or provision of this Ordinance shall be held invalid in any Court, the same shall not effect the other sections or provisions of this ordinance except so far as the section or provision so declared invalid and shall be inseparable for the remainder or portion thereof.

All Ordinances or parts of Ordinance inconsistent herewith are hereby repealed to the extent of such inconsistency.

This Ordinance shall take effect as provided by law.
---Council President Soares moved that the ordinance pass its first reading as read and be laid on the table for public inspection to be further considered for final passage at a meeting of the Council to be held on OCTOBER 17, 2001 at 7:00 PM.

---Motion duly seconded by Councilman Campos.
---Adopted by the following vote: YEAS: 7 - NAYS: 0 - ABSENT: 1 - ABSTENTIONS: 1
---Yeas: Council persons Andreula, Campos, Cricco, Del Boccio, Giacchi, Marsh, and President Soares.
---Nays: None.
---Absent: Ramos.
---Abstentions: Castellano.

All regular business concluded the following members of the public spoke at the “Public Portion” of the meeting: Helen Hirsch of 98 Park avenue; Lynda Walker of 210 Harrison Street; Larry Ramirez of 237 Garden Street; James Fitzsimmons of 509 Willow Avenue; Charles Smith; Elizabeth Mason of 921 Hudson Street; John Powers of 62 Madison Street; Tom Jacobsen of 231 Park Avenue; Robert Crespo of 230 Madison Street; Michele Russo of 10 Church Towers; Scott Gibson of 616 Monroe Street; James Fitzsimmons of 509 Willow Avenue (2nd time); Carol Valentino of 1st Platinum Realty Group.

President Soares then adjorned the meeting at 8:37 p.m.
President Soares opened the meeting at 7:02 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 furnished to The Jersey Journal and The Hoboken Reporter, The Bergen Record, The Newark Star - Ledger and also placed on the bulletin board in the lobby of City Hall."

The Council President then called for the Salute to the Flag.

The Clerk then called the roll:

PRESENT: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.

ABSENT: None.

---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.
ORDINANCE OF THE CITY OF HOBOKEN AMENDING CHAPTER 196 (ZONING) OF THE CODE OF THE CITY OF HOBOKEN, ARTICLE V, SCHEDULE I: RESIDENTIAL DISTRICTS TO AMEND CERTAIN REGULATIONS OF THE R-1 (E) EDUCATIONAL SUBDISTRICT AND TO AMEND ARTICLE X, CONDITIONAL USES.

President Soares directed the City Clerk to announce that the Council would consider for final passage the aforesaid ordinance and all persons interested at this time would be given an opportunity to be heard concerning said ordinance which was read in full.

No person present desiring to be heard and no written protests or objections received, President Soares asked for a motion to close the hearing.

Councilman Del Boccio moved that the hearing be closed.  
Motion duly seconded by Councilman Ramos.  
---Adopted by the following vote: YEAS: 9 - NAYS: 0  
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.  
---Nays: None.

ORDINANCE AMENDING VARIOUS ORDINANCES FOR THE RESTRUCTURING OF DEPARTMENTS IN THE CITY OF HOBOKEN.  
President Soares directed the City Clerk to announce that the Council would consider for final passage the aforesaid ordinance and all persons interested at this time would be given an opportunity to be heard concerning said ordinance which was read in full.

No person present desiring to be heard and no written protests or objections received, President Soares asked for a motion to close the hearing.

Councilwoman Andreula moved that the hearing be closed.  
Motion duly seconded by Councilman Giacchi.  
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSTENTIONS: 1  
---Nays: None.  
---Abstentions: Castellano.

HEARING ON ORDINANCES

Third and Final Reading

Council President Soares then moved that the ordinance entitled, "ORDINANCE OF THE CITY OF HOBOKEN AMENDING CHAPTER 196 (ZONING) OF THE CODE OF THE CITY OF HOBOKEN, ARTICLE IX: GENERAL SUPPLEMENTARY REGULATIONS; ARTICLE XI: OFF-STREET PARKING AND LOADING REGULATIONS; ARTICLE XV: ADMINISTRATION AND ENFORCEMENT" be taken from the table for its third and final reading.

Motion seconded by Councilwoman Andreula.  
---Adopted by the following vote: YEAS: 9 - NAYS: 0  
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

Council President Soares then moved that the ordinance entitled, "ORDINANCE OF THE CITY OF HOBOKEN AMENDING CHAPTER 196 (ZONING) OF THE CODE OF THE CITY OF HOBOKEN, ARTICLE V, SCHEDULE I: RESIDENTIAL DISTRICTS TO AMEND CERTAIN REGULATIONS OF THE R-1 (E) EDUCATIONAL SUBDISTRICT AND TO AMEND ARTICLE X, CONDITIONAL USES" be taken from the table for its third and final reading.

Motion seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

Council President Soares then moved that the ordinance entitled, "ORDINANCE AMENDING VARIOUS ORDINANCES FOR THE RESTRUCTURING OF DEPARTMENTS IN THE CITY OF HOBOKEN. (Amending Chapters 4, 20, 39, 58 and 59A)" be taken from the table for its third and final reading.

Motion seconded by Councilman Campos.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSTENTIONS: 1
---Nays: None.
---Abstentions: Castellano.

01-155

APPLICATIONS FOR MISCELLANEOUS LICENSES

Raffles: 4
Livery/Limousine Drivers: 3
Mechanical Amusement Devices: 1
Music Machines: 1

---Councilman Ramos moved that the licenses be granted.
---Motion duly seconded by Councilwoman Andreula.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

PETITIONS AND COMMUNICATIONS

01-156

October 17, 2001

The Honorable Members of the City Council
City of Hoboken
94 Washington Street
Hoboken, NJ 07030

Dear Councilmen and Councilwomen:

Pursuant to my authority under Chapter 155, Section 18 of the Hoboken Municipal Code, I hereby appoint the following individuals as regular members of the Hoboken Rent Leveling and Stabilization Board for a term of four (4) years to expires June 30, 2005.

Michael Mastropasqua  
908 Hudson St.  
Hoboken, NJ 07030

Dinorah Vargas  
1217 Washington St.  
Hoboken, NJ 07030

Lorenzo Johnson  
1307 Bloomfield St.  
Hoboken, NJ 07030

Monica Hetterick  
2 Marineview Plaza, #4C  
Hoboken, NJ 07030

Ines Garcia Keim  
1114 Park Ave. #4  
Hoboken, NJ 07030

Kathleen Mone  
740 Garden St.  
Hoboken, NJ 07030

Mark Critides  
938 Hudson St.  
Hoboken, NJ 07030

Please feel free to contact me if you should have any questions regarding these appointments.

Very truly yours,

DAVID ROBERTS
Mayor
City of Hoboken

cc: James Farina
Carole Mc Laughlin

--Received and filed.

**01-157**

A communication from the Hoboken Planning Board regarding “ORDINANCE OF THE CITY OF HOBNON AMENDING CHAPTER 196 (ZONING) OF THE CODE OF THE CITY OF HOBNOKEN, ARTICLE V, SCHEDULE I: RESIDENTIAL DISTRICTS TO AMEND CERTAIN REGULATIONS OF THE R-1 (E) EDUCATIONAL SUBDISTRICT AND TO AMEND ARTICLE X, CONDITIONAL USES”; finding the Ordinance not consistent with the Master Plan.

--Received and filed.

**01-158**


--Received and filed.

**REPORTS OF CITY OFFICERS**

**01-159**

A report of the Municipal Court indicating receipts for the month of September 2001 as $197,103.81.
---Received and filed.

**01-160**

An affidavit of “Tax Bill Mailing” certifying that tax bills for the added and omitted installments for tax year 2001 was completed on October 12, 2001.

---Received and filed.

---Claim Resolutions

**01-161**

By Councilman Ramos:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $51,587.61 against the UNCLASSIFIED CLAIMS.

Seconded by Councilwoman Andreula.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

By Councilman Ramos:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $134,791.93 against the DEPARTMENT OF ADMINISTRATION.

Seconded by Councilwoman Andreula.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

By Councilman Giacchi:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $102,670.00 against the DEPARTMENT OF ADMINISTRATION, SECTION 8.

Seconded by Councilwoman Andreula.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSTENTIONS: 1
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, and President Soares.
---Nays: None.
---Abstentions: Ramos.
By Councilwoman Marsh:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $92,740.89 against the DEPARTMENT OF ENVIRONMENTAL SERVICES.

Seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

By Councilman Giacchi:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $46,119.96 against the DEPARTMENT OF HUMAN SERVICES.

Seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

By Councilman Ramos:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $24,436.25 against the CAPITAL ACCOUNT.

Seconded by Councilwoman Andreula.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

PAYROLL RESOLUTIONS

01-162
By Councilman Ramos:

RESOLVED, THAT WARRANTS DRAWN ON THE CITY TREASURER, TO THE ORDER OF THE CITY TREASURER, IN PAYMENT OF SERVICES OF OFFICERS AND EMPLOYEES OF THE CITY OF HOBOKEN, FOR THE PERIOD SEPTEMBER 13, 2001 TO SEPTEMBER 26, 2001 FOR THE PAYROLL ARE HEREBY RATIFIED IN THE FOLLOWING AMOUNTS:

<table>
<thead>
<tr>
<th>Department</th>
<th>Account Num.</th>
<th>Regular Pay</th>
<th>Overtime</th>
<th>Other Pay</th>
<th>Total Pay</th>
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Meeting of October 17, 2001
<table>
<thead>
<tr>
<th>Department</th>
<th>Code</th>
<th>Revenue 1</th>
<th>Revenue 2</th>
<th>Revenue 3</th>
<th>Revenue 4</th>
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<tr>
<td>Mayor's Office</td>
<td>1-01-20-110</td>
<td>10,467.67</td>
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<td>307.69</td>
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<td>Elections</td>
<td>1-01-20-122</td>
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<tr>
<td>Corporation Counsel</td>
<td>1-01-20-155</td>
<td>11,475.24</td>
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<td>Bus Adm. Office</td>
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<td>Accounts &amp; Controls</td>
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<tr>
<td>Emergency Mgmt</td>
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<td>Amount 2</td>
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<td>Planning Board</td>
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<td>Board of Health</td>
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<td>DDEF</td>
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<td><strong>Sub-Total</strong></td>
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<td>1,087,109.18</td>
<td>43,220.11</td>
<td>1,130,329.29</td>
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<td><strong>Other</strong></td>
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<tr>
<td>Water Utility</td>
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<td>2,228.80</td>
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Meeting of October 17, 2001
Police Outside Employ. T-14-10-000-000 10,850.00 10,850.00

Police Grant.

Summer Lunch Progrm G-02-40-302-000

**Grand Total**

<table>
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<th>Amount</th>
<th>Amount</th>
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<tbody>
<tr>
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<td>1,089,337.98</td>
<td>43,220.11</td>
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Motion by Councilman Ramos.
Seconded by Councilwoman Andreula.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

At this time Council President Soares read the following memorandum into the record:

**01-163**

Mayor and City Council

Dear Mayor & Council:

    On behalf of the 38 Firefighters who work on September 11th, we would like to take this opportunity to let you know that we will be donating our overtime checks to the F.D.N.Y Widows Fund.

    We would appreciate that this letter be read at the October 17th Council Meeting.

Yours in fire safety,

Philip G. Picinich
President Local 1078

**RESOLUTIONS**

**Presented and Read**

**01-164**

---By Councilman Ramos:

WHEREAS, the City Council of the City of Hoboken has proposed to amend the provisions of the R-1(E) District of the City of Hoboken, as set forth in the zoning ordinances of the City of Hoboken; and

WHEREAS, pursuant to N.J.S.A. 40:55D-64, the City Council of the City of Hoboken referred this proposed zoning ordinance to the Planning Board of the City of Hoboken for its review and recommendation pursuant to N.J.S.A. 40:55D-26; and

WHEREAS, the Planning Board of the City of Hoboken has transmitted its report and recommendation to the City Council regarding the proposed zoning ordinance amendment; and
WHEREAS, the Planning Board’s review and recommendation noted an inconsistency between the proposed zoning ordinance amendment and the Circulation Plan Element of the Master Plan, but was silent as to any such inconsistency between the proposed development regulation and the land use plan and housing plan element of the Master Plan of the City of Hoboken; and

WHEREAS, the Planning Board’s recommendation was silent as to whether the proposed development regulation was not designed to effectuate the land use plan element and the housing plan element of the Master Plan of the City of Hoboken; and

WHEREAS, notwithstanding the Planning Board’s review and recommendation, the City Council of the City of Hoboken desires to adopt the proposed zoning ordinance in furtherance of its power to zone under the Municipal Land Use Law, N.J.S.A. 40:55D-62, and to promote several of the purposes of the MLUL, as set forth in N.J.S.A. 40:55D-2,

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

1. Ordinance No.DR-15 to amend the development regulations of the City of Hoboken shall be adopted.

2. The City Council hereby sets forth his reasons for adopting this zoning ordinance amendment.

3. The City Council finds that the proposed development regulation is `inconsistent with the Circulation Plan element of the master plan. However, despite this finding, the City Council adopt this zoning ordinance

---Motion duly seconded by Councilwoman Andreula.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

01-165
---By Councilman Ramos:

WHEREAS, a summons was issued for a motor vehicle violation to the following individuals; and

WHEREAS, said motor vehicle(s) were towed away the expense of the owner; and

WHEREAS, the Municipal Judge found the defendants not guilty and the defendants are entitled to reimbursement of the towing charges and storage fees;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Hoboken that warrants be drawn on the City Treasurer to the order of the following sums opposite their respective names as reimbursement of towing charges:

<table>
<thead>
<tr>
<th>Name/Address</th>
<th>Summons Date</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mr. Michael R. Jason</td>
<td>02/22/01</td>
<td>$75.00</td>
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<tr>
<td>407 Fourth Street, Apt. 1</td>
<td>098469</td>
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</tr>
<tr>
<td>Hoboken, NJ 07030</td>
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</tr>
<tr>
<td>Anthony Della Bovi</td>
<td>07/24/01</td>
<td>$75.00</td>
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<tr>
<td>174 Fort Lee Road</td>
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---Motion duly seconded by Councilwoman Andreula.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

01-166
---By Councilman Ramos:

WHEREAS, the Council of the City of Hoboken adopted on June 1, 1994 an ordinance entitled, ”AN ORDINANCE TO AMEND AND SUPPLIMENT CHAPTER 192 OF THE CODE OF THE CITY OF HOBOKEN (PARKING FOR HANDICAPPED).” (The Ordinance) to regulate and control the application and approval for the issuance of special handicapped parking spaces within the City of Hoboken; and

WHEREAS, the Ordinances requires an application fee of $130.00 to be paid with every application submitted for a handicapped parking space and $125.00 to be refunded for any application deemed ineligible; and

WHEREAS, the Subcommittee for handicapped Parking, meeting in session, has found the following applicant ineligible for a handicapped parking space:

Arnoldo Mastrey
105 13th Street

NOW, THEREFORE, BE IT RESOLVED, that payment be made in the amount of $125.00 to the estate above mentioned applicant as a refund of an application fee for a handicapped parking space.

---Motion duly seconded by Councilwoman Andreula.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

01-167
---By Councilman Ramos:

WHEREAS, N.J.S.A. 40A:4-20 provides for the creation of an emergency temporary appropriation whereby an emergent condition arises with respect to appropriations needed to pay claims until an official budget is adopted and sufficient provision has not been made in the fiscal year 2002 temporary appropriations for the aforesaid purpose, and

WHEREAS, temporary appropriations and total emergency temporary resolutions adopted in the fiscal year 2002 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A:4-20 including this resolution total $21,595,892.96 (an increase of 5,791,574.26 over the October 3, 2001 Emergency Temporary Resolution).
NOW THEREFORE BE IT RESOLVED by the Council of the City of Hoboken that in accordance with the provisions of N.J.S.A. 40A: 4-20;

1. Emergency temporary appropriations be and the same is hereby made for the below listed appropriations in the amounts noted.

(SEE ATTACHED)

2. That said emergency temporary appropriations will be provided for in the fiscal year 2002 budget under their respective titles.

3. That one certified copy of this resolution be filed with the Director of Local Government Services.

**Account Description**

**Operations – ‘Within Caps’**

| Mayor’s Office | 20-110-1 | 89,225.00 | 89,225.00 |
| Salary & Wages | 20-110-2 | 27,375.00 | 27,375.00 |
| Other Expenses | 20-111-1 | 47,250.00 | 47,250.00 |
| City Council | 20-111-2 | 9,750.00 | 10,750.00 |
| Salary & Wages | 20-111-2 | 6,250.00 | 14,250.00 |
| Other Expenses | 20-120-1 | 71,250.00 | 118,100.00 |
| City Clerk’s Office | 20-120-2 | 2,250.00 | 2,250.00 |
| Salary & Wages | 20-122-1 | 9,500.00 | 9,500.00 |
| Other Expenses | 20-122-2 | 20,000.00 | 20,000.00 |
| Legal Advertising Other Expenses | 20-121-1 | 6,250.00 | 14,250.00 |
| Codification or Ordinance –Other Exp. | 20-123-2 | 10,075.00 | 12,075.00 |
| Assessor’s Office | 20-150-1 | 62,300.00 | 117,230.00 |
| Salary & Wages | 20-150-2 | 2,750.00 | 2,750.00 |
| Other Expenses | 20-158-2 | 5,000.00 | 25,000.00 |
| Expert Real Estate Appraisal | 22-113-1 | 1,900.00 | 3,250.00 |
| Alcoholic Beverages Control Board | 22-113-2 | 10,000.00 | 10,000.00 |
| Salary & Wages | 20-112-1 | 56,125.00 | 50,300.00 |
| Other Expenses | 20-130-1 | 59,000.00 | 84,250.00 |
| Finance Supervisor’s Office | 20-130-2 | 5,750.00 | 5,750.00 |
| Salary & Wages | 20-145-1 | 60,850.00 | 111,250.00 |
| Other Expenses | 20-145-2 | 15,750.00 | 15,750.00 |
| Volunteer Ambulance Control Corp. | 20-158-2 | 35,000.00 | 35,000.00 |
| Other Expenses | 25-260-2 | 35,000.00 | 35,000.00 |
| Purchasing Division | 20-114-1 | 43,500.00 | 73,950.00 |
| Salary & Wages | 20-114-2 | 4,750.00 | 4,750.00 |
| Other Expenses | 20-116-1 | 53,514.00 | 69,300.00 |
| Grants Management | 20-116-2 | 500.00 | 500.00 |
| Salary & Wages | 20-130-1 | 59,000.00 | 84,250.00 |
| Other Expenses | 20-130-2 | 7,000.00 | 7,000.00 |
| Collection of Taxes | 20-145-1 | 60,850.00 | 111,250.00 |
| Salary & Wages | 20-145-2 | 15,750.00 | 15,750.00 |
| Accounts and Controls | 20-158-2 | 35,000.00 | 35,000.00 |

Meeting of October 17, 2001
<table>
<thead>
<tr>
<th>Department</th>
<th>Code</th>
<th>Salary &amp; Wages</th>
<th>Other Expenses</th>
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Meeting of October 17, 2001

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<td>45-942</td>
<td>249,700.00</td>
<td>249,700.00</td>
</tr>
<tr>
<td>School Debt – Type I</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Payment of Bond Principal</td>
<td>48-930-1</td>
<td>37,250.00</td>
<td>131,000.00</td>
</tr>
<tr>
<td>Interest on Bonds</td>
<td>48-930-2</td>
<td>3,029.13</td>
<td>6,633.00</td>
</tr>
</tbody>
</table>

**TOTAL** 15,804,318.70

---Motion duly seconded by Councilwoman Andreula.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

**01-168**
---By Councilman Ramos:
WHEREAS, the Council for the City of Hoboken believes community involvement and events such as gate sales contribute to the culture of the City of Hoboken; and

WHEREAS, the City of Hoboken wants to encourage community involvement and growth for all residents of the City of Hoboken.

NOW, THEREFORE BE IT RESOLVED that the City of Hoboken will sponsor a gate sale to be held annually, which sale will be run by the Office of Cultural Affairs.

---Motion duly seconded by Councilwoman Andreula.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

01-169
---By Councilman Ramos:

WHEREAS, Lisa Negron is an employee with the City of Hoboken in the Department of Administration; and

WHEREAS, Lisa Negron was previously granted an unpaid personal leave of absence under the terms of the New Jersey Family Medical Leave Act; and

WHEREAS, Lisa Negron has requested an additional personal leave of absence from October 1, 2001 through April 1, 2002; now

BE IT RESOLVED, that a final leave of absence without pay or medical benefits beginning October 1, 2001 through April 1, 2002 is approved for Lisa Negron.

---Motion duly seconded by Councilwoman Andreula.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

01-170
---By Councilman Ramos:

WHEREAS, on June 6, 2001, the City Council of the City of Hoboken approved a "RESOLUTION AUTHORIZING THE EXECUTION OF A REGIONAL CONTRIBUTION AGREEMENT BETWEEN THE CITY OF HOBOKEN AND THE BOROUGH OF DEMAREST" which would enable the Borough of Demarest to transfer nine (9) units of its fair share obligation at a cost of $25,000 per unit or $225,000 in the form of an RCA with the City of Hoboken to fund substantial rehabilitation or new construction to provide housing opportunities to households of low and moderate income; and

WHEREAS, the Borough of Demarest has indicated a desire to change the payment terms to reflect that they shall pay the entire $225,000.00 within sixty (60) days after the effective date of the
Agreement, but not later than December 31, 2001, subject to the Court granting judgment of repose; and

WHEREAS, the Borough of Demarest and the City of Hoboken concur that this Agreement (attached hereto) is contingent upon the Court approving the RCA and the sending municipality receiving a judgment of repose; and

WHEREAS, the City of Hoboken desires to provide affordable housing for its low and moderate income residents, which action will be furthered by funds made available through the RCA; and

WHEREAS, the RCA is in the best interest of the City of Hoboken and the Borough of Demarest; NOW, THEREFORE, BE IT –

RESOLVED, by the City Council of the City of Hoboken that the aforesaid amended Regional Contribution Agreement (RCA) between the Borough of Demarest and the City of Hoboken, is hereby approved subject to same being in such a form acceptable to the City Attorney and that the Mayor and Clerk of the City of Hoboken are hereby authorized to execute the amended Agreement and such other documents and exhibits as may be necessary to effectuate the RCA.

---Motion duly seconded by Councilwoman Andreula.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

All regular business concluded the following members of the public spoke at the “Public Portion” of the meeting: Carl Kirshen, 924 Castle Point Terrace; Helen Hirsch, 98 Park Avenue; Katherine Knapp, 224 Jefferson Street; Larry Ramirez, 237 Garden Street; Mai He, 91 Beech Street, Kearny; Lynda Walker, 210 Harrison Street; Margie Biart, 415 Marshall Drive; Robert Crespo, 230 Madison Street; Peter Belfiore, 161 11th Street.

President Soares then adjourned the meeting at 8:11 p.m.

____________________________________

PRESIDENT OF THE COUNCIL
President Soares 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 furnished to The Jersey Journal and The Hoboken Reporter, The Bergen Record, The Newark Star-Ledger and also placed on the bulletin board in the lobby of City Hall."

The Council President then called for the Salute to the Flag.

**PETITIONS AND COMMUNICATIONS**

At this time Councilman Ramos spoke regarding the newly formed Hoboken Youth Advisory Commission and asked the eighteen members to come to the front of the room, where City Clerk, James Farina, administered the Oath of Office. Mayor Roberts then addressed all in attendance.

**01-171**

November 7, 2001

The Honorable Member of the
Hoboken City Council
94 Washington Street
Hoboken, NJ 07030

Dear Council Members:

One year ago, City Council established the Youth Advisory Commission to empower Hoboken’s young people and to engage them in the governmental and legislative process. I was proud to support this measure as a member of the Council, and now as Mayor, I am proud to join with Councilman Ramos to announce the members of the Hoboken Youth Advisory Commission:

<table>
<thead>
<tr>
<th>Marleny Alonzo</th>
<th>Michael Mahoney</th>
<th>Amanda Roberts</th>
</tr>
</thead>
<tbody>
<tr>
<td>Melissa Bosch</td>
<td>Christina Marciona</td>
<td>Tania Rodriguez</td>
</tr>
<tr>
<td>Elisabeth Cleffi</td>
<td>Nicole Passenti</td>
<td>Yasser Rodriguez</td>
</tr>
<tr>
<td>Saul Concepcion</td>
<td>Ellen Quinn</td>
<td>Peter Smith</td>
</tr>
<tr>
<td>Francis Kenny</td>
<td>Chelsea Lee Richardson</td>
<td>Ben Tambrella</td>
</tr>
<tr>
<td>Leroy Loehwing</td>
<td>Lindsay Richards</td>
<td>Dorian Torres</td>
</tr>
</tbody>
</table>

Please join me in congratulating these fine young people and in wishing them good luck in this important endeavor.

Very truly yours,

David Roberts
cc: James J. Farina, City Clerk  
Laurie Cotter, Business Administrator  
Esther Suarez, Corporation Counsel

--Received and filed.

REPORTS OF CITY OFFICERS

01-172
Certificate of Election by City Clerk James Farina, stating that Christopher Campos has been duly elected to the Fourth Ward City Council seat vacated by Ruben Ramos, Jr. and that Angelo ‘Nino’ Giacchi has been duly elected to the Sixth Ward City Council seat vacated by David Roberts.

Certificate of Election  
November 6, 2001

I, JAMES J. FARINA, City Clerk of the City of Hoboken, in the County of Hudson, and State of New Jersey, DO HEREBY CERTIFY that the foregoing is a true, full and correct statement of the result of the Special Municipal Election, held on November 6, 2001, as the same is exhibited by the canvass of returns made by the aforesaid District Boards of Registry and Election from all of the Election Districts of the City of Hoboken to me as City Clerk, according to law, and as exhibited by the statement of returns made by the County Board of Elections of the County of Hudson of all the Election Districts of the City of Hoboken to me as City Clerk, according to law, and that the same exhibits the whole number of votes cast for each person for the Office of Fourth Ward Council Person and Sixth Ward Council Person of the City of Hoboken, on the day aforesaid, as filed in the Office of the City Clerk.

From such canvass I do find that:

The total number of votes received by each of the following named persons for the Office Fourth Ward Council Person of the City of Hoboken aforesaid is as follows:

<table>
<thead>
<tr>
<th>Name</th>
<th>Votes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Christopher Campos</td>
<td>927</td>
</tr>
<tr>
<td>Nellie Moyeno</td>
<td>405</td>
</tr>
<tr>
<td>Michael Lenz</td>
<td>213</td>
</tr>
</tbody>
</table>

And, that the total number of votes received by each of the following named persons for the Office of Sixth Ward Council Person of the City of Hoboken aforesaid is as follows:

<table>
<thead>
<tr>
<th>Name</th>
<th>Votes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Angelo “Nino” Giacchi</td>
<td>768</td>
</tr>
</tbody>
</table>

NOW THEREFORE, I, JAMES J. FARINA, City Clerk of the City of Hoboken, in the County of Hudson and State of New Jersey, do determine that at the said Special Municipal Election held on the 6th day of November, 2001 in the aforesaid City of Hoboken, that,

I, JAMES J. FARINA, City Clerk of the City of Hoboken, in the County of Hudson and State of New Jersey, DO HEREBY CERTIFY that:

1. I made and filed in my office as City Clerk of the City of Hoboken the canvass of returns received by me on the 6th day of November 2001 from the District Boards of Registry and Election of all the Election Districts in the City of Hoboken on the 6th day of November 2001 for the election of a Fourth Ward Council Person and a Sixth Ward Council Person for the City of Hoboken, pursuant to the provisions of N.J.S.A. 40:45-16, and that I made and filed the canvass
of returns received by me on the 6th day of November 2001, from the County Board of Elections of the County of Hudson of all the Election Districts of the City of Hoboken, pursuant to the provisions of N.J.S.A. 40:45-16, and that on the same day I made and filed in my office the official results of said canvass and my determination that at the Special Municipal Election held on the 6th day of November 2001 in the City of Hoboken, CHRISTOPHER CAMPOS was duly elected to the Office of Fourth Ward Council Person and ANGELO ‘NINO’ GIACCHI was duly elected to the Office of Sixth Ward Council Person of the City of Hoboken.

2. I issued and delivered to the successful candidates as aforesaid a Certificate of Election as provided by law.

3. The successful candidates aforesaid have taken and subscribed the oath of allegiance as required by law, and the same is filed in the Office of the City Clerk.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City of Hoboken this 7th day of November 2001.

______________________________
JAMES J. FARINA, CITY CLERK
STATEMENT of the result of the Special Municipal Election held in the City of Hoboken, in the County of Hudson and the State of New Jersey, on the 6th day of November 2001 for Fourth Ward Council Person and Sixth Ward Council Person for the City of Hoboken, from the canvass of returns received by JAMES J. FARINA, City Clerk of the City of Hoboken, New Jersey on the 6th day of November 2001, from the District Boards of Registry and Election of all the Election Districts of the City of Hoboken that conducted the said Special Municipal Election on November 6, 2001, made in compliance with the provisions of N.J.S.A. 40:45-16 and from the canvass of returns received by JAMES J. FARINA, City Clerk of the City of Hoboken, Hudson County, New Jersey on the 6th day of November, 2001 from the County Board of Elections of the County of Hudson, State of New Jersey, of all the Election Districts of the said City of Hoboken, pursuant to the provisions of N.J.S.A. 40:45-16.

The said CHRISTOPHER CAMPOS having received a plurality of the votes cast at said Special Election for the Office of Fourth Ward Council Person was duly elected Fourth Ward Council Person of the City of Hoboken, New Jersey, and, the said ANGELO ‘NINO’ GIACCCHI having received a plurality of the votes cast at said Special Election for the Office of Sixth Ward Council Person was duly elected Sixth Ward Council Person of the City of Hoboken, New Jersey.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City of Hoboken, New Jersey, this 7th day of November 2001.

____________________________________
JAMES J. FARINA
CITY CLERK

---Received and filed.

City Clerk, James Farina, administered the Oath of Office to Fourth Ward Councilman Christopher Campos and Sixth Ward Councilman Angelo ‘Nino’ Giacchi.

The Clerk then called the roll:

PRESENT: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.

ABSENT: None.

____________________________________

PETITIONS AND COMMUNICATIONS CONTINUED

01-173

WHEREAS, The New Jersey Distinguished Service Medal was created in 1856 to recognize any member of the State’s organized militia, which is now the New Jersey National Guard, and

WHEREAS, in 1998 New Jersey law was revised to enable the Governor, with the assistance of the Adjutant General to award The New Jersey Distinguished Service Medal to any
resident of the State who, while serving in active federal military service in time of war or national emergency, was cited for especially meritorious service, and

WHEREAS, in 1999 New Jersey law was further revised to expand eligibility for The New Jersey Distinguished Service Medal to any State resident who, while on active military service in the armed forces of the United States served in a combat theater of operations or was officially listed as a prisoner of war or as missing in action by the United States Department of Defense, and

WHEREAS, Walter F. Camporeale, became of his extraordinary courage and patriotism is a recipient of The New Jersey Distinguished Service Medal for going above and beyond the call of duty in service to his country;

NOW THEREFORE I, DAVID ROBERTS, Mayor of the City of Hoboken, do hereby issue this proclamation on behalf of the City of Hoboken and its citizens to Walter F. Camporeale in recognition of his receipt of the New Jersey Distinguished service Medal.

--Received and filed.

01-174

November 5, 2001

The Honorable Tony Soares
City Council President
City Hall
94 Washington Street
Hoboken, NJ 07030

Dear Councilman Soares:

On behalf of the citizens of Hoboken, it is an honor for me to recognize and commend Senator Bernard F. Kenny, Jr. for securing a special legislative grant in the amount of $75,000 to renovate and restore Hoboken’s military monuments. This money was awarded to the City of Hoboken by the New Jersey State Legislative as part of the Fiscal Year 2001 budget.

Over the last few years, as the ranking Democrat on the Senate Budget and Appropriations Committee, Senator Kenny has been able to secure important funding for a number of worthy projects in Hoboken. His leadership in Trenton has long been known to many and I am happy to thank him for his commitment and dedication to the people of Hoboken.

On November 11, as we honor Hoboken’s Veterans, it seems appropriate to offer our sincere appreciation and gratitude to Senator Kenny for making it possible to bring our military monuments back to their original grandeur and splendor.

Sincerely,

DAVID ROBERTS
MAYOR
City of Hoboken

cc/ Senator Bernard F. Kenny, Jr.
All City Council Members
James Farina, City Clerk
01-175

APPLICATIONS FOR MISCELLANEOUS LICENSES

Raffles 1
Livery/Limousine Drivers 5
Vendors 1
Mechanical Amusement Devices 2
Music Machines 2

--- Councilman Ramos moved that the licenses be granted.
--- Motion duly seconded by Councilwoman Andreula.
--- Adopted by the following vote: YEAS: 9 - NAYS: 0
--- Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
--- Nays: None.

REPORTS OF CITY OFFICERS CONTINUED

01-176
A report of Municipal Clerk James J. Farina indicating bids received on Friday, October 19, 2001, for various goods and services.

--- Received and filed.

01-177
A report from Municipal Tax Collector Louis Picardo for taxes collected; for the month ending October 31, 2001 - $9,439,771.23.

--- Received and filed.

01-178
A report of the Municipal Court indicating receipts for the month of October 2001 as $274,964.89.

--- Received and filed.

CLAIM RESOLUTIONS

01-179
By Councilman Ramos:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $1,277,731.05 against the UNCLASSIFIED CLAIMS.

Seconded by Councilwoman Andreula.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

By Councilman Ramos:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $203,966.01 against the DEPARTMENT OF ADMINISTRATION.

Seconded by Councilwoman Andreula.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

By Councilwoman Marsh:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $254,419.72 against the DEPARTMENT OF ENVIRONMENTAL SERVICES.

Seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

By Councilman Giacchi:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $46,893.86 against the DEPARTMENT OF HUMAN SERVICES.

Seconded by Councilman Cricco.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.
PAYROLL RESOLUTIONS

01-180
By Councilman Ramos:

RESOLVED, THAT WARRANTS DRAWN ON THE CITY TREASURER, TO THE ORDER OF THE CITY TREASURER, IN PAYMENT OF SERVICES OF OFFICERS AND EMPLOYEES OF THE CITY OF HOBOKEN, FOR THE PERIOD SEPTEMBER 27, 2001 TO OCTOBER 10, 2001 FOR THE PAYROLL ARE HEREBY RATIFIED IN THE FOLLOWING AMOUNTS:

<table>
<thead>
<tr>
<th>Department</th>
<th>Account Num.</th>
<th>Regular Pay</th>
<th>Overtime</th>
<th>Other Pay</th>
<th>Total Pay</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mayor's Office</td>
<td>1-01-20-110</td>
<td>10467.67</td>
<td></td>
<td></td>
<td>10,467.67</td>
</tr>
<tr>
<td>City Council</td>
<td>1-01-20-111</td>
<td>6,747.00</td>
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<td>6,747.00</td>
</tr>
<tr>
<td>City Clerks</td>
<td>1-01-20-120</td>
<td>9,442.89</td>
<td>582.42</td>
<td>307.69</td>
<td>10,336.00</td>
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<tr>
<td>Elections</td>
<td>1-01-20-122</td>
<td></td>
<td></td>
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<tr>
<td>Corporation Counsel</td>
<td>1-01-20-155</td>
<td>11,609.90</td>
<td></td>
<td></td>
<td>11,609.90</td>
</tr>
<tr>
<td>Bus Adm. Office</td>
<td>1-01-20-112</td>
<td>5,794.47</td>
<td></td>
<td>320.90</td>
<td>6,115.37</td>
</tr>
<tr>
<td>ABC Board</td>
<td>1-01-20-113</td>
<td></td>
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<td>269.24</td>
<td>269.24</td>
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<tr>
<td>Purchasing Dept.</td>
<td>1-01-20-114</td>
<td>6,180.45</td>
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<td>6,180.45</td>
</tr>
<tr>
<td>Finance Supervisor</td>
<td>1-01-20-130</td>
<td>6,033.47</td>
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<td></td>
<td>6,033.47</td>
</tr>
<tr>
<td>Accounts &amp; Controls</td>
<td>1-01-20-131</td>
<td>3,705.11</td>
<td></td>
<td>50.00</td>
<td>3,755.11</td>
</tr>
<tr>
<td>Payroll Division</td>
<td>1-01-20-132</td>
<td>4,345.14</td>
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<td>4,345.14</td>
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<tr>
<td>Personnel</td>
<td>1-01-20-105</td>
<td>4,315.22</td>
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<td>40.00</td>
<td>4,355.22</td>
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<tr>
<td>Tax Collector's</td>
<td>1-01-20-145</td>
<td>9,315.63</td>
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<td>9,315.63</td>
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<tr>
<td>Assessor's Office</td>
<td>1-01-20-150</td>
<td>9,939.92</td>
<td></td>
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<td>9,939.92</td>
</tr>
<tr>
<td>Treasurer's</td>
<td>1-01-20-131</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Emergency Mgmt</td>
<td>1-01-25-266</td>
<td>673.37</td>
<td></td>
<td>576.90</td>
<td>1,250.27</td>
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<tr>
<td>Police Division</td>
<td>1-01-25-241</td>
<td>413,453.91</td>
<td>34,282.45</td>
<td>1,874.56</td>
<td>449,610.92</td>
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<tr>
<td>Crossing Guard</td>
<td>1-01-25-241</td>
<td>9,346.00</td>
<td></td>
<td>30.00</td>
<td>9,376.00</td>
</tr>
<tr>
<td>Fire Division</td>
<td>1-01-25-266</td>
<td>307,953.07</td>
<td>3,301.80</td>
<td>7,119.29</td>
<td>318,374.16</td>
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<tr>
<td>Department</td>
<td>Code</td>
<td>Total Inflows</td>
<td>Total Outflows</td>
<td>Balance</td>
<td></td>
</tr>
<tr>
<td>--------------------------------</td>
<td>---------</td>
<td>---------------</td>
<td>----------------</td>
<td>-----------</td>
<td></td>
</tr>
<tr>
<td>Water Utility</td>
<td>0-01-26-774</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Grants Management</td>
<td>1-01-20-116</td>
<td>7,561.53</td>
<td></td>
<td>7,561.53</td>
<td></td>
</tr>
<tr>
<td>Signal &amp; Traffic Dept.</td>
<td>1-01-25-267</td>
<td>11,535.13</td>
<td>1,605.66</td>
<td>13,140.79</td>
<td></td>
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<tr>
<td>Public Library</td>
<td>1-01-29-390</td>
<td>20,464.35</td>
<td>729.63</td>
<td>21,193.98</td>
<td></td>
</tr>
<tr>
<td>Zoning Officer</td>
<td>1-01-21-186</td>
<td>8,057.55</td>
<td></td>
<td>8,057.55</td>
<td></td>
</tr>
<tr>
<td>Zoning Board of Adjust</td>
<td>1-01-21-185</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Planning Board</td>
<td>1-01-21-180</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Historic Preservation</td>
<td>1-01-20-175</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Municipal Court</td>
<td>1-01-43-490</td>
<td>27,020.94</td>
<td>619.78</td>
<td>27,640.72</td>
<td></td>
</tr>
<tr>
<td>Envir. Ser. Dir. Office</td>
<td>1-01-26-290</td>
<td>6,336.48</td>
<td></td>
<td>6,336.48</td>
<td></td>
</tr>
<tr>
<td>Streets &amp; Roads</td>
<td>1-01-26-291</td>
<td>325.00</td>
<td></td>
<td>325.00</td>
<td></td>
</tr>
<tr>
<td>Solid Waste</td>
<td>1-01-26-305</td>
<td>41,362.37</td>
<td>4,511.32</td>
<td>45,903.69</td>
<td></td>
</tr>
<tr>
<td>Recycling</td>
<td>1-01-26-300</td>
<td>6,029.97</td>
<td>1,414.20</td>
<td>7,444.17</td>
<td></td>
</tr>
<tr>
<td>Central Garage</td>
<td>1-01-26-301</td>
<td>9,495.26</td>
<td>1,342.20</td>
<td>10,837.46</td>
<td></td>
</tr>
<tr>
<td>Recreation Dept.</td>
<td>1-01-28-370</td>
<td>14,655.58</td>
<td></td>
<td>14,655.58</td>
<td></td>
</tr>
<tr>
<td>Parks &amp; Public Prop.</td>
<td>1-01-28-375</td>
<td>40,625.10</td>
<td>3,645.85</td>
<td>44,630.95</td>
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<tr>
<td>Arts on Waterfront</td>
<td>1-01-27-177</td>
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<tr>
<td>Human Service Direct.</td>
<td>1-01-27-330</td>
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<td>273.36</td>
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<td>Hispanic Affairs</td>
<td>1-01-27-331</td>
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<tr>
<td>Board of Health</td>
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<td>14,570.56</td>
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</tr>
<tr>
<td>Div of Housing Svc</td>
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<td>5,521.60</td>
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<td>5,521.60</td>
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</tr>
<tr>
<td>Senior Citizens Div</td>
<td>1-01-27-336</td>
<td>10,752.21</td>
<td>30.00</td>
<td>10,782.21</td>
<td></td>
</tr>
<tr>
<td>Rent &amp; Stabilization Bd</td>
<td>1-01-27-347</td>
<td>7,010.98</td>
<td>50.00</td>
<td>7,060.98</td>
<td></td>
</tr>
<tr>
<td>Transportation</td>
<td>1-01-27-348</td>
<td>5,500.09</td>
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<tr>
<td>Cultural Affairs</td>
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<td>2,305.03</td>
<td>30.94</td>
<td>2,360.97</td>
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Meeting of November 7, 2001

Public Defender 1-01-43-495 1,930.92 1,930.92
Construction Code 1-01-22-195 21,936.80 200.00 22,136.80
DDEF 0-01-55-901

Sub-Total 1,090,235.1 51,612.98 12,213.21 1,154,062.11

Other

Water Utility 0-05-20-701-010 2,228.80 208.95 2,437.75
Police Outside Employ. T-14-10-000-000 11,920.00 11,920.00

Police Grant.

Summer Lunch Progrm G-02-40-302-000

Grand Total 1,092,464.72 51,821.93 24,133.21 1,168,419.86

Motion by Councilman Ramos.
Seconded by Councilwoman Andreula.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

PAYROLL RESOLUTIONS

01-181

By Councilman Ramos:

RESOLVED, THAT WARRANTS DRAWN ON THE CITY TREASURER, TO THE ORDER OF THE CITY TREASURER, IN PAYMENT OF SERVICES OF OFFICERS AND EMPLOYEES OF THE CITY OF HOBOKEN, FOR THE PERIOD OCTOBER 11, 2001 TO OCTOBER 24, 2001 FOR THE PAYROLL ARE HEREBY RATIFIED IN THE FOLLOWING AMOUNTS:

<table>
<thead>
<tr>
<th>Department</th>
<th>Account Num</th>
<th>Regular Pay</th>
<th>Overtime</th>
<th>Other Pay</th>
<th>Total Pay</th>
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</thead>
<tbody>
<tr>
<td>Mayor's Office</td>
<td>1-01-20-110</td>
<td>10,467.67</td>
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<tr>
<td>City Council</td>
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<tr>
<td>City Clerks</td>
<td>1-01-20-120</td>
<td>9,415.11</td>
<td>243.72</td>
<td>307.69</td>
<td>9,966.52</td>
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<tr>
<td>Elections</td>
<td>1-01-20-122</td>
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<tr>
<td>Corporation Counsel</td>
<td>1-01-20-155</td>
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<tr>
<td>Department</td>
<td>Code</td>
<td>Amount 1</td>
<td>Amount 2</td>
<td>Amount 3</td>
<td>Amount 4</td>
</tr>
<tr>
<td>----------------------------</td>
<td>------------</td>
<td>----------</td>
<td>------------</td>
<td>-----------</td>
<td>-----------</td>
</tr>
<tr>
<td>Bus Adm. Office</td>
<td>1-01-20-112</td>
<td>5,794.47</td>
<td>320.90</td>
<td>6,115.37</td>
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<tr>
<td>ABC Board</td>
<td>1-01-20-113</td>
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<td>269.24</td>
<td>269.24</td>
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<tr>
<td>Purchasing Dept.</td>
<td>1-01-20-114</td>
<td>6,180.45</td>
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<td>6,180.45</td>
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<td>Finance Supervisor</td>
<td>1-01-20-130</td>
<td>5,726.21</td>
<td>200.00</td>
<td>5,926.21</td>
<td></td>
</tr>
<tr>
<td>Accounts &amp; Controls</td>
<td>1-01-20-131</td>
<td>3,339.30</td>
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<td>3,339.30</td>
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<tr>
<td>Payroll Division</td>
<td>1-01-20-132</td>
<td>4,710.95</td>
<td>50.00</td>
<td>4,760.95</td>
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<tr>
<td>Personnel</td>
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<td>4,315.22</td>
<td>40.00</td>
<td>4,355.22</td>
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<tr>
<td>Tax Collector's</td>
<td>1-01-20-145</td>
<td>9,315.63</td>
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<td>9,315.63</td>
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<tr>
<td>Assessor's Office</td>
<td>1-01-20-150</td>
<td>9,979.84</td>
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<td>Treasurer's</td>
<td>1-01-20-131</td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Emergency Mgmt</td>
<td>1-01-25-266</td>
<td>721.60</td>
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<td>721.60</td>
<td></td>
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<tr>
<td>Police Division</td>
<td>1-01-25-241</td>
<td>412,686.19</td>
<td>188,551.77</td>
<td>2,703.28</td>
<td>433,544.64</td>
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<td>Crossing Guard</td>
<td>1-01-25-241</td>
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<td>11,786.38</td>
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<tr>
<td>Fire Division</td>
<td>1-01-25-266</td>
<td>310,687.03</td>
<td>3,799.51</td>
<td>323,116.19</td>
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<tr>
<td>Water Utility</td>
<td>0-01-26-774</td>
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<td></td>
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<tr>
<td>Grants Management</td>
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<td>Signal &amp; Traffic Dept.</td>
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<td>11,220.38</td>
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<td>Public Library</td>
<td>1-01-29-390</td>
<td>20,532.83</td>
<td>729.63</td>
<td>21,262.46</td>
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<tr>
<td>Zoning Officer</td>
<td>1-01-21-186</td>
<td>6,873.48</td>
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<td>6,873.48</td>
<td></td>
</tr>
<tr>
<td>Zoning Board of Adjust</td>
<td>1-01-21-185</td>
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<td></td>
<td></td>
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<tr>
<td>Planning Board</td>
<td>1-01-21-180</td>
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<tr>
<td>Historic Preservation</td>
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<td>Municipal Court</td>
<td>1-01-43-490</td>
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<td>1,810.42</td>
<td>28,464.10</td>
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<td>Envir. Ser. Dir. Office</td>
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<td>Streets &amp; Roads</td>
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<td>325.00</td>
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<td>Solid Waste</td>
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Meeting of November 7, 2001
<table>
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<tr>
<th>Department</th>
<th>Code</th>
<th>Budget</th>
<th>Overtime</th>
<th>Total</th>
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</thead>
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<tr>
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<td>44,440.95</td>
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<tr>
<td>Arts on Waterfront</td>
<td>1-01-27-177</td>
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<td></td>
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</tr>
<tr>
<td>Human Service Direct.</td>
<td>1-01-27-330</td>
<td>5,038.33</td>
<td>341.70</td>
<td>5,380.03</td>
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<tr>
<td>Hispanic Affairs</td>
<td>1-01-27-331</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Board of Health</td>
<td>1-01-27-332</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Senior Citizens Div</td>
<td>1-01-27-336</td>
<td>10,752.21</td>
<td>30.00</td>
<td>10,782.21</td>
</tr>
<tr>
<td>Rent &amp; Stabilization Bd</td>
<td>1-01-27-347</td>
<td>7,010.98</td>
<td>50.00</td>
<td>7,060.98</td>
</tr>
<tr>
<td>Transportation</td>
<td>1-01-27-348</td>
<td>5,315.40</td>
<td>373.08</td>
<td>5,688.48</td>
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<td>2,511.27</td>
<td>4,579.56</td>
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<tr>
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<td>1,930.92</td>
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<tr>
<td>Construction Code</td>
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<td>200.00</td>
<td>23,363.12</td>
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<tr>
<td>DDEF</td>
<td>0-01-55-901</td>
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<td><strong>Sub-Total</strong></td>
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<td><strong>1,097,494.22</strong></td>
<td><strong>35,803.96</strong></td>
<td><strong>1,147,298.18</strong></td>
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<tr>
<td><strong>Other</strong></td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Water Utility</td>
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<td>Police Outside Employ.</td>
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<td>13,020.00</td>
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<tr>
<td>Police Grant.</td>
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<td></td>
<td>13,020.00</td>
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<td><strong>38,338.39</strong></td>
<td><strong>1,165,065.41</strong></td>
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</table>

Motion by Councilman Ramos.  
Seconded by Councilwoman Andreula.  
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

RESOLUTIONS

Presented and Read

01-182
---By Councilman Ramos:

WHEREAS, a summons was issued for a motor vehicle violation to the following individuals; and

WHEREAS, said motor vehicle(s) were towed away the expense of the owner; and

WHEREAS, the Municipal Judge found the defendants not guilty and the defendants are entitled to reimbursement of the towing charges and storage fees;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Hoboken that warrants be drawn on the City Treasurer to the order of the following sums opposite their respective names as reimbursement of towing charges:

<table>
<thead>
<tr>
<th>Name/Address</th>
<th>Summons Date</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mr. Ryan Campbell</td>
<td>07/24/01</td>
<td>$96.20</td>
</tr>
<tr>
<td>800 Jefferson Street</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hoboken, NJ 07030</td>
<td>124571</td>
<td></td>
</tr>
<tr>
<td>Kerry Delaney</td>
<td>11/23/01</td>
<td>$106.80</td>
</tr>
<tr>
<td>68 Meadowbrook Road</td>
<td></td>
<td></td>
</tr>
<tr>
<td>North Plainfield, NJ 07062</td>
<td>175935</td>
<td></td>
</tr>
<tr>
<td>Sara E. Angelo</td>
<td>09/05/01</td>
<td>$138.60</td>
</tr>
<tr>
<td>614 Hudson Street</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hoboken, NJ 07030</td>
<td>141511</td>
<td></td>
</tr>
<tr>
<td>Grace Pacilli</td>
<td>09/04/01</td>
<td>$75.00</td>
</tr>
<tr>
<td>10 Church Towers</td>
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<td></td>
</tr>
<tr>
<td>Hoboken, NJ 07030</td>
<td>106520</td>
<td></td>
</tr>
<tr>
<td>Jessica Euskie</td>
<td>07/19/01</td>
<td>$75.00</td>
</tr>
<tr>
<td>6914 Liberty Avenue #4</td>
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<td></td>
</tr>
<tr>
<td>North Bergen, NJ 07047</td>
<td>119473</td>
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</tr>
<tr>
<td>Geeneh Gorji</td>
<td>07/19/01</td>
<td>$75.00</td>
</tr>
<tr>
<td>304 Hudson Street, Apt. 4</td>
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<td></td>
</tr>
<tr>
<td>Hoboken, NJ</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

$566.60

---Motion duly seconded by Councilwoman Andreula.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

**01-183**
---By Councilman Ramos:

WHEREAS, this proposal did not meet the expectations of the Administration, and,

WHEREAS, the Purchasing Agent recommends the rejections of this bid, now, therefore, be it

RESOLVED, that the proposal for Electrical Services to the City of Hoboken, submitted by the firm listed as follows:

IDJ Construction & Electric, Inc.
6018 Jefferson Street
West New York, 07093-1413

be and is hereby rejected, and, be it further

RESOLVED, that the Administration of the City of Hoboken, be, and is hereby, authorized to re-advertise for these goods and/or services.

---Motion duly seconded by Councilwoman Andreula.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.
WHEREAS, the Purchasing Agent, Department of Administration requests authorization of the Council to dispose of abandoned vehicles, that are in the possession of the Hoboken Police Department for over thirty days, the said authorized pursuant to provision of N.J.S.A. 39:10A-1 and

NOW THEREFORE, BE IT RESOLVED, the Purchasing Agent, Department of Administration or his duly authorized representative is hereby authorized to expose for sale at Public Auction, Friday, 30 November 2001, at 11:00 A.M. in the City Hall, Court Room, 94 Washington Street, the vehicles set forth on the attached list pursuant to law.

---Motion duly seconded by Councilwoman Andreula.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

WHEREAS, the City of Hoboken has received Homestead Rebate Funds and/or New Jersey Saver Rebate from the State of New Jersey on behalf of the following taxpayers, which payments were forwarded to the City in error:

<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Thomas W. Muldowney</td>
<td>608 Park Avenue, Apt 3</td>
<td>$477.90</td>
</tr>
<tr>
<td>Yaakov Ringler</td>
<td>1314 Hudson Street, Apt 3</td>
<td>$229.45</td>
</tr>
</tbody>
</table>

WHEREAS, the tax collector recommends the refund of the aforesaid amounts to those individuals; and

NOW, THEREFORE, BE IT RESOLVED, that warrants be drawn on the City Treasurer in favor of the aforementioned individuals for the amounts set forth next to their names.

---Motion duly seconded by Councilman Cricco.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

WHEREAS, an overpayment of taxes has been made on property listed below; and

WHEREAS, Louis P. Picardo, Collector of Revenue by his letter hereto attached and made a part hereof, recommends that refunds be made; now, therefore, be it –
RESOLVED, that a warrant be drawn on the City Treasurer to the order of the following taxpayer in the sum opposite their respective name, totaling $2,942.64 representing overpayment of taxes:

<table>
<thead>
<tr>
<th>NAME</th>
<th>BLOCKLOT/UNIT</th>
<th>PROPERTY</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Corrine M. Muller, Esq.</td>
<td>219/19.1/C03-2</td>
<td>820 Hudson St.</td>
<td>$1,635.77</td>
</tr>
<tr>
<td>Anthony Cotrupe</td>
<td>221/24/C0109</td>
<td>1000 Hudson St</td>
<td>$100.99</td>
</tr>
<tr>
<td>131-133 Wash. St. LLC</td>
<td>212/13</td>
<td>131-133 Wash. St</td>
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<td>Anthony Cotrupe</td>
<td>221/24/C0109</td>
<td>1000 Hudson St</td>
<td>$100.99</td>
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<td>James McCaffery, Esq.</td>
<td>221\16\C0009</td>
<td>1028 Washington St</td>
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<td>305 Park Avenue</td>
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<td>21\7</td>
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<td>176/7.1\C01-C</td>
<td>99 Park Avenue</td>
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<td>100\1</td>
<td>1017 Jefferson St</td>
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<td>49\11</td>
<td>332 Jefferson St</td>
<td>$280.22</td>
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---Motion duly seconded by Councilman Cricco.  
---Adopted by the following vote: YEAS: 9 - NAYS: 0  
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.  
---Nays: None.

01-188  
---By Councilman Giacchi:
WHEREAS, the Director of Environmental Services has authorized the City of Hoboken Tax Office to release the Tax Sale Certificate held for Block 59 Lot 7 on the Tax Map of the City of Hoboken; and

WHEREAS, the Tax Collector has recommended that said lien No. 91-413 on the subject property be removed; now, therefore, be it

RESOLVED, by the Council of the City of Hoboken that lien No. 91-413 on property identified as 415 Madison Street, also known as Block 59 Lot 7 on the Tax Map of the City of Hoboken be released and canceled forthwith.

---Motion duly seconded by Councilman Cricco.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

01-189
---By Councilman Ramos:

WHEREAS, pursuant to the resolution of the City Council and after public advertising thereof, the following proposal was received for Rock Salt for the City of Hoboken in accordance with Bid 02-06:

<table>
<thead>
<tr>
<th>Name of Bidder</th>
<th>Amount of Bid</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Year #1</td>
</tr>
<tr>
<td>International Salt Co. LLC</td>
<td>$35.71/Ton</td>
</tr>
<tr>
<td>655 Northern Boulevard</td>
<td></td>
</tr>
<tr>
<td>Clarks Summit, PA 18411</td>
<td></td>
</tr>
<tr>
<td>Atlantic Salt, Inc.</td>
<td>$35.49/Ton</td>
</tr>
<tr>
<td>130 Plain Street</td>
<td></td>
</tr>
<tr>
<td>Lowell, MA 01851</td>
<td></td>
</tr>
</tbody>
</table>

And:

WHEREAS, the Purchasing Agent recommends the acceptance of the bid of Atlantic Salt, Inc. for Rock Salt for the City of Hoboken;

RESOLVED, that the proposal of Atlantic Salt, Inc. for Rock Salt: is hereby accepted, and be it further

RESOLVED, that a contract be drafted and entered into between the Mayor and Council of the City of Hoboken and Atlantic Salt, Inc. for the aforementioned supply of Rock Salt, for a period of (2) years, form of which contract is to be prepared by the City’s Corporate Counsel; and be it further

RESOLVED, that the Mayor or Business Administrator is hereby authorized to execute the contract and the City Clerk is hereby authorized to attest the same and to affix thereon the corporate seal of the City of Hoboken; and be it further

RESOLVED, that upon execution of the aforementioned contract the bid bond deposited by the above bidder be returned to them.
---Motion duly seconded by Councilwoman Andreula.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

01-190
---By Councilman Ramos:

WHEREAS, pursuant to the resolution of the City Council and after public advertising thereof, the following proposal was received for Fuel Oil for the City of Hoboken in accordance with Bid 02-05:

<table>
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<tr>
<th>Name of Bidder</th>
<th>Year #1</th>
<th>Year #2</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>#2 Oil</td>
<td>#4 Oil</td>
</tr>
<tr>
<td>Petroleum Traders Lightship</td>
<td>$0.8545/gal</td>
<td>No Bid</td>
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<td>7110 Pointe Inverness way</td>
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<td>$0.8545/gal</td>
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<tr>
<td>Ft. Wayne, IN 46804</td>
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<tr>
<td>Oil Partners, LP</td>
<td>$0.7719/gal</td>
<td>$0.7503</td>
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<tr>
<td>1120 Post Road</td>
<td></td>
<td>$0.7719/gal</td>
</tr>
<tr>
<td>Darien, CT 06820</td>
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</tr>
<tr>
<td>Allied Oil, LLC</td>
<td>$0.8595/gal</td>
<td>NoBid</td>
</tr>
<tr>
<td>25OldCamplainRoad</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hillsborough, NJ 08844</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

and:

WHEREAS, the Purchasing Agent recommends the acceptance of the bid of Oil Partners, LP for Fuel Oil for the City of Hoboken;

RESOLVED, that the proposal of Oil Partners, LP for Fuel Oil: is hereby accepted, and be it further

RESOLVED, that a contract be drafted and entered into between the Mayor and Council of the City of Hoboken and Oil Partners, LP for the aforementioned supply of Fuel Oil, for a period of (2) years, form of which contract is to be prepared by the City’s Corporate Counsel; and be it further

RESOLVED, that the Mayor or Business Administrator is hereby authorized to execute the contract and the City Clerk is hereby authorized to attest the same and to affix thereon the corporate seal of the City of Hoboken; and be it further

RESOLVED, that upon execution of the aforementioned contract the bid bond deposited by the above bidder be returned to them.

---Motion duly seconded by Councilwoman Andreula.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.
WHEREAS, pursuant to the resolution of the City Council and after public advertising thereof, the following proposal was received for Athletic Supplies for the City of Hoboken in accordance with Bid 02-02:

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<th>Name of Bidder</th>
<th>Amount of Bid</th>
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<th>Year #2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Stan's Sport Center</td>
<td>$182,986.50</td>
<td>$182,986.50</td>
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<tr>
<td>S&amp;S Worldwide</td>
<td>Partial Bid</td>
<td>Partial Bid</td>
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<tr>
<td>Sport Supply Group, Inc.</td>
<td>Partial Bid</td>
<td>Partial Bid</td>
<td></td>
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</table>

And:

WHEREAS, the Purchasing Agent recommends the acceptance of the bid of Stan's Sport Center for Athletic Supplies for the City of Hoboken;

RESOLVED, that the proposal of Stan's Sport Center, for Athletic Supplies: is hereby accepted, and be it further

RESOLVED, that a contract be drafted and entered into between the Mayor and Council of the City of Hoboken and Stan's Sport Center, for the aforementioned Athletic Supplies, for a period of (2) years, form of which contract is to be prepared by the City's Corporate Counsel; and be it further

RESOLVED, that the Mayor or Business Administrator is hereby authorized to execute the contract and the City Clerk is hereby authorized to attest the same and to affix thereon the corporate seal of the City of Hoboken; and be it further

RESOLVED, that upon execution of the aforementioned contract the bid bond deposited by the above bidder be returned to them.

---Motion duly seconded by Councilwoman Andreula.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

---By Councilman Ramos:
WHEREAS, N.J.S.A. 40A 4-20 provides for the creation of an emergency temporary appropriation whereby an emergent condition arises with respect to appropriation needed to pay claim until an official budget is adopted and sufficient provision has not been made in the fiscal year 2002 temporary appropriations for the aforesaid purpose, and

WHEREAS, temporary appropriations and total emergency temporary resolutions adopted in fiscal year 2002 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A: 4-20) including this resolution total $ 23, 490, 692.96 (an increase of $1,894,800.00 over the October 17, 2001 Temporary Emergency Resolution ).

NOW THEREFORE, BE IT RESOLVED, by the Council of the City of Hoboken that in accordance with the provisions of N.J.S.A. 40A:4-20:

1. Emergency temporary appropriations be and the same is hereby made for the below listed appropriations in the amounts noted.
2. That said emergency temporary appropriations will be provided for in the fiscal year 2002 budget under their respective titles.
3. That one certified copy of this resolution be filed with the Director of Local Government Services.

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<tr>
<th>Account Description</th>
<th>Account No.</th>
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<td>20-110-1</td>
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**Total: 23,490,692.96**
---Motion duly seconded by Councilwoman Andreula.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

01-193
---By Councilman Ramos:

WHEREAS, the Council of the City of Hoboken adopted on June 1, 1994 an ordinance entitled, “AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 192 OF THE CODE OF THE CITY OF HOBOKEN (PARKING FOR HANDICAPPED).” (The Ordinance) to regulate and control the application and approval for the issuance of special handicapped parking spaces within the City of Hoboken; and

WHEREAS, the Ordinances requires an application fee of $130.00 to be paid with every application submitted for a handicapped parking space and $125.00 to be refunded for any application deemed ineligible; and

WHEREAS, the Subcommittee for handicapped Parking, meeting in session, has found the following applicant ineligible for a handicapped parking space:

Virginia Calicchio
409 Jefferson Street

NOW, THEREFORE, BE IT RESOLVED, that payment be made in the amount of $125.00 to Virginia Calicchio of 409 Jefferson Street above mentioned applicant as a refund of an application fee for a handicapped parking space.

---Motion duly seconded by Councilwoman Andreula.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

01-194
---By Councilman Ramos:

Before the vote, one member of the public spoke: Helen Hirsch, 98 Park Avenue.

WHEREAS, SJP Properties has received permits for constructing of Phase II, Block A Waterfront Corporate Center along River Street; First Street to Second Street, and

WHEREAS, current construction work may cause a safety hazard to anyone and property in the immediate vicinity; and

WHEREAS, SJP Properties Corporation has requested that as an added safety measure the City of Hoboken prohibit parking and vehicular traffic on the following street:
• Second Street (both sides) beginning at the easterly curb line of Sinatra Drive and extending to the easterly curb line of River Street
• Closing of Second Street (Sinatra Drive to River Street) to erect an oversize crane in the street. The herein location shall be closed by erecting a fence by SJP Properties

RESOLVED, that the Council of the City of Hoboken does hereby close Second Street to vehicular traffic starting on Monday, December 3, 2001, and through and inclusive of Friday, August 30, 2002, and now be it …

FURTHER RESOLVED, that a copy of this resolution be presented to the Department of Administration, Division of Signal 7 Traffic, for immediate implementation of any necessary public notices and signage and that the Signal & Traffic Division prepare the necessary traffic regulations and notifications to the New Jersey Department of Transportation.

---Motion duly seconded by Councilwoman Andreula.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

ORDINANCES
Introduction and First Reading

01-195
DR-17
AN ORDINANCE AMENDING CHAPTER 196 OF THE CODE OF THE CITY OF HOBOKEN, R-1, R-2 AND R-3 ZONES, WITH RESPECT TO BUILDING HEIGHT, DENSITY AND RELATED ISSUES.

WHEREAS, the City of Hoboken has a strong commitment to address and maintain issues relating to density, open space and parking for the resident of the City of Hoboken; and

WHEREAS, the City of Hoboken has revised its ordinance to address these issues within residential zones.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the City of Hoboken in the County of Hudson that the Hoboken Code shall be amended by adding the following sections:

SECTION I

ARTICLE V
Schedule I: Residential District

§ 196-14, R-1 District; R-1(E) Subdistrict; R-1 (CS) Subdistrict

A. Purpose. – n.c.
B. Principal permitted uses shall be as follows: - n.c.
C. Accessory uses shall be as follows: - n.c.

D. Conditional uses shall be as follows: - n.c.

E. Area, yard and building requirements for principal and accessory buildings shall be as follows:
   
   (1) Lot areas minimum: - n.c.
   (2) Lot width, minimum: - n.c.
   (3) Lot depth, minimum: -n.c.
   (4) Lot coverage maximum: -n.c.
   (5) Open-space ratio, minimum: - n.c.
   (6) Building height

   (a) R-1 District: Principle buildings, a maximum of [three (3)] stories 
   [but] in no event more than forty (40) feet above base flood elevation, whichever is less.

   [1] Where front sidewalk grade is already above base flood 
   elevation, maximum height of forty (40) feet shall be 
   measured from said sidewalk grade. Where front sidewalk 
   grade is below the natural grade of the building site as of the 
   date of adoption of this ordinance, such as a Hudson Street, 
   the point of measurement for maximum building height shall 
   be determined by the average elevation of the final grade 
   adjoining such building.

   [2] Where new building occupies no more than fifty feet of frontage 
   between two existing adjacent principal buildings whose height [as measured in feet] is lower than the maximum 
   permitted for the district, the new structure [may] match the 
   height of the higher than the maximum permitted for the 
   district, the new structure may match the lower of the two 
   buildings. Final height in such a case includes any front 
   parapet.

   [3] In the event, any principal building or portion of a 
   principal building constructed in the corner lot 
   area my be built to the maximum height permitted 
   for the district. The corner lot area shall be 
   limited to an area no larger than 25ft. by 100ft. as 
   shown on the city’s tax map as of the date of the 
   adoption of this ordinance. All other bulk 
   regulations shall apply.
(b) R-1 (E) Subdistrict: - n.c.
(c) R-1 (CS) Subdistrict – n.c.

(7) Yard dimension, minimum:
(a) R-1 District

[1] Front: [minimum five (5) feet:] maximum of ten (10) feet; front yard setback areas are to be fenced and landscaped; stoops are to be encouraged and shall not be counted as lot coverage; bay windows extending no further than thirty-six (36) inches from the front façade and located entirely within the property line shall not be counted as lot coverage; any fencing, landscaping or stoop beyond the property line is subject to the City Code, Chapter: 168: Streets and Sidewalks.]

[2] Rear: thirty (30) feet or thirty percent (30%) of lot depth, whichever is less. In no event shall the rear building wall of any extension, enlargement or new construction be permitted at a depth greater than seventy (70) feet from the front lot line.; rear yard areas are to be landscaped and accessible to occupants and for maintenance purposes.]

[3] Side: zero (0) or five (5) feet.

(b) R-1 (E) Subdistrict – n.c.
(c) R-1 (CS) Subdistrict – n.c.

(8) Density: residential density of development of a site will be determined by side area per dwelling unit and maximum number of dwelling units adjusted where necessary for other on-site principal uses as calculated below:

(a) Site area per dwelling unit (SA/DU), minimum: [six hundred and sixty (660)] square feet per dwelling unit.

(b) Dwelling units, maximum: site area divided by [600].

(c) Where principal uses [in addition to] residential are proposed for the subject building (such as retail or office), the percentage of total permitted floor area occupied by the non-residential use shall be applied against the maximum number of dwelling units and the residential units shall be reduced thereby [except as specified below]. Any fraction shall be equivalent to a whole dwelling unit. [On Washington Street, First Street and Fourteenth Street non-residential principal uses located on the
ground floor and basement (as permitted elsewhere in this chapter) shall not be deducted from the maximum permitted number of residential units.]

F. Off-street parking shall be as follows:

G. (1) R-1 District
   (a) None permitted or required for residential use either new or existing. See Article XI.
   (b) None permitted on-side for non-residential use either new or existing. Where such use is located within 800 ft. of a public parking facility, the parking requirement shall be satisfied through participation in the Park & Shop Program (or its successor or equivalent program) or other contractual arrangement with the parking operator. See Article XI.
   (2) R-1 (E) Subdistrict – n.c.
   (3) R-1 (CS) Subdistrict – n.c.

§ 196-16. R-2 District.
A. Purpose. – n.c.
B. Principal permitted uses shall be as follows: - n.c.
C. Accessory uses shall be as follows: - n.c.
D. Conditional uses shall be as follows: - n.c.
E. Area, yard and building requirement for principal and accessory buildings shall be as follows:
   (1) Lot area, minimum: - n.c.
   (2) Lot width, minimum: - n.c.
   (3) Lot depth, minimum: - n.c.
   (4) Lot coverage, maximum: - n.c.
   (5) Building height, maximum: For principal buildings: a maximum of [four (4)] stories which may consist of [three (3)] stories, or not more than [thirty (30)] feet, whichever is less, above an on-site parking facility for a total height not to exceed [forty (40)] feet.
      [1] Where a principal building is constructed without parking, its maximum height may be more than [three (3)] stories or not more than forty (40) feet above base flood elevation, whichever is less.
      [2] Where front sidewalk grade is already above base flood elevation, maximum height shall be measured from said sidewalk grade.
[3] Where a new building occupies no more than fifty feet of frontage between two existing adjacent buildings which are height than the maximum allowed [as measured in feet], the new structure may match the height of the lower of the two (2) buildings. Final height in such a case includes any front parapet.

[4] In any event, any principal building or portion of a principal building constructed in the corner lot area may be built to the maximum height permitted for the district. The corner lot area shall be limited to an area no larger than 25 feet by 100 feet, as shown on the city’s tax map as of the date of the adoption of this ordinance. All other bulk regulations shall apply.

[6] Density: residential density of development of a site will be determined by site area per dwelling unit and maximum number of dwelling units adjusted where necessary for other on-site principal uses as calculated below:

(a) Site area per dwelling unit (SA/DU), minimum: [six hundred and sixty (660)] square feet per dwelling unit.

(b) Dwelling units, maximum: site area divided by [600].

(c) Where principal uses [in addition to] residential are proposed for the subject building (such as retail or office), the percentage of total permitted floor area occupied by the non-residential use shall be applied against the maximum number of dwelling units and the residential units shall be reduced thereby [except as specified below]. Any fraction shall be equivalent to a whole dwelling unit.

[On Fourteenth Street non-residential principal uses located on the ground floor and basement (as permitted elsewhere in this chapter) shall not be deducted from the maximum permitted number of residential units.]

(6.1) Yard dimensions, minimum: (former Sub-section E (6) inadvertently deleted 4/21/99 by Ord.R-378)

[(a) Front: minimum five (5) feet, maximum ten (10) feet; front yard setback areas are to be fenced and landscaped; stoops are to be encouraged and shall not be counted as lot coverage; bay windows extending no further than thirty-six (36) inches from the front façade]
and located entirely within the property line shall not be counted as lot coverage; any fencing, landscaping or stoop beyond the property line is subject to the City Code, Chapter 168: Streets and Sidewalks.]

(b) Side: zero (0) or five (5) feet.

(c) Rear: thirty (30) feet or thirty percent (30%) of lot depth, whichever is less. In no event shall the rear building wall of any extension, enlargement or new construction be permitted at a depth greater than seventy (70) feet from the front lot line.; rear yard areas are to be landscaped and accessible to occupants and for maintenance purposes.]

(7) Hospitals and related uses: - n.c.

(8) Public parking garage; - n.c.

(9) Pedestrian bridge: - n.c.

F. Off-street parking and loading shall be as follows:

(1) None required for first five (5) dwelling units. At least one (1) off-street parking – n.c.

(2) Parking required for a hospital – n.c.

(3) For all other uses – n.c.

§ 196-16. R-3 District.

A. Purpose. – n.c.

B. Principal permitted uses shall be as follows: - n.c.

C. Accessory uses shall be the same as R-2 Residence District (§ 196-15) – n.c.

D. Conditional uses shall be as follows: - n.c.

(1) n.c.

(2) n.c.

(3) n.c.

(4) n.c.

(5) Loft building.

(6) n.c.

(7) n.c.

(8) n.c.
E. Area, yard and building requirements for principal and accessory buildings shall be as follows:

1. Lot area, minimum: - n.c.
2. Lot width, minimum: - n.c.
3. Lot depth, minimum: -n.c.
4. Lot coverage, maximum – n.c.
5. Building height, maximum: For principal buildings: a maximum of [four (4)] stories which may consist of [three (3)] stories, or not more than [thirty (30)] feet, whichever is less, above an on-site parking facility for a total height not to exceed [forty (40)] feet

[1] Where a principal building is constructed without parking, its maximum height may be no more than [three (3)] stories or not more than forty (40) feet above base flood elevation, whichever is less.

[2] Where front sidewalk grade is already above base flood elevation, maximum height shall be measured from said sidewalk grade.

[3] Where a new building occupies no more than fifty feet (50) feet of frontage between two existing adjacent buildings which are higher than the maximum allowed [as measured in feet], the new structure may match the height of the lower of the two (2) buildings. Final height in such a case includes any front parapet.

[4] In any event, any principal building or portion of a principal building constructed in the corner lot area may be built to the maximum height permitted for the district. The corner lot area shall be limited to an area no larger than 25ft. by 100ft. as shown on the city’s tax map as of the date of the adoption of this ordinance. All other bulk regulations shall apply.

(6). Density: residential density of development of a site will be determined by site area per dwelling unit and maximum number of dwelling units adjusted where necessary for other on-site principal uses as calculated below:

(a) Site area per dwelling unit (SA/DU), minimum: [six hundred and sixty (660)] square feet per dwelling unit.

(b) Dwelling units, maximum: site area divided by [600].

(c) Where principal uses [in addition to] residential are proposed for the subject building (such as retail or office), the percentage of total permitted floor area
occupied by the non-residential us shall be applied against the maximum number of dwelling units and the residential units shall be reduced thereby [except as specified below]. Any fraction shall be equivalent to a whole dwelling unit. [On First Street, Newark Street and Observer Highway, non-residential principal uses located on the ground floor and basement (as permitted elsewhere in this chapter) shall not be deducted from the maximum permitted number of residential units.]

(7) Yard dimension, minimum:

(a) Front: minimum five (5) feet, maximum ten (10) feet; front yard setback areas are to be fenced and landscaped; stoops are to be encouraged and shall not be counted as lot coverage; bay windows extending no further than thirty-six (36) inches from the front façade and located entirely within the property line shall not be counted as lot coverage; any fencing, landscaping or stoop beyond the property line is subject to the City Code, Chapter 168: Streets and Sidewalks.

(b) Side: zero (0) or five (5) feet.

(c) Rear thirty (30) feet or thirty percent (30%) of the lot depth, whichever is less. In no event shall the rear wall of the principal building, whether created by new construction or an extension to an existing building, be permitted at a depth greater than seventy (70) feet from the front lot line. [Rear yard areas are to be landscaped and accessible to occupants and for maintenance purposes.]

F. Minimum off-street parking shall be the same as R-2 Residence District (§ 196-15)

ARTICLE II
Definitions

BASEMENT – A space having at least on-half (1/2) of its floor-to-ceiling height above the average level of the adjoining exterior grade. A “basement” shall be counted as a story if used for business, industrial, office or residential purposes.

CELLAR – A space with less than one-half (1/2) of its floor-to-ceiling height above the average finished grade of the adjoining exterior ground. Such space shall not be used for other than storage or installed building equipment.

PREVAILING HEIGHT – [see individual district regulations]
PREVAILING SETBACK – [see individual district regulations]

SECTION II

If any section or provision of this Ordinance shall be held invalid in any court, the same shall not affect the other sections or provisions of this Ordinance except so far as the section or provision declared invalid shall be inseparable from the remainder or any portion thereof.

SECTION III

Any Ordinance, or section or provision of any Ordinance inconsistent with this ordinance is hereby repealed to the extent of such inconsistency.

---Councilwoman Marsh moved that the ordinance pass its first reading as read and be laid on the table for public inspection to be further considered for final passage at a meeting of the Council to be held on DECEMBER 5, 2001 at 7:00 PM.

---Motion duly seconded by Councilman Campos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

01 - 196
DR - 18
AN ORDINANCE ENTITLED “HARASSMENT POLICY” TO BE ADDED TO THE CODE OF THE CITY OF HOBOKEN.

WHEREAS, the City of Hoboken has a strong commitment to preventing harassment and addressing harassment complaints; and

WHEREAS, the City of Hoboken has revised its harassment policy pursuant to current law.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the City of Hoboken in the County of Hudson that the Hoboken Code shall be amended by adding the following sections:

SECTION I
CITY OF HOBOKEN HARASSMENT POLICY

Policy:

The City of Hoboken (hereinafter referred to as the “City”) has a strong Commitment to provide a work environment free from unlawful harassment based on sex, race, color, religion, national origin, age, disability, ancestry, atypical hereditary cellular or blood trait (AHCBT), liability for service in the Armed Forces of the United States, creed, handicap, marital status, nationality, genetic information, refusal to submit to genetic testing, refusal to provide genetic information, or race of that person, or of that person’s spouse, partners, members, stockholders, directors, officers, managers, superintendents, agents, employees, business associates, suppliers, or customers (collectively the “protected classifications”). The City will not tolerate unlawful harassment. Acts or incidents of unlawful harassment should be promptly reported in accordance with the procedures outlined below. The City will promptly investigate all reports of unlawful harassment. Employees who violate this Policy will be subject to disciplinary action up to and including termination from employment. Employees who violate this Policy also risk personal legal liability.

Purpose: To ensure all employees of the City of Hoboken a work environment free of any type of unlawful discrimination, including freedom from harassment on the basis of any protected classification.

Provisions:

1. Conduct that may violate this Policy and result in disciplinary action includes the following:

   ▪ Unwelcome remarks and actions based on the protected classifications. This may include, but is not limited to, inappropriate jokes, comments or posted materials.

   ▪ Threats or suggestions that an employee’s work status will be adversely affected based upon the protected classifications.

   ▪ Affecting or denying employment opportunities or benefits to an employee based upon the protected classifications.

   ▪ Engaging in a negative tangible employment action based upon the protected classifications.

   ▪ Retaliation against an employee who has reported any alleged violation of this Policy or participated in an investigation related to this Policy.

2. Sexual Harassment: An important note must be made with respect to sexual harassment. Sexual harassment is defined as any unwelcome advance or request for sexual favors or any conduct of a sexual nature where:

   ▪ Submission is made explicitly or implicitly a term or condition of employment; or

   ▪ Submission to or rejection of harassing conduct or communication is used or is threatened to be used as the basis of employment decisions; or

   ▪ Such conduct has the purpose or effect of substantially interfering with an individual’s work or creates an intimidating, hostile, or offensive working environment.

Meeting of November 7, 2001
Sexual harassment is different from sexual attraction or flirtation. Sexual harassment is \textit{unwelcome} sexual attention which is demeaning and causes the recipient distress. Sexual harassment does not refer to occasional compliments. However, comments or behavior which may be intended to be complimentary may be viewed by the recipient as unwelcome and a form of sexual harassment.

Special care must be exercised by supervisors and managers whose actions or remarks may be mistakenly perceived as unlawful harassment. The subordinate may feel inhibited and may not disclose the unwelcome actions or remarks by the supervisor or person of higher rank. Unlawful harassment is not limited, however, to employees of different rank.

3. \textbf{Compliant Procedure:} Any employee who feels he or she has been subject to harassment or has knowledge of a violation of this Policy should report the incident directly to the employees’ direct Supervisor or Department Director or Corporation Counsel. The employee should complete the complaint form to initiate a harassment under this Policy.

4. \textbf{Investigation Procedure:} Once a complaint has been registered, a prompt and through investigation will be conducted to determine the meritorious character of the complaint.

In the event that it is determined that the compliant has merit, the Supervisor, Director or Corporation Counsel shall promptly thereafter schedule a hearing on the complaint. If the complaint has not been issued in writing, the complainant shall cause the complaint to be set forth in writing specifying details of the incident or incidents complained of.

If the City determines that unlawful harassment has occurred in violation of this Policy, the individual who engaged in such harassing conduct shall face immediate and appropriate disciplinary action based upon the severity of the complaint and any prior history of past charges against and disciplinary action involving the individual. Disciplinary action may include a written warning, suspension, demotion, and/or termination of employment. At the discretion of the Supervisor, Director or Corporation Counsel, the accused may be suspended without pay pending the hearing. In the event that the charges or the complaint is determined to be without merits and is dismissed following the suspension of the accused, the accused shall be reinstated with back pay.

In the event that the Supervisor, Director or Corporation Counsel determined the complaint to be without any merit and/or a fabrication, appropriate disciplinary action may be taken against the employee who caused the complaint to be executed.

5. \textbf{Privacy:} The City of Hoboken encourages victims of harassment to bring their complaints to management by ensuring that no reprisals or retaliation will result against such complaining individual as a result of the good faith reporting of harassment. In addition, anyone who assists in the filing of a complaint or in the investigation of a claim of harassment will be protected from reprisals and retaliation. Reprisal or retaliation may be the basis of a separate complaint, even if the complaint of harassment may be found to be without merit.

To the fullest extent possible and so long as it does not inhibit the conducting of an investigation, all persons involved with a harassment complaint will be given the utmost protection of privacy.
5. **City Liability:** Because the City of Hoboken prohibits harassment of its employees in any form, any individual charged with harassment in a civil action or by way of an administrative complaint shall be solely responsible for paying all costs of defense and/or any damages resulting therefrom which shall be awarded by proper court of law or by an administrative hearing.

Any employee with questions regarding the City’s Policy Against Harassment may contact the Supervisor, Director or Corporation Counsel.

**SECTION II**

If any section or provision of this Ordinance shall be held invalid in any court, the same shall not affect the other sections or provisions of this Ordinance except so far as the section or provision declared invalid shall be inseparable from the remainder or any portion thereof.

**SECTION III**

Any Ordinance, or section or provision of any Ordinance inconsistent with this ordinance is hereby repealed to the extent of such inconsistency.

**SECTION IV**

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

---Council President Soares moved that the ordinance pass its first reading as read and be laid on the table for public inspection to be further considered for final passage at a meeting of the Council to be held on NOVEMBER 21, 2001 at 7:00 PM.

---Motion duly seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

Before the “Public Portion” part of the meeting began, Councilman Cricco asked for a moment of silence for David Corea, who recently passed away. Councilman Cricco then excused himself from the meeting at 7:33 p.m. to attend the services.

Councilman Ramos then read the following into the record, regarding the Hoboken Housing Authority.

**01-197**

November 7, 2001

Ms. Jean Rodriguez  
Chairperson, Hoboken Housing Authority  
400 Harrison Street  
Hoboken, NJ 07030

Re: Housing Authority Meeting of November 7, 2001

Ms. Rodriguez:
Please accept this correspondence as an official protest on behalf of Councilman Christopher Campos, Councilman of the Fourth Ward, and Councilman Ruben Ramos, Councilman-At-Large, of the fact that the Hoboken Housing Authority is conducting a meeting at this time. As you are aware, the Hoboken City Council has a regularly scheduled meeting at the same date and time, November 7, 2001, 6:00 p.m. Your currently scheduled Hoboken Housing Authority meeting conflicts directly with the Hoboken City Council meeting. As you are also aware, the meeting for the Hoboken Housing Authority was changed from the originally scheduled date of November 14, 2001 to November 7, 2001, without due cause.

As Councilman to the City of Hoboken, and specifically, Councilman to the Fourth Ward, it is imperative that we be in attendance at the Housing Authority Meeting to represent the interests of our constituents. However, our obligations to the Hoboken City Council require that we also be in attendance of the regularly scheduled Council meeting as well.

Your poor planning and failure to give due consideration to this matter has forced us to not be in attendance of your Housing Authority Meeting. Consequently, we may not participate or observe the governing process of the Hoboken Housing Authority. Your thoughtless decision ultimately impacts those people both we have all been appointed to serve, the people of the Fourth Ward.

Very truly yours,
Ruben Ramos
Councilman-At-Large

Christopher Campos
Councilman, Fourth Ward

All regular business concluded the following members of the public spoke at the “Public Portion” of the meeting: Helen Hirsch, 98 Park Avenue; Scott Gibson, 616 Monroe Street; Elizabeth Markevitch, 720 Grand Street.

President Soares then adjourned the meeting at 7:48 p.m.
President Soares 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 furnished to The Jersey Journal and The Hoboken Reporter, The Bergen Record, The Newark Star - Ledger and also placed on the bulletin board in the lobby of City Hall."

The Council President then called for the Salute to the Flag.

The Clerk then called the roll:

PRESENT: Council persons Andreula, Campos, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.

ABSENT: Castellano.

At this time, 7:00 p.m., the City Council entered into executive (closed) session as follows:

01-198
---By Councilman Campos:

WHEREAS, Members of the Hoboken City Council wish to enter Executive Session to discuss matters pursuant to N.J.S.A. 10:4-12(b); and

WHEREAS, pursuant to N.J.S.A. 10:4-13 a resolution is required stating the general nature of the subject to be discussed and as precisely as possible, the time when and the circumstances under which the discussion in the Executive Session can be disclosed to the public; and

WHEREAS, the general nature of the subject(s) to be discussed at this meeting is as follows:

1- A discussion of litigation; now therefore -

BE IT RESOLVED, that the City Council shall at this time, 7:00 pm, November 21, 2001, enter into Executive Session to discuss the matters as outlined above, and-

BE IT FURTHER RESOLVED, that it can be disclosed to the public as follows:

Upon final disposition of the matter.

---Motion duly seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Nays: None.
---Absent: Castellano.

The City Council returned to the regular agenda at 7:08 p.m., on a motion by Councilwoman Andreula, Seconded by Councilman Ramos, voted unanimously by all in attendance.

**HEARING ON ORDINANCES**

Second Reading and Public Hearing

AN ORDINANCE AMENDING CHAPTER 196 OF THE CODE OF THE CITY OF HOBOKEN, R-1, R-2 AND R-3 ZONES, WITH RESPECT TO BUILDING HEIGHT, DENSITY AND RELATED ISSUES.

The above Ordinance will be continued to the next regularly scheduled City Council meeting, on December 5 2001, to allow for sufficient time for legal advertising in The Jersey Journal newspaper and for a review from the Hoboken Planning Board.

AN ORDINANCE ENTITLED “HARASSMENT POLICY” TO BE ADDED TO THE CODE OF THE CITY OF HOBOKEN.

President Soares directed the City Clerk to announce that the Council would consider for final passage the aforesaid ordinance and all persons interested at this time would be given an opportunity to be heard concerning said ordinance which was read in full.

No person present desiring to be heard and no written protests or objections received, President Soares asked for a motion to close the hearing.

Councilwoman Andreula moved that the hearing be closed.
Motion duly seconded by Councilman Cricco.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Nays: None.
---Absent: Castellano.

**HEARING ON ORDINANCES**

Third and Final Reading

Council President Soares then moved that the ordinance entitled, "AN ORDINANCE ENTITLED “HARASSMENT POLICY” TO BE ADDED TO THE CODE OF THE CITY OF HOBOKEN" be taken from the table for its third and final reading.

Motion seconded by Councilman Ramos.
PETITIONS AND COMMUNICATIONS

01-199

Council President Soares read the following proclamation into the record on behalf of the Mayor:

WHEREAS, the Hoboken Volunteer Ambulance Corps has for 30 years provided an invaluable service to the citizens of Hoboken, caring for the sick and injured with competence and compassion; and

WHEREAS, the Hoboken Volunteer Ambulance Corps was instituted in 1971 through the tireless efforts of Edward F. McIntyre and William Matthews, along with twelve other dedicated individuals, and on an evening in May, 1991, received its first call, a general alarm fire on Pier 5; and

WHEREAS, with only one ambulance, purchased by Captain William Dietrich, the members of the Hoboken Volunteer Ambulance Corps successfully answered 648 calls during its start-up year and in 1972 Maxwell House Coffee Company graciously donated a second ambulance; and

WHEREAS, under the leadership of Ella LoPresto, the Hoboken Volunteer Ambulance Corps embarked on a major capital campaign project, the “Buy-A-Brick” program, and purchased its existing headquarters at 707 Clinton Street; and

WHEREAS, last year the Hoboken Volunteer Ambulance Corps responded to over 4,500 calls and currently maintains a fleet of three ambulances, three Special Service Units, a Field Communications truck and a Supervisors Unit.

NOW, THEREFORE I, DAVID ROBERTS, Mayor of the City of Hoboken, do hereby issue this Proclamation in honor and recognition of the 30th Anniversary of the Hoboken Volunteer Ambulance Corps, congratulating and thanking the fourteen Charter Members and all who have served in their ranks for their dedicated service and outstanding contributions to the people of Hoboken.

--Received and filed.

01-200

APPLICATIONS FOR MISCELLANEOUS LICENSES

Raffles ----------------------------------------------- 0
Public Hack Drivers ---------------------------------- 0
Auto Garage ---------------------------------------- 0
Mechanical Amusement Devices ----------------------- 0

---Councilman Ramos moved that the licenses be granted.
---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Nays: None.
---Absent: Castellano.

REPORTS OF CITY OFFICERS

01-201
A report of Municipal Clerk James J. Farina indicating bids received on November 9, 2001 for (02-01) Police Motorcycles - No bids; (02-03) General Building Supplies; (02-04) General Maintenance Supplies; (02-07) Plumbing Services - No bids; and (02-08) Electrical Services.

---Received and filed.

CLAIM RESOLUTIONS

01-202
By Councilman Ramos:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $620,051.03 against the UNCLASSIFIED CLAIMS.

Seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Nays: None.
---Absent: Castellano.

By Councilman Ramos:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $119,796.09 against the DEPARTMENT OF ADMINISTRATION.

Seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Nays: None.
---Absent: Castellano.

By Councilwoman Marsh:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $101,719.00 against the DEPARTMENT OF ADMINISTRATION, SECTION 8.
Seconded by Councilman Campos.
---Adopted by the following vote: YEAS: 7 - NAYS: 0 - ABSENT: 1 - ABSTENTIONS: 1
---Yeas: Council persons Andreula, Campos, Cricco, Del Boccio, Giacchi, Marsh, and President Soares.
---Nays: None.
---Absent: Castellano.
---Abstentions: Ramos.

By Councilwoman Marsh:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $67,242.74 against the DEPARTMENT OF ENVIRONMENTAL SERVICES.

Seconded by Councilman Campos.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Nays: None.
---Absent: Castellano.

By Councilman Giacchi:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $30,299.98 against the DEPARTMENT OF HUMAN SERVICES.

Seconded by Councilman Cricco.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Nays: None.
---Absent: Castellano.

PAYROLL RESOLUTIONS

01-203
By Councilman Ramos:

RESOLVED, THAT WARRANTS DRAWN ON THE CITY TREASURER, TO THE ORDER OF THE CITY TREASURER, IN PAYMENT OF SERVICES OF OFFICERS AND EMPLOYEES OF THE CITY OF HOBOKEN, FOR THE PERIOD OCTOBER 25, 2001 TO NOVEMBER 7, 2001 FOR THE PAYROLL ARE HEREBY RATIFIED IN THE FOLLOWING AMOUNTS:

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<th>Account Num.</th>
<th>Regular Pay</th>
<th>Overtime</th>
<th>Other Pay</th>
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Meeting of November 21, 2001
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Meeting of November 21, 2001
Police Grant.

Fire Dept. Penalty T-13-10-000-001 818.34 818.34

Grand Total 1,095,228.60 22,077.36 27,515.65 1,144,821.61


RESOLUTIONS

Presented and Read

01-204

---By Councilman Ramos:

WHEREAS, pursuant to the resolution of the City Council and after public advertising thereof, the following proposal was received for General Maintenance Supplies for the City of Hoboken in accordance with Bid 02-04:

Name of Bidder Amount of Bid
City Paint & Hardware Year #1 Year #2
130 Washington Street 10% over 2001 ACE catalog prices Hoboken, NJ 07030

and:

WHEREAS, the Purchasing Agent recommends the acceptance of the bid of City Paint & Hardware for General Maintenance Supplies for the City of Hoboken; RESOLVED, that the proposal of Oil Partners, LP for Fuel Oil: is hereby accepted, and be it further

RESOLVED, that a contract be drafted and entered into between the Mayor and Council of the City of Hoboken and City Paint & Hardware for General Maintenance Supplies, for a period of (2) years, form of which contract is to be prepared by the City's Corporate Counsel; and be it further

RESOLVED, that the Mayor or Business Administrator is hereby authorized to execute the contract and the City Clerk is hereby authorized to attest the same and to affix thereon the corporate seal of the City of Hoboken; and be it further

RESOLVED, that upon execution of the aforementioned contract the bid bond deposited by the above bidder be returned to them.
---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Nays: None.
---Absent: Castellano.

01-205
---By Councilwoman Marsh:

WHEREAS, the City of Hoboken, Department of Community Development has a need for professional services with regard to grant applications and grant management; and

WHEREAS, the City of Hoboken, Department of Community Development is desirous of awarding a professional services contract to Krivit and Krivit, P.C., 1120 G Street, N.Q., Suite 200, Washington, D.C. 20005-3801, to provide professional services;

WHEREAS, the type of work constitutes a professional service as defined by N.J.S.A. 40A:11-5)1)(a)(i) and as such is exempt from the bidding requirements; and

WHEREAS, funds are available for this purpose;

NOW, THEREFORE, BE IT RESOLVED, that a professional services contract be hereby awarded to Krivit and Krivit, P.C. in an amount not to exceed $50,000.00 for a term of one year (November 1, 2001 to October 31, 2002) and that the Mayor of the City of Hoboken is hereby authorized to execute the above stated contract and attested by the City Clerk.

BE IT FURTHER RESOLVED, that a copy of this resolution shall be published by the City Clerk and the City Clerk shall keep a copy of the contract on file in accordance with N.J.S.A. 40A:11-1 et seq.

---Motion duly seconded by Council President Soares.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Nays: None.
---Absent: Castellano.

01-206
---By Councilman Ramos:

WHEREAS, a summons was issued for a motor vehicle violation to the following individuals; and

WHEREAS, said motor vehicle(s) were towed away the expense of the owner; and

WHEREAS, the Municipal Judge found the defendants not guilty and the defendants are entitled to reimbursement of the towing charges and storage fees;
NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Hoboken that warrants be drawn on the City Treasurer to the order of the following sums opposite their respective names as reimbursement of towing charges:

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<tr>
<th>Name/Address</th>
<th>Summons</th>
<th>Date</th>
<th>Amount</th>
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<tbody>
<tr>
<td>Janet Feldstein Conetta</td>
<td>514 Bloomfield Street</td>
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<tr>
<td>Lisa Miller</td>
<td>834 Hudson Street</td>
<td>07/30/01</td>
<td>$75.00</td>
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<tr>
<td>William Slatery</td>
<td>125 Bloomfield Street, Bsmt.</td>
<td>07/27/01</td>
<td>$96.20</td>
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</table>

$246.20

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Nays: None.
---Absent: Castellano.

01-207
---By Councilwoman Marsh:

WHEREAS, the City of Hoboken requires the services of a graphic designer for design and preparation of new educational recycling materials; and

WHEREAS, the City of Hoboken has reviewed the qualifications and proposal of Design Source East and has determined that Design Source East can provide these services for the City of Hoboken in an efficient manner; and

WHEREAS, the this type of work constitutes a professional service as defined by N.J. S.A. 40A:11-2(b) and as such, is exempt from the bidding requirements pursuant to N.J.S.A. 40A:11-5; and

WHEREAS, funds are available for this purpose;

NOW, THEREFORE, BE IT RESOLVED, that a contract for professional graphic Design services is awarded to Design Source East in an amount not to exceed $5,000, as outlined in the attached letter dated November 1, 2001 and to be executed by the Mayor and City Clerk.

BE IT FURTHER RESOLVED, that a copy of this resolution shall be published by the City Clerk and the City Clerk shall keep a copy of the contract on file in accordance with N.J.S.A. 40A:11-1 et. seq.
---Motion duly seconded by Councilman Campos.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Nays: None.
---Absent: Castellano.

01-208
---By Councilman Giacchi:

WHEREAS, The National Family Caregiver Funds are a new program for the additional funding of Hoboken’s elderly and frail population; and

WHEREAS, The Office on aging has enabled Care Management services to be an additional source of funding for Hoboken’s elderly, allocating $5,120 specifically for Care Management for the period commencing January 1, 2002 and ending on December 31, 2002; and

WHEREAS, The City of Hoboken agrees to participate in this Program by utilizing JAAC funds and matching Local Public Funds to assist the caregivers of the elderly; therefore be it

RESOLVED, That the Mayor is hereby authorized and directed to:

*Provide additional information if required
*Act as an authorized correspondent of the City of Hoboken
*The Mayor of the City of Hoboken is hereby authorized to execute the above stated contract as attested to by the City Clerk;

BE IT FURTHER RESOLVED, That a copy of this resolution shall be published by the City Clerk and that the City Clerk shall keep a copy of the contract on file in accordance with N.J.S.A.:11-1et. seq.

---Motion duly seconded by Councilman Cricco.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Nays: None.
---Absent: Castellano.

01-209
---By Councilman Giacchi:

WHEREAS, each year the Department of Human Services applies to the Hudson County Office on Aging – Department of Health and Human Services, for the funding of the Hoboken Comprehensive Program for the elderly; and

WHEREAS, the Office on Aging has a grant award for the City of Hoboken Department of Human Services’ Comprehensive Program for the Elderly allocating $77,500.00 for care management services for the period commencing on January 1, 2002 and ending on December 31, 2002; and

WHEREAS, the City of Hoboken agrees to participate in this program by utilizing, JAAC funding, and matching local public funding; therefore be it

RESOLVED, THAT THE MAYOR IS HEREBY AUTHORIZED AND DIRECTED TO:
*Provide additional information if required
*Act as an authorized correspondent of the City of Hoboken
*The Mayor of the City of Hoboken is hereby authorized to execute the above stated contract and attested by the City Clerk.

BE IT FURTHER RESOLVED, that a copy of this Resolution shall be published by the City Clerk and that the City Clerk shall keep a copy of the contract on file in accordance with N.J.S.A. 40A: 11-1 et. seq.

---Motion duly seconded by Councilman Cricco.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Nays: None.
---Absent: Castellano.

**WHEREAS, N.J.S.A. 40A 4-20 provides for the creation of an emergency temporary appropriation whereby an emergent condition arises with respect to appropriation needed to pay claim until an official budget is adopted and sufficient provision has not been made in the fiscal year 2002 temporary appropriations for the aforesaid purpose, and

**WHEREAS, temporary appropriations and total emergency temporary resolutions adopted in fiscal year 2002 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A: 4-20) including this resolution total $ 23,673,392.96 (an increase of $182,700.00 over the October 17, 2001 Temporary Emergency Resolution)

NOW THEREFORE, BE IT RESOLVED, by the Council of the City of Hoboken that in accordance with the provisions of N.J.S.A. 40A:4-20:

1. Emergency temporary appropriations be and the same is hereby made for the below listed appropriations in the amounts noted.
2. That said emergency temporary appropriations will be provided for in the fiscal year 2002 budget under their respective titles.
3. That one certified copy of this resolution be filed with the Director of Local Government Services.

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Interest on Tax Anticipation Notes 45-942 249,700.00 249,700.00
School Debt – Type 1
Payment of Bond Principal 48-930-1 131,000.00 131,000.00
Interest on Bonds 48-930-2 6,633.00 6,633.00

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Nays: None.
---Absent: Castellano.

01-211
---By Councilman Campos:

WHEREAS, the Council for the City of Hoboken wishes to settle all claims alleged by Jane Richards-Mercado, former Purchasing Agent, pending in the Office of Administrative Law, Docket Number CSV-1988-01; and

WHEREAS, the settlement offered is in exchange for a complete release of all claims against the City of Hoboken; and

NOW, THEREFORE, BE IT RESOLVED THAT the Council for the City of Hoboken does hereby approve the Settlement and General Release Agreement between Jane Richards-Mercado and the City of Hoboken, in accordance with the terms and conditions of the Settlement and General Release Agreement attached hereto.

BE IT ALSO RESOLVED that the Council for the City of Hoboken is hereby authorized to execute the Settlement and General Release Agreement and Resolution in settlement of the allegations raised by Jane Richards-Mercado.

---Motion duly seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Nays: None.
---Absent: Castellano.

01-212
---By Councilman Ramos:

WHEREAS, pursuant to the resolution of the City Council and after public advertising thereof, the following proposal was received for General Building Supplies for the City of Hoboken in accordance with Bid 02-03:

Name of Bidder Amount of Bid
General Lumber Co. Year #1 Year #2
P. O. Box 628 (see attached itemized list)
Hoboken, NJ 07030

Meeting of November 21, 2001
and:

WHEREAS, the Purchasing Agent recommends the acceptance of the bid of City General Lumber Co. for General Building Supplies for the City of Hoboken;
RESOLVED, that the proposal of General Lumber Co. for General Building: is hereby accepted, and be it further

RESOLVED, that a contract be drafted and entered into between the Mayor and Council of the City of Hoboken and General Lumber Co. for the aforementioned General Building Supplies, for a period of (2) years, form of which contract is to be prepared by the City's Corporate Counsel; and be it further

RESOLVED, that the Mayor or Business Administrator is hereby authorized to execute the contract and the City Clerk is hereby authorized to attest the same and to affix thereon the corporate seal of the City of Hoboken; and be it further

RESOLVED, that upon execution of the aforementioned contract the bid bond deposited by the above bidder be returned to them.

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Nays: None.
---Absent: Castellano.

ORDINANCES

Introduction and First Reading

01-213
DR-19
AN ORDINANCE CREATING AND ESTABLISHING A SHADE TREE COMMISSION.

WHEREAS, N.J.S.A. 40:64-1 et al. allows for the creation and establishment of a Shade Tree Commission; and

WHEREAS, The City Council is concerned with the planting and maintenance of shade and ornamental trees and shrubbery throughout the City of Hoboken; and

WHEREAS, Shade and ornamental; trees and shrubbery are an important component of the City blocks and parks within the City of Hoboken.

NOW, THEREFORE, BE IT ORDAINED, by the City Counsel of the City of Hoboken as follows:

Sec. 1 DEFINITIONS:
A. SHADE TREE COMMISSION shall mean the Shade Tree Commission of the City of Hoboken.

B. The term STREET shall mean:
   (1) Any public street, designated by the governing body, to be within the jurisdiction of the Shade Tree Commission.
   (2) Municipal Parks and Parkways.
   (3) County Roads
   (4) State Highways.

C. The term TREE shall mean:
   (1) Trees and shrubs.

D. PERSON shall mean every person, firm, association, partnership, and corporation.

E. The term PUBLIC UTILITY COMPANY shall refer to a public utility as defined in the Revised Statutes of the State of New Jersey (R.S.48:2-13).

F. The term PLANT CONSTRUCTION as applied to public utility companies shall mean poles, wires, cables, sub-surface conduits, pipes, manholes and appurtenant facilities of such companies installed in a street.

Sec. 2. Commission; personnel; appointment. The regulation, planting, care and control of shade and ornamental trees and shrubbery upon and in (1) the streets, public places and (2) parks and parkways of the City of Hoboken except State highways, unless the Department of Transportation shall assent thereto and except county highways, parks, and parkways, if a county shade tree commission is operative and gives assent to, shall be exercised by and under the authority of the City of Hoboken Shade Tree Commission, which is hereby created. The Commission shall consist of five members, and shall include the Director Department of Environmental Services and two alternative members. The members and alternate members shall be appointed by the Mayor, who shall be residents of this Municipality and shall serve without compensation except as hereinafter provided. At least one member should have specific expertise in urban forestry, landscape architecture, horticulture or arboriculture.

Sec. 3. First commission; subsequent commissions; terms. The first Commissioners, shall be appointed within 60 days after the effective date of this ordinance, and their terms of office shall commence upon the date of their appointment and be for the respective periods: 5 members – of 1, 2, 3, 4, and 5 years. The terms of each appointee shall be designated in his appointment. All subsequent appointments, except to fill vacancies, shall be for the full terms of five years, to take effect on January 1, next succeeding such appointment. In event that the membership of any succeeding such appointment. In event that the membership of any commission is increased, the new members shall be appointed in such manner that the terms shall expire in accordance with the foregoing.
The term of each alternate member shall be five years commencing on January 1 of the year of appointment; provided, however, that in the event two alternate members are appointed the initial term of “Alternate No. 1” shall be five years, and the initial term of “Alternate No. 2” shall be four years.

An alternate member may participate in discussions of the proceedings but may not vote except in the absence or disqualification of a regular member. A vote shall not be delayed in order that a regular member may vote instead of an alternate member.

**Sec. 4. Organization; salaries of officers and employees.** The Commission shall organize within 30 days after the appointment of its total membership for the remainder of the ten calendar year, and thereafter annually by the election of one of its members as chairman, and the appointment of a secretary, who need not be a member. The salary of the secretary, who may be compensated even if a member of the Commission, shall be fixed by the governing body of the Municipality; the salary of all other employees shall be fixed by the Commission. All salaries shall be fixed as nearly as practicable in accordance with the salary schedule, if any, of the Municipality for corresponding positions.

**Sec. 5. Vacancies.** Any vacancy occurring by reason of the death, resignation or removal of any Commissioner shall be filled for the unexpired term by the Mayor or other chief executive of this Municipality.

**Sec. 6. Powers of commission.** The Shade Tree Commission organized under this ordinance shall have power to:

- **(A)** Regulate planting and care of shade and ornamental trees now located, or which may hereafter be planted in any public street and park, except such as are excluded pursuant to Section I of this ordinance including the planting, trimming, spraying, cars and protection thereof;
- **(B)** Regulate the use of the ground surrounding the same, so far as may be necessary for their proper growth, care and protection;
- **(C)** Move or require the removal of any tree, or part thereof, dangerous to public safety;
- **(D)** Treatment to or remove of any tree situated upon private property which is believed to harbor a disease or insects readily communicable to neighboring healthy trees in the care of this Municipality and enter upon private property for that purpose, with the consent of the owner thereof; provided the suspected
condition is first confirmed by certificate issued by or on behalf of the New Jersey Department of Agriculture;

(E) Encourage arboriculture.

Sec. 7. REQUIRED PERMITS (NON-UTILITY OPERATIONS)

(A) NO PERSON SHALL DO any of the following acts to any trees on a street WITHOUT A PRIOR PERMIT of the Shade Tree Commission:

(1) Cut, prune, climb with spikes, break, damage or remove or kill.
(2) Cut, disturb or interfere in any way with any root.
(3) Spray with any chemical.
(4) Fasten any rope, wire, sign or other device. (Nothing herein shall prevent any governmental agency from affixing in a manner approved by the Shade Tree Commission a public notice upon a tree in connection with administering governmental affairs.)
(5) Remove or damage any guard or device placed to protect any tree or shrub.
(6) Conduct razing, removal or renovation of any structure if deemed, by the Commission, to be damaging to neighboring street trees.
(7) Place or distr4ibute chemicals, including, but not limited to, salt deleterious to tree health.
(8) Maintain a stationary fire or device, which vaporizes noxious fumes deleterious to tree health.
(9) Remove soil, either for trenching or otherwise.
(10) Construct new sidewalks and/or driveways with any material whatsoever within five (5) feet or a tree.
(11) Plant any tree or shrub within the designated area under the control of the Commission.

Sec. 8. REQUIRED PERMITS: UTILITY OPERATIONS; EXCEPTIONS

A. The Shade Tree Commission may grant to PUBLIC UTILITY COMPANIES a blanket permit for (1) tree pruning for line clearance and (2) for the installation and maintenance of sub-surface and above ground Plant Construction if there is interference with or endangerment to street trees.
B. PUBLIC UTILITY COMPANIES may, during periods of emergency, without specific prior permit (1) install temporary attachments to trees and (2) make emergency subsurface repairs.

C. Each PUBLIC UTILITY COMPANY shall exercise reasonable diligence in the maintenance of its Plant Construction so as to avoid damage to trees under the jurisdiction of the Hoboken Shade Tree Commission.

Sec. 9. ISSUANCE OF PERMITS
A. Requests for permits required by the provisions of this ordinance for the performance of work should be directed to the Shade Tree Commission, City of Hoboken, Hoboken, New Jersey.

Sec. 10. Public improvements affecting trees; consent of commission, county park commissions unaffected. No statute giving any person or State, county or municipal board, body or official, power or authority to lay any, sidewalk along, or to open, construct, curb or pave any street, or to do any similar act, shall be construed to permit or authorize any interference with or injury to a highway shade tree without the consent of the Shade Tree Commission within whose jurisdiction such tree shall be located. In all cases such Commission shall reasonably cooperate with such person, board, body or official for the general public good. Nothing contained in this ordinance shall be held to take away or diminish any of the powers or authority of the Hudson County Park Commission over the trees or shrubbery in any Hudson County Park within its jurisdiction, or to give any other commission or board any power or authority with respect to such trees or shrubbery.

Sec. 11. Annual appropriation; estimate; amount. During the month of December in each year, the Shade Tree Commission shall certify to the governing body of this Municipality the estimated sum necessary for the proper conduct of its work during the ensuing fiscal year, which shall include the sums estimated to be expended for such of the following items as it is anticipated expenditure will be made for; namely,

A. Payment of wages and salaries of employees, if any;
B. Expenses of Commission Members in discharging official duties including expenses incident to attendance at professional meetings;
C. Purchase and installation of trees and shrubbery; and
D. Purchase of necessary equipment and materials and the cost of services for the prudent promotion of the work.

The governing body of this Municipality shall annually appropriate such sum, as it may deem necessary for said purposes.
Sec. 12. Penalty, jurisdiction of courts; copy of ordinance as evidence.
a. The Commission may prescribe a fine for violation of its ordinances in an amount not exceeding $1500.00 for each violation, and the Municipal Court of Hoboken shall have jurisdiction over actions for the violation of such ordinances, and its ordinances shall be enforced by like proceedings and process as that provided by law for the enforcement of ordinances of this Municipality. The officers authorized by law to serve and execute process for the Municipal Court of this Municipality shall be the officers to serve and execute any process issued out of the Municipal Court for violations of the ordinances of the commission.

A copy of any ordinance of the Commission, certified to under the hand of its secretary, or chairman shall be received in any court of this State as full and legal proof of the existence of the ordinance, and that all requirements of law in relation to the ordaining, publishing and making of the same, so as to make it legal and binding, have been complied with, unless the contrary be shown.

b. In addition to the penalties authorized by subsection a. of this section, the Commission may require a person who removes or otherwise destroys a tree in violation of a municipal ordinance to pay a replacement assessment to the municipality. The replacement assessment shall be the value of the tree as determined by the appraisal of a trained forester or Certified Tree Expert retained by the commission for that purpose. In lieu of an appraisal, the commission may adopt a formula and schedule based upon the number of square inches contained in a cross section of the trunk of the tree multiplied by a predetermined value per square inch, no to exceed $27.00 per square inch. The square inch cross section shall be calculated from the diameter at breast height and, if there is a multiple stem tree, then each trunk shall be measured and an average shall be determined for the tree. For the purpose of this section, “diameter at breast height” shall mean the diameter of the tree taken at a point 4.5 feet above ground level. The commission shall modify the value of the tree upon its species variety, location and its condition at the time of removal or destruction.

c. Any public utility or cable television company that clears, moves, cuts or destroys any trees, shrubs or plants for the purpose of erecting, installing, moving, removing, altering or maintaining any structures or fixture, necessary for the supply of electric light, heat or power, communication, or cable television services upon any lands in which it has acquired an easement or right-of-way, shall not be subject to any penalty imposed by a commission pursuant to subsections a. or b. of this section. This subsection shall not exempt any public utility or cable television company from any penalty or replacement assessment imposed for negligent actions.
Sec. 13. Disposition of penalties. All moneys collected, either as fines or penalties, for any violation of a rule or regulation of a shade tree commission enacted by ordinance, or as a charge against real estate, under any provision of this ordinance shall be forthwith paid over to the custodian of the municipal funds.

Sec. 14. Regulations by Shade Tree Commission. The Shade Tree Commission is hereby authorized and empowered to promulgate such regulations as may be necessary, pursuant to statute, and for the proper interpretation, administration and enforcement of this basic ordinance, provided that such ordinances do not conflict with this ordinance and conform to the general standards prescribed by this ordinance.

Sec. 15. Public notice. All regulations adopted by the Shade Tree Commission shall be filed with the municipal clerk for inspection by the public during regular business hours.

Sec. 16. Severance. If any section, subsection, paragraph sentence, clause, phrase or word contained in this code shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this Code which shall remain in full force and effect, and to this end the provisions of this ordinance are hereby declared to be severable.

Sec. 17. Nothing in this Ordinance shall prevent the appropriate Municipal Body from enforcing any other ordinance of the Code of the City of Hoboken dealing with property maintenance, which may include maintenance of trees on private property or public sidewalks adjacent to private property.

Sec. 18. This Ordinance shall take effect upon adoption and publication according to law.

---Council President Soares moved that the ordinance pass its first reading as read and be laid on the table for public inspection to be further considered for final passage at a meeting of the Council to be held on DECEMBER 5, 2001 at 7:00 PM.

---Motion duly seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Nays: None.
---Absent: Castellano.

01-214
DR-20
AN ORDINANCE OF THE COUNCIL OF THE CITY OF HOBOKEN GRANTING AN EASEMENT FOR CERTAIN ENCROACHMENTS WITHIN THE PUBLIC RIGHT OF WAY AT THE SITE OF REAL PROPERTY LOCATED AT 209-213 GRAND STREET AND 208-220 CLINTON STREET, HOBOKEN, NEW JERSEY, MORE PARTICULARLY KNOWN AND DESCRIBED AS LOT 4, 5 & 6,
WHEREAS, the applicant Intrepid Holdings, LLC has petitioned the City of Hoboken for the granting of certain easements over municipal lands immediately adjacent to 209-213 Grand Street and 208-220 Clinton Street, Hoboken, New Jersey, (“the premises”) which premises is more particularly described as Lot 4, 5 & 6, Block 42, Lots 18, 19, 20, 21, 22 &23, Block 42 on the Tax Map of the City of Hoboken, New Jersey, in order to: maintain the existing building encroachment on municipal lands for the purpose of building a cornice, and planting area. These easements are described as follows:

BEGINNING at a point in the Easterly line of Grand Street distant 100.00 feet Northerly from the intersection formed by the Northerly line of Second Street with the said Easterly line of Grand Street, and running thence:

1. North 76° 56' West, 8.00 feet, thence
2. North 13° 04' East, 75.00 feet, thence
3. South 76° 56' East, 8.00 feet, thence
4. Southerly and along the said Easterly line of Grand Street, South 13° 04' West, 75.00 feet to the point or place beginning.

Known as Lot 4, 5 & 6, Block 42 as shown on the official tax assessment map for the City of Hoboken, Hudson County, New Jersey, and more commonly known as Nos. 209-213 Grand Street, Hoboken, New Jersey

BEGINNING at a point in the Westerly line of Clinton Street distant 100.00 feet Northerly from the intersection formed by the Northerly line of Second Street with the said Westerly line of Clinton Street, and running thence:

5. Northerly and along the said Westerly line of Clinton Street, North 13° 04', East, 175.00 feet, thence
6. South 76° 56' East, 10.5 feet, thence
7. South 13° 04' West, 175.00 feet, thence
8. North 76° 56' West, 10.5 feet to the point or place of beginning.

Known as Lots 18, 19, 20,21,22 & 23, Block 42 as shown on the official tax assessment map for the City of Hoboken, Hudson County, New Jersey, and more commonly known as 208-220 Clinton Street, Hoboken, New Jersey.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND THE COUNCIL OF THE CITY OF HOBOKEN THAT THE CITY OF HOBOKEN HEREBY GRANTS INTREPID HOLDINGS, LLC THE AFOREMENTIONED EASEMENT SUBJECT TO THE FOLLOWING CONDITIONS AND REQUIREMENTS:

1. The City of Hoboken expressly reserves the right to require the removal of any projections or encumbrances, under or upon any street, sidewalk or public easement, for any reason including but not limited to destruction of premises by fire.
2. The applicant shall immediately remove any or all projections or encumbrances that are improperly maintained and thus present a public hazard.
3. The applicant shall indemnify the City of Hoboken for any and all damage or money loss occasioned by the City of Hoboken or its officers or agents by any neglect, wrong-doing, omissions or commissions by the applicant arising form the making of improvements referred to herein and the construction, use and...
maintenance of the properly described herein, and shall hold harmless the Mayor and Council of the City of Hoboken its officers, agents, employees, against all claims, charges, judgments, costs, penalties, remediation or counsel fees arising from such damages, or loss, including but not limited to death and injury, to any person or damage to property of any person, firm or corporation occasioned wholly or in part from the construction, use and maintenance of the property described herein, and the applicant shall maintain liability insurance with respect thereto, in an amount of $1,000,000.00 with a policy to be issued by an insurance company approved by the Office of the Corporation Counsel, naming the City of Hoboken, the Mayor and the City Council Members as an additional insureds.

4. These easements shall run with the land and inure to the benefits of the applicant’s successors and assigns in title and interest to the property served by these easements. The covenants and conditions set forth herein shall similarly be the obligation of the applicant’s successors and assigns in title and interest to the property served by the within easements.

5. The permission granted herein is conditioned upon and shall be effective only upon the applicant obtaining any and all other necessary permits that may be required by local or state law.

6. This ordinance shall take effect as provided by law.

---Councilman Giacchi moved that the ordinance pass its first reading as read and be laid on the table for public inspection to be further considered for final passage at a meeting of the Council to be held on DECEMBER 5, 2001 at 7:00 PM.

---Motion duly seconded by Councilman Cricco.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Nays: None.
---Absent: Castellano.

01-215
DR-21

AN ORDINANCE OF THE COUNCIL OF THE CITY OF HOBOKEN GRANTING AN EASEMENT FOR CERTAIN ENCROACHMENTS WITHIN THE PUBLIC RIGHT OF WAY AT THE SITE OF REAL PROPERTY LOCATED AT 350 OBSERVER HIGHWAY, HOBOKEN, NEW JERSEY, MORE PARTICULARLY KNOWN AND DESCRIBED AS LOT 5, 6, 7, 8, 9, 10, 11, 27, 28, BLOCK 2 ON THE TAX MAP OF THE CITY OF HOBOKEN, COUNTY OF HUDSON, STATE OF NEW JERSEY.

WHEREAS, the applicant Observer Highway Plaza, LLC has petitioned the City of Hoboken for the granting of certain easements over municipal lands immediately adjacent to 58 Newark Street, Hoboken, New Jersey, ("the premises") which premises is more particularly described as Lot 5,6,7,8,9,10,11,27,28, Block 2 on the Tax Map of the City of Hoboken, New Jersey, in order to: maintain the existing building encroachment on municipal lands for the purpose of installing planters and wrought iron fence. These easements are described as follows:

BEGINNING at a point in the Southerly line of Newark Street a distance of 190.69 feet northeasterly from the intersection formed by the Southerly line of Newark Street with the Northerly Line of Observer Highway, running thence:
1. N-78°-34'-E and along the Southerly line of Newark Street a distance of 173.53 feet to a point, thence
2. S-11°-20'-26'-E distance of 88.26 feet to a point, thence
3. N-78°-39'-34'-E and parallel to Newark Street a distance of 17.73 feet to a point, thence
4. S-13°04'-39'-W and parallel to Willow Avenue a distance of 77.6 feet to a point in the northerly line of Observer Highway, thence
5. N-76°55'21'-W and along the Northerly line of Observer Highway a distance of 174.79 feet to a point, thence
6. N-11°-20'26'-W a distance of 86.73 feet to appoint in the Southerly line of Newark Street, said point being the point or place of beginning.

Known as Lots 5-10, part of Lot 11, and 27-29 in Block 2 as shown on the official tax assessment map for the City of Hoboken, Hudson County, New Jersey, and more commonly known as Nos. 403-415 Newark Street and Nos. 340-352 Observer Highway, Hoboken, New Jersey.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND THE COUNCIL OF THE CITY OF HOBOKEN THAT THE CITY OF HOBOKEN HEREBY GRANTS OBSERVER HIGHWAY PLAZA, LLC THE AFOREMENTIONED EASEMENT SUBJECT TO THE FOLLOWING CONDITIONS AND REQUIREMENTS:

1. The City of Hoboken expressly reserves the right to require the removal of any projections or encumbrances, under or upon any street, sidewalk or public easement, for any reason including but not limited to destruction of premises by fire.
2. The applicant shall immediately remove any or all projections or encumbrances which are improperly maintained and thus present a public hazard.
3. The applicant shall indemnify the City of Hoboken for any and all damage or money loss occasioned by the City of Hoboken or its officers or agents by any neglect, wrong-doing, omissions or commissions by the applicant arising from the making of improvements referred to herein and the construction, use and maintenance of the property described herein, and shall hold harmless the Mayor and Council of the City of Hoboken its officers, agents, employees, against all claims, charges, judgments, costs, penalties, remediation or counsel fees arising from such damages or loss, including but not limited to death and injury, to any person or damage to property of any person, firm or corporation occasioned wholly or in part from the construction, use and maintenance of the property described herein, and the applicant shall maintain liability insurance with respect thereto, in an amount of $1,000,000.00 with a policy to be issued by an insurance company approved by the Office of the Corporation Counsel, naming the City of Hoboken, the Mayor and the City Council Members as an additional insureds.
4. These easements shall run with the land and inure to the benefits of the applicant's successors and assigns in title and interest to the property served by these easements. The covenants and conditions set forth herein shall similarly be the obligation of the applicant's successors and assigns in title and interest to the property served by the within easements.
5. The permission granted herein is conditioned upon and shall be effective only upon the applicant obtaining any and all other necessary permits that may be required by local or state law.
6. This ordinance shall take effect as provided by law.

---Councilman Giacchi moved that the ordinance pass its first reading as read and be laid on the table for public inspection to be further considered for final passage at a meeting of the Council to be held on DECEMBER 5, 2001 at 7:00 PM.
---Motion duly seconded by Councilman Cricco.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Nays: None.
---Absent: Castellano.

All regular business concluded the following members of the public spoke at the “Public Portion” of the meeting: Theresa Pino, 2 Marine View Plaza; Paul Amante, 736 Willow Avenue.

President Soares then adjourned the meeting at 7:47 p.m.
President Soares opened the meeting at 7:02 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 furnished to The Jersey Journal and The Hoboken Reporter, The Bergen Record, The Newark Star - Ledger and also placed on the bulletin board in the lobby of City Hall."

The Council President then called for the Salute to the Flag.

The Clerk then called the roll:

PRESENT: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.

ABSENT: None.

At this time Mayor David Roberts presented for introduction the SFY 2002 Municipal Budget and addressed the City Council and the members of the public as follows:

01-216

As Mayor of the City of Hoboken, I am proud to submit the budget for the Fiscal Year 2002.

This first year budget of my administration delivers a reduction in spending from the previous year and taxes are slightly reduced. More importantly, this budget represents a fundamental shift in the fiscal and budgetary philosophy of this City. We were able to strike this balance through prudent fiscal planning and cost savings, smarter utilization of State aid, and greater efficiencies in government operations.

This balance was not easily achieved. In the process, we have reduced the City's reliance on "one-shot" revenues by $1 million. We have implemented policies to reduce overtime by $200,000. And we have reduced legal and accounting expenses by a combined $800,000. Alternatively, the City of Hoboken will receive $500,000 in additional State aid this year.

I am pleased to report that while the first budget of this administration stabilizes taxes, it also provides the necessary resources to fund our City's primary obligations. I believe the top priorities of City government are to protect the safety of its citizens and their property, preserve the health and well being of its employees, and ensure a clean and healthy environment. This budget meets these priorities by providing adequate funding at fiscally
The 2002 budget will provide for a strong police and fire department while instituting policies to curtail excessive overtime. We have been able to preserve quality health coverage for City employees through prudent fiscal management, despite last year’s $1.4 million miscalculation in projected healthcare costs. Another critical mission of the City government is a clean and safe environment for the people of Hoboken, and we are devoting significant resources to sanitation and solid waste disposal.

The 2002 budget is also a blueprint for addressing concerns of Hoboken residents. We are committing additional resources to managing development in Hoboken through the Department of Community Development, which, with the Planning Board, will research and develop a new master plan for the City. We have also committed resources to preserving more open space in all areas of the City, including the new Jackson Street Garage Park on Hoboken’s west side. And, we have devoted resource to improve constituent service by reopening the Housing Inspection Office, as well as by establishing the Office of Constituent Services.

I am pleased to submit this budget to the City Council for its consideration, and I am looking to the ensuing budget process. Thank you.

MAYOR DAVID ROBERTS

Afterwards, the Mayor asked for the City Council’s indulgence and presented a proclamation regarding the 60th Anniversary of Pearl Harbor Day to William Perry of 927 Bloomfield Street, who accepted the document on behalf of the veterans.

At this time the City Council voted to accept the presented budget as follows:

---Councilman Ramos moved that the introduced SFY 2002 Municipal Budget be accepted.
---Motion duly seconded by Council President Soares.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

HEARING ON ORDINANCES

Second Reading and Public Hearing

AN ORDINANCE AMENDING CHAPTER 196 OF THE CODE OF THE CITY OF HOBOKEN, R-1, R-2 AND R-3 ZONES, WITH RESPECT TO BUILDING HEIGHT, DENSITY AND RELATED ISSUES.

President Soares directed the City Clerk to announce that the Council would consider for final passage the aforesaid ordinance and all persons interested at this time would be given an opportunity to be heard concerning said ordinance which was read in full.

The following spoke regarding the Ordinance: Theresa Pino, 2 Marine View Plaza; Elizabeth Markovitch, 706 Grand Street; Curtis Crystal, 713-715 Monroe Street; Vincent Tubito, Florida resident; Michael Lenz, 408 Monroe Street. No person present desiring to be heard and no written protests or objections received, President Soares asked for a motion to close the hearing.

Councilman Del Boccio moved that the hearing be closed.
Motion duly seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

AN ORDINANCE CREATING AND ESTABLISHING A SHADE TREE COMMISSION.

President Soares directed the City Clerk to announce that the Council would consider for final passage the aforesaid ordinance and all persons interested at this time would be given an opportunity to be heard concerning said ordinance which was read in full.

One member of the public spoke regarding the Ordinance; Richard Dwyer from PSE&G, 60 South Newman Street, Hackensack, NJ. No other person present desiring to be heard and no written protests or objections received, President Soares asked for a motion to close the hearing.

Councilman Ramos moved that the hearing be closed. Motion duly seconded by Councilwoman Andreula. ---Adopted by the following vote: YEAS: 9 - NAYS: 0 ---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares. ---Nays: None.

AN ORDINANCE OF THE COUNCIL OF THE CITY OF HOBOKEN GRANTING AN EASEMENT FOR CERTAIN ENCROACHMENTS WITHIN THE PUBLIC RIGHT OF WAY AT THE SITE OF REAL PROPERTY LOCATED AT 209-213 GRAND STREET AND 208-220 CLINTON STREET, HOBOKEN, NEW JERSEY, MORE PARTICULARLY KNOWN AND DESCRIBED AS LOT 4, 5 & 6, BLOCK 42, AND LOTS 18, 19, 20, 21, 22 & 23, BLOCK 42, ON THE TAX MAP OF THE CITY OF HOBOKEN, COUNTY OF HUDSON, STATE OF NEW JERSEY.

President Soares directed the City Clerk to announce that the Council would consider for final passage the aforesaid ordinance and all persons interested at this time would be given an opportunity to be heard concerning said ordinance which was read in full.

No person present desiring to be heard and no written protests or objections received, President Soares asked for a motion to close the hearing.

Councilman Del Boccio moved that the hearing be closed. Motion duly seconded by Councilman Ramos. ---Adopted by the following vote: YEAS: 9 - NAYS: 0 ---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares. ---Nays: None.

AN ORDINANCE OF THE COUNCIL OF THE CITY OF HOBOKEN GRANTING AN EASEMENT FOR CERTAIN ENCROACHMENTS WITHIN THE PUBLIC RIGHT OF WAY AT THE SITE OF REAL PROPERTY LOCATED AT 350 OBSERVER HIGHWAY, HOBOKEN, NEW JERSEY, MORE PARTICULARLY KNOWN AND DESCRIBED AS LOT 5, 6, 7, 8, 9, 10, 11, 27, 28, BLOCK 2 ON THE TAX MAP OF THE CITY OF HOBOKEN, COUNTY OF HUDSON, STATE OF NEW JERSEY.

President Soares directed the City Clerk to announce that the Council would consider for final passage the aforesaid ordinance and all persons interested at this time would be given an opportunity to be heard concerning said ordinance which was read in full.

No person present desiring to be heard and no written protests or objections received, President Soares asked for a motion to close the hearing.
Councilwoman Andreula moved that the hearing be closed. Motion duly seconded by Councilman Campos. 
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

HEARING ON ORDINANCES

Third and Final Reading

"AN ORDINANCE AMENDING CHAPTER 196 OF THE CODE OF THE CITY OF HOBOKEN, R-1, R-2 AND R-3 ZONES, WITH RESPECT TO BUILDING HEIGHT, DENSITY AND RELATED ISSUES".

The above Ordinance will be continued to the next regularly scheduled meeting on December 19, 2001.

Council President Soares then moved that the ordinance entitled, "AN ORDINANCE CREATING AND ESTABLISHING A SHADE TREE COMMISSION" be taken from the table for its third and final reading.

Motion seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

Council President Soares then moved that the ordinance entitled, "AN ORDINANCE OF THE COUNCIL OF THE CITY OF HOBOKEN GRANTING AN EASEMENT FOR CERTAIN ENCROACHMENTS WITHIN THE PUBLIC RIGHT OF WAY AT THE SITE OF REAL PROPERTY LOCATED AT 209-213 GRAND STREET AND 208-220 CLINTON STREET, HOBOKEN, NEW JERSEY, MORE PARTICULARLY KNOWN AND DESCRIBED AS LOT 4, 5 & 6, BLOCK 42, AND LOTS 18, 19, 20, 21, 22 & 23, BLOCK 42, ON THE TAX MAP OF THE CITY OF HOBOKEN, COUNTY OF HUDSON, STATE OF NEW JERSEY" be taken from the table for its third and final reading.

Motion seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

Council President Soares then moved that the ordinance entitled, "AN ORDINANCE OF THE COUNCIL OF THE CITY OF HOBOKEN GRANTING AN EASEMENT FOR CERTAIN ENCROACHMENTS WITHIN THE PUBLIC RIGHT OF WAY AT THE SITE OF REAL PROPERTY LOCATED AT 350 OBSERVER HIGHWAY, HOBOKEN, NEW JERSEY, MORE PARTICULARLY
KNOWN AND DESCRIBED AS LOT 5, 6, 7, 8, 9, 10, 11, 27, 28, BLOCK 2 ON THE TAX MAP OF THE CITY OF HOBOoken, COUNTY OF HUDSON, STATE OF NEW JERSEY" be taken from the table for its third and final reading.

Motion seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

PETITIONS AND COMMUNICATIONS

01-217
A communication from George De Stefano, CFO, with the revised Annual Dept Statement for SFY 2001.

--Received and filed.

01-218
A communication from the Hoboken Planning Board, in review of (DR17) AN ORDINANCE AMENDING CHAPTER 196 OF THE CODE OF THE CITY OF HOBOken, R-1, R-2 AND R-3 ZONES, WITH RESPECT TO BUILDING HEIGHT, DENSITY AND RELATED ISSUES.

--Received and filed.

01-219

WHEREAS, December 7, 2001 will mark the 60th anniversary of Pearl Harbor Day, in which naval aviation forces of the Empire of Japan attacked the United States Pacific Fleet center at Pearl Harbor, Hawaii, and

WHEREAS, 2,323 American servicemen lost their lives in the attack, and

WHEREAS, the Japanese attack on Pearl Harbor was a watershed moment that marked America’s entry into World War II, and

WHEREAS, in this time of national conflict we take time to honor the sacrifice and dedication of our veterans, and to appreciate the liberty we enjoy as Americans;

NOW, THEREFORE, I, DAVID ROBERTS, Mayor of the City of Hoboken, do hereby issue this proclamation on behalf of the City of Hoboken and its citizens in commemoration of Pearl Harbor Day.

--Received and filed.

APPLICATIONS FOR MISCELLANEOUS LICENSES

01-220

Raffles 0
Public Hack Drivers 0
Auto Garage 0
Mechanical Amusement Devices 0
----Councilman Ramos moved that the licenses be granted.
----Motion duly seconded by Councilman Del Boccio.
----Adopted by the following vote: YEAS: 9 - NAYS: 0
----Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
----Nays: None.

**CLAIM RESOLUTIONS**

01-221

By Councilman Ramos:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $82,964.72 against the UNCLASSIFIED CLAIMS.

Seconded by Councilman Del Boccio.
----Adopted by the following vote: YEAS: 9 - NAYS: 0
----Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
----Nays: None.

By Councilman Ramos:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $44,351.52 against the DEPARTMENT OF ADMINISTRATION.

Seconded by Councilman Del Boccio.
----Adopted by the following vote: YEAS: 9 - NAYS: 0
----Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
----Nays: None.

By Councilwoman Marsh:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $115,934.08 against the DEPARTMENT OF ENVIRONMENTAL SERVICES.

Seconded by Councilwoman Castellano.
----Adopted by the following vote: YEAS: 9 - NAYS: 0
----Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
----Nays: None.

By Councilman Giacchi:
RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $11,267.70 against the DEPARTMENT OF HUMAN SERVICES.

Seconded by Councilman Campos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

**PAYROLL RESOLUTIONS**

01-222
By Councilman Ramos:

RESOLVED, THAT WARRANTS DRAWN ON THE CITY TREASURER, TO THE ORDER OF THE CITY TREASURER, IN PAYMENT OF SERVICES OF OFFICERS AND EMPLOYEES OF THE CITY OF HOBOKEN, FOR THE PERIOD NOVEMBER 8, 2001 TO NOVEMBER 21, 2001 FOR THE PAYROLL ARE HEREBY RATIFIED IN THE FOLLOWING AMOUNTS:

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<th>Account Num.</th>
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<th>Overtime</th>
<th>Other Pay</th>
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**Sub-Total** 1,094,444.87 145,230.45 11,383.46 1,251,058.78

**Other**

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**Grand Total** 1,096,673.67 150,203.67 17,403.46 1,264,280.80

Motion by Councilman Ramos.
Seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

**RESOLUTIONS**

**Presented and Read**

**01-223**

---By Councilman Ramos:

**WHEREAS, N.J.S.A. 40A 4-20 provides for the creation of an emergency temporary appropriation whereby an emergent condition arises with respect to appropriation needed to pay claim until an official budget is adopted and sufficient provision has not been made in the fiscal year 2002 temporary appropriations for the aforesaid purpose, and**

---End of Document---
WHEREAS, temporary appropriations and total emergency temporary resolutions adopted in fiscal year 2002 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A: 4-20) including this resolution total $ 26,286,222.96 (an increase of $2,612,830.00 over the November 17, 2001 Temporary Emergency Resolution.)

NOW THEREFORE, BE IT RESOLVED, by the Council of the City of Hoboken that in accordance with the provisions of N.J.S.A. 40A:4-20:

1. Emergency temporary appropriations be and the same is hereby made for the below listed appropriations in the amounts noted.
2. That said emergency temporary appropriations will be provided for in the fiscal year 2002 budget under their respective titles.
3. That one certified copy of this resolution be filed with the Director of Local Government Services.

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<tr>
<th>Account Description</th>
<th>Account No.</th>
<th>FROM</th>
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<td>Mayor’s Office</td>
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### Environmental Services Director’s Office

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### Unclassified

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<td>Utilities- Fuel Oil</td>
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### Zoning Administration

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### Planning Board

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### Zoning Bd. of Adjustment

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### Insurance
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---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

01-224
---By Councilman Giacchi:
WHEREAS, the Board of Directors of Day Care 100, located at 124 Grand Street, Hoboken, NJ 07030, has submitted to the City of Hoboken, a request for Hudson County Community Development Block Grant funds for the provision of Child Care Services within the City of Hoboken; and

WHEREAS, under the terms of said Agreement, a copy of which is attached hereto and made a part hereof, the City of Hoboken shall provide funds in the amount of $36,000 out of available Community Development funds to operate said program within the City of Hoboken; now therefore, be it –

Resolved, that the Council of the Mayor and Council of the City of Hoboken hereby approves the attached Subrecipient Agreement and accepts the obligations under the aforesaid Agreement, and be it –

Further Resolved, that David Roberts, Mayor of the City of Hoboken, is hereby authorized and directed to execute said Agreement between the City of Hoboken and Day Care 100, and the City Clerk is hereby authorized to attest same and to affix the City Seal.

---Motion duly seconded by Councilman Campos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

01-225
---By Councilman Giacchi:

WHEREAS, the Board of Directors of Mile Square Day Care, located at David E. Rue, 3rd and Garden Street, Hoboken, NJ 07030, has submitted to the City of Hoboken, a request for Hudson County Community Development Block Grant funds for the provision of Child Care Services within the City of Hoboken; and

WHEREAS, under the terms of said Agreement, a copy of which is attached hereto and made a part hereof, the City of Hoboken shall provide funds in the amount of $94,354 out of available Community Development funds to operate said program within the City of Hoboken; now therefore, be it –

Resolved, that the Council of the Mayor and Council of the City of Hoboken hereby approves the attached Subrecipient Agreement and accepts the obligations under the aforesaid Agreement, and be it –

Further Resolved, that David Roberts, Mayor of the City of Hoboken, is hereby authorized and directed to execute said Agreement between the City of Hoboken and Mile Square Day Care, and the City Clerk is hereby authorized to attest same and to affix the City Seal.

---Motion duly seconded by Councilman Campos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

01-226
---By Councilman Giacchi:
WHEREAS, the Board of Directors of United Cerebral Palsy, located at 1005 Washington Street, Hoboken, NJ 07030, has submitted to the City of Hoboken, a request for Hudson County Community Development Block Grant funds for the provision of Child Care Services within the City of Hoboken; and

WHEREAS, under the terms of said Agreement, a copy of which is attached hereto and made a part hereof, the City of Hoboken shall provide funds in the amount of $2,500 out of available Community Development funds to operate said program within the City of Hoboken; now therefore, be it –

Resolved, that the Council of the Mayor and Council of the City of Hoboken hereby approves the attached Subrecipient Agreement and accepts the obligations under the aforesaid Agreement, and be it –

Further Resolved, that David Roberts, Mayor of the City of Hoboken, is hereby authorized and directed to execute said Agreement between the City of Hoboken and United Cerebral Palsy, and the City Clerk is hereby authorized to attest same and to affix the City Seal.

---Motion duly seconded by Councilman Campos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

01-227
---By Councilman Giacchi:

WHEREAS, the Board of Directors of H.O.P.E.S. Head Start, located at 124 Grand Street, Hoboken, NJ 07030, has submitted to the City of Hoboken, a request for Hudson County Community Development Block Grant funds for the provision of Child Care Services within the City of Hoboken; and

WHEREAS, under the terms of said Agreement, a copy of which is attached hereto and made a part hereof, the City of Hoboken shall provide funds in the amount of $59,629 out of available Community Development funds to operate said program within the City of Hoboken; now therefore, be it –

Resolved, that the Council of the Mayor and Council of the City of Hoboken hereby approves the attached Subrecipient Agreement and accepts the obligations under the aforesaid Agreement, and be it –

Further Resolved, that David Roberts, Mayor of the City of Hoboken, is hereby authorized and directed to execute said Agreement between the City of Hoboken and H.O.P.E.S. Head Start, and the City Clerk is hereby authorized to attest same and to affix the City Seal.

---Motion duly seconded by Councilman Campos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.
WHEREAS, The Boys & Girls of Hudson County, Inc. (Hoboken Unit), at 1 Canal Street, Jersey City, NJ 07302, has submitted to the City of Hoboken, a request for Hudson County Community Development Block Grant funds for the provision of Child Care Services within the City of Hoboken; and

WHEREAS, under the terms of said Agreement, a copy of which is attached hereto and made a part hereof, the City of Hoboken shall provide funds in the amount of $13,700 out of available Community Development funds to operate said program within the City of Hoboken; now therefore, be it –

Resolved, that the Council of the Mayor and Council of the City of Hoboken hereby approves the attached Subrecipient Agreement and accepts the obligations under the aforesaid Agreement, and be it –

Further Resolved, that David Roberts, Mayor of the City of Hoboken, is hereby authorized and directed to execute said Agreement between the City of Hoboken and the Boys Club of Hudson County, Inc. (Hoboken Unit), and the City Clerk is hereby authorized to attest same and to affix the City Seal.

---Motion duly seconded by Councilman Campos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

WHEREAS, the Board of Directors of Nuestro Ninos Day Care, located at David E. Rue School, 3rd and Garden Street, Hoboken, NJ 07030, has submitted to the City of Hoboken, a request for Hudson County Community Development Block Grant funds for the provision of Child Care Services within the City of Hoboken; and

WHEREAS, under the terms of said Agreement, a copy of which is attached hereto and made a part hereof, the City of Hoboken shall provide funds in the amount of $42,650 out of available Community Development funds to operate said program within the City of Hoboken; now therefore, be it –

Resolved, that the Council of the Mayor and Council of the City of Hoboken hereby approves the attached Subrecipient Agreement and accepts the obligations under the aforesaid Agreement, and be it –

Further Resolved, that David Roberts, Mayor of the City of Hoboken, is hereby authorized and directed to execute said Agreement between the City of Hoboken and Nuestro Ninos Day Care, and the City Clerk is hereby authorized to attest same and to affix the City Seal.

---Motion duly seconded by Councilman Campos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.
WHEREAS, an overpayment of taxes has been made on property listed below; and

WHEREAS, Louis P. Picardo, Collector of Revenue by his letter hereunto attached and made a part hereof, recommends that refunds be made; now, therefore, be it –

RESOLVED, that a warrant be drawn on the City Treasurer to the order of the following taxpayer in the sum opposite their respective name, totaling $14,546.60 representing overpayment of taxes:

<table>
<thead>
<tr>
<th>NAME</th>
<th>BL/LOT/UNIT</th>
<th>PROPERTY</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>635 Park Avenue</td>
<td>168/30</td>
<td>614-16 Park Avenue</td>
<td>$2,625.00</td>
</tr>
<tr>
<td>Acquisition Corporation</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>C/o Piyush Amin President</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>P.O. Box 1196</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hoboken, NJ 07030</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mr. David Fried</td>
<td>247/9</td>
<td>1217 Bloomfield St.</td>
<td>$2,327.80</td>
</tr>
<tr>
<td>89 Charles River Street</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Needham, Ma. 02492</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cendant Mortgage</td>
<td>21/1C006K</td>
<td>300-06 Newark St.</td>
<td>$1,955.02</td>
</tr>
<tr>
<td>P.O. Box 5459</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mt. Laurel, NJ 08054</td>
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<tr>
<td>Cendant Mortgage</td>
<td></td>
<td>Englewood, Cliffs, NJ 07062</td>
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<tr>
<td>Patrick Edwards</td>
<td>149/1C0W2C</td>
<td>400 Ninth St.</td>
<td>$2,929.41</td>
</tr>
<tr>
<td>400 Ninth Street</td>
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</tr>
<tr>
<td>Hoboken, NJ 07030</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dime Savings Bank of</td>
<td>181/4</td>
<td>613 Park Ave.</td>
<td>$2,684.00</td>
</tr>
<tr>
<td>Of Williamsburgh</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>209 Havemeyer Street</td>
<td></td>
<td>New York 11211</td>
<td></td>
</tr>
<tr>
<td>Donald Hogan</td>
<td>214.1/27/C000E</td>
<td>316 Hudson St.</td>
<td>$1,055.02</td>
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<td>316 Hudson Street</td>
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<tr>
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<td></td>
<td></td>
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</tr>
<tr>
<td>Frank Monaco</td>
<td>221/23/C0003</td>
<td>1014 Hudson St.</td>
<td>$22.42</td>
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<tr>
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<td>221/23/C0002</td>
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<tr>
<td>Frank Monaco</td>
<td>221/23/C0001</td>
<td>1014 Hudson St.</td>
<td>$8.56</td>
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<td>Hoboken, NJ 07030</td>
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</tr>
</tbody>
</table>

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.
WHEREAS, this proposal did not meet the requests authorization of the Council to advertise for the above Police Motorcycles, the said authorized pursuant to provision of N.J.S.A. 39:10A-1 and

NOW THEREFORE BE IT RESOLVED, the Purchasing Agent, Department of Administration or his duly authorized representative is hereby authorized to give public notice of the City of Hoboken’s intent to receive proposals for Police Motorcycles (2), Friday, 21 December (2), Friday, December 2001, at 11:00 A.M. in the City Hall, Court Room, 94 Washington Street, the vehicles set forth on the attached specification list pursuant to law.

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

01-232
---By Councilman Ramos:

WHEREAS, pursuant to the resolution of the Council of the City of Hoboken, a car auction was held 30 November 2001 in the City Clerk’s Office in City Hall, and,

WHEREAS, only one bid was received for the bulk sale of twenty-one (21) cars at a bid of One Thousand Fifty Dollars ($1,050.00) for these cars, and,

WHEREAS, said bidders, Hoboken Auto Body, Inc., tendered a check in full payment, for the bulk sale, in the amount of One Thousand Fifty Dollars ($1,050.00). Said payments were deposited in the City Finance Department for disposition in the City bank account, therefore, be it

RESOLVED, that the City Council of Hoboken hereby ratifies and approved said transaction.

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

01-233
---By Council President Soares:

17.* Selecting the dates, days and times for the regularly scheduled Hoboken City Council Meetings for calendar year 2002.

---Motion duly seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

01-234
---By Councilwoman Marsh:
WHEREAS, the Hoboken Division of Cultural Affairs desires to increase programming for FY 2002; and

WHEREAS, the Cultural Affairs Coordinator has requested that an application be filed with the Hudson County Division of Cultural and Heritage Affairs for State/County Partnership Arts Block Grant Program FY 2002 for festivals and concerts in Hoboken; now, therefore, be it –

RESOLVED, that the Cultural Affairs Coordinator is hereby authorized to file an application with the Hudson County Division of Cultural and Heritage Affairs for State/County Partnership Arts Block Grant Program FY 2002 for festivals and concerts in Hoboken; and, be it further –

RESOLVED, that the Mayor is hereby authorized to execute any necessary grant applications and grant agreements on behalf of the City of Hoboken.

---Motion duly seconded by Councilwoman Castellano.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

01-235
---By Councilman Ramos:

WHEREAS, the City of Hoboken and the PBA have conducted negotiations for a successor collective bargaining agreement; and

WHEREAS, the parties have reached a tentative agreement of all issues which were subject of the negotiations; and

NOW THEREFORE, BE IT RESOLVED, that the parties agree to amend the existing agreement as follows:


2. SALARY. Salaries for the term of the agreement are as follows:

   Annual increase of $2,500 in 2002, $2,600 in 2003 and $2,700 in 2004 for those at the top step of the salary guide.

   With respect to step increases, the City’s proposal for 2002 attached hereto shall be implemented. The stop increases shown on such proposal shall be increased by 4750 in 2003 and $700 in 2004.

   SEE SALARY CHART FOR STEPS AND TOP PAY ON BACK PAGE

3. SICK LEAVE. The PBA agrees to implement the sick leave monitoring policy with two modifications: 1) medical examinations required by the City shall be provided at no cost to the employee, as required by Article 9 of the existing Contract; 2) if the City wishes to verify that an officer is at home during sick leave, such visits may be only scheduled during the officer’s tour of duty. Any officer on monitoring status may be called at any time.

4. VACATIONS. Add one (1) day to the steps in Article XI, Section 3, B and C.
5. **TUITION REIMBURSEMENTS** Effective January 1, 2002, the City shall implement a program of reimbursement for college tuition at 100% of the tuition cost, at a maximum of $1,500 per semester and $3,000 in a calendar year, for all courses completed with a grade of "B" or better. The courses must be part of a degree program in Criminal Justice or another police related course of study as approved in advance by the Chief of Police and Director of Public Safety. The following amounts shall be added to base pay upon attainment of the applicable degree:

- Associates Degree: $2,000
- Bachelor Degree: $3,000
- Masters Degree: $4,000

6. **PROTECTION OF RIGHTS** Section 3 – Eliminate the last sentence in section.

7. **REOPENER CLAUSE** The PBA agrees to eliminate this provision once all other unions with the City of Hoboken have agreed to same. Once the last union agrees to the elimination of this provision, this article will be considered invalid.

8. **TIME OFF** Section 1 (a) to be replaced with "Death in the immediate family, from the date of death to and including the day of the funeral, but not to exceed five (50 calendar days."

Section 2 – listing the relatives will add Spouse’s Grandparents and delete Guardian.

9. **CONTRACT LANGUAGE** Counsel for the PBA and the City shall confer in good faith to clarify and/or correct language, syntax and punctuation problems in the contract.

This tentative agreement is subject to ratification by the PBA and the City. Both negotiating teams agree to recommend affirmatively the ratification of this tentative agreement.

---Motion duly seconded by Councilman Campos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

**01-236**
---By Councilman Ramos:

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a county or municipality when the revenue is not subject to reasonably accurate estimates in advance; and

WHEREAS, N.J.S.A. 40A:4-39 provides that the Director of the Division of Local Government Services may approve expenditures or moneys by dedication by rider; and

NOW, THEREFORE, BE IT RESOLVED, by the City of Hoboken, County of Hudson, New Jersey as follows:

1. The City Council does hereby request permission of the Director or the Division of Local Government Services to pay expenditures under the provisions of N.J.S.A. 40A:4-39 for the exclusive purpose of depositing and expending funds received as
donations and contributions on behalf of the victims of the September 11, 2001 World Trade Center Tragedy for the erection of a City memorial in their memory.

2. The City Clerk is hereby directed to forward two certified copies of this Resolution to the Director of Local Government Services.

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

01-237
---By Councilman Ramos:

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a county or municipality when the revenue is not subject to reasonably accurate estimates in advance; and

WHEREAS, N.J.S.A. 40A:4-39 provides that the Director of the Division of Local Government Services may approve expenditures or moneys by dedication by rider; and

NOW, THEREFORE, BE IT RESOLVED, by the City of Hoboken, County of Hudson, New Jersey as follows:

1. The City Council does hereby request permission of the Director or the Division of Local Government Services to pay expenditures under the provisions of N.J.S.A. 40A:4-39 for the exclusive purpose of depositing and expending funds received as donations and contributions in memory of local city residents fallen victim to the World Trade Center Tragedy of September 11, 2001.

2. The City Clerk is hereby directed to forward two certified copies of this Resolution to the Director of Local Government Services.

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

01-238
---By Councilman Ramos:

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a county or municipality when the revenue is not subject to reasonably accurate estimates in advance; and

WHEREAS, N.J.S.A. 40A:4-39 provides that the Director of the Division of Local Government Services may approve expenditures or moneys by dedication by rider; and
NOW, THEREFORE, BE IT RESOLVED, by the City of Hoboken, County of Hudson, New Jersey as follows:

1. The City Council does hereby request permission of the Director or the Division of Local Government Services to pay expenditures under the provisions of N.J.S.A. 40A:4-39 for the exclusive purpose of depositing and expending funds received by the municipality in accordance with Section 5.4.2 of the Lease and Development Agreement among the City of Hoboken, The Port Authority of New York and New Jersey and Phase II-Block A South Waterfront Development, LLC.

2. The City Clerk is hereby directed to forward two certified copies of this Resolution to the Director of Local Government Services.

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

---By Councilman Ramos:

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a county or municipality when the revenue is not subject to reasonably accurate estimates in advance; and

WHEREAS, N.J.S.A. 40A:4-39 provides that the Director of the Division of Local Government Services may approve expenditures or moneys by dedication by rider; and

NOW, THEREFORE, BE IT RESOLVED, by the City of Hoboken, County of Hudson, New Jersey as follows:

1. The City Council does hereby request permission of the Director or the Division of Local Government Services to pay expenditures under the provisions of N.J.S.A. 40A:4-39, as amended by P.L. 1999. c.292, for the exclusive purpose of depositing and expending funds paid by individuals to offset the costs of maintenance and improvement of Frank Sinatra Park.

2. The City Clerk is hereby directed to forward two certified copies of this Resolution to the Director of Local Government Services.

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

---By Councilman Ramos:

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a county or municipality when the revenue is not subject to reasonably accurate estimates in advance; and
WHEREAS, N.J.S.A. 40A:4-39 provides that the Director of the Division of Local Government Services may approve expenditures or moneys by dedication by rider; and

NOW, THEREFORE, BE IT RESOLVED, by the City of Hoboken, County of Hudson, New Jersey as follows:

1. The City Council does hereby request permission of the Director or the Division of Local Government Services to pay expenditures under the provisions of N.J.S.A. 40A:4-39, as amended by P.L. 1999. c.292, for the exclusive purpose of depositing and expending paid by individuals to offset the costs of operating municipal cultural affairs, festival, events and other programs.

2. The City Clerk is hereby directed to forward two certified copies of this Resolution to the Director of Local Government Services.

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

01-241
---By Councilman Giacchi:

WHEREAS, Hoboken Family Planning, located at 124 Grand Street, Hoboken, NJ 07030, has submitted to the City of Hoboken, a request for Hudson County Community Development Block Grant funds for the provision of Family Planning Services within the City of Hoboken; and

WHEREAS, under the terms of said Agreement, a copy of which is attached hereto and made a part hereof, the City of Hoboken shall provide funds in the amount of $26,602 out of available Community Development funds to operate said program within the City of Hoboken; now therefore, be it –

RESOLVED, that the Council of the Mayor and Council of the City of Hoboken hereby approves the attached Subrecipient Agreement and accepts the obligations under the aforesaid Agreement, and be it –

Further RESOLVED, that David Roberts, Mayor of the City of Hoboken, is hereby authorized and directed to execute said Agreement between the City of Hoboken Family Planning, and the City Clerk is hereby authorized to attest same and to affix the City Seal.

---Motion duly seconded by Councilman Campos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Andreula, Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, and President Soares.
---Nays: None.

All regular business concluded the following members of the public spoke at the “Public Portion” of the meeting: William Perry of 927 Bloomfield Street; Margaret O’Brien of 54 11th Street; Eric McLendon of 711 Monroe Street; Carl Kirshen, 924 Castle Point Terrace; Paul Amante of 736 Willow Avenue and Mr. Markle of 630 Grand Street.
President Soares then adjourned the meeting at 8:27 p.m.

PRESIDENT OF THE COUNCIL

CITY CLERK
In the absence of President Soares, Vice-President Ramos opened the meeting at 7:01 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 furnished to The Jersey Journal and The Hoboken Reporter, The Bergen Record, The Newark Star - Ledger and also placed on the bulletin board in the lobby of City Hall."

The Council President then called for the Salute to the Flag.

The Clerk then called the roll:

PRESENT: Council persons Campos, Del Boccio, Giacchi, Marsh, Ramos.

ABSENT: Andreula, Castellano, Cricco, President Soares.

__________________________

HEARING ON ORDINANCES

Third and Final Reading

AN ORDINANCE AMENDING CHAPTER 196 OF THE CODE OF THE CITY OF HOBOKEN, R-1, R-2 AND R-3 ZONES, WITH RESPECT TO BUILDING HEIGHT, DENSITY AND RELATED ISSUES.

The above Ordinance was continued to the January 2, 2002 meeting.

O1-242

APPLICATIONS FOR MISCELLANEOUS LICENSES

Vendors---------------------------------------------------------------1
Parking Lots----------------------------------------------------------1

Parking Garages------------------------------------------------------1
Bingos---------------------------------------------------------------2

---Councilman Ramos moved that the licenses be granted.
---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 5 - NAYS: 0 - ABSENT: 4
---Yeas: Council persons Campos, Del Boccio, Giacchi, Marsh, Ramos.
---Nays: None.
---Absent: Andreula, Castellano, Cricco, President Soares.

REPORTS OF CITY OFFICERS

01-243
A report from Municipal Tax Collector Louis Picardo for taxes collected; for the month ending November 30, 2001 - $9,322,326.50.
---Received and filed.

01-244
A report of the Municipal Court indicating receipts for the month of November 2001 as $252,774.41.
---Received and filed.

01-245
A report of the “Annual Financial Statement For The SFY Year 2001 (Unaudited)”, filed in the City Clerk’s Office.
---Received and filed.

CLAIM RESOLUTIONS

01-246
By Councilman Ramos:
RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $233,683.18 against the UNCLASSIFIED CLAIMS.

Seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 5 - NAYS: 0 - ABSENT: 4
---Yeas: Council persons Campos, Del Boccio, Giacchi, Marsh, Ramos.
---Nays: None.
---Absent: Andreula, Castellano, Cricco, President Soares.

By Councilman Ramos:
RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $181,158.62 against the DEPARTMENT OF ADMINISTRATION.

Seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 5 - NAYS: 0 - ABSENT: 4
---Yeas: Council persons Campos, Del Boccio, Giacchi, Marsh, Ramos.
---Nays: None.
---Absent: Andreula, Castellano, Cricco, President Soares.

By Councilwoman Marsh:

RESOLVED, that warrants be drawn on the City Treasurer in favor of the claimants named on the accompanying list in the amount of and for the purpose set opposite their respective names in payment of approved claims totaling $105,966.00 against the DEPARTMENT OF COMMUNITY DEVELOPMENT - GRANTS MANAGEMENT - SECTION 8.

Seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 4 - NAYS: 0 - ABSENT: 4 - ABSTENTIONS: 1
---Yeas: Council persons Campos, Del Boccio, Giacchi, Marsh.
---Nays: None.
---Absent: Andreula, Castellano, Cricco, President Soares.
---Abstentions: Ramos.

---Yeas: Council persons Campos, Del Boccio, Giacchi, Marsh, Ramos.
---Nays: None.
---Absent: Andreula, Castellano, Cricco, President Soares.

---Yeas: Council persons Campos, Del Boccio, Giacchi, Marsh, Ramos.
---Nays: None.
---Absent: Andreula, Castellano, Cricco, President Soares.

---Yeas: Council persons Campos, Del Boccio, Giacchi, Marsh, Ramos.
---Nays: None.
---Absent: Andreula, Castellano, Cricco, President Soares.

---Yeas: Council persons Campos, Del Boccio, Giacchi, Marsh, Ramos.
---Nays: None.
---Absent: Andreula, Castellano, Cricco, President Soares.

PAYROLL RESOLUTIONS

01-247
By Councilman Ramos:
RESOLVED, THAT WARRANTS DRAWN ON THE CITY TREASURER, TO THE ORDER OF THE CITY TREASURER, IN PAYMENT OF SERVICES OF OFFICERS AND EMPLOYEES OF THE CITY OF HOBOKEN, FOR THE PERIOD NOVEMBER 22, 2001 TO DECEMBER 5, 2001 FOR THE PAYROLL ARE HEREBY RATIFIED IN THE FOLLOWING AMOUNTS:

<table>
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<tr>
<th>Department</th>
<th>Account Num.</th>
<th>Regular Pay</th>
<th>Overtime</th>
<th>Other Pay</th>
<th>Total Pay</th>
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<td>6,747.00</td>
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<tr>
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<td>1-01-20-120</td>
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<td>845.88</td>
<td>307.69</td>
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### Other

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- Regular Pay: 2,228.80
- Overtime: 459.69
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#### Police Outside Employ.
- Account Num.: T-14-10-000-000
- Regular Pay: 7,260.00
- Overtime: 7,260.00

#### Police Grant.

#### Fire Dept. Penalty
- Account Num.: T-13-10-000-001
- Regular Pay: 954.60

### Grand Total

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Motion by Councilman Ramos.
Seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 5 - NAYS: 0 - ABSENT: 4
---Yeas: Council persons Campos, Del Boccio, Giacchi, Marsh, Ramos.
---Nays: None.
---Absent: Andreula, Castellano, Cricco, President Soares.

**01-248**

By Councilman Ramos:

RESOLVED, THAT WARRANTS DRAWN ON THE CITY TREASURER, TO THE ORDER OF THE CITY TREASURER, IN PAYMENT FOR **UNIFORM ALLOWANCE** OF OFFICERS AND EMPLOYEES OF THE CITY OF HOBOKEN, FOR THE PERIOD ENDING DECEMBER 5, 2001 FOR THE **UNIFORM ALLOWANCE** ARE HEREBY RATIFIED IN THE FOLLOWING AMOUNTS:

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Rent & Stabilization Bd 1-01-27-347
Transportation 1-01-27-348 1,400.00 1,400.00
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Public Defender 1-01-43-495
Construction Code 1-01-22-195
DDEF 0-01-55-901

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Motion by Councilman RAMOS.  
Seconded by Councilman RAMOS.  
---Adopted by the following vote: YEAS: 5 - NAYS: 0 - ABSENT: 4  
---Yeas: Council persons Campos, Del Boccio, Giacchi, Marsh, Ramos.  
---Nays: None.  
---Absent: Andreula, Castellano, Cricco, President Soares.

**RESOLUTIONS**
Presented and Read

01-249
---By Councilman Ramos:

WHEREAS, the City of Hoboken is currently charging the public $20.00 per copy for the City of Hoboken Land Use Ordinance book; and

WHEREAS, the $20.00 per book does not sufficiently cover the City’s costs; and

WHEREAS, the City’s Code publisher, Coded Systems Corporation, recommends that the City raise its fee to $33.00 per copy to cover the City’s costs.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council for the City of Hoboken that the per copy charged to the public for the City of Hoboken’s Land Use Ordinance book be and is hereby increased to $33.00.

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 5 - NAYS: 0 - ABSENT: 4
---Yeas: Council persons Campos, Del Boccio, Giacchi, Marsh, Ramos.
---Nays: None.
---Absent: Andreula, Castellano, Cricco, President Soares.

01-250
---By Councilman Ramos:

WHEREAS, this proposal raised a question about adherence to New Jersey State Law with regard to “Prevailing Wage”, and,

WHEREAS, this question has not been clearly resolved, the Purchasing Agent recommends the rejection of these bids, now, therefore, be it

RESOLVED, that the proposals for Electrical Services to the City of Hoboken, submitted by the firms listed as follows:

<table>
<thead>
<tr>
<th>Year #1</th>
<th>Year #2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Master Apprentice</td>
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IDJ Construction & Electric, Inc.  
6018 Jefferson Street  
West New York, NJ 07093-1413  
$42.00 $21.00/hr $43.00 $23.00/hr

TEC Electric, Inc.  
3 Industrial Park  
Waldwick, NJ 07463  
$50.66 $16.62/hr $52.51 $17.23/hr

L&G Laiken  
526 Washington Street  
Hoboken, NJ 07030  
$35.00/hr $No Bid $35.00/hr $No Bid

be and are hereby rejected, and, be it further

RESOLVED, that the Administration of the City of Hoboken, be, and is hereby, authorized to re-advertise for these goods and/or services.

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 5 - NAYS: 0 - ABSENT: 4
---Yeas: Council persons Campos, Del Boccio, Giacchi, Marsh, Ramos.
---Nays: None.
---Absent: Andreula, Castellano, Cricco, President Soares.

01-251
---By Councilman Ramos:

WHEREAS, N.J.S.A. 40A 4-20 provides for the creation of an emergency temporary appropriation whereby an emergent condition arises with respect to appropriation needed to pay claim until an official budget is adopted and sufficient provision has not been made in the fiscal year 2002 temporary appropriations for the aforesaid purpose, and

WHEREAS, temporary appropriations and total emergency temporary resolutions adopted in fiscal year 2002 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A: 4-20) including this resolution total $ 26,740,330.96 (an increase of $454,107.71 over the December 5, 2001 Temporary Emergency Resolution).

NOW THEREFORE, BE IT RESOLVED, by the Council of the City of Hoboken that in accordance with the provisions of N.J.S.A. 40A:4-20:

1. Emergency temporary appropriations be and the same is hereby made for the below listed appropriations in the amounts noted.
2. That said emergency temporary appropriations will be provided for in the fiscal year 2002 budget under their respective titles.
3. That one certified copy of this resolution be filed with the Director of Local Government Services.

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Meeting of December 19, 2001

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<td>Salary &amp; Wages</td>
<td>25-265-1</td>
<td>0.00</td>
<td>15,250.00</td>
</tr>
<tr>
<td></td>
<td>Other Expenses</td>
<td>25-265-2</td>
<td>15,250.00</td>
<td>0.00</td>
</tr>
<tr>
<td>Office of Emergency Management</td>
<td>Salary &amp; Wages</td>
<td>25-252-1</td>
<td>6,250.00</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Other Expenses</td>
<td>25-252-2</td>
<td>12,125.00</td>
<td>10,000.00</td>
</tr>
<tr>
<td>ACQUISITION OF POLICE VEHICLES</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Unclassified</td>
<td>Alcoholic Beverages Control Board</td>
<td>Salary &amp; Wages</td>
<td>22-113-1</td>
<td>3,800.00</td>
</tr>
<tr>
<td></td>
<td>Other Expenses</td>
<td>22-113-2</td>
<td>10,000.00</td>
<td></td>
</tr>
<tr>
<td>Volunteer Ambulance NJSA 40:5-2</td>
<td>Salary &amp; Wages</td>
<td>25-260-1</td>
<td>35,000.00</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Other Expenses</td>
<td>25-260-2</td>
<td>35,000.00</td>
<td>35,000.00</td>
</tr>
<tr>
<td>Postage</td>
<td></td>
<td>23-211-2</td>
<td>62,500.00</td>
<td>62,500.00</td>
</tr>
<tr>
<td>Municipal Dues &amp; Membership</td>
<td></td>
<td>23-212-2</td>
<td>7,000.00</td>
<td>7,000.00</td>
</tr>
<tr>
<td>Insurance</td>
<td></td>
<td>23-210-2</td>
<td>525,000.00</td>
<td>525,000.00</td>
</tr>
<tr>
<td>Group Health Insurance</td>
<td></td>
<td>23-220-2</td>
<td>2,925,000.00</td>
<td>2,425,000.00</td>
</tr>
<tr>
<td>Description</td>
<td>Code</td>
<td>Amount</td>
<td>Code</td>
<td>Amount</td>
</tr>
<tr>
<td>-------------------------------------------------------</td>
<td>----------</td>
<td>--------------</td>
<td>----------</td>
<td>--------------</td>
</tr>
<tr>
<td>Labor Arbitration</td>
<td>23-214-2</td>
<td>4,000.00</td>
<td>23-214-2</td>
<td>4,000.00</td>
</tr>
<tr>
<td>Celebration/Memorial Day</td>
<td>(40:48-5.4)</td>
<td>0.00</td>
<td>(40:48-5.4)</td>
<td>0.00</td>
</tr>
<tr>
<td>Office Machine Maintenance</td>
<td>23-217-2</td>
<td>375.00</td>
<td>23-217-2</td>
<td>375.00</td>
</tr>
<tr>
<td>Office Machine/Equipment</td>
<td>23-213-2</td>
<td>63,750.00</td>
<td>23-213-2</td>
<td>63,750.00</td>
</tr>
<tr>
<td>Stationary &amp; Office Supplies</td>
<td>23-218-2</td>
<td>10,500.00</td>
<td>23-218-2</td>
<td>10,500.00</td>
</tr>
<tr>
<td>Financial Consulting Services</td>
<td>23-226-2</td>
<td>27,500.00</td>
<td>23-226-2</td>
<td>27,500.00</td>
</tr>
<tr>
<td>Settlement of Claims Against the City</td>
<td>23-219-2</td>
<td>50,000.00</td>
<td>23-219-2</td>
<td>50,000.00</td>
</tr>
<tr>
<td>NJ Right to Know Law</td>
<td>23-221-2</td>
<td>25.00</td>
<td>23-221-2</td>
<td>25.00</td>
</tr>
<tr>
<td>N.H. Regional Council of Mayors</td>
<td>23-222-2</td>
<td>56,700.00</td>
<td>23-222-2</td>
<td>56,700.00</td>
</tr>
<tr>
<td>Utilities-Gasoline</td>
<td>23-460-2</td>
<td>62,375.00</td>
<td>23-460-2</td>
<td>62,375.00</td>
</tr>
<tr>
<td>Utilities- Fuel Oil</td>
<td>31-447-2</td>
<td>13,800.00</td>
<td>31-447-2</td>
<td>13,800.00</td>
</tr>
<tr>
<td>Utilities-Electricity</td>
<td>31-430-2</td>
<td>109,750.00</td>
<td>31-430-2</td>
<td>109,750.00</td>
</tr>
<tr>
<td>Utilities-Street Lighting</td>
<td>31-435-2</td>
<td>243,500.00</td>
<td>31-435-2</td>
<td>243,500.00</td>
</tr>
<tr>
<td>Utilities-Water &amp; Sewerage charges</td>
<td>31-445-2</td>
<td>4,250.00</td>
<td>31-445-2</td>
<td>6,250.00</td>
</tr>
<tr>
<td>Communications</td>
<td>31-440-2</td>
<td>97,500.00</td>
<td>31-440-2</td>
<td>97,500.00</td>
</tr>
<tr>
<td>Telecommunication/Equipment</td>
<td>31-450-2</td>
<td>6,500.00</td>
<td>31-450-2</td>
<td>9,000.00</td>
</tr>
<tr>
<td>Engineering</td>
<td>31-461-2</td>
<td>34,000.00</td>
<td>31-461-2</td>
<td>15,000.00</td>
</tr>
<tr>
<td>Post-Retirement Benefits</td>
<td>36-477-2</td>
<td>25.00</td>
<td>36-477-2</td>
<td>25.00</td>
</tr>
<tr>
<td>Salary Adjustment</td>
<td>36-477-1</td>
<td>0.00</td>
<td>36-477-1</td>
<td>0.00</td>
</tr>
<tr>
<td>Towing &amp; Storage of Abandoned Vehicles</td>
<td>23-223-2</td>
<td>1,500.00</td>
<td>23-223-2</td>
<td>1,500.00</td>
</tr>
<tr>
<td>STATUTORY EXPENDITURES</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Public Employees Retirement System</td>
<td>36-471-2</td>
<td>13,175.00</td>
<td>36-471-2</td>
<td>13,175.00</td>
</tr>
<tr>
<td>Social Security System (O.A.S.I.)</td>
<td>36-472-2</td>
<td>350,000.00</td>
<td>36-472-2</td>
<td>350,000.00</td>
</tr>
<tr>
<td>Consolidated Police &amp; Firemen’s Pension Fund</td>
<td>36-474-2</td>
<td>45,500.00</td>
<td>36-474-2</td>
<td>45,500.00</td>
</tr>
<tr>
<td>Police &amp; Firemen’s Retirement System of NJ</td>
<td>36-475-2</td>
<td>507,842.25</td>
<td>36-475-2</td>
<td>280,000.00</td>
</tr>
<tr>
<td>Police &amp; Fire Widow Pension</td>
<td>36-476-2</td>
<td>25.00</td>
<td>36-476-2</td>
<td>25.00</td>
</tr>
<tr>
<td>Workers Compensation Insurance</td>
<td>23-215-2</td>
<td>200,000.00</td>
<td>23-215-2</td>
<td>200,000.00</td>
</tr>
<tr>
<td>Unemployment Compensation</td>
<td>23-225-2</td>
<td>46,500.00</td>
<td>23-225-2</td>
<td>46,500.00</td>
</tr>
<tr>
<td>Municipal Court</td>
<td>43-490-1</td>
<td>390,000.00</td>
<td>43-490-1</td>
<td>390,000.00</td>
</tr>
<tr>
<td>Municipal Court</td>
<td>43-490-2</td>
<td>43,750.00</td>
<td>43-490-2</td>
<td>43,750.00</td>
</tr>
<tr>
<td>Public Defender</td>
<td>43-495-1</td>
<td>27,000.00</td>
<td>43-495-1</td>
<td>27,000.00</td>
</tr>
<tr>
<td>Public Defender</td>
<td>43-495-2</td>
<td>1,500.00</td>
<td>43-495-2</td>
<td>1,000.00</td>
</tr>
<tr>
<td>Public Library</td>
<td>29-390-1</td>
<td>298,000.00</td>
<td>29-390-1</td>
<td>298,000.00</td>
</tr>
<tr>
<td>Public Library</td>
<td>29-390-2</td>
<td>95,750.00</td>
<td>29-390-2</td>
<td>130,750.00</td>
</tr>
<tr>
<td>MUNICIPAL DEBT SERVICE</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Payment of Bond Principal</td>
<td>45-920-2</td>
<td>71,000.00</td>
<td>45-920-2</td>
<td>71,000.00</td>
</tr>
<tr>
<td>Bond Anticipation Notes-Principal</td>
<td>45-925-2</td>
<td>177,750.00</td>
<td>45-925-2</td>
<td>177,750.00</td>
</tr>
<tr>
<td>Interest on Bonds</td>
<td>45-930-2</td>
<td>537,106.38</td>
<td>45-930-2</td>
<td>537,106.38</td>
</tr>
<tr>
<td>Interest on Notes</td>
<td>45-935-2</td>
<td>22,663.13</td>
<td>45-935-2</td>
<td>22,663.13</td>
</tr>
<tr>
<td>Interest on Tax Anticipation Notes</td>
<td>45-936-2</td>
<td>249,700.00</td>
<td>45-936-2</td>
<td>237,000.00</td>
</tr>
<tr>
<td>Green Trust Loan Program</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Loan Repayments for Principal &amp; Interest</td>
<td>45-940-2</td>
<td>53,591.16</td>
<td>45-940-2</td>
<td>53,591.16</td>
</tr>
<tr>
<td>School Debt-Type 1</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Payment of Bond Principal</td>
<td>48-930-1</td>
<td>131,000.00</td>
<td>48-930-1</td>
<td>131,000.00</td>
</tr>
<tr>
<td>Interest on Bonds</td>
<td>48-930-2</td>
<td>6,633.00</td>
<td>48-930-2</td>
<td>6,633.00</td>
</tr>
<tr>
<td>Prior Year Bills</td>
<td>30-410-0</td>
<td>3,315.00</td>
<td>30-410-0</td>
<td>3,315.00</td>
</tr>
<tr>
<td>Economic Assistance (Welfare)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Other Expenses 27-345-2 225.00 0.00
Division of Cultural Affairs
Salary & Wages 27-176-1 32,000.00 0.00
Other Expenses 27-176-2 3,100.00 0.00
Maintenance of Lands for Recreation & Conservation in connection with SJP PILOT (Dedicated Portion)
Other Expenses 28-376-2 75,000.00 0.00

26,286,222.96 26,740,330.67

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 5 - NAYS: 0 - ABSENT: 4
---Yea: Council persons Campos, Del Boccio, Giacchi, Marsh, Ramos.
---Nays: None.
---Absent: Andreula, Castellano, Cricco, President Soares.

Please Note:
Although the above resolution, 01-251, was adopted by a unanimous vote by all in attendance, it was later realized that this item requires a two-thirds majority vote of the governing body to pass; or in this case six yeas of the nine-member council. Therefore, this same resolution was once again voted on as resolution 02-266 at the January 2, 2002 meeting and was passed at that time by a vote of: Yeas: 8 - Nays: 1 - Absent: 1.

01-252
By Councilman Ramos:

WHEREAS, a summons was issued for a motor vehicle violation to the following individuals; and

WHEREAS, said motor vehicle(s) were towed away the expense of the owner; and

WHEREAS, the Municipal Judge found the defendants not guilty and the defendants are entitled to reimbursement of the towing charges and storage fees;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Hoboken that warrants be drawn on the City Treasurer to the order of the following sums opposite their respective names as reimbursement of towing charges:

<table>
<thead>
<tr>
<th>Name/Address</th>
<th>Summons Date</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Elaine Thomas</td>
<td>643 Vanderbilt Street</td>
<td>8/23/01</td>
</tr>
<tr>
<td>Hoboken, NJ 07030</td>
<td>WW114539</td>
<td></td>
</tr>
<tr>
<td>Sarah B McCarthy</td>
<td>259 12th Street Apt. 4B</td>
<td>01/13/01</td>
</tr>
<tr>
<td>Hoboken, NJ 07030</td>
<td>WW097025</td>
<td>$150.00</td>
</tr>
</tbody>
</table>

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 5 - NAYS: 0 - ABSENT: 4
---Yea: Council persons Campos, Del Boccio, Giacchi, Marsh, Ramos.
---Nays: None.
---Absent: Andreula, Castellano, Cricco, President Soares.

01-253
By Councilman Ramos:

WHEREAS, Steven DiVicente is an employee with the City of Hoboken, Hoboken Police Department; and

WHEREAS, Steven Divecente has requested and received a personal leave of absence, beginning April 25, 2001 through October 25, 2001; and

WHEREAS, Steven DiVicente has requested an additional six months leave of absence, beginning October 26, 2001 through April 26, 2001; and

NOW, THEREFORE, BE IT RESOLVED that a final leave of absence without pay or medical benefits, from October 26, 2001 through April 26, 2002, is granted to Stephen DiVicente, with the understanding that no further leave will be approved.

BE IT FURTHER RESOLVED, that the City Clerk shall keep a copy of this resolution on file.

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 5 - NAYS: 0 - ABSENT: 4
---Yeas: Council persons Campos, Del Boccio, Giacchi, Marsh, Ramos.
---Nays: None.
---Absent: Andreula, Castellano, Cricco, President Soares.

01-254
By Councilman Ramos:

WHEREAS, the City of Hoboken has received Bingo License fees, and/or for the State of New Jersey on behalf of the following individual, which payments were forwarded to the City of Hoboken in error:

St. Francis Church 308 Jefferson Street $1,480.00

WHEREAS, the Chief Financial Officer recommends the refund of the aforesaid amounts to the individual; and

NOW, THEREFORE, BE IT RESOLVED, that warrants be drawn on the City Treasurer in favor of the aforementioned individual for the amount set forth next to their name.

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 5 - NAYS: 0 - ABSENT: 4
---Yeas: Council persons Campos, Del Boccio, Giacchi, Marsh, Ramos.
---Nays: None.
---Absent: Andreula, Castellano, Cricco, President Soares.

ORDINANCES

Introduction and First Reading

01-255
DR-22

AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED “AN ORDINANCE TO ADOPT IN AND FOR THE CITY OF HOBOKEN A SCHEDULE OF CLASSIFICATIONS AND ALLOCATIONS OF TITLE FOR ALL POSITIONS IN SAID MUNICIPALITY DESIGNATING THE APPROPRIATE STANDARDIZED TITLE FOR EACH POSITION IN SAID MUNICIPALITY; FIXING AND ADOPTING FOR EACH POSITION A SALARY RANGE, AND ESTABLISHING AND CREATING IN AND FOR THE CITY OF HOBOKEN THE RESPECTIVE POSITIONS MENTIONED IN THE SCHEDULE SET FORTH HEREIN, AND FIXING AND PRESCRIBING THE DUTIES THEREOF” passed December 29, 1950, amended August 6, 1997.

1. The Alphabetical List of Titles, City of Hoboken, set forth in the ordinance to which this Ordinance is an amendment be and the same is hereby amended so that the following titles, salaries and ranges contained therein shall be included as follows:

<table>
<thead>
<tr>
<th>Title</th>
<th>Minimum</th>
<th>Max.7/01/01</th>
<th>Max.7/1/01</th>
<th>Max.7/1/03</th>
<th>Max.7/1/04</th>
</tr>
</thead>
<tbody>
<tr>
<td>Police Officer-first 6 months</td>
<td>$23,400</td>
<td>$23,400</td>
<td>$28,000</td>
<td>$28,750</td>
<td>$29,450</td>
</tr>
<tr>
<td>Police Officer-second 6 mos.</td>
<td>$23,400</td>
<td>$24,600</td>
<td>$29,000</td>
<td>$29,750</td>
<td>$30,450</td>
</tr>
<tr>
<td>Police Officer-2nd Year</td>
<td>$26,000</td>
<td>$27,600</td>
<td>$33,000</td>
<td>$33,750</td>
<td>$34,450</td>
</tr>
<tr>
<td>Police Officer-3rd Year</td>
<td>$34,140</td>
<td>$36,748.65</td>
<td>$38,000</td>
<td>$38,750</td>
<td>$39,450</td>
</tr>
<tr>
<td>Police Officer 4th Year</td>
<td>$38,609.34</td>
<td>$41,559.34</td>
<td>$44,000</td>
<td>$44,750</td>
<td>$45,450</td>
</tr>
<tr>
<td>Police Officer 5th Year</td>
<td>$43,518.44</td>
<td>$46,843.52</td>
<td>$49,000</td>
<td>$49,750</td>
<td>$50,450</td>
</tr>
<tr>
<td>Police Officer 6th Year</td>
<td>$47,987.65</td>
<td>$51,654.21</td>
<td>$54,000</td>
<td>$54,750</td>
<td>$55,450</td>
</tr>
<tr>
<td>Police Officer 7-8yrs of service</td>
<td>$55,840.07</td>
<td>$60,106.60</td>
<td>$62,670</td>
<td>$65,270</td>
<td>$67,870</td>
</tr>
<tr>
<td>Police Officer second 6 mos.</td>
<td>$23,400</td>
<td>$23,400</td>
<td>$28,000</td>
<td>$28,750</td>
<td>$29,450</td>
</tr>
<tr>
<td>Police Officer-12yrs of service</td>
<td>$61,053.57</td>
<td>$66,383.44</td>
<td>$69,054</td>
<td>$72,054</td>
<td>$75,054</td>
</tr>
<tr>
<td>Secretary, Board/commission</td>
<td>$2,000</td>
<td>$2,000</td>
<td>$2,000</td>
<td>$2,000</td>
<td>$2,000</td>
</tr>
</tbody>
</table>

If the Alphabetical List of Titles, City of Hoboken, herein set forth contains any position or positions, the duties of which are not enumerated in the Plan for the Standardization of Municipal Class Titles, which is a part of the ordinance to which this ordinance is an amendment, then in that event the duties of the said position or positions shall be those which pertain to the particular position and positions set forth in any other ordinance adopted and now in force and effect in any statute of the State of New Jersey relating to said position or provisions of this ordinance or the ordinance amended hereby.

2. The provisions of this ordinance shall in no way effect the tenure or Civil Service status of any employee presently employed by the City of Hoboken in any of the various positions set forth in the Alphabetical List of Titles, City of Hoboken, herein above.

3. The Alphabetical List of Titles referred to herein as well as the salary ranges for all positions in the City shall be on file in the Office of the City Clerk.

4. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

5. This ordinance shall take effect as provided by law.

---Councilman Ramos moved that the ordinance pass its first reading as read and be laid on the table for public inspection to be further considered for final passage at a meeting of the Council to be held on JANUARY 2, 2002 at 7:00 PM.

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 5 - NAYS: 0 - ABSENT: 4
---Yeas: Council persons Campos, Del Boccio, Giacchi, Marsh, Ramos.
---Nays: None.
---Absent: Andreula, Castellano, Cricco, President Soares.

01-256
DR-23
WHEREAS, the City of Hoboken recognizes the needs of the handicapped residents of the City; and

WHEREAS, the City of Hoboken will work whenever possible to make the necessary accommodations to the handicapped residents.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the City of Hoboken in the County of Hudson that the Hoboken Code shall be amended by adding the following sections:

SECTION I

ARTICLE XVIII
HANDICAPPED PARKING

190-30.1 General handicap spaces designated.
Pursuant to the authority granted to the City of Hoboken by N.J.S.A. 39:4-197, the following locations are hereby designated as restricted parking spaces for use by persons who have been issued special vehicle identification cards by the Division of Motor Vehicles. No other person shall be permitted to park in these spaces.

<table>
<thead>
<tr>
<th>Name of Street</th>
<th>Side</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>Washington Street</td>
<td>East</td>
<td>Beginning at the point of 164’ feet north of the northerly curbline of Sixth Street and extending 22’ feet northerly therefrom</td>
</tr>
<tr>
<td>Washington Street</td>
<td>West</td>
<td>Beginning at a point 30’ feet south of the southerly curbline of Third Street and extending 22’ feet southerly therefrom</td>
</tr>
</tbody>
</table>

190-30.2 Repeal of parking time limits for general handicapped spaces.

The following locations are hereby repealed as a parking time limit on certain streets:

<table>
<thead>
<tr>
<th>Name of Street</th>
<th>Side</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>Washington Street</td>
<td>West</td>
<td>Beginning at a point 156’ feet from the southwest curbline of Newark Street and extending 22’ feet southerly therefrom</td>
</tr>
</tbody>
</table>

SECTION II

If any section or provision of this Ordinance shall be held invalid in any court, the same shall not affect the other sections or provisions of this Ordinance except so far as the section or provision declared invalid shall be inseparable from the remainder or any portion thereof.

SECTION III

If any section or provision of this Ordinance shall be held invalid in any court, the same shall not affect the other sections or provisions of this Ordinance except so far as the section or provision declared invalid shall be inseparable from the remainder or any portion thereof.
SECTION IV

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

---Councilman Ramos moved that the ordinance pass its first reading as read and be laid on the table for public inspection to be further considered for final passage at a meeting of the Council to be held on JANUARY 2, 2002 at 7:00 PM.

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 5 - NAYS: 0 - ABSENT: 4
---Yeas: Council persons Campos, Del Boccio, Giacchi, Marsh, Ramos.
---Nays: None.
---Absent: Andreula, Castellano, Cricco, President Soares.

All regular business concluded the following members of the public spoke at the “Public Portion” of the meeting: Daniel Malfetti of 303 Jefferson Street; Larry A. Ramirez of 237 Garden Street; Helen Hirsh of 98 Park Avenue.

Vice-President Ramos then adjourned the meeting at 7:17 p.m.

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PRESIDENT OF THE COUNCIL

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CITY CLERK