Prior to the beginning of the regular council meeting, at 6:50 PM, the council entered into an executive (closed) session.

04-1281
---By Council President 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- Ongoing litigation with respect to: "Competello v the City of Hoboken"

BE IT RESOLVED, that the City Council shall at this time 6:50 pm, January 7, 2004, 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 Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

The City Council came out of executive (closed) session at 7:15 p.m. on a motion by Councilman Campos, duly seconded by Council President Ramos; voted unanimously.

President Ramos opened the meeting at 7:20 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, Castellano, Cricco, Del Boccio, Giacchi, Russo, Soares and President Ramos.

ABSENT: Marsh.

Mayor David Roberts addressed the Hoboken City Council.

Councilwoman Marsh arrived at 7:27 p.m.

PETITIONS AND COMMUNICATIONS

04-1282
A communication from Cassandra Wilday, resigning from her position as Director of Environmental Services.

--Received and filed.

04-1283

December 31, 2003

Hoboken City Council
94 Washington Street
Hoboken, New Jersey 07030

Dear Council Members:

I hereby appoint Joseph Peluso to the position of Director of Environmental Services effective Wednesday, January 7, 2004.

I respectfully request the advice and consent of the Hoboken City Council on this appointment.

Sincerely,
The Honorable Members of the City Council  
City of Hoboken  
94 Washington Street  
Hoboken, NJ 07030  

Dear Ladies & Gentlemen:  

Pursuant to my authority under Chapter 48, Section 2 of the Hoboken Code, I hereby reappoint Ms. Joanne Serrano, 1246 Bloomfield Street, 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, 2008. I also appoint Arturo Martinez, 1254 Garden Street, Hoboken, New Jersey to serve the unexpired term of Beatrix Inhulsen which expires June 30, 2004.

Pursuant to my authority under Chapter 44, Section 11 of the Hoboken Code, I hereby appoint Ms. Catherine Minervini, 807 Washington Street, Apt. #5, Hoboken, New Jersey to serve as a First Alternate Member of the Hoboken Zoning Board for a term of two (2) years to expire December 31, 2005. I also reappoint Mr. Dominic Lisa, 1 Marine View Plaza, Hoboken, New Jersey to serve as a Regular Member of the Hoboken Zoning Board for a term of four (4) years to expire December 31, 2007.

Pursuant to my authority under Chapter 44, Section 1-2 of the Hoboken Code, I hereby reappoint Ms. Joyce Tyrell, 1041 Bloomfield Street, Hoboken, New Jersey to serve as a Regular Member of the Hoboken Planning Board for a term of four (4) years to expire December 31, 2007.

Very truly yours,

DAVID ROBERTS,  
Mayor  
City of Hoboken

cc/James J. Farina, City Clerk  
Joseph Sherman, Corporation Counsel

--Received and filed.
APPLICATIONS FOR MISCELLANEOUS LICENSES

Public Hack Drivers .................................................. 1
Limo/Livery Drivers .................................................. 1
Parking Facilities ..................................................... 1

---Councilman Del Boccio moved that the licenses be granted.
---Motion duly seconded by Councilman Campos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

REPORTS OF CITY OFFICERS


---Received and filed.

CLAIM RESOLUTIONS

04-1287
By Council President 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 $182,610.24 against the UNCLASSIFIED CLAIMS.

Seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

By Council President 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 $70,591.61 against the DEPARTMENT OF ADMINISTRATION.

Seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

By Councilman Cricco:

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 $187,772.99 against the DEPARTMENT OF ENVIRONMENTAL SERVICES.

Seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

By Councilman Cricco:

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 $72,436.42 against the DEPARTMENT OF HUMAN SERVICES.

Seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

By Councilman Cricco:

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 $38,788.57 against the DEPARTMENT OF COMMUNITY DEVELOPMENT.

Seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.
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 $15,577.34 against the DEPARTMENT OF PUBLIC SAFETY.

Seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

By Council President 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 $44,764.51 against the CAPITAL ACCOUNT.

Seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

By Council President 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 $61,820.46 against the PARKING UTILITY.

Seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

PAYROLL RESOLUTIONS

04-1288
By Council President 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 DECEMBER 4, 2003 TO DECEMBER 17, 2003 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>
</table>

Meeting of January 7, 2004  6
<table>
<thead>
<tr>
<th>Department</th>
<th>Code</th>
<th>Budget</th>
<th>Revenues</th>
<th>Transfers</th>
<th>Total</th>
</tr>
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<tr>
<td>Personnel</td>
<td>4-01-20-105</td>
<td>6,844.26</td>
<td>6,844.26</td>
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<tr>
<td>Mayor's Office</td>
<td>4-01-20-110</td>
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<td>City Council</td>
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<td>Bus Adm. Office</td>
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<tr>
<td>ABC Board</td>
<td>4-01-20-113</td>
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<td>4-01-20-122</td>
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<td>Finance Office</td>
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<td>Accounts / Controls</td>
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<td>Assessor's Office</td>
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<td>Streets &amp; Roads</td>
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<td>Central Garage</td>
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<td>Constituent Services</td>
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<td>Senior Citizens Div</td>
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<td>Municipal Court</td>
<td>4-01-43-490</td>
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<td>28,469.15</td>
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<td>Parking Utility</td>
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<td>41,023.46</td>
<td>42,150.67</td>
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<td>Universal Cops</td>
<td>4-01-25-241-012</td>
<td>9,230.75</td>
<td>9,402.35</td>
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<td>Cops In School</td>
<td>4-01-25-241-015</td>
<td>10,528.83</td>
<td>10,700.43</td>
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<td>Civilian Hiring</td>
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<td>5,785.22</td>
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<tr>
<td><strong>Other</strong></td>
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<td>Police Outside Employ.</td>
<td>T-14-10-000-000</td>
<td>27,215.00</td>
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<td>Police Grant</td>
<td>DE 16-S7-01</td>
<td>4,323.18</td>
<td>4,323.18</td>
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</tbody>
</table>
Motion by Council President Ramos.
Seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

RESOLUTIONS

Presented and Read

04-1289
---By Councilman Campos:

WHEREAS, the Council for the City of Hoboken considers it necessary and proper to hire Special Legal Counsel to defend the Chief of Police, Carmen LaBruno in certain matters; and

WHEREAS, this is a professional service contract and therefore does not need to bid pursuant to N.J.S.A. 40A:11-1 et. Seq.

WHEREAS, the Chief Financial Officer certifies that the funds are available for this purpose.

NOW, THEREFORE, BE IT RESOLVED by the Council for the City of Hoboken that Edward DePascale, Esq. Of Lamb, Hartung, Kretzer, Reiman, & DePascale with offices at 601 Pavonia Avenue, in Jersey City, New Jersey, 07036, that retainer shall be extended for special counsel to represent Police Chief Carmen LaBruno in the matter of Mark Competello v. Carmen LaBruno and City of Hoboken, Civil Action No. 02-664-(DRD), as a cost $140.00 per hour, not to exceed $30,000 dollars.

BE IT FURTHER RESOLVED, be it resolved by the Council of the City of Hoboken as follows:

1. The above recitals are incorporated herein as though fully set forth at length.
2. The Council of the City of Hoboken hereby authorizes the Mayor, or his designee to execute any and all documents and/or take any actions necessary to complete and realize the intent and purpose of this resolution.
3. This Resolution shall take effect immediately.

---Motion duly seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

04-1290
---By Council President Ramos:

WHEREAS, pursuant to the resolution of the City Council and after public advertising thereof, the following proposals were received for supply of towing & storage services for the City of Hoboken in accordance with the specifications set forth in City of Hoboken Bid 04-04, and,

WHEREAS, the specifications clearly outline the weighting formula for determining the lowest responsive bidder, with the attached matrix displaying the computations, the following results are shown:

<table>
<thead>
<tr>
<th>Vendor</th>
<th>Basic Tow$</th>
<th>Daily Storage Rate</th>
<th>Weighted Towing Charge</th>
</tr>
</thead>
<tbody>
<tr>
<td>High Point Garage, Inc</td>
<td>$50.00</td>
<td>$10.00</td>
<td>$38.00</td>
</tr>
<tr>
<td>608-616 22nd Street</td>
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</tr>
<tr>
<td>Union City, NJ 07087</td>
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<tr>
<td>A&amp;D Towing &amp; Recovery</td>
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<td>$25.00</td>
<td>$72.25</td>
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<tr>
<td>597 Luis Munoz Marin Blvd.</td>
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<tr>
<td>Jersey City, NJ 07302</td>
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<td>Hoboken Auto Body</td>
<td>$10.00</td>
<td>$20.00</td>
<td>$46.25</td>
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<tr>
<td>616 Jackson Street</td>
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<td>Hoboken, NJ 07030</td>
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<td>Tumino’s Towing</td>
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<td>Ridgefield Park, NJ 07660</td>
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<td>North County Collision</td>
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<tr>
<td>Union City, NJ 07087</td>
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<td></td>
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<tr>
<td>Mile Square Towing</td>
<td>$54.00</td>
<td>$20.00</td>
<td>$43.80</td>
</tr>
<tr>
<td>1520 Jefferson Street</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hoboken, NJ 07030</td>
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</tbody>
</table>

NOW, THEREFORE, BE IT RESOLVED, by the Hoboken City Council that:

1. The above recitals are incorporated herein as thought fully set forth at length.
2. The council hereby authorizes the Mayor, or his designee to execute any and all documents and take any and all actions necessary to complete and realize the intent and purpose of this resolution.

3. The Mayor, or his designee is hereby authorized to execute an agreement for the above references goods and/or services based upon the following information:

Mile Square Towing  
1520 Jefferson Street  
Hoboken, NJ 07030

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSTentions: 1
---Yeas: Council persons Campos, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.
---Abstentions: Castellano.

04-1291
---By Councilman Cricco:

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 Joseph Peluso as the Director of Environmental Services, pursuant to the Code of the City of Hoboken, §58-1 et. Seq.; and

WHEREAS, funds are available for this purpose.

WHEREAS, Ruben Ramos has submitted his resignation from the Housing Authority Board of Commissioners effective December 3, 2003 due to family obligations;

NOW, THEREFORE, BE IT RESOLVED, that the Council for the City of Hoboken hereby concurs with the appointment of Joseph Peluso as Director of Environmental Services, pursuant the Code of the City of Hoboken, §58-1 et. Seq. effective January 7, 2004.

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

04-1292
---By Councilman Campos:

WHEREAS, the City Council of Hoboken approved, by ordinance, on 1 October 2003, an increase of five (5) Taxi licenses, and

WHEREAS, the Department of Administration, requests authorization to offer these at public auction on Friday, 30 January, 2004, the said authorization licenses, pursuant to N.J.S.A. 40A:12-13, and,
WHEREAS, N.J.S.A. 40A:12-13 requires two (2) advertisements in a local daily publication, one (1) per week, for two consecutive weeks, with the last advertisement appearing no earlier than seven (7) days prior to the sale, and

WHEREAS, these licenses shall have a minimum opening bid price of Forty Thousand Dollars ($40,000.00),

NOW, THEREFORE, BE IT RESOLVED, by the Hoboken City Council that:

1. The above recitals are incorporated herein as thought fully set forth at length.
2. The council hereby authorizes the Mayor, or his designee to execute any and all documents and take any and all actions necessary to complete and realize the intent and purpose of this resolution.
3. The Mayor, or his designee is hereby authorized to advertise for, and conduct said auction on the date specified.

Before the vote was taken one member of the public addressed the City Council: Maurice DeGennero, 614 Hudson Street.

---Motion duly seconded by Council President Ramos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

04-1293
---By Councilman Campos:

WHEREAS, the labor contract between the City of Hoboken and the Fire Officers Association expired on December 21, 2002; and

WHEREAS, the employment contract with the Fire Chief expired on December 31, 2002; and

WHEREAS, the City of Hoboken has engaged in negotiations on behalf of the City with the Fire Officers Association regarding the labor contract and seek to ratify the labor contract today, to be effective January, 2003; and

WHEREAS, the Mayor and the Business Administrator have engaged in negotiations on behalf of the City with the Fire Chief and seek to ratify this agreement today, to be effective January 1. 2003; and

WHEREAS, the terms resulting from said negotiations have been memorialized in the attached correspondence and Memorandum of agreement between the parties; and

WHEREAS, the City of Hoboken, Business Administrator and Fire Chief that the terms memorialized in the attached correspondence and Memorandum of Agreement be incorporated into the labor contract with the Fire Officers Association; and
WHEREAS, the Mayor and Business Administrator recommend that the terms memorialized in the attached Memorandum of Agreement be incorporated into the employment contract with the Fire Chief.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Hoboken, that:

1. The above recitals are incorporated as if fully set forth at length.
2. The Council hereby authorizes the Mayor or his designee to execute any and all documents and take any and all action necessary to complete and realize the intent and purpose of this resolution.
3. This resolution shall be effective immediately.

Before the vote was taken on the above resolution, a motion was made to TABLE the resolution by Councilman Russo, duly seconded by Councilwoman Castellano and voted on as follows:

---Motion to TABLE FAILED by the following vote: YEAS: 4 - NAYS: 5
---Yeas: Council persons Castellano, Marsh, Russo, Soares.
---Nays: Campos, Cricco, Del Boccio, Giacchi and President Ramos.

The vote was then called on the resolution as follows:

---Motion duly seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 5 - NAYS: 2 - ABSTENTIONS: 2
---Yeas: Council persons Campos, Cricco, Del Boccio, Giacchi and President Ramos.
---Nays: Castellano, Russo.
---Abstentions: Marsh, Soares.

04-1294
---By Councilman Del Boccio:

WHEREAS, BELCOR/MEGAN GROUP, L.L.C. (HEREINAFTER REFERRED TO AS “contractor” or “Principal”), entered into a construction contract with the Hoboken Parking Authority (“Owner”), dated October 9, 1998, for the construction of the Garden Street Automated Parking Facility, City of Hoboken, County of Hudson, New Jersey (the “Project”)(the said construction contract and all contract documents referred to or incorporated therein and all changes or modifications thereto will hereinafter be collectively referred to as the “Contract”); and

WHEREAS, Robotic and contractor entered into a subcontract agreement, dated December 21, 1998 and executed February 9, 1999, to perform work and/or supply materials relating to the design and installation of the automated parking system in connection with the Contractor’s performance of the Contract, and a side letter, dated and executed February 8, 1999, (the said subcontract agreement and side letter, together with all contract or subcontract documents referred to or incorporated therein and all changes or modifications thereto will hereinafter be collectively referred to as the “Subcontract”); and
WHEREAS, in conjunction with and as part of the Subcontract, Contractor and Robotic entered into a Security Agreement on or about February 8, 1999 (the “Security Agreement”); and

WHEREAS, Surety, as surety, issued Performance Bond and Payment Bond No. LM1000282 (the “Bonds”) on behalf of Contractor, as principal, to Owner, as obligee, in connection with the Contract; and

WHEREAS, on or about December 17, 1997, in consideration for, and as a precondition of Surety issuing surety bonds on behalf of Contractor and certain indemnitors including the Third Party Defendants (referred to collectively as the “Indemnitors executed a General Indemnity Agreement (the “Indemnity Agreement”). In the Indemnity Agreement, the Indemnitors agreed, among other things, that they would indemnify the Surety from and against any and all liabilities, including counsel fees and expenses, which Surety may incur as a result of issuing Surety bonds on behalf of Contractor and/or in enforcing the rights that Surety has under the Indemnity Agreement; and

WHEREAS, Contractor declared Robotic in default of the Subcontract and terminated Robotics’ right to proceed with the work under the Subcontract; and

WHEREAS, Owner subsequently declared Contractor in default of the Contract and terminated Contractor’s right to proceed with the work under the Contract, and requested Surety, pursuant to the said Performance Bond, to arrange for the completion of work to be performed under the Contract (the “Work”); and

WHEREAS, the Surety entered into a Takeover Agreement with Owner for the completion of the Work; and

WHEREAS, the Surety entered into a Ratification Agreement (the “Ratification Agreement with Robotic for the completion of the Subcontract (the “Ratification Work”); and

WHEREAS, ESP and Gamsys (collectively referred to as “Plaintiffs”), as subcontractors to Robotic, both performed work for Robotic in connection with the Ratification Agreement; and

WHEREAS, it is alleged that Robotic failed to pay Plaintiffs for work performed in connection with the Ratification Agreement; and

WHEREAS, Plaintiffs both filed and/or purported to file liens against the Project and/or Contract; and

WHEREAS, the Surety, Robotic, and Hoboken each deny any liability to either of the Plaintiffs; and

WHEREAS, Plaintiffs filed a Complaint in the Superior Court of New Jersey, Chancery Division, Hudson County, Docket No. C-47-03- (the “Complaint” against Robotic, Hoboken, and Surety seeking to recover the sums the Plaintiffs that they are owed Robotic in connection with Ratification Work); and

WHEREAS, the Defendants in the aforesaid action asserted various counterclaims against the Plaintiffs and cross-claims against each other; and
WHEREAS, the Surety filed a Third Party Complaint in the Superior Court of New Jersey, Chancery Division, Hudson County, Docket No. C-47-03 (the “Third Party Complaint”) against Belcor and Belgiovine pursuant to its rights of indemnity; and

WHEREAS, the Surety and Belcore and Belgiovine in the aforesaid related third party action asserted various claims against each other; and

WHEREAS, there is both some Ratification Work and some general construction work to be completed under the Contract; and

WHEREAS, it is in the best interests of the City of Hoboken to settle all claims pursuant to the terms of the stipulation of settlement and mutual leases attached here to and made a part here of authorizing the Mayor of his designee to execute the settlement agreement and mutual releases.

NOW, THEREFORE BE IT RESOLVED by the Hoboken City Council that the Settlement Agreement is authorized upon the express terms and provisions, and incorporated by reference, as if fully set forth at length.

BE IT FURTHER RESOLVED, that in consideration of the terms, conditions, and promises set forth herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Hoboken, Surety, Robotic, ESP, Gamsys, Belcor and Belgiovine intending to be legally bound, do hereby agree as follows:

1. The foregoing recitals are hereby incorporated into this stipulation of Settlement and made a part hereof.

2. As hereinafter provided, the Surety and Owner shall pay, or cause to be paid, to both Plaintiffs the total sum of $402,000 (“Settlement Sum”), said sum being in full payment and satisfaction of all claims by both of the Plaintiffs against all the other parties. The Settlement Sum shall be paid in the following manner:

   (a) Surety shall make a payment of $337,000 to Plaintiffs as follows: (i) A $12,500 check made payable to Gamsys, LLC; (ii) A $12,500 check made payable to Engineered Software Products, Inc.; and (iii) A $352,000 check made payable to Killian & Salisbury, P.C. as attorneys for Gamsys, LLC and Engineered Software Products, Inc. All payments set for the in this subparagraph (a) shall be made once this Stipulation of Settlement and all documents set forth in this Stipulation of Settlement are duly executed by all necessary parties.

   (b) Hoboken shall make a payment of $25,000 to Plaintiffs upon completion of work by Plaintiffs as set forth herein. Gamsys shall be paid $12,500 for one hundred and sixty (160) hours of work and ESP shall be paid $12,500 for one hundred and sixty (160) hours of work. This work shall begin after full payment is received by Plaintiffs and on a date mutually agreed upon by Gamsys, ESP, and Hoboken. All work by Plaintiffs shall be coordinated only with Joanne Serrano acting on behalf of Hoboken. Invoices along with supporting documents setting forth work completed by Gamsys and ESP shall be submitted on a weekly basis and approved weekly by Joanne Serrano acting on behalf of Hoboken. Once approved, no work is to be disputed at a later date. Hoboken will submit the pay request to the City Council of Hoboken for approval at the next scheduled meeting following completion of the work done by Gamsys and ESP and approval of the work by
Joanne Serrano. Payment must be made in full within 28 days of completion of the work done by Gamsys and ESP as set forth in this subparagraph. Notwithstanding disputes that may arise in connection with the work that is to be performed under this subparagraph, this Stipulation of Settlement shall remain in full force and effect.

3. Contemporaneously with the execution of this Stipulation of Settlement by Plaintiffs, Robotic, Hoboken, Surety, Belcor, and Belgiovine the following shall occur:

   (a) Execution of this Stipulation of Settlement by the Owner shall constitute full, final, and complete acceptance by the Hoboken of the Project and Contract and the Owner shall deliver to Wolff & Sampson, PC, counsel for Surety, the original Performance Bond No. LM1000282 (the “Performance Bond”) executed by the Surety in connection with the Contract.

   (b) The Surety, Belcore, Belgiovine, Hoboken, Robotic, Gamsys, and ESP shall all duly execute releases in favor of each other (hereinafter collectively referred to as the “Releases”) as set forth in the Releases annexed hereto as Exhibits A through E (referred to hereinafter as “Releases A”, “Release B”, “Release C”, “Release D”, and “Release E” respectively). The Releases shall not preclude any party from enforcing the terms of this Stipulation of Settlement. Each party shall duly execute an original Release for each party it is releasing.

   (c) The Surety, Belcor, Belgiovine, Hoboken, Robotic, Gamsys, and ESP shall duly execute the stipulation of dismissal (the “Stipulation of Dismissal” annexed hereto as Exhibit F).

   (d) Belcor shall duly execute the release of the Security Agreement (the “Release of Security Agreement” annexed hereto as Exhibit G).

   (e) Plaintiffs shall discharge any and all liens that have been filed by Plaintiffs in connection with the Project or Contract. The Plaintiffs shall duly execute the certificate to discharge the lien (the “Certificate of Discharge of Construction Lien Claim”) annexed hereto as Exhibit H and execute any and all other documents necessary to discharge any and all other liens filed by Plaintiffs in connection with the Project or Contract.

   (f) All parties shall duly execute this Stipulation of Settlement and all settlement documents set forth herein (collectively referred to as the “Settlement Documents”) and forward all Settlement Documents to counsel for Surety. All Settlements Documents shall be held in escrow by counsel for Surety until (i) Plaintiff’s receipt of the $377,000 payment from the Surety and Releases, B, C, D, and E; (ii) Robotics’ receipt of The Release of Security Agreement and Releases A, C, and E; (iii) Belcor’s and Belgiovine’s receipt of Releases A, C, and E; and (iv) Hoboken’s receipt of The Certificate of Discharge of construction Lien Claim for each of the Plaintiffs and Releases A, B, D, and E. Release C and Release E shall continue to be held in escrow by counsel for all parties until the Owner’s receipt of the $42,300 payment from the Surety as set forth in Paragraph 4. The Performance Bond shall be held in escrow by counsel for the Surety until the Hoboken’s receipt of the $42,300 payment from the Surety as set forth in Paragraph F Counsel for all parties shall hold all Settlement Documents in escrow until counsel for Surety confirms, in writing, that all parties are in receipt of all Settlement Documents in their favor. If not provided an original, each party to this Stipulation of Settlement shall be provided a copy of each of the Settlement Documents.

4. The Surety shall have no further obligations to Hoboken under the Bonds or Takeover Agreement after all of the following occur:
(a) Surety makes payment to Hoboken of $42,300; and
(b) Surety pays Mola Iron Works, Inc. for the torque bolting work completed as of the date of this Stipulation of Settlement; and
(c) Surety pays Statewide Restoration Co. for waterproofing work performed as of the date of this Stipulation of Settlement.

5. The Surety does not provide any guaranties or warranties in connection with the Bonds, Takeover Agreement, Contract, or Project, including but not limited to, any work performed in connection with the Bonds, Takeover Agreement, Contract, or Project. The Surety and Belcor will assign any rights they may have in any warranties they may have in connection with the Project. The Surety also does not provide any guaranties or warranties in connection with the Stipulation of Settlement, including but not limited to, any payments to be made or any other obligations of any party other than itself.

6. Plaintiffs and Robotic agree to indemnify and save harmless the Hoboken and Surety from and against any and all claims, liens, demands, liabilities, loss, costs, damages or expenses of whatever nature or kind, including fees of attorneys and all other expenses in connection with claims for payment made by employees of Plaintiffs or Robotic or independent contractors, subcontractors, or suppliers having an oral or written contract with Plaintiffs or Robotic. For the purposes of this paragraph, Wayne R. Perry-Eaton, is considered an employee, independent contractor, or subcontractor of Robotic. Plaintiffs and Robotic represent and warrant that none of their employees, independent contractors, subcontractors, suppliers are due any wages or compensation and/or are asserting any claims for the same as of the date of the execution of this Stipulation of Settlement.

7. To the fullest extent permitted by law, the Hoboken shall indemnify and hold harmless the Surety and its agents and employees from and against all claims, damages, losses and expenses, including but not limited to attorney’s fees, arising out of or resulting from the performance of work (the “Work”) in connection with the Bonds, Takeover Agreement, Ratification Agreement, Subcontract, Project, or Contract providee that any such claim, damage, loss or expense (i) is attributable to bodily injury, sickness, disease or death, or to injury to or destruction of tangible property (other than the Work itself) including the loss of use resulting therefrom and (ii) is caused in whole or in party by any negligent act or omission of the Owner, or anyone directly or indirectly employed by it or anyone for whose acts it may be liable, regardless of whether or not is caused in part by the Surety. Such obligation shall not be construed to negate, abridge, or otherwise reduce any other right or obligation of indemnity which would otherwise exist as to any party or person described in this paragraph.

8. Robotic, on behalf of Robotic Service Organization, LLC (“RSO”), shall deliver to the Hoboken and Surety a certificate of insurance stating that the Hoboken, Surety, and Robotic are named as additional insured entitled to receive notice of cancellation on each and every insurance policy in the name of RSO, including but not limited to, RSO’s general liability policy for operation and maintenance of the Project. Hoboken
shall deliver to the Surety a certificate of insurance stating that Surety is named as an additional insured entitled to receive notice of cancellation on the Hoboken’s general liability policy covering the Project. Hoboken shall deliver to the Surety a certificate of insurance stating that Surety is named as an additional insured entitled to receive notice of cancellation on the Hoboken’s general liability policy covering the Project and operation and maintenance of the same.

9. Except in the case of gross negligence or willful misconduct, Plaintiffs shall not be liable by virtue of this Stipulation of Settlement or otherwise for any direct, indirect, or consequential loss or damages occasioned by their services pursuant to this Stipulation of Settlement. The aggregate liability of Plaintiffs under this Stipulation of Settlement shall not exceed the monies paid to the Plaintiffs pursuant to this Stipulation of Settlement.

10. Nothing contained in this Stipulation of Settlement shall waive, limit, alter or amend any of the Surety’s rights or defenses as to the claims of laborers, subcontractors or material suppliers who furnished labor and/or materials in connection with the performance of the Contract or Project.

11. The parties do not intend by any provision of this Stipulation of Settlement to create any third-party beneficiaries or to confer any benefit upon or enforceable rights under it or otherwise upon anyone other than the parties hereto. Specifically, the parties acknowledge that nothing in this Stipulation of Settlement shall extend, increase or enlarge the rights of any claimant under the Bonds.

12. This Stipulation of Settlement shall extend to and bind the parties hereto and their successors and assigns.

13. This Stipulation of Settlement constitutes the entire agreement by and among the parties. There have been no oral or other agreements of any kind whatsoever as a condition precedent to, or to induce the execution and delivery of, this Stipulation of Settlement. This Stipulation of Settlement may not be changed, altered, amended or otherwise modified except by a writing signed and acknowledged by the parties hereto and in the same manner as this Stipulation of Settlement.

14. The making of this Stipulation of Settlement shall not be construed to release, relinquish, discharge, waive, limit, alter, amend or otherwise impair the rights and claims of any of the parties to this Stipulation of Settlement against persons or entities who are not parties to this Stipulation of Settlement, and all such rights and claims are hereby expressly reserved.

15. If any one or more of the provisions contained in this Stipulation of Settlement should be invalid, illegal or unenforceable in any respect, the validity, legality and enforceability of the remaining provisions contained herein shall not in any way be affected or impaired thereby.

16. This Stipulation of Settlement and the rights and obligations of the parties hereunder and the validity, performance and enforcement hereof
shall be governed by the laws of the State of New Jersey without giving effect to the principles of conflicts of law thereof.

17. The parties hereto agree that each party and his, hers or its counsel have reviewed and revised this Stipulation of Settlement and that the normal rule of construction to the effect that any ambiguities are to be resolved against the drafting party shall not be employed in the interpretation of this Stipulation of Settlement or any attachments or amendments hereto.

18. Each of the signatories and parties hereto hereby represents, covenants and warrants that he, she or it has full right, power and authority, uninhibited by contract or otherwise, to execute and perform this Stipulation of Settlement, that their execution hereof has been duly authorized by all proper and necessary corporate action, and that all consents and approvals of stockholders or any public authority or regulatory body required as a condition to the validity or enforceability of this Stipulation of Settlement. Any person who may sign this Stipulation of Settlement as agent or attorney-in-fact of a party hereto does individually represent, covenant and warrant his authority to do so. The representations set forth above made by individuals, are made to the best of their knowledge.

19. This Stipulation of Settlement is made for purposes of settlement only and it is not intended to be, and shall not be used as evidence of an admission of liability by any party except in connection with an action for the breach of this Stipulation of Settlement or enforcement of the same.

20. This Stipulation of Settlement may be executed in one or more counterparts, each of which shall be an original but all of which shall constitute the same instrument.

21. This Stipulation of Settlement is enforceable in the Superior Court of New Jersey, Hudson County, which shall retain jurisdiction to enforce this stipulation of Settlement.

Before the vote was taken one member of the public addressed the City Council: Maurice DeGennero, 614 Hudson Street.

---Motion duly seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 6 - NAYS: 1 - ABSTENTIONS: 2
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi and President Ramos.
---Nays: Soares.
---Abstentions: Marsh, Russo.

04-1295
---By Councilman Del Boccio:
---Motion duly seconded by Councilman Giacchi.
RESOLVED, that a warrant be drawn on the City Treasurer made payable to the taxpayer appearing on the attached list totaling **$193,432.30** representing overpayment of taxes:

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<td>Oza Gautam</td>
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<tr>
<td>Brian Liona</td>
<td>27/24</td>
<td>118 Monroe St</td>
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Before the vote was taken on the above resolution, a motion was made to TABLE the resolution by Councilman Campos, duly seconded by Councilman Giacchi and voted on as follows:

---Motion to TABLE PASSED by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

ORDINANCES

Introduction and First Reading

04-1296
DR-128

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 190 OF THE ADMINISTRATIVE CODE OF THE CITY OF HOBNOKEN ENTITLED VEHICLES AND TRAFFIC, ADOPTED SEPTEMBER 4, 1991 AS ORDINANCE #2278 (Loading Zones)

THE COUNCIL OF THE MAYOR AND COUNCIL OF THE CITY OF HOBNOKEN DOES HEREBY ORDAIN AS FOLLOWS:

ARTICLE V
LOADING ZONE

190-11 Loading Zone
Section 1: The locations described are hereby designated as a loading zone. No person shall park a vehicle in said location during the times indicated other than for the loading or unloading of goods and materials.

<table>
<thead>
<tr>
<th>Name of Street</th>
<th>Time</th>
<th>Side</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bloomfield Street</td>
<td>8:00 A.M. to</td>
<td>West</td>
<td>Beginning at the curbline of 10th Street and extending 35 feet northerly therefrom.</td>
</tr>
<tr>
<td>northwest</td>
<td>6:00 P.M.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Mon. – Fri.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Park Avenue</td>
<td>8:00 A.M. to</td>
<td>West</td>
<td>Beginning at the northwest curblineof10thStreetand extending 35 feet Northerly therefrom.</td>
</tr>
<tr>
<td></td>
<td>6:00 P.M.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Mon – Fri.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Garden Street</td>
<td>8:00 A.M. to</td>
<td>West</td>
<td>Beginning at the southwest curbline of 11th Street extending 35 feet south therefrom.</td>
</tr>
<tr>
<td>and</td>
<td>6:00 P.M.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Willow Avenue</td>
<td>8:00 A.M. to</td>
<td>West</td>
<td>Beginning at the northwest curbline of 10th Street and extending 35 feet south Therefrom.</td>
</tr>
<tr>
<td></td>
<td>6:00 P.M.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Mon-Fri.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Section 2: 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.

Section 3. This ordinance shall take effect as provided by 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 JANUARY 21, 2004 at 7:00 PM.

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

Councilman Cricco left the meeting at 8:25 p.m.
Councilman Cricco returned to the meeting at 8:29 p.m.

**RESOLUTIONS CONTINUED**
Presented and Read

---By Council persons Campos, Castellano, Cricco, Del Boccio, Marsh, Russo, Soares and President Ramos:

04-1297

WHEREAS, Low Income Housing Corp., a Maine Corporation, owner of the multi-family housing project known as “clock towers” entered into a settlement with the City of Hoboken on January 25, 2001, and

WHEREAS, Low Income Housing Corp. agreed to renew the HAP contract under the Section 8 program, and

WHEREAS, Low Income Housing Corp., a Maine Corporation, shall adhere to rent restrictions set forth in the DCA Regulatory Agreement and those restrictions contained in the settlement agreement with the City of Hoboken, and

WHEREAS, the terms of this settlement call for the creation of a rent equity fund, which would be used to decrease the “out of pocket” rent of residents who are compliant with subsidized rent eligibility requirements, and

WHEREAS, Low Income Housing Corp., A Maine Corporation, agreed to provide reasonable notice to City of Hoboken as to any unit vacancies, so the city may assist in locating perspective tenants in need of affordable housing, and

WHEREAS, it appears the owner may be in violation of the following terms of this agreement.

WHEREAS, it appears the owner may be in violation of the following terms of this agreement.
   a. Units deemed HAP, Section 8 and units under the DCA Regulatory Agreement have been converted to market rate rent apartments, and rented to persons who do not qualify for these programs.
   b. Units deemed, HAP, Section 8 and units under the DCA Regulatory Agreement have been converted to market rate rent apartments without the City Rent Control Board being notified.
   c. Eligible tenants who are in compliance with subsidized rent regulations have seen no rent decrease form the “rent equity fund”. Now therefore be it

RESOLVED, the City Council calls for a city investigation of the corporation known as Low Income Housing Corp., a Maine Corporation, their rental policies and their continued non-compliance with the settlement agreement entered into with the City of Hoboken. And be it further

RESOLVED, that the city attorney shall prepare a written report and present its findings to the City Council no later than 60 days from today.

---Motion duly seconded by Council persons Campos, Castellano, Cricco, Del Boccio, Marsh, Russo, Soares and President Ramos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

All regular business concluded the following members of the public spoke at the “Public Portion” of the meeting: Maurice DeGennero, 614 Hudson Street; Theresa Pino (No address given).

President Ramos then adjourned the meeting at 9:14 p.m.

__________________________________________
PRESIDENT OF THE COUNCIL

__________________________________________
CITY CLERK
President Ramos 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 Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.

ABSENT: None.

PUBLIC HEARING and FINAL VOTE ON ORDINANCES

Second Reading / Public Hearing and Final Vote

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 (Loading Zones) (DR-128)

The above ordinance will be continued to the February 4, 2004 City Council meeting due to an error in advertising by *The Jersey Journal* newspaper.

04-1297

APPLICATIONS FOR MISCELLANEOUS LICENSES
---Councilman Del Boccio moved that the licenses be granted.
---Motion duly seconded by Council President Ruben Ramos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

REPORTS OF CITY OFFICERS

04-1298

Reports of Municipal Clerk James J. Farina indicating bids received on Friday, January 9, 2004 for various goods and services.

---Received and filed.

04-1299

A report from Municipal Tax Collector Louis Picardo for taxes collected; for the month ending December 31, 2003 - $1,162,831.12.

---Received and filed.

04-1300

A report of the Municipal Court indicating receipts for the month of December 2003 as $229,908.04.

---Received and filed.

04-1301


---Received and filed.

CLAIM RESOLUTIONS

04-1302

By Council President 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 $944,663.01 against the UNCLASSIFIED CLAIMS.
Seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 7 - NAYS: 2
---Yeas: Council persons Campos, Cricco, Del Boccio, Giacchi, Marsh, Soares and President Ramos.
---Nays: Castellano, Russo.

By Council President 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 $120,172.45 against the DEPARTMENT OF ADMINISTRATION.

Seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

By Councilman Cricco:

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 $48,205.25 against the DEPARTMENT OF ENVIRONMENTAL SERVICES.

Seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 8 - NAYS: 1
---Yeas: Council persons Campos, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: Castellano.

By Councilman Cricco:

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 $25,173.90 against the DEPARTMENT OF HUMAN SERVICES.

Seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.
By Councilman Cricco:

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 $26,864.27 against the DEPARTMENT OF COMMUNITY DEVELOPMENT.

Seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

By Councilman Cricco:

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 $54,786.00 against the DEPARTMENT OF COMMUNITY DEVELOPMENT, GRANTS MANAGEMENT, SECTION 8.

Seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSTENTIONS: 1
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo and Soares.
---Nays: None.
---Abstentions: President Ramos.

By Councilman Campos:

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 $49,933.39 against the DEPARTMENT OF PUBLIC SAFETY.

Seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

By Council President 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 $5,850.00 against the CAPITAL ACCOUNT.

Seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---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 $315,236.79 against the PARKING UTILITY.

Seconded by Council President Ramos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

PAYROLL RESOLUTIONS

04-1303
By Council President 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 HOBOKE N, FOR THE PERIOD DECEMBER 18, 2003 TO DECEMBER 31, 2003 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>Personnel</td>
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<td>6,856.32</td>
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<td>6,856.32</td>
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<td>Mayor's Office</td>
<td>4-01-20-110</td>
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<td>City Council</td>
<td>4-01-20-111</td>
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<td>Bus Adm. Office</td>
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<tr>
<td>ABC Board</td>
<td>4-01-20-113</td>
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<td>269.24</td>
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<tr>
<td>Purchasing</td>
<td>4-01-20-114</td>
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<tr>
<td>Grants Management</td>
<td>4-01-20-116</td>
<td>6,607.07</td>
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<tr>
<td>City Clerks Office</td>
<td>4-01-20-120</td>
<td>11,890.20</td>
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<td>11,890.20</td>
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<td>Department</td>
<td>Account No.</td>
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<td>2004 Actual</td>
<td>2005 Budget</td>
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<td>-----------------------------------</td>
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<tr>
<td>Finance Office</td>
<td>4-01-20-130</td>
<td>4,446.35</td>
<td>4,446.35</td>
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<td></td>
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<tr>
<td>Accounts / Controls</td>
<td>4-01-20-131</td>
<td>6,291.05</td>
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<tr>
<td>Payroll Division</td>
<td>4-01-20-132</td>
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<tr>
<td>Tax Collection</td>
<td>4-01-20-145</td>
<td>10,421.02</td>
<td>8,120.00</td>
<td>18,541.02</td>
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<tr>
<td>Assessor’s Office</td>
<td>4-01-20-150</td>
<td>10,490.93</td>
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<tr>
<td>Corporation Counsel</td>
<td>4-01-20-155</td>
<td>12,535.90</td>
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<tr>
<td>Community Develop.</td>
<td>4-01-20-160</td>
<td>5,920.87</td>
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<tr>
<td>Treasurer</td>
<td>4-01-20-146</td>
<td>2,636.80</td>
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<tr>
<td>Planning Board</td>
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<td>2,394.41</td>
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<td>Info Technology</td>
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<td>Zoning Officer</td>
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<td>4,952.53</td>
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<td>Housing Inspection</td>
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<td>Police Division</td>
<td>4-01-25-241</td>
<td>453,442.89</td>
<td>76,865.40</td>
<td>530,308.29</td>
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<tr>
<td>Crossing Guards</td>
<td>4-01-25-241</td>
<td>3,776.25</td>
<td>340.00</td>
<td>4,116.25</td>
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<tr>
<td>Emergency Mgmt</td>
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<td>Fire Division</td>
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<td>172,489.67</td>
<td>507,275.53</td>
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<tr>
<td>Signal &amp; Traffic</td>
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<tr>
<td>Envir. Ser. Dir. Office</td>
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<td>1,243.52</td>
<td>14,200.15</td>
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<tr>
<td>Streets &amp; Roads</td>
<td>4-01-26-291</td>
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<tr>
<td>Central Garage</td>
<td>4-01-26-301</td>
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<td>Sanitation</td>
<td>4-01-26-305</td>
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<td>60,173.84</td>
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<td>Cultural Affairs</td>
<td>4-01-27-176</td>
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<tr>
<td>Human Service Direct.</td>
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<td>5,852.28</td>
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<tr>
<td>Board of Health</td>
<td>4-01-27-332</td>
<td>15,436.44</td>
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<tr>
<td>Constituent Services</td>
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Meeting of January 21, 2004
<table>
<thead>
<tr>
<th>Department</th>
<th>Code</th>
<th>Total Budget</th>
<th>Variance</th>
<th>Actual Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>Senior Citizens Div</td>
<td>4-01-27-336</td>
<td>11,082.50</td>
<td>152.64</td>
<td>11,235.14</td>
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<tr>
<td>Rent Stabilization</td>
<td>4-01-27-347</td>
<td>6,468.44</td>
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<tr>
<td>Transportation</td>
<td>4-01-27-348</td>
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<td>38.25</td>
<td>6,727.23</td>
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<td>Recreation</td>
<td>4-01-28-370</td>
<td>19,514.77</td>
<td>5,558.31</td>
<td>1,527.50</td>
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<tr>
<td>Parks</td>
<td>4-01-28-375</td>
<td>20,976.01</td>
<td>3,643.59</td>
<td>24,619.60</td>
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<td>Public Prop.</td>
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<td>3,643.59</td>
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<td>Public Library</td>
<td>4-01-29-390</td>
<td>23,104.55</td>
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<td>Public Defender</td>
<td>4-01-43-495</td>
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<td>Municipal Court</td>
<td>4-01-43-490</td>
<td>28,786.25</td>
<td>158.16</td>
<td>28,944.41</td>
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<tr>
<td>Parking Utility</td>
<td>4-31-55-501-100</td>
<td>40,682.10</td>
<td>113.07</td>
<td>40,795.17</td>
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<tr>
<td>Universal Cops</td>
<td>4-01-25-241-012</td>
<td>8,456.08</td>
<td>3,500.00</td>
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<tr>
<td>Cops In School</td>
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<td>11,083.18</td>
<td>4,500.00</td>
<td>15,583.18</td>
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<tr>
<td>Civilian Hiring</td>
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<td>4,337.02</td>
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<tr>
<td>Other</td>
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<tr>
<td>Police Outside Employ.</td>
<td>T-14-10-000-000</td>
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<td>Police Grant</td>
<td>DE 16-S7-01</td>
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<tr>
<td>Fire Dept. Penalty</td>
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<td>Fire Education Acct</td>
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**Grand Total**

1,254,899.46  26,271.55  310,375.64  1,591,546.65

---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yes: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

**RESOLUTIONS**

Presented and Read
WHEREAS, Louis Picardo, Collector of Revenue recommends that refunds be made, now therefore be it –

RESOLVED, that a warrant be drawn on the City Treasurer made payable to the taxpayer appearing on the attached list totaling **$193,432.30** 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>Nashel &amp; Nashel, LLC</td>
<td>219/14</td>
<td>830 Hudson Street</td>
<td>$26,090.30</td>
</tr>
<tr>
<td>West New York, NJ 07093</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Nashel &amp; Nashel, LLC</td>
<td>253/11</td>
<td>1229 Park Avenue</td>
<td>$4,872.50</td>
</tr>
<tr>
<td>West New York, NJ 07093</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Nashel &amp; Nashel, LLC</td>
<td>180/14.1</td>
<td>527-29 Park Avenue</td>
<td>$1,621.00</td>
</tr>
<tr>
<td>West New York, NJ 07093</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Nashel &amp; Nashel, LLC</td>
<td>82/18</td>
<td>716-32 Madison Street</td>
<td>$83,791.15</td>
</tr>
<tr>
<td>West New York, NJ 07093</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Nashel &amp; Nashel, LLC</td>
<td>17/1</td>
<td>514 Observer Hwy</td>
<td>$3,901.80</td>
</tr>
<tr>
<td>West New York, NJ 07093</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Nashel &amp; Nashel, LLC</td>
<td>17/2</td>
<td>512 Observer Hwy</td>
<td>$4,630.13</td>
</tr>
<tr>
<td>West New York, NJ 07093</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Nashel &amp; Nashel, LLC</td>
<td>17/3</td>
<td>510 Observer Hwy</td>
<td>$4,630.13</td>
</tr>
<tr>
<td>West New York, NJ 07093</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Nashel &amp; Nashel, LLC</td>
<td>159/13</td>
<td>730-32 Willow Ave</td>
<td>$6,503.00</td>
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<td>West New York, NJ 07093</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Nashel &amp; Nashel, LLC</td>
<td>269/4</td>
<td>104-06 14th St.</td>
<td>$18,533.55</td>
</tr>
<tr>
<td>West New York, NJ 07093</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>104 Hudson St, LLC</td>
<td>212.1/3</td>
<td>104 Hudson Street</td>
<td>$968.69</td>
</tr>
<tr>
<td>c/o Petruzelli Realty LLC</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>131 Washington Street</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hoboken, NJ 07030</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
---Motion duly seconded by Council President Ramos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

**04-1305**
---By Councilman Cricco:

WHEREAS, the City of Hoboken is in need for a vendor to operate the Concession Stand at Sinatra Park, and

WHEREAS, the City of Hoboken received no bids at the first bid opening on Friday, 8 August 2003, and

WHEREAS, the City of Hoboken received no bids at the second bid opening of Friday, 12 September 2003, and

WHEREAS, the third bid, submitted on Wednesday, 8 October 2003, was rejected by the City of Hoboken on Wednesday, 5 November 2003 based on the fact that this bid did not offer a realistic competitive price, and

WHEREAS, the City of Hoboken received no bids at the fourth bid opening of Friday, 21 November 2003, and
WHEREAS, the City of Hoboken, Department of Environmental Services seeks to enter into a lease with Steven's Institute of Technology, Hoboken, NJ 07030, negotiation of which is permitted pursuant to NJSA 40A:11-5(3); and

WHEREAS, this lease, which is attached hereto and incorporated by reference would result in a payment to the City of Hoboken of Thirty-Five Hundred Dollars ($3,500.00) per month for the sixty (60) month period, by Steven's Institute of Technology; and

NOW, THEREFORE, BE IT RESOLVED, by the Hoboken City Council that:

1. The above recitals are incorporated herein as thought fully set forth at length.
2. The council hereby authorizes the Mayor, or his designee to execute any and all documents and take any and all action necessary to complete and realize the intent and purpose of this resolution.
3. The Mayor, or his designee is hereby authorized to execute an agreement for the above referenced lease based upon the following information:

   Steven's Institute of Technology
   Hoboken, New Jersey 07030

Before the vote was taken one member of the public addressed the City Council: Maurice DeGennero, 614 Hudson Street.

---Motion duly seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

04-1306
---By Councilman Campos:

WHEREAS, pursuant to the Local Redevelopment and Housing Law, the City Council of the City of Hoboken may direct the Planning Board to conduct a preliminary investigation and public hearing to determine whether certain areas of the City are in need of redevelopment in accordance with N.J.S.A. 40A:12A-6; and

WHEREAS, the City Council seeks to have the Planning Board undertake a preliminary investigation of the attached list of City Blocks and Lots to determine whether it meets the criteria set forth in N.J.S.A. 40A:12A-5 as an area in need of redevelopment; and

WHEREAS, upon the completion of the preliminary investigation and hearing, the Planning Board must provide recommendations to the City Council as to the proposed redevelopment areas;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF HOBOKEN:
1. That the Planning Board of the City of Hoboken is hereby authorized and directed to perform a preliminary investigation and hold a public hearing to determine whether the proposed areas as set forth in the attached list of City Blocks and Lots are in need of redevelopment and to submit its recommendations to the City Council in accordance with N.J.S.A. 40A:12A-6.

2. That this Resolution shall be effective immediately.

Before the vote was taken the following members of the public addressed the City Council: Michael Lenz, 408 Monroe Street; John Glasel, 84 Jefferson Street; Elizabeth Mason, 921 Hudson Street; Maurice DeGennero, 614 Hudson Street.

After the members of the public spoke on the resolution, a motion was made to TABLE the resolution as follows:

Motion to TABLE by Councilwoman Marsh:
Motion duly seconded by Councilwoman Castellano.
The motion FAILED by the following vote: YEAS: 4 - NAYS: 5
---Yeas: Council persons Castellano, Marsh, Russo, Soares.
---Nays: Council persons Campos, Cricco, Del Boccio, Giacchi and President Ramos.

The City Clerk than called the vote on the resolution.
---Motion duly seconded by Councilman Giacchi.
---ADOPTED by the following vote: YEAS: 5 - NAYS: 4
---Yeas: Council persons Campos, Cricco, Del Boccio, Giacchi and President Ramos.
---Nays: Council persons Castellano, Marsh, Russo, Soares.

ORDINANCES

Introduction and First Reading

04-1307
DR-129

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 192 OF THE CODE OF THE CITY OF HOBOKEN ENTITLED PARKING FOR HANDICAPPED (Approvals: 805 Park Avenue) (DR-129)

THE COUNCIL OF THE MAYOR AN COUNCIL OF THE CITY OF HOBOoken DOES HEREBY ORDAIN AS FOLLOWS:

Handicap Spaces

A. Section 192-4 is amended to add the following;

Kusumbe S. Bhatt, 805 Park Avenue (East side of Park Avenue beginning at a point of 85 feet from the northeast curbline of 8th Street and extending 22 feet northerly therefrom.)

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 the ordinance codified and incorporated in
---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 FEBRUARY 4, 2004 at 7:00 PM.

---Motion duly seconded by Council President Ramos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

04-1308
DR-130

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 (Restricted Parking for Hoboken Utility Vehicles) (DR-130)

THE COUNCIL OF THE MAYOR AND COUNCIL OF THE CITY OF HOBOKEN DOES HEREBY ORDAIN AS FOLLOWS:

190-6.1 Restricted Parking for Hoboken Parking Utility Vehicles;
   Section 1: The location described are hereby designated as restricted parking. No person shall park a vehicle in said location except for Hoboken Parking Utility Vehicles.

<table>
<thead>
<tr>
<th>NAME OF STREET</th>
<th>SIDE</th>
<th>LOCATION</th>
<th>RESTRICTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>First Street</td>
<td>South</td>
<td>Beginning at a point of Parking Utility Vehicles 35 feet east of the Easterly curbline of Bloomfield Street and Extending 44 feet east therefrom.</td>
<td>Parking Utility Vehicles 4PM to 10:00 PM weekdays 8AM to 6 PM - Saturdays</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.
---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 FEBRUARY 4, 2004 at 7:00 PM.

---Motion duly seconded by Council President Ramos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

Council President Ramos left the meeting at 8:32 p.m.
Council President Ramos returned to the meeting at 8:37 p.m.
Councilman Soares left the meeting at 8:40 p.m.
Councilman Soares returned to the meeting at 8:45 p.m.

All regular business concluded the following members of the public spoke at the “Public Portion” of the meeting:  Maurice DeGennero, 614 Hudson Street; Elizabeth Markevitch, 706 Grand Street; Michael Lenz, 408 Monroe Street; Curtis Crystal, 715 Monroe Street; George Crimmins, 1111 Garden Street.

Councilman Cricco left the meeting at 9:05 p.m.
Councilman Cricco returned to the meeting at 9:09 p.m.

President Ramos then adjourned the meeting at 9:15 p.m.

__________________________________________
PRESIDENT OF THE COUNCIL
CITY CLERK
President Ramos 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 Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo and President Ramos.

ABSENT: Soares.

PUBLIC HEARING and FINAL VOTE ON ORDINANCES

Second Reading / Public Hearing and Final Vote

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 (Loading Zones) (DR-128)

President Ramos 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 vote was taken, one member of the public spoke: Maurice DeGennero, 614 Hudson Street. No other person present desiring to be heard and no written protests or objections received, President Ramos asked for a motion to close the hearing.

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

Council President Ramos then instructed the City Clerk to call the Final Vote for the above Ordinance.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo and President Ramos.
---Nays: None.
---Absent: Soares.

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 192 OF THE CODE OF THE CITY OF HOBOKEN ENTITLED PARKING FOR HANDICAPPED (Approvals: 805 Park Avenue) (DR-129)

President Ramos 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 Ramos 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: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo and President Ramos.
---Nays: None.
---Absent: Soares.

Council President Ramos then instructed the City Clerk to call the Final Vote for the above Ordinance.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo and President Ramos.
---Nays: None.
---Absent: Soares.

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 (Restricted Parking for Hoboken Utility Vehicles) (DR-130)
President Ramos 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 Ramos 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: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo and President Ramos.
---Nays: None.
---Absent: Soares.

Council President Ramos then instructed the City Clerk to call the Final Vote for the above Ordinance.

---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo and President Ramos.
---Nays: None.
---Absent: Soares.

04-1309

PETITIONS AND COMMUNICATIONS

January 29, 2004

City of Hoboken
City Hall
94 Washington Street
Hoboken, NJ 07030

Dear Ladies and Gentlemen:

Pursuant to my authority under Chapter 44, Section 1 of the Hoboken Code, I hereby appoint Frank Orsini of 103 4th Street, #2, Hoboken, New Jersey as the Second Alternate of the Hoboken Planning Board for a two year term expiring December 31, 2005.

Very truly yours,

DAVID ROBERTS,
January 29, 2004

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 44, Section 11 of the Hoboken Code, I hereby appoint Jose Ponjoan of 5913th Street, #26E, Hoboken, New Jersey as the Second Alternate of the Hoboken Zoning Board of Adjustments for a two year term expiring December 31, 2005.

Very truly yours,

DAVID ROBERTS,
Mayor
City of Hoboken

cc//James J. Farina, City Clerk
Joseph Sherman, Corporation Counsel
Thomas Mooney, Planning Board

--Received and filed.

04-1310
APPLICATIONS FOR MISCELLANEOUS LICENSES

Limo/Livery Drivers ................................................................. 2
Parking Facilities ................................................................. 6
Vendors ................................................................. 2
Motor Vehicle Repair Shops.................................................. 5

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

CLAIM RESOLUTIONS

04-1311
By Council President 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 $187,976.67 against the UNCLASSIFIED CLAIMS.

Seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo and President Ramos.
---Nays: None.
---Absent: Soares.

By Council President 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 $42,340.12 against the DEPARTMENT OF ADMINISTRATION.

Seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo and President Ramos.
---Nays: None.
---Absent: Soares.
By Councilman Cricco:

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 $205,260.89 against the DEPARTMENT OF ENVIRONMENTAL SERVICES.

Seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo and President Ramos.
---Nays: None.
---Absent: Soares.

By Councilman Cricco:

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 $25,132.68 against the DEPARTMENT OF HUMAN SERVICES.

Seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo and President Ramos.
---Nays: None.
---Absent: Soares.

By Councilman Cricco:

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 $60,187.09 against the DEPARTMENT OF COMMUNITY DEVELOPMENT.

Seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo and President Ramos.
---Nays: None.
---Absent: Soares.

By Councilman Campos:
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 $10,674.32 against the DEPARTMENT OF PUBLIC SAFETY.

Seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo and President Ramos.
---Nays: None.
---Absent: Soares.

By Council President 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 $86,383.64 against the CAPITAL ACCOUNT.

Seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo and President Ramos.
---Nays: None.
---Absent: 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 $31,879.86 against the PARKING UTILITY.

Seconded by Council President Ramos.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo and President Ramos.
---Nays: None.
---Absent: Soares.

**PAYROLL RESOLUTIONS**

**04-1312**

By Council President 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 JANUARY 1, 2004 TO
JANUARY 14, 2004 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>Personnel</td>
<td>4-01-20-105</td>
<td>6,940.81</td>
<td>500.00</td>
<td></td>
<td>7,440.71</td>
</tr>
<tr>
<td>Mayor’s Office</td>
<td>4-01-20-110</td>
<td>9,543.42</td>
<td>500.00</td>
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<td>10,043.42</td>
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<tr>
<td>City Council</td>
<td>4-01-20-111</td>
<td>7,214.36</td>
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<td>7,214.36</td>
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<tr>
<td>Bus Adm. Office</td>
<td>4-01-20-112</td>
<td>7,926.53</td>
<td></td>
<td>1,000.00</td>
<td>8,926.53</td>
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<tr>
<td>ABC Board</td>
<td>4-01-20-113</td>
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<td></td>
<td>269.00</td>
<td>269.00</td>
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<tr>
<td>Purchasing</td>
<td>4-01-20-114</td>
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<tr>
<td>Grants Management</td>
<td>4-01-20-116</td>
<td>6,607.07</td>
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<td>6,607.07</td>
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<tr>
<td>City Clerks Office</td>
<td>4-01-20-120</td>
<td>11,583.31</td>
<td>282.06</td>
<td>1,500.00</td>
<td>13,365.37</td>
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<tr>
<td>Elections</td>
<td>4-01-20-122</td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Finance Office</td>
<td>4-01-20-130</td>
<td>4,446.35</td>
<td></td>
<td>500.00</td>
<td>4,946.35</td>
</tr>
<tr>
<td>Accounts / Controls</td>
<td>4-01-20-131</td>
<td>6,291.05</td>
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<td>6,291.05</td>
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<tr>
<td>Payroll Division</td>
<td>4-01-20-132</td>
<td>2,769.31</td>
<td>890.33</td>
<td>200.00</td>
<td>3,859.64</td>
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<tr>
<td>Tax Collection</td>
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<td>10,618.53</td>
</tr>
<tr>
<td>Assessor’s Office</td>
<td>4-01-20-150</td>
<td>10,530.94</td>
<td></td>
<td>1,500.00</td>
<td>12,030.94</td>
</tr>
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<td>Corporation Counsel</td>
<td>4-01-20-155</td>
<td>12,535.90</td>
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<td>Community Develop.</td>
<td>4-01-20-160</td>
<td>5,920.87</td>
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<td>Treasurer</td>
<td>4-01-20-146</td>
<td>2,636.80</td>
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<td>Planning Board</td>
<td>4-01-21-180</td>
<td>2,394.41</td>
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<td>Info Technology</td>
<td>4-01-20-147011</td>
<td>1,874.04</td>
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<td>2,624.06</td>
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<td>4-01-21-186</td>
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<td>Housing Inspection</td>
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<td>6,824.99</td>
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<td>7,324.99</td>
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<td>Construction Code</td>
<td>4-01-22-195</td>
<td>26,879.73</td>
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<td>28,237.59</td>
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<td>476,861.01</td>
<td>9,578.40</td>
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<td>560,355.63</td>
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<tr>
<td>Category</td>
<td>Code</td>
<td>Amount</td>
<td>Difference</td>
<td>Balance</td>
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<td>----------------------------------</td>
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</tr>
<tr>
<td>Crossing Guards</td>
<td>4-01-25-241</td>
<td>10,217.26</td>
<td>-364.00</td>
<td>10,581.26</td>
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<td>Emergency Mgmt</td>
<td>4-01-25-252</td>
<td>481.07</td>
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<td>Fire Division</td>
<td>4-01-25-266</td>
<td>367,865.77</td>
<td>2,119.29</td>
<td>260,019.00</td>
<td>630,004.06</td>
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<tr>
<td>Signal &amp; Traffic</td>
<td>4-01-25-267</td>
<td>9,248.15</td>
<td>562.02</td>
<td>10,710.17</td>
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<td>Envir. Ser. Dir. Office</td>
<td>4-01-26-290</td>
<td>15,691.90</td>
<td>823.89</td>
<td>2,000.00</td>
<td>18,515.79</td>
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<td>Streets &amp; Roads</td>
<td>4-01-26-291</td>
<td>240.00</td>
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<tr>
<td>Central Garage</td>
<td>4-01-26-301</td>
<td>9,655.99</td>
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<td>9,655.99</td>
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<td>Sanitation</td>
<td>4-01-26-305</td>
<td>48,142.29</td>
<td>16,702.63</td>
<td>1,607.26</td>
<td>66,452.18</td>
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<td>Cultural Affairs</td>
<td>4-01-27-176</td>
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<td>Human Service Direct.</td>
<td>4-01-27-330</td>
<td>6,240.18</td>
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<td>6,240.18</td>
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<tr>
<td>Board of Health</td>
<td>4-01-27-332</td>
<td>15,361.44</td>
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<td>15,361.44</td>
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<tr>
<td>Constituent Services</td>
<td>4-01-27-333</td>
<td>5,333.68</td>
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<td>5,333.68</td>
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<tr>
<td>Senior Citizens Div</td>
<td>4-01-27-336</td>
<td>11,082.50</td>
<td>38.16</td>
<td>1,500.00</td>
<td>12,620.66</td>
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<td>Rent Stabilization</td>
<td>4-01-27-347</td>
<td>6,468.44</td>
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<td>Transportation</td>
<td>4-01-27-348</td>
<td>7,581.48</td>
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<td>7,581.48</td>
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<td>Recreation</td>
<td>4-01-28-370</td>
<td>24,430.10</td>
<td>4,790.26</td>
<td>2,617.50</td>
<td>31,837.86</td>
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<tr>
<td>Parks</td>
<td>4-01-28-375</td>
<td>20,202.14</td>
<td>3,748.98</td>
<td>700.00</td>
<td>24,651.12</td>
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<tr>
<td>Public Prop.</td>
<td>4-01-28-377</td>
<td>21,446.30</td>
<td>374.45</td>
<td>3,185.00</td>
<td>25,005.75</td>
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<td>Public Library</td>
<td>4-01-29-390</td>
<td>23,489.74</td>
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<td>1,000.00</td>
<td>24,489.74</td>
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<td>Public Defender</td>
<td>4-01-43-495</td>
<td>2,123.57</td>
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<td>Municipal Court</td>
<td>4-01-43-490</td>
<td>29,017.58</td>
<td>319.32</td>
<td>3,020.26</td>
<td>32,357.16</td>
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<tr>
<td>Parking Utility</td>
<td>4-31-55-501-100</td>
<td>41,651.43</td>
<td>2,778.10</td>
<td>1,000.00</td>
<td>45,429.53</td>
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<tr>
<td>Universal Cops</td>
<td>4-01-25-241-012</td>
<td>9,236.55</td>
<td>306.90</td>
<td>6,436.00</td>
<td>15,979.45</td>
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<tr>
<td>Cops In School</td>
<td>4-01-25-241-015</td>
<td>12,155.78</td>
<td>397.68</td>
<td>3,147.00</td>
<td>15,700.00</td>
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<tr>
<td>Civilian Hiring</td>
<td>4-01-25-241-016</td>
<td>4,337.02</td>
<td></td>
<td>490.00</td>
<td>4,827.02</td>
</tr>
</tbody>
</table>

**Other**
Motion by Council President Ramos.
Seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo and President Ramos.
---Nays: None.
---Absent: Soares.

RESOLUTIONS

Presented and Read

04-1313
---By Councilman Del Boccio:

WHEREAS, an overpayment of taxes has been made on property listed below; and

WHEREAS, Louis Picardo, Collector of Revenue 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 $94,369.17 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>Chase Manhattan Mort.</td>
<td>82/11</td>
<td>721-23 Monroe Street</td>
<td>$5,357.95</td>
</tr>
<tr>
<td>3415 Vision Drive</td>
<td>Attn: Tax Recovery Dept. Columbus, Ohio 43219</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Holly A. Russo</td>
<td>247\36\C003S</td>
<td>1204 Washington St.</td>
<td>$1,003.17</td>
</tr>
<tr>
<td>1204 Washington Street</td>
<td>Hoboken, NJ 07030</td>
<td></td>
<td></td>
</tr>
<tr>
<td>ABN AMRO Mort.</td>
<td>161/31\C004A</td>
<td>902-04 Willow Avenue</td>
<td>$1,127.14</td>
</tr>
<tr>
<td>7159 Corklan Drive</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Jacksonville, Fla. 32258-4455

Alex & Teresa Lim 27\4\C03-E 109-19 Jackson St. $1,380.55
487 Fulton Court
West New York, NJ 07093

Alex & Teresa Lim 27\4\C0P\6 109-19 Jackson St. $ 91.93
487 Fulton Court
West New York, NJ 07093

MLNUSA Mort. Lenders 15\3 1107-09 Grand St. $1,044.99
Serv. Dept.
213 Court St
Middletown, Conn 06457-3387

Countrywide Tax Service 172\6 1009 Willow Ave. $ 30.61
PO Box 10211
SV3-24
Van Nuys, CA 91410-0211

Countrywide Tax Service 172\6 1009 Willow Ave. $3,100.66
PO Box 10211
SV3-24
Van Nuys, CA 91410-0211

Wells Fargo Home Mort. 173\6\C2-13 1109-21 Willow Ave $4,842.99
MACx2509-02C Unit 9393
BV REIMB
405 S. W. 5th St
Des Moines, IA 50309-9736
Attn: Bill Cook

Athena Barlow 262.3\1\C123 2 Constitution Ct. $573.08
33-1109 Hudson St
Jersey City, NJ 07302

GMAC Mortgage 84\3\C0039 713-25 Jefferson St $1,036.03
Attn: Tax Refunds
3451 Hammond Ave
Waterloo, IA

Joe Merrill 173\13\C012A 261 12th St $1,043.50
261 12th St
Hoboken, NJ 07030

Timothy A. Brennan 95\6\C004E 915 Madison St. $5,836.35
915 Madison St. Apt 4E
Hoboken, NJ 07030

Gateway Funding 209\27\C00RC 1016 Washington Street $ 556.54
500 Office Center Dr
Suite 500
Fort Washington, Pa 19050
<table>
<thead>
<tr>
<th>Company</th>
<th>Account</th>
<th>Address</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Washington Mutual</td>
<td>18\12\C0008</td>
<td>77-79 Jefferson St.</td>
<td>$2,158.60</td>
</tr>
<tr>
<td>Tax Refund Dept. FSC0211</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>PO Box 100563</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Florence, SC 295-0563</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Attn: Renee Cobb</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Renee Mihalik</td>
<td>27\4\C03-B</td>
<td>109-19 Jackson St</td>
<td>$250.00</td>
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<tr>
<td>109 Jackson St Apt#3B</td>
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<tr>
<td>Hoboken, NJ 07030</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Leopoldo &amp; Luz Medina</td>
<td>16/5</td>
<td>71-73 Monroe St</td>
<td>$250.00</td>
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<tr>
<td>71-73 Monroe St.</td>
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</tr>
<tr>
<td>Hoboken, NJ 07030</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Arnold &amp; Dora Stern</td>
<td>262.3\1\C0804</td>
<td>2 Constitution Ct</td>
<td>$2,505.22</td>
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<td>2 Constitution Ct. Apt. C0804</td>
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<tr>
<td>Hoboken, NJ 07030</td>
<td></td>
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</tr>
<tr>
<td>Wells Fargo Home Mort.</td>
<td>172\30</td>
<td>1024 Park Ave</td>
<td>$2,505.22</td>
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<tr>
<td>1 Home Campus MAX2509-02C</td>
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<tr>
<td>Des Moines, IA 50328-001</td>
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<tr>
<td>Attn: Bill Cook</td>
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<td>Wells Fargo Home Mort.</td>
<td>168\34\C0002</td>
<td>606 Park Ave</td>
<td>$1,492.36</td>
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<tr>
<td>1 Home Campus MAX2509-02C</td>
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<tr>
<td>Des Moines, IA 50328-001</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Attn: Bill Cook</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>The Provident Bank</td>
<td>156\3</td>
<td>1107-09 Grand St</td>
<td>$1,044.99</td>
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<tr>
<td>830 Bergen Ave</td>
<td></td>
<td></td>
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<tr>
<td>Jersey City, NJ 07306</td>
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</tr>
<tr>
<td>Attn: Loan Servicing 5B</td>
<td></td>
<td></td>
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<tr>
<td>Attn: Mr. Joseph Parisi</td>
<td></td>
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<tr>
<td>Chase Manhattan Mortgage</td>
<td>156\4.1</td>
<td>1108-10 Clinton</td>
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<tr>
<td>St.  $20,704.20</td>
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<tr>
<td>8435 Stemmons Freeway</td>
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<tr>
<td>Dallas, TX 75247</td>
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<tr>
<td>Loan #1764102618</td>
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<tr>
<td>Citi Mortgage</td>
<td>96\1\C0045</td>
<td>456 Ninth St.</td>
<td>$1,719.99</td>
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<tr>
<td>Mail Stop 22-528-1009</td>
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<tr>
<td>PO Box 9444</td>
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<tr>
<td>Gaithersburg, MD 20898-9444</td>
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<tr>
<td>Loan #2001084488</td>
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<tr>
<td>Alliance Mortgage Co.</td>
<td>203\10</td>
<td>419 Bloomfield St</td>
<td>$2,699.10</td>
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<tr>
<td>ATTN: LaVon Smart Tax Dept.</td>
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<tr>
<td>8100 Nations Way</td>
<td></td>
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</table>
---Motion duly seconded by Council President Ramos.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo and President Ramos.
---Nays: None.
---Absent: Soares.

**04-1314**
---By Councilman Del Boccio:

WHEREAS, an overpayment of taxes has been made on the property of the list below: and

WHEREAS, tax appeal was filed by the property owners; and

WHEREAS, State Tax Court recommends a settlement in this matter, now, therefore, be it

RESOLVED, that a warrant be drawn on the City Treasurer made payable to the taxpayer appearing on the attached list totaling **$74,113.94**

<table>
<thead>
<tr>
<th>NAME</th>
<th>BL/LOT/UNIT</th>
<th>PROPERTY</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mark Peckman</td>
<td>166\17</td>
<td>261 4\textsuperscript{th} Street</td>
<td>$269.91</td>
</tr>
<tr>
<td>Hoboken Building Ass.</td>
<td>151\1</td>
<td>1101-33 Adams Street</td>
<td>$72,750.28</td>
</tr>
<tr>
<td>&amp; Michael I. Schneck Esq.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>101 Eisenhower Parkway</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Roseland, NJ 07068</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
WHEREAS, the Monroe Center Development LCC has received permits from the City of Hoboken to build on the property located at 720 Monroe Street, and

WHEREAS, current construction and clean up work may cause a safety hazard to persons and property in the immediate vicinity; and

WHEREAS, Monroe Center Development LLC has requested that as an added safety measure the City of Hoboken prohibit parking on the following streets;

A) Monroe Street, west side beginning at the southerly curb line of 9th Street and extending to the northerly curb line of 8th Street.
B) Eighth, Street, north side beginning at the westerly curb line of Monroe Street and extending to the easterly curb line of Jackson Street.
C) Jackson Street, east side beginning at the northerly curb line of 8th Street and extending to the southerly curb line of 9th Street.
D) Ninth Street, south side beginning at the easterly curb line of Jackson Street and extending to the easterly curb line of Monroe Street.

NOW, THEREFORE, BE IT RESOLVED that parking is hereby prohibited, including private vehicles by the employees or agents of the contractor within the above designated construction zone, Monday through Friday. For the hours of 8:00 A.M. to 6:00 P.M. This resolution will be effective on Monday, January 26, 2004 and will terminate Friday, July 2, 2004. This resolution may be subject to renewal for additional time if construction activity so requires; and

BE IT FURTHER RESOLVED, that a copy of this resolution be presented to the Division of Signal and Traffic for immediate implementation for any necessary public notices and signage. The Signal and Traffic Division prepare the necessary traffic regulations.
---Absent: Soares.

04-1316  
---By Councilman Cricco:

WHEREAS, the City of Hoboken sought competitive proposals for the removal of solid waste, and

WHEREAS, the below submitted bids were higher than the anticipated cost of the original bid specifications as advertised, and

WHEREAS, pursuant to N.J.S.A. 40A:11-13.2 (b, d) the Administration desires to reject these bids and re-advertise for these services, and

WHEREAS, the following proposals were received:

<table>
<thead>
<tr>
<th>Vendor</th>
<th>One Year Opt #1</th>
<th>Three Year Opt #1</th>
</tr>
</thead>
<tbody>
<tr>
<td>Future Sanitation</td>
<td>Opt #2</td>
<td>Opt #3</td>
</tr>
<tr>
<td>P.O. Box 284</td>
<td>$995,000</td>
<td>$3,070,000</td>
</tr>
<tr>
<td>Marlboro, NJ 07746</td>
<td>No Bid Bond Included – Bid Package was not received.</td>
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<tr>
<td>Waste Management</td>
<td>$995,000</td>
<td>$995,000</td>
</tr>
<tr>
<td>77 Brookside Place</td>
<td>$3,070,000</td>
<td>$3,070,000</td>
</tr>
<tr>
<td>Hillsdale, NJ 07642</td>
<td>No Bid Bond</td>
<td>No Bid Bond</td>
</tr>
<tr>
<td>Cali Carting (Incumbent)</td>
<td>$1,074,000</td>
<td>$1,350,000</td>
</tr>
<tr>
<td>450 Bergen Ave</td>
<td>$1,142,000</td>
<td>$3,500,000</td>
</tr>
<tr>
<td>Kearny, NJ 07032</td>
<td>$3,500,000</td>
<td>$4,200,000</td>
</tr>
<tr>
<td></td>
<td>Opt #2</td>
<td>Opt. 3</td>
</tr>
<tr>
<td></td>
<td>$3,750,000</td>
<td>$3,750,000</td>
</tr>
</tbody>
</table>

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Hoboken in the County of Hudson that:

1. The above recitals are incorporated herein as thought fully set forth at length.
2. The City Council hereby rejects the proposals of the above vendors.
3. The Administration is hereby authorized to re-advertise for these goods/services

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

04-1317  
---By Council President Ramos:
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 and/or the Hoboken Parking Utility 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, 20 February 2004, 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: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo and President Ramos.
---Nays: None.
---Absent: Soares.

04-1318
---By Council President Ramos:

WHEREAS, the Hoboken City Council adopted Rules of Procedure, by resolution #1633 dated August 23, 1995; and

WHEREAS, the City Council seeks to amend the afore said rules as follows:

1. Rule II,
   Change “All Caucus Meetings will be scheduled for 5:30p.m.” to “6:00 p.m.”

2. Rule V
   [Delete]: all reports, communications, resolutions, contract documents, or other matters to be submitted to the Council shall [to the extend possible], be delivered to the City Clerk (add) with 25 copies by [2:00p.m.] (12:00 noon) on the Friday proceeding each Council meeting, whereupon the City Clerk shall immediately (time and date stamp each original submission),
   It is understood that pursuant to la3, the Council may consider and act upon (emergent) matters...

3. Rule XXI
   Section (b) add: “Any proposed ordinance shall be delivered to the City Clerk no later than 12:00 noon on the Friday proceeding each scheduled Council meeting.”
   Section (c) add: “Any proposed resolution shall be delivered to the City Clerk no later than 12:00 noon on the Friday preceding each scheduled Council meeting.”

4. Rule XXVI – is revised as follows:
   1. Business Administrator
   2. Director of Environmental Services
   3. Director of Human Services
   4. Corporation Counsel
   5. Director of Parking Utility
NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Hoboken that:

1. The above recitals are incorporated herein as though fully set forth at length.

2. The Council of the City of Hoboken hereby directs the City Clerk to incorporate the above delineated deletions and additions to the Hoboken City Council Rules of Procedure and take any other actions necessary to complete and realize the intent and purpose of this resolution.

3. This resolution shall take effect immediately.

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

04-1319
---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, as part of the redeveloper’s agreement, the redeveloper shall deposit any contributions to the City’s Affordable Housing and Recreational Facilities Trust Fund account, which shall be maintained by the City; and

WHEREAS, the City shall not make any disbursements from the Trust Fund unless approved and authorized by the City Council, acting as the designated Redevelopment Agency of the City of Hoboken;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Hoboken that the above procedures are hereby adopted as part of the administrative procedures for the Affordable Housing and Recreational Facilities Trust Fund and are to be made part of the redeveloper’s agreement with the City.

---Motion duly seconded by Councilwoman Castellano.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo and President Ramos.
---Nays: None.
---Absent: Soares.
WHEREAS, Green Township has a fair share obligation to provide housing opportunities to households of low and moderate income as established by the New Jersey Supreme Court by and 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 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, which undertakes to provide low and moderate-income housing receives a credit towards the sending municipality’s fair share obligation; and

WHEREAS, the Township of Green proposes to transfer fifteen (15) units of its fair share obligation at a cost of $25,000 per unit or $375,000.00 in the form of an RCA with the City of Hoboken; and

WHEREAS, the Township of Green and the City of Hoboken are in the same region as defined by COAH; and

WHEREAS, the Township of Green proposes to transfer fifteen (15) units of its fair share obligation at a cost of $25,000.00 per unit or $375,000.00 in the form of an RCA with the City of Hoboken; and

WHEREAS, the Township of Green and the City of Hoboken are in the same region as defined by COAH; and

WHEREAS, the City of Hoboken (“City”) wishes to provide additional low and moderate income housing within its boundaries and will be assisted by the financial contributions of the Borough of Green to construct housing for affordable low and moderate income households; and

WHEREAS, the RCA is in the best interest of the Township of Green and the City of Hoboken;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Hoboken that the Mayor be and is hereby authorized to enter into a Regional Contribution Agreement (“RCA”) on behalf of the City with the Borough of Green pursuant to N.J.S.A.52.27D-301 et. seq. Substantially in the form attached hereto, as approved by Corporation Counsel.

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

---By Councilman Cricco:
WHEREAS, the City of Hoboken has been invited to submit a funding application to the New Jersey Office of Travel & Tourism for Tourism Cooperative Marketing funding; and

WHEREAS, the City wishes to submit an application for funding for marketing funds for the Spring 2004 Arts & Music Festival; now therefore be it

Resolved, that the City will submit such application; and be it further

Resolved, that the City will submit such application; and be it further

Resolved, that the Mayor or his designee are hereby authorized on behalf of the City of Hoboken to:

1. Execute and submit an application to the New Jersey Department of Environmental Protection for improvements to Church Square Park;
2. Furnish such documents as may be required;
3. Act as authorized correspondent of the City of Hoboken;
4. Execute necessary contracts, if funding is awarded.

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

04-1322
---By Councilman Cricco:

WHEREAS, the City of Hoboken will submit an application to the New Jersey Department of Environmental Protection, Green Acres Program in the requesting funding in the amount of $1,000,000 for the development of Hoboken Cove Park; and

WHEREAS, a requirement of the application is the advertisement of a public hearing on the project; now therefore be it

RESOLVED, that the attached public notice advising the public of a public hearing to be held on February 23, 2004, 7:00 pm, for the purpose of comment on the City’s application to Green Acres for the development of Hoboken Cove Park will be advertised in two newspapers.

---Motion duly seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo and President Ramos.
---Nays: None.
---Absent: Soares.
---By Councilman Cricco:

WHEREAS, the New Jersey Department of Environmental Protection, Green Acres Program (“State”), provides loans and/or grants to municipal and county governments and grants to nonprofit organizations for assistance in the acquisition and development of lands for outdoor recreation and conservation purposes; and

WHEREAS, the City of Hoboken desires to further the public interest by obtaining funding in the amount of $1,000,000 from the State to fund the following (project(s): Development of Hoboken Cove Park (Block 267, Lot1) at a cost of $1,000,000.

NOW, THEREFORE, the governing body resolves that David Roberts or the successor to the office of Mayor is hereby authorized to:

(a) make application for such a loan/or such a grant
(b) provide additional application information and furnish such documents as may be required
(c) act as the authorized correspondent of the above named applicant, and

WHEREAS, the State shall determine if the application is complete and in conformance with the scope and intent of Green Acres Program, and notify the applicant of the amount of the funding award; and

WHEREAS, the applicant is willing to use the State’s funds in accordance with such rules, Regulations and applicable statutes, and is willing to enter into an agreement with the State for the above named project;

NOW, THEREFORE, BE IT RESOLVED BY THE Council of the City of Hoboken

1. That the Mayor of the above named body or board is hereby authorized to execute an agreement and any amendment thereto with the State known as Hoboken Cove Park, and;
2. That the applicant has its matching share of the project, if a match is required, in the amount of $________________. NOT APPLICABLE.
3. That, in the event the State’s funds are less than the total project cost specified above, the applicant has the balance of funding necessary to complete the project, and;
4. That the applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project, and;
5. That this resolution shall take effect immediately.

CERTIFICATION

Meeting of February 4, 2004
I, James J. Farina do hereby certify that the foregoing is a true copy of a resolution adopted by
Hoboken City Council at a meeting held on the 21st day of January, 2004.
IN WITNESS WHEREOF, I have hereunder set my hand and the official seal of this day of
________, ______.

---Motion duly seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yea: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo and President Ramos.
---Nays: None.
---Absent: Soares.

04-1324
---By Councilman Campos:

WHEREAS, the City of Hoboken has been invited to submit a funding application to the New Jersey Department of Transportation for ISTEA funding; and

WHEREAS, the city wishes to submit an application for funding for continuation of the Downtown Revitalization Streetscape Improvement Project; now therefore be it

RESOLVED, that the City will submit such application; and be it further

RESOLVED, that the Mayor or his designee are hereby authorized on behalf of the City of Hoboken to:

1. Execute and submit an application to the New Jersey Department of Environmental Protection for improvements to Church Square Park;

2. Furnish such documents as maybe required;

3. Act as authorized correspondent of the City of Hoboken;

4. Execute necessary contracts, if funding is awarded.

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yea: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo and President Ramos.
---Nays: None.
---Absent: Soares.

04-1325
---By Councilman Del Boccio:
WHEREAS, the City of Hoboken, in the County of Hudson, New Jersey (the “City”), is a public body corporate and politic organized and existing under and by virtue of the laws of the State of New Jersey; and

WHEREAS, on December 31, 2002, the City issued two series of its parking utility general obligation bonds in the aggregate principal amount of $26,530,000 (the “2002 Refunding Bonds”) to defease certain of the outstanding debt of the now dissolved Parking Authority of the City of Hoboken (the “Refunding Bonds”); and

WHEREAS, on November 4, 2003, the City issued two series of its general obligation refunding bonds in the aggregate principal amount of $41,170,000 (the “2003 Refunding Bonds” and together with the 2002 Refunding Bonds, the “Refunding Bonds”) to defease certain prior bonds of the City (the “Refunded GO Bonds” and together with the Refunded Parking Bonds, the “Refunding Bonds”); and

WHEREAS, pursuant to an Escrow Deposit Agreement, dated as of December 31, 2002 (the “2002 Escrow Agreement”) the City created an Escrow Fund for the defeasance of the 2002 Refunded Bonds and
Directed The Trust Company of New Jersey, as escrow agent named therein (the “2002 Escrow Agent”) (SLGS”)(the “2002 Escrow Securities”) with a portion of the proceeds of the 2002 Refunding Bonds, and to deposit the 2002 Escrow Securities into the related accounts in the Escrow Fund, which 2002 Escrow Securities into the related accounts in the Escrow Fund, which 2002 Escrow Securities and interest thereon is sufficient to pay principal or redemption price and interest on the 2002 Refunded Bonds through the date(s) fixed for redemption thereof; and

WHEREAS, pursuant to an Escrow Deposit Agreement, dated as of November 4, 2003 (the “2003 Escrow Agreement” and together with the 2002 Escrow Agreement, the “Escrow Agreement”) the City created an Escrow Fund for the defeasance of the 2003 Refunded Bonds and directed The Trust Company of New Jersey, as escrow agent named therein (the “2003 Escrow Agent”) (SLGS”)(the “2003 Escrow Securities”) with a portion of the proceeds of the 2003 Refunding Bonds, and to deposit the 2003 Escrow Securities into the related accounts in the Escrow Fund, which 2003 Escrow Securities into the related accounts in the Escrow Fund, which 2003 Escrow Securities and interest thereon is sufficient to pay principal or redemption price and interest on the 2003 Refunded Bonds through the date(s) fixed for redemption thereof; and

WHEREAS, under the Internal Revenue Code of 1996, as amended, including any rules and regulations promulgated thereunder (the “Code”), at the time the City established the Escrow Funds for the payment of principal or redemption price of and interest on the Refunded Bonds, the City was required to invest such Escrow Funds (i) in SLGS purchased directly from the Bureau of Public Debt, unless the cost of such SLGS was higher than the cost of other eligible investments, and (ii) at yields that did not exceed the yields (the “Permitted Yields”) of (A) the respective series of Refunding Bonds, if such refunding bonds were issued on a tax-exempt basis, or (B) the respective series of Refunded Bonds, is such refunding bonds were issued on a taxable basis; and
WHEREAS, due to market conditions at the time the Refunding Bonds were issued, the Escrow Agent was not able to invest the Escrow Funds at the Permitted Yields, and due to recent and expected changes in market conditions, the City expects that the Escrow Funds can, in the near future, be invested at higher yields, resulting in substantial savings to the City; and

WHEREAS, in accordance with the respective Escrow Agreements, the City may direct the Escrow Agent in writing to sell, transfer, request the redemption of, or otherwise dispose of, the Escrow Securities, provided the Escrow Agent receives simultaneously therewith (i) non-callable direct obligations of the United States of America (the “Substitute Securities”), (ii) a certificate of an independent certified public account (the “Verification Agent”) as to the sufficiency of the Escrow Fund upon the deposit of the Substitute Securities and compliance with any yield limitations under the Code, and (iii) an unqualified written opinion of bond counsel as to the transaction under the Code that the transaction will not adversely affect the excludability of interest on the tax-exempt Refunding Bonds or the Refunded Bond for Federal income tax purposes; and

WHEREAS, in order to take advantage of such potential savings, the City wishes (i) to sell, transfer, request the redemption of, or otherwise dispose of, the Escrow Securities and to use a portion of the proceeds from such sale, transfer, redemption or other disposition of the Escrow Securities to purchase the Substitute Securities in order to provide savings to the City, (ii) to delegate the execution of certain documents in connection with the sale, transfer, redemption or other disposition of the Escrow Securities to the Director of Business Administration and (iii) to appoint certain professionals in connection therewith;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF HOBOKEN, IN THE COUNTY OF HUDSON NEW JERSEY, as follows:

Section 1. The City hereby authorizes and directs the sale, transfer, redemption of, or other disposition of the Escrow Securities and the purchase of the Substitute Securities, all through one or more transactions, so long as each transaction complies with the requirements of the applicable Escrow Agreement and further results in a positive net benefit to the City after taking into account the fees and expenses of the professionals appointed herein and all other costs of issuance approved herein.

Section 2. The Director of Business Administration of the City is hereby authorized and directed to execute any documents necessary to effectuate the sale, transfer, redemption of, or other disposition of the Escrow Securities and any documents necessary to effectuate the purpose of this resolution.

Section 3. NW Financial Group, LLC, Jersey City, New Jersey is hereby appointed as “Restructuring Agent” in connection with the sale, transfer, redemption of, or other disposition of the Escrow Securities and the purchase of the Substitute Securities. For services rendered in connection with each transaction that involves the sale, transfer, redemption of, or other disposition of the Escrow Securities and the purchase of Substitute Securities, the City agrees to compensate the Restructuring Agent in an amount equal to ten percent (10%) of the gross savings generated by each transaction. The Restructuring Agent shall be responsible for all fees and costs of Gluck, Walrath & Lanciano, LLP, as Bond Counsel, the Escrow Agent and the Verification Agent associated with the escrow restructuring. The Director of Business Administration of the City is hereby authorized and directed to do and perform all things and execute all papers in the name of the City, and to make all payments necessary or convenient, to the end that the City may carry out its
obligations under the terms of any professional services contract between the City and the Restructuring Agent.

Section 4. The Director of Business Administration of the City is hereby authorized and directed to take all steps necessary to satisfy any reporting requirements or any other disclosure requirements in connection with the sale, transfer, redemption of, or other disposition of the Escrow Securities and the purchase of the Substitute Securities and to comply with any tax covenants under the Code relating to the tax-exempt Refunding Bonds and the Refunded Bonds.

Section 5. The Director of Business Administration of the City is hereby authorized and directed to pay, or cause to be paid, all costs of issuance, in addition to those listed in Section 3 hereof, if any, in connection with the sale, transfer, redemption of, or other disposition of the Escrow Securities and the purchase of the Substitute Securities pursuant to a certificate of the Director of Business Administration of the City to be executed upon delivery of the Substitute Securities, such costs of issuance being hereby approved.

---Motion duly seconded by Council President Ramos.
---Adopted by the following vote: YEAS: 7 - NAYS: 0 - ABSENT: 1 - ABSTENTIONS: 1
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Russo and President Ramos.
---Nays: None.
---Absent: Soares.
---Abstentions: Marsh.

ORDINANCES
Introduction and First Reading

04-1326
DR-131
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 (Stop Street, Grand and Eighth) (DR-131)

ARTICLE IV STOP STREETS

190-9 STOP STREETS DESIGNATED:

Section 1, Pursuant to the provisions of N.J.S.A. 39:4-140, the intersection described are hereby designated as Stop Intersections. Stop sign shall be installed as provide therein.

<table>
<thead>
<tr>
<th>INTERSECTION</th>
<th>STOP SIGN LOCATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Grand Street and Eighth Street</td>
<td>Grand Street</td>
</tr>
</tbody>
</table>
Section 2, This ordinance shall be a part of the Administrative code of the City of Hoboken as though codified and fully set forth therein. The City Clerk shall have this ordinance codified and incorporated in the official copies of 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 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 FEBRUARY 18, 2004 at 7:00 PM.

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

04-1327
DR-132
ORDINANCE OF THE CITY OF HOBOKEN AMENDING CHAPTER 62-2 (SHADE TREE) COMMISSION CREATED; AUTHORITY; MEMBERSHIP. (DR-132)

WHEREAS, chapter 62-2 of the Code of the City of Hoboken, creates a Shade Tree Commission, and sets forth the standards of membership including:

“The commission shall consist of five (5) members, and shall include the director of the Department of Environmental Services and two (2) alternate members”;

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Hoboken seeks to amend Chapter 62-2 as follows:

“The commission shall consist of five (5) members, and shall include the Director of the Department of Environmental Services, (add) Or His/her designee and two (2) alternate members”

If any section or provision of this Ordinance shall be held invalid in any court, the same shall not affect the other sections or provision of any Ordinance except so far as the section or provision declared invalid shall be inseparable from the remainder of any portion thereof.

Any Ordinance, or any section or provision of any Ordinance inconsistent with this Ordinance is hereby repealed to the extent of such inconsistency.

This Ordinance shall take effect upon publication as provided by law.
---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 FEBRUARY 18, 2004 at 7:00 PM.

---Motion duly seconded by Council President Ramos.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo and President Ramos.
---Nays: None.
---Absent: Soares.

All regular business concluded the following members of the public spoke at the “Public Portion” of the meeting: Maurice DeGennero, 614 Hudson Street.

President Ramos then adjourned the meeting at 7:34 p.m.

________________________________________

PRESIDENT OF THE COUNCIL

________________________________________

CITY CLERK
President Ramos 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.

The Clerk then called the roll:

PRESENT: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.

ABSENT: None.

PUBLIC HEARING and FINAL VOTE ON ORDINANCES

Second Reading / Public Hearing and Final Vote

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 (Stop Street, Grand and Eighth) (DR-131)

President Ramos 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 Ramos 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 Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

Council President Ramos then instructed the City Clerk to call the Final Vote for the above Ordinance.

---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

ORDINANCE OF THE CITY OF HOBOKEN AMENDING CHAPTER 62-2 (SHADE TREE) COMMISSION CREATED; AUTHORITY; MEMBERSHIP. (DR-132)

President Ramos 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 Ramos asked for a motion to close the hearing.

Councilman Del Boccio moved that the hearing be closed.
Motion duly seconded by Councilman Russo.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

Council President Ramos then instructed the City Clerk to call the Final Vote for the above Ordinance.

---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

**04-1328**

APPLICATIONS FOR MISCELLANEOUS LICENSES

<table>
<thead>
<tr>
<th>Category</th>
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</tr>
</thead>
<tbody>
<tr>
<td>Limo/Livery Drivers</td>
<td>1</td>
</tr>
<tr>
<td>Vendors</td>
<td>2</td>
</tr>
<tr>
<td>Motor Vehicle Repair Shops</td>
<td>2</td>
</tr>
<tr>
<td>Music Machines</td>
<td>1</td>
</tr>
</tbody>
</table>
---Council President 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 Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

REPORTS OF CITY OFFICERS

04-1329
A report of Municipal Clerk James J. Farina indicating bids received on February 13, 2004 for Printing Services (Two Years); bid #04-16 (one bid received).
---Received and filed.

04-1330
A report of the Municipal Court indicating receipts for the month of January 2004 as $194,314.82.
---Received and filed.

04-1331
A report from Municipal Tax Collector Louis Picardo for taxes collected; for the month ending January 31, 2004 - $11,469,419.93.
---Received and filed.

CLAIM RESOLUTIONS

04-1332
By Council President 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 $262,322.51 against the UNCLASSIFIED CLAIMS.

Seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

By Council President 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 $535,332.74 against the DEPARTMENT OF ADMINISTRATION.

Seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yea: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

By Councilman Cricco:

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 $295,930.19 against the DEPARTMENT OF ENVIRONMENTAL SERVICES.

Seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yea: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

By Councilman Cricco:

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 $29,094.84 against the DEPARTMENT OF HUMAN SERVICES.

Seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yea: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

By Councilman Cricco:

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 $16,822.05 against the DEPARTMENT OF COMMUNITY DEVELOPMENT.

Seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

By Councilman Cricco:

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 $105,133.00 against the DEPARTMENT OF COMMUNITY DEVELOPMENT, GRANTS MANAGEMENT, SECTION 8.

Seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSTENTIONS: 1
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares.
---Nays: None.
---Abstentions: President Ramos.

By Councilman Campos:

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 $63,696.19 against the DEPARTMENT OF PUBLIC SAFETY.

Seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---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 $157,202.85 against the PARKING UTILITY.

Seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

PAYROLL RESOLUTIONS
04-1333

By Council President 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 JANUARY 15, 2004 TO JANUARY 28, 2004 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>Personnel</td>
<td>4-01-20-105</td>
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<td>Mayor's Office</td>
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<td>City Council</td>
<td>4-01-20-111</td>
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<td>Bus Adm. Office</td>
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<td>7,926.53</td>
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<td>7,926.53</td>
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<tr>
<td>ABC Board</td>
<td>4-01-20-113</td>
<td></td>
<td></td>
<td>269.24</td>
<td>269.24</td>
</tr>
<tr>
<td>Purchasing</td>
<td>4-01-20-114</td>
<td>9,343.22</td>
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<td>Grants Management</td>
<td>4-01-20-116</td>
<td>6,607.07</td>
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<td>7,107.07</td>
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<tr>
<td>City Clerks Office</td>
<td>4-01-20-120</td>
<td>11,715.79</td>
<td>470.10</td>
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<td>12,185.89</td>
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<td>Elections</td>
<td>4-01-20-122</td>
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<tr>
<td>Finance Office</td>
<td>4-01-20-130</td>
<td>4,446.35</td>
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<tr>
<td>Accounts / Controls</td>
<td>4-01-20-131</td>
<td>6,291.05</td>
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<tr>
<td>Payroll Division</td>
<td>4-01-20-132</td>
<td>2,769.31</td>
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<td>3,422.22</td>
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<tr>
<td>Tax Collection</td>
<td>4-01-20-145</td>
<td>10,618.53</td>
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<td>Assessor's Office</td>
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<td>Corporation Counsel</td>
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<td>Community Develop.</td>
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<tr>
<td>Treasurer</td>
<td>4-01-20-146</td>
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<td>Planning Board</td>
<td>4-01-21-180</td>
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<td>Info Technology</td>
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<td>Zoning Officer</td>
<td>4-01-21-186</td>
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<td>Total 2</td>
<td>Total 3</td>
<td>Total 4</td>
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<td>---------------------</td>
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<td>Housing Inspection</td>
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<td>Construction Code</td>
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<td>25,679.53</td>
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<td>Police Division</td>
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<td>Crossing Guards</td>
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<td>8,700.89</td>
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<td>Fire Division</td>
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<td>Signal &amp; Traffic</td>
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<td>10,170.35</td>
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<td>Envir. Ser. Dir. Office</td>
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<td>81.50</td>
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<td>Streets &amp; Roads</td>
<td>4-01-26-291</td>
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<td>Central Garage</td>
<td>4-01-26-301</td>
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<td>Board of Health</td>
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<td>6,778.68</td>
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<td>Senior Citizens Div</td>
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<td>11,582.50</td>
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<td>Transportation</td>
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<td>150.30</td>
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<td>7,951.28</td>
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<td>2,204.62</td>
<td>910.00</td>
<td>22,452.76</td>
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<td>Parks</td>
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<td>300.00</td>
<td>23,556.07</td>
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<td>Public Prop.</td>
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<td>Public Defender</td>
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<td>Municipal Court</td>
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<td>27,573.53</td>
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<td>Parking Utility</td>
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<td>43,071.23</td>
<td>4,829.73</td>
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<td>47,900.96</td>
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<td>Universal Cops</td>
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<td>8,309.05</td>
<td>198.84</td>
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<td>8,507.89</td>
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</table>

Meeting of February 18, 2004
Cops In School  4-01-25-241-015  12,155.78  2,000.00  14,155.78
Civilian Hiring  4-01-25-241-016  4,348.61  480.00  4,828.61

**Other**

Police Outside Employ.  T-14-10-000-000  18,755.00  18,755.00
Police Grant  DE 16-S7-01
Fire Dept. Penalty  T-13-10-000-001  233.64  233.64
Fire Education Acct  T-13-10-000-000

**Grand Total**  1,331,167.87  37,605.95  274,429.36  1,643,203.18

Motion by Council President Ramos.
Seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

**RESOLUTIONS**

**Presented and Read**

**04-1334**

At the caucus meeting, a resolution entitled “Authorizing a professional services agreement for Special Legal Counsel for Grievance Investigations with Pojanowski & Trawinski of Clifton, NJ in an amount not to exceed $30,000.00” was removed from the agenda for review. At this time Councilman Russo made a VERBAL resolution that was duly seconded by Councilwoman Castellano that would return the previous resolution to the agenda but change the vendors to Sarkisian, Florio and Kenny. The vote was called and the resolution **FAILED** as follows:

--- **FAILED** by the following vote: YEAS: 4 - NAYS: 5
---Nays: Castellano, Cricco, Del Boccio, Giacchi and President Ramos.

**04-1335**

WHEREAS, the City of Hoboken has been invited to submit a funding application to the New Jersey Council on the Arts; and
WHEREAS, the City wishes to submit an application for funding for the Spring 2005 Arts & Music Festival; now therefore be it

Resolved, that the City will submit such application; and be it further

Resolved, that the Mayor or his designee are hereby authorized on behalf of the City of Hoboken to:

1. Execute and submit an application to the New Jersey Council on the Arts;
2. Furnish such documents as may be required;
3. Act as authorized correspondent of the City of Hoboken;
4. Execute necessary contracts, if funding is awarded.

---Motion duly seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yea: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

04-1336
---By Councilman Del Boccio:

WHEREAS, the City of Hoboken is the recipient of a grant from the New Jersey Department of Community Affairs in the amount of $500,000; and

WHEREAS, the purpose of this grant is to provide funding for the design and construction of the Hoboken September 11th Memorial on Pier A in Hoboken; and

WHEREAS, the New Jersey Department of Community Affairs shall disburse payments to the City of Hoboken in quarterly payments to cover four phases of the project. The Department shall immediately disburse the first quarter payment to cover design competition expenses which include advisory, jury and awards; second quarter will be used for consultant fees for design and construction documents and the third and fourth quarters will cover construction; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Hoboken that the Governing Body does hereby accept this grant in the amount of $500,000 for the design and construction of the Hoboken September 11th Memorial; and

BE IT FURTHER RESOLVED, that the Governing Body of the City of Hoboken authorizes the Mayor of the City of Hoboken or his designee to execute a Grant Agreement with the New Jersey Department of Community Affairs on behalf of the City of Hoboken. Upon execution of said Agreement, the City of Hoboken does accept the Terms and Conditions specified in the Agreement in connection with this grant.

CERTIFICATION

I, James J. Farina, Municipal Clerk of the City of Hoboken in the County of Hudson and the State of New Jersey do hereby certify that the foregoing resolution is a true copy of the
original resolution duly passed and adopted by the Governing Body at its meeting of February 18, 2004.

---Motion duly seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

04-1337
---By Councilman Del Boccio:

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 2004:

Commerce
First Union Bank
Fleet Bank
Haven Savings Bank
Hudson United Bank
PNC
Trust Company of New Jersey
Valley National

NOW, THEREFORE, BE IT RESOLVED, that said legally designated depositories by 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
Louis Picardo, CMFO

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 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:

David Roberts, Mayor
Louis Picardo, CMFO
BE IT RESOLVED, that all previous authorizations 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 RESOLVED, that the banks mentioned in the first paragraph hereof be furnished with a certified copy of this resolution.

---Motion duly seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

04-1338
---By Council President Ramos:

WHEREAS, the City of Hoboken has received Registration Fee from the following homeowner, which payment was an overpayment of fees to Rent Control office in the City of Hoboken

Century Case Goods Co., Inc.
200 Lexington Avenue, New York, NY 10016

WHEREAS, the Division of Revenue and Finance recommends the refund of the aforesaid amounts to the homeowner; and

NOW, THEREFORE, BE IT RESOLVED, that warrants be drawn on the City Treasurer in favor of the aforementioned homeowner for the amount set forth next to their name.

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

04-1339
---By Councilman Del Boccio:

WHEREAS, the City of Hoboken (“Hoboken”) seeks to use buses owned by the Hoboken Board of Education (“BOE”) as part of the Hoboken Recreation Program; and
WHEREAS, in order to do so, the BOE and Hoboken must enter into an Inter-Local Agreement to accomplish this goal; and

WHEREAS, such an Inter-Local Agreement is appropriate pursuant to N.J. S.A.40:8-A1 et. seq.; and

WHEREAS, the form of the Inter-Local Agreement is attached hereto, and incorporated by reference.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Hoboken, County of Hudson and State of New Jersey that:

1. The above recitals are incorporated herein as though fully set forth at length;
2. The Council hereby authorizes the Mayor or his designee to execute any and all documents and take any and all actions necessary to complete and realize the interest and purpose of this resolution;
3. The Mayor or his designee is hereby authorized to execute an inter-local Agreement for the above referenced agreement based upon the following information:

   Provider:  Hoboken Board of Education
   1115 Clinton Street
   Hoboken, NJ 07030

   Term of Agreement:  Subject to 30-day notice to cancel.

4. This Resolution shall be in effect immediately.

---Motion duly seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

04-1340
---By Councilman Del Boccio:

WHEREAS, the Tax Assessor has determined that the following properties will no longer be assessed due to subdivision and or exempt status; and

WHEREAS, these properties were taxed for first and second quarters 2004 in error; and

WHEREAS, the Tax Collector is hereby authorized to cancel taxes for first and Second quarters 2004 on the following properties:

<table>
<thead>
<tr>
<th>Property</th>
<th>Amount</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>24-5</td>
<td>$893.59</td>
<td>sub division</td>
</tr>
</tbody>
</table>
WHEREAS, the City of Hoboken wishes to apply for funding for a project under the State and Local Law Enforcement Assistance Formula Grant Program, and

WHEREAS, the Hoboken City Council has reviewed the accompanying application and has approved said request, and

WHEREAS, the project is a joint effort between the Department of Law and Public Safety and the City of Hoboken for the purpose described in the application;

NOW, THEREFORE, BE IT RESOLVED, by the Hoboken City Council that:

1) As a matter of public policy, the City of Hoboken, wishes to participate to the fullest extent possible with the Department of Law and Public Safety.

2) The Attorney General will receive funds on behalf of the applicant.

3) The Division of Criminal Justice shall be responsible for the receipt and review of the applications for said funds.

4) The Division of Criminal Justice shall initiate allocations to each applicant as authorized.

---Motion duly seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

04-1342
---By Councilman Del Boccio:

WHEREAS, Zipp & Tannenbaum, LLC, as special tax counsel for the Town of Secaucus, has received checks totaling $1,200,000.00 as a result of the settlement of various tax appeals filed by the Town of Secaucus in 1998 and 1999, and the Town of Secaucus, the
town of North Bergen, and the City of Bayonne in 2000, 2001, 2002, and 2003, against various properties located in the City of Jersey City that benefit from long term tax abatements;

WHEREAS, a list of the property owners, Block and Lot designations of the Jersey City properties, and settlement amounts referenced in the proceeding paragraph are detailed on the attached Exhibit A;

WHEREAS, Secaucus, North Bergen, and Bayonne have each incurred expenses in the filing and prosecution of the aforementioned tax appeals;

WHEREAS, North Bergen, Bayonne, and the City of Hoboken each contributed $10,000.00, Hoboken via Resolution #1696 dated November 1, 2000, to Secaucus in the prosecution of the aforementioned tax appeals, as well as other tax appeals filed by Secaucus, North Bergen and Bayonne against certain properties in Jersey City that benefit from long term tax abatements (hereafter collectively referred to as the “Abatement Cases”).

WHEREAS, there remain outstanding unreimbursed legal fees and expenses incurred by Secaucus, North Bergen, and Bayonne in the Abatement Cases in the approximate amount of $100,000.00;

WHEREAS, counsel for Secaucus and North Bergen have proposed that Secaucus receive $450,000.00, North Bergen receive $350,000.00, Bayonne receive $200,000.00 and Hoboken receive $100,000.00 of the $1,200,000.00, and that the remaining $100,000.00 be retained by Zipp & Tannenbaum LLC, in their attorney trust account pending a final determination of expenses incurred to date by Secaucus, North Bergen, and Bayonne in the Abatement Cases.

NOW, THEREFORE, BE IT RESOLVED, by Hoboken City Council that Zipp & Tannenbaum, LLC is hereby directed to distribute $1,100,000.00 of the aforesaid $1,200,000.00 as follows:

<table>
<thead>
<tr>
<th>Town of Secaucus:</th>
<th>$450,000.00</th>
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<tbody>
<tr>
<td>Town of North Bergen:</td>
<td>$350,000.00</td>
</tr>
<tr>
<td>City of Bayonne:</td>
<td>$200,000.00</td>
</tr>
<tr>
<td>City of Hoboken:</td>
<td>$100,000.00</td>
</tr>
</tbody>
</table>

IT IS FURTHER RESOLVED that Zipp & Tannenbaum, LLC, shall not distribute the $1,100,000.00 to Secaucus, North Bergen, Bayonne, and Hoboken, as set forth above, until resolutions have been adopted by the governing bodies of North Bergen, Bayonne, and Hoboken that approve the distribution terms and conditions as set forth in this Resolution; (North Bergen did so on January 14, 2004, Bayonne did so on January 21, 2004)

IT IS FURTHER RESOLVED, that the remaining $100,000.00 of the aforesaid $1,200,000.00 is to be held in escrow by Zipp & Tannenbaum, LLC, pending agreement among Secaucus, North Bergen, and Bayonne as to the total amount of remaining expenses resulting from the prosecution and settlement of the Abatement Cases; and

IT IS FURTHER RESOLVED, that the aforesaid $100,000.00 shall be distributed by Zipp & Tannenbaum, LLC, upon adoption of subsequent resolutions by the governing bodies of Secaucus, North Bergen, and Bayonne, detailing the terms and further conditions for distributing the remaining $100,000.00 of the settlement proceeds; and
IT IS FURTHER RESOLVED, that the Corporation Counsel is directed to distribute certified copies to appropriate municipal officials, in order to secure payment.

---Motion duly seconded by Council President Ramos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

04-1343
---By Councilman Del Boccio:

WHEREAS, there continues to exist a temporary management need at the parking garage at 916 Garden Street; and

WHEREAS, Robotic Parking Inc., (Robotic) has agreed to manage the parking garage at 916 Garden Street from February 1, 2004 until April 30, 2004; and

WHEREAS, the fees payable to Robotic shall be $32,296.00 per month for February, March, and April 2004; and

WHEREAS, this temporary agreement is authorized pursuant to N.J.S.A. 40A:11-5(1)(a)(ii) as an extraordinary, unspecifiable service due to the short term, and degree of expertise Robotics Parking Inc. possesses in the management of the parking facility at 916 Garden Street; and

NOW, THEREFORE, BE IT RESOLVED, that:

1. The above recitals are incorporated herein as though fully set forth at length.
2. The Council of the City of Hoboken hereby authorizes the Mayor or his designee to execute any and all documents and take any actions necessary to complete and realize the intent and purpose of this resolution.
3. The Mayor or his designee is authorized to execute an Agreement for the above referenced services based upon the following:

   Service Provider: RoboticParking,Inc
   12812 N. 60th Street
   Clearwater, Florida 33760

   Term of Temporary Contract Extension:
   February 1, 2004 until April 30, 2004

Before the vote was taken one member of the public addressed the City Council as follows: Maurice De Gennero, 614 Hudson Street.

---Motion duly seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 7 - NAYS: 1 - ABSTENTIONS: 1
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh and President Ramos.
---Nays: Soares.
---Abstentions: Russo.
ORDINANCES
Introduction and First Reading

04-1344
DR-133

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 141 OF THE ADMINISTRATIVE CODE OF THE CITY OF HOBOKEN ENTITLED PARKING PERMITS, ADOPTED DECEMBER 19, 1990 AS ORDINANCE #118 (Resident, Visitor and Business Parking) (DR-133)

ARTICLE I
Resident, Visitor and Business Parking Program

141-1 Resident Parking Program

Section 1: The following location described is hereby amended to delete Resident Permit Parking Only.

<table>
<thead>
<tr>
<th>NAME OF STREET</th>
<th>SIDE</th>
<th>LOCATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jefferson Street</td>
<td>West</td>
<td>Beginning at the northerly curbline of Fifteenth Street and extending to the northerly terminus</td>
</tr>
<tr>
<td>Adams Street</td>
<td>West</td>
<td>Beginning at the northerly curbline of Fifteenth Street and extending to the northerly terminus</td>
</tr>
<tr>
<td>Grand Street</td>
<td>West</td>
<td>Beginning at the northerly curbline of Fifteenth Street and extending to the northerly terminus</td>
</tr>
<tr>
<td>Clinton Street</td>
<td>West</td>
<td>Beginning at the northerly curbline of Fifteenth Street and extending to the northerly terminus</td>
</tr>
</tbody>
</table>

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

Section 3: This ordinance shall be part of the Administrative Code of the City of Hoboken as through 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.

---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 MARCH 3, 2004 at 7:00 PM.

---Motion duly seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 5 - NAYS: 4
---Yeas: Council persons Campos, Cricco, Del Boccio, Giacchi and President Ramos.
---Nays: Castellano, Marsh, Russo, Soares.

04-1345
DR-134
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 201, 203, 205, 207, 209, 211 & 213
FOURTEENTH STREET, HOBOKEN, NEW JERSEY, MORE PARTICULARLY KNOWN
AS LOTS 17, 16, 15, 14, 13, 12 & 11, BLOCK 254 ON THE TAX MAP OF THE CITY OF
HOBOKEN, COUNTY OF HUDSON, STATE OF NEW JERSEY. (DR-134)

WHEREAS, the applicants, 201-203 Fourteenth Street Condominium Association,
205 Fourteenth Street Condominium Association, 207 Fourteenth Street Condominium
Association, 209 Fourteenth Street Condominium Association, 211 Fourteenth Street
Condominium Association, and 213 Fourteenth Street Condominium Association, have
petitioned the City of Hoboken for the granting of certain easements over municipal lands,
201, 203, 205, 207, 209, 211 & 213 Fourteenth Street, Hoboken, New Jersey, (the “Premises”)
which Premises is more particularly described as Lots 17, 16, 15, 14, 13, 12 & 11, Block 254,
on the Tax Map of the City of Hoboken, New Jersey, in order to maintain an encroachment
on municipal lands for the purpose of franchises and residential buildings adjacent to the
northerly property line. This easement are described as follows:

METES AND BOUNDS

All that certain tract, or parcel of land, situate, lying and being in the City of
Hoboken, County of Hudson, and the State of New Jersey, bounded and described as follows:

Beginning at a point formed by the westerly line of Garden Street and southerly line
of Fourteenth Street and running:

THENCE N-76º-56'-W, along the southerly line of Fourteenth Street, a distance of
200.00 feet to a point in the westerly line of Park Avenue,

THENCE S-13º-04'-W along the easterly line of Park Avenue a distance of 50.00 feet
to a point,

THENCE N-76º-56'-W a distance of 54.50 feet to a point,

THENCE S-76º56'-E,a distance of 209.00 feet to the point

THENCE S-13º-04'-E, a distance of 54.50 feet to a point,

THENCE N-76º-56º-05'-W, a distance of 4.50 feet to a point in the westerly line of
Garden Street,

THENCE N-13º-04-E, along the westerly line of Garden Street, a distance of 50.00
feet to a point, said point being the point or place of beginning.
Known as Lots 17, 16, 15, 14, 13, 12, & 1, Block 254 as shown on the official tax assessment map for the City of Hoboken, Hudson County, New Jersey, and more commonly known as 201, 203, 205, 207, 209, 211, & 213 Fourteenth Street, Hoboken, New Jersey; and

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND THE COUNCIL OF THE CITY OF HOBOKEN THAT THE CITY OF HOBOKEN HEREBY GRANTS 201, 203, 205, 207, 209, 211, & 213 FOURTEENTH STREET, THE AFOREMENTIONED EASEMENT SUBJECT TO THE FOLLOWING CONDITIONS AND REQUIREMENTS:

1. The above recitals are incorporated herein as length fully set forth at length.
2. 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.
3. The applicant shall immediately remove any or all projections or encumbrances which are improperly maintained and thus present a public hazard.
4. 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.
5. 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.
6. 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.
7. This ordinance shall take effect as provided by law.

---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 MARCH 3, 2004 at 7:00 PM.

---Motion duly seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 9 - NAYS: 0

Meeting of February 18, 2004
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

04-1346
DR-135

ORDINANCE REAPPROPRIATING $300,000 PROCEEDS OF OBLIGATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSES TO PROVIDE FOR A PORTION OF THE COSTS OF IMPROVEMENTS TO FIREHOUSES AND THE FIRE HEADQUARTERS IN AND BY THE CITY OF HOBOKEN, IN THE COUNTY OF HUDSON, NEW JERSEY. (DR-135)

BE IT ORDAINED 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. Pursuant to N.J.S.A. 40A:2-39, it is hereby determined that $300,000 of the proceeds of the sale of obligations previously authorized by the City of Hoboken, in the County of Hudson, New Jersey (the “City”) in Bond Ordinance No. DR-42 finally adopted June 19, 2002 (“Ordinance No. DR-42”) consisting of $150,000 for improvements to City Hall as described on Schedule A, paragraph 2 of Ordinance No. DR-42 and $150,000 for improvements to Police Headquarters as described on Schedule A, paragraph 5 of Ordinance No. DR-42, are no longer necessary for the improvements for which the obligations previously were authorized.

Section 2. The $300,000 described in Section 1 hereof and made available pursuant to N.J.S.A. 40A:2-39, is hereby re-appropriated to provide a portion of the costs of improvements to firehouses and the fire headquarters located in the City.

Section 3. The capital budget of the City is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services in one file with the Clerk and is available therefore public inspection.

Section 4. This ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

---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 MARCH 17, 2004 at 7:00 PM.

---Motion duly seconded by Council President Ramos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.
All regular business concluded the following members of the public spoke at the “Public Portion” of the meeting: Maurice De Gennero, 614 Hudson Street; Michael Evers, 252 2
Street; Michael Lenz, 408 Monroe Street.

President Ramos then adjourned the meeting at 8:03 p.m.

______________________________
PRESIDENT OF THE COUNCIL

______________________________
CITY CLERK
President Ramos 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 Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.

ABSENT: Campos.

PETITIONS AND COMMUNICATIONS

04-1347

WHEREAS, the City of Hoboken is pleased to salute and commend the members and coaches of the Hoboken High School Boys' Varsity Soccer Team in recognition of their capturing the 2003 Hudson County Interscholastic Athletic Association Seglio Division Championship; and

WHEREAS, in winning this championship the Hoboken High School Boys’ Varsity Soccer Team demonstrated a superb work ethic, exceptional determination and extraordinary talent; and

WHEREAS, under the capable guidance of Head Coach Matteo Percontino, with excellent assistance from Assistant Coaches Joseph Ratto and Hasan Ulquinaku and strong support from Athletic Director Mauro DeGennaro, School Principal John Lavagnino and Chairman of the Board of Education Athletic Committee James Farina; and

WHEREAS, the outstanding young athletes, Patrick Albuja, Diego Naranjo, Ronald Bautista, Josue Quiros, Angel Melendez, Daryl Alvarez, David Rampersaud, Itandequi
Perez, Dennis Castillo, Kleber Gomez, Cory Johnson, Mario Boquin, Saulo Sanchez, Allesandro Liso, George Gonzalez, Angelo Caporrino, Marco Roman, Orlando Sabater, Carlos Solis, Curt Campbell, Christopher Castillo and Denny Veerden performed with praiseworthy consistency throughout their remarkable season; and

WHEREAS, their talent and exemplary efforts in seeking and achieving athletic excellence have earned for the members and coaches of the Hoboken High School Boys’ Varsity Soccer Team the respect of the people of the City of Hoboken; and

NOW, THEREFORE, BE IT RESOLVED THAT I DAVID ROBERTS, Mayor of the City of Hoboken, wish to honor and congratulate the Hoboken High School Boys’ Varsity Soccer Team and commend the Team’s players and coaches for their exceptional efforts and competitive spirit as evidenced by their accomplishments.

Proclamations from Mayor David Roberts commending the members and coaches of the Hoboken High School Girls’ Varsity Basketball Team and Boys’ Varsity Soccer Team.

WHEREAS, the City of Hoboken is pleased to salute and commend the members and coaches of the Hoboken High School Girls’ Varsity Basketball Team in recognition of their capturing the 2004 Hudson County Interscholastic Athletic Association Seglio Division Championship; and

WHEREAS, in winning this championship the Hoboken High School Girls’ Varsity Basketball Team demonstrated a superb work ethic, exceptional determination and extraordinary talent; and

WHEREAS, under the capable guidance of Head Coach Michael D’Onofrio, with excellent assistance from Assistant Coach Larry Avitabile and Volunteer Madeline Gonzalez and strong support from Athletic Director Mauro DeGennaro, School Principal John Lavagnino and Chairman of the Board of Education Athletic Committee James Farina; and

WHEREAS, the outstanding young athletes, Suleima Gonzalez, Katrina Foster, Elizabeth Morrone, Nicole DelaCruz, Yucleidis Melendez, Christine Sanchez, Jennifer Albuja, Sabrina Foster, Tranisha Frazier, Shayla Frazier, Krystle Gracesqui, Melissa Walker, Somaira Serrano, and Andrielle Miller performed with praiseworthy consistency throughout their remarkable season; and

WHEREAS, their talent and exemplary efforts in seeking and achieving athletic excellence have earned for the members and coaches of the Hoboken High School Girls’ Varsity Basketball Team the respect of the people of the City of Hoboken; and

NOW, THEREFORE, BE IT RESOLVED THAT I DAVID ROBERTS, Mayor of the City of Hoboken, wish to honor and congratulate the Hoboken High School Girls’ Varsity Basketball Team and commend the Team’s players and coaches for their exceptional efforts and competitive spirit as evidenced by their accomplishments.

--Received and filed.

---

PUBLIC HEARING and FINAL VOTE ON ORDINANCES

Second Reading / Public Hearing and Final Vote

Meeting of March 3, 2004  2
AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 141 OF THE ADMINISTRATIVE CODE OF THE CITY OF HOBOKEN ENTITLED PARKING PERMITS, ADOPTED DECEMBER 19, 1990 AS ORDINANCE #118 (Resident, Visitor and Business Parking) (DR-133)

President Ramos 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 Ramos 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: 7 - NAYS: 1 - ABSENT: 1
---Yeas: Council persons Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo and President Ramos.
---Nays: Soares.
---Absent: Campos.

Council President Ramos then instructed the City Clerk to call the Final Vote for the above Ordinance.

---FAILED by the following vote: YEAS: 4 - NAYS: 4 - ABSENT: 1
---Yeas: Council persons Cricco, Del Boccio, Giacchi and President Ramos.
---Nays: Castellano, Marsh, Russo, Soares.
---Absent: Campos.

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 201, 203, 205, 207, 209, 211 & 213 FOURTEENTH STREET, HOBOKEN, NEW JERSEY, MORE PARTICULARLY KNOWN AS LOTS 17, 16, 15, 14, 13, 12 & 11, BLOCK 254 ON THE TAX MAP OF THE CITY OF HOBOKEN, COUNTY OF HUDSON, STATE OF NEW JERSEY. (DR-134)

President Ramos 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, Jason Hunter, 201 14th Street. No other person present desiring to be heard and no written protests or objections received, President Ramos asked for a motion to close the hearing.

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

Council President Ramos then instructed the City Clerk to call the Final Vote for the above Ordinance.

---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.
---Absent: Campos.

ORDINANCE REAPPROPRIATING $300,000 PROCEEDS OF OBLIGATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSES TO PROVIDE FOR A PORTION OF THE COSTS OF IMPROVEMENTS TO FIREHOUSES AND THE FIRE HEADQUARTERS IN AND BY THE CITY OF HOBOKEN, IN THE COUNTY OF HUDSON, NEW JERSEY. (DR-135)

The above ordinance is continued to the March 17, 2004 City Council meeting to allow sufficient time for legal advertising in The Jersey Journal.

04-1348
APPLICATIONS FOR MISCELLANEOUS LICENSES

<table>
<thead>
<tr>
<th>License Type</th>
<th>Quantity</th>
</tr>
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<tbody>
<tr>
<td>Raffles</td>
<td>3</td>
</tr>
<tr>
<td>Public Hack Drivers</td>
<td>1</td>
</tr>
<tr>
<td>Parking Facilities</td>
<td>2</td>
</tr>
<tr>
<td>Music Machines</td>
<td>2</td>
</tr>
</tbody>
</table>

---Council President 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
---Yeas: Council persons Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.
---Absent: Campos.

REPORTS OF CITY OFFICERS

04-1349

---Received and filed.
CLAIM RESOLUTIONS

04-1350
By Council President 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 $607,958.84 against the UNCLASSIFIED CLAIMS.

Seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.
---Absent: Campos.

By Council President 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 $19,904.98 against the DEPARTMENT OF ADMINISTRATION.

Seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.
---Absent: Campos.

By Councilman Cricco:

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 $103,604.84 against the DEPARTMENT OF ENVIRONMENTAL SERVICES.

Seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.
---Absent: Campos.

By Councilman Cricco:
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 $9,679.44 against the DEPARTMENT OF HUMAN SERVICES.

Seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.
---Absent: Campos.

By Councilman Cricco:

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 $86,157.86 against the DEPARTMENT OF COMMUNITY DEVELOPMENT.

Seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.
---Absent: Campos.

By Council President 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 $8,971.37 against the DEPARTMENT OF PUBLIC SAFETY.

Seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.
---Absent: Campos.

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 $5,665.77 against the PARKING UTILITY.
Seconded by Council President Ramos.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and
President Ramos.
---Nays: None.
---Absent: Campos.

**PAYROLL RESOLUTIONS**

**04-1351**
By Council President 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 JANUARY 29, 2004 TO
FEBRUARY 11, 2004 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>Bus Adm. Office</td>
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<td>Payroll Division</td>
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<td>Corporation Counsel</td>
<td>4-01-20-155</td>
<td>12,535.90</td>
<td>12,535.90</td>
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<tr>
<td>Community Develop.</td>
<td>4-01-20-160</td>
<td>7,767.03</td>
<td>7,767.03</td>
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<tr>
<td>Treasurer</td>
<td>4-01-20-146</td>
<td>2,636.80</td>
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<tr>
<td>Planning Board</td>
<td>4-01-21-180</td>
<td>2,432.88</td>
<td>2,432.88</td>
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<td>Info Technology</td>
<td>4-01-20-147</td>
<td>1,874.04</td>
<td>1,874.04</td>
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</tr>
<tr>
<td>Zoning Officer</td>
<td>4-01-21-186</td>
<td>4,952.53</td>
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<tr>
<td>Housing Inspection</td>
<td>4-01-21-187</td>
<td>6,824.99</td>
<td>6,824.99</td>
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<tr>
<td>Construction Code</td>
<td>4-01-22-195</td>
<td>25,879.53</td>
<td>25,879.53</td>
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<tr>
<td>Police Division</td>
<td>4-01-25-241</td>
<td>478,128.50</td>
<td>10,823.73</td>
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<tr>
<td>Crossing Guards</td>
<td>4-01-25-241</td>
<td>12,328.25</td>
<td>340.00</td>
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<tr>
<td>Emergency Mgmt</td>
<td>4-01-25-252</td>
<td>673.38</td>
<td>673.38</td>
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<td>Fire Division</td>
<td>4-01-25-266</td>
<td>368,947.53</td>
<td>11,765.64</td>
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<tr>
<td>Signal &amp; Traffic</td>
<td>4-01-25-267</td>
<td>8,091.25</td>
<td>8,091.25</td>
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<tr>
<td>Envir. Ser. Dir. Office</td>
<td>4-01-26-290</td>
<td>13,501.71</td>
<td>1,028.25</td>
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<tr>
<td>Streets &amp; Roads</td>
<td>4-01-26-291</td>
<td></td>
<td></td>
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<tr>
<td>Central Garage</td>
<td>4-01-26-301</td>
<td>9,356.80</td>
<td>9,356.80</td>
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<td>Sanitation</td>
<td>4-01-26-305</td>
<td>51,448.19</td>
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<td>Cultural Affairs</td>
<td>4-01-27-176</td>
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<td>Human Service Direct.</td>
<td>4-01-27-330</td>
<td>6,403.91</td>
<td>6,403.91</td>
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<td>Board of Health</td>
<td>4-01-27-332</td>
<td>15,198.02</td>
<td>48.16</td>
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<td>Constituent Services</td>
<td>4-01-27-333</td>
<td>3,888.68</td>
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<tr>
<td>Senior Citizens Div</td>
<td>4-01-27-336</td>
<td>11,082.50</td>
<td>11,082.50</td>
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<tr>
<td>Rent Stabilization</td>
<td>4-01-27-347</td>
<td>6,468.44</td>
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<tr>
<td>Transportation</td>
<td>4-01-27-348</td>
<td>7,130.98</td>
<td>7,130.48</td>
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<tr>
<td>Recreation</td>
<td>4-01-28-370</td>
<td>20,553.14</td>
<td>3,102.69</td>
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<tr>
<td>Parks</td>
<td>4-01-28-375</td>
<td>20,728.61</td>
<td>1,007.40</td>
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</tbody>
</table>

Meeting of March 3, 2004
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
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</tr>
</thead>
<tbody>
<tr>
<td>Public Prop.</td>
<td>4-01-28-377</td>
<td>22,117.41</td>
<td>316.64</td>
<td>185.00</td>
<td>22,619.05</td>
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<td>Public Library</td>
<td>4-01-29-390</td>
<td>25,480.74</td>
<td>61.08</td>
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<td>25,541.82</td>
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<td>Public Defender</td>
<td>4-01-43-495</td>
<td>2,123.57</td>
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<td>Municipal Court</td>
<td>4-01-43-490</td>
<td>29,274.04</td>
<td>440.09</td>
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<td>29,714.13</td>
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<td>Parking Utility</td>
<td>4-31-55-501-100</td>
<td>46,130.48</td>
<td>399.80</td>
<td>2,197.78</td>
<td>48,728.06</td>
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<tr>
<td>Universal Cops</td>
<td>4-01-25-241-012</td>
<td>7,911.55</td>
<td>198.84</td>
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<td>8,110.39</td>
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<tr>
<td>Cops In School</td>
<td>4-01-25-241-015</td>
<td>12,155.78</td>
<td>99.42</td>
<td></td>
<td>12,255.20</td>
</tr>
<tr>
<td>Civilian Hiring</td>
<td>4-01-25-241-016</td>
<td>4,375.49</td>
<td></td>
<td></td>
<td>4,375.49</td>
</tr>
<tr>
<td><strong>Other</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Police Outside Employ.</td>
<td>T-14-10-000-000</td>
<td></td>
<td></td>
<td>19,405.00</td>
<td>19,405.00</td>
</tr>
<tr>
<td>Police Grant</td>
<td>DE 16-S7-01</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fire Dept. Penalty</td>
<td>T-13-10-000-001</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fire Education Acct</td>
<td>T-13-10-000-000</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Grand Total</strong></td>
<td></td>
<td>1,337,994.98</td>
<td>37,665.49</td>
<td>26,613.48</td>
<td>1,402,543.19</td>
</tr>
</tbody>
</table>

Motion by Council President Ramos.
Seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.
---Absent: Campos.

**RESOLUTIONS**

Presented and Read

**04-1352**
---By Councilman Del Boccio:
WHEREAS, the City of Hoboken is interested in participating in a program with the N.J. Division of Highway Traffic Safety to reduce pedestrian injuries through education, enforcement, and engineering, and

WHEREAS, the City of Hoboken wishes to apply for funding for a project under the New Jersey Division of Highway Traffic Safety in the amount of $18,000, and

WHEREAS, the Hoboken City Council has reviewed the accompanying application and has approved said request, and

WHEREAS, the project is a joint effort between the Division of Highway Traffic Safety and the City of Hoboken for the purpose described in the application;

NOW, THEREFORE, BE IT RESOLVED, by the Hoboken City Council that:

1) The Mayor or his designee is authorized to execute the above referenced grant application, and all other documents to fulfill the intent of the application.

2) As a matter of public policy, the City of Hoboken wishes to participate to the fullest extent possible with the N.J. Division of Highway Traffic Safety.

3) The Attorney General will receive funds on behalf of the applicant.

4) The Division of Criminal Justice shall be responsible for the receipt and review of the applications for said funds.

---Motion duly seconded by Council President Ramos.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.
---Absent: Campos.

04-1353
---By Council President Ramos:

WHEREAS, the City of Hoboken has been invited to submit a funding application to the New Jersey Department of Environmental Protection, Tier A Municipality Program; and

WHEREAS, the City of Hoboken desires to submit an application for funding for reexamination and adoption of a municipal stormwater management plan.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hoboken that:

1. The above recitals are incorporated herein as though fully set forth at length;
2. The Council hereby authorizes the Mayor or his designee to execute any and all documents and take any and all actions necessary to complete and receive the intent and purpose of this resolution;
3. The Mayor or his designee is hereby authorized to execute and submit an application to the New Jersey Department of Environmental Protection, Tier A Municipalities Program for funding;
4. Furnish such documents as may be required.
5. Act as authorized correspondent of the City of Hoboken.
6. Execute necessary contracts, if funding is awarded.

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

04-1354
---By Councilman Del Boccio:

WHEREAS, Louis Picardo, Collector of Revenue 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 $94,369.17 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>Brian H. Kappock, Esq.</td>
<td>21\1\C001M</td>
<td>300-06 Newark Street</td>
<td>$1,368.13</td>
</tr>
<tr>
<td>20 Hudson Place</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hoboken, NJ 07030</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Martha D. Mochel</td>
<td>168\34\C002</td>
<td>606 Park Ave.</td>
<td>$ 238.95</td>
</tr>
<tr>
<td>1204 Washington Street</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hoboken, NJ 07030</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>First American Real</td>
<td>168/34\C002</td>
<td>702-08 Clinton St.</td>
<td>$3,147.04</td>
</tr>
<tr>
<td>Estate Tax Service</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Attn: Recovery Dept.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>993-8354762</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1201 Elm Street Suite 400</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dallas, Texas 75270</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Christa Weiss</td>
<td>15\21\C003N</td>
<td>84 Monroe St.</td>
<td>$ 708.09</td>
</tr>
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<td>84 Monroe St</td>
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</tr>
<tr>
<td>Hoboken, NJ 07030</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dr. Jonathan Banker</td>
<td>214.1\34\C0010</td>
<td>300-02 Hudson St.</td>
<td>$ 952.03</td>
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<tr>
<td>174 Deer Run</td>
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<td></td>
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<tr>
<td>Greenbrock, NJ 08812</td>
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Meeting of March 3, 2004
<table>
<thead>
<tr>
<th>Bank Name</th>
<th>Account Number</th>
<th>Address</th>
<th>Payment Date</th>
<th>Amount</th>
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</thead>
<tbody>
<tr>
<td>Washington Mutual Home Loans, Inc.</td>
<td>39\22\C003N</td>
<td>226 Jefferson St.</td>
<td>$ 594.74</td>
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<tr>
<td>ABN AMRO Mortgage Group</td>
<td>156\9</td>
<td>114-16 Clinton St.</td>
<td>$ 1,345.78</td>
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<tr>
<td>Mortgage Service Center</td>
<td>61\23\C0002</td>
<td>406 4&lt;sup&gt;th&lt;/sup&gt; St.</td>
<td>$ 952.40</td>
<td></td>
</tr>
<tr>
<td>Trust Company Bank</td>
<td>82\11</td>
<td>721-33 Monroe St.</td>
<td>$ 3,395.45</td>
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</tr>
<tr>
<td>First American Real Estate Tax Service</td>
<td>219\11</td>
<td>829-31 Washington St.</td>
<td>$8,070.50</td>
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</tr>
<tr>
<td>Trust Company Bank</td>
<td>79\15</td>
<td>610-12 Clinton St.</td>
<td>$2,749.11</td>
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<tr>
<td>Phuntinee Leenutaphong</td>
<td>251\15\C003B</td>
<td>159 14&lt;sup&gt;th&lt;/sup&gt; St –Apt. 3b</td>
<td>$2,236.06</td>
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<tr>
<td>Chase Manhattan Mort.</td>
<td>243\14\C0005</td>
<td>1125 Washington St.</td>
<td>$1,477.82</td>
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<tr>
<td>Countrywide Tax Services</td>
<td>18\30\C0P22</td>
<td>78-88 Adams St.</td>
<td>$ 248.46</td>
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</table>

---Motion duly seconded by Council President Ramos.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yea: Council persons Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.
---Absent: Campos.
WHEREAS, an overpayment of taxes has been made on the property of the list below: and

WHEREAS, tax appeal was filed by the property owners; and

WHEREAS, State Tax Court recommends a settlement in this matter, now, therefore, be it

RESOLVED, that a warrant be drawn on the City Treasurer made payable to the taxpayer appearing on the attached list totaling $74,113.94

<table>
<thead>
<tr>
<th>NAME</th>
<th>BL/LOT/UNIT</th>
<th>PROPERTY</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Haven Savings &amp; Loan</td>
<td>217\5</td>
<td>617-23 Washington Street</td>
<td>$26,012.00</td>
</tr>
<tr>
<td>Robert A. Cappuzzo</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>300 Harmon Meadow Blvd.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Secaucus, NJ 07094</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Harry Hauskater, Esq.</td>
<td>92\1.1</td>
<td>900-12 Monroe Street</td>
<td>$14,627.00</td>
</tr>
<tr>
<td>&amp; Ardmon Realty LLC</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2119 Rt. 33-Suite A</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hamilton Square, NJ 08690</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>First 303 &amp; Nashel &amp; Nashel</td>
<td>21\10</td>
<td>900-12 Monroe Street</td>
<td>$14,627.00</td>
</tr>
<tr>
<td></td>
<td>415 60th St.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>West New York, NJ 07093</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1404 Willow Realty Inc. &amp;</td>
<td>123\16.1</td>
<td>1404-12 Willow Ave.</td>
<td>$7,478.45</td>
</tr>
<tr>
<td>Nashel &amp; Nashel Esq.</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>415-60th St</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>West New York, NJ 07093</td>
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<td></td>
</tr>
<tr>
<td>Plycloth Assoc. &amp; Nashel</td>
<td>126\1</td>
<td>200-14th St.</td>
<td>$4,863.00</td>
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<tr>
<td>Nashel Esq.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>415 60th St</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>West New York, NJ 07093</td>
<td></td>
<td></td>
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<tr>
<td>Mark Peckman</td>
<td>166\17</td>
<td>261-4th St.</td>
<td>$540.34</td>
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<td>261-4th St</td>
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</tr>
<tr>
<td></td>
<td>Hoboken, NJ 07030</td>
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</tr>
</tbody>
</table>

---Motion duly seconded by Council President Ramos.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.
---Absent: Campos.

04-1356
---By Council President Ramos:

WHEREAS, pursuant to the resolution of the City Council and after public advertising thereof, the following proposal was received for the supply of Athletic Supplies for a two (2) year to the City of Hoboken in accordance with the specifications set forth in City of Hoboken Bid 04-16:

<table>
<thead>
<tr>
<th>Vendor</th>
<th>Total $</th>
<th>Proposal year</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Poggi Press</td>
<td>$30,614.80</td>
<td></td>
</tr>
<tr>
<td>15th &amp; Adams St</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hoboken, NJ 07030</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

NOW, THEREFORE, BE IT RESOLVED, by the Hoboken City Council that:

1. The above recitals are incorporated herein as thought fully set forth at length.
2. The council hereby authorizes the Mayor, or his designee to execute any and all documents and take any and all actions necessary to complete and realize the intent and purpose of this resolution.
3. The Mayor, or his designee is hereby authorized to execute an agreement for the above referenced goods and/or services based upon the following information:

   The Poggi Press
   15th & Adams St
   Hoboken, NJ 07030

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

04-1357
---By Council President Ramos:

WHEREAS, pursuant to the resolution of the Council of the City of Hoboken, a City auction was held on 20 February 2004 in the Court Room in City Hall, and

WHEREAS, following the bidding process two bids were received during the auction for the bulk sale of Nineteen (19) abandoned vehicles. These bids were:

<table>
<thead>
<tr>
<th>Vendor</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mile Square Towing</td>
<td>$1,200.00</td>
</tr>
<tr>
<td>1520 Jefferson Street</td>
<td></td>
</tr>
<tr>
<td>Hoboken, New Jersey 07030</td>
<td></td>
</tr>
</tbody>
</table>
WHEREAS, said bidder, Mile Square Towing, 1520 Jefferson Street, Hoboken, New Jersey 07030, 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 aid transaction.

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

04-1358
---By Council President Ramos:

WHEREAS, the City of Hoboken has been awarded $400,000 by the New Jersey Department of Transportation in the form of a Livable Communities grant for streetscape improvements to the Downtown Revitalization Area; and

WHEREAS, the City of Hoboken accepted construction bids for this project all in excess of available funds; and

WHEREAS the City wishes to re-bid the project; and

WHEREAS, in order to re-bid, the project timeline must be extended by the Department of Transportation; and

WHEREAS, a council resolution and letter from the Mayor requesting such an extension is necessary –now therefore be it --

RESOLVED, that the Mayor or his designee authorized on behalf of the City of Hoboken to:

1. Execute a letter to the NJ Department requesting a project extension;
2. Furnish such documents as may be required;
3. Act as authorized correspondent of the City of Hoboken.

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

04-1359
---By Council President Ramos:

WHEREAS, Title 1 of the Housing and Community Development Act of 1974 provides for substantial Federal funds being made available to certain urban counties for use therein; and

WHEREAS, this act establishes certain criteria which must be met in order for a county and its participating communities to be the recipient of said funding; and

WHEREAS, the City of Hoboken and the County of Hudson entered into an agreement in cooperation with other municipalities in Hudson County for the carrying out of the Hudson County Community Development Urban County Program under the provisions of the Interlocal Services Act; and

WHEREAS, the City of Hoboken and the County of Hudson have further agreed to cooperate in the carrying out of Community Block Grant activities and to undertake or assist in the implementation of programs and projects that better the community;

NOW, THEREFORE, BE IT

RESOLVED, by the Mayor and Council of the City of Hoboken that the 2004-2005 Application for the City of Hoboken’s continued participation in the Urban County Program is attached hereto and made a part hereof and is hereby approved for submission to the Hudson County Office of Community Development; and be it

FURTHER RESOLVED, that the Mayor of the City of Hoboken is hereby authorized and directed to transmit this Application for Funds for the City of Hoboken to the County of Hudson, Division of Housing and Community Development, and the City Clerk of the City of Hoboken is hereby authorized and directed to attest the same and affix the City Seal; and

BE IT FURTHER RESOLVED, that the governing body of the City of Hoboken authorizes 1) the Mayor and/or Business Administrator of the City of Hoboken to execute the 2004-2005 Project Agreements on behalf of the City of Hoboken and, 2) the City Clerk to affix the Seal of the City of Hoboken to the aforesaid agreements witnessing the execution thereto.

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yees: Council persons Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.
---Absent: Campos.

04-1360
---By Councilwoman Castellano:

WHEREAS, the Hoboken City Council has concerns for financial stability going forward and

WHEREAS, said stability can result in cost containment for the Municipal Budget via a hiring freeze:

WHEREAS, the Council seeks to be apprised of any event that will affect the status of the Municipal Budget beyond the approved contract. Any changes in the Titles, Hires (Full or Part-Time) Rehires, increase in salary outside the negotiated salary (raises). The Council upon receiving this information will take action accordingly;

NOW, THEREFORE, BE IT RESOLVED that:

1) The above recitals are incorporated herein as though fully set forth at length.
2) The Hoboken City Council seeks the immediate imposition of hiring freeze.
3) This resolution shall be effective immediately.
4) If any portion of this resolution is deemed invalid or illegal that cause shall not invalidate the balance of this resolution.

Before the vote was taken one member of the public addressed the City Council: Michael Lenz, 408 Monroe street.

---Motion duly seconded by Councilman Russo.
---FAILED by the following vote: YEAS: 4 - NAYS: 4 - ABSENT: 1
---Yeas: Council persons Castellano, Marsh, Russo, Soares.
---Nays: Cricco, Del Boccio, Giacchi and President Ramos.
---Absent: Campos.

04-1361
---By Councilwoman Marsh:

WHEREAS, the Hoboken City Council approved the creation of the Hoboken Parking Utility, and

WHEREAS, in advocating this creation, the administration committed to perform a national search for the head of the new utility, and

WHEREAS, such a search was authorized by the City Council and public funds were expended, and

WHEREAS, four qualified applicants were selected as finalists out of over 25 applicants, and

WHEREAS, without explanation, the administration failed to select one of the four finalists in a timely manner, and
WHEREAS, eleven months after the four finalists were selected the administration has hired an individual who did not apply during the period the position was advertised, and

WHEREAS, the hiring of this individual was in conflict with the intent of the current hiring freeze, as the salary was designed to circumvent the minimum level of the salary and,

WHEREAS, the administration now has the ability to raise this individual's salary,

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Hoboken calls upon the Mayor to rescind the recent hiring of a “Monitor” to head the Parking Utility of the City of Hoboken and other further, to rescind all other changes to the management structure of the Parking Utility.

BE IT FURTHER RESOLVED, that the Council of the City of Hoboken requests that no changes to the management of the Parking Utility Management be instituted without prior notice to the City Council.

Before the vote was taken one member of the public addressed the City Council: Michael Lenz, 408 Monroe street.

---Motion duly seconded by Councilwoman Castellano.
---FAILED by the following vote: YEAS: 4 - NAYS: 4 - ABSENT: 1
---Yeas: Council persons Castellano, Marsh, Russo, Soares.
---Nays: Cricco, Del Boccio, Giacchi and President Ramos.
---Absent: Campos.

ORDINANCES

Introduction and First Reading

04-1362
DR-136


THE COUNCIL OF THE MAYOR AN COUNCIL OF THE CITY OFHOBOKEN DOES HEREBY ORDAIN AS FOLLOWS:

Handicaps Spaces

Section 192-4 (A) 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.

**Michele Dubreuil**, 1215 Willow Avenue (East side of Willow Avenue beginning at a point of 248 feet north from the northerly curbline of Twelfth Street and extending 12 feet north therefrom.)

**Charles Modero**, 933 Washington Street east side of Washington Street, beginning at a point of 82 feet south of Tenth Street and extending 12 feet north therefrom.

Section 2, 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 the ordinance codified and incorporated in the official copies of the Hoboken Code. This ordinance shall take effect as provided by law.

---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 MARCH 17, 2004 at 7:00 PM.

---Motion duly seconded by Council President Ramos.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.
---Absent: Campos.

All regular business concluded the following members of the public spoke at the “Public Portion” of the meeting: Ron Rosenberg, 127 Bloomfield Street; Elizabeth Mason, 921 Hudson Street; Michael Lenz, 408 Monroe Street; Curtis Crystal, 713-715 Monroe Street.

President Ramos then adjourned the meeting at 8:42 p.m.
CITY CLERK
President Ramos 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 Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.

ABSENT: None.

PUBLIC HEARING and FINAL VOTE ON ORDINANCES

Second Reading / Public Hearing and Final Vote

ORDINANCE REAPPROPRIATING $300,000 PROCEEDS OF OBLIGATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSES TO PROVIDE FOR A PORTION OF THE COSTS OF IMPROVEMENTS TO FIREHOUSES AND THE FIRE HEADQUARTERS IN AND BY THE CITY OF HOBOKEN, IN THE COUNTY OF HUDSON, NEW JERSEY. (DR-135)

President Ramos 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 Ramos 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 Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

Council President Ramos then instructed the City Clerk to call the Final Vote for the above Ordinance.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.


President Ramos 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 Ramos 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 Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

Council President Ramos then instructed the City Clerk to call the Final Vote for the above Ordinance.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

04-1363 PETITIONS AND COMMUNICATIONS

A communication from Corporation Counsel Joseph Sherman regarding “Dog Run Rules”.

Meeting of March 17, 2004
March 16, 2004

Members of the City Council
City Hall
94 Washington Street
Hoboken, NJ 07030

Dear Ladies & Gentlemen:

Pursuant to my authority under Chapter 62, Section 2 of the Hoboken Code, I hereby appoint Mr. James Ronga, 86 Bloomfield Street, Hoboken, New Jersey to the Shade Tree Commission as the Director of Environmental Services’ designee. Mr. Ronga will fill the four (4) year unexpired term of Matthew Warren which expires December 31, 2005.

Pursuant to my authority under Chapter 6, Section 4 of the Hoboken Code, I hereby reappoint Lisa Conde, 632 Hudson Street, Hoboken, New Jersey to the Historic Preservation Commission as a Class B member to a three (3) year term to expire December 31, 2006.

I would also like to reappoint Vincent Wassman, 713 Bloomfield Street, Hoboken, New Jersey to the Historic Preservation Commission as a Class C member to a three (3) year term to expire December 31, 2006.

Very truly yours,

DAVID ROBERTS
Mayor
City of Hoboken

cc/James Farina
Joseph Sherman
Leah Healey, Chairperson, Shade Tree Commission
Theresa Castellano, Chairperson, Historic Preservation

--Received and filed.

04-1365

APPLICATIONS FOR MISCELLANEOUS LICENSES

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<th>Category</th>
<th>Number</th>
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<tr>
<td>Taxi Owners</td>
<td>5</td>
</tr>
<tr>
<td>Public Hack Drivers</td>
<td>3</td>
</tr>
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</table>
---Council President 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 Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

REPORTS OF CITY OFFICERS

04-1366
A report from Municipal Tax Collector Louis Picardo for taxes collected; for the month ending February 29, 2004 - $9,077,859.61

---Received and filed.

04-1367
A report from City Clerk James Farina, regarding bids received on Friday, March 12, 2004 for Construction of Floating Docks and Ramps for a Sailing Facility at Pier “A”; bid #04-17 (No bids received).

---Received and filed.

04-1368
A report of the Municipal Court indicating receipts for the month of February 2004 as $229,987.23.

---Received and filed.

CLAIM RESOLUTIONS

04-1369
By Council President 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 $249,027.98 against the UNCLASSIFIED CLAIMS.

Seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

By Council President 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 $15,352.23 against the DEPARTMENT OF ADMINISTRATION.

Seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

By Councilman Cricco:

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 $162,143.24 against the DEPARTMENT OF ENVIRONMENTAL SERVICES.

Seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

By Councilman Cricco:

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 $31,121.88 against the DEPARTMENT OF HUMAN SERVICES.

Seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.
By Councilman Cricco:

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 $166,219.49 against the DEPARTMENT OF COMMUNITY DEVELOPMENT.

Seconded by Council President Ramos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

By Councilman Cricco:

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 $173,945.00 against the DEPARTMENT OF COMMUNITY DEVELOPMENT, GRANTS MANAGEMENT, SECTION 8.

Seconded by Council President Ramos.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSTENTIONS: 1
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo and Soares.
---Nays: None.
---Abstentions: President Ramos.

By Councilman Campos:

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 $30,230.48 against the DEPARTMENT OF PUBLIC SAFETY.

Seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

By Council President 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 $1,386.06 against the CAPITAL ACCOUNT.

Seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---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 $55,089.66 against the PARKING UTILITY.

Seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

**PAYROLL RESOLUTIONS**

**04-1370**

By Council President 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 HOBYKEN, FOR THE PERIOD FEBRUARY 12, 2004 TO FEBRUARY 25, 2004 FOR THE PAYROLL ARE HEREBY RATIFIED IN THE FOLLOWING AMOUNTS:

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Meeting of March 17, 2004
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<td>Board of Health</td>
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<td>3,364.48</td>
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<td>Parks</td>
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<td>Public Prop.</td>
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<td>2,123.57</td>
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<td>Municipal Court</td>
<td>4-01-43-490</td>
<td>29,312.58</td>
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<td>Parking Utility</td>
<td>4-31-55-501-100</td>
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<td>Universal Cops</td>
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<td>Cops In School</td>
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<td>4-01-25-241-016</td>
<td>4,309.89</td>
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<td><strong>Other</strong></td>
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<td>Police Outside Employ.</td>
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<td>18,115.00</td>
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<td>Police Grant</td>
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<td>Fire Dept. Penalty</td>
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<td>1,153.68</td>
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<td>Fire Education Acct</td>
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<td>1,335,171.08</td>
<td>25,562.02</td>
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Motion by Council President Ramos.
Seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

RESOLUTIONS

Presented and Read

04-1371
---By Councilman Cricco:

WHEREAS, pursuant to the resolution of the City Council and after public advertising thereof, the following proposal was received for the supply of 31 Yard Packmaster to the City of Hoboken in accordance with the specifications set forth in City of Hoboken Bid 04-14:

<table>
<thead>
<tr>
<th>Vendor</th>
<th>Total</th>
<th>$</th>
<th>Proposal year</th>
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<tr>
<td>Sanitation Equipment</td>
<td></td>
<td></td>
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<tr>
<td>South 122 Route 17</td>
<td></td>
<td>$52,900.00</td>
<td></td>
</tr>
<tr>
<td>Paramus, NJ 07652</td>
<td></td>
<td></td>
<td></td>
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</table>

NOW, THEREFORE, BE IT RESOLVED, by the Hoboken City Council that:

1. The above recitals are incorporated herein as thought fully set forth at length.
2. The council hereby authorizes the Mayor, or his designee to execute any and all documents and take any and all actions necessary to complete and realize the intent and purpose of this resolution.
3. The Mayor, or his designee is hereby authorized to execute an agreement for the above references goods and/or services based upon the following information:

   Sanitation Equipment
   South 122 Route 17 North
   Paramus, NJ 07652

---Motion duly seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

04-1372
---By Councilman Del Boccio:
WHEREAS, the City of Hoboken has secured a NJDOT Grant in the amount of $100,000 for Traffic Signal Installation at River Street and Hudson Place; and

WHEREAS, the NJDOT Grant presently requires award of the contract by March 31, 2004, which can be extended by City resolution requesting the same; and

WHEREAS, the City of Hoboken has retained Mayo, Lynch and Associates, Inc. to design and prepare the necessary contract documents for public bid of the Traffic Signal Installation at River Street and Hudson Place; and

WHEREAS, Mayo, Lynch has prepared the necessary contract documents for public bid, secured review of the contract documents by the NJDOT Bureau of Local Aid, Hudson County Engineering Department and is awaiting NJDOT Traffic Engineering review, anticipated shortly; and

WHEREAS, the City of Hoboken plans to publicly bid and award the project upon NJDOT Traffic Engineering review; and

WHEREAS, the City of Hoboken wishes to extend the grant and undertake the necessary improvements; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hoboken that:

1. The above recitals are incorporated herein as though fully set forth at length.
2. The Council hereby authorizes the Mayor or his designee to execute any and all documents and take any and all actions necessary to complete and receive the intent and purpose of this resolution.
3. The Mayor or his designee is authorized to formally request a one year extension of its NJDOT Grant for Traffic Signal Installation at River Street and Hudson Place through March 31, 2005.
4. Furnish as authorized correspondent of the City of Hoboken.
5. Execute necessary contracts, if funding is awarded.

---Motion duly seconded by Councilwoman Castellano.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

04-1373
---By Councilman Cricco:

WHEREAS, by Ordinance Number DR-102 dated August 13, 2003, the City Council of the City of Hoboken (“City Council”) authorized the acquisition by purchase or condemnation of the real property located at 800-810 Madison Street, Hoboken, New Jersey 9Subject Property”), for redevelopment in accordance with the Northwest Redevelopment Plan; and
WHEREAS, the City Council retained the services of Paul T. Beisser, III MAI, CRE of Value Research Group, LLC, Inc., to appraise the Subject Property's fair market value; and

WHEREAS, Mr. Beisser inspected the property on December 8, 2003 in the presence of the property owner, Horst Savickas, who it appears was provided an opportunity to accompany Mr. Beisser on his inspection and to provide input into the appraisal process; and

WHEREAS, Mr. Beisser prepared an appraisal report dated February 26, 2004, wherein he opined the fair market value of the Subject Property as set forth therein is $923,000.00 as if clean or remediated; and

WHEREAS, the City Council has considered the contents of Mr. Beisser’s appraisal report;

NOW, THEREFORE, BE IT RESOLVED THAT the City Council hereby approves Mr. Beisser’s appraisal report dated February 26, 2004; and

NOW, THEREFORE, BE IT FURTHER RESOLVED, THAT the City Council hereby authorizes special condemnation counsel, Carlin and Ward, P.C. to make an offer to the Subject Property’s owner of record in the full amount of $923,000.00 assuming the Subject Property were clean or remediated; and

---Motion duly seconded by Councilman Campos.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSTENTIONS: 1
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Russo, Soares and President Ramos.
---Nays: None.
---Abstentions: Marsh.

04-1374
---By Councilman Campos:

WHEREAS, the City of Hoboken has been awarded traffic calming funds by the New Jersey Department of Transportation for 5th & Clinton Street and 12th & Clinton Street; and

WHEREAS, there is an unspent balance of $49,000; and

WHEREAS, a one-time extension request is necessary to conserve these funds for the City of Hoboken; and

WHEREAS, it would be beneficial for the City to also request that these funds be reprogrammed to a project that is near implementation, “The Downtown Revitalization Scenic Beautification Project” now therefore be it
RESOLVED, that the Mayor or his designee be hereby authorized on behalf of the City of Hoboken to:

1. Execute a letter to the NJ Department of Transportation requesting a project extension and a reprogramming of funds to the Downtown Revitalization Project;
2. Furnish such documents as may be required;
3. Act as authorized correspondent of the City of Hoboken
4. Execute necessary contracts.

---Motion duly seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

04-1375
---By Council President Ramos:

WHEREAS, Governor McGreevey has called for increased open space throughout this State and especially in the State's urban and densely populated areas; and

WHEREAS, the residents of the County of Hudson recently approved the Open Space Trust Fund, which enables the availability of additional funding for open space projects within the County; and

WHEREAS, Hudson County is one of the most densely populated counties in the nation; and

WHEREAS, there is a tremendous need for additional open space within the County, especially within the City of Hoboken; and

WHEREAS, students and residents of the City of Hoboken desire more open space for recreation activities; and

WHEREAS, the creation of open space facilitates a more community based environment, encourages community gatherings, and furthers educational and recreational opportunities of the students and residents of the City of Hoboken.

NOW, THEREFORE, BE IT RESOLVED that the Hoboken City Council encourages the County of Hudson to identify tracts of lands within the City of Hoboken for use as open space by students and residents for passive recreation, such as tennis and other similar activities.

BE IT FURTHER RESOLVED, that the Hoboken City Council encourages the County of Hudson to dedicate funds for the creation of open space consistent with this Resolution.

NOW, THEREFORE BE IT RESOLVED, by the Council of the City of Hoboken that:

6. The above recitals are incorporated herein as though fully set forth at length.
7. This resolution shall take effect immediately.
8. A copy of this resolution is to be forwarded to Hudson County Executive, and the Board of Chosen Freeholders.

Before the vote was taken one member of the public addressed the City Council: Annette Illing, 1 Marineview Plaza

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

ORDINANCES

Introduction and First Reading

04-1376
DR-137

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 550 OBSERVER HIGHWAY, HOBOKEN, NEW JERSEY, MORE PARTICULARLY KNOWN AS LOTS 42.1, 42.2 AND 43, BLOCK 16, ON THE TAX MAP OF THE CITY OF HOBOKEN, COUNTY OF HUDSON, STATE OF NEW JERSEY. (DR-137)

WHEREAS, the applicant, 550 Observer Highway, LLC and 213 Fourteenth Street, have petitioned the City of Hoboken for the granting of certain easements over municipal lands, 550 Observer Highway, Hoboken, New Jersey, (the “Premises”) which Premises is more particularly described as Lots 42.1, 42.2 and 43, Block 16, on the Tax Map of the City of Hoboken, New Jersey, in order to maintain an encroachment on municipal lands for the purpose of franchises and residential buildings adjacent to the northerly property line. This easement are described as follows:

METES AND BOUNDS
(PLANTER AREA)

All that certain tract, or parcel of land, situate, lying and being in the City of Hoboken, County of Hudson, and the State of New Jersey, bounded and described as follows:

BEGINNING at a point formed by the intersection of the northerly line of Observer Highway with the westerly line of Madison Street running thence:

THENCE N-76º-56'-W, along the northerly line of Observer Highway, a distance of .00 feet to a point in the westerly line of Park Avenue,

THENCE S-13º-04'-W along the easterly line of Park Avenue a distance of 50.00 feet to a point,
THENCE S-76°-56'-E and parallel with Madison Street, a distance of 51.71 feet to a point,

THENCE N-13°04'-E, and parallel with Madison Street, a distance of 78.00 feet to the point
Said point being the point or place of beginning.

THENCE N-76°-56'-W, a distance of 3.00 feet to a point in the westerly line of Madison Street,

THENCE N-76°-56'-W, a distance of 4.50 feet to a point in the westerly line of Garden Street,

THENCE S-13°-04'-W, a distance along the westerly line of Madison Street, a
distance of 78.00 feet to a point, said point being the point or place of beginning.

The above-described area sits in the public right of way of Observer Highway and
Madison Street, adjacent to Lots 42.1, 42.2 and 43 in Block 16, Hoboken, Hudson
County, New Jersey.

Known as Lots 42.1, 4., & 43, Block 16 as shown on the official tax assessment map for the
City of Hoboken, Hudson County, New Jersey, and more commonly known as 550 Observer
Highway, Hoboken, New Jersey; and

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND THE COUNCIL OF THE
CITY OF HOBOKEN THAT THE CITY OF HOBOKEN HEREBY GRANTS 201, 203, 205,
207, 209, 211, & 213 FOURTEENTH STREET, THE AFOREMENTIONED EASEMENT
SUBJECT TO THE FOLLOWING CONDITIONS AND REQUIREMENTS:

1. The above recitals are incorporated herein as length fully set forth at length.

2. 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.

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

4. 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.
5. 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.

6. 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.

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

---Council President 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 APRIL 7, 2004 at 7:00 PM.

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

04-1377
DR-138

LAND USE AND BUILDING BULK REGULATIONS, APPLICATION AND INTERPRETATION

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 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 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 and 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.

Whereas 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 buildings 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.

[If the re-developer of Block 86, a 400ft. long trapezoidal-shaped block with approximately 113ft. of depth at Eighth Street and approximately 55ft. at Ninth Street, creates a public park at the Eighth Street end of the block, the park area itself may remain privately owned and maintained, may be counted toward developable floor area, but, in such case, there shall be a permanent public easement provided to ensure public access pursuant to an agreement with the city. If such park is no less than approximately 12,040 sq.ft. in area and if the re-developer chooses the high-rise configuration for a residential building, and if the minimum average unit size is no less than 1100 net sq.ft., then the maximum FAR attributable to the residential units, including a prescribed number of affordable units, may be 3.88, excluding the bonus area. Retail and/or restaurant space will be subject to Planning Board approval.]

Residential buildings shall be designed as follows or pursuant to the Zone 1 option:

| Building Height | ten residential floors (100ft.) over maximum of two floors (20ft.) of parking (maximum total building height 120ft.) 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 10ft. only to the extent necessary to raise the first residential “floor” level to base flood elevation.
[on Block 86, if the building is designed in conjunction with a public park as described above such that the footprint of the ground-floor covers less than 60% of the site, parking may occupy a maximum of three floors subject to the Planning Board’s approval of its urban design characteristics (i.e. that it is clad to look like the residential floors above rather than like a parking garage), but in no event may the total building exceed the maximum height of 140ft. as described below under “Bonus FA”.]

a residential accessory parking structure may be 40ft. 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 of the parking is landscaped and accessible to tenants of the site (see “Bonus FA” below); if the fourth side abuts an off-site development within the Plan area, the structure at the lot line may be a maximum of 20ft. in height, structure above that height must be set back a minimum of 5ft. 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 60ft. so long as the structure is not immediately adjacent to an off-site residential development

<table>
<thead>
<tr>
<th>Floor Area Ratio</th>
<th>3.0 (except as varied [above and] below)</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Bonus FA</td>
<td>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 adding no more than an additional two floors (20ft., for a total building height of 140ft.) subject to the following controls:</td>
</tr>
<tr>
<td></td>
<td>• an area equivalent to at least 30% of any site area attributable to residential use shall be developed and accessible exclusively to site residents as private open space; such space may be calculated as any combination of on-grade areas and/or rooftops other than the roofs above residential floors, e.g. garage or office building roofs; bonussable 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 finds the design satisfactory including but not limited to the provision of easy and obvious accessibility to the public)</td>
</tr>
</tbody>
</table>
• the public recreation space may be no smaller than 50ft. by 50ft. in size if open, 25ft. by 25ft. if enclosed

Density max. dwelling units permitted on the site shall be calculated by dividing permitted FA by 1000; bonus FA may 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 60ft. window to window; see Urban Design Guidelines: General Building Bulk and Yard Requirements

90% for first parking level up to 10ft. 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; where complete masking is provided as described under "Building Height" above, the second parking floor may also cover 90%

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

---Councilman Campos 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 7, 2004 at 7:00 PM.

---Motion duly seconded by Council President Ramos.
---Adopted by the following vote: YEAS: 7 - NAYS: 0 - ABSTENTIONS: 2
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Russo and President Ramos.
---Nays: None.
---Abstentions: Marsh, Soares.

All regular business concluded the following members of the public spoke at the “Public Portion” of the meeting: Peter Cunningham, 1009 Garden Street; Becky Hoffman, 154 Ogden Avenue, Jersey City; Annette Illing, 1 Marineview Plaza; Margie Daly, 238 Ogden Avenue, Jersey City; Bob DuVal, 303 Park Avenue; Ann Graham, 1021 Grand Street; Ron Hine, 258 Newark Street;

Councilman Cricco left the meeting at 8:14 p.m.

speakers continued: Vito Brunetti, 232 Ogden Avenue, Jersey City;

Councilman Cricco returned to the meeting at 8:20 p.m.

speakers continued: Curtis Crystal, 713-715 Monroe Street;
Councilman Campos left the meeting at 8:21 p.m.
Councilman Campos returned to the meeting at 8:24 p.m.

President Ramos then adjourned the meeting at 8:27 p.m.
President Ramos 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 Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.

ABSENT: None.

RESOLUTIONS

Presented and Read

04-1378
---By Councilman Russo:

WHEREAS, on Wednesday, April 2, 2003 Hoboken Police Officer John Aguiar responded to a call on Washington Street when a taxi cab driver was shot in an apparent robbery attempt; and

WHEREAS, Police Officer John Aguiar stopped his patrol car to question a male matching the description of the suspect and before he could step from his car the suspect approached the drivers side and pulled a large caliber semi-automatic handgun from his pocket firing two shots at the police officer with one bullet ripping through his left shoulder and the other bullet entering his chest; and
WHEREAS, Police Officer John Aguiar, stunned and severely wounded, managed to exit from his police car and chase the suspect who carjacked a black SUV and sped off; and

WHEREAS, Police Officer John Aguiar, maintained his composure and proceeded to transmit over the police radio the complete description of the SUV and its direction of flight ultimately resulting in the suspect's shooting rampage coming to an end in Jersey City; and

WHEREAS, we commend Police Officer John Aguiar for his quick response under stress but also for demonstrating courage and selfless perseverance and we congratulate and thank him for his distinguished service and outstanding contributions to the people of Hoboken and honor him for his dedication and commitment;

NOW, THEREFORE, BE IT RESOLVED that THE CITY COUNCIL, on behalf of the citizens of Hoboken, wishes to extend praise and commendations to Police Officer John Aguiar and does hereby issue this Proclamation in recognition of his courageous act of heroism, given beyond measure and without regard for personal safety, and his bravery as exemplified in the performance of his duties as a police officer.

Prior to the resolution Mayor Roberts presented Officer Aguiar a proclamation in his honor. Officer Aguiar thanked the Mayor and Council. Also, before the vote Vince Lombardi, PBA President, 100 Manhattan Avenue, Union City addressed the council.

---Motion duly seconded by Councilwoman Castellano and all other Council Members.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yea: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

PUBLIC HEARING and FINAL VOTE ON ORDINANCES

Second Reading / Public Hearing and Final Vote

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 550 OBSERVER HIGHWAY, HOBOKEN, NEW JERSEY, MORE PARTICULARLY KNOWN AS LOTS 42.1, 42.2 AND 43, BLOCK 16, ON THE TAX MAP OF THE CITY OF HOBOKEN, COUNTY OF HUDSON, STATE OF NEW JERSEY. (DR-137)

President Ramos 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 Ramos asked for a motion to close the hearing.

Councilman Del Boccio moved that the hearing be closed.
Meeting of April 7, 2004

Motion duly seconded by Councilman Campos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

Council President Ramos then instructed the City Clerk to call the Final Vote for the above Ordinance.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.


The above ordinance is continued to the April 21, 2004 Hoboken City Council Meeting to allow time for Hoboken Planning Board review.

04-1380

APPLICATIONS FOR MISCELLANEOUS LICENSES

<table>
<thead>
<tr>
<th>Category</th>
<th>Quantity</th>
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<tbody>
<tr>
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<tr>
<td>Parking Facilities</td>
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<tr>
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<tr>
<td>Motor Vehicle Repair Shops</td>
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<td>Public Hack Drivers</td>
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<tr>
<td>Limo/Livery Drivers</td>
<td>50</td>
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<tr>
<td>Taxi Owners</td>
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</tr>
<tr>
<td>Limo Owners</td>
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</tr>
<tr>
<td>Livery Owners</td>
<td>13</td>
</tr>
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</table>

---Council President 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 Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

04-1381

REPORTS OF CITY OFFICERS
A report of the Municipal Court indicating receipts for the month of March 2004 as $325,066.71.

---Received and filed.

CLAIM RESOLUTIONS

04-1382
By Council President 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 $1,323,904.83 against the UNCLASSIFIED CLAIMS.

Seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 1
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Soares and President Ramos.
---Nays: Russo.

By Council President 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 $81,268.55 against the DEPARTMENT OF ADMINISTRATION.

Seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

By Councilman Cricco:

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 $143,381.11 against the DEPARTMENT OF ENVIRONMENTAL SERVICES.

Seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.
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 $45,651.24 against the DEPARTMENT OF HUMAN SERVICES.

Seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

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 $44,820.51 against the DEPARTMENT OF COMMUNITY DEVELOPMENT.

Seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

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 $16,546.08 against the DEPARTMENT OF PUBLIC SAFETY.

Seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

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 $26,119.53 against the CAPITAL ACCOUNT.
Seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---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 $165,584.09 against the PARKING UTILITY.

Seconded by Council President Ramos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

**PAYROLL RESOLUTIONS**

**04-1382**

By Council President 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 HOBOKEEN, FOR THE PERIOD FEBRUARY 26, 2004 TO MARCH 10, 2004 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>Personnel</td>
<td>4-01-20-105</td>
<td>6,984.28</td>
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<td>6,984.28</td>
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<tr>
<td>Mayor’s Office</td>
<td>4-01-20-110</td>
<td>9,543.42</td>
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<td>9,543.42</td>
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<td>City Council</td>
<td>4-01-20-111</td>
<td>7,214.36</td>
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<td>7,214.36</td>
</tr>
<tr>
<td>Bus Adm. Office</td>
<td>4-01-20-112</td>
<td>7,926.53</td>
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<tr>
<td>ABC Board</td>
<td>4-01-20-113</td>
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<td>269.24</td>
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Motion by Council President Ramos.
Seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.
PAYROLL RESOLUTIONS

04-1383
By Council President 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 HOBOKE N, FOR THE PERIOD MARCH 11, 2004 TO MARCH 24, 2004 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>
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<td>Personnel</td>
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<td>6,984.28</td>
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<td></td>
<td>9,543.42</td>
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<td>7,214.36</td>
<td></td>
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<td>7,214.36</td>
</tr>
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<td>Bus Adm. Office</td>
<td>4-01-20-112</td>
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<td></td>
<td>7,926.53</td>
</tr>
<tr>
<td>ABC Board</td>
<td>4-01-20-113</td>
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<td>269.24</td>
<td></td>
<td>269.24</td>
</tr>
<tr>
<td>Purchasing</td>
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<tr>
<td>Grants Management</td>
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<td>Payroll Division</td>
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<tr>
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<td>Community Develop.</td>
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Motion by Council President Ramos.
Seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

**RESOLUTIONS CONTINUED**

**04-1384**

Presented and Read

---By Council President Ramos:

WHEREAS, pursuant to the resolution of the City Council and after public advertising thereof, the following proposal was received for the interior renovations to the Observer Highway Firehouse for the City of Hoboken in accordance with the specifications set forth in City of Hoboken Bid 04-15:

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<th>Total $ Proposal</th>
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<td>T&amp;M Contracting</td>
<td>$419,947.00</td>
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<tr>
<td>107 Willow Avenue</td>
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</tr>
<tr>
<td>Hoboken, NJ 07030</td>
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</table>
R&J Construction  
12 Railroad Place   $567,000.00  
Belleville, NJ 07109

NOW, THEREFORE, BE IT RESOLVED, by the Hoboken City Council that:

1. The above recitals are incorporated herein as thought fully set forth at length.
2. The council hereby authorizes the Mayor, or his designee to execute any and all documents and take any and all actions necessary to complete and realize the intent and purpose of this resolution.
3. The Mayor, or his designee is hereby authorized to execute an agreement for the above references goods and/or services based upon the following information:

   T&M Contracting  
   107 Willow Avenue  
   Hoboken, NJ 07030

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

04-1385
---By Council President Ramos:

   WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

   WHEREAS, the Annual Report of Audit for the fiscal year ended June 30, 2003 has been filed by a Registered Municipal Account with the City Clerk as per the requirements of N.J.S.A. 405-6, and a copy has been received by each member of the government 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 of certification shall be adopted by the governing body no later than forty-five days after 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 governing body to the penalty provisions of R.S.52:27BB-52.

NOW, THEREFORE, BE IT RESOLVED, that the governing body of the City of Hoboken, hereby states that it has complied with the promulgations of the Local Finance Board of the State of New Jersey dated July 30, 1968 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

Before the vote was taken the following addressed the City Council: Michael Lenz, 408 Monroe Street.

Councilman Soares left the meeting at 7:34 p.m.
Councilman Soares returned to the meeting at 7:38 p.m.

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

ORDINANCES

Introduction and First Reading

04-1386
DR-140

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 192 OF THE CODE OF THE CITY OF HOBNOKEN ENTITLED PARKING FOR HANDICAPPED. (Deletions: 102 Bloomfield Street) (DR-140)
THE COUNCIL OF THE MAYOR AN COUNCIL OF THE CITY OF HOBOKEN DOES HEREBY ORDAIN AS FOLLOWS:

Handicap Spaces

A. Section 192-4 is amended to delete the following:

Corrado De Roberts, 102 Bloomfield Street (West side of Hudson Street, beginning at a point of 37 feet from the northwest curbline of First Street and extending 22 feet northerly therefrom.

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 the ordinance codified and incorporated in the official copies of the Hoboken Code. This ordinance shall take effect as provided by law.

---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 APRIL 21, 2004 at 7:00 PM.

---Motion duly seconded by Council President Ramos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

04-1387
DR-141

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. (Loading Zone: Hudson Street, between 2nd and 3rd Sts.) (DR-141)

THE COUNCIL OF THE MAYOR AND COUNCIL OF THE CITY OF HOBOKEN DOES HEREBY ORDAIN AS FOLLOWS:

ARTICLE V
LOADING ZONE

190-11 Loading Zone

Section 1: The locations described are hereby designated as a loading zone. No person shall park a vehicle in said location during the times indicated other than for the loading or unloading of goods and materials.
Section 2: 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. Proper signs shall be erected in accordance with the current “Manual on Traffic Control Devices.” This Ordinance shall take effect as provided by law, and shall be effective per DR-128- (which was effective 2/25/04) and will expire August 25, 2004 unless further extended prior to that time.

NOTICE IS HEREBY GIVEN that the foregoing proposed ordinance was introduced on first reading at meeting of the City Council of the City of Hoboken, in the County of Hudson and State of New Jersey, held on APRIL 7, 2004, and that said ordinance will be taken up for further consideration for final passage at a meeting of the Hoboken City Council to be held on Wednesday, APRIL 21, 2004 7:00 PM in the Council Chambers, City Hall, Hoboken, NJ or as soon Thereafter as said matter can be reach at Which time and place all persons who may be interested therein will be given an opportunity to be heard concerning the same.

A copy of this ordinance has been posted on the Bulletin Board upon which public notices are customarily posted in the City Hall, of the City and a copy is available up to and including the time of such meeting to the members of the general public of the City who shall request such copies at the Office of the City Clerk, in said City Hall, Hoboken, NJ

BY ORDER OF THE CITY COUNCIL OF THE CITY OF HOBOKEN, NEW JERSEY

---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 21, 2004 at 7:00 PM.

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

04-1388
DR-139

WHEREAS, a redevelopment plan entitled “The Waterfront at Hoboken Redevelopment Plan” (“The Redevelopment Plan”) was adopted by the City Council of the City of Hoboken (“City Council”) on November 17, 1989 and amended on March 15, 1995 providing as one of the City’s objectives the development of a hotel on the Southern Waterfront; and

WHEREAS, pursuant to the power and authority granted under the bi-state Waterfront Development Legislation and the Marine Terminal Act, including N.J.S.A. 32:1-35-36(k), the City of Hoboken (“City”) arranged for the undertaking of the development of the South Waterfront to effectuate the purposes set forth in that amended Redevelopment Plan, pursuant to terms and conditions set forth in the Municipal Development Agreement (“the Municipal Agreement”) between the City and the Port Authority of New York and New Jersey (“Port Authority”) entered into on August 16, 1995; and

WHEREAS, the City Council authorized the Redevelopment Plan and the Municipal Development Agreement to be further amended in 1997 and 2002 and the 2002 amendment was designed, among other things, to achieve the goal of reducing the real and apparent mass of the permitted buildings on Block B by incorporating related changes to accommodate the decrease in total square footage of the buildings and increase in open space, including providing bonus height provisions to accommodate a narrower building envelope for the hotel in exchange for a larger specified open space at grade but with no increase in building floor area,

WHEREAS, consistent with the goal of reducing apparent mass of the buildings on Block B, and with the additional goal of improving the architectural opportunity to create a smaller footprint for the portion of the hotel above the base and place it closer to the river so as to shift the bulk away from River Street and increase views from River Street, the City Council has determined to provide an opportunity for a taller but more slender building, without increasing the number of rooms of the hotel;

WHEREAS, in order to attract a first-class, full-service, luxury hotel to the City that will provide: banquet facilities, meeting rooms, and restaurants for residents, visitors and businesses; job opportunities; enhancement of the economy and viability of the City’s downtown and business community; and increased tourism in the City and Hudson County, the City Council has determined to allow the gross square footage limitation of the hotel to exclude not only mechanicals (as traditionally defined) and parking, but also other service areas that are necessary and appropriate to a full service hotel, such as back of house space for bulk storage areas, and access and fire egress corridors which are likely to consume a greater portion of the square footage of the hotel building than if the building were a standard hotel; and

WHEREAS, the City Council hereby finds the above described proposed changes in the Redevelopment Plan to be appropriate and consistent with the currently effective Master Plan and with the provisions of the soon to be adopted revised Master Plan; and

WHEREAS, the City Council has referred the proposed amendments to the Redevelopment Plan to the Planning Board for their review.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF HOBOKEN, that the Mayor and Council hereby approve the proposed amendments to the Redevelopment Plan as generally described in this Ordinance and as more specifically set forth in the attachments which are part of this Ordinance, and find it
appropriate to amend the Municipal Development Agreement to provide for development in compliance with these amendments to the Redevelopment Plan.

(Note: new language is shown in brackets and [bold]; language to be deleted is shown with a strike-through and bold; only those paragraphs where changes will occur are shown below):

The South Waterfront Redevelopment Plan
Adopted by the City Council as "The Waterfront at Hoboken"
adopted November 17, 1989
amended March 15, 1995
amended July 1, 1997
amended December 4, 2002

Chapter One: Overview - no change

Chapter Two: Redevelopment Plan Goals - no change

Chapter Three: The Waterfront Redevelopment Plan

Land Use Plan - changes as indicated below

...The remainder of the project site should include residential uses of varying densities, as well as a mix of commercial uses, including street-level retail. See Exhibit 4A, Land Use Locations, for all three development Blocks (Note: all exhibit numbers referred to herein are found in the text of the Plan as adopted 11/1/89; the exhibits have not been updated to reflect the subsequent plan amendments but are left as historical references). Off-street parking for all uses shall be defined by a range. A minimum number of spaces are to be provided. These may be provided entirely off-site so long as they are within 800ft. of the redevelopment area boundary. Those spaces which are provided on-site are limited to a maximum number of spaces. These limitations are described below, and in Schedule A, since this land has been judged to be too valuable to be used extensively for parking. Reductions in the provision of all parking should be considered because of the availability of mass transit; in addition, methods for providing parking off-site should also be evaluated, and must be provided for any [commercial office] project which exceeds 125' in height [consistent with Schedule B].

Density / Bulk Controls - changes as indicated below

...It is permissible to exceed the 125' height limit however, but only under certain circumstances. Within a (reasonable walking) distance from the Terminal building entrance, buildings may be 175' high, in order to better accommodate the need for uses that require proximity to public transportation. On Block B, parcels 7 and 8, the hotel may be 160' high in exchange for additional open space and setbacks set forth in Schedules A and B and described below. [However, where the hotel is a First-class, Full-service, Luxury Hotel (hereinafter defined) which not only complies with the additional open space and setbacks required for a 160' high hotel but also creates a smaller
footprint above the base building and places it closer to the river so as to shift the bulk away from the River Street corridor, then the maximum permitted height is 275'. "First-class, Full-service, Luxury Hotel" shall mean a hotel which provides ancillary services and facilities including 24-hour room service, concierge service, a fully staffed fitness center, restaurant, bar, banquet/ballroom facilities, meeting/conference rooms]. However, the additional building height will not create any more [gross] floor area than is permitted at the 125' height limit. If buildings exceed the 125' height limit, they must meet the additional regulations set forth in Schedules A and B.

The project could contain under these controls approximately 1,820,000 gross square feet of floor area if the buildings adhere to the 125’ height limit. It is estimated that, of the total floor area, 407,000 gross square feet could be devoted to residential development (or about 380 dwelling units) and 1,413,000 gross square feet will be devoted to commercial development. Of this total commercial development, 1,050,000 s.f. could be offices, 238,000 s.f. could be a 300 room hotel, and 125,000 s.f. could be ground floor retail.(including professional offices and restaurants). It is also estimated that approximately 6.60 acres of the project area will be devoted to residential and commercial usage. If, on the other hand, the buildings exceed the 125’ height limit, and reach the 175’ height the project could contain a maximum of 2,315,000 gross square feet of floor area. On Block B, total floor area is herein modified to allow a maximum of 450,000 gross square feet for the office development and a total of no more than 200,000 gross square feet for the hotel development. This represents a reduction of at least 30% of the original floor area permitted on this Block.

Gross square footage [or gross floor area] with respect to any building [other than a "First-class, Full-service, Luxury Hotel"] shall mean the sum of the square footage of gross horizontal areas, excluding parking and mechanical areas, of all ground and above ground floors of such buildings; for purposes of determining gross square footage, all dimensions shall be measured between the interior faces of the perimeter walls. [Gross square footage or gross floor area with respect to a "First-class, Full-service, Luxury Hotel" shall mean the sum of the square footage of gross horizontal areas, excluding parking and hotel mechanical and service areas (as hereinafter defined) of all ground and above ground floors of the hotel measured from the interior faces of the perimeter walls. “Hotel Mechanical and Service Areas” shall mean bulk storage areas, access and fire egress corridors, elevator shafts, fire egress stairwells and general back of house and support areas in addition to traditional mechanical and service areas such as machine rooms, utility rooms, mechanical shafts.]

Chapter Four: Acquisition Plan - no change

Chapter Five: Relocation Plan - no change

Chapter Six: Conformance with Master Plan - changes as indicated below...

...In its February 2002 Reexamination Report, the Planning Board stated that one of the objectives of the 1998 Reexamination Report had been to encourage the use of the remaining sites in the South Waterfront Redevelopment Plan area to be used for the highest and best use in the following ways: maximize recreation space, balance scale, consider tax ramifications. The Report also noted that "...despite the addition of waterfront parks and promenades, concern has been expressed about the bulk and density of the buildings on
Blocks A and C as those structures have been under construction. The Amendments proposed herein [adopted on December 4, 2002 responded] to all the above stated concerns.

[The subject amendment is consistent with the Land Use Plan adopted in May of 1986 and still in effect until the 2004 draft Master Plan is adopted (see discussion below). The 1986 Plan states that "building heights of greater than 8 or 10 stories can be transferred to the southern perimeter of the City and to the waterfront."

After a year of extensive public meetings, a draft Master Plan has been readied for adoption by the Planning Board in spring of 2004. The proposed Land Use Plan recommends that the area now designated the South Waterfront Redevelopment Plan be given the zoning district designation "W-3". The Land Use Plan further recommends that redevelopment in the W-3 should be consistent with the redevelopment plan itself.

Several of the Redevelopment Plan Goals are re-iterated below:

- Create a world class development that would enhance rather than alter the essential character of the City of Hoboken.
- Create a high-quality mixed-use development which will eventually provide a substantial increase in the City's ratable base.
- Provide economic development benefits to the City of Hoboken, including employment and revenue benefits.
- Ensure that the project does not turn its back on the existing neighborhood by requiring lobbies, retail, and professional office space along the River Street frontage.

Other recommendations in the draft Master Plan in support of the subject amendment include the following:

Economic Development Plan: create opportunities for more gathering places; provide meeting and special event space to improve Hoboken's overall economic and quality of life climate.

This will be accomplished by the quality conference and catering facilities (currently missing in the city) that will be provided in conjunction with a ground level restaurant and outdoor cafe space facing the river.

Historic Preservation Plan: encourage contemporary building designs for new construction that complement Hoboken's historic buildings without mimicking them.

This will be accomplished with world class architecture consistent with the design guidelines to achieve that very objective.

Building & Site Design: promote compatibility in scale, density and design between new and existing development.

A hotel cannot be compared to residential and office buildings in terms of density but the proposed height of the hotel is directly comparable to two residential buildings across River Street.
Other recommendations include:

   Increase economic activity in the Terminal area, particularly with hotels.

The luxury hotel facility that will be enabled by the subject amendment will increase economic activity by its very presence near Hoboken's multi-modal transportation terminal and downtown area newly developed with major office buildings with both luxury rooms and related ancillary facilities.

   Enhance physical and visual connections to the waterfront with view corridors and limitations on height.

The Redevelopment Plan itself uses the street level to create view corridors. The Third Street view corridor will be enlarged by the previous amendment relating to the hotel development and will be supported and enhanced by the subject change. The increase in building height will be accompanied by a reduction of the footprint of the structure above the base and moving it closer to the river. Such a change removes bulk from the pedestrian corridor along River Street adjacent to other residential buildings. Although higher than previously permitted, the portion of the hotel above the base will be farther away from the residential buildings on River Street.

   Avoid over-development.

The additional height and additional service/mechanical space allowed in a first-class, full-service, luxury hotel does not increase the number of rooms, thus there is no appreciable increase in the intensity of the site's use.

Overall, the changes proposed make possible a luxury hotel with full service ancillary facilities currently lacking in the city. The changes also make possible the development of a signature building which will enhance the city's river skyline locally and within the region.

Schedule A: Building and Open Space Design Standards

1. General Purposes: - no change

2. Standards: - changes as indicated below

   1) The Hoboken Block - no change
   2) Hoboken Character - no change
   3) Continuity and Variety: - no change

4) The River Skyline:

   The buildings on the Waterfront will be seen from afar, as well as from the adjacent sidewalks. The heights and forms of these buildings, while bigger than the typical rowhouse and older apartments (which are three to five stories), must nevertheless be compatible with the rest of the City:
The basic height limit of 125' and the optional limit of 160' for the hotel [275' for the first-class, full-service, luxury hotel] and 175' for the office, is measured to the roof slab at the top of a building's facades. Appurtenances on the roof are permitted to exceed the height limit subject to the following:

Buildings may exceed this 125' height limit, but only after satisfying all of the following conditions:

a) Buildings which exceed the recommended 125' height limit must step back at that elevation a minimum of 10', on all sides which adjoin a street, except in Block B. In Block B, all buildings which exceed the recommended 125' height limit must step back at that elevation a minimum of 5' from the face of the building base for 30% of the width of each building façade above the 125' elevation, on all streets except Sinatra Drive, where the building must so step back a minimum of 2'.

[i] any building which exceeds the recommended 125' height limit by 50' or less must step back at that elevation a minimum of 5' from the face of the building base for 30% of the width of each building façade above the 125' elevation on all streets except Sinatra Drive, where the building must so step back a minimum of 2'.

(ii) any building which exceeds the 125' limit by 50' or more must step back a minimum of 5' from the face of the building for 30% of the width of each façade or have a significant architectural change on each façade above an elevation of 175 feet].-

b) No change
c) No change
d) No change
e) No change

f) Buildings taller than 125' are permitted to be located only a reasonable maximum walking distance from the Lackawanna Terminal; this limit falls at Third Street, and applies to Parcels 1 through 8. The maximum height for buildings on parcels 5 and 6 is 175', and the maximum height for buildings on parcels 7 and 8 is [275' (in the case of a 'first-class, full-service, luxury]
5) Open Spaces, Streets, and Sidewalks - no change

Schedule B: Design Guidelines

Private Development Zones
- Block A (Parcels 1, 2, 3 & 4) - no change

- Block B (Parcels 5, 6, 7 & 8) - changes as indicated below
  - Principal permitted uses: commercial offices, hotel [(which may include rooms, suites and hotel residences available for both short-term and long-term occupancy as well as such ancillary spaces as conference rooms, banquet rooms, spas and fitness centers; ancillary spaces may be made available to the public)
  - Area, yard and building requirements - changes as indicated below
    - Building height, max. For exceptions, see other provisions of Schedules A and B.
      - Hotels, located on parcels 7 through 8:
        - As-of-right: 125 ft. above sidewalk elevation
        - Height bonus provision: up to a maximum of 160 ft. (with no additional [gross] floor area) pursuant to the alternate provisions specified below; [in the case of a first-class, full-service, luxury hotel, up to a maximum of 275 ft. (with no additional gross floor area) pursuant to the alternate provisions specified below]:
          - Parcel 8 (or 50% of the combined linear frontage of Parcels 7 and 8 along Third Street): in addition to the 30 foot setback required from the Third Street property line, the developer shall provide an additional 30-foot setback on the eastern 50% of the lot frontage measured along Third Street, [which shall have an area of not less than 3000 square feet and shall measure not less than 30' from the property line at the midpoint of the block and not less than 60' from the property line at the intersection of Third Street and Sinatra Drive. This setback shall contain a combination of decorative pavers, landscaping and vehicular and pedestrian circulation and shall be treated as a publicly accessible open space.] This setback shall be landscaped and treated as a publicly accessible open space.
          - Parcel 7: at the upper portion of the building above the 40’ to 60’ base, the developer shall provide a setback of 20’ minimum in addition to the initial 25’ setback required from the common interior property line [provided however, di minimis encroachments not exceeding an aggregate of two percent (2%) of such setback area for the design of the building shall be permitted].

- Yards/setbacks
-- Ground level: along River Street a 5-foot setback is to be maintained and treated as a sidewalk widening. [Building features may encroach into the 5-foot setback above a height of 12 feet.] At Second and Third Streets, a 30 foot setback will be maintained from the property line. [Along Third Street a porte-cochere encroachment will be permitted into the setback area. The resulting open space is to be landscaped and treated as a publicly accessible open space. At the common property line separating parcels 5 and 6 from 7 and 8, a 12 to 25-foot wide by 5-foot deep recess shall be provided for the entire height of the building base.

-- At the top of the building base and no higher than 60ft.: the building shall be set back a minimum of two and one half feet from the face of the building base, for at least 65% of the width of each building façade above the base along Second, Third and River Streets. On Sinatra Drive the setback shall be a minimum of one foot [for at least 45% of the width of the building base].

-- [For parcels 5 & 6]: At the 125 ft. elevation, for buildings built higher than 125 ft., a setback of five feet from the face of the building base is required for at least 30% of the width of each building façade above the 125’ elevation, along all Second, Third and River Streets. On Sinatra Drive, the setback shall be a minimum of one foot.

-- [For parcels 7&8: there shall be a significant architectural change on each facade above an approximate elevation of 175ft. The architectural change may include an encroachment beyond the property line on Sinatra Drive.]

• Off-street parking and loading

• Access
  -- One service access driveway of maximum 24 foot width for both entry and exit is permitted from the east-west streets for passenger vehicles parking only. One 35 foot wide service entry/exit driveway, located at the internal property line and shared by both parcels 5 and 7 is permitted from River Street. This driveway will lead to an internal covered service area. Entry point shall be designed as a “gateway” with a (decorative) gate at least six feet high. No industrial type roll-down doors are permitted.
  -- [In addition to the above mentioned access driveways located on the east-west streets,] [one] 12 foot wide exit driveway for hotel passenger vehicles is permitted on [either] Sinatra Drive [or Third Street]

• Block C (Parcels 9,10,11 & 12) - no change

Note: There are no further amendments to Zoning Ordinance Sections §196-7, 196-8, 196-20, 196-27 or 196-27.1. [See changes in §196-20.]
§196-20.W. Waterfront District.

A. Purpose. - no change

B. The Waterfront District shall include the W (RDV), W (H) AND W (N) Subdistricts. Development in the W (RDV) subdistrict is subject to the special use, bulk and parking regulations of the [South] Waterfront at Hoboken [adopted November 17, 1989, as amended] December 4, 2002; the W (H) Historic Subdistrict is subject to review procedures of the Historic Commission; and development in the W (N) Waterfront North Subdistrict is subject to height limitations as specified herein.

C. Principal permitted uses. - no change

D. Conditional uses. - no change

E. Area, yard and building requirements. - no change

F. Off-street parking and loading. - no change

---Council President 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 APRIL 21, 2004 at 7:00 PM.

Before the vote on introduction of this ordinance, there was a presentation by the following: Fred Bado, Community Development Director; David Barry, Applied Companies, 2 Constitution Court; Michael Barry, Applied Companies, 1201 Hudson Street; John Schapiro, John S. Schapiro Associates, 434 6th Avenue, NYC; Elizabeth Vandor, City Planner/Consultant for Hoboken.

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 5 - NAYS: 3 - ABSTENTIONS: 1
---Yeas: Council persons Campos, Cricco, Del Boccio, Giacchi and President Ramos.
---Nays: Castellano, Marsh, Soares.
---Abstentions: Russo.

All regular business concluded the following members of the public spoke at the “Public Portion” of the meeting: Lauren Mecka, 2 Marine View Plaza;

Councilman Giacchi left the meeting at 9:12 p.m.
Councilman Soares left the meeting at 9:12 p.m.

speakers continued: Ron Hine, 258 Newark Street;
Councilman Soares returned to the meeting at 9:15 p.m.

speakers continued: James Vance, 107 Monroe Street;

Councilman Cricco left the meeting at 9:20 p.m.
Councilman Giacchi returned to the meeting at 9:22 p.m.

speakers continued: Aaron Lewit, 627 Garden Street; Bob DuVal, 303 Park Avenue; Eugene Flinn, 51 Fulton Street, Weehawken; Becky Hoffman, 154 Ogden Street, Jersey City;

Council President Ramos left the meeting at 9:42 p.m.

speakers continued: Vito Brunetti, 232 Ogden Street, Jersey City; Helen Manague, 1108 Park Avenue;

Councilman Cricco returned to the meeting at 9:48 p.m.
Council President Ramos returned to the meeting at 9:49 p.m.
Councilman Del Boccio left the meeting at 9:51 p.m.

speakers continued: Dan Tumpson, 230 Park Avenue;

Councilman Del Boccio returned to the meeting at 9:55 p.m.
Councilman Campos left the meeting at 9:57 p.m.

speakers continued: John Gregorio, 107 Jackson Street; Monya McCarty, 244 Ogden Street, Jersey City; Carlos Flaveiredo, 415 Newark Street;

Councilman Campos returned to the meeting at 10:05 p.m.

speakers continued: Ron Rosenberg, 127 Bloomfield; Bill Tobias, 2 Constitution Court; Michael Hurley, 501 9th Street; Maryellen Farsua, 727 Monroe Street; Laura Brown, 53 4th Street; Allyse Walker, 1500 Washington Street; Leah Healey, 806 Park Avenue; Robert Zotti, 1100 Grand Street; Mathew Emmatty, 415 Newark Street; Beth Mason, 921 Hudson Street.

President Ramos then adjourned the meeting at 10:47 p.m.
PRESIDENT OF THE COUNCIL

CITY CLERK
President Ramos 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 Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.

ABSENT: None.

PUBLIC HEARING and FINAL VOTE ON ORDINANCES

Second Reading / Public Hearing and Final Vote

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 192 OF THE CODE OF THE CITY OF HOBOKEN ENTITLED PARKING FOR HANDICAPPED. (Deletions: 102 Bloomfield Street) (DR-140)

President Ramos 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 Ramos 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 Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

Council President Ramos then instructed the City Clerk to call the Final Vote for the above Ordinance.

---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

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. (Loading Zone: Hudson Street, between 2nd and 3rd Sts.) (DR-141)

President Ramos 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 Ramos 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 Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

Council President Ramos then instructed the City Clerk to call the Final Vote for the above Ordinance.

---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.


President Ramos 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 addressed the City Council: David Barry, 2 Constitution Court; Charles Gwathmey, 475 10th Avenue, NYC; Bob Siegel, 475 10th Avenue, NYC; Greg Carn, 475 10th Avenue, NYC; Alec Petersen, 949 Bloomfield Street; Jerry Needel, 333 River Street; Kimberely Payne, 125 Washington Street; Richard Widecomb, 1 Castle Point Terrace; John Malysa, 333 River Street; Craig Goldstein, 1009 Willow Avenue; Sarah Burke-Mann, 1 14th Street; Amelia Roth, 205 Hudson Street; Tina Estes, 808 Park Avenue; Laurie Baer, 721 Garden Street; Annette Illing, 1 Marine View Plaza;

Councilman Soares left the meeting at 7:39 p.m.
Councilman Cricco left the meeting at 7:40 p.m.

speakers continued: Dan Tumpson, 230 Park Avenue; John Whalen, 637 Bloomfield Street;

Councilman Cricco returned to the meeting at 7:45 p.m.
Councilman Soares returned to the meeting at 7:46 p.m.

speakers continued: Hank Forrest, 518 Jefferson Street; John Avoleth, 1201 Hudson Street; Thomas Lenney, 214 Willow Avenue; Ron Hine, 258 Newark Avenue; Ed Zamos, 1220 Hudson Street; Bruce Wacha, 75 Jefferson Street; Vito Brunetti, 232 Ogden Avenue, Jersey City; Bob DuVal, 303 Park Avenue; Dave Esposito, 1207 Willow Avenue; Diane Stevens, 2 Constitution Court; Vincent Lombardi, 100 Manhattan Avenue, Union City; Gilbert Flores, 235 Hudson Street; Aaron Lewit, 627 Garden Street; Paul Neshamkin, 1015 Washington Street; Jordan Brodsky, 1333 Hudson Street; Debby Kaplus, 1 14th Street; Joel Concepcion, 1302 Washington Street; Jessica Santiago, 209 Willow Avenue, Bill Tobias, 2 Constitution Court; Elizabeth Markevitch, 706 Grand Street; Michael Lenz, 408 Monroe Street; Eric Volpe, 109 Madison Street. No other person present desiring to be heard and no written protests or objections received, President Ramos asked for a motion to close the hearing.

Council President Ramos moved that the hearing be closed.
Motion duly seconded by Councilman Campos.

---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

After a discussion, a motion was made to TABLE the ordinance as follows:

Councilwoman Marsh moved that the ordinance be TABLED.
Motion duly seconded by Councilwoman Castellano.

---FAILED by the following vote: YEAS: 4 - NAYS: 5
---Yeas: Council persons Castellano, Marsh, Russo, Soares.
---Nays: Campos, Cricco, Del Boccio, Giacchi and President Ramos.

Council President Ramos then instructed the City Clerk to call the Final Vote for the above Ordinance.

---Adopted by the following vote: YEAS: 5 - NAYS: 4
---Yeas: Council persons Campos, Cricco, Del Boccio, Giacchi and President Ramos.
---Nays: Castellano, Marsh, Russo, Soares.
The City Council took a brief recess at 9:00 p.m. 
President Ramos reopened the meeting at 9:15 p.m.


The above ordinance was TABLED on a vote as follows:

Councilman Cricco moved that the ordinance be TABLED. 
Motion duly seconded by Councilman Soares.
---Adopted by the following vote: YEAS: 5 - NAYS: 4
---Yeas: Council persons Castellano, Cricco, Marsh, Russo, Soares.
---Nays: Campos, Del Boccio, Giacchi and President Ramos.

PETITIONS AND COMMUNICATIONS

04-1389
Communications from the Hoboken Planning Board regarding ordinances DR-138 and DR-139.

--Received and filed.

04-1390
APPLICATIONS FOR MISCELLANEOUS LICENSES

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---Council President 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 Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.
REPORTS OF CITY OFFICERS

04-1391

A report from Municipal Tax Collector Louis Picardo for taxes collected; for the month ending March 31, 2004 - $780,244.47

---Received and filed.

CLAIM RESOLUTIONS

04-1392

By Council President 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 $796,871.48 against the UNCLASSIFIED CLAIMS.

Seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

By Council President 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 $78,914.95 against the DEPARTMENT OF ADMINISTRATION.

Seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---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 $89,830.97 against the DEPARTMENT OF ENVIRONMENTAL SERVICES.

Seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---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 $53,153.95 against the DEPARTMENT OF HUMAN SERVICES.

Seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---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 $7,326.67 against the DEPARTMENT OF COMMUNITY DEVELOPMENT.

Seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---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 $116,720.00 against the DEPARTMENT OF COMMUNITY DEVELOPMENT, GRANTS MANAGEMENT, SECTION 8.

Seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

By Councilman Campos:
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 $29,738.58 against the DEPARTMENT OF PUBLIC SAFETY.

Seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

By Council President 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 $65,032.13 against the CAPITAL ACCOUNT.

Seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

By Council President 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 $21,437.69 against the PARKING UTILITY.

Seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

PAYROLL RESOLUTIONS

04-1393
By Council President 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 MARCH 25, 2004 TO APRIL 7, 2004 FOR THE PAYROLL ARE HEREBY RATIFIED IN THE FOLLOWING AMOUNTS:
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Police Grant                     DE 16-S7-01
Fire Dept. Penalty              T-13-10-000-001
Fire Education Acct             T-13-10-000-000   1033.95  1033.95

Grand Total                     1,337,505.83  19,585.23  109,755.74  1,466,846.80

Motion by Council President Ramos.
Seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

RESOLUTIONS

Presented and Read

04-1394
---By Council President Ramos:

WHEREAS, Louis Picardo, Collector of Revenue 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 $62,377.04 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>Scott Buerkle</td>
<td>47\12\C0502</td>
<td>323-25 Jackson Street</td>
<td>$1,926.40</td>
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<tr>
<td>523-25 Jackson St. #502</td>
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</tr>
<tr>
<td>Hoboken, NJ 07030</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Sandra Moon</td>
<td>20\28\C005F</td>
<td>82 Clinton Street</td>
<td>$5,552.08</td>
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<tr>
<td>82 Clinton Street, Apt. 5F</td>
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<td></td>
</tr>
<tr>
<td>Hoboken, NJ 07030</td>
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<tr>
<td>Mortgage Service Center</td>
<td>18\12\C0007</td>
<td>77-79 Jefferson St.</td>
<td>$1,949.80</td>
</tr>
<tr>
<td>P.O. Box 23750</td>
<td></td>
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</tr>
<tr>
<td>Rochester, NY 14692</td>
<td></td>
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<tr>
<td>Attn: Casey S. Beeley</td>
<td></td>
<td></td>
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<tr>
<td>Recovery Specialist</td>
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<td>Countrywide Tax Services</td>
<td>160\3\C04-A</td>
<td>807-09 Clinton St.</td>
<td>$2,135.02</td>
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Meeting of April 21, 2004
<table>
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<tr>
<th>Address</th>
<th>Amount</th>
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</thead>
<tbody>
<tr>
<td>P.O. Box 10211-SV3-24, Van Nuys, CA 91410-0211, Attn: Patti Cross</td>
<td>Loan # 32631950, Wells Fargo Home Mortg. 75/25, Attn: Financial Regional Support Union Region 1, 1 Home Campus, MACx2502-011, Des Moines, IA 50328-0001</td>
</tr>
<tr>
<td>Attn: Miranda Rahm- Loan # 708/002640784, Wells Fargo Home Mortg. 172/6, 1 Home Campus, Des Moines, IA 50328-0001, Attn: Judy Sickels</td>
<td>1009 Willow Ave, $3,100.66</td>
</tr>
<tr>
<td>Attn: Nicole Holde, 223-10.1\C004C, Hoboken, NJ 07030, Nicole Holde</td>
<td>223-10.1\C004C, 41 First Street, $1,049.15</td>
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<tr>
<td>Attn: Robert Tse, 1\17\C004C, Hoboken, NJ 07030, Robert Tse</td>
<td>1\17\C004C, 72-04 Park Ave, $1,125.04</td>
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<tr>
<td>Attn: Michele &amp; Edward Daly, 51-10\C0003, Hoboken, NJ 07030, Michele &amp; Edward Daly</td>
<td>51-10\C0003, 321 Adams Street, $1,944.71</td>
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<td>Wells Fargo Home Mortg. 42\7\C0004, 1 Home Campus, Des Moines, IA 50328-001, Wells Fargo Home Mortg. 177\19\C0004, 1 Home Campus, Des Moines, IA 50328-001, Claim # 152682</td>
<td>215-17 Grand St, $4,018.26</td>
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<td>Wells Fargo Home Mortg. 81\1\C004B, 1 Home Campus, Des Moines, IA 50328-001, Claim # 193229</td>
<td>550-64 Newark St, $1,179.59</td>
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<td>Wells Fargo Home Mortg. 177\19\C0004, 1 Home Campus, Des Moines, IA 50328-001, Claim # 150989</td>
<td>138 Garden St, $1,722.60</td>
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<td>First American Real Estate Tax Service Suite 100, 95 Methodist Hill Rd, Rochester, NY 14623</td>
<td>18\22\C004A, 433-65 First St., $2,678.24</td>
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<td>Title Source Inc. 85\5\C0001, 709 Adams St.</td>
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<tr>
<td>Name</td>
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<tr>
<td>Lynn Danzker</td>
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<tr>
<td>Richard Smith</td>
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<tr>
<td>Eric Jensen</td>
<td>30-13.2-003-A</td>
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<tr>
<td>First American Real</td>
<td>17-48</td>
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<tr>
<td>Mandelbaum, Salsburg,</td>
<td>58-2-004-L</td>
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<td>Jeff Scull</td>
<td>403 Monroe St. Apt. 4L</td>
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<td>Wachovia Mortgage Corp.</td>
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<tr>
<td>Wells Fargo Home Mortg.</td>
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<td>Paul Conan</td>
<td>66-27-0048</td>
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<tr>
<td>L.S. Ramakrishna</td>
<td>82-11</td>
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<tr>
<td>Brian H. Kappock, Esq.</td>
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---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

04-1395
---By Councilman Del Boccio:

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 Thursday, September 9, 2004 through and inclusive Sunday, September 12, 2004 on Sinatra Drive and Sinatra park; and

WHEREAS, Societa Madonna Dei Martiri has indicated its agenda and requirement to successfully conduct the feast;

(1) To solicit contribution from general public, to be used solely to pay part of the expenses and religious contributions.
(2) To have a procession with the statute 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 between Thursday, September 9, 2004 and Sunday, September 12, 2004. The hours of live music will be limited to the following schedule: Thursday, September 9th from 5:00 pm to 10:00 pm, Friday, September 10th from 5:00 pm to 11:00 pm, Saturday, September 11 from 12:00 noon to 11:00 pm and Sunday, September 12th, from 12:00 noon to 10:00 pm. Recorded music will be permitted at moderate levels and speakers positioned not to disturb area residents and will be discontinued at 11:00 pm. The bandstand will be directed in northern direction in an effort to minimize the noise levels in the southern waterfront residential areas.
(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 12, 2004.
(7) To have a procession through sections of Hoboken which is led by the feast committee, the guest of honor, the band, the statue of the saint and the members of the society and devotees on Saturday, September 11, 2004 to begin at 1:30 pm.
(8) On Sunday, September 12, 2004 at about 9:00 pm to shoot a special pyrotechnic fireworks show on the riverfront at Pier A Park, subject to the approval of the U.S. Coast Guard and local Fire Permits.
9) To have the streets cleared of all vehicles and traffic, and
10) To maintain two lanes of traffic with a minimum of 12 feet for each lane of travel when streets are to be open to traffic.

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 insurance 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 Council President Ramos and Councilman Giacchi.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

All regular business concluded the following members of the public spoke at the “Public Portion” of the meeting: Annette Illing, 1 Marine View Plaza; Bill Tobias, 2 Constitution Court; Michael Lenz, 408 Monroe Street.

President Ramos then adjourned the meeting at 9:35 p.m.

PRESIDENT OF THE COUNCIL
President Ramos 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 Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo and President Ramos.

ABSENT: Soares.

PETITIONS AND COMMUNICATIONS

A communication from Susan Bass Levin, Commissioner, State of New Jersey, Department of Community Affairs; appointing Anthony Cardino as Commissioner to the Hoboken Housing Authority; term: May 4, 2004 through November 24, 2008.

--Received and filed.

Councilman Soares arrived at 7:01 p.m.

APPLICATIONS FOR MISCELLANEOUS LICENSES
---Council President 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 Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.  
---Nays: None.

REPORTS OF CITY OFFICERS

04-1398  
A report of Municipal Clerk James J. Farina indicating bids received on April 22, 2004 for:  
Construction of Floating Docks on Pier “A”; bid #04-17 (one bid received).  

---Received and filed.

04-1398A  
A report of the Municipal Court indicating receipts for the month of April 2004 as $329,947.15.  

---Received and filed.

CLAIM RESOLUTIONS

04-1399  
By Council President 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 $421,020.76 against the UNCLASSIFIED CLAIMS.

Seconded by Councilman Del Boccio.  
---Adopted by the following vote: YEAS: 9 - NAYS: 0  
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.  
---Nays: None.
By Council President 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 $7,583.35 against the DEPARTMENT OF ADMINISTRATION.

Seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

By Councilman Cricco:

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 $275,769.95 against the DEPARTMENT OF ENVIRONMENTAL SERVICES.

Seconded by Councilman Campos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

By Councilman Cricco:

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 $37,711.25 against the DEPARTMENT OF HUMAN SERVICES.

Seconded by Councilman Campos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

By Councilman Cricco:

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 $3,279.02 against the DEPARTMENT OF COMMUNITY DEVELOPMENT.
Seconded by Councilman Campos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

By Councilman Campos:

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 $25,510.56 against the DEPARTMENT OF PUBLIC SAFETY.

Seconded by Councilman Cricco.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

By Councilman Campos:

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 $33,406.38 against the CAPITAL ACCOUNT.

Seconded by Councilman Cricco.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---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 $128,488.28 against the PARKING UTILITY.

Seconded by Council President Ramos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

PAYROLL RESOLUTIONS

Meeting of May 5, 2004
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 8, 2004 TO APRIL 21, 2004 FOR THE PAYROLL ARE HEREBY RATIFIED IN THE FOLLOWING AMOUNTS:

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<th>Overtime</th>
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<td>Bus Adm. Office</td>
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Civilian Hiring   4-01-25-241-016   4,452.42   125.76   180.00   4,758.18
Minority Affairs   1,656.54   1,656.54
PoliceOutsideEmploy.   T-14-10-000-000   48,300.00   48,300.00
Police Grant   DE 16-S7-01
Fire Dept. Penalty   T-13-10-000-001
Fire Education Acct   T-13-10-000-000   116.82   116.82

Grand Total   1,338,204.53   31,562.81   52,432.64   1,422,199.98

Motion by Council President Ramos.
Seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

RESOLUTIONS

Presented and Read

04-1401
---By Council President Ramos:

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 and/or the Hoboken Parking Utility 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, 14 May 2004, at 11:00A.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 Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo,
Soares and President Ramos.
---Nays: None.

**04-1402**
---By Councilman Cricco:

WHEREAS, the City of Hoboken has received a grant from the New Jersey Historic Trust for the preservation and restoration of the exterior of City Hall, and

WHEREAS, the New Jersey Department of Community Affairs and the New Jersey Historic Trust have jointly adopted regulations and guidelines outlining the proper procedures for the pre-qualification of potential bidders pursuant to N.J.S.A. 40A:11-25 of the Local Public Contracts Law; now, therefore, be it –

RESOLVED, that the following Pre-Qualification Regulations pertaining to the Hoboken City Hall preservation project funded through a New Jersey Historic Trust grant are adopted; and be it further

RESOLVED, that the Mayor of the City of Hoboken and/or his designee is hereby authorized to provide the required information and to execute documents all necessary to proceed with the Pre-Qualification Regulations process for the exterior preservation and restoration of Hoboken City Hall.

---Motion duly seconded by Councilman Campos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo,
Soares and President Ramos.
---Nays: None.

**04-1403**
---By Councilman Cricco:

WHEREAS, the City of Hoboken Department of Community Affairs desires to submit
a proposal for grant funds in the amount of $450,000 for the continued preservation and restoration of City Hall through the New Jersey Department of Environmental Protection 2004 Garden State Historic Preservation Trust Fund which is administered by the New Jersey Historic Trust; and

WHEREAS, in order to obtain such a grant, it is necessary for the City of Hoboken to submit a request for funds and if approved, enter into a grant agreement with the New Jersey Historic Trust, now, therefore, be it

RESOLVED, that the City shall submit an application for such a grant in accordance with the terms, conditions and requirements established and further, shall accept, and agree to comply with the understandings and assurances contained in said application and provide
the required local share of matching funds which are already available, and be it further

RESOLVED, the Mayor of the City of Hoboken and/or his designee is hereby
authorized to provide the required information and to execute all documents necessary for
the submission and completion of such application; and be it further

RESOLVED, that if the City's request for grant funds is approved, the Mayor of the
City of Hoboken and/or his designee is hereby authorized to execute a grant agreement on
behalf of the City of Hoboken with the New Jersey Historic Trust for said grant funds.

---Motion duly seconded by Councilman Campos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo,
Soares and President Ramos.
---Nays: None.

04-1404
---By Councilman Cricco:

WHEREAS, the City of Hoboken has sponsored a summer food service program for
the youth of the City through the use of funds from the 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 2004 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 or his designee are hereby authorized on
behalf of the City of Hoboken to:

1. Execute and submit such application to the Department of Agriculture;
2. Furnish such documents as may be required;
3. Act as authorized correspondent of the City of Hoboken;
4. Execute necessary contracts, if funding is awarded.

---Motion duly seconded by Councilman Campos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo,
Soares and President Ramos.
---Nays: None.

04-1405
---By Councilman Cricco:
WHEREAS, the City of Hoboken, as in past years, wishes to supply free lunches in the summer of 2004 through the use of funds from the New Jersey Department of Agriculture; and

WHEREAS, the New Jersey Department of Agriculture has directed all sponsors participating in said program to solicit food service vendor bids from State approved vendors (Bid No: 04-18) and to accept such bids and hold a bid opening on June 1, 2004, at 11:00 a.m.; now therefore be it –

RESOLVED, by City Council of the City of Hoboken that:

1. The above recitals are incorporated herein as though fully set forth at length.
2. The form of bid specifications (attached), as supplied by the State of New Jersey, Department of Agriculture, are hereby approved and adopted by the Council of the City of Hoboken.
3. The City Clerk is hereby directed to advertise (attached) for proposals for the Summer Food Service Program in accordance with the provisions and requirements of said specifications, such proposals to be received by the City Clerk on June 1, 2004, 11:00 a.m., prevailing time at Hoboken City Hall as fixed in the advertisement therefore;
4. Specifications may be obtained after May 6, 2004, at the Purchasing Department, 2nd floor, City Hall, Hoboken, New Jersey between the hours of 9:00 a.m. and 4:00 p.m. daily, Monday through Friday, except holidays. A copy is on file for public inspection in the office of the City Clerk, City Hall, Hoboken, New Jersey between the hours of 9:00 a.m. and 4:00 p.m. Monday through Friday.

---Motion duly seconded by Councilman Campos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

04-1406
---By Councilman Cricco:

WHEREAS, the City of Hoboken has been invited to submit a funding application to the County of Hudson Department of Health and Human Services, Office on Aging for Caregiver funds for Care Management and Emergency Services funding for the Comprehensive Program for the Elderly; and

WHEREAS, the Office on Aging has enabled Care Management and Emergency Services funds to be an additional source of funding for Hoboken’s elderly, specifically for Care Management and Emergency Services for the period commencing January 1, 2004 and ending December 31,2004; now therefore be it

RESOLVED, that the City will submit such application; and be it further
RESOLVED, that the Mayor of the City of Hoboken or his designee be hereby
authorized on behalf of the City of Hoboken to:

1. Execute and submit an application such application to the County of Hudson
Department of Health and Human Services, Office of Aging;
2. Furnish such documents as may be required.
3. Act as authorized correspondent of the City of Hoboken.
4. Execute necessary contracts, if funding is awarded and 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.:11-1 et.seq.

---Motion duly seconded by Councilman Campos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo,
Soares and President Ramos.
---Nays: None.

04-1407
---By Councilman Del Boccio:

WHEREAS, permission is required of the Director of the Division of Local
Government Services for approval as dedication by rider of revenues received by a
municipality when the revenue is not subject to reasonable accurate estimates in advance, and

WHEREAS, N.J.S.A. 40A:4-39 allows municipalities to receive amount for costs
incurred for various purposes; and

WHEREAS, N.J.S.A. 40A:4-39 provides that the Director of Division of Local
Government Services may approve expenditures of monies by dedication by rider,

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the City of
Hoboken, County of Hudson, State of New Jersey as follows:

1. The Mayor and Council hereby request permission of the Director of the
Division of Local Government Services to pay expenditures by rider as per
N.J.S.A. 40A:4-39 for:
   - Division of Cultural Affairs
   - Police Dept. Memorial Fund
   - Shade Tree Commission
   - Recreation Fees

2. The municipal clerk of the City of Hoboken is hereby directed to forward two
certified copies of this resolution to the Director of the Division of Local
Government Services.
I certify this to be a true copy of a Resolution Adopted by the Mayor and Council on May 5, 2004.

---Motion duly seconded by Council President Ramos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yews: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

04-1408
---By Councilman Del Boccio:

WHEREAS, on January 7, 2004 The Hoboken City Council authorized entry into a global settlement with, among others, Gamsys LLC (“Gamsys”) and Engineered Software Products, Inc. (“ESP”); and

WHEREAS, the SETTLEMENT required that the Surety, Lumberman’s Mutual Casualty Co., (“Surety”) make payment to ESP and GAMSYS each in the sum of $12,500, to complete 160 hours of additional computer updates to bring the automated parking garage to full capacity; and

WHEREAS, ESP and Gamsys have not performed pursuant to the above referenced Agreement, and the Parking Utility seeks to recover funds paid to ESP and Gamsys attorneys escrow account and to engage the services of Robotics, Inc. to perform the same computer programming services, for the sum of $25,000.

NOW, THEREFORE, BE IT RESOLVED, that the Hoboken City Council concurs with the Hoboken Parking Utility in its desire to bring the automated parking garage to full capacity; and

BE IT FURTHER RESOLVED, that the Hoboken City Council authorizes the entry into an agreement with Robotics Inc., to perform those computer upgrades necessary to bring the Automated Parking Garage to full capacity, for a fee not to exceed $25,000; and

BE IT FURTHER RESOLVED, that the service to be provided is an exception to the requirements of the local public contracts law as it is an extraordinary, unspecifiable service as defined by N.J.S.A. 40A:11-5(1)(a)(ii)and N.J.S.A. 40A:11-5(1)(dd); and

BE IT FURTHER RESOLVED, that Corporation Counsel is Authorized to prepare the necessary contract documents to complete entry into an agreement with Robotic Inc., to a complete the work that ESP and Gamsys did not complete; and

BE IT FURTHER RESOLVED, that is Resolution authorizes the Mayor or his designee to execute the contract that meets with Corporation Counsel's approval; and

BE IT FURTHER RESOLVED, that this resolution shall be effective immediately.

---Motion duly seconded by Council President Ramos.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSTENTIONS: 1
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Soares and President Ramos.
---Nays: None.
---Abstentions: Russo.

**04-1409**
---By Councilman Del Boccio:

WHEREAS, Hoboken Lot ADG, LLC, a Delaware limited liability company, whose address is 1500 Hudson Street, Hoboken, New Jersey 07030 (“the Grantor”) is the owner in fee simple of a certain tract of real property situated in the City of Hoboken, County of Hudson, State of New Jersey (“Grantor’s Property”); and

WHEREAS, as a condition of (i) variance approval granted by the City of Hoboken Planning Board (the “Board”) on September 25, 2003, and set forth in the Board’s Resolution of Approval adopted November 6, 2003, and (ii) site plan approval granted by the Board on March 2, 2004 and set forth in the Board’s Resolution of Approval adopted April 8, 2004, for certain proposed improvements to Grantor’s Property, the Board has required that Grantor dedicate to the City of Hoboken, a body politic of the State of New Jersey, whose address is Newark and Washington Streets, Hoboken, New Jersey 07030 (the “Grantee”) a certain portion of Grantor’s Property for public road, right-of-way, and related improvement purposes; and

WHEREAS, Grantor is willing to dedicate and convey to Grantee, and Grantee is willing to accept from Grantor, such portion of Grantor’s Property for public road, right-of-way, and related improvement purposes, which portion of Grantor’s Property is commonly known as a portion of Bloomfield, Washington, Hudson and 15th Streets, in Hoboken, New Jersey, and is more particularly described on Exhibit A attached and made a part hereof (the “Dedicated Property”); and

NOW THEREFORE, in consideration of these premises, the covenants and promises set forth herein and the sum of One Dollar ($1.00), the receipt and sufficiency of which are hereby acknowledged, Grantor and Grantee hereby agree:

1. Grantor hereby grants, dedicates and conveys to Grantee, and Grantee hereby accepts from Grantor, the Dedicated Property for public road, right-of-way, and related improvement purposes.

2. The Dedicated Property shall, in perpetuity, be used only for public roads, right-of-way, and related improvement purposes.

3. Grantor promises that, except for easements, restrictions and agreements of record (the Exceptions”), Grantor has done no act to encumber the Dedicated Property. This promise is called a “covenant as to grantor’s acts” (N.J.S.A. 46:4-6). This promise means that, except for the Exceptions, Grantor has not allowed anyone else to obtain any legal rights, which affect the Dedicated Property (such as by making a mortgage or allowing a judgment to be entered against Grantor).
---Motion duly seconded by Council President Ramos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

04-1410
---By Councilman Del Boccio:

**BE IT RESOLVED**, with two –thirds (2/3) of the members affirmatively concurring, that the following SFY 2004 budget Current Fund appropriation transfers are hereby authorized for the City of Hoboken in accordance with N.J.S.A. 40:A4-58:

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<td>Accounts &amp; Control O.E.</td>
<td>4-01-20-131-021</td>
<td>3,000.00</td>
</tr>
<tr>
<td>Treas &amp; Debt O.E.</td>
<td>4-01-20-133-021</td>
<td>1,000.00</td>
</tr>
<tr>
<td>Postage O.E.</td>
<td>4-01-23-211-021</td>
<td>1,000.00</td>
</tr>
<tr>
<td>Dues/Member O.E.</td>
<td>4-01-23-212-020</td>
<td>202.00</td>
</tr>
<tr>
<td>Copiers O.E.</td>
<td>4-01-23-213-020</td>
<td>10,000.00</td>
</tr>
<tr>
<td>Labor Arb. O.E.</td>
<td>4-01-23-214-020</td>
<td>5,000.00</td>
</tr>
<tr>
<td>Office Supplies O.E.</td>
<td>4-01-23-218-020</td>
<td>3,000.00</td>
</tr>
<tr>
<td>Claim vs. City O.E.</td>
<td>4-01-23-219-020</td>
<td>13,999.00</td>
</tr>
<tr>
<td>Right to Know O.E.</td>
<td>4-01-23-221-020</td>
<td>500.00</td>
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<tr>
<td>Tow &amp;Storage O.E.</td>
<td>4-01-23-223-020</td>
<td>6,000.00</td>
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<tr>
<td>Financial Svcs. O.E.</td>
<td>4-01-23-226-020</td>
<td>10,000.00</td>
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<tr>
<td>Acq. Of Vehicles O.E.</td>
<td>4-01-25-242-020</td>
<td>1,025.00</td>
</tr>
<tr>
<td>Emerg. Mgmt O.E.</td>
<td>4-01-25-252-021</td>
<td>5,000.00</td>
</tr>
<tr>
<td>Fire Dept. O.E.</td>
<td>4-01-25-266-021</td>
<td>60,000.00</td>
</tr>
<tr>
<td>Signal &amp; Traffic S&amp;W</td>
<td>4-01-25-267-011</td>
<td>9,250.00</td>
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<td>Signal &amp; Traffic O.E.</td>
<td>4-01-25-267-021</td>
<td>8,700.00</td>
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<tr>
<td>Environm Svs Dir O.E.</td>
<td>4-01-26-290-021</td>
<td>2,000.00</td>
</tr>
<tr>
<td>Central Garage O/E</td>
<td>4-01-27-330-011</td>
<td>30,000.00</td>
</tr>
<tr>
<td>Human Svcs. S&amp;W</td>
<td>4-01-27-330-011</td>
<td>13,500.00</td>
</tr>
<tr>
<td>Hispanic Affairs O.E.</td>
<td>4-01-27-331-021</td>
<td>3,000.00</td>
</tr>
<tr>
<td>Constit. Svcs. O.E.</td>
<td>4-01-27-333-021</td>
<td>1,000.00</td>
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<tr>
<td>Senior Citizen O.E.</td>
<td>4-01-27-336-021</td>
<td>2,000.00</td>
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<tr>
<td>Rent Control O.E.</td>
<td>4-01-27-347-021</td>
<td>10,000.00</td>
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<tr>
<td>Recreation O.E.</td>
<td>4-01-28-370-021</td>
<td>5,000.00</td>
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<tr>
<td>Parks S/W</td>
<td>4-01-28-375-011</td>
<td>100,000.00</td>
</tr>
</tbody>
</table>
One member of the public spoke regarding the resolution: Jon Gordon, 333 River Street.

---Motion duly seconded by Council President Ramos.

After discussion amongst the City Council a motion was made to **TABLE** the resolution as follows:

---By Councilman Russo **MOTION TO TABLE**:
---Motion duly seconded by Councilwoman Marsh.
---FAILED by the following vote: YEAS: 4 - NAYS: 5
---Yeas: Council persons Castellano, Marsh, Russo, Soares.
---Nays: Campos, Cricco, Del Boccio, Giacchi and President Ramos.

After further discussion it was decided to **WITHDRAW** the resolution at this time.

**NO ACTION TAKEN**

**04-1411**
---By Council President Ramos:

WHEREAS,, at the Hoboken City Council meeting of April 21, 2004, Ms. Annette Illing requested that fees for filing an appeal to the Zoning Board be waived for an issue she seeks to pursue; and

WHEREAS,, the fees to be waived are $300.00 (Three Hundred Dollars ) filing fee and a $500.00 (Five Hundred Dollars) escrow fee; and

WHEREAS, the subject matter of appeal concerns certain matters regarding the project at 101 Marshall Drive and may be relatedto existing litigation; and
WHEREAS, the Honorable David Roberts, Mayor, concurs with Ms. Illing’s request and requests that the Hoboken City Council give due consideration to the request from Ms. Illing for the fee waiver delineated above; and

WHEREAS, the requested fee waiver is to be limited to the singular request of Ms. Illing, and is not intended to create any precedent.

NOW, THEREFORE, BE IT RESOLVED, that:

1. The above recitals are incorporated herein as though fully set forth at length.

2. The Council of the City of Hoboken hereby concurs with the Mayor’s recommendation, and directs the Zoning Board to take any/or all actions necessary to complete and realize the intent and purpose of this resolution.

3. This resolution shall take effect immediately.

Before the vote one member of the public addressed the City Council: Annette Illing, 1 Marineview Plaza.

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

ORDINANCES

Introduction and First Reading

04-1412
DR-142


WHEREAS, the City of Hoboken has secured a NJDOT Grant in the amount of $100,000 for Traffic Signal Installation at River Street and Hudson Place; and

WHEREAS, the NJDOT Grant presently requires award of the contract by March 31, 2004, which can be extended by City resolution requesting the same; and

WHEREAS, the City of Hoboken has retained Mayo, Lynch and Associates, Inc. to design and prepare the necessary contract documents for public bid of the Traffic Signal Installation at River Street and Hudson Place; and

WHEREAS, Mayo, Lynch has prepared the necessary contract documents for public bid, secured review of the contract documents by the NJDOT Bureau of Local Aid, Hudson
County Engineering Department and is awaiting NJDOT Traffic Engineering review, anticipated shortly; and

WHEREAS, the City of Hoboken plans to publicly bid and award the project upon NJDOT Traffic Engineering review; and

WHEREAS, the City of Hoboken wishes to extend the grant and undertake the necessary improvements; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hoboken that:

1. The above recitals are incorporated herein as though fully set forth at length.
2. The Council hereby authorizes the Mayor or his designee to execute any and all documents and take any and all actions necessary to complete and receive the intent and purpose of this resolution.
3. The Mayor or his designee is authorized to formally request a one year extension of its NJDOT Grant for Traffic Signal Installation at River Street and Hudson Place through March 31, 2005.
4. Furnish as authorized correspondent of the City of Hoboken.
5. Execute necessary contracts, if funding is awarded.

--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 MAY 19, 2004 at 7:00 PM.

---Motion duly seconded by Council President Ramos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

All regular business concluded the following members of the public spoke at the “Public Portion” of the meeting: Ann Graham, 1021 Grand Street; Elizabeth Mason, 921 Hudson Street; Bob DuVal, 303 Park Avenue; Brian Urbino, 604 Park Avenue; Heather Taylor, 450 Main Street, Metuchen, NJ; Maurice De Gennero, 614 Hudson Street.

President Ramos then adjourned the meeting at 7:45 p.m.
Prior to the beginning of the regular council meeting, at 6:50 PM, the council entered into an executive (closed) session.

04-1413
---By Councilman Del Boccio:

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 with respect to: "Lenz v the City of Hoboken, et. als"

BE IT RESOLVED, that the City Council shall at this time 6:50 pm, May 19, 2004, 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 Russo.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

The City Council came out of executive (closed) session at 7:10 p.m.

President Ramos opened the meeting at 7:18 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, Castellano, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.

ABSENT: Cricco.

PUBLIC HEARING and FINAL VOTE ON ORDINANCES

Second Reading / Public Hearing and Final Vote


President Ramos 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 Ramos asked for a motion to close the hearing.

Councilman Cricco arrived at the meeting at 7:20 p.m.

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 Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

Council President Ramos then instructed the City Clerk to call the Final Vote for the above Ordinance.

---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

PETITIONS AND COMMUNICATIONS

04-1414

May 14, 2004

Members of the City Council
City Hall
94 Washington St
Hoboken, NJ 07030

Dear Ladies & Gentlemen:

Pursuant to my authority under Chapter 62, Section 2 of the Hoboken Code, I hereby reappoint Ms. Kelly Colasanti, 1209 Garden Street, Hoboken, New Jersey to the Shade Tree Commission for a two (2) year term expiring on December 31, 2005.

Very truly yours,

DAVID ROBERTS
Mayor
City of Hoboken

cc/James Farina
Joseph Sherman
Leah Healy, Chairperson, Tree Commission
Kelly Colasanti

--Received and filed.

04-1415

May 14, 2004

Honorable Ruben Ramos, Jr.
President
Hoboken City Council
94 Washington Street
Hoboken, NJ 07030
Dear Mr. Council President:

I hereby appoint Joseph Peluso to a term on the Hoboken Planning Board as Class II Member, expiring June 30, 2004, replacing Cassandra Wilday.

Sincerely,

DAVID ROBERTS
Mayor
City of Hoboken

--Received and filed.

04-1416
A proclamation of the Hoboken City Council declaring May 22, 2004 as Anthony Mignoli and Nicholas Walker Day in the City of Hoboken; recognizing their achievement in attaining the rank of Eagle Scout.

--Received and filed.

APPLICATIONS FOR MISCELLANEOUS LICENSES

04-1417

<table>
<thead>
<tr>
<th>Type of License</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public Hack Drivers</td>
<td>1</td>
</tr>
<tr>
<td>Limo/Livery Drivers</td>
<td>6</td>
</tr>
<tr>
<td>Parking Facilities</td>
<td>2</td>
</tr>
<tr>
<td>Music Machines</td>
<td>1</td>
</tr>
<tr>
<td>Mechanical Amusement Devices</td>
<td>9</td>
</tr>
<tr>
<td>Carnival</td>
<td>1</td>
</tr>
</tbody>
</table>

---Council President 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 Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

CLAIM RESOLUTIONS

04-1418
By Council President 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 $301,991.30 against the UNCLASSIFIED CLAIMS.

Seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 8 - NAYS: 1
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo and President Ramos.
---Nays: Soares.

By Council President 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 $127,658.79 against the DEPARTMENT OF ADMINISTRATION.

Seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 8 - NAYS: 1
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo and President Ramos.
---Nays: Soares.

By Councilman Cricco:

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 $44,666.75 against the DEPARTMENT OF ENVIRONMENTAL SERVICES.

Seconded by Councilman Campos.
---Adopted by the following vote: YEAS: 8 - NAYS: 1
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo and President Ramos.
---Nays: Soares.

By Councilman Cricco:

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 $23,399.10 against the DEPARTMENT OF HUMAN SERVICES.

Seconded by Councilman Campos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

By Councilman Cricco:
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 $89,682.55 against the DEPARTMENT OF COMMUNITY DEVELOPMENT.

Seconded by Councilman Campos.
---Adopted by the following vote: YEAS: 8 - NAYS: 1
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo and President Ramos.
---Nays: Soares.

By Councilman Cricco:

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 $119,276.00 against the DEPARTMENT OF COMMUNITY DEVELOPMENT, GRANTS MANAGEMENT, SECTION 8.

Seconded by Councilman Campos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

By Councilman Campos:

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 $23,000.36 against the DEPARTMENT OF PUBLIC SAFETY.

Seconded by Councilman Cricco.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

By Council President 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 $126,089.50 against the CAPITAL ACCOUNT.

Seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 8 - NAYS: 1
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo and President Ramos.
---Nays: 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 $193,666.67 against the PARKING UTILITY.

Seconded by Council President Ramos.
---Adopted by the following vote: YEAS: 8 - NAYS: 1
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo and President Ramos.
---Nays: Soares.

PAYROLL RESOLUTIONS

04-1419
By Council President 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 APRIL 22, 2004 TO MAY 5, 2004 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>
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<td>6,984.28</td>
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<td>7,926.53</td>
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<tr>
<td>ABC Board</td>
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<td>269.24</td>
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<td>Purchasing</td>
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<tr>
<td>Department</td>
<td>Code</td>
<td>Beginning Balance</td>
<td>Ending Balance</td>
<td>Change</td>
<td></td>
</tr>
<tr>
<td>-------------------------</td>
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<td>-------------------</td>
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<tr>
<td>Finance Office</td>
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<td>Accounts / Controls</td>
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<td>Corporation Counsel</td>
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<tr>
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</tr>
<tr>
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</tr>
<tr>
<td>Central Garage</td>
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<td>Sanitation</td>
<td>4-01-26-305</td>
<td>49,921.49</td>
<td>9,872.50</td>
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<td>Cultural Affairs</td>
<td>4-01-27-176</td>
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<td>Human Service Direct.</td>
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<td>Service Category</td>
<td>Code</td>
<td>Amount 1</td>
<td>Amount 2</td>
<td>Amount 3</td>
<td>Total</td>
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<td>Senior Citizens Div</td>
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<td>Rent Stabilization</td>
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<td>7,179.64</td>
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<td>24,650.36</td>
<td>1,361.85</td>
<td>1,710.00</td>
<td>27,722.21</td>
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<td>Parks</td>
<td>4-01-28-375</td>
<td>20,468.82</td>
<td>575.58</td>
<td>540.00</td>
<td>21,584.40</td>
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<td>Public Prop.</td>
<td>4-01-28-377</td>
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<td>Public Defender</td>
<td>4-01-43-495</td>
<td>2,123.57</td>
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<td>Municipal Court</td>
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<td>28,801.92</td>
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<td>Parking Utility</td>
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<td>Cops In School</td>
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<td>Civilian Hiring</td>
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<td>1,656.54</td>
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<td>Police Outside Employ.</td>
<td>T-14-10-000-000</td>
<td>42,815.00</td>
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<td>Police Grant</td>
<td>DE 16-S7-01</td>
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<td>Fire Dept. Penalty</td>
<td>T-13-10-000-001</td>
<td>2,400.00</td>
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<td>Fire Education Acct</td>
<td>T-13-10-000-000</td>
<td>350.46</td>
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**Grand Total**

| | 1,336,610.02 | 16,578.69 | 71,865.48 | 1,425,054.19 |

Motion by Council President Ramos.
Seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

**RESOLUTIONS**
Presented and Read

04-1420
---By Councilman Del Boccio:

WHEREAS, an overpayment of taxes has been made on the property of the list below: and

WHEREAS, tax appeal was filed by the property owners; and

WHEREAS, State Tax Court recommends a settlement in this matter, now, therefore, be it

RESOLVED, that a warrant be drawn on the City Treasurer made payable to the taxpayer appearing on the attached list totaling $68,871.22

<table>
<thead>
<tr>
<th>NAME</th>
<th>BL/LOT/UNIT</th>
<th>PROPERTY</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Charles Poggi et als. &amp; Richard Nashel, Esq.</td>
<td>130\1</td>
<td>1501-31 Adams Street</td>
<td>$24,381.50</td>
</tr>
<tr>
<td>415 60th Street West New York, NJ 07093</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mario Fini &amp; Richard Venino</td>
<td>169/19</td>
<td>742 Park Street</td>
<td>$5,318.49</td>
</tr>
<tr>
<td>8000 Kennedy Blvd. North Bergen, NJ 07901-2332</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>72 Hudson Street Realty LLC</td>
<td>210.1\23</td>
<td>72 Hudson Street</td>
<td>$6,503.00</td>
</tr>
<tr>
<td>&amp; Richard Venino, Esq.</td>
<td>8000 Kennedy Blvd. North Bergen, NJ 07047</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Glen Marcin &amp; Daniel G. Keough Esq.</td>
<td>262.3\1\C0409</td>
<td>2 Constitution Ct.</td>
<td>$2,625.95</td>
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<tr>
<td>783 Springfield Ave Summit, NJ 07091-2332</td>
<td></td>
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<td></td>
</tr>
<tr>
<td>Michael Ballou, et.als. &amp; Nashel &amp; Nashel Esq.</td>
<td>29\3C002E</td>
<td>508-10 First St.</td>
<td>$1,416.75</td>
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<tr>
<td>415-60th St West New York, NJ 07093</td>
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<tr>
<td>Jennifer Nies &amp; Daniel G. Keough, Esq.</td>
<td>29\3\C003W</td>
<td>508-10 First St.</td>
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</table>
---Motion duly seconded by Council President Ramos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

**04-1421**
---By Councilman Del Boccio:

WHEREAS, an overpayment of taxes has been made on property listed below; and

WHEREAS, Louis Picardo, Collector of Revenue 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 $66,984.53 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>Huntington Mortgage.</td>
<td>203/8\C00C</td>
<td>411 Washington St</td>
<td>$4,942.14</td>
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<tr>
<td>8435 Stemmons Frwy</td>
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<tr>
<td>Dallas, Texas 75247</td>
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<td></td>
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<tr>
<td>Attn: Barbara Holbert</td>
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<tr>
<td>First American Real Estate</td>
<td>79\15\C003A</td>
<td>610-12 Clinton St</td>
<td>$2,861.62</td>
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<tr>
<td>Tax Service Suite 100</td>
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<td></td>
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</tr>
</tbody>
</table>
95 Methodist Hill Rd
Rochester, NY 14623
Attn: Rhonda Rodriguez

First American Real Estate Tax Service Suite 100
95 Methodist Hill Rd
Rochester, NY 14623
Attn: Jon Rees

Raymond McAllister 161\30 906 Willow Ave
Hoboken, NJ 07030

Elizabeth Hare 7\4\C006E 610 Monroe St.
Hoboken, NJ 07030

Erica Vesta. 15/32\C007 60 Monroe St.
Hoboken, NJ 07030

Citi Mortgage Inc. 1\17\C003B 72-74 Park Avenue
Frederick, MD 21703
Attn: Angela Simpson

Coldwell Banker Mort. 1\17\C003B 72-74 Park Ave
Rochester, NY 14692
Attn: Casey S. Beeley

Shin-Yi Tseng 82\11\C0303 721-33 Monroe Street
Hoboken, NJ 07030

Meeting of May 19, 2004  12
---Motion duly seconded by Council President Ramos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

**04-1422**
---By Council President Ramos:

WHEREAS, a summons issued MICHAEL BENTATOS for Docket No. W95002639 has been adjudicated; and

WHEREAS, bail is now available for release to the surety named below;

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 sum opposite the name as reimbursement for bail monies:
**NAME/ADDRESS**  **SUMMONS NO.**  **AMOUNT**

Stephanie Brown  
1109 Park Avenue  
Hoboken, NJ 07030  
---Motion duly seconded by Councilman Del Boccio.  
---Adopted by the following vote: YEAS: 9 - NAYS: 0  
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.  
---Nays: None.

**04-1423**

---By Council President Ramos:

WHEREAS, pursuant to the resolution of the Council of the City of Hoboken, a car auction was held 14 May 2004 in the Court Room in City Hall, and,

WHEREAS, only one bid was received for the bulk sale of eleven (11) cars at a bid of: $550.00

WHEREAS, said bidder, Mile Square Towing, 1540 Jefferson Street, Hoboken, New Jersey, 07030 tendered a check in full payment, for the bulk sale, in the amount of Five Hundred Fifty Dollars. Said payment was 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 approves said transaction.

---Motion duly seconded by Councilman Del Boccio.  
---Adopted by the following vote: YEAS: 9 - NAYS: 0  
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.  
---Nays: None.

**04-1424**

---By Councilman Del Boccio:

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 2004:

   JP Morgan Chase  
   Northfork Bank  
   Provident Savings  
   Hudson City Savings  
   Wachovia Bank  
   Pamrapo Savings
NOW, THEREFORE, BE IT RESOLVED, that said legally designated depositories by 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
Louis Picardo, CMFO

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 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:

David Roberts, Mayor
Louis Picardo, CMFO

BE IT RESOLVED, that all previous authorizations 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 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 Ramos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

04-1425
---By Councilman Campos:

WHEREAS, the City of Hoboken Police Department ("Department") receives funds from ABC application fees; and

WHEREAS, the Department also receives $1.00 per hour for every outside employment contract of its police officers pursuant to Article XXXV, Section 3, of the Collective Bargaining Agreement between the City and PBA local #2; and

WHEREAS, the City and the Department desire to establish a procedure for the use of these funds.

NOW, THEREFORE, BE IT RESOLVED, that the City of Hoboken and the Police Department establish the following policy procedure regarding the use of the aforementioned discretionary funds.
POLICY REGARDING POLICE USE OF DISCRETIONARY FUNDS

Policy Statement

It is the policy of the City of Hoboken that the Police Chief, with approval of the Law Department, shall administer funds received by the Police Department from Alcoholic Beverage Control applications and outside employment contracts. These funds must be used for law enforcement purposes, and are not subject to other discretionary review.

1. Establishment of the Fund

a. The Police Department shall establish a Law Enforcement Trust Fund dedicated for law enforcement purposes and funded by the City’s share of outside employment contracts dedicated to the Law Enforcement Trust Fund and Alcoholic Beverage control fees. The account established shall be known as the Hoboken Law Enforcement Trust Account (“HLETA”) and shall be an interest bearing account. HLETA shall be maintained in the same manner as all accounts maintained by the City, except as provided herein. Any interest or other income generated by the deposited funds shall remain in the HLETA. Because the HLETA is a trust account, the fund shall not revert to the municipal treasury at the end of the fiscal year, but shall carryover from year to year. HLETA funds are to be used solely for law enforcement purposes which shall be documented in writing by the Police Chief and approving prior to use by the Law Department.

2. Disbursements from the Fund shall be as follows:

a. The Police Chief shall authorize disbursements from the HLETA only after obtaining approval from the Law Department. Before funds are expended, the Police Chief shall notify the Law Department of the intended expenditure. This notification shall include, at a minimum, the data, amount to be disbursed, purpose/reason for the disbursement, person/company/agency receiving the funds, an indication of the proposed law enforcement use and the signature of the Police Chief and the Business Administrator and must be approved by the Law Department. Following expenditure of the funds, the Police Chief shall maintain records documenting the expenditures. These records shall be subject to review by the Law Department.

BE IT FURTHER RESOLVED that this resolution shall be effective immediately.

---Motion duly seconded by Council Castellano.
--- Adopted by the following vote: YEAS: 9 - NAYS: 0
--- Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
--- Nays: None.

---By Councilman Campos:

04-1426
WHEREAS, there were 42,815 motor vehicle fatalities in the United States in 2002, and 773 motor vehicle fatalities in New Jersey in 2002; and

WHEREAS, more than half of the motor vehicle occupants killed in traffic crashes were not wearing safety belt; and

WHEREAS, use of a safety belt remains the most effective way to avoid death or serious injury in a motor vehicle crash; and

WHEREAS, the Division of Highway Traffic Safety estimates that 2,242 lives have been saved by safety belt use in the state since 1995; and

WHEREAS, the State of New Jersey will participate in the nationwide Click It or Ticket safety belt mobilization from May 24-June 6, 2004 in an effort to raise awareness and increase safety belt usage through a combination of enforcement and education; and

WHEREAS, the Division of Highway Traffic Safety has set a goal of increasing the safety belt usage in the state from the current level of 81.2% to 84%; and

WHEREAS, a further increase in safety belt usage in New Jersey will save lives on our roadways;

NOW, THEREFORE, BE IT RESOLVED, that I, MAYOR DAVID ROBERTS, on behalf of the City of Hoboken, declare my support for the Click It or Ticket safety belt mobilization both locally and nationally from May 24-June 6, 2004 and pledge to increase awareness of the mobilization and the benefits of safety belt use.

---Motion duly seconded by Council President Ramos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

04-1427
---By Councilman Cricco:

WHEREAS, North Hudson Community Action Corporation has been awarded a grant and seeks to forge a partnership with the City of Hoboken that will offer free/affordable primary health care to the residents of the City of Hoboken.

WHEREAS, in order to do so, North Hudson Community Action Corporation will be renting 1800 square feet of office space, located on the second floor of the Multi Service Center 124 Grand Street from the City of Hoboken, for a term of three years commencing on June 1, 2004. North Hudson Community Action Corporation agrees to pay the City of Hoboken $1800 per month (which is a rate of $12.00 a square foot) as rent to be paid in advance on the first day of each month. Rent shall include all utilities.
WHEREAS, such an Inter-Local Agreement is appropriate pursuant to N.J.S.A.40:8-A1 et seq; and

WHEREAS, the form of the Lease Agreement is attached hereto, and incorporated by reference and

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Hoboken, County of Hudson, and State of New Jersey that:

1. The above recitals are incorporated herein as though fully set forth at length;
2. The Council hereby authorizes the Mayor or his designee to execute any and all documents and take any and all actions necessary to complete and realize the intent and purpose of this resolution;
3. The Mayor or his designee is hereby authorized to execute an Inter-Local Agreement based upon the following information:

   **Term of Agreement:** Subject to 120-day notice to cancel

4. This resolution shall be in effect immediately.

---Motion duly seconded by Councilman Campos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

**04-1428**
---By Councilman Del Boccio:

WHEREAS, there continues to exist a temporary management need at the parking garage at 916 Garden Street; and

WHEREAS, Robotic Parking Inc., (Robotic) has agreed to manage the parking garage at 916 Garden Street from May 1, 2004 until June 30, 2004; and

WHEREAS, the fees payable to Robotic shall be $32,296.00 per month for February, March, and April 2004; and

WHEREAS, this temporary agreement is authorized pursuant to N.J.S.A. 40A:11-5(1)(a)(ii) as an extraordinary, unspecifiable service due to the short term, and degree of expertise Robotics Parking Inc. possesses in the management of the parking facility at 916 Garden Street; and

NOW, THEREFORE, BE IT RESOLVED, that:

1. The above recitals are incorporated herein as though fully set forth at length.
2. The Council of the City of Hoboken hereby authorizes the Mayor or his designee to execute any and all documents and take any actions
necessary to complete and realize the intent and purpose of this resolution.

3. The Mayor or his designee is authorized to execute an Agreement for the above referenced services based upon the following:

Service Provider:  Robotic Parking, Inc.
12812N.60thStreet
Clearwater, Florida  33760

Term of Temporary Contract Extension:
May 1, 2004 until June 30, 2004

Before the vote was taken, the following addressed the City Council: Helen Hirsch, 98 Park Avenue; Maurice De Gennaro, 614 Hudson Street.

---Motion duly seconded by Council President Ramos.
---Adopted by the following vote: YEAS: 5 - NAYS: 4
---Yeas: Council persons Campos, Cricco, Del Boccio, Giacchi and President Ramos.
---Nays: Castellano, Marsh, Russo, Soares.

04-1429
---By Councilman Del Boccio:

WHEREAS, the Municipal Audit for SFY 2003 has recommended the City determine the proper disposition of all funded improvement authorizations that related to the years 1998 and prior through 1997 (Schedule 7-C) that have been completed;

WHEREAS, the City has determine that the funded improvement authorizations as listed below be canceled;

NOW, THEREFORE, BE IT RESOLVED, that the following funded improvement authorizations as listed below are now hereby cancelled:

<table>
<thead>
<tr>
<th>Ordinance Date</th>
<th>Description</th>
<th>Remaining Balance</th>
</tr>
</thead>
<tbody>
<tr>
<td>08/03/73</td>
<td>Rebuild and replace part of water supply systems &amp; distribution Phase I</td>
<td>$7,617</td>
</tr>
<tr>
<td></td>
<td></td>
<td>$4,858</td>
</tr>
<tr>
<td>05/16/76</td>
<td>Rebuild &amp; replace part of water supply systems &amp; distribution Phase II</td>
<td>$8,312</td>
</tr>
<tr>
<td>02/20/77</td>
<td>Rebuild &amp; replace part of water supply systems &amp; distribution Phase III</td>
<td>$3,115</td>
</tr>
<tr>
<td>02/20/77</td>
<td>Acquisition of equipment</td>
<td>195</td>
</tr>
<tr>
<td>08/02/78</td>
<td>Various improvements</td>
<td>83</td>
</tr>
<tr>
<td>01/05/84</td>
<td>General improvements</td>
<td>615</td>
</tr>
<tr>
<td>12/17/86</td>
<td>Fire engine and apparatus</td>
<td>343</td>
</tr>
<tr>
<td>12/17/86</td>
<td>Computer &amp; software</td>
<td>201</td>
</tr>
<tr>
<td>09/06/89</td>
<td>Improvements – City Library</td>
<td>13,335</td>
</tr>
</tbody>
</table>
Before the vote was taken, the following addressed the City Council: Helen Hirsch, 98 Park Avenue; Maurice De Gennaro, 614 Hudson Street.

---Motion duly seconded by Council President Ramos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

**04-1430**

---By Councilman Del Boccio:

WHEREAS, the Municipal Audit for SFY 2003 has recommended the City determine the proper disposition of all unfunded improvement authorizations that related to the years 1992 through 1997 (Schedule 5-C) that have been completed:

WHEREAS, the City has determine that the unfunded improvement authorizations as listed below be canceled:

NOW, THEREFORE, BE IT RESOLVED, that the following unfunded improvement authorizations as listed below are now hereby canceled:

<table>
<thead>
<tr>
<th>Ordinance Date</th>
<th>Description</th>
<th>Remaining Balance</th>
</tr>
</thead>
<tbody>
<tr>
<td>7/15/92</td>
<td>Acquisition of fire apparatus</td>
<td>$296,600</td>
</tr>
<tr>
<td>11/15/93</td>
<td>Reconstruction and renovation of certain piers</td>
<td>$971,407</td>
</tr>
<tr>
<td>12/20/95</td>
<td>Refunding bond ordinance providing for payment of amounts owing to others for taxes paid</td>
<td>$4,377,164</td>
</tr>
</tbody>
</table>

---Motion duly seconded by Council President Ramos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

**04-1431**

---By Councilman Cricco:

WHEREAS, the City of Hoboken desire to apply for and obtain a grant from the New Jersey Department of Community Affairs for approximately $60,000.00 for a Downtown Hoboken Economic Development Plan; and

WHEREAS, the purpose of this project is to prepare a transit-oriented downtown...
Economic development plan for the area surrounding Hoboken Terminal, a multi-modal transportation hub; and

WHEREAS, this project seeks to enlarge and enhance the vibrant mixed-use district around the Terminal; now therefore be it

Resolved that: 1) the City of Hoboken does hereby authorize the application for such a grant, and, 2) recognizes and accepts that the Department may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of any such grant agreement; and also, upon receipt of the fully executed agreement form the Department, does further authorize the expenditure of funds pursuant to the terms of the agreement between the City of Hoboken and the New Jersey Department of Community Affairs; and be it further

Resolved, that the persons whose names, titles and signatures appear below are authorized to sign the application, and that they or their successors in said titles are authorized to sign the agreement, and any other documents necessary in connection therewith

Before the vote was taken, the following addressed the City Council: Elizabeth Mason, 921 Hudson Street; Helen Hirsch, 98 Park Avenue.

---Motion duly seconded by Councilman Campos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

04-1432
---By Councilman Del Boccio:

BE IT RESOLVED, with two-thirds (2/3) of the members affirmatively concurring, that the following SFY 2004 budget Current Fund appropriation transfers are hereby authorized for the City of Hoboken in accordance with N.J.S.A. 40:A4-58:

<table>
<thead>
<tr>
<th>CURRENT FUND</th>
<th>FROM</th>
<th>TO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mayor’s Office O.E.</td>
<td>4-01-20-110-021</td>
<td>3,000.00</td>
</tr>
<tr>
<td>Business Administrator’s Office</td>
<td>4-01-20-112-021</td>
<td>500.00</td>
</tr>
<tr>
<td>Alcoholic Beverage Control O.E.</td>
<td>4-01-20-113-021</td>
<td>20,000.00</td>
</tr>
<tr>
<td>Purchasing Division O.E.</td>
<td>4-01-20-114-021</td>
<td>3,000.00</td>
</tr>
<tr>
<td>Legal Ads. O.E.</td>
<td>4-01-20-121-020</td>
<td>3,000.00</td>
</tr>
<tr>
<td>Election O.E.</td>
<td>4-01-20-122-021</td>
<td>25,000.00</td>
</tr>
<tr>
<td>Codification O.E.</td>
<td>4-01-20-1230-20</td>
<td>3,000.00</td>
</tr>
<tr>
<td>Finance Supervisor O.E.</td>
<td>4-01-20-130-021</td>
<td>3000.00</td>
</tr>
<tr>
<td>Treas &amp; Debt O.E.</td>
<td>4-01-20-133-021</td>
<td>1,000.00</td>
</tr>
<tr>
<td>Postage O.E.</td>
<td>4-01-23-211-021</td>
<td>1,000.00</td>
</tr>
</tbody>
</table>
Dues/Member O.E. 4-01-23-212-020 202.00
Copiers O.E. 4-01-23-213-020 10,000.00
Labor Arb. O.E. 4-01-23-214-020 5,000.00
Office Supplies O.E. 4-01-23-218-020 3,000.00
Claim vs. City O.E. 4-01-23-219-020 13,999.00
Right to Know O.E. 4-01-23-221-020 500.00
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Acqu. Of Vehicles O.E. 4-01-25-242-020 1,025.00
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Fire Dept. O.E. 4-01-25-266-021 60,000.00
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Signal & Traffic O.E. 4-01-25-267-021 8,000.00
Enviromt Svcs Dir O.E. 4-01-26-290-021 2,000.00
Central Garage O/E 4-01-27-330-011 30,000.00
Human Svcs. S&W 4-01-27-330-011 13,500.00
Hispanic Affairs O.E. 4-01-27-331-021 3,000.00
Constit. Svcs. O.E. 4-01-27-333-021 1,000.00
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Recreation O.E. 4-01-28-370-021 5,000.00
Parks S/W 4-01-28-375-011 100,000.00
Engineering O/E 4-01-20-461-000 40,000.00
Water. Dev. O.E. 4-01-31-462-000 2,000.00
City Clerk S&W 4-01-20-120-011 2,400.00
Finance Sup. S&W 4-01-20-130-011 500.00
Payroll S/W 4-01-20-132-011 1,750.00
Taxes Collector S/W 4-01-20-145-011 12,500.00
Tax Collector O.E. 4-01-20-145-021 2,000.00
Assessor's Office S/W 4-01-20-150-021 7,000.00
Community Dev. O.E. 4-01-20-160-021 500.00
Planning Board S/W 4-01-20-180-021 900.00
Construction S/W 4-01-20-195-011 4,750.00
Police Dept. S&W 4-01-25-241-011 245,026.00
Bd. of Health O.E. 4-01-27-332-021 11,200.00
Transportation S/W 4-01-27-348-011 25,000.00
Recreation S/W 4-01-28-370-011 2,450.00
Insurance O.E. 4-01-30-400-020 100,000.00

TOTAL 395,976.00

Before the vote was taken, the following addressed the City Council: Maurice De Gennaro, 614 Hudson Street; Michael Lenz. 408 Monroe Street.

---Motion duly seconded by Council President Ramos.

At this time, a motion was made to **TABLE** the above resolution as follows:

---Motion to **TABLE** by Councilman Cricco:
---Motion duly seconded by Councilman Russo.

Meeting of May 19, 2004 22
---TABLED by the following vote: YEAS: 9 - NAYS: 0

ORDINANCES

Introduction and First Reading

04-1433
DR-143

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 192 OF THE ADMINISTRATIVE CODE OF THE CITY OF HOBOKEN ENTITLED PARKING FOR HANDICAP. THE MAYOR AND COUNCIL OF THE CITY OF HOBOKEN DOES HEREBY ORDAIN AS FOLLOWS: (Approvals, 1215 Willow Avenue, 528 Jackson Street) (DR-143).

THE COUNCIL OF THE MAYOR AN COUNCIL OF THE CITY OF HOBOKEN DOES HEREBY ORDAIN AS FOLLOWS:

Handicap Spaces

Section 192-4 (A) GENERAL HANDICAP SPACES DESIGNATED

Section 1, Pursuant to the authority granted to the City of Hoboken by N.J. S.A. 39:4-205. 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.

Michael T. Cerbo, 1215 Willow Avenue (East side of Willow Avenue beginning at a point of 260 feet north from the northerly curbline of Twelfth Street and extending 12 feet northerly therefrom.)

Antonio Perez, 528 Jackson Street west side of Jackson Street, beginning at a point of 79 feet south of Sixth Street and extending 22 feet southerly therefrom.

192-4(B) The following locations are hereby designated as General Handicap Parking for all persons holding a motor vehicle services placard and/or handicap license plates pursuant to N.J.S.A. 39:4-205:

<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 35 feet north of Tenth &amp; extending 10 feet north therefrom.</td>
</tr>
<tr>
<td>Washington Street</td>
<td>East</td>
<td>Beginning 35 feet south of Fifth Street and extending 20 feet south therefrom.</td>
</tr>
</tbody>
</table>
Section 2, 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 the ordinance codified and incorporated in the official copies of the Hoboken Code. This ordinance shall take effect as provided by law.

---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 2, 2004 at 7:00 PM.

---Motion duly seconded by Council President Ramos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0

---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

04-1434
DR-144
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. (Loading Zone, 308 Park Avenue) (DR-144).

THE COUNCIL OF THE MAYOR AND COUNCIL OF THE CITY OF HOBOKEN DOES HEREBY ORDAIN AS FOLLOWS:

ARTICLE V
LOADING ZONE

190-11 Loading Zone

Section 1: The locations described are hereby designated as a loading zone. No person shall park a vehicle in said location during the times indicated other than for the loading or unloading of goods and materials.

<table>
<thead>
<tr>
<th>Name of Street</th>
<th>Time</th>
<th>Side</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>Park Avenue</td>
<td>3:00 P.M. to</td>
<td>West</td>
<td>Beginning at a point 65' feet North of the northerly curbline of Third Street and extending 35' northerly therefrom.</td>
</tr>
<tr>
<td></td>
<td>9:00 P.M.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Mon. -Friday</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Section 2: 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. Proper signs shall be erected in accordance with the current “Manual on Traffic Control Devices.” This Ordinance shall take effect as provided by law.

Section 3. 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 JUNE 2, 2004 at 7:00 PM.

---Motion duly seconded by Councilman Soares.
---FAILED by the following vote: YEAS: 4 - NAYS: 5
---Yeas: Council persons Castellano, Marsh, Russo, Soares.
---Nays: Campos, Cricco, Del Boccio, Giacchi and President Ramos.

Councilman Soares excused himself at 8:09 p.m.
Councilman Soares returned at 8:11 p.m.
All regular business concluded the following members of the public spoke at the “Public Portion” of the meeting: Elizabeth Mason, 921 Hudson Street;

Councilman Cricco excused himself at 8:27 p.m.
Councilman Cricco returned at 8:31 p.m.

speakers continued: Robert DuVal, 214 Garden Street; James Vance, 107 Monroe Street;

Councilman Campos excused himself at 8:38 p.m.

speakers continued: Helen Hirsch, 98 Park Avenue;

Councilman Campos returned at 8:40 p.m.
Council President Ramos excused himself at 8:42 p.m.
Vice-President Del Boccio chaired the remaining portion of the meeting.

speakers continued: Maurice De Gennaro, 614 Hudson Street; Heather Taylor, 450 Main Street, Metuchen, NJ; Brian Urbano, 604 Park Avenue.

Vice-President Del Boccio then adjourned the meeting at 8:57 p.m.
PRESIDENT OF THE COUNCIL

CITY CLERK
SPECIAL MEETING OF MAY 26, 2004

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, MAY 26, 2004 AT 5:30 PM

At this time, 5:33 p.m., the City Clerk read the following letter dated May 21, 2004 into the record:

04-1435
The Honorable Ruben Ramos, Jr.
President, Hoboken City Council
94 Washington Street
Hoboken, NJ 07030

Dear Council President Ramos:

I hereby call a Special Meeting of the Hoboken City Council for Wednesday, May 26, 2004 at 5:30 pm in the City Council Chambers, 94 Washington Street, Hoboken, New Jersey for the purposes of action on the following resolutions:

1) Authorizing transfers within various appropriations; and
2) Adoption of Special Emergency Appropriations for Group Health Care and Special Counsel fees.

Very truly yours,
David Roberts
Mayor
City of Hoboken

cc: City Council Members
    Robert K. Drasheff, Business Administrator
    Joseph Sherman, Corporation Counsel
    James J. Farina, City Clerk
    Jersey Journal/The Record/Star Ledger

President Ramos opened the meeting at 5:33 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 City Clerk then called the roll:

PRESENT: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares, President Ramos.

ABSENT: None.

President Ramos acknowledged mayor Roberts. The Mayor addressed the City Council and those in attendance. He first asked for a moment of silence in memory for Jersey City Mayor Glenn Cunningham, who passed away on May 25, 2004 of a sudden heart attack.

At this time, the mayor was interrupted by a verbal motion to have the mayor’s and council members’ remarks given as “sworn testimony”, vote as follows:

---By Councilman Russo:
---Motion duly seconded by Councilwoman Castellano.
---FAILED by the following vote: YEAS: 4 - NAYS: 5
---Yeas: Council persons Castellano, Marsh, Russo, Soares.
---Nays: Campos, Cricco, Del Boccio, Giacchi, President Ramos.

The mayor then continued speaking to merits of the resolutions to be addressed on tonight’s meeting and asked for the council members consideration for passage.

At this time, the Council President opened the meeting to the members of the public who wished to speak on the resolutions. The following addressed the City Council: Helen Hirsch 98 Park Avenue; Elizabeth Mason, 921 Hudson Street; Jon Gordon, 333 River Street.

Council members then discussed the resolutions. President Ramos then called for a vote on the resolutions, seconded by Councilman Del Boccio.

**04-1436**
---By Councilman Del Boccio:

**BE IT RESOLVED**, with two-thirds (2/3) of the members affirmatively concurring, that the following SFY 2004 budget Current Fund appropriation transfers are hereby authorized for the City of Hoboken in accordance with N.J.S.A. 40:A4-58:

<table>
<thead>
<tr>
<th>CURRENT FUND Operations – Within “Caps”</th>
<th>FROM</th>
<th>TO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mayor’s Office O.E.</td>
<td>4-01-20-110-021</td>
<td>3,000.00</td>
</tr>
<tr>
<td>Business Administrator’s Office</td>
<td>4-01-20-112-021</td>
<td>500.00</td>
</tr>
<tr>
<td>Department</td>
<td>Code</td>
<td>Amount</td>
</tr>
<tr>
<td>-----------------------------------</td>
<td>------------</td>
<td>----------</td>
</tr>
<tr>
<td>Alcoholic Beverage Control O.E.</td>
<td>4-01-20-113-021</td>
<td>20,000.00</td>
</tr>
<tr>
<td>Purchasing Division O.E.</td>
<td>4-01-20-114-021</td>
<td>3,000.00</td>
</tr>
<tr>
<td>Legal Ads. O.E.</td>
<td>4-01-20-121-020</td>
<td>3,000.00</td>
</tr>
<tr>
<td>Election O.E.</td>
<td>4-01-20-122-021</td>
<td>25,000.00</td>
</tr>
<tr>
<td>Codification O.E.</td>
<td>4-01-20-123-020</td>
<td>3,000.00</td>
</tr>
<tr>
<td>Finance Supervisor O.E.</td>
<td>4-01-20-130-021</td>
<td>3000.00</td>
</tr>
<tr>
<td>Treas &amp; Debt O.E.</td>
<td>4-01-20-133-021</td>
<td>1,000.00</td>
</tr>
<tr>
<td>Postage O.E.</td>
<td>4-01-23-211-021</td>
<td>1,000.00</td>
</tr>
<tr>
<td>Dues/Member O.E.</td>
<td>4-01-23-212-020</td>
<td>202.00</td>
</tr>
<tr>
<td>Copiers O.E.</td>
<td>4-01-23-213-020</td>
<td>10,000.00</td>
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<td>Labor Arb. O.E.</td>
<td>4-01-23-214-020</td>
<td>5,000.00</td>
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<td>Office Supplies O.E.</td>
<td>4-01-23-218-020</td>
<td>3,000.00</td>
</tr>
<tr>
<td>Claim vs. City O.E.</td>
<td>4-01-23-219-020</td>
<td>13,999.00</td>
</tr>
<tr>
<td>Right to Know O.E.</td>
<td>4-01-23-221-020</td>
<td>500.00</td>
</tr>
<tr>
<td>Tow &amp; Storage O.E.</td>
<td>4-01-23-223-020</td>
<td>6,000.00</td>
</tr>
<tr>
<td>Financial Svcs. O.E.</td>
<td>4-01-23-226-020</td>
<td>3,000.00</td>
</tr>
<tr>
<td>Acqu. Of Vehicles O.E.</td>
<td>4-01-25-242-020</td>
<td>1,025.00</td>
</tr>
<tr>
<td>Emerg. Mgmt O.E.</td>
<td>4-01-25-252-021</td>
<td>5,000.00</td>
</tr>
<tr>
<td>Fire Dept. O.E.</td>
<td>4-01-25-266-021</td>
<td>60,000.00</td>
</tr>
<tr>
<td>Signal &amp; Traffic S&amp;W</td>
<td>4-01-25-267-011</td>
<td>9,250.00</td>
</tr>
<tr>
<td>Signal &amp; Traffic O.E.</td>
<td>4-01-25-267-021</td>
<td>8,000.00</td>
</tr>
<tr>
<td>Environm Svcs Dir O.E.</td>
<td>4-01-26-290-021</td>
<td>2,000.00</td>
</tr>
<tr>
<td>Central Garage O/E</td>
<td>4-01-27-330-011</td>
<td>30,000.00</td>
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<td>4-01-27-330-011</td>
<td>13,500.00</td>
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<td>4-01-28-375-011</td>
<td>100,000.00</td>
</tr>
<tr>
<td>Engineering O/E</td>
<td>4-01-20-461-000</td>
<td>40,000.00</td>
</tr>
<tr>
<td>Water. Dev. O.E.</td>
<td>4-01-31-462-000</td>
<td>2,000.00</td>
</tr>
<tr>
<td>City Clerk S&amp;W</td>
<td>4-01-20-120-011</td>
<td>2,400.00</td>
</tr>
<tr>
<td>Finance Sup. S&amp;W</td>
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<td>500.00</td>
</tr>
<tr>
<td>Payroll S/W</td>
<td>4-01-20-132-011</td>
<td>1,750.00</td>
</tr>
<tr>
<td>Taxes Collector S/W</td>
<td>4-01-20-145-011</td>
<td>12,500.00</td>
</tr>
<tr>
<td>Tax Collector O.E.</td>
<td>4-01-20-145-021</td>
<td>2,000.00</td>
</tr>
<tr>
<td>Assessor's Office S/W</td>
<td>4-01-20-150-021</td>
<td>7,000.00</td>
</tr>
<tr>
<td>Community Dev. O.E.</td>
<td>4-01-20-160-021</td>
<td>500.00</td>
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<td>Planning Board S/W</td>
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<td>900.00</td>
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<tr>
<td>Insurance O.E.</td>
<td>4-01-30-400-020</td>
<td>100,000.00</td>
</tr>
</tbody>
</table>

**TOTALS**

$395,976.00  $395,976.00

Motion duly seconded by Council President Ramos.

*FAILED* by the following vote: YEAS: 5 - NAYS: 4

---Yeas: Council persons Campos, Cricco, Del Boccio, Giacchi, President Ramos.

Special Meeting of May 26, 2004  3
04-1437
---By Councilman Del Boccio:

WHEREAS, an emergency has arisen with respect to several items as follows:

<table>
<thead>
<tr>
<th>Items</th>
<th>Reason</th>
</tr>
</thead>
<tbody>
<tr>
<td>I. Group Health Insurance</td>
<td>Significant increases in client experience usage have occurred since adoption of the budget (July 2003 Blue Cross billing - $496,391.76; February 2004 Blue Cross billing - $633,083.93.)</td>
</tr>
<tr>
<td>II. Special Counsel</td>
<td>Lawsuit filed against the City of Hoboken By Michael Lenz on May 7, 2004. (Michael Lenz vs City of Hoboken, David Roberts, Robert Drasheff, Ruben Ramos, Jr., Richard Del Boccio, Chris Campos, Michael Cricco, Angelo Giacchi and Rosanne Andreula.</td>
</tr>
</tbody>
</table>

And, this significant increase in health client experience usage could not have been anticipated in the SFY 2004 budget for the aforesaid purposes, as well as the unanticipated lawsuit filed by Michael Lenz on May 7, 2004, and NJSA 40A:4-46 provides for the creation of an emergency appropriation for the purpose mentioned above, and

WHEREAS, the total amount of this emergency appropriation to be created by this resolution is $1,690,000.00, and three (3) percent of the total operating appropriations (including Utility Operation Appropriations) in the SFY 2004 is $2,145,421.10, and

WHEREAS, the foregoing appropriation together with prior appropriations does not exceed three (3) percent of the total operating appropriations (including utility operation appropriations) in the budget SFY 2004.

NOW, THEREFORE, BE IT RESOLVED, (by not less than 2/3 of all governing body members affirmatively concurring) that in accordance with NJS 40A:4-48:

1. An emergency appropriation is hereby made for 8. General Appropriations, (A) Operations Excluded from “CAPS” as follows:
   I. Group Health Insurance in the amount of $1,640,000.00

2. An emergency appropriation is hereby made for 8. General Appropriations (A) Operations with “CAPS” as follows:
   I. Special Counsel in the amount of $50,000.00
   II.

3. That said emergency appropriations shall be provided for in full in the 20054 SFY Budget, which $1,640,000.00 is requested to be excluded from CAPS, pursuant to NJSA 40A:4-53.3c(1).
4. That an emergency Note not in excess of the above amount be authorized, if necessary, pursuant to NJSA a40A:4-51.

5. That such note, if necessary, be executed by Louis Picardo, acting CFO and by Robert K. Drasheff, Business Administrator.

6. That such note, if necessary, shall be dated May 20, 2004 or therefore, may be renewed from time to time, and such note and any renewal shall be payable on or before June 30, 2005.

7. That two (2) certified copies of this resolution be filed with the Director of the Division of Local Government Services.

Motion duly seconded by Council President Ramos.

--- FAILED* by the following vote: YEAS: 5 - NAYS: 4

---Yeas: Council persons Campos, Cricco, Del Boccio, Giacchi, President Ramos.

---Nays: Castellano, Marsh, Russo, Soares.

* Both resolutions required two-thirds (6 votes) of the voting members (9) for passage.

President Ramos then adjourned the meeting at 6:14 p.m.

_________________________________________________________________________

PRESIDENT OF THE COUNCIL

_________________________________________________________________________

CITY CLERK

Special Meeting of May 26, 2004
President Ramos 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 Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.

ABSENT: None.

PUBLIC HEARING and FINAL VOTE ON ORDINANCES

Second Reading / Public Hearing and Final Vote

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 192 OF THE ADMINISTRATIVE CODE OF THE CITY OF HOBOKEN ENTITLED PARKING FOR HANDICAP. THE MAYOR AND COUNCIL OF THE CITY OF HOBOKEN DOES HEREBY ORDAIN AS FOLLOWS: (Approvals, 1215 Willow Avenue, 528 Jackson Street) (DR-143).

President Ramos 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 Ramos asked for a motion to close the hearing.

Councilman Cricco moved that the hearing be closed.
Motion duly seconded by Councilman Campos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

Council President Ramos then instructed the City Clerk to call the Final Vote for the above Ordinance.

---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

PETITIONS AND COMMUNICATIONS

04-1438

May 26, 2004

Members of the Hoboken City Council
City Hall
94 Washington St
Hoboken, NJ 07030

Dear Ladies & Gentlemen:

Pursuant to my authority under Chapter 62, Section 2 of the Hoboken Code, I hereby appoint Mr. Richard Hadley, 57 Sixth Street, Hoboken, New Jersey to the Shade Tree Commission to fill the three (3) year unexpired term of Adam Hoppe which expires December 31, 2004.

Very truly yours,

DAVID ROBERTS
Mayor
City of Hoboken

--Received and filed.

APPLICATIONS FOR MISCELLANEOUS LICENSES

04-1439

Public Hack Drivers .......................................................... 2
Limo/Livery Drivers............................................................ 2
Vendors............................................................................... 2
Parking Facilities ............................................................... 2
---Council President 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 Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.  
---Nays: None.

**REPORTS OF CITY OFFICERS**

**04-1440**  
A report from Municipal Tax Collector Louis Picardo for taxes collected; for the month ending April 30, 2004 - $13,776,545.82.

---Received and filed.

**CLAIM RESOLUTIONS**

**04-1441**  
By Council President 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 $875,613.45 against the UNCLASSIFIED CLAIMS.

Seconded by Councilman Del Boccio.  
---Adopted by the following vote: YEAS: 8 - NAYS: 1  
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, and President Ramos.  
---Nays: Soares.

By Council President 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 $24,354.30 against the DEPARTMENT OF ADMINISTRATION.

Seconded by Councilman Del Boccio.  
---Adopted by the following vote: YEAS: 8 - NAYS: 1  
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, and President Ramos.  
---Nays: Soares.
By Councilman Cricco:

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 $187,387.17 against the DEPARTMENT OF ENVIRONMENTAL SERVICES.

Seconded by Councilman Campos.
---Adopted by the following vote: YEAS: 8 - NAYS: 1
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, and President Ramos.
---Nays: Soares.

By Councilman Cricco:

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 $40,608.54 against the DEPARTMENT OF HUMAN SERVICES.

Seconded by Councilman Campos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

By Councilman Cricco:

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 $4,685.00 against the DEPARTMENT OF COMMUNITY DEVELOPMENT.

Seconded by Councilman Campos.
---Adopted by the following vote: YEAS: 8 - NAYS: 1
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, and President Ramos.
---Nays: Soares.

By Councilman Campos:

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 $40,134.31 against the DEPARTMENT OF PUBLIC SAFETY.

Seconded by Councilman Cricco.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---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 $15,899.65 against the PARKING UTILITY.

Seconded by Councilman Cricco.
---Adopted by the following vote: YEAS: 8 - NAYS: 1
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, and President Ramos.
---Nays: Soares.

PAYROLL RESOLUTIONS

04-1442
By Council President 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 6, 2004 TO MAY 19, 2004 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>ABC Board</td>
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<td>Balance</td>
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<td>Accounts / Controls</td>
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### Senior Citizens Div
4-01-27-336  12,539.23  12,539.23

### Rent Stabilization
4-01-27-347  5,899.25  5,899.25

### Transportation
4-01-27-348  7,153.21  7,153.21

### Recreation
4-01-28-370  25,206.73  5,188.56  2,120.00  32,515.29

### Parks
4-01-28-375  21,193.82  260.91  1,599.30  23,054.03

### Public Prop.
4-01-28-377  20,556.30  2,247.68  185.00  22,988.98

### Public Library
4-01-29-390  25,408.20  11.55  25,419.75

### Public Defender
4-01-43-495  2,123.57  2,123.57

### Municipal Court
4-01-43-490  28,804.44  199.58  29,004.02

### Parking Utility
4-31-55-501-100  43,776.56  915.19  44,691.75

### Universal Cops
4-01-25-241-012  7,911.55  394.74  8,306.29

### Cops In School
4-01-25-241-015  12,155.78  99.42  0.00  12,555.20

### Civilian Hiring
4-01-25-241-016  4,452.42  4,452.42

### Minority Affairs
4-01-27-331-011  1,656.54  1,656.54

### Other

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<th>Description</th>
<th>Code</th>
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<th>Amount 2</th>
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<td>Fire Dept. Penalty</td>
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<td>Fire Education Acct</td>
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### Grand Total

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<th>Description</th>
<th>Amount 1</th>
<th>Amount 2</th>
<th>Amount 3</th>
<th>Amount 4</th>
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<td>34,966.30</td>
<td>54,585.32</td>
<td>1,423,467.80</td>
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</table>

Motion by Council President Ramos.
Seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

---

**RESOLUTIONS**

Meeting of June 2, 2004
Presented and Read

04-1443
---By Council President Ramos:

BE IT RESOLVED, by the City Council that Phillip Salinardi, Jr., 506 Bloomfield Street Hoboken, New Jersey is hereby appointed as a Commissioner to the Hoboken Alcoholic Beverage Control Board pursuant to City Ordinance Chapter 9, Section 2 to fill an unexpired three (3) year term to expired June 30, 2005.

RESOLVED, that a certified copy of this resolution be forwarded to the State of New Jersey Division of Alcoholic Beverage Control, along with a copy of Mr. Salinardi's acceptance of his appointment.

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

04-1444
---By Councilman Cricco:

WHEREAS, the City of Hoboken Recreation Program (“Hoboken”) seeks to use ball fields owned by the Hoboken Housing Authority (“HHA”) as part of the Hoboken Recreation Program; and

WHEREAS, in order to do so, the HHA and Hoboken must enter into an Inter-Local Agreement to accomplish this goal; and

WHEREAS, such an Inter-Local Agreement is appropriate pursuant to N.J.S.A. 40:8-A1 et. seq;

WHEREAS, the form of the Inter-Local Agreement is attached hereto, and incorporated by reference.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Hoboken County of Hudson and State of New Jersey that

1. The above recitals are incorporated herein as though fully set forth at length;
2. The Council hereby authorizes the Mayor or his designee to execute any and all documents and take any and all actions necessary to complete and realize the interest and purpose of this resolution;
3. The Mayor or his designee is hereby authorized to execute an inter-local Agreement for the above referenced agreement based upon the following information:

Provider: Hoboken Housing Authority
400 Harrison Street
Hoboken, New Jersey 07030

Term of Agreement: Subject to 30-day notice to cancel.

4. This Resolution shall be in effect immediately.

---Motion duly seconded by Councilman Campos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

04-1445
---By Councilman Del Boccio:

WHEREAS, the City of Hoboken is desirous of awarding a contract for professional services for September 11th Memorial at the site of Pier A Park; and

WHEREAS, Buff Kavelman, with principal place of business at 375 South End Avenue, #4K, New York, New York 10280, has submitted a proposal for professional design services needed for aforementioned project with a total not to exceed Nine Thousand ($9,000) dollars; and

WHEREAS, the City of Hoboken has received a grant from the New Jersey Department of Community Affairs for this project; and

WHEREAS, the Chief Financial Officer certifies that the funds are available for this purpose.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the City of Hoboken that Buff Kavelman be awarded such contract for the provision of professional design services for the aforesaid project, with a total sum for professional services not to exceed Nine Thousand ($9,000) dollars.

BE IT FURTHER RESOLVED, by the Mayor and City Clerk are hereby authorized to execute this Agreement. Upon execution of said Agreement, the City of Hoboken does accept the Terms and Conditions specified in the Agreement.

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 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).
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. a40 A:11-1 et. seq

---Motion duly seconded by Councilman Cricco.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

04-1446
---By Councilman Del Boccio:

WHEREAS, St. Ann’s Church has requested permission to conduct its annual Feast in Honor of St. Ann from THURSDAY, July 22ND through MONDAY, JULY 26th, 2004; 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 and 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 streets to traffic as outlined in the attached diagram, on the following days and hours:

   Thursday, July 22nd
   Friday, July 23rd
   Saturday, July 24th
   Sunday, July 25th from 6:00 p.m. through 11:00 p.m.; and
   Monday, July 26th – from 10:00 a.m. through 11:00 p.m.

8. To have rides on Madison Street – between 7th and 8th Streets.
9. To have the streets cleared of all vehicles, per enclosed diagram, from Thursday, July 17th at 8:00 a.m. through Sunday, July 27, at 8:00 p.m. so that they may do the following:
   - Put trailers into place
   - Erect rides
   - Set up booths
   - Clean up after Festival
10. To place festival banners on city poles along Washington Street.
11. To clear street in the alcove in front of the Citadel condominiums at the corner of 7th & Jefferson Streets on Wednesday, July 21st at 6:00 a.m. so that the bandstand may be erected.
RESOLVED, that the Council for the City of Hoboken agrees to allow St. Ann’s Church permission to conduct its annual Feast in honor of St. Ann.

--Motion duly seconded by Councilman Cricco.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

04-1447
---By Councilman Campos:

WHEREAS, the City of Hoboken ("Hoboken") seeks to utilize the personnel of the Police Department (" Police Department") to assist and maintain security on all of the premises of the Authority; and

WHEREAS, in order to do so, the Authority and the Police Department must enter into an Inter-Local Agreement to accomplish this goal; and

WHEREAS, such an Inter-Local Agreement is appropriate pursuant to N.J.S.A. 40:8-A1 et. seq;

WHEREAS, the form of the Inter-Local Agreement is attached hereto, and incorporated by reference.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Hoboken County of Hudson and State of New Jersey that

1. The above recitals are incorporated herein as though fully set forth at length;
2. The Council hereby authorizes the Mayor or his designee to execute any and all documents and take any and all actions necessary to complete and realize the interest and purpose of this resolution;
3. The Mayor or his designee is hereby authorized to execute an inter-local Agreement for the above referenced agreement based upon the following information:

Provider: Hoboken Housing Authority
400 Harrison Street
Hoboken, New Jersey 07030

Term of Agreement: Subject to 30-day notice to cancel.

4. This Resolution shall be in effect immediately.

Before the vote was taken, one member of the public addressed the City Council: Helen Hirsch, 98 Park Avenue.

---Motion duly seconded by Councilman Cricco.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

04-1448
---By Councilman Del Boccio:

WHEREAS, the Parking Utility has reviewed the Non-Resident Commuter Parking rate program with the assistance of Bier Associates, Parking Utility consultant; and

WHEREAS, the recommendation is made for the establishment of a non-resident monthly parking rate in the sum of $300.00 per month; and

WHEREAS, a Commuter Access Card would be valid from Monday through Friday from 5 a.m. to 10 p.m., unless the commuter demonstrates a work schedule outside of these parameters; and

WHEREAS, the current program from an 8 hour stay is $14.00, 10 hours is $16.00, and 12 hours is $22.00, therefore, assuming a 20 day per month work schedule, the non-resident commuter is currently paying an average of $320.00 per month; and

WHEREAS, by establishing a Non-resident Commuter Parking rate of $300.00 per month with the use of the Commuter Access Card, the following objectives can be reached:

1. Enhanced customer service, no need to cashier a daily ticket;
2. Exit time is decreased by elimination of waiting in line to cashier daily tickets;
3. Labor costs are reduced since cashiers can be eliminated;
4. Operating supply costs are reduced because ticket stock requirements are reduced;
5. Reduced cash handling as access cards are paid in a single purchase, usually by check or credit card;
6. Access cards are paid in advance, creating ability to generate additional interest income;
7. No discounted rates, even though some users will benefit by saving $20.00 per month, the average commuter, however, will not utilize the garage 20 days per month, therefore the HPU generates income equal to or in excess of the current daily transient rate.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Hoboken, County of Hudson and State of New Jersey that:

1. The above recitals are incorporated herein as though fully set forth at length;
2. The Council hereby authorizes the Mayor or his designee to execute any and all documents and take any and all actions necessary to complete and realize the intent and purpose of this resolution;
3. This Resolution shall be in effect immediately.

Before the vote was taken, one member of the public addressed the City Council: Helen Hirsch, 98 Park Avenue.
---Motion duly seconded by Councilman Cricco.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

ORDINANCES

Introduction and First Reading

04-1449
DR-145
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. (Through Streets; Madison Street, 7th to 15th Sts.) (DR-145).

THE COUNCIL OF THE MAYOR AND COUNCIL OF THE CITY OF HOBOKEN DOES HEREBY ORDAIN AS FOLLOWS:

ARTICLE IV
Through Streets Designated

190-8 Through Streets Designated.

Section 1. Pursuant to the provisions of N.J.S.A. 39:4-140, the streets or parts of streets described are hereby designated as a Through Streets. Stop signs shall be installed on the near-right side of each street intersecting the Through Street.

<table>
<thead>
<tr>
<th>NAME OF STREET</th>
<th>LIMITS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Madison Street</td>
<td>Seventh Street to Fifteenth Street</td>
</tr>
</tbody>
</table>

Section 2. The ordinance shall be a part of the Administrative Code of the City of Hoboken as though codified and fully set forth therein. The city clerk shall have this ordinance codified and incorporated in the official copies of the Hoboken code.

Section 3. All ordinances or 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 16, 2004 at 7:00 PM.

---Motion duly seconded by Councilman Cricco.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

04-1450
DR-146

ELECTRONIC ACCESSIBILITY OF PUBLIC INFORMATION ORDINANCE (DR-146).

Be it ordained by the Mayor and Council of the City of Hoboken, County of Hudson, State of New Jersey, as follows:

Section 1. Short Title

Electronic Access Ordinance

Section 2. Purpose

Whereas, Hoboken has a strong commitment to open, efficient, promptly responsive, and accessible government; and

Whereas, technology has made possible the swift and inexpensive dissemination of information through electronic means, including the Internet, e-mail and other electronic mediums; and

Whereas, the use of electronic technologies will likely reduce the use of paper, thereby benefiting the environment and the public; and

Whereas, the use of electronic technologies will ultimately reduce the time and the costs of making information more readily accessible to the public;

Whereas, the citizenry of Hoboken is significantly computer and Internet savvy;

Whereas, the City of Hoboken has established a web site;

Whereas, the City of Hoboken uses e-mail;

Now, therefore, be it ordained that the Mayor and Council find and determine that the means and processes used by the City Clerk’s Office and by other City offices to maintain and disseminate public information and documents and to respond to requests for public information and documents shall include the use of electronic technologies, including the Internet, the World Wide Web, e-mail and other electronic mediums.
Section 3. Definitions

a. “E-mail” shall mean messages sent from one person or entity to another via computer.

b. “Internet” shall mean a matrix of networks that connects computers throughout the world.

c. “Public Information and Documents” shall mean records made and maintained and received or kept on file in the course of official business including but not be limited to agendas, minutes (including executive session minutes when they become public), resolutions, proposed ordinances and resolutions, all City codes, the Master Plan, zoning maps, architectural drawings, renderings and plans (except where prohibited by law), consultant reports, municipal budgets (not including worksheets), contracts, licenses, tax records, landlord registration forms, financial disclosure forms, bidders lists, lists of members of municipal boards and commissions including their terms of office, and such other information and/or records generated by the Mayor and the City Council and all municipal departments, boards, commissions, agencies, utilities, authorities and such other entities and instrumentalities of municipal government that are not confidential in nature and whose release is not forbidden by law. Any unlisted telephone numbers, social security numbers, driver license numbers, credit card numbers and other private information determined by law not to be public that is contained in the foregoing shall be deleted or obliterated. “Public Information and Documents” shall include all records not specifically exempted by New Jersey’s Open Public Records Act (N.J.S.A. 47:1A-1 et seq.), as amended and supplemented.


e. “World Wide Web” shall mean the complete set of documents residing on all Internet servers that use the HTTP protocol, accessible to users via a simple point-and-click system.

Section 4. Provisions
a. The City of Hoboken has established a Web site (“Hoboken Web Site”) and has registered it with the domain name of www.hobokennj.org. The City of Hoboken shall create and post on the Web Site an e-mail address for the City Clerk’s Office, in order to respond to requests for public information and documents. The City of Hoboken shall post on the Hoboken Web Site, along with a standard phone contact list, the e-mail addresses for city assigned e-mail addresses for employees. Certain employees have been assigned e-mail addresses in order to promote efficient communication with the public and other agencies and companies whereas their job functions require such communication.

b. All Public Information and Documents commonly requested by the public shall be posted in a timely fashion on the Hoboken Web Site and kept up to date. All notices and agendas required by law to be posted publicly and/or published shall be also posted on the Hoboken Web Site. These postings shall be done in a timely manner in respect to the posting/publishing to it printed counterpart. All postings shall remain on the Hoboken Web Site, enabling citizens to view archived information. The City of Hoboken retains the right to remove archived information, if such archived information is impeding on the storage capability to publish new information.

c. The City Clerk’s Office shall accept all requests for public information and documents submitted via e-mail, in addition to such requests submitted on paper or via facsimile transmission. Such requests may also be filed on forms which shall be available in downloadable form on the Hoboken Web Site.

d. The City’s response to requests for Public Information and Documents shall include the use of e-mail, if so requested. The requesting entity shall provide the necessary e-mail address so that the request can be fulfilled.

e. As information is requested by the public, the City Clerk shall make all efforts to convert into an electronic format any requested documents that pre-date this Ordinance.

f. E-Mail directed to the City of Hoboken or its employees may be retained as part of the public record, and these communications may be available through public information requests. Because of the public information nature of the Hoboken Web
Site, users should have no assumption of privacy, as any information that may be provided by an individual or his/her system can become public information.

Individuals who visit the City of Hoboken website are important to the City. Because visitors to the website are important, the City does not capture personal information about them without their permission. The City endeavors to collect only the minimum amount of information needed to meet the purposes for which the website was created.

Public Disclosure

All information collected on the City of Hoboken website will be treated the same as any written communication and is subject to the confidentiality and public disclosure laws of the State of New Jersey.

Privacy Statement

Visitors to the City of Hoboken Website should be advised that the City may collect information about visitors who view or download information from the City website, such as the date and time the site is visited, the type of web browser or other client software that made the request to the City web server or its off-site server provider, the Internet Protocol (IP) address of the visitor, the amount of data sent by the City server to the visitor, or error code information.

The information collected is to be used to improve the content of the provided City web services and to help understand how people are using the services. Website logs are analyzed to continually improve the value of the materials available on the website. Such website log information is not personally identifiable, and the City will make no attempt to link it with the individuals that browse the City website.

Personally Identifiable Information
“Personally identifiable information” is information about a person that is readily identifiable to that specific individual. It includes, for example, an individual’s name, street address, e-mail address, or phone number.

Personally identifiable information will not be collected unless an individual voluntarily sends an e-mail message, fills out and sends an online form, or fills out personal information and sends in a survey. The choice not to participate in these activities will not impair an individuals’ ability to access certain information or obtain a service online.

Unless specifically protected under state law, any information provided may be inspected by the public or disclosed in a legal proceeding.

**E-mail Senders**

E-mail messages sent to the City of Hoboken Website will be treated the same as any other written communication. They may be subject to public inspection or legal disclosure and may be saved for a period of time before they are destroyed. E-mail or other information requests sent to the municipal website may be maintained in order to respond to the request, forward that request to the appropriate agency, or to provide the web designer with valuable customer feedback to assist in improving the site. E-mail addresses obtained as a result of a request to the municipal site will not be sold or given to private companies for marketing purposes.

**Electronic Form Filers**

Any other information provided by a visitor at the request of the City of Hoboken, such as the completion and electronic filing of a form, will be considered to be voluntarily provided by the visitor and will be treated in the same manner as information provided in written form or in person during a visit to the agency. Information provided may be subject to public inspection and legal disclosure and may be saved for a period of time before it is destroyed.

**Email Subscribers**

The City of Hoboken collects, retains and utilizes the email address of Website visitors only when they volunteer to subscribe to document folders on the municipality’s Website. The information is used to administer subscriber accounts and to provide documents requested.
by Email Subscribers. Records containing personal information about Email Subscribers are confidential and may only be released with the express written permission of the subscriber.

**Cookies - Definition:**

Cookies are small text files that a web server may ask your web browser to store, and to send back to the web server when needed. Cookies may be used to store a transaction identifier or other information a user may provide.

The City of Hoboken does not utilize cookies in order to track visits to its website.

**Disclaimer**

Neither the City of Hoboken, nor any agency, officer, or employee of the City of Hoboken warrants the accuracy, reliability or timeliness of any information published on the City of Hoboken website, nor endorses any products or services linked from this system, and shall not be held liable for any losses caused by reliance on the accuracy, reliability or timeliness of such information. Portions of the information may be incorrect or not current. Any person or entity that relies on any information obtained from this system does so at his or her own risk.

Various websites may be linked through the City of Hoboken website. Visitors to those sites are advised to check the privacy statements of those sites and be cautious about providing personally identifiable information without a clear understanding of how the information will be used.

**Section 5. Severability**

If any sentence, paragraph, clause, or section of this Ordinance, or the application thereof to any person or circumstance shall be judged by a court of competent jurisdiction to be invalid, such judgment shall not impair, affect, or void the remainder of this Ordinance.

**Section 6. Interpretation**

This Ordinance shall be interpreted liberally to ensure the greatest public access to Public Information and Documents.
Section 7. Effective Date

This Ordinance shall take effect sixty (60) days following its adoption.

---Council President 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 JUNE 16, 2004 at 7:00 PM.

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos.
---Nays: None.

All regular business concluded the following members of the public spoke at the “Public Portion” of the meeting: Helen Hirsch, 98 Park Avenue; Theresa Sertich, 306-308 Park Avenue; Ann Graham, 1021 Grand Street; Lynda Walker, 455 9th Street; Maurice De Gennero, 614 Hudson Street; Bob Du Val, 303 Park Avenue.

President Ramos then adjourned the meeting at 7:51 p.m.

_________________________________________________________

PRESIDENT OF THE COUNCIL
At this time, 6:07 p.m., the City Clerk read the following letter dated June 2, 2004 into the record:

04-1451
The Honorable Ruben Ramos, Jr.
President, Hoboken City Council
94 Washington Street
Hoboken, NJ 07030

Dear Council President Ramos:

I hereby call a Special Meeting of the Hoboken City Council for Wednesday, June 9, 2004 at 6:00 pm in the City Council Chambers, 94 Washington Street, Hoboken, New Jersey for the following purposes:

1) Adopting a Special Emergency Appropriations Resolution; and
2) Transfers within appropriation balances resolution.

Very truly yours,
David Roberts
Mayor
City of Hoboken

cc: City Council Members
Robert K. Drasheff, Business Administrator
Joseph S. Sherman, Corporation Counsel
James J. Farina, City Clerk
Jersey Journal/The Record/Star Ledger

President Ramos opened the meeting at 6:07 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 City Clerk then called the roll:

PRESENT: Council persons Campos, Castellano, Del Boccio, Giacchi, Marsh, Russo, Soares, President Ramos.

ABSENT: Cricco.

---By Council President Ramos:

WHEREAS, an emergency has arisen with respect to several items as follows:

<table>
<thead>
<tr>
<th>ITEMS</th>
<th>REASONS</th>
</tr>
</thead>
<tbody>
<tr>
<td>I. Group Health Insurance</td>
<td>Significant increases in client experience Usage have occurred since adoption of the Budget. (July 2003 Blue Cross billing – $496,391.76; February 2004 Blue Cross bill- $633,083.93.)</td>
</tr>
</tbody>
</table>

And, this significant increase in health client experience usage could not have been anticipated in the SFY 2004 budget for the aforesaid purposes and NJSA 40A:4-46 provides for the creation of an emergency appropriation for the purposes mentioned above, and

WHEREAS, the total amount of this emergency appropriation to be created by this resolution is $1,940,220.15, and three (3) percent of the total operating appropriations (including Utility Operation Appropriations) in the SFY 2004 is $2,145,421.10, and

WHEREAS, the foregoing appropriation together with prior appropriations does not exceed three (3) percent of the total operating appropriations (including utility operation appropriations) in the budget SFY 2004.

NOW, THEREFORE, BE IT RESOLVED, (by not less than 2/3 of all governing body members affirmatively concurring) that in accordance with NJS 40A:4-48:

1. An emergency appropriation is hereby made for  
2. General Appropriations, (A) Operations-Excluded from “CAPS” as follows:

   I. Group Health Insurance in the amount of $1,940,220.15

3. That said emergency appropriation shall be provided for in full in the 2005 SFY Budget, of which $1,940,220.15 is requested to be excluded from CAPS, pursuant to NJSA 40A:4-53.3c(1).

   I.
3. That Emergency Note not in excess of the above amount be authorized, if necessary, pursuant to NJSA 40A:4-51That an emergency Note not in excess of the above amount be authorized, if necessary, pursuant to NJSA 40A:4-51.

4. That such note, if necessary, be executed by Louis Picardo, acting CFO and by Robert K. Drasheff, Business Administrator.

5. That such note, if necessary, shall be dated June 9, 2004 or therefore, may be renewed
from time to time, and such note and any renewal shall be payable on or before June 30, 2005.

6. That two (2) certified copies of this resolution be filed with the Director of the Division of Local Government Services.

Before the vote was taken, the following addressed the City Council: Jon Gordon, 333 River Street; Alan Cohen, 551 Observer Highway; Maurice De Gennaro, 614 Hudson Street.

Councilman Campos left the meeting at 6:45 p.m.
Councilman Campos returned to the meeting at 6:47 p.m.

Motion duly seconded by Councilman Del Boccio.
--- FAILED by the following vote: YEAS: 0 - NAYS: 8 - ABSENT: 1
--- Yeas: None.
--- Nays: Council persons Campos, Castellano, Del Boccio, Giacchi, Marsh, Russo, Soares and President Ramos
--- Absent: Cricco.

04-1453
--- By Council President Ramos:

BE IT RESOLVED, with two-thirds (2/3) of the members affirmatively concurring, that the following SFY 2004 budget Current Fund appropriation transfers are hereby authorized for the City of Hoboken in accordance with N.J.S.A. 40:A4-58:

<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>Alcoholic Beverage Control O.E.</td>
<td>4-01-20-113-021</td>
<td>20,000.00</td>
</tr>
<tr>
<td>Purchasing Division O.E.</td>
<td>4-01-20-114-021</td>
<td>1,000.00</td>
</tr>
<tr>
<td>Legal Ads. O.E.</td>
<td>4-01-20-121-020</td>
<td>1,500.00</td>
</tr>
<tr>
<td>Election O.E.</td>
<td>4-01-20-122-021</td>
<td>20,000.00</td>
</tr>
<tr>
<td>Codification O.E.</td>
<td>4-01-20-1230-20</td>
<td>2,500.00</td>
</tr>
<tr>
<td>Treas &amp; Debt O.E.</td>
<td>4-01-20-133-021</td>
<td>1,000.00</td>
</tr>
<tr>
<td>Planning Bd. O.E.</td>
<td>4-01-210180-021</td>
<td>15,000.00</td>
</tr>
<tr>
<td>Postage O.E.</td>
<td>4-01-23-211-021</td>
<td>3,500.00</td>
</tr>
<tr>
<td>Dues/Member O.E.</td>
<td>4-01-23-212-020</td>
<td>201.00</td>
</tr>
<tr>
<td>Copiers O.E.</td>
<td>4-01-23-213-020</td>
<td>7,500.00</td>
</tr>
<tr>
<td>Labor Arb. O.E.</td>
<td>4-01-23-214-020</td>
<td>5,000.00</td>
</tr>
<tr>
<td>Office Supplies O.E.</td>
<td>4-01-23-218-020</td>
<td>1,500.00</td>
</tr>
<tr>
<td>Claim vs. City O.E.</td>
<td>4-01-23-219-020</td>
<td>13,999.00</td>
</tr>
<tr>
<td>Right to Know O.E.</td>
<td>4-01-23-221-020</td>
<td>500.00</td>
</tr>
<tr>
<td>Tow &amp; Storage O.E.</td>
<td>4-01-23-223-020</td>
<td>4,000.00</td>
</tr>
<tr>
<td>Financial Svs. O.E.</td>
<td>4-01-23-226-020</td>
<td>1,000.00</td>
</tr>
<tr>
<td>Acqu. Of Vehicles O.E.</td>
<td>4-01-25-242-020</td>
<td>1,000.00</td>
</tr>
<tr>
<td>Emerg. Mgmt O.E.</td>
<td>4-01-25-252-021</td>
<td>5,000.00</td>
</tr>
<tr>
<td>Fire Dept. O.E.</td>
<td>4-01-25-266-021</td>
<td>10,000.00</td>
</tr>
<tr>
<td>Signal &amp; Traffic O.E.</td>
<td>4-01-25-267-021</td>
<td>2,000.00</td>
</tr>
<tr>
<td>Department</td>
<td>Code</td>
<td>Amount</td>
</tr>
<tr>
<td>------------------------------------</td>
<td>------------</td>
<td>---------</td>
</tr>
<tr>
<td>Constit. Svcs. O.E.</td>
<td>4-01-27-333-021</td>
<td>1,000.00</td>
</tr>
<tr>
<td>Rent Control O.E.</td>
<td>4-01-27-347-021</td>
<td>9,000.00</td>
</tr>
<tr>
<td>Parks S/W</td>
<td>4-01-28-375-011</td>
<td>100,000.00</td>
</tr>
<tr>
<td>Fuel Oil</td>
<td>4-01-31-447-000</td>
<td>500.00</td>
</tr>
<tr>
<td>Telecommunications O.E.</td>
<td>4-01-31-450-000</td>
<td>1,500.00</td>
</tr>
<tr>
<td>Engineering O/E</td>
<td>4-01-20-461-000</td>
<td>4,000.00</td>
</tr>
<tr>
<td>Tax Collector O.E.</td>
<td>4-01-20-145-021</td>
<td>2,000.00</td>
</tr>
<tr>
<td>Assessor's Office O.E.</td>
<td>4-01-20-150-021</td>
<td>7,000.00</td>
</tr>
<tr>
<td>Community Dev. O.E.</td>
<td>4-01-20-160-021</td>
<td>600.00</td>
</tr>
<tr>
<td>Bd. of Adjustment O.E.</td>
<td>4-01-185-021</td>
<td>15,000.00</td>
</tr>
<tr>
<td>Police Dept. S&amp;W</td>
<td>4-01-25-241-011</td>
<td>130,500.00</td>
</tr>
<tr>
<td>Police Dept. O.E.</td>
<td>4-01-24-241-021</td>
<td>12,000.00</td>
</tr>
<tr>
<td>Solid Waste O.E.</td>
<td>4-01-26-305-021</td>
<td>16,000.00</td>
</tr>
<tr>
<td>Human Svcs. O.E.</td>
<td>4-01-27-330-021</td>
<td>100.00</td>
</tr>
<tr>
<td>Bd. of Health O.E.</td>
<td>4-01-27-332-021</td>
<td>25,000.00</td>
</tr>
<tr>
<td>Electricity O.E.</td>
<td>4-01-31-430-000</td>
<td>8,500.00</td>
</tr>
<tr>
<td>Gasoline O.E.</td>
<td>4-01-31-460-000</td>
<td>7,000.00</td>
</tr>
<tr>
<td>Municipal Court O.E.</td>
<td>4-01-43-490-021</td>
<td>7,500.00</td>
</tr>
</tbody>
</table>

**TOTALS** $231,200.00 $231,200.00

Motion duly seconded by Councilman Del Boccio.
--- **FAILED*** by the following vote: YEAS: 5 - NAYS: 3 - ABSENT: 1
--- Yeas: Council persons Campos, Del Boccio, Giacchi, Marsh, President Ramos.
--- Nays: Castellano, Russo, Soares.
--- Absent: Cricco.

* Resolution required two-thirds (6 votes) of the voting members (9) for passage.

President Ramos then adjourned the meeting at 7:25 p.m.
President Ramos 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.

Before beginning the meeting President Ramos acknowledged the passing of Maryanne Torres, a long-time city employee in the Finance Department, and wished to send deepest condolences to the Torres family.

The Clerk then called the roll:

PRESENT: Council persons Campos, Castellano, Del Boccio, Giacchi, Marsh, Russo and President Ramos.

ABSENT: Cricco, Soares.

PUBLIC HEARING and FINAL VOTE ON ORDINANCES

Second Reading / Public Hearing and Final Vote

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. (Through Streets; Madison Street, 7th to 15th Sts.) (DR-145).

The above ordinance was withdrawn at the meeting. NO ACTION TAKEN
ELECTRONIC ACCESSIBILITY OF PUBLIC INFORMATION ORDINANCE (DR-146).

The above ordinance was withdrawn at the meeting. **NO ACTION TAKEN**

**PETITIONS AND COMMUNICATIONS**

**04-1454**

June 9, 2004

The Honorable Members of the City Council  
City of Hoboken  
City Hall  
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 George Fonseca of 105 Thirteenth Street, Apartment 2C, Hoboken, New Jersey, as a regular member of the Hoboken Rent Leveling and Stabilization Board, replacing the term of Monica Hetterick. This appointment shall be for the unexpired term of four (4) years, expiring June 30, 2005.

Sincerely,

DAVID ROBERTS  
Mayor  
City of Hoboken

cc/James J. Farina, City Clerk  
Joseph S. Sherman, Corporation Counsel  
Carole McLaughlin, Division Chief, Rent Leveling & Stabilization  
Mark Critides, Chair, Rent Leveling & Stabilization Board

--Received and filed.

**04-1455**

APPLICATIONS FOR MISCELLANEOUS LICENSES

<p>| | |</p>
<table>
<thead>
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<tr>
<td>Carnival</td>
<td>1</td>
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<tr>
<td>Vendors</td>
<td>1</td>
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---Councilman Del Boccio moved that the licenses be granted.  
---Motion duly seconded by Council President Ramos.  
---Adopted by the following vote: YEAS: 7 - NAYS: 0 - ABSENT: 2
---Yeas: Council persons Campos, Castellano, Del Boccio, Giacchi, Marsh, Russo and President Ramos.
---Nays: None.
---Absent: Cricco, Soares.

REPORTS OF CITY OFFICERS

04-1456
A report of the Municipal Court indicating receipts for the month of May 2004 as $331,579.18.

---Received and filed.

CLAIM RESOLUTIONS

04-1457
By Council President 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 $84,992.07 against the UNCLASSIFIED CLAIMS.

Seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 7 - NAYS: 0 - ABSENT: 2
---Yeas: Council persons Campos, Castellano, Del Boccio, Giacchi, Marsh, Russo and President Ramos.
---Nays: None.
---Absent: Cricco, Soares.

By Council President 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 $13,798.61 against the DEPARTMENT OF ADMINISTRATION.

Seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 7 - NAYS: 0 - ABSENT: 2
---Yeas: Council persons Campos, Castellano, Del Boccio, Giacchi, Marsh, Russo and President Ramos.
---Nays: None.
---Absent: Cricco, Soares.

Meeting of June 16, 2004
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 $137,770.20 against the DEPARTMENT OF ENVIRONMENTAL SERVICES.

Seconded by Councilman Campos.
---Adopted by the following vote: YEAS: 7 - NAYS: 0 - ABSENT: 2
---Yeas: Council persons Campos, Castellano, Del Boccio, Giacchi, Marsh, Russo and President Ramos.
---Nays: None.
---Absent: 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 $46,787.40 against the DEPARTMENT OF HUMAN SERVICES.

Seconded by Councilman Campos.
---Adopted by the following vote: YEAS: 7 - NAYS: 0 - ABSENT: 2
---Yeas: Council persons Campos, Castellano, Del Boccio, Giacchi, Marsh, Russo and President Ramos.
---Nays: None.
---Absent: 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 $38,675.26 against the DEPARTMENT OF COMMUNITY DEVELOPMENT.

Seconded by Councilman Campos.
---Adopted by the following vote: YEAS: 7 - NAYS: 0 - ABSENT: 2
---Yeas: Council persons Campos, Castellano, Del Boccio, Giacchi, Marsh, Russo and President Ramos.
---Nays: None.
---Absent: Cricco, 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 $41,165.55 against the DEPARTMENT OF PUBLIC SAFETY.

Seconded by Councilman Campos.
---Adopted by the following vote: YEAS: 7 - NAYS: 0 - ABSENT: 2
---Yeas: Council persons Campos, Castellano, Del Boccio, Giacchi, Marsh, Russo and President Ramos.
---Nays: None.
---Absent: Cricco, Soares.

By Council President 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 $28,866.45 against the CAPITAL ACCOUNT.

Seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 7 - NAYS: 0 - ABSENT: 2
---Yeas: Council persons Campos, Castellano, Del Boccio, Giacchi, Marsh, Russo and President Ramos.
---Nays: None.
---Absent: 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 $2,331.12 against the PARKING UTILITY.

Seconded by Councilman Campos.
---Adopted by the following vote: YEAS: 7 - NAYS: 0 - ABSENT: 2
---Yeas: Council persons Campos, Castellano, Del Boccio, Giacchi, Marsh, Russo and President Ramos.
---Nays: None.
---Absent: 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 $1,819.44 against the LATE CLAIMS.

Seconded by Council President Ramos.
---Adopted by the following vote: YEAS: 7 - NAYS: 0 - ABSENT: 2
---Yeas: Council persons Campos, Castellano, Del Boccio, Giacchi, Marsh, Russo and President Ramos.
---Nays: None.
---Absent: Cricco, Soares.

**PAYROLL RESOLUTIONS**

**04-1458**

By Council President 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 20, 2004 TO JUNE 2, 2004 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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<td>Total 2</td>
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<td>26,564.94</td>
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</table>
Motion by Council President Ramos.
Seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 7 - NAYS: 0 - ABSENT: 2
---Yeas: Council persons Campos, Castellano, Del Boccio, Giacchi, Marsh, Russo and President Ramos.
---Nays: None.
---Absent: Cricco, Soares.

**04-1459**
By Council President Ramos:

RESOLVED, THAT WARRANTS DRAWN ON THE CITY TREASURER, TO THE ORDER OF THE CITY TREASURER, IN PAYMENT OF UNIFORM ALLOWANCE FOR EMPLOYEES OF THE CITY OF HOBOKEN, FOR THE PERIOD ENDING JUNE 2, 2004 FOR THE UNIFORM ALLOWANCE 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>
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<td>Fire Dept. Penalty</td>
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**Grand Total**

1,336,086.47 20,721.91 55,161.93 1,411,970.31

Meeting of June 16, 2004
<table>
<thead>
<tr>
<th>Department</th>
<th>Code</th>
<th>Amount 1</th>
<th>Amount 2</th>
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<td>Personnel</td>
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<td>ABC Board</td>
<td>4-01-20-113</td>
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<tr>
<td>Purchasing</td>
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<td>Elections</td>
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<tr>
<td>Accounts / Controls</td>
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<tr>
<td>Payroll Division</td>
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<tr>
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<td>Corporation Counsel</td>
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<tr>
<td>Planning Board</td>
<td>4-01-21-180</td>
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<tr>
<td>Info Technology</td>
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<td>Housing Inspection</td>
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<tr>
<td>Construction Code</td>
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<td>700.00</td>
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<td>Police Division</td>
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<td>Crossing Guards</td>
<td>4-01-25-241</td>
<td>14,800.00</td>
<td>14,800.00</td>
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<tr>
<td>Emergency Mgmt</td>
<td>4-01-25-252</td>
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<td></td>
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<tr>
<td>Fire Division</td>
<td>4-01-25-266</td>
<td>51,200.00</td>
<td>51,200.00</td>
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<td>Department</td>
<td>Code</td>
<td>Budget 2004</td>
<td>Reimbursement 2004</td>
</tr>
<tr>
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<tr>
<td>Signal &amp; Traffic</td>
<td>4-01-25-267</td>
<td>1,400.00</td>
<td>1,400.00</td>
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<tr>
<td>Envir. Ser. Dir. Office</td>
<td>4-01-26-290</td>
<td>700.00</td>
<td>700.00</td>
</tr>
<tr>
<td>Streets &amp; Roads</td>
<td>4-01-26-291</td>
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<td></td>
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<tr>
<td>Central Garage</td>
<td>4-01-26-301</td>
<td>2,100.00</td>
<td>2,100.00</td>
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<td>Sanitation</td>
<td>4-01-26-305</td>
<td>10,850.00</td>
<td>10,850.00</td>
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<td>Cultural Affairs</td>
<td>4-01-27-176</td>
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<td>Human Service Direct.</td>
<td>4-01-27-330</td>
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<td></td>
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<tr>
<td>Board of Health</td>
<td>4-01-27-332</td>
<td>1,050.00</td>
<td>1,050.00</td>
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<tr>
<td>Constituent Services</td>
<td>4-01-27-333</td>
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<tr>
<td>Senior Citizens Div</td>
<td>4-01-27-336</td>
<td>700.00</td>
<td>700.00</td>
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<tr>
<td>Rent Stabilization</td>
<td>4-01-27-347</td>
<td></td>
<td></td>
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<td>Transportation</td>
<td>4-01-27-348</td>
<td>1,750.00</td>
<td>1,750.00</td>
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<td>Recreation</td>
<td>4-01-28-370</td>
<td>3,150.00</td>
<td>3,150.00</td>
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<td>Parks</td>
<td>4-01-28-375</td>
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<td>5,600.00</td>
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<td>Public Prop.</td>
<td>4-01-28-377</td>
<td>5,250.00</td>
<td>5,250.00</td>
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<tr>
<td>Public Library</td>
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<td>700.00</td>
<td>700.00</td>
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<tr>
<td>Public Defender</td>
<td>4-01-43-495</td>
<td></td>
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</tr>
<tr>
<td>Municipal Court</td>
<td>4-01-43-490</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Parking Utility</td>
<td>4-31-55-501-100</td>
<td>11,900.00</td>
<td>11,900.00</td>
</tr>
<tr>
<td>Universal Cops</td>
<td>4-01-25-241-012</td>
<td>2,400.00</td>
<td>2,400.00</td>
</tr>
<tr>
<td>Cops In School</td>
<td>4-01-25-241-015</td>
<td>3,600.00</td>
<td>3,600.00</td>
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<tr>
<td>Civilian Hiring</td>
<td>4-01-25-241-016</td>
<td>700.00</td>
<td>700.00</td>
</tr>
<tr>
<td>Minority Affairs</td>
<td>4-01-27-331-011</td>
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</tr>
</tbody>
</table>

**Other**

<table>
<thead>
<tr>
<th>Department</th>
<th>Code</th>
<th>Budget 2004</th>
<th>Reimbursement 2004</th>
</tr>
</thead>
<tbody>
<tr>
<td>Police Outside Employ.</td>
<td>T-14-10-000-000</td>
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</tr>
<tr>
<td>Police Grant</td>
<td>DE 16-S7-01</td>
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</tr>
</tbody>
</table>
Fire Dept. Penalty T-13-10-000-001
Fire Education Acct T-13-10-000-000

Grand Total 181,400.00 181,400.00

Motion by Council President Ramos.
Seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 7 - NAYS: 0 - ABSENT: 2
---Yeas: Council persons Campos, Castellano, Del Boccio, Giacchi, Marsh, Russo and President Ramos.
---Nays: None.
---Absent: Cricco, Soares.

RESOLUTIONS
Presented and Read

04-1460
---By Councilman Del Boccio:

WHEREAS, an overpayment of taxes has been made on property listed below; and

WHEREAS, Louis Picardo, Collector of Revenue 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 $41,618.38 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>Robert Mann &amp; Victoria Vienna</td>
<td>184\39</td>
<td>904 Garden St</td>
<td>$5,646.10</td>
</tr>
<tr>
<td></td>
<td>250 W 57th Street New York, NY 10019</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Brian H. Kappock, Esq.</td>
<td>15\28\C002A</td>
<td>68 Monroe St.</td>
<td>$546.83</td>
</tr>
<tr>
<td></td>
<td>20 Hudson Place Hoboken, NJ 07030</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wachovia Mortgage. Corp.</td>
<td>243\13</td>
<td>1123 Washington St</td>
<td>$2,776.02</td>
</tr>
<tr>
<td></td>
<td>1100 Corporate Center Drive Raleigh, North Carolina 27607</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Attn: Angel Dudley</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Meeting of June 16, 2004 11
Roma Condominium Assoc.  
621 Monroe St. Unit #8  
Hoboken, NJ 07030

Ohio Savings Bank  
1801 East Ninth St  
Suite 200  
Cleveland, Ohio 44114  
Attn: Debra L. Swanson  
Loan Servicing Rep II

Washington Mutual Loans  
218 Willow Ave.  
$886.14

2210 Enterprises Drive  
Florence, South Carolina 295501  
Attention: Lakesha Franks

First American Tax Service  
602 Clinton St.  
$1,491.54

1201 Elm Street Suite 400  
Dallas, Texas 75270  
Attn: Cyrus Thompson  
Recovery Specialist

Provident Bank  
1014 Hudson Avenue  
$389.24

First American Tax Serv  
1114-19 Clinton St  
$2,691.56

95 Methodist Hill Rd, Suite 100  
Rochester, NY 14623  
Attn: Tonia-Jay Graf

Mortgage Serv. Center  
702-08 Clinton St  
$3,147.05

P.O. Box 23750  
Rochester, NY 14692  
Attn: Chrissy Trapiss  
Ref. # M0001731

Wells Fargo Home Mort.  
1114-16 Clinton St  
$1,288.55

1 Home Campus  
Des Moines, IA 503-0001  
Attn: Judy Sickels

Jason Ware  
152-6th St  
Hoboken, NJ 07030

First American Tax Serv  
1115-19 Clinton St  
$1,542.05

95 Methodist Hill Rd, Suite 100  
Rochester, NY 14623  
Attn: Tonia-Jay Graf
---Motion duly seconded by Councilman Campos.
---Adopted by the following vote: YEAS: 7 - NAYS: 0 - ABSENT: 2
---Yeas: Council persons Campos, Castellano, Del Boccio, Giacchi, Marsh, Russo and President Ramos.
---Nays: None.
---Absent: Cricco, Soares.

04-1461
---By Councilman Del Boccio:

WHEREAS, an overpayment of taxes has been made on the property of the list below: and

WHEREAS, tax appeal was filed by the property owners; and

WHEREAS, State Tax Court recommends a settlement in this matter, now, therefore, be it

RESOLVED, that a warrant be drawn on the City Treasurer made payable to the taxpayer appearing on the attached list totaling $22,194.79

<table>
<thead>
<tr>
<th>NAME</th>
<th>BL/LOT/UNIT</th>
<th>PROPERTY</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>1405 Clinton St. Corp &amp; Nashel &amp; Nashel, Richard Esq. 415 60th Street</td>
<td>207\23.1</td>
<td>824 Washington St</td>
<td>$1,300.60</td>
</tr>
<tr>
<td>Phillip DeLeonardis 2 Constitution Ct. Apt. 102 Hoboken, NJ 07030</td>
<td>262.3\1\C0102</td>
<td>2 Constitution Ct.</td>
<td>$1,964.04</td>
</tr>
<tr>
<td>NEK Corp. &amp; Michael Schneck Esq. Wolf Block Brach Eichler 101 Eisenhower Pkwy Roseland, NJ 07068</td>
<td>117\15</td>
<td>255-59 14th Ct.</td>
<td>$2,564.42</td>
</tr>
<tr>
<td>Walter Mcpherson for Joseph Castelo 300 Lighting Way Secaucus, NJ 07096</td>
<td>165\12</td>
<td>223-25 Willow Ave</td>
<td>$6,338.11</td>
</tr>
</tbody>
</table>
---Motion duly seconded by Councilman Campos.
---Adopted by the following vote: YEAS: 7 - NAYS: 0 - ABSENT: 2
---Yeas: Council persons Campos, Castellano, Del Boccio, Giacchi, Marsh, Russo and
President Ramos.
---Nays: None.
---Absent: Cricco, Soares.

04-1462
---By Council President Ramos:

WHEREAS, a summons issued ARTHUR GOODMAN for Docket No. W952818 has
been adjudicated; and

WHEREAS, bail is now available for release to the surety named below;

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 sum opposite the
name as reimbursement for bail monies:

<table>
<thead>
<tr>
<th>NAME/ADDRESS</th>
<th>SUMMONS NO.</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gina Marie Corcia</td>
<td>W952818</td>
<td>$250.00</td>
</tr>
<tr>
<td>83 West 26th St. Apt. 2</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bayonne, NJ 07002</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 7 - NAYS: 0 - ABSENT: 2
---Yeas: Council persons Campos, Castellano, Del Boccio, Giacchi, Marsh, Russo and
President Ramos.
---Nays: None.
---Absent: Cricco, Soares.

04-1463
---By Council President Ramos:

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L. 1987, c.102,
has established a recycling fund from which a 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 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 filed in a timely manner.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hoboken that:

1. The above recitals are incorporated herein as though fully set forth at length.
2. The Council hereby authorizes the Mayor or his designee to execute any and all documents and take any and all actions necessary to complete and receive the intent and purpose of this resolution.
3. The Mayor or his designee is authorized to execute and submit a recycling tonnage grant application to the New Jersey Department of Environmental Protection for tonnage of recyclables collected in SFY 2003 and designates the Director of the Department of Environmental Services to ensure that the application is timely filed.
4. 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.
5. Furnish such documents as may be required.
6. Act as authorized correspondent of the City of Hoboken.
7. Execute necessary contracts, if funded is awarded.

This resolution is effective immediately.

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L. 1987, c.102, has established a recycling fund from which a 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 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 filed in a timely manner.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hoboken that:

1. The above recitals are incorporated herein as though fully set forth at length.
2. The Council hereby authorizes the Mayor or his designee to execute any and all documents and take any and all actions necessary to complete and receive the intent and purpose of this resolution.
3. The Mayor or his designee is authorized to execute and submit a recycling tonnage grant application to the New Jersey Department of Environmental Protection for tonnage of recyclables collected in SFY 2003 and designates the Director of the Department of Environmental Services to ensure that the application is timely filed.
4. 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.
5. Furnish such documents as may be required.
6. Act as authorized correspondent of the City of Hoboken.
7. Execute necessary contracts, if funded is awarded.

This resolution is effective immediately.

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 7 - NAYS: 0 - ABSENT: 2
---Yeas: Council persons Campos, Castellano, Del Boccio, Giacchi, Marsh, Russo and President Ramos.
---Nays: None.
---Absent: Cricco, Soares.

04-1464
---By Council President Ramos:

WHEREAS, The Environment Committee of Hoboken and the City of Hoboken is sponsoring a farmers market along east side of Newark Street between Newark Street and Observer Street; and

WHEREAS, The Farmers Market will be every Tuesday, beginning June 29, 2004 and every Tuesday thereafter ending Tuesday October 26, 2004; and

WHEREAS, The Environment Committee of Hoboken request that the Council of the City of Hoboken suspend parking meter rules on that section of the East side, Washington Street just South of Newark Street so that the farmers can park their trucks to sell their goods.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Hoboken that:
1. The above recitals are incorporated herein as though fully set forth at length.
2. The Council hereby authorizes the Mayor or his designee to execute any and all documents and take any and all actions necessary to complete and receive the intent and purpose of this resolution.
3. The parking meters along the East side of Washington Street just South of Newark Street are hereby suspended on every Tuesday, from 12:00 P.M. to 9:00 P.M. beginning Tuesday, June 29, 2004 and ending Tuesday, October 26, 2004.
4. The Police Division shall enforce this regulation.
5. A certified copy of this resolution be provided to Mayor David Roberts, Business Administrator Robert K. Drasheff, Director Joseph Peluso Police Chief Carmen LaBruno, Fire Chief John Casessa, Superintendent Joseph Bucino, Central Garage Supervisor John Colegrove, Hoboken Parking Utility, Hoboken Environment Committee President Cynthia Silber.

This Resolution is effective immediately.

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 7 - NAYS: 0 - ABSENT: 2
---Yea: Council persons Campos, Castellano, Del Boccio, Giacchi, Marsh, Russo and President Ramos.
---Nays: None.
---Absent: Cricco, Soares.

04-1465
---By Council President Ramos:

WHEREAS, The Civic Association for the Puerto Rican day Parade, with a mailing address of P.O. Box 6045, Hoboken, New Jersey has requested permission to conduct their annual Latin Cultural Festival and Parade for three consecutive days starting on Friday, July 9, 2004 through and inclusive to Sunday, July 11, 2004 with rain dates scheduled for July 16, 17, and 18, 2004; and

WHEREAS, The Civic Association for the Puerto Rican Day Parade has indicated its requirements to successfully conduct the Festival as follows:

WHEREAS, that the Signal & Traffic Division prepare the necessary Traffic regulations:

1. To have a parade through the streets of Hoboken to assembly on 1st Street in front of City Hall and proceed up Washington Street to 11th Street onto Sinatra Drive into Castle Point Park at 8th Street
2. To erect a bandstand on Sinatra Drive and 8th Street at Castle Point Park July 9, 10 and 11 and in front of City Hall on July 11.
3. To have electrical illumination along Sinatra Drive and Castle Point Park.
4. To erect concession stands for vendors of food, novelties, games and rides along Sinatra Drive and Castle Point Park.
5. To have music on the bandstand at Castle Point Park.

Meeting of June 16, 2004
6. To close streets to traffic along Sinatra Drive between 4th Street and 11th Street, on the following days and hours.

**Friday, July 9th from 5 pm to 11 pm, Saturday, July 10th from 12 pm to 11 pm and Sunday, July 11th from 12pm to 10 pm.**

7. To have the streets cleared of all vehicles and traffic during the above mentioned times.

8. To maintain two lanes of traffic with a minimum of 12 feet for each lane of travel when streets are to be open to traffic.

9. To have the streets cleared of all traffic on Thursday, July 8th at 10:00 am through 5 pm so that they may set up trailers, erect rides and set up vendor booths.

WHEREAS, The City Council of the City of Hoboken endorses this program provided The Association for the Puerto Rican Day secure all the necessary permits, licenses and insurance in a form to be approved by Corporation Counsel.

---Motion duly seconded by Councilman Campos.
---Adopted by the following vote: YEAS: 7 - NAYS: 0 - ABSENT: 2
---Yeas: Council persons Campos, Castellano, Del Boccio, Giacchi, Marsh, Russo and President Ramos.
---Nays: None.
---Absent: Cricco, Soares.

**04-1466**
---By Councilman Del Boccio:

WHEREAS, the Mayor of the City of Hoboken has received a grant award notice from the New Jersey Department of Community Affairs Statewide Livable Communities Local Library Grant Program in the amount of $75,000; and

WHEREAS, the purpose of this grant is to fund interior improvements at the Hoboken Public Library located at 500 Park Avenue; now, therefore, be it

RESOLVED, by the Mayor and Council of the City of Hoboken, that the Governing Body does hereby accept this grant in the amount of $75,000 to fund interior improvements at the Hoboken Public Library located at 500 Park Avenue; and be it further –

RESOLVED, that the Mayor of the City of Hoboken and/or his designee be and hereby is authorized to execute a Grant Agreement with the New Jersey Department of Community Affairs on behalf of the City of Hoboken, and upon execution of said Agreement, the City of Hoboken does accept the Terms and Conditions specified in this Grant Agreement.

---Motion duly seconded by Councilman Campos.
---Adopted by the following vote: YEAS: 7 - NAYS: 0 - ABSENT: 2
---Yeas: Council persons Campos, Castellano, Del Boccio, Giacchi, Marsh, Russo and President Ramos.
---Nays: None.
---Absent: Cricco, Soares.
WHEREAS, the Mayor of the City of Hoboken has received a grant award notice from the New Jersey Department of Community Affairs Statewide Livable Communities Grant Program for Municipality Owned Buildings in the amount of $50,000; and

WHEREAS, the purpose of this grant is to fund improvements and renovations related to compliance with the American Disabilities Act at the Hoboken Public Library located at 500 Park Avenue; now, therefore, be it

RESOLVED, by the Mayor and Council of the City of Hoboken, that the Governing Body does hereby accept this grant in the amount of $50,000 to fund improvements and renovations related to compliance with the American Disabilities Act at the Hoboken Public Library located at 500 Park Avenue; and be it further –

RESOLVED, that the Mayor of the City of Hoboken and/or his designee be and hereby is authorized to execute a Grant Agreement with the New Jersey Department of Community Affairs on behalf of the City of Hoboken, and upon execution of said Agreement, the City of Hoboken does accept the Terms and Conditions specified in this Grant Agreement.

---Motion duly seconded by Councilman Campos.
---Adopted by the following vote: YEAS: 7 - NAYS: 0 - ABSENT: 2
---Yeas: Council persons Campos, Castellano, Del Boccio, Giacchi, Marsh, Russo and President Ramos.
---Nays: None.
---Absent: Cricco, Soares.

---By Councilman Del Boccio:

WHEREAS, the State New Jersey, Department of Agriculture, Summer Food Service Program for the Children has approved the City of Hoboken’s 2004 Summer Lunch Food Service application; and

WHEREAS, bids from the State approved vendors were solicited through public notice;

WHEREAS, the following proposals were receive on June 1, 2004 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>$2.15</td>
<td>$27,251.25</td>
</tr>
<tr>
<td>2109 Heck Avenue</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Neptune, NJ 07753</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Industrial Luncheon, Inc.</td>
<td>$2.19</td>
<td>No calculatedtotal submitted</td>
</tr>
<tr>
<td>210 Lehigh Ave</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Meeting of June 16, 2004
WHEREAS, the lowest qualified is Karson Food Service, Inc. 1209 Heck Avenue, Neptune, NJ 07753; 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:

<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>$2.15</td>
<td>$27,251.25</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 be it further

Further Resolved, that the Mayor is hereby authorized to execute a contract with Karson Food Service, Inc. for a unit price of $2.15 per lunch.

---Motion duly seconded by Councilman Campos.
---Adopted by the following vote: YEAS: 7 - NAYS: 0 - ABSENT: 2
---Yeas: Council persons Campos, Castellano, Del Boccio, Giacchi, Marsh, Russo and President Ramos.
---Nays: None.
---Absent: Cricco, Soares.

04-1469
---By Councilman Del Boccio:

WHEREAS, a Developers Agreement, dated May 16, 2001 was entered into between the City Council of the City of Hoboken acting as the Hoboken Redevelopment Agency (the “Agency”) and 920 Jefferson Street, LLC (the "Redeveloper") provided for redevelopment of certain property (Block 95 Lots 21-24) in the City of Hoboken, County of Hudson and State of New Jersey (hereafter referred to as the “Property”) located at 916-922 Jefferson Street; and

WHEREAS, it is provided in Section 12 of the Developers Agreement that the Agency, upon completion of certain improvements, as more particularly defined in the Developers Agreement, will provide to Redeveloper a Certificate of Completion of the improvements constructed on the property certifying satisfaction and termination with respect to certain obligations in the Developers Agreement; and

WHEREAS, Redeveloper has supplied the Agency with satisfactory proof that Redeveloper has completed certain improvements at the Property consisting of a 30-unit
residential building with related site improvements (the “Project Improvements”) in accordance with the provisions of the Developers Agreement; and

WHEREAS, Redeveloper requests that the Agency certify that the Project Improvements have been satisfactorily completed in accordance with the Preliminary Site Plan Approval, as contained in resolution, dated January 18, 2001, Final Site Plan Approval resolution, dated November 6, 2003 and with the Developers Agreement;

NOW, THEREFORE, the City Council of the City of Hoboken, acting as the Hoboken acting as the Hoboken Redevelopment Agency that:

The Mayor of the City of Hoboken is authorized to execute the attached Certificate of Completion for Block 95 Lots 21-24 in the Northwest Redevelopment Plan Area in accordance with the Developers Agreement.

04-1470

WHEREAS, the Hoboken Housing Authority currently has a vacancy on their Board of Commissioners; and

WHEREAS, the City Council is hereby appointing Peter Belfiore, residing at 161-11th Street, Hoboken, to fill this vacancy in the Hoboken Housing Authority pursuant to the Code of the City of Hoboken §38-2.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Hoboken hereby appoints Peter Belfiore to the Hoboken Housing Authority’ s Board of Commissioners for a five-year term, expiring May 9, 2009.

BE IT FURTHER RESOLVED,

1. The above recitals are incorporated herein as if fully set forth at length.

2. Peter Belfiore is appointed to the Hoboken Housing Authority’ s Board of Commissioners for a five-year term, expiring May 9, 2009.

3. This resolution shall be effective immediately.

---Motion duly seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 7- NAYS: 0 – ABSENT: 2
---YEAS: Council persons Campos, Castellano, Del Boccio, Giacchi, Marsh, Russo and President Ramos.
---Nays: None.
---Absent: Cricco, Soares.

04-1471
---By Councilman Del Boccio:

WHEREAS, a Development’s Agreement (“Developer’s Agreement”), dated September 4, 2003, was executed and delivered by the City of Hoboken and 1101-1105 Hudson Street, LLC regarding the development of 1101-1125 Hudson Street, Hoboken, New Jersey;

WHEREAS, PT Maxwell, LLC is the successor in interest to 1101-1125 Hudson Street, LLC (hereinafter “Developer”);

WHEREAS, the Developer is required to develop a waterfront park;

WHEREAS, a provision set forth in the Developer’s Agreement requires the City of Hoboken and the Developer to enter into an agreement to fund the operation and maintenance of the waterfront park;

WHEREAS, the Waterfront Park Operations And Maintenance Funding Agreement, a copy of which is attached hereto, has been reviewed and approved by officials from the City of Hoboken and counsel to the City of Hoboken;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Hoboken that the Waterfront Park Operations And Maintenance Funding Agreement in the form attached hereto shall be executed by the City of Hoboken and delivered to the Developer.

Before the vote was taken the following addressed the City Council: Helen Hirsch, 98 Park Avenue.

Councilman Campos left the meeting at 7:40 p.m. The vote was taken before Councilman Campos returned (YEAS: 6 - NAYS: 0 - ABSENT: 3) Councilman Campos returned at 7:45 p.m. and asked that his vote be changed from Absent to Yea resulting in the following:

---Motion duly seconded by Councilman Campos.
---Adopted by the following vote: YEAS: 7 - NAYS: 0 - ABSENT: 2
---Yeas: Council persons Campos, Castellano, Del Boccio, Giacchi, Marsh, Russo and President Ramos.
---Nays: None.
---Absent: Cricco, Soares.

All regular business concluded the following members of the public spoke at the “Public Portion” of the meeting: James Vance, 107 Monroe Street;

Councilman Giacchi excused himself at 7:55 p.m.

speakers continued: Ann Graham, 1021 Grand Street; Helen Hirsch, 98 Park Avenue; Bob DuVal, 303 Park Avenue; Annette Ilting, 1 Marineview Plaza; Maurice DeGenerro, 614 Hudson Street; Jon Gordon, 333 River Street; Tammy Goodwin, 655 6th Street.
At this time the following was presented as a verbal resolution and voted on.

**04-1472**

---By all Council Members in attendance:

WHEREAS, the Hoboken City Council has expressed its concerns regarding proposed time shift changes at the Hoboken Parking Utility (“HPU”) for the Parking Enforcement officers; and

WHEREAS, the Hoboken City Council requests that the Administration consider withholding any action by the HPU at the present time.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Hoboken in the County of Hudson that:

1. The above recitals are incorporated herein as though fully set forth at length;
2. The City Council requests consideration for withholding time shift changes for HPU Enforcement Officers.
3. This Resolution shall be in effect immediately.

---Motion duly seconded by all Council Members in attendance.
---Adopted by the following vote: YEAS: 7 - NAYS: 0 - ABSENT: 2
---Yeas: Council persons Campos, Castellano, Del Boccio, Giacchi, Marsh, Russo and President Ramos.
---Nays: None.
---Absent: Cricco, Soares.

“Public Portion”, speakers continued: Michael Lenz. 408 Monroe Street; Daniel Tumpson, 230 Park Avenue; John Glasel, 84 Jefferson Street.

President Ramos then adjourned the meeting at 8:43 p.m.
MEETING OF JULY 14, 2004

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 14, 2004 AT 7:00 PM

Prior to the beginning of the regular council meeting, at 6:20 PM, the council entered into an executive (closed) session.

04-1473

---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- Litigation with respect to:
   a. "Lenz v the City of Hoboken, et. als"

BE IT RESOLVED, that the City Council shall at this time 6:20 pm, July 14, 2004, 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 Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos Russo, Soares.
---Nays: None.

The City Council came out of executive (closed) session at 6:45 p.m. on unanimous vote and recessed until 7 p.m.

Councilman Ramos 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
The Councilman then called for the Salute to the Flag.

The Clerk then called the roll:

PRESENT: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, Russo, Soares.

ABSENT: None.

At this time the City Clerk accepted nominations for City Council President.

**RESOLUTIONS**

**Presented and Read**

**04-1474**
---By Councilman Ramos:

RESOLVED, that Richard Del Boccio and is hereby appointed President of the Hoboken City Council for a one year term expiring June 30, 2005.

---Motion duly seconded by Councilman Cricco.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Del Boccio, Giacchi, Marsh, Ramos, Russo, Soares.
---Nays: None.

After the vote was taken the City Clerk administered the oath of office to Council President Del Boccio.

At this time the City Clerk accepted nominations for City Council Vice-President.

**04-1475**
---By Councilman Ramos:
RESOLVED, that Christopher Campos be and is hereby appointed Vice-President of the Hoboken City Council for a one year term expiring June 30, 2005.

---Motion duly seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

After the vote was taken the City Clerk administered the oath of office to Council Vice-President Campos.

Council President Del Boccio then recognized Mayor David Roberts who addressed the City Council offering congratulations to the incoming and outgoing Council Presidents.

04-1476
---By Council President Del Boccio:

WHEREAS, N.J.S.A. 40A:4-19 provides that where any contract, commitment or payments are to be made prior to the final adoption of the fiscal year 2005 budget, temporary appropriations should be made for the purpose and amounts required in the manner and time therein provided; and

WHEREAS, the total appropriations in the fiscal year 2004 budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvement and public assistance, is the sum of $55,756,393 and for the Parking Utility is the sum of $9,411,907; and;

WHEREAS, twenty sixth and one quarter percent (26.25%) of the total appropriations in the fiscal year 2004 budget, exclusive on any appropriations made for interest and debt redemption charges, capital improvement fund and public assistance in said fiscal year 2004 budget is the sum of $14,636,053 and for the Parking Utility is the sum of $2,470,625; and; and

WHEREAS, N.J.S.A. 40A:4-19 also provides authority for appropriating in a temporary resolution the permanent debt service requirements for the coming fiscal year; and

WHEREAS, principal and interest will be due on various dates from July 1, 2004 to June 30, 2005, inclusive, on sundry bonds issued and outstanding; and

WHEREAS, the total appropriations in the fiscal year 2004 budget made for interest and debt redemption charges is the sum of $4,188,501; and

WHEREAS, the temporary appropriations in the fiscal year 2005 budget for interest and debt redemptions charges are requested of $3,464,598,70; and

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the City of Hoboken that
the following appropriations which total $18,100,651.70 for the current fund including debt service and $3,433,876.00 for the Parking Utility including debt service be made and that a current copy of this resolution be transmitted to the Chief Financial Officer for his records:

SEE ATTACHED

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<tr>
<th>Account Description</th>
<th>Account No.</th>
<th>SFY 2005</th>
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<tr>
<td><strong>Mayor’s Office</strong></td>
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<td><strong>Unclassified Towing/Storage of Abandoned Vehicles</strong></td>
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<td>Insurance</td>
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<td>Municipal Dues &amp; Membership</td>
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<td>23-216-2</td>
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<td><strong>STATUTORY EXPENDITURES</strong></td>
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<td>Social Security System (O.A.S.I.)</td>
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<td>Salary &amp; Wages</td>
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<td>Payment of Bond Principal</td>
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<td>Payment of Bonds Interest</td>
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<td>$14,636,053.00</td>
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---Motion duly seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 5 - NAYS: 4
---Yea: Council persons Campos, Cricco, Giacchi, Ramos and President Del Boccio.
---Nays: Castellano, Marsh, Russo, Soares.

04-1477
---By Council President Del Boccio:

WHEREAS, the Council for the City of Hoboken wishes to settle all claims alleged by Michael Lenz, pending in the United States District Court, Civ. No. 04-2509; and

WHEREAS, the settlement offered is in exchange for a complete release of all claims against the City of Hoboken, Et Als; and
WHEREAS, the General Terms of this Settlement include:

1. Payment to Lenz in a lump sum of $150,000.00 in consideration of all damage claims asserted in the Action.
2. Restoration of pension credits to the extent allowable by the State Pension Board.
3. Legal fees in the sum of $25,000.00.

NOW, THEREFORE, BE IT RESOLVED THAT the Council for the City of Hoboken does hereby authorizing the Mayor or his designee to execute the Settlement and General Release Agreement in full and final settlement of all allegations raised by Michael Lenz.

---Motion duly seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 7 - NAYS: 0 - ABSTENTIONS: 2
---Yeas: Council persons Campos, Cricco, Giacchi, Marsh, Ramos, Soares and President Del Boccio.
---Nays: None.
---Abstentions: Castellano, Russo.

PETITIONS AND COMMUNICATIONS

04-1478

WHEREAS, members of the International Association of Fire Fighters serve and protect communities throughout America every day; and

WHEREAS, members of the International Association of Fire Fighters have become a symbol of national pride, honor and strength; and

WHEREAS, members of the International Association of Fire Fighters unselfishly donate their time and energy to supporting the battle against muscular dystrophy; and

WHEREAS, the International Association of Fire Fighters this year celebrates Fifty Years as the preeminent supporter of services and research offered by the Muscular Dystrophy Association;

NOW, THEREFORE, I DAVID ROBERTS, Mayor of the City of Hoboken, do hereby proclaim official recognition of the tie between the International Association of Fire Fighters and the Muscular Dystrophy Association, and declare July 14, 2004 as

INTERNATIONAL ASSOCATION OF FIRE FIGHTERS AND MDA DAY

In the City of Hoboken, and do encourage all citizens to recognize and support the valiant fire fighters who serve them.

--Received and filed.
APPLICATIONS FOR MISCELLANEOUS LICENSES

Taxi Owners --------------------------------------------------------------- 1
Livery Owners--------------------------------------------------------------- 1
Public Hack Drivers -------------------------------------------------------- 9
Limo/Livery Drivers---------------------------------------------------------- 7
Vendors--------------------------------------------------------------------- 11
Legalized Games of Chance----------------------------------------------- 3
Mechanical Amusement Devices----------------------------------------------- 4

---Councilman Ramos moved that the licenses be granted.
---Motion duly seconded by Council President Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

REPORTS OF CITY OFFICERS

04-1480
A report from Municipal Tax Collector Louis Picardo for taxes collected; for the month ending June 30, 2004 - $1,988,909.08

---Received and filed.

04-1481
A report of the Municipal Court indicating receipts for the month of June 2004 as $352,983.23.

---Received and filed.

04-1482
Reports of Municipal Clerk James J. Farina indicating bids received on Wednesday, June 23, 2004 and Friday, June 25, 2004 for various goods and services.

---Received and filed.

CLAIM RESOLUTIONS

04-1483
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 $789,571.83 against the UNCLASSIFIED CLAIMS.

Seconded by Council President Del Boccio.
---Adopted by the following vote: YEAS: 8 - NAYS: 1
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Ramos, Russo, Soares and President Del Boccio.
---Nays: Marsh.

By Council President 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 $221,407.58 against the DEPARTMENT OF ADMINISTRATION.

Seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSTENTIONS: 1
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.
---Abstentions: Marsh.

By Councilman Cricco:

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 $60,623.30 against the DEPARTMENT OF ENVIRONMENTAL SERVICES.

Seconded by Councilman Campos.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSTENTIONS: 1
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.
---Abstentions: Marsh.

By Councilman Cricco:

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 $55,372.45 against the DEPARTMENT OF HUMAN SERVICES.

Seconded by Councilman Campos.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSTENTIONS: 1
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.
---Abstentions: Marsh.
By Councilman Cricco:

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 $115,470.86 against the DEPARTMENT OF COMMUNITY DEVELOPMENT.

Seconded by Councilman Campos.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSTENTIONS: 1
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.
---Abstentions: Marsh.

By Councilman Cricco:

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 $101,742.00 against the DEPARTMENT OF COMMUNITY DEVELOPMENT, GRANTS MANAGEMENT, SECTION 8.

Seconded by Councilman Campos.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSTENTIONS: 1
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.
---Abstentions: Marsh.

By Councilman Campos:

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 $9,124.34 against the DEPARTMENT OF PUBLIC SAFETY.

Seconded by Councilman Cricco.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSTENTIONS: 1
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.
---Abstentions: Marsh.

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 $163,153.08 against the CAPITAL ACCOUNT.

Seconded by Council President Del Boccio.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSTENTIONS: 1
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.
---Abstentions: Marsh.

By Council President 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 $22,648.49 against the PARKING UTILITY.

Seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSTENTIONS: 1
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.
---Abstentions: Marsh.

**PAYROLL RESOLUTIONS**

**04-1484**

By Council President 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 JUNE 3, 2004 TO JUNE 16, 2004 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>4-01-29-390</td>
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<td>Public Defender</td>
<td>4-01-43-495</td>
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<td>298.26 12,454.04</td>
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<td>Minority Affairs</td>
<td>4-01-27-331-011</td>
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<td><strong>Other</strong></td>
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<td>PoliceOutsideEmploy.</td>
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<td>T-13-10-000-000</td>
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<td><strong>Grand Total</strong></td>
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<td>61,129.71</td>
<td>1,427,900.39</td>
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</table>
Motion by Council President Del Boccio.
Seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 6 - NAYS: 0 - ABSTENTIONS: 3
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Ramos and President Del Boccio.
---Nays: None.
---Abstentions: Marsh, Russo, Soares.

PAYROLL RESOLUTIONS

04-1485
By Council President 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 HOBYoken, FOR THE PERIOD JUNE 17, 2004 TO JUNE 30, 2004 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>Bus Adm. Office</td>
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<td>ABC Board</td>
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<td>Purchasing</td>
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<td>Grants Management</td>
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<td>Finance Office</td>
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<td>Accounts / Controls</td>
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</tr>
<tr>
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<tr>
<td>Assessor’s Office</td>
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<td>Corporation Counsel</td>
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<td>13,841.21</td>
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<td>Community Develop.</td>
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<td>Treasurer</td>
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<td>6,893.57</td>
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<td>2,758.65</td>
<td>482,438.65</td>
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<td>Crossing Guards</td>
<td>4-01-25-241</td>
<td>10,185.63</td>
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<td>Direct.</td>
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<td>24,036.90</td>
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<td>26,513.31</td>
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<tr>
<td>Public Defender</td>
<td>4-01-43-495</td>
<td>2,123.57</td>
<td></td>
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<td>2,123.57</td>
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<tr>
<td>Municipal Court</td>
<td>4-01-43-490</td>
<td>28,684.51</td>
<td>159.66</td>
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<td>42,280.27</td>
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<td>Parking Utility</td>
<td>4-31-55-501-100</td>
<td>44,702.06</td>
<td>915.19</td>
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<td>45,617.25</td>
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<tr>
<td>Universal Cops</td>
<td>4-01-25-241-012</td>
<td>7,911.55</td>
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<td>7,911.55</td>
</tr>
<tr>
<td>Cops In School</td>
<td>4-01-25-241-015</td>
<td>12,155.78</td>
<td>1,330.00</td>
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<td>13,485.78</td>
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<tr>
<td>Civilian Hiring</td>
<td>4-01-25-241-016</td>
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<td>4,452.42</td>
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<tr>
<td>Minority Affairs</td>
<td>4-01-27-331-011</td>
<td>1,656.54</td>
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<td></td>
<td>1,656.54</td>
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<td><strong>Other</strong></td>
<td></td>
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<td></td>
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</tr>
<tr>
<td>Police Outside Employ.</td>
<td>T-14-10-000-000</td>
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<td>16,010.00</td>
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<tr>
<td>Police Grant</td>
<td>DE 16-S7-01</td>
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<tr>
<td>Fire Dept. Penalty</td>
<td>T-13-10-000-001</td>
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<td>144,157.52</td>
<td>1,511,255.57</td>
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</tbody>
</table>

Motion by Council President Del Boccio. Seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 6 - NAYS: 0 - ABSTENTIONS: 3
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Ramos and President Del Boccio.
---Nays: None.
---Abstentions: Marsh, Russo, Soares.

**RESOLUTIONS CONTINUED**

**Presented and Read**

04-1486
---By Councilman Cricco:
WHEREAS, pursuant to the resolution of the City Council and after public advertising thereof, the following proposal was received for Solid Waste Services for the City of Hoboken in accordance with the specifications set forth in City of Hoboken Bid 04-13.

<table>
<thead>
<tr>
<th>Vendor</th>
<th>Year #1 Opt. #1</th>
<th>Year #2 Opt. #1</th>
<th>Year #3 Opt. #1</th>
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</thead>
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<tr>
<td>Nacirema Waste</td>
<td>$1,138,008</td>
<td>$1,205,400</td>
<td>$1,232,472</td>
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<tr>
<td>211-217 W. 5th Street</td>
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<tr>
<td>Bayonne, NJ 07002</td>
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</tr>
<tr>
<td>Cali Carting</td>
<td>$960,000</td>
<td>$988,000</td>
<td>$1,040,000</td>
</tr>
<tr>
<td>P.O. Box 440</td>
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<td></td>
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<tr>
<td>Kearny, NJ</td>
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</tr>
<tr>
<td>Waste Management</td>
<td>$990,000</td>
<td>$1,034,500</td>
<td>$1,036,550</td>
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<tr>
<td>77 Brookside Place</td>
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</tr>
<tr>
<td>Hillsdale, NJ</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

NOW, THEREFORE, BE IT RESOLVED, by the Hoboken City Council that:

1. The above recitals are incorporated herein as though fully set forth at length.

2. The Council of the City of Hoboken hereby authorizes the Mayor or his designee to execute any and all documents and take any actions necessary to complete and realize the intent and purpose of this resolution.

3. The Mayor or his designee is authorized to execute an Agreement for the above referenced goods and/or services based upon the following information:

   Cali Carting
   P.O. Box 440
   Kearny, NJ

---Motion duly seconded by Councilman Campos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

04-1487
---By Councilman Cricco:

WHEREAS, pursuant to the resolution of the City Council and after public advertising thereof, the following proposal was received for the supply of Exterminating
Services for the City of Hoboken in accordance with the specifications set forth in City of Hoboken Bid 04-22.

<table>
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<th>Monthly $ Buildings</th>
<th>Monthly $ Parks</th>
<th>Weekly $ Parks</th>
<th>Hourly $ on Call ins</th>
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</thead>
<tbody>
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<td>$800.00</td>
<td>$200.00</td>
<td>$75.00/hr</td>
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<tr>
<td>P.O. Box 930428, Rockaway Beach, NY</td>
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</tr>
<tr>
<td>Prime Pest Control</td>
<td>$1,500.00</td>
<td>$200.00</td>
<td>$25.00</td>
<td>$30.00/hr</td>
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<td>101 Grandview Drive, West Paterson, NJ</td>
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<tr>
<td>Pest-A-Side Exterminator</td>
<td>$1,125.00</td>
<td>$750.00</td>
<td>$0.70/Sq.Ft.</td>
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<td>56 Sanitarium Road, Bridgeton, NJ</td>
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<td>Emergency Pest Control</td>
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<td>$667.67</td>
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<td>331 Main Street, W. Orange, NJ</td>
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<td>Mac Pest Control</td>
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<td>$400.00</td>
<td>$250.00</td>
<td>$75.00/hr</td>
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<tr>
<td>P.O. Box 392, Franklin Lakes, NJ</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

NOW, THEREFORE, BE IT RESOLVED, by the Hoboken City Council that:

1. The above recitals are incorporated herein as though fully set forth at length.

2. The Council of the City of Hoboken hereby authorizes the Mayor or his designee to execute any and all documents and take any actions necessary to complete and realize the intent and purpose of this resolution.

3. The Mayor or his designee is authorized to execute an Agreement for the above referenced goods and/or services based upon the following information:

   Mac Pest Control, P.O. Box 392, Franklin Lakes, NJ

--- Motion duly seconded by Councilman Campos.
--- Adopted by the following vote: YEAS: 9 - NAYS: 0
--- Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
--- Nays: None.

04-1488
--- By Councilman Cricco:

WHEREAS, pursuant to the resolution of the City Council and after public advertising thereof, the following proposal was received for the two (2) year supply of General Building...
Materials for the City of Hoboken in accordance with the specifications set forth in City of Hoboken Bid 04-08.

<table>
<thead>
<tr>
<th>Vendor</th>
<th>Total Annual $ Proposal</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Lumber</td>
<td>$88,929.50</td>
</tr>
<tr>
<td>200 Clinton Street</td>
<td></td>
</tr>
<tr>
<td>Hoboken, NJ</td>
<td></td>
</tr>
<tr>
<td>Liberty Wood Products</td>
<td>$90,786.55</td>
</tr>
<tr>
<td>500 North Avenue East</td>
<td></td>
</tr>
<tr>
<td>West Paterson, NJ</td>
<td></td>
</tr>
</tbody>
</table>

NOW, THEREFORE, BE IT RESOLVED, by the Hoboken City Council that:

1. The above recitals are incorporated herein as though fully set forth at length.

2. The Council of the City of Hoboken hereby authorizes the Mayor or his designee to execute any and all documents and take any actions necessary to complete and realize the intent and purpose of this resolution.

3. The Mayor or his designee is authorized to execute an Agreement for the above referenced goods and/or services based upon the following information:

   **General Lumber**
   200 Clinton Street
   Hoboken, NJ 07030

--- Motion duly seconded by Councilman Campos.
--- Adopted by the following vote: YEAS: 9 - NAYS: 0
--- Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
--- Nays: None.

**04-1489**
--- By Councilman Cricco:

WHEREAS, pursuant to the resolution of the City Council and after public advertising thereof, the following proposal was received the exterior renovations to City Hall for the City of Hoboken in accordance with the specifications set forth in City of Hoboken Bid 04-24.

<table>
<thead>
<tr>
<th>Vendor</th>
<th>Base Bid:</th>
<th>Alternate #1</th>
</tr>
</thead>
<tbody>
<tr>
<td>Water Trol, Inc.</td>
<td>$2,510,816.00</td>
<td>11,000.00</td>
</tr>
<tr>
<td>P.O. Box 163</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cranford, NJ 07016</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hilt Construction, Inc.</td>
<td>$1,197,730.00</td>
<td>18,350.00</td>
</tr>
<tr>
<td>44 Essex Dr</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Monmouth Junction, NJ 08852</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
NOW, THEREFORE, BE IT RESOLVED, by the Hoboken City Council that:

1. The above recitals are incorporated herein as though fully set forth at length.

2. The Council of the City of Hoboken hereby authorizes the Mayor or his designee to execute any and all documents and take any actions necessary to complete and realize the intent and purpose of this resolution.

3. The Mayor or his designee is authorized to execute an Agreement for the above referenced goods and/or services based upon the following information:

Hilt Construction, Inc.
44 Essex Drive
Monmouth Junction, NJ 08852

---Motion duly seconded by Councilman Campos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

04-1490
---By Councilman Cricco:

WHEREAS, the Mayor and Council of the City of Hoboken desire to further public interest by obtaining a grant from State of New Jersey in the amount of $20,619 to fund the activities described within the scope of services in “Attachment A”, pursuant to the requirements of the New Jersey Pollution Discharge Elimination System, Municipal Stormwater General Permit, Watershed Protection & Management Act of 1997 and Section 319 (h) of the Federal Clean Water Act, and;

WHEREAS, the City of Hoboken agrees to comply with all applicable federal, State, and municipal laws, rules and regulations in its performance pursuant to the agreement; now therefore be it

RESOLVED, that the Mayor and/ or his designee is authorized to execute the grant agreement with the State of New Jersey for a grant not less than $20,619 and is also authorized to execute any amendments necessary to implement the activities outlined within the “Attachment A”.

---Motion duly seconded by Councilman Campos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

04-1491
---By Councilman Ramos:

WHEREAS, Small Yuda Taxi Corp. has made application to the Mayor and Council of the City of Hoboken for transfer of Taxicab Owner License #44 to Nour & Sarah Inc., and

WHEREAS, Small Yuda Taxi Corp. has consented to said Transfer of Ownership and the application transfer for Taxicab Owner License #44 has been duly investigated as required by law and

Resolved by the Council of the City of Hoboken that Public Hack and Taxicab Owner License #44, expiring March 31, 2005 be subject to all of its terms and conditions once transferred to Nour & Sarah Inc, and be it

Further Resolved, 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 shall not be effective until such time as Nour & Sarah Inc. 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 Council President Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

04-1492
---By Councilman Campos:

WHEREAS, the labor contract between the City of Hoboken and the Police Superior Officers Association (“PSOA”) is in place, effective January 1, 2002 through December 31, 2004; and

WHEREAS, the City of Hoboken has engaged in negotiations on behalf of the City with the PSOA regarding a dispute over language in Article III, Section 1 (e), entitled, “Time Off”; and

WHEREAS, the terms resulting from said negotiations have been memorialized in the attached Memorandum of Agreement between the parties to be incorporated into the labor contract with the PSOA, which is attached here to and incorporated by reference; and

---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.
NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Hoboken in the County of Hudson that:

1. The above recitals are incorporated herein as though fully set forth at length;
2. The Council hereby authorizes the Mayor or his designee to execute any and all documents and take any and all actions necessary to complete and realize the intent and purpose of this resolution.
3. This Resolution shall be in effect immediately.

--Motion duly seconded by Councilman Cricco.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

04-1493
---By Council President Del Boccio:

WHEREAS, an overpayment of taxes has been made on property listed below; and

WHEREAS, Louis Picardo, Collector of Revenue 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 **$30,801.89** 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>Gregory &amp; Madeline Adami</td>
<td>160\5\C0018</td>
<td>831 Clinton St</td>
<td>$ 699.93</td>
</tr>
<tr>
<td>2 Constitution Court</td>
<td></td>
<td>Hoboken, NJ 07030</td>
<td></td>
</tr>
<tr>
<td>First American Tax Service</td>
<td>158\2</td>
<td>607 Clinton St.</td>
<td>$1,491.54</td>
</tr>
<tr>
<td>1201 Elm Street Suite 400</td>
<td></td>
<td>Dallas, Texas 75270</td>
<td></td>
</tr>
<tr>
<td>Mr. Michael Cottan</td>
<td>28\16\C002N</td>
<td>131 Monroe St.</td>
<td>$1,339.60</td>
</tr>
<tr>
<td>C/o Warran Kahn Attorney</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>150 River Road</td>
<td></td>
<td>Montville, NJ 07045</td>
<td></td>
</tr>
<tr>
<td>J&amp;L Subramanian</td>
<td>84\3\C0027</td>
<td>713-25 Jefferson St.</td>
<td>$3,010.98</td>
</tr>
<tr>
<td>725 Jefferson St. #27</td>
<td></td>
<td>Hoboken, NJ 07030</td>
<td></td>
</tr>
<tr>
<td>First American Tax Service</td>
<td>16.1\36\C0001</td>
<td>502 Hudson Street</td>
<td>$1,641.76</td>
</tr>
<tr>
<td>P.O. Box 569766</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Meeting of July 14, 2004
Dallas, TX 75356

Washington Mutual 184\17\C0003 931 Park Ave. $1,260.85
Attn: Tax Refund Dept. FSC0211 P.O. Box 100573 Florence, South Carolina 295501

Washington Mutual 89\12\C0601 501 Ninth St. $1,240.75
Attn: Tax Refund Dept. FSC0211 P.O. Box 100573 Florence, South Carolina 295501

Ever Home Mortgage Co. 221\7\C003R 1027 Washington St $600.28
P.O. Box 569764 Dallas, TX 75356 Attn: Customer Service

Mortgage Serv. Center 177\19\C0003 138-40 Washington St $843.78
P.O. Box 23750 Rochester, NY 14692

New Century Mortgage 115\1 1300-24 Clinton St $12,898.57
C/o LSI Tax Services 3100 New York Drive, Suite 100 Pasadena, CA 91107 Attn: Angel Medina

CitiMortgage, Inc. 76\11.1\C09GB 320 Jefferson St $48.21
5280 Corporate Dr Dept. 1009 Frederick, MD 21703

First American Tax Serv 15\8 85-87 Jackson St $1,035.21
95 Methodist Hill Rd, Suite 100 Rochester, NY 14623 Attn: Tonia-Jay Graf

D. Reinke & M. Smith 190\7\C0001 333 Garden Street $1,446.48
333 Garden Street, #1 Hoboken, NJ 07030

Washington Mutual Bank 17\48\C004B 56 Jefferson Street $3,243.95
2210 Enterprise Dr. P.O. Box 100573 Florence, SC 295501

---Motion duly seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.
04-1494
---By Council President Del Boccio:

WHEREAS, an overpayment of taxes has been made on the property of the list below: and

WHEREAS, tax appeal was filed by the property owners; and

WHEREAS, State Tax Court recommends a settlement in this matter, now, therefore, be it

RESOLVED, that a warrant be drawn on the City Treasurer made payable to the taxpayer appearing on the attached list totaling $9,595.60

<table>
<thead>
<tr>
<th>NAME</th>
<th>BL/LOT/UNIT</th>
<th>PROPERTY</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>308 Madison LLC &amp; Michael Schneck Esq</td>
<td>48\30</td>
<td>308 Madison St</td>
<td>$30.00</td>
</tr>
<tr>
<td>101 Eisenhower Pkwy Roseland, NJ 07068</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hera Partnership</td>
<td>223\1.1</td>
<td>46 Newark St</td>
<td>$974.30</td>
</tr>
<tr>
<td>Michael Schneck Esq</td>
<td>101 Eisenhower Pkwy Roseland, NJ 07068</td>
<td></td>
<td></td>
</tr>
<tr>
<td>NJS LLC &amp; Robert D. Blaw Esq.</td>
<td>204\32</td>
<td>518 Washington St.</td>
<td>$8,591.30</td>
</tr>
</tbody>
</table>

---Motion duly seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

04-1495
---By Council President Del Boccio:

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

Meeting of July 14, 2004
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 $19,650,000.00 and a rate of $7.83.

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 2005 municipal tax levy to be $19,650,000.00 and a rate of $7.83.

---Motion duly seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

04-1496
---By Council President Del Boccio:

WHEREAS, Brian H. Liona of 118 Monroe Street, Hoboken, New Jersey was called to active duty service on February 2, 2004.

WHEREAS, as determined by the City of Hoboken that interest due on late payments be waived;

RESOLVED, that late interest payments on Block 27 Lot 24 be waived in the amount of $52.36.

---Motion duly seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

04-1497
---By Council President Del Boccio:

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 2005:

<table>
<thead>
<tr>
<th>JP Morgan Chase</th>
<th>Commerce</th>
</tr>
</thead>
<tbody>
<tr>
<td>Northfork Bank</td>
<td>First Union Bank</td>
</tr>
<tr>
<td>Provident Savings</td>
<td>Fleet Bank</td>
</tr>
<tr>
<td>Hudson City Savings</td>
<td>Haven Savings Bank</td>
</tr>
</tbody>
</table>
NOW, THEREFORE, BE IT RESOLVED, that said legally designated depositories by 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
Louis Picardo, CMFO

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 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:

David Roberts, Mayor
Louis Picardo, CMFO

BE IT RESOLVED, that all previous authorizations 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 RESOLVED, that the banks mentioned in the first paragraph hereof be furnished with a certified copy of this resolution.

---Motion duly seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

04-1498
---By Councilman Ramos:

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 goods 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 2004 thru 30 June 2005; 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 will certify the availability of funds for these contracts,
NOW, THEREFORE BE IT RESOLVED by the Council of the City of Hoboken:

M&G Auto Parts, Inc. 6023 Kennedy Blvd., North Bergen, NJ Contract #A57013 be awarded a contract for fiscal year 2005 for Automotive Parts, and,

Generator Exchange, 667-669 Communipaw Ave., Jersey City, Contract #A57769 be awarded a contract for fiscal year 2005 for Automotive Parts, and

Beyer Bros. Corp. 108 Broad Ave., Fairview, Contract #A57735, be awarded a contract for fiscal year 2005 for Automotive Parts, and

W.B. Mason 210 Meadowlands Pkwy, Secaucus, NJ 07094, Contract #A49010, be awarded a contract for fiscal year 2005 for Office Supplies, and

Double Eagle Equipment, 285 Ridge Road, Dayton, Contract #A51556, be awarded a contract for fiscal year 2005 for Park & Public Properties Equipment and Supplies, and

Hudson Camera Corp, 130 Newark Ave. Jersey City, Contact #A87639, be awarded a contract for fiscal year 2005 for Photographic Equipment and Supplies, and

C&C Tire Co., Inc. 21 State Hwy #17, East Rutherford, Contract #A49403, be awarded a contract for fiscal year 2005 for Tires and Tubes.

---Motion duly seconded by Council President Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

04-1499
---By Council President Del Boccio:

WHEREAS, the Hoboken Parking Utility requires it’s monthly customers within the Municipal Garages within Hoboken to make a deposit as security for the individual vehicle AVI (computer card) used to enter/exit the garage(s), and

WHEREAS, the Hoboken Parking Utility receives said deposits from the individual customers, and

WHEREAS, this deposit is refundable upon the cancellation of the contract between the individual and the Hoboken Parking Utility, now, therefore, be it

RESOLVED, that the attached list of individuals be refunded the deposit value shown next to
their individual name, and be it further

RESOLVED, that the total amount of all refunds, by this Resolution, shall be Fifteen Hundred Sixty Dollars ($1,560.00) and be it further

RESOLVED, that the Hoboken Parking Utility shall reimburse said individuals from the Other Expense Line in the SFY 2005 Budget Current Fund line number 5-31-55-5012-200. (see attached list)

---Motion duly seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

04-1500
---By Councilman Ramos:

WHEREAS, the City of Hoboken sought competitive proposals for the provision of Telephone Maintenance services, and

WHEREAS, the below submitted bids were of such a variance in price, and

WHEREAS, the following proposals were received:

<table>
<thead>
<tr>
<th>Vendor</th>
<th>Year #1 Month Retain</th>
<th>Year #2 Month/Rate</th>
<th>Year #2 Hrly/Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Consult Edge</td>
<td>$270.00 $85.00</td>
<td>$295.00 $85.00</td>
<td></td>
</tr>
<tr>
<td>9 Whippany Rd Whippany, NJ 07981</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Enterprise Consultants</td>
<td>$1,740.50 $50.00</td>
<td>$1,740.50 $50.00</td>
<td></td>
</tr>
<tr>
<td>11 Kensington Ave. Emerson, NJ 07630</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Hoboken in the County of Hudson that:

1. The above recitals are incorporated herein as though fully set forth at length.

2. The Council hereby rejects the proposal of the above vendor.

3. The Administration is hereby authorized to revise the specifications and re-advertise for these goods/services.

---Motion duly seconded by Council President Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

04-1501
---By Councilman Ramos:

WHEREAS, the City of Hoboken sought competitive proposals for provision of Electrical Services, and

WHEREAS, the below submitted bid was higher than the anticipated cost of the original bid specifications as advertised, and

WHEREAS, the following proposal was received:
Vendor Year #1 (only)
Oxford Electric Master Electrician Helper
137 Arrowgate Dr. $70.00/hr. $25.30/Hr.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Hoboken in the County of Hudson that:

1. The above recitals are incorporated herein as thoughtfully set forth at length.
2. The City Council hereby rejects the proposal of the above vendor.
3. The Administration is hereby authorized to re-advertise for these goods/services.

---Motion duly seconded by Council President Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

04-1502
---By Councilman Ramos:

WHEREAS, the City is in need of various goods and services for its' efficient operation; and

WHEREAS, such purchase of goods and services are governed by the Local Contracts Law and certain goods and services must be bid and advertised to that law; and

WHEREAS, the Purchasing Agent is responsible for such purchases;

THEREFORE, BE IT RESOLVED that:

1. 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.
2. This resolution shall take effect immediately and remain in effect for fiscal year 2005.
---Motion duly seconded by Council President Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

04-1503
---By Councilman Ramos:

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 goods 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 2004 thru 30 June 2005; 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 will certify the availability of funds for these contracts,

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

M&G Auto Parts, Inc. 6023 Kennedy Blvd., North Bergen, NJ Contract #A57013 be awarded a contract for fiscal year 2005 for Automotive Parts, and,

Generator Exchange, 667-669 Communipaw Ave., Jersey City, Contract #A57769 be awarded a contract for fiscal year 2005 for Automotive Parts, and

Beyer Bros. Corp. 108 Broad Ave., Fairview, Contract #A57735, be awarded a contract for fiscal year 2005 for Automotive Parts, and

W.B. Mason 210 Meadowlands Pkwy, Secaucus, NJ 07094, Contract #A49010, be awarded a contract for fiscal year 2005 for Office Supplies, and

Double Eagle Equipment, 285 Ridge Road, Dayton, Contract #A51556, be awarded a contract for fiscal year 2005 for Park & Public Properties Equipment and Supplies, and

Hudson Camera Corp, 130 Newark Ave. Jersey City, Contact #A87639, be awarded a contract for fiscal year 2005 for Photographic Equipment and Supplies, and

C&C Tire Co., Inc. 21 State Hwy #17, East Rutherford, Contract #A49403, be awarded a contract for fiscal year 2005 for Tires and Tubes.

---Motion duly seconded by Council President Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

04-1504
---By Council President Del Boccio:

WHEREAS, the Hoboken Parking Utility is charged with providing on/off street parking for the citizens of Hoboken, and

WHEREAS, the Hoboken Parking Utility is also charged with enforcing existing parking regulations within the City of Hoboken, and

WHEREAS, this enforcement, occasionally, results in improper citations being issued by the employees of the Hoboken Parking Utility, now therefore, be it

RESOLVED, that the attached list of individuals be refunded the towing and/or boot charges which were deemed to be improper equal to the amount shown next to their individual name, and be it

RESOLVED, that the total amount of all refunds, by this Resolution, shall be Two Thousand Five Hundred Ninety-Nine Dollars and Forty Cents ($2,599.40), and be it further

RESOLVED, that the Hoboken Parking Utility shall reimburse said individuals from the Other Expense Line in the SFY 2005 Budget Current Fund line number 5-31-55-502-200 (see attached list)

---Motion duly seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

04-1505
---By Councilman Ramos:

WHEREAS, pursuant to Section 21-2 of the Code of the City of Hoboken, there exists within the Municipal Court for the City of Hoboken, a full-time Municipal court Judge, who shall be responsible for all judicial and administrative functions of the Municipal Court; and

WHEREAS, Section 21-2 further provides that the Municipal Court Judge be appointed by the Mayor with the advice and consent of the City Council for the term of (3) three years from the date of appointment; and

WHEREAS, Kimberly Glatt is an attorney at law of the State of New Jersey.
NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Hoboken, in the County of Hudson that Kimberly Glatt, an attorney at law of the State of New Jersey, is highly qualified to hold the Office of the Municipal Court Judge; and

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to reappoint Kimberly Glatt as full time Municipal Court Judge of the City of Hoboken for a term of (3) three years effective, July 1, 2004, with a salary to be fixed by ordinance.

---Motion duly seconded by Council President Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

Councilman Campos left the meeting at 7:50 p.m.

04-1506
---By Councilman Ramos:

WHEREAS, the Council of the City of Hoboken, considers it necessary and proper to hire special legal counsel for the up-coming year; and

WHEREAS, such specialized legal services can be provided by a recognized law firm. And the law firm of Scarinci & Hollenbeck, LLC of 1100 Valley Brook Avenue, P.O. Box 790, Lyndhurst, New Jersey 07070 is so recognized; and

WHEREAS, said legal services are specialized and qualitative in nature and falls 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, the City Clerk has published in a newspaper authorized by law to publish the City’s legal advertisements, as required by N.J.S.A. 40A:11-5(1)(a)(ii), 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.

WHEREAS, funds for these agreements are available for this purpose; and

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Hoboken in the County of Hudson

1. The above recitals are incorporated herein as though fully set forth at length;
2. The Council of Hoboken hereby authorizes the Mayor, or his designee to execute any and all documents and take any and all actions necessary to complete and realize the intent and purpose of this resolution.
3. This Resolution shall be in effect immediately.
4. This contract period shall be from July 1, 20-04 and terminate June 30, 2005 at an amount not to exceed Three Hundred Fifty Five Thousand ($355,000.00) dollars.

Before the vote was taken one member of the public addressed the City Council: Maurice De Gennero, 614 Hudson Street.

Councilman Campos returned to the meeting at 7:52 p.m.

A motion was made to approve ONLY 26.25% of the contract cost for this and the following two (2) resolutions as per the temporary appropriations for SFY 2005. Voted on as follows:

---Motion by Councilman Russo.
---Motion duly seconded by Councilwoman Marsh.
---FAILED by the following vote: YEAS: 4 - NAYS: 5
   ---Yeas: Castellano, Marsh, Russo, Soares.
   ---Nays: Council persons Campos, Cricco, Giacchi, Ramos and President Del Boccio.

Then the vote was taken on the resolution as introduced, with no amendments.

---Motion duly seconded by Council President Del Boccio.
---Adopted by the following vote: YEAS: 5 - NAYS: 4
   ---Yeas: Council persons Campos, Cricco, Giacchi, Ramos and President Del Boccio.
   ---Nays: Castellano, Marsh, Russo, Soares.

04-1507
---By Councilman Ramos:

   WHEREAS, the Council of the City of Hoboken, considers it necessary and proper to hire special legal counsel for the up-coming year; and

   WHEREAS, such specialized legal services can be provided by a recognized law firm, and the law firm of Sarkasian, Florio and Kenny of 1125 Hudson Street, Hoboken, New Jersey 07030 is so recognized; and

   WHEREAS, said legal services are specialized and qualitative in nature and falls 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, the City Clerk has published in a newspaper authorized by law to publish the City’s legal advertisements, as required by N.J.S.A. 40A:11-5(1)(a)(ii), 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.

   WHEREAS, funds for these agreements are available for this purpose; and
NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Hoboken in the County of Hudson that

1. The above recitals are incorporated herein as though fully set forth at length;
2. The Council of Hoboken hereby authorizes the Mayor, or his designee to execute any and all documents and take any and all actions necessary to complete and realize the intent and purpose of this resolution.
3. This Resolution shall be in effect immediately.
4. This contract period shall be from July 1, 2004 and terminate June 30, 2005 at an amount not to exceed Three Hundred Thousand ($300,000.00) dollars.

---Motion duly seconded by Council President Del Boccio.
---Adopted by the following vote: YEAS: 5 - NAYS: 4
---Yeas: Council persons Campos, Cricco, Giacchi, Ramos and President Del Boccio.
---Nays: Castellano, Marsh, Russo, Soares.

04-1508
---By Councilman Ramos:

WHEREAS, the Council of the City of Hoboken considers it necessary and property to hire professional engineering services for a Municipal Engineer; and

WHEREAS, said engineering services are specialized and qualitative in nature and falls 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;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Hoboken in the County of Hudson that

1. A contract for the professional engineering services shall be prepared and executed as follows:

Schoor DePalma, Inc.
160 Littleton Road
P.O.Box 5245
Parsippany, New Jersey 07054, such to be paid at an hourly rate of pursuant to the attached schedule not to exceed $75,000.00.

2. This agreement shall be effective July 1, 2004 and terminate June 30, 2005.

3. 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 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).

4. The Mayor and City Clerk are hereby authorized to execute this Agreement.
5. 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 6

---Motion duly seconded by Council President Del Boccio.
---Adopted by the following vote: YEAS: 5 - NAYS: 4
---Yeas: Council persons Campos, Cricco, Giacchi, Ramos and President Del Boccio.
---Nays: Castellano, Marsh, Russo, Soares.

04-1509
---By Council President Del Boccio:

WHEREAS, the Council of 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 SFY 2005 Municipal Budget; and

WHEREAS, such specialized financial consultant services can be provided by a recognized auditing firm, and the audit firm of Ernst & 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 under N.J.S.A. 40A:11-5(1)(a)(i); and

WHEREAS, the City Clerk has published in a newspaper authorized by law to publish the City’s legal advertisements, as required by N.J.S.A. 40A:11-5(1)(a)(ii), a brief notice stating the name of the contractor, nature of the contractor, 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.

WHEREAS, funds for these agreements are available for this purpose; and

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Hoboken in the County of Hudson

1. The above recitals are incorporated herein as though fully set forth at length;
2. The Council of Hoboken hereby authorizes the Mayor, or his designee to execute any and all documents and take any and all actions necessary to complete and realize the intent and purpose of this resolution.
3. This Resolution shall be in effect immediately.
4. This contract period shall be from July 1, 2004 and terminate June 30, 2005 inclusive and that the cost shall be Two Hundred Ninety Six Thousand dollars ($296,000.00) plus expenses. ($270,000.00 for audit services and $26,000.00 for assistance with SFY 2005 budget)

---Motion duly seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 5 - NAYS: 4
---Yeas: Council persons Campos, Cricco, Giacchi, Ramos and President Del Boccio.
---Nays: Castellano, Marsh, Russo, Soares.
WHEREAS, there is a pending state action before the Office of Administration Law regarding the revocation of the C.F.O. License of George DeStefano based upon alleged improprieties during his tenure as Hoboken’s Chief Financial Officer; and

WHEREAS, it has become necessary to provide Special Auditing Services to prepare and present testimony in the aforesaid hearing; and

WHEREAS, such specialized financial consultant services can be provided by a recognized auditing firm, and the audit firm of Ernst & 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 under N.J.S.A. 40A:11-5(1)(a)(i); and

WHEREAS, the City Clerk has published in a newspaper authorized by law to publish the City’s legal advertisements, as required by N.J.S.A. 40A:11-5(1)(a)(ii), a brief notice stating the name of the contractor, nature of the contractor, 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.

WHEREAS, funds for these agreements are available for this purpose; and

NOW, THEREFORE, BE IT RESOLVED, that:

1. The above recitals are incorporated herein as though fully set forth at length;
2. The Council of Hoboken hereby authorizes the Mayor, or his designee to execute any and all documents and take any and all actions necessary to complete and realize the intent and purpose of this resolution.
3. This Resolution shall be in effect immediately.
4. This contract period shall be from July 1, 2004 and terminate June 30, 2005 inclusive and that the cost shall be Twenty Five Thousand dollars ($25,000.00)

After discussion, a motion was made to TABLE the above resolution as follows:

---By Councilwoman Castellano
---Motion duly seconded by Councilman Russo.
---TABLED by the following vote: YEAS: 6 - NAYS: 3
---Yeas: Council persons Castellano, Cricco, Giacchi, Marsh, Russo, Soares.
---Nays: Campos, Ramos, President Del Boccio.
---By Councilman Ramos:

WHEREAS, the City of Hoboken, requires the services of Meadowlands Associates for Public Relations and Media Consultant services; and

WHEREAS, the City has reviewed the qualifications and proposal of Meadowlands Associates and has determined that Meadowlands Associates can provide these services for the City of Hoboken in an efficient manner; and

WHEREAS, this type of work constitutes a service of an extraordinary and unspecifiable nature and as defined by N.J.S.A. 40A:11-5-(1)(a)(ii); and

BE IT RESOLVED, that a contract is awarded to Meadowlands Associates in an amount not to exceed Thirty Six Thousand ($36,000.00) dollars per year payable at the rate of Three Thousand ($3,000.00) dollars per month, as outlined in the attached contract, and said contract shall be executed by the Mayor and the Clerk.

NOW, THEREFORE, BE IT RESOLVED that:

1. The above recitals are incorporated herein as though fully set forth at length.
2. The Council of the City of Hoboken hereby authorizes the Mayor or his designee to execute any and all documents and take any actions necessary to complete and realize the intent and purpose of this resolution.
3. The Mayor or his designee is authorized to execute an Agreement for the above referenced services based upon the following:

Service Provider: Meadowlands Associates
47 Cedar Street
Jersey City, NJ 07305

Before the vote was taken the following addressed the City Council: Helen Hirsch, 98 Park Avenue; Anthony Amabile, President, Meadowlands Associates.

---Motion duly seconded by Council President Del Boccio.
---Adopted by the following vote: YEAS: 5 - NAYS: 3 - ABSTENTIONS: 1
---Yea: Council persons Campos, Cricco, Giacchi, Ramos and President Del Boccio.
---Nays: Castellano, Marsh, Soares.
---Abstentions: Russo.

---By Councilman Ramos:

WHEREAS, the City of Hoboken is the recipient of a grant award from the New Jersey Department of Community Affairs, Division of Housing and Community Resources, Community Service Block Grant, in the amount of $35,000; and

WHEREAS, the purpose of this grant is to provide funding to support the City of Hoboken’s Police Department Summer program, “Operation New Adventure”, which will
provide enrichment activities for approximately 190 children ages 2 through 16 who reside in Hoboken Public Housing, to include 8 field trips to various cultural, sports, and recreational venues, 8 sessions of arts and crafts for children and a Teen Sailing Program during the months of July and August 2004; and

WHEREAS, the New Jersey Department of Community Affairs shall make an advance payment in the amount of $35,000 to the City of Hoboken,

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the City of Hoboken that the Governing Body does hereby accept this grant in the amount of $35,000 to cover the expenses associated with “Operation New Adventure”; and

BE IT FURTHER RESOLVED, that the Governing Body of the City of Hoboken authorizes the Mayor of the City of Hoboken or his designee to execute a Grant Agreement with the New Jersey Department of Community Affairs on behalf of the City of Hoboken. Upon execution of said Agreement, the City of Hoboken does accept the Terms and Conditions specified in the Agreement in connection with this grant.

CERTIFICATION

I, James J. Farina, Municipal Clerk of the City of Hoboken in the County of Hudson and the State of New Jersey do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at its meeting of July 14, 2004.

Before the vote was taken one member of the public addressed the City Council: Helen Hirsch, 98 Park Avenue.

---Motion duly seconded by Council President Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

04-1513
---By Councilman Cricco:

WHEREAS, the City of Hoboken acting as a mortgagee through (formerly known as the Department of Planning & Community Development) under the US Department of Housing & Urban Development Rental Rehabilitation Program, entered into a Mortgage and a Regulatory Agreement with Mr. Robert Green on April 29, 1992 for the rehabilitation of his property located at 235 Monroe Street, Hoboken, New Jersey; and

WHEREAS, the Department of Community Development of the City of Hoboken has reviewed the request to discharge the above mentioned Mortgage and Regulatory Agreement in that the loan have been paid in full,

NOW, THEREFORE, BE IT RESOLVED, that the Mayor of the City of Hoboken or his designee is hereby authorized to execute the Discharge of Mortgage and Regulatory Agreement on said property at 235 Monroe Street, and be it
FURTHER RESOLVED, that the City Clerk of the City of Hoboken is hereby authorized to attest the same and affix the Seal of the City of Hoboken thereto.

---Motion duly seconded by Councilman Campos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

Councilwoman Marsh left the meeting at 8:27 p.m.

04-1514
---By Council President Del Boccio:

WHEREAS, BDLJ Associates, LLC (the “Developer”) is affiliate and development agent of the ownership of a certain tract of real property situated in the City of Hoboken, County of Hudson, State of New Jersey described in Exhibit A attached hereto (“Developer's Property”);

WHEREAS, the City of Hoboken Planning Board (the Planning Board”) granted site plan approval to the Developer to construct a planned unit development (the “PUD”) on a portion of the Developer's Property pursuant to Resolutions adopted July 17, 1997, February 1, 2000 and March 7, 2000 (the “Prior Approval”);

WHEREAS, the Developer submitted a bifurcated application to the Planning Board for (i) a variance (the “Variance Application”) to permit development block coverage in excess of that allowed by the Hoboken Zoning Ordinance and (ii) amended preliminary site plan and final subdivision approval (the “Amended Site Plan Application”) to amend the Prior Approval in order to expand the PUD to, among other things, allow the construction of (a) an additional 410 residential units (for a total of 1,278 residential units); (b) an additional 1,103 square feet of retail floor area (for a total of 70,048 square feet of retail floor area (for a total of 70,048 square feet of retail floor area); (c) an additional 349 parking space (for a total of 1,447 parking spaces), (d) additional public open space improvements; and (e) other site related improvements, all as more particularly shown on the plans entitled “Amended Preliminary Site Plans and Amended Major Subdivision Plan for Hoboken Cove, City of Hoboken, Hudson County, New Jersey”, prepared by Paulus Sokolowski and Sartor, LLC, dated February 7, 1997, last revised October 23, 2003, and consisting of Sheets C-1 through C-18, SPI through SP13, A1 through A3, and LA1 through LA9 (the “Submitted Plans”) (the proposed development of said expanded PUD being hereinafter referred to as the “Project”);

WHEREAS, on September 25, 2003 the Developer obtained Planning Board approval of the Variance Application, which approval was memorialized by the Planning Board's Resolution of Approval adopted November 6, 2003 (the “Variance Approval”);

WHEREAS, as a condition of the Variance Approval, the Planning Board (i) required that proposed open space included within the Project be dedicated to the public, and (ii) reserved the right to make reasonable comments and restrictions regarding the open space at the time of preliminary and final site plan approval;
WHEREAS, on March 2, 2004, the Developer obtained Planning Board Approval of the Amended Site Plan Application, which approval was memorialized by the Planning Board’s Resolution of Approval adopted April 8, 2004 (the “Amended Site Plan Approval”);

WHEREAS, as a condition of the Amended Site Plan Approval, the Planning Board required that (i) the Developer enter into a developer’s agreement with the City of Hoboken, a body politic of the State of New Jersey, whose address is Newark and Washington Street, Hoboken, New Jersey 07030 (the “City”) in a form satisfactory to the Corporation Counsel, addressing the Developer’s and the City’s responsibilities and obligations in connection with the construction and maintenance of a park (the “Park”) to be constructed on the open space on Developer’s Property, and on a parcel of land owned by the City, in conjunction with the portion of the Park improvements, and/or make a financial contribution toward the construction of the Park improvements, as set forth in said developer’s agreement.

WHEREAS, a developer’s agreement has been negotiated between the City and the Developer, which addresses the Developer’s and the City’s obligations with respect to the Park, including, without limitation the Developer’s obligations to (i) construct a portion of the Park improvements (ii) contribute financially toward construction of the Park, and (iii) dedicate to the City the portion of the Park situated on Developers’ Property, all in accordance with and as set forth in more detail in the developers agreement, a copy of which is annexed hereto as Exhibit B (the “Developer’s Agreement”);

NOW, THEREFORE, BE IT RESOLVED, that:

The Developer’s Agreement is hereby approved and Mayor David Roberts or designated official are hereby authorized to execute the Developer’s Agreement on behalf of the City of Hoboken, in form substantially similar to that annexed hereto.

WHEREAS, the Hoboken City Council requests that the Administration consider withholding any action by the HPU at the present time.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Hoboken in the County of Hudson that:

1. The above recitals are incorporated herein as though fully set forth at length;
2. The City Council requests consideration for withholding time shift changes for HPU Enforcement Officers.
3. This Resolution shall be in effect immediately.

Before the vote was taken one member of the public addressed the City Council: Helen Hirsch, 98 Park Avenue.

Councilwoman Marsh returned to the meeting at 8:29 p.m.

---Motion duly seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.
---By Councilman Campos:

WHEREAS, the labor contract between the City of Hoboken and the Fire Officers Association, expired December 31, 2002; and

WHEREAS, the City of Hoboken has engaged in negotiations on behalf of the City with the Fire Fighters Association regarding the labor contract and seek to ratify the labor contract today, to be effective January 1, 2003; and

WHEREAS, the terms resulting from said negotiations have been memorialized in the attached Memorandum of Agreement between the parties to be incorporated into the labor contract with the Fire Fighters Association; and

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Hoboken in the County of Hudson that:

1. The above recitals are incorporated herein as though fully set forth at length;
2. The Council hereby authorizes the Mayor or his designee to execute any and all documents and take any and all actions necessary to complete and realize the intent and purpose of this resolution.
3. This Resolution shall be in effect immediately.

Before the vote was taken one member of the public addressed the City Council: Bruce Leeder, attorney for Local 1078.

---Motion duly seconded by Councilman Cricco.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

At this time, 8:52 p.m., the City Council took a brief recess.

The meeting was reopened at 9:01 p.m., all present.

---By Councilman Ramos:

WHEREAS, the labor contract between the City of Hoboken and the Fire Officers Association, expired December 31, 2002; and

WHEREAS, the City of Hoboken has engaged in negotiations on behalf of the City with the Fire Fighters Association regarding the labor contract and seek to ratify the labor contract today, to be effective January 1, 2003; and
WHEREAS, the terms resulting from said negotiations have been memorialized in the attached Memorandum of Agreement between the parties to be incorporated into the labor contract with the Fire Fighters Association; and

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Hoboken in the County of Hudson that:

1. The above recitals are incorporated herein as though fully set forth at length;
2. The Council hereby authorizes the Mayor or his designee to execute any and all documents and take any and all actions necessary to complete and realize the intent and purpose of this resolution.
3. This Resolution shall be in effect immediately.

---Motion duly seconded by Council President Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

04-1517
---By Councilman Ramos:

WHEREAS, the City of Hoboken seeks to install decorative sidewalk clocks at City Hall and Eleventh Street on Washington Street; and

WHEREAS, said engineering services are specialized and qualitative in nature and falls 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, Marchetto Caulfield Associates has proposed to design related curb and sidewalk improvements to receive clocks, prepare bid and construction documents, and provide construction administration for the aforesaid project; and

WHEREAS, the City of Hoboken, Department of Environmental Services seeks to award a contract to Marchetto Caulfield Associates, 1225 Willow Avenue, Hoboken, New Jersey 07030; and

WHEREAS, the maximum amount of the contract for these services to Marchetto Caulfield Associates shall be Sixteen Thousand Four Hundred Twenty ($16,420.00) dollars; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Hoboken in the County of Hudson that:

1. A contract for the professional engineering services shall be prepared and executed as follows:

Marchetto Caulfield Associates
2. The Mayor and City Clerk are hereby authorized to execute this Agreement.
3. 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.

This Resolution is effective immediately.

---Motion duly seconded by Council President Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yea: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

04-1518
---By Councilman Ramos:

WHEREAS, the City of Hoboken will appropriate the sum of $35,000 in the line item appropriation entitled Unclassified, Hoboken Volunteer Ambulance Corps, Account # 5-01-25-260-020 as a municipal contribution toward the support of the Hoboken Volunteer Ambulance Corps; and

WHEREAS, the City of Hoboken desires to support the Hoboken Volunteer Ambulance Corps; now therefore, be it

RESOLVED, that a warrant be drawn on the City Treasurer to the order of the Hoboken Volunteer Ambulance Corps in the sum of $17,500 as a semi-annual payment with the balance of $17,500 payable in the March Quarter of fiscal year 2005; and be it further

RESOLVED, that funds for the first payment are available in the approved Temporary Budget line item appropriation entitled Unclassified, Hoboken Volunteer Ambulance Corps, Account #5-01-25-260-020.

---Motion duly seconded by Council President Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yea: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

04-1519
---By Councilman Ramos:

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 goods 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 2004 thru 30 June 2005; 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 $130,000.00 and,
WHEREAS, the Chief Financial Officer will certify the availability of funds for these contracts,
NOW, THEREFORE BE IT RESOLVED by the Council of the City of Hoboken that Exxon Mobil Fleet P.O. Box 530988, Atlanta GA, 30353-0988, Contract # A85650 be awarded a contract for fiscal year 2005 for Gasoline/Diesel Fuel purchases by credit card.

---Motion duly seconded by Council President Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

04-1520
---By Councilman Ramos:

WHEREAS, N.J.S.A. 40A:11-5(1)(i)(ii) allows municipalities to award public contracts without public bidding when “equipment repair service if in the nature of an extraordinary unspecifiable service and necessary parts furnished in connection with such services, which exception shall be in accordance with the requirements for extraordinary unspecifiable service, and

WHEREAS, the vendors shown below provide such goods and/or services which fall under the above citation now

THEREFORE, BE IT RESOLVED, that the below listed vendors are authorized to provide goods and/or services upon demand by the City of Hoboken with final payment being authorized by this City Council.

1. The above recitals are incorporated herein as thoughtfully set forth at length.
2. The Council hereby authorizes the Mayor, or his designee to execute any and all documents and take any and all action necessary to complete and realize the intent and purpose of this resolution. The Administration is hereby authorized to re-advertise for these goods/services.
3. The Mayor or his designee is hereby authorized to execute an agreement for the above referenced goods and/or services based upon the following information:

Absolute Fire Protection, Co.Inc. Atlantic Detriot Diesel
2800 Hamiliton Blvd. 180 Rt 17. S.
So. Plainfield, NJ 07080-0497 Lodi, NJ 07644

---Motion duly seconded by Council President Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

04-1521
---By Councilman Ramos:

WHEREAS, the City of Hoboken, Department of Community Development has a need for professional planning services with regard to various City planning and development activities; and

WHEREAS, the City of Hoboken Department of Community Development is desirous of awarding a professional planning services contract to Vandor & Vandor LTD, 26 Leroy Avenue, Tarrytown, New York to provide professional planning and consulting services; and

WHEREAS, the maximum amount of the contract for professional services to Vandor and Vandor shall be seventy five thousand dollars ($75,000,00) for a term of one year (July 16, 2004- to June 30, 2005); and

WHEREAS, the type of work constitutes a professional services 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 by the Mayor and City Council of the City of Hoboken, that a professional services contract be hereby awarded to Vandor and Vandor in an amount not to exceed seventy five thousand dollars ($75,000.00) during the one year (July 16, 2004 to June 30, 2005) 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 record of the contract on the file in accordance with N.J.S.A. 40A:11-1 et. seq.

---Motion duly seconded by Council President Del Boccio.
---Adopted by the following vote: YEAS: 8 - NAYS: 1
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Ramos, Russo, Soares and President Del Boccio.
---Nays: Marsh.

04-1522
---By Councilman Ramos:

WHEREAS, the City of Hoboken, is interested in potentially preserving certain land commonly known as 800 Jackson Street for park purposes and is seeking legal services for the purpose of reviewing the issues pertaining to the property under its present status and making recommendations for potential steps that the City might take to acquire same; and
WHEREAS, some of the issues involved relate to the potential exchange of land, condemnation, valuation and other steps that might be taken to place the parcel into a status whereby it could be utilized for park-type purposes; and

WHEREAS, Gordan Litwin, Esq. Will represent the City of Hoboken for this purpose; and

WHEREAS, it would appear, at the outset, that the nature of the services involved could approximate up to 30 to 40 hours of time in the initial stages in order to formulate recommendations, including inspection of the property, related property records, review of any appropriate land use or other ordinances, conferring with the attorney for the present owner, legal research, preparation of recommendations and such other steps as may be necessary to perform the requested tasks; and

WHEREAS, the City of Hoboken will be billed at the municipal rate of $140.00 per hour not to exceed $7,500.00 without further City Council approval and funds are available from Corporation Counsel O.E. line budget.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Hoboken in the County of Hudson

1. The above recitals are incorporated herein as though fully set forth at length;
2. The Council of Hoboken hereby authorizes the Mayor, or his designee to execute any and all documents and take any and all actions necessary to complete and realize the intent and purpose of this resolution.
3. This Resolution shall be in effect immediately.

---Motion duly seconded by Council President Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

ORDINANCES

Introduction and First Reading

04-1523
DR-147

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 192 OF THE CODE OF THE CITY OF HOBOKEN ENTITLED PARKING FOR HANDICAPPED. (Approvals; 1030 Bloomfield St., 413 1st St., 59 13th St.) (DR-147).
Section 192-4 (A) GENERAL HANDICAP SPACES DESIGNATED

Section 1, Pursuant to the authority granted to the City of Hoboken by N.J. S.A. 39:4-205. 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.

Eileen Hopkins, 1030 Bloomfield Street, west side of Bloomfield Street, beginning at a point 124 feet from the southwest curbline of Eleventh Street and extending 22 feet southerly therefrom.

Bienvenido Morales, 413-1st Street south side of First Street, beginning at a point 35 feet from the southeast curbline of Adams Street and extending 22 feet easterly therefrom.

Rene Rodriguez, 59-13th Street, south side of 13th Street, beginning at a point of 130 feet west of the southwest curbline of Hudson Street and extending 22 feet west therefrom.

Section 2, 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 the ordinance codified and incorporated in the official copies of the Hoboken Code. This ordinance shall take effect as provided by law.

---Council President 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 AUGUST 11, 2004 at 7:00 PM.

---Motion duly seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

04-1524
DR-148


190-11 Loading Zone

Section 1: The ordinance is hereby amended to add the following as contained herein as a Loading Zone, For the Boys and Girls Club. (121 Jefferson Street)
Section 2. No person shall park a vehicle in said location during the times indicated other than for the loading or unloading of passengers or materials. For the hours of 8:00 A.M. to 6:00 P.M. Monday thru Friday.
Section 3, Proper signs shall be erected accordance with the current “Manual on Traffic Control Devices” and maintain thereafter.

Section 4: All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

Section 5, 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.

---Council President 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 AUGUST 11, 2004 at 7:00 PM.

---Motion duly seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

---Council President 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 AUGUST 11, 2004 at 7:00 PM.

---Motion duly seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

**04-1525**
**DR-149**

**ELECTRONIC ACCESSIBILITY OF PUBLIC INFORMATION ORDINANCE (DR-149).**

**WHEREAS,** Hoboken has a strong commitment to open, efficient, promptly responsive, and accessible government; and

**WHEREAS,** technology has made possible the swift and inexpensive dissemination of information through electronic means, including the Internet, e-mail and other electronic mediums; and

**WHEREAS,** the use of electronic technologies will likely reduce the use of paper, thereby benefiting the environment and the public; and

**WHEREAS,** the citizenry of Hoboken is significantly computer and Internet savvy;

**WHEREAS,** the City of Hoboken has established a web site;
WHEREAS, the City of Hoboken uses e-mail;

NOW, THEREFORE, BE IT ORDAINED that the Mayor and Council find and determine that the means and processes used by the City Clerk’s Office and by other City offices to maintain and disseminate public information and documents and to respond to requests for public information and documents shall include the use of electronic technologies, including the Internet, the World Wide Web, e-mail and other electronic mediums.

Definitions:

a. “E-mail” shall mean messages sent from one person or entity to another via computer.
b. “Internet” shall mean a matrix of networks that connects computers throughout the world.
c. “Public Information and Documents” shall mean records made and maintained and received or kept on file in the course of official business including but not limited to agendas, minutes (including executive session minutes when they become public), resolutions, proposed ordinances and resolutions, all City codes, the Master Plan, consultant reports, municipal budgets (not including worksheets), contracts, licenses, tax records, landlord registration forms, financial disclosure forms, bidders lists (when complete), lists of members of municipal boards and commissions including their terms of office, and such other information and/or records generated by the Mayor and the City Council and all municipal departments, boards, commissions, agencies, utilities, authorities and such other entities and instrumentalities of municipal government and that are not confidential in nature and whose release is not forbidden by law. Any unlisted telephone numbers, social security numbers, driver license numbers, credit card numbers and other private information determined by law not to be public that is contained in the foregoing shall be deleted or obliterated. “Public Information and Documents” shall include all records not specifically exempted by New Jersey's Open Public Records Act (“OPRA”) (N.J.S.A. 47:1A-1 et seq.), as amended and supplemented.
e. “World Wide Web” shall mean the complete set of documents residing on all Internet servers the use the HTTP protocol, accessible to users via a simple point-and-click system.

Provisions:

a. The City of Hoboken has established a Web site ("Hoboken Web Site") and has registered it with the domain name of www.hobokennj.org. The City of Hoboken shall create and post on the Web Site an e-mail address for the City Clerk’s Office, in order to respond to requests for public information and documents. The City of Hoboken shall post on the Hoboken Web Site, along with a standard phone contact list, the e-mail; addresses for City assigned e-mail addresses for employees. Certain employees have been assigned e-mail addresses in order to promote efficient communication with the public and other agencies and companies whereas their job functions require such communication.
b. All notices and agendas required by law to be posted publicly and/or published shall be also posted on the Hoboken Web Site. These postings shall be done in a timely manner in respect to the posting/publishing to its printed counterpart. All postings shall remain on the Hoboken Web Site, enabling citizens to review archived information. The City of Hoboken retains the right to remove archived information, if such archived information is impeding on the storage capability to publish new information.

c. The City Clerk’s Office shall accept all requests for public information and documents submitted via e-mail, in addition to such requests submitted on paper or via facsimile transmission. Such requests may also be filed on forms which shall be available in downloadable form on the Hoboken Web Site.

d. The City’s response to requests for Public Information and Documents shall include the use of e-mail, if so requested. The requesting entity shall provide the necessary e-mail address so that the request can be fulfilled.

e. E-mail directed to the City of Hoboken or its employees may be retained as part of the public record, and these communications may be available through public information requests. Because of the public information nature of the Hoboken Web Site, users should have no assumption of privacy, as any Information that may be provided by an individual or his/her system can become public information.

Individuals who visit the City of Hoboken website are important to the City. Because visitors to the website are important, the City does not capture personal information about them without their permission. The City endeavors to collect only the minimum amount of information needed to meet the purposes for which the website was created.

**Public Disclosure:**

All information collected on the City of Hoboken website will be treated the same as any written communication and is subject to the confidentiality and public disclosure laws of the State of New Jersey.

**Privacy Statement:**

Visitors to the City of Hoboken Website should be advised that the City may collect information about visitors who view or download information from the City website, such as the date and time the site is visited, the type of web browser or other client software that made the request to the City web server or its off-site server provider, the Internet Protocol (IP) address of the visitor, the amount of data sent by the City server to the visitor, or error code information.

The information collected is to be used to improve the content of the provided city web services and to help understand how people are using the services. Website logs are analyzed to continually improve the value of the materials available on the website. Such website log information is not personally identifiable, and the City will make no attempt to link it with the individuals that browse the City website.

“Personally identifiable information” is information about a person that is readily identifiable to that specific individual. It includes, for example, and individual’s name, street address, e-mail address, or phone number.
Personally identifiable information will not be collected unless an individual voluntarily sends an e-mail message, fills out and sends an online form, or fills out personal information and sends in a survey. The choice not to participate in these activities will not impair an individuals' ability to access certain information or obtain a service online.

Unless specifically protected under state law, any information provided may be inspected by the public or disclosed in a legal proceeding.

E-Mail Senders:

E-mail messages sent to the City of Hoboken Website will be treated the same as any other written communication. They may be subject to public inspection or legal disclosure and may be saved for a period of time before they are destroyed. E-mail or other information requests sent to the municipal website may be maintained in order to respond to the request, forward that request to the appropriate agency, or to provide the web designer with valuable customer feedback to assist in improving the site. E-mail addresses obtained as a result of a request to the municipal site will not be sold or given to private companies for marketing purposes.

Electronic Form Filers:

Any other information provided by a visitor at the request of the City of Hoboken, such as the completion and electronic filing of a form, will be considered to be voluntarily provided by the visitor and will be treated in the same manner as information provided in written form or in person during a visit to the agency. Information provided may be subject to public inspection and legal disclosure and may be saved for a period of time before it is destroyed.

The City of Hoboken collects, retains and utilizes the email address of Website visitors only when they volunteer to subscribe to document folders on the municipality's Website. The information is used to administer subscriber accounts and to provide documents requested by E-mail Subscribers. Records containing personal information about E-mail Subscribers are confidential and may only be released with the express written permission of the subscriber.

Cookies –Definition:

Cookies are small text files that a web server may ask your web browser to store, and to send back to the web server when needed. Cookies may be used to store a transaction identifier to other information a user may provide.

The City of Hoboken does not utilize cookies in order to track visits to its website.

Disclaimer:

Neither the City of Hoboken, nor any agency, officer, or employee of the City of Hoboken warrants the accuracy, reliability or timeliness of any information published on the City of Hoboken Website, nor endorses any products or services linked from this system, and shall not be held liable for any losses caused by reliance on the accuracy, reliability or timeliness of such information. Portions of the information may be incorrect or not current. Any person or entity that relies on any information obtained from this system does so at his or her own risk.

Various websites may be linked through the city of Hoboken website. Visitors to those sites are advised to check the privacy statements of those sites and be cautious about providing
personally identifiable information without a clear understanding of how the information will be used.

**Severability:**

If any sentence, paragraph, clause, or section of this Ordinance, or the application thereof to any person or circumstance shall be judged by a court of competent jurisdiction to be invalid, such judgment shall not impair, affect, or void the remainder of this Ordinance.

**Interpretation:**

This Ordinance shall be interpreted liberally to ensure the greatest public access to Public Information and Documents.

---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 11, 2004 at 7:00 PM.

---Motion duly seconded by Council President Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

AN ORDINANCE AUTHORIZING THE ACQUISITION BY PURCHASE OR CONDEMNATION OF REAL PROPERTY LOCATED AT 1325 ADAMS STREET AND 409-415 FOURTEENTH STREET, HOBOKEN, NEW JERSEY, FOR REDEVELOPMENT PLAN. (DR-150).

WHEREAS, by Ordinance No. R-318 dated May 20, 1998, the City Council adopted the Northwest Redevelopment Plan for an area declared to be an area in need of redevelopment; and

WHEREAS, by Resolution No. 1683 dated October 18, 2000, the City Council, exercising redevelopment powers under N.J.S.A. 40A:12-4 approved an Amended Developer's Agreement with Frank Raia as the Redeveloper for certain parcels of land within the boundaries of the Northwest Redevelopment Plan; and

WHEREAS, pursuant to the foregoing Resolution, the City of Hoboken has entered into an Amended Developer's Agreement with Frank Raia which provides for the purchase or condemnation of the property known as 1325 Adams Street (Block 114, Lot 13 on the Tax Assessment Map) and 409-415 Fourteenth Street (Block 114, Lots 14 to 17 on the Tax Assessment Map) (the Property”) for the purpose of redevelopment including the property located at 1325 Adams Street and 409-415 Fourteenth Street; and

WHEREAS, by Resolution No. 03-928 dated April 2, 2003, the City Council consented to the transfer of the Redeveloper's rights under the foregoing Amended
Developer’s Agreement to a joint venture comprised of Tarragon Realty Investors, Inc. Ursa Development Group LLC and Frank Raia with respect to certain properties including the property located at 1325 Adams Street and 409-415 Fourteenth Street; and

WHEREAS, on September 19, 2003, an Assignment and Assumption Agreement in accordance with the foregoing City Council Resolution was executed by the joint venture parties under which the Redeveloper’s rights and obligations under the Amended Developer’s Agreement with respect to the property located at 1325 Adams Street and 409-415 Fourteenth Street were assigned to and assumed by Block 114 Development, LLC, a development entity to be formed by the joint venture partners; and

WHEREAS, Block 114 Development, LLC has assumed the Redeveloper’s rights and obligations under the Amended Developer’s Agreement with respect to the Property; and

WHEREAS, Block 114 Development, LLC has been unable or unsuccessful in negotiating the acquisition of the Property and has requested that the City of Hoboken proceed with the acquisition of the Property by purchase or condemnation in accordance with the Amended Developer’s Agreement;

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

1. The property known as 1325 Adams Street, Hoboken, New Jersey designated as Block 114, Lots 13, and 409-415 Fourteenth Street, designated as Block 114, Lots 14 to 17 (inclusive) on the Hoboken Tax Assessment Map (the “Property”) is determined to be needed for the public purpose of redevelopment in accordance with the Northwest Redevelopment Plan; and

2. The Mayor Business Administrator and Special Counsel (who is to be retained by separate resolution) are authorized and directed to undertake any actions and to execute any documents necessary or appropriate to acquire the Property owners either by purchase or condemnation in accordance with the Eminent Domain Act of 1971, N.J.S.A. 20:3-1, et. seq.; and

3. The amount of the offer price to be offered to the record owners of the Property is to be fixed by further resolution upon receipt and approval of an appraisal report to be prepared by a qualified real estate raiser; and

---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 AUGUST 11, 2004 at 7:00 PM.

---Motion duly seconded by Councilman Campos.
---Adopted by the following vote: YEAS: 8 - NAYS: 1
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Ramos, Russo, Soares and President Del Boccio.
---Nays: Marsh.

04-1527
DR-151

ARTICLE IV
Through Streets Designated

190-8 Through Streets Designated.

Section 1., All streets listed under this article are hereby deleted as through streets pending approval from the New Jersey State Department of Transportation.

Section 2. The ordinance shall be a part of the Administrative Code of the City of Hoboken as though codified and fully set forth therein. The city clerk shall have this ordinance codified and incorporated in the official copies of the Hoboken code.

Section 3. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

---Council President 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 AUGUST 11, 2004 at 7:00 PM.

---Motion duly seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSTENTIONS: 1
---Yeas: Council persons Campos, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.
---Abstentions: Castellano.

All regular business concluded the following members of the public spoke at the “Public Portion” of the meeting: Joann Turso, 300 Adams Street; Maurice De Gennero, 614 Hudson Street.

President Del Boccio then adjourned the meeting at 9:33 p.m.
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 Campos, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.

ABSENT: Castellano.

PUBLIC HEARING and FINAL VOTE ON ORDINANCES

Second Reading / Public Hearing and Final Vote

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 192 OF THE CODE OF THE CITY OF HOBOoken ENTITLED PARKING FOR HANDICAPPED. (Approvals; 1030 Bloomfield St., 413 1st St., 59 13th St.) (DR-147).

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, President Del Boccio asked for a motion to close the hearing.

Councilman Russo moved that the hearing be closed.
Meeting of August 11, 2004


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, President Del Boccio asked for a motion to close the hearing.

Councilman Campos moved that the hearing be closed.

Council President Del Boccio then instructed the City Clerk to call the Final Vote for the above Ordinance.

---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Campos, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.
---Absent: Castellano.

ELECTRONIC ACCESSIBILITY OF PUBLIC INFORMATION ORDINANCE. (DR-149).
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.

The following addressed the City Council: Maurice De Gennaro, 614 Hudson Street; Elizabeth Mason, 921 Hudson Street; Ann Graham, 1021 Grand Street; Bob DuVal, 303 Park Avenue. No other person present desiring to be heard and no written protests or objections received, President Del Boccio asked for a motion to close the hearing.

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

Council President Del Boccio then instructed the City Clerk to call the Final Vote for the above Ordinance.

---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Campos, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.
---Absent: Castellano.

AN ORDINANCE AUTHORIZING THE ACQUISITION BY PURCHASE OR CONDEMNATION OF REAL PROPERTY LOCATED AT 1325 ADAMS STREET AND 409-415 FOURTEENTH STREET, HOBOKEN, NEW JERSEY, FOR REDEVELOPMENT PLAN. (DR-150).

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.

The following addressed the City Council: Nancy Hodgins, 1325 Adams Street. No other person present desiring to be heard and no written protests or objections received, President Del Boccio asked for a motion to close the hearing.

Councilman Cricco moved that the hearing be closed. Motion duly seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 7 - NAYS: 1 - ABSENT: 1
---Yeas: Council persons Campos, Cricco, Giacchi, Marsh, Ramos, Russo and President Del Boccio.
---Nays: Soares.
---Absent: Castellano.

Council President Del Boccio then instructed the City Clerk to call the Final Vote for the above Ordinance.
---Adopted by the following vote: YEAS: 6 - NAYS: 2 - ABSENT: 1
---Yeas: Council persons Campos, Cricco, Giacchi, Ramos, Russo and President Del Boccio.
---Nays: Marsh, Soares.
---Absent: Castellano.


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, President Del Boccio asked for a motion to close the hearing.

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

Council President Del Boccio then instructed the City Clerk to call the Final Vote for the above Ordinance.

---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Campos, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.
---Absent: Castellano.

Members of the public as an initiative through petitions submitted the following three (3) ordinances, DR-152, DR-153, and DR-154, to the City Clerk on July 15, 2004. The City Clerk certified said ordinances on July 30, 2004 pursuant to N.J.S.A. 40:69A-190 and first reading deemed to have been completed by said certification. At this time these ordinances are on the City Council agenda for second reading, public hearing and third and final reading. Ordinances, in their entirety, as follows:

AN ORDINANCE REQUIRING CONTRIBUTION DISCLOSURE STATEMENTS IN APPLICATIONS FOR MAJOR ZONING VARIANCES AND FOR OTHER MUNICIPAL APPROVALS, AND AMENDING AND SUPPLEMENTING THE “REVISED GENERAL ORDINANCES OF THE CITY OF HOBOKEN, NEW JERSEY” ACCORDINGLY. (DR-152).
Section 1 Short Title
Contribution Disclosure Ordinance

Section 2 Purpose

WHEREAS, municipal Master Plans include well thought out, long-term decisions about the development capacity of the community; and WHEREAS, municipal Master Plans are implemented through the enactment of local land use ordinances; and WHEREAS, deviations from these local ordinances by way of variances pursuant to N.J.S.A. 40:55D-70d and N.J.S.A. 40:55D-70c, as well as exceptions and waivers pursuant to 40:550-51, provide opportunities for significant private gain; and WHEREAS, the redevelopment process currently underway within the City of Hoboken also provides opportunities for significant private gain; and WHEREAS, openness in government and a fair and impartial variance, waiver and exception application process is crucial to assuring the continuing integrity of the municipal Master Plan, its implementing ordinances and the integrity of the application process; and WHEREAS, disclosure of political contributions by property owners, developers, redevelopers and professionals will enhance the City's existing commitment to openness in government and provide further guarantees for a fair and impartial application and approval process; and WHEREAS, disclosure of political contributions by property owners, developers, redevelopers and professionals will effectuate the purposes of the Municipal Land Use Law to promote morals and the general welfare; and WHEREAS, the Mayor and City Council of the City of Hoboken, having considered the foregoing, believe that it is in the best interests of the residents of the City of Hoboken to enact the within Ordinance.

NOW THEREFORE, BE IT ORDAINED, that it is accordingly found and determined that the paramount public interest in enhancing the City's commitment to openness in government, and in providing further guarantees for a fair and impartial variance, waiver and exception application process, and in promoting morals and the general welfare, requires the disclosure of political contributions by property owners, developers, redevelopers and professionals within the City as a component of making application to the City for certain approvals, and requires the supplementation of the municipal application checklists to mandate the listing of specified political contributions made by property owners, developers, redevelopers and the professionals whose services they use; and

BE IT FURTHER ORDAINED, that the “Revised General Ordinances of the City of Hoboken, New Jersey” is hereby amended and supplemented in order to incorporate the provisions set forth herein.

Section 3 Definitions

Application Checklist — The term “Application Checklist” means the list of submission requirements adopted by ordinance and provided by municipal agencies to a developer pursuant to N.J.S.A. 40:55D-10.3.

Developer - The term “Developer” means a developer as defined by N.J.S.A.40:550d-4, i.e. the legal or beneficial owner or owners of a lot or of any land proposed to be included in a proposed development, including the holder of an option or contract to purchase, or other person having an
enforceable proprietary interest in such land. The term “Developer” includes any applicant or entity that wishes to undertake redevelopment activity within the City of Hoboken pursuant to the New Jersey Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq.

Professional - The term “Professional” means any person or entity whose principals are required to be licensed by New Jersey Law and who supplies legal representation, expert testimony or written reports in support of an application. Professionals shall include both any individuals supplying the representation, testimonies or reports and the firms or entities in which said individuals practice.

Contribution - The term “Contribution” means every loan, gift, subscription, advance or transfer of money or other thing of value, including any item of real property or personal property, tangible or intangible (but not including services provided without compensation by individuals volunteering a part or all of their time on behalf of a candidate, committee or organization), made to or on behalf of any candidate, candidate committee, joint candidates committee, political committee, continuing political committee or political party committee and any pledge, promise or other commitment or assumption of liability to make such transfer. For purposes of reports required under the provisions of the ordinance, any such commitment or assumption shall be deemed to have been a contribution upon the date when such commitment is made or liability assumed.

Contribution Disclosure Statement - The term “Contribution Disclosure Statement” means a list specifying the amount, date, and the recipient of any and all contributions made to or on behalf of any candidate, candidate committee, joint candidates committee, political committee, continuing political committee or political party committee of or pertaining to, the City of Hoboken, made prior to filing the application with or seeking approval from the City and required to be reported pursuant to N.J.S.A. 19 44A-1 et seq. The disclosure shall include all such contributions made during the time period measuring from one (1) year prior to the last municipal election through the time of filing the application with or seeking approval from the City. There shall be a continuing disclosure responsibility to require continuing disclosure of any such contributions made following the filing of the “Contribution Disclosure Statement” and during the pendency of the application and/or approval process.

Municipal Agencies - The term “Municipal Agencies” means the Municipal Planning Board, the Municipal Zoning Board of Adjustment, and the Municipal Governing Body acting as the Redevelopment Agency pursuant to the New Jersey Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq.

Section 4 General Provisions

a. Disclosure Requirements

I. Any applicant for a variance pursuant to N.J.S.A. - 40:55D-70d or a variance pursuant to N.J.S.A. 40:55D-70c in conjunction with any application or any subdivision pursuant to local ordinance or a site plan not considered a minor site plan pursuant to local ordinance, as well as any application for a subdivision pursuant to local ordinance or site plan not considered a minor site plan pursuant to local ordinance requiring waivers or exceptions pursuant to N.J.S.A. 40:55D-51, as well as any applicant who wishes to undertake redevelopment activity within the City of Hoboken pursuant to the New Jersey
Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq., shall include in its application with and/or submit to the relevant Municipal Agency a Contribution Disclosure Statement for all Developers involved in the said application; all associates of said Developers who would be subject to disclosure pursuant to N.J.S.A. 40:55D-48.1 or 40:55D-48.2 shall also be subject to this requirement; and all Professionals who apply for or provide testimony, plans, or reports in support of said application or who have an enforceable proprietary interest in the property or development which is the subject of the application or whose fee in whole or part is contingent upon the outcome of the application shall also be subject to this requirement. Regardless of whether the owner of the property, which is the subject of the application falls in any of the categories established in the preceding sentence, the applicant shall include in its application to the relevant Municipal Agency a Contribution Disclosure Statement for said owner.

II. During the pendency of the application process until the final approval associated with the application is granted, any applicant required to comply with this ordinance shall amend its Contribution Disclosure Statement to include continuing disclosure of all contributions within the scope of disclosure requirement of the above paragraph.

b. Inclusive of Contribution Disclosure Statements as an Element of the Application Checklist

I. An Application Checklist ordinance is hereby adopted pursuant to N.J.S.A.40: 550-10.3 to require that the Contribution Disclosure Statements specified in paragraph “a” of this section be submitted by the applicant for all applications for variance relief pursuant to N.J.S.A 40:55D-70d, as well as for relief pursuant to N.J.S.A.40:55D-70c, or for relief pursuant to N.J.S.A. 40:550-51 in applications for site plan and not considered to be minor site plans pursuant to local ordinance, or for approval to undertake redevelopment activity within the City of Hoboken pursuant to the New Jersey Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq.

II. The City's Municipal Agencies shall amend their Application Checklists to include the Contribution Disclosure Statements specified in paragraph “a” of this section.

~ III. An application shall not be deemed complete by the administrative official or accepted for public hearing by the Municipal Agency until the required Contribution Disclosure Statements are submitted.

II Contribution Disclosure Statements shall be available in the office of the administrative officer for review by any member of the public.

c. Availability of Contribution Disclosure Statements

All contribution Disclosure Statements shall be in the office of the administrative officer for review by any member of the public.

d. Intent of Contribution Disclosure Statements. it is the intend of this office that contribution disclosure statements shall serve solely as a means to inform the public and shall not serve in any manner as evidence relevant to the decision-making criteria for granting or denying requested variances or other approvals. Such decisions shall continue to be governed strictly under the relevant criteria set forth in the Municipal Land Use Law N J S A 40 55D-1 et seq or other relevant law

Section 5 Severability and Effectiveness Clause

If any sentence, paragraph or section of this ordinance, or the application thereof to any persons or circumstances shall be adjudged by a court of competent jurisdiction to be invalid, or if by legislative action any sentence,
paragraph or section of this ordinance shall lose its force and effect, such judgment or action shall not affect, impair or void the remainder of this ordinance.

Section 6. Effective Date:  
This ordinance shall become effective immediately upon final passage and publication in accordance with the law.

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.

The following addressed the City Council: Bob DuVal, 303 Park Avenue; Ann Graham, 1021 Grand Street; Elizabeth Mason, 921 Hudson Street; Michael Lenz, 408 Monroe Street. No other person present desiring to be heard and no written protests or objections received, President Del Boccio asked for a motion to close the hearing.

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

Council President Del Boccio then instructed the City Clerk to call the Final Vote for the above Ordinance.

---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Campos, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.
---Absent: Castellano.

PUBLIC CONTRACTING REFORM ORDINANCE. (DR-153).

Preamble

Whereas, professional business entities are exempt from public bidding requirements, and

Whereas, it has become common for professional business entities to make substantial political contributions to the election campaigns of the local government elected officers who are ultimately responsible for awarding professional service contracts or other contracts or agreements which are not subject to public bidding, and

Whereas, substantial local political contributions from professional business entities receiving discretionary contracts from the elected officials who receive such contributions raise reasonable concerns of the part of taxpayers as to their trust in the process of local government, if not the quality or cost of services received, and

Whereas, pursuant to N.J.S.A. 40A:1-5 and NJ.SA. 40:48-2, municipalities have the
right to establish rules and procedures for contracting with professional business entities,

Now therefore, be it resolved that the policy of the City of Hoboken will be to set maximum amounts professional business entities may contribute politically beyond which they become ineligible to receive a public professional service contract from the City of Hoboken.

SECTION 1 - Prohibition on Awarding Public Contracts to Certain Contributors

(a) Any other provision of law to the contrary notwithstanding, the municipality or any of its purchasing agents or agencies or those of its independent authorities, as the case may be, shall not enter into an agreement or otherwise contract to procure services, including banking services/relationships, legal or insurance coverage, or any other no-bid consulting services, from any professional business entity, if that entity has solicited or made any contribution of money, or pledge of a contribution, including in-kind contributions, to a campaign committee of any Hoboken candidate or holder of the public office having ultimate responsibility for the award of the contract, or to any Hoboken or Hudson County party committee, or to any political action committee (PAC) that is organized for the primary purpose of promoting or supporting Hoboken municipal candidates or municipal officeholders in excess of the thresholds specified in subsection (d) within two calendar years immediately preceding the date of the contract or agreement.

(b) No professional business entity which enters into negotiations for, or agrees to, any contract or agreement with the municipality or any department or agency thereof or of its independent authorities for the rendition of professional, banking or insurance coverage services or any other no-bid consultants shall knowingly solicit or make any contribution of money, or pledge of a contribution, including in-kind contributions, to any Hoboken candidate or holder of the public office ultimately responsible for the award of the contract, or to any Hoboken or Hudson County party committee, or to any PAC that is organized for the primary purpose of promoting or supporting Hoboken municipal candidates or office holders between the time of first communications between that business entity and the City of Hoboken regarding a specific professional services agreement and later of determination of negotiations or the completion of the contract or agreement.

(c) For purpose of this ordinance, a “professional business entity” seeking a public contract means an individual including the individual’s spouse, if any, and any children; person; firm; corporation; professional corporation; partnership; organization; or association. The definition of a business entity includes all principals who own 10% or more of the equity in the corporation or business trust, partners, and officers in the aggregate employed by the entity as well as any subsidiaries directly controlled by the business entity.

(d) Any individual meeting the definition of “professional business entity” under this section may annually contribute a maximum of $400 each for any purpose to any candidate, for mayor or council. or $500 to the Hoboken or Hudson County party committee, or to a PAC referenced in this ordinance, without violating subsection (a) of this section. However, any group of individuals meeting the definition of
“professional business entity under this section, including such principals, partners, and officers of the entity in the aggregate, may not annually contribute for any purpose in excess of $2,500 to all Hoboken candidates and officeholders with ultimate responsibility for the award of the contract, and all Hoboken or Hudson County political parties and PACs referenced in this ordinance combined, without violating subsection (a) of this section. •

(e) For purposes of this section, the office that is considered to have ultimate responsibility for the award of the contract shall be:

(1) The Hoboken City Council, if the contract requires approval or appropriation from the Council.

(2) The Mayor of Hoboken, if the contract requires approval of the Mayor, or if a public officer or board member who is responsible for the award of a contract is appointed by the Mayor.

SECTION 2 - Contributions Made Prior to the Effective Date

No contribution of money or any other thing of value, including in-kind contributions, made by a professional business entity to any municipal candidate for Mayor or Council, or municipal or county party committee or PAC referenced in this ordinance shall be deemed a violation of this section, nor shall an agreement for property, goods, or services, of any kind whatsoever, be disqualified thereby, if such contribution was made by the professional business entity prior to the effective date of this section.

SECTION 3 - Contribution Statement by Professional Business Entity

(a) Prior to awarding any contract or agreement to procure services, including banking services/relationships and legal or insurance coverage services or any other no-bid consulting service, with any professional business entity, the City of Hoboken or any of its purchasing agents or agencies, as the case may be, shall receive a sworn statement from the professional business entity made under penalty of perjury that the bidder or offer or has not made a contribution in violation of Section 1 of this Act;

(b) The professional business entity shall have a continuing duty to report any violations of this Act that may occur during the negotiation or duration of a contract. The certification required under this subsection shall be made prior to entry into the contract or agreement with the City and shall be in addition to any other certifications that may be required by any other provision of law.

SECTION 4 – Return of Excess Contributions

A professional business entity or municipal candidate or office holder or municipal or county party committee or PAC referenced in this ordinance may cure a violation of Section 1 of this act, if, within 30 days after the general election, the professional business entity notifies that Hoboken City Council in writing and seeks and receives reimbursement of a contribution from the City of Hoboken candidate or municipal or County political party to PAC reference in this ordinance.

SECTION 5 - Penalty
(a) All City of Hoboken professional service agreements shall provide that it shall be a material breach of the terms of the government contract for a professional business entity as defined in Section 1 (c) to violate, or to aid or abet a violation of Section 1 (b) or 1 (d) or to knowingly conceal or misrepresent contributions given or received, or to make or solicit contributions through intermediaries for the purpose of concealing or misrepresenting the source of the contribution.

(b) Any professional business entity as defined in Section 1(c) who knowingly fails to reveal a contribution made in violation of this Act, or who knowingly makes or solicits contributions through intermediaries for the purpose of concealing or misrepresenting the source of the contribution, shall be disqualified from eligibility for future City contracts for a period of four (4) calendar years from the date of the violation.

SECTION 6 - Severability

If any provision of this law, or the application of any such provision to any person or circumstances, shall be held invalid, the remainder of this law to the extent it can be given effect, or the application of such provision to persons or circumstances other than those to which it is held invalid, shall not be affected thereby, and to this extent the provisions of this law are severable.

SECTION 7 - Effective Date

This Act shall become effective pursuant to law.

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.

The following addressed the City Council: Ron Hine, 258 Newark Street; Heather Taylor, Common Cause, 450 Main Street, Metuchen, NJ; Brian Urbano, 604 Park Avenue; Augusta Przygoda, 222 Garden Street. No other person present desiring to be heard and no written protests or objections received, President Del Boccio asked for a motion to close the hearing.

Councilman Ramos moved that the hearing be closed.

Motion duly seconded by Councilman Cricco.

---Adopted by the following vote: YEAS: 5 - NAYS: 3 - ABSENT: 1
---Yeas: Council persons Campos, Cricco, Giacchi, Ramos and President Del Boccio.
---Nays: Marsh, Russo, Soares.
---Absent: Castellano.

Council President Del Boccio then instructed the City Clerk to call the Final Vote for the above Ordinance.

---FAILED by the following vote: YEAS: 3 - NAYS: 5 - ABSENT: 1
---Yeas: Marsh, Russo, Soares.
---Nays: Council persons Campos, Cricco, Giacchi, Ramos and President Del Boccio.
---Absent: Castellano.
AN ORDINANCE REQUIRING COMPETITIVE NEGOTIATION FOR PROFESSIONAL SERVICES CONTRACTS. (DR-154).

Section 1: Short Title
Competitive Negotiation Ordinance

Section 2. Purpose:
- WHEREAS this municipality has a strong commitment to open and fair competition; and
- WHEREAS qualification based, competitive, negotiation procedures help to ensure open and fair competition through published rules and decision-making criteria;

THEREFORE, it is accordingly found and determined that the paramount public interest is served by requiring that the City award all contracts or agreements to outside consultants for the provision of professional services on the basis of competitive negotiation.

Section 3 Definitions:
1. “Professional services” for purposes of this ordinance means, as defined at N.J.S.A. § 40A:1l-2(6), services rendered or performed by a person authorized by law to practice a recognized profession, whose practice is regulated by law, and the performance of which services requires knowledge of an advanced type in a field of learning acquired by a prolonged formal course of specialized instruction and study as distinguished from general academic instruction or apprenticeship and training. For purposes of this ordinance, however, professional services shall not include professional artistic services as defined at N.J.S.A. § 40A:1l-2(6). Professional services shall include financial services or insurance services.

Section 4 General Provisions:
1. The municipality shall award all contracts or agreements for the provision of professional services on the basis of qualification based competitive negotiation.
2. Professional Service contract requests for proposal shall be published by the posting of a public notice at least 10 days prior to the awarding of any contract for professional services.
3. The public notice shall be:
   a. Prominently posted in the public place reserved for Sunshine Law notices;
   b. Mailed, telephoned, telegrammed, emailed or hand delivered to at least two newspapers designated to receive such notices because they have the greatest likelihood of informing the public within the municipality, one of which shall be the official newspaper of the municipality; and
   c. Filed with the clerk of the municipality.
4. The public notice shall, at minimum, include:
   a. A description of the professional services needed, including, where appropriate, a description of tasks involved.
   b. Threshold qualification requirements setting the highest possible, minimum standards for qualifying to compete for the particular services and tasks involved.
   c. Notice that standardized submission requirements and selection criteria are
5. Standardized submission requirements shall include:
   a. Names and roles of the individuals who will perform the task and a
the matter being advertised
   b. References and record of success
   c. Description of ability to provide the services in a timely fashion
      (including staffing, familiarity and location of key staff).
   d. Cost details including the hourly rates of each of the individuals who will
      perform services and time estimates for each individual, all expenses,
      and, where appropriate, total cost of “not to exceed” amount.

6. The selection criteria to be used in awarding a contract or agreement for professional
   services shall include:
   a. Qualifications of the individuals who will perform the tasks and the
      amounts of their respective participation.
   b. Experience and references.
   c. Ability to perform the task in a timely fashion, including staffing and
      familiarity with subject matter.
   d. Cost competitiveness.

7. All submissions shall be kept on file during the term of the related contract, and shall be
   public records after the deadline for the submission of proposals.

8. In the event that compliance with part or all of the requirements of this ordinance is
   impracticable as regards a particular contract or agreement, the City council may
   waive part or all of the requirements by a majority vote of the full council together with
   publication of a resolution setting forth with specificity the reasons such waiver is
   required

Section 5  Severability and Effectiveness Clause
If any sentence, paragraph or section of this ordinance, or the application
thereof to any persons or circumstances shall be adjudged by a court of competent
jurisdiction to be invalid, or if by legislative action any sentence, paragraph or
section of this ordinance shall lose its force and affect, such or action shall not affect
impair or void the remainder of this ordinance

Section 6. Effective Date:
This ordinance shall become effective pursuant to law

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.

The following addressed the City Council: Bob DuVal, 303 Park Avenue; Michael Lenz, 408
Monroe Street. No
2.00.20 other person present desiring to be heard and no written protests or objections
received, President Del Boccio asked for a motion to close the hearing.

Councilman Ramos moved that the hearing be closed.
Motion duly seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 6 - NAYS: 2 - ABSENT: 1
---Yeas: Council persons Campos, Cricco, Giacchi, Ramos, Russo and President Del Boccio.
---Nays: Marsh, Soares.
---Absent: Castellano.
Council President Del Boccio then instructed the City Clerk to call the Final Vote for the above Ordinance.

---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Campos, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.
---Absent: Castellano.

04-1528

PETITIONS AND COMMUNICATIONS

The Honorable Members of the City Council
City of Hoboken
94 Washington Street
Hoboken, NJ 07030

Dear Ladies & Gentlemen:

Library Board

Pursuant to my authority under Chapter 48, Section 2 of the Hoboken Code, I hereby appoint Michael Korman, 64 Willow Terrace, 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, 2009. I also reappoint Arturo Martinez, 1254 Garden Street, Hoboken, New Jersey to serve for a term of five (5) years to expire on June 30, 2009.

Zoning Board of Adjustment

Pursuant to my authority under Chapter 44, Section 11 of the Hoboken Code, I hereby appoint Jose Ponjoan, 59-13th Street, Hoboken, New Jersey to serve as a regular member of the Hoboken Zoning Board of Adjustment for a four (4) year term to expire on December 31, 2005 replacing Ms. Kerry Shelton who resigned. I appoint Maryanne Camporeale, 311-13th Street, Hoboken, New Jersey as a first alternate for a two (2) year term expiring on December 31, 2005 replacing Catherine Minervini who resigned. I also appoint Ravone Anderson, 600 Monroe Street, Hoboken, New Jersey as a second alternate for a (2) year term to expire on December 31, 2005 replacing Jose Ponjoan.

Planning Board

Pursuant to my authority under Chapter 44, Section 1-2 of the Hoboken Code, I hereby reappoint Joseph Peluso, 2 Marineview Plaza, Hoboken, New Jersey to serve as a member of the Hoboken Planning Board for a term of one (1) year to expire on June 30, 2005.

Shade Tree Commission

Pursuant to my authority under Chapter 62, Section 2 of the Hoboken Code, I hereby appoint Steven Chicoine, 1004 Park Avenue, Hoboken, New Jersey to serve as a regular member of the Shade Tree Commission for a 2 year term to expire December 31, 2005 replacing Kelly Colasanti who resigned.
--Received and filed.

04-1529

A communication from the State of New Jersey, Board of Public Utilities, advising of the process and outline of the franchise renewal timetable for Cablevision of Hudson County, Inc.

--Received and filed.

04-1530

APPLICATIONS FOR MISCELLANEOUS LICENSES

<table>
<thead>
<tr>
<th>License Type</th>
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<td>Public Hack Drivers</td>
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<td>Limo/Livery Drivers</td>
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<tr>
<td>Carnival</td>
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</tr>
<tr>
<td>Vendors</td>
<td>3</td>
</tr>
<tr>
<td>Mechanical Amusement Devices</td>
<td>1</td>
</tr>
<tr>
<td>Music Machines</td>
<td>2</td>
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</tbody>
</table>

---Council President Del Boccio moved that the licenses be granted.
---Duty seconded by Councilman Campos.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Campos, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.
---Absent: Castellano.

REPORTS OF CITY OFFICERS

04-1531

A report from Municipal Tax Collector Louis Picardo for taxes collected; for the month ending July 31, 2004 - $991,224.55.

---Received and filed.

04-1532

An affidavit of Tax Bill Mailing from Municipal Tax Collector Louis Picardo, advising that August 3, 2004 was the date of completion for the mailing of 3rd & 4th quarters installments for tax year 2004.

---Received and filed.

04-1533
Reports of Municipal Clerk James J. Farina indicating bids received on Friday, July 23, 2004 for various goods and services.

---Received and filed.

**04-1534**
A report from Municipal Clerk James J. Farina certifying that the three (3) Initiative Petitions for ordinances DR-152, 153 & 154 have met the legal requirements to be added to the August 11, 2004 City Council agenda.

---Received and filed.

**04-1535**
A report of the Municipal Court indicating receipts for the month of July 2004 as $328,185.65.

---Received and filed.

**04-1536**
A report from Municipal Clerk James J. Farina indicating bids received on Friday, August 6, 2004 for Accessibility Addition and Alterations to the Hoboken Public Library (bid #05-01).

---Received and filed.

**CLAIM RESOLUTIONS**

**04-1537**
Councilman Cricco left the meeting at 8:23 p.m.

One member of the public addressed the City Council regarding claims: Michael Lenz, 408 Monroe Street.

Councilman Cricco returned to the meeting at 8:27 p.m.

Prior to the vote on claims, a motion was made to remove all SFY2004 items from the claims list. Motion and vote as follows:

By Councilman Russo:
Seconded by Councilwoman Marsh.
---FAILED by the following vote: YEAS: 3 - NAYS: 5 - ABSENT: 1
---Nays: Campos, Cricco, Giacchi, Ramos and President Del Boccio.
---Absent: Castellano.

The vote was then called for claims as per the City Council agenda.

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 $1,859,570.99 against the UNCLASSIFIED CLAIMS.

Seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 5 - NAYS: 3 - ABSENT: 1
---Yeas: Council persons Campos, Cricco, Giacchi, Ramos and President Del Boccio.
---Nays: Marsh, Russo, Soares.
---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 $162,399.02 against the DEPARTMENT OF ADMINISTRATION.

Seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 5 - NAYS: 3 - ABSENT: 1
---Yeas: Council persons Campos, Cricco, Giacchi, Ramos and President Del Boccio.
---Nays: Marsh, Russo, Soares.
---Absent: Castellano.

By Councilman Cricco:

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 $852,272.55 against the DEPARTMENT OF ENVIRONMENTAL SERVICES.

Seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 5 - NAYS: 3 - ABSENT: 1
---Yeas: Council persons Campos, Cricco, Giacchi, Ramos and President Del Boccio.
---Nays: Marsh, Russo, Soares.
---Absent: Castellano.

By Councilman Cricco:

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 $95,019.45 against the DEPARTMENT OF HUMAN SERVICES.

Seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 5 - NAYS: 3 - ABSENT: 1
---Yeas: Council persons Campos, Cricco, Giacchi, Ramos and President Del Boccio.
---Nays: Marsh, Russo, Soares.
---Absent: Castellano.

By Councilman Cricco:

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 $48,247.51 against the DEPARTMENT OF COMMUNITY DEVELOPMENT.

Seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 5 - NAYS: 3 - ABSENT: 1
---Yeas: Council persons Campos, Cricco, Giacchi, Ramos and President Del Boccio.
---Nays: Marsh, Russo, Soares.
---Absent: Castellano.

By Councilman Cricco:

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 $52,938.00 against the DEPARTMENT OF COMMUNITY DEVELOPMENT, GRANTS MANAGEMENT, SECTION 8.

Seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 5 - NAYS: 3 - ABSENT: 1
---Yeas: Council persons Campos, Cricco, Giacchi, Ramos and President Del Boccio.
---Nays: Marsh, Russo, Soares.
---Absent: Castellano.

By Councilman Campos:

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 $171,402.54 against the DEPARTMENT OF PUBLIC SAFETY.

Seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 5 - NAYS: 3 - ABSENT: 1
---Yeas: Council persons Campos, Cricco, Giacchi, Ramos and President Del Boccio.
---Nays: Marsh, Russo, Soares.
---Absent: Castellano.

By Councilman Ramos:

---Nays: Marsh, Russo, Soares.
---Absent: 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 $77,279.00 against the CAPITAL ACCOUNT.

Seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 5 - NAYS: 3 - ABSENT: 1
---Yeas: Council persons Campos, Cricco, Giacchi, Ramos and President Del Boccio.
---Nays: Marsh, Russo, Soares.
---Absent: Castellano.

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 $107,003.30 against the PARKING UTILITY.

Seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 5 - NAYS: 3 - ABSENT: 1
---Yeas: Council persons Campos, Cricco, Giacchi, Ramos and President Del Boccio.
---Nays: Marsh, Russo, Soares.
---Absent: Castellano.

**PAYROLL RESOLUTIONS**

**04-1538**

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 JULY 1, 2004 TO JULY 14, 2004 FOR THE PAYROLL ARE HEREBY RATIFIED IN THE FOLLOWING AMOUNTS:

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Meeting of August 11, 2004
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**Grand Total**  
1,381,822.95  37,638.40  98,452.41  1,517,913.76

Motion by Councilman Ramos.
Seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Campos, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.
---Absent: Castellano.

04-1539
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 JULY 15, 2004 TO JULY 28, 2004 FOR THE PAYROLL ARE HEREBY RATIFIED IN THE FOLLOWING AMOUNTS:

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Meeting of August 11, 2004
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Meeting of August 11, 2004
Motion by Councilman Ramos.
Seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Campos, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.
---Absent: Castellano.

RESOLUTIONS

Presented and Read

04-1540
---By Councilman Ramos:

WHEREAS, an overpayment of taxes has been made on property listed below; and

WHEREAS, Louis Picardo, Collector of Revenue 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 **$42,611.48** representing overpayment of taxes:

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<td>168\8.1\C2-4R</td>
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<td>2210 Enterprise Dr</td>
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<tr>
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<tr>
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<td>Wayne, NJ 07470</td>
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<tr>
<td>Matthew O'Connell</td>
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</tr>
<tr>
<td>Name</td>
<td>Address 1</td>
<td>Address 2</td>
<td>City, State Zip</td>
</tr>
<tr>
<td>-----------------------------</td>
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<td>--------------------------------</td>
<td>------------------</td>
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<tr>
<td>Chad &amp; Tracy Freeman</td>
<td>1024 Park Ave. #1</td>
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<td>Des Moines, IA 50328-0001</td>
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Van Nuys, CA 91410-0211  
Attn: Patti Cross

Mortgage Service Ctr 250\25\C0002 1248 Bloomfield Street $1,221.47
P.O. Box 23750
Rochester, NY 14692-9928  
Attn: Angela Keegan

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

**04-1541**
---By Councilman Ramos:

WHEREAS, an overpayment of taxes has been made on the property of the list below: and

WHEREAS, tax appeal was filed by the property owners; and

WHEREAS, State Tax Court recommends a settlement in this matter, now, therefore, be it

RESOLVED, that a warrant be drawn on the City Treasurer made payable to the taxpayer appearing on the attached list totaling **$33,755.64**

<table>
<thead>
<tr>
<th>NAME</th>
<th>BL/LOT/UNIT</th>
<th>PROPERTY</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
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</tr>
<tr>
<td></td>
<td>415 60th St</td>
<td></td>
<td></td>
</tr>
<tr>
<td>West New York, NJ 07093</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Richard Nashel, Attorney</td>
<td>262.3\1\C0603</td>
<td>2 Constitution Ct.</td>
<td>$745.66</td>
</tr>
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<td>Nashel &amp; Nashel LLC</td>
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</tr>
<tr>
<td></td>
<td>415 60th St</td>
<td></td>
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</tr>
<tr>
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<td>Nashel &amp; Nashel LLC</td>
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<td>Nashel &amp; Nashel LLC</td>
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<td>262.3\1\CPH12</td>
<td>2 Constitution Ct.</td>
<td>$1,750.68</td>
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Meeting of August 11, 2004
Trust Account 262.3\1\C0806 2 Constitution Ct. $ 972.60
Nashel & Nashel LLC 415 60th St
West New York, NJ 07093

Richard Nashel, Attorney Trust Account 262.3\1\C0516 2 Constitution Ct. $ 972.60
Nashel & Nashel LLC 415 60th St
West New York, NJ 07093

Richard Nashel, Attorney Trust Account 262.3\1\C0802 2 Constitution Ct. $ 972.60
Nashel & Nashel LLC 415 60th St
West New York, NJ 07093

Richard Nashel, Attorney Trust Account 262.3\1\C1105 2 Constitution Ct. $ 842.92
Nashel & Nashel LLC 415 60th St
West New York, NJ 07093

Richard Nashel, Attorney Trust Account 262.3\1\C1208 2 Constitution Ct. $1,005.02
Nashel & Nashel LLC 415 60th St
West New York, NJ 07093

Richard Nashel, Attorney Trust Account 262.3\1\C0908 2 Constitution Ct. $ 680.82
Nashel & Nashel LLC 415 60th St
West New York, NJ 07093

Richard Nashel, Attorney Trust Account 262.3\1\C0914 2 Constitution Ct. $ 875.34
Nashel & Nashel LLC 415 60th St
West New York, NJ 07093

511 Jackson St. LLC & 66\6
Daniel G. Keough Esq. 511 Jackson St. $ 486.30
Ventura, Miesowitz, Albano, Keough & Warner
783 Springfield Ave
Summit, NJ 07901-2332

Fernbach Products & 152\4
Waters, McPherson 710-16 Clinton St. $3,251.50
300 Lighting Way
Secaucus, NJ 07096
---Motion duly seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Campos, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.
---Absent: Castellano.

04-1542
---By Council President Del Boccio:

WHEREAS, the committee denied approval:

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 sum opposite the name as reimbursement for handicap parking fees:

<table>
<thead>
<tr>
<th>NAME/ADDRESS</th>
<th>AMOUNT</th>
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<tbody>
<tr>
<td>Matthew Angarola</td>
<td>$125.00</td>
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<tr>
<td>719 Monroe Street</td>
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<td></td>
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<tr>
<td>Rene Olang</td>
<td>$125.00</td>
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<tr>
<td>1042 Park Avenue</td>
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---Motion duly seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Campos, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.
---Absent: Castellano.

04-1543
---By Councilman Ramos:

WHEREAS, Jing Hee T/A Knottingville.com has filed an application for a Vendor License as required by Chapter 146 (Peddlers, Transient Merchants) of the Code of the City of Hoboken; and

WHEREAS, the Hoboken City Council has not voted on and approved said Vendor License; and
WHEREAS, Jing Hee T/A Knottingville.com requested a refund of the application fee submitted for said Vendor License;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Hoboken that warrants be issued on the City Treasurer in the sum of $75.00 payable to Jing Hee, 529 Washington Street, #1, Hoboken, New Jersey 07030.

---Motion duly seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yea: Council persons Campos, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.
---Absent: Castellano.

04-1544
---By Councilman Ramos:

WHEREAS, Nathaniel Montanez, 400 1st Street, Apt. #6F, Hoboken, New Jersey has filed an application for a Vendor License as required by Chapter 146 (Peddlers, Transient Merchants) of the Code of the City of Hoboken; and

WHEREAS, the Hoboken City Council has voted on and approved said Vendor License; and

WHEREAS, Nathaniel Montanez submitted a letter on July 15, 2004 requesting a refund of the application fee submitted for said Vendor License on the grounds that applicant is not of sound mind or body;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Hoboken that warrants be issued on the City Treasurer in the sum of $75.00 payable to Nathaniel Montanez, of 400 1st Street, Apt. 6F Hoboken, New Jersey 07030.

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

04-1545
---By Councilman Ramos:

BE IT RESOLVED, by the City Council that Gerard Colangelo, 641 Garden Street, Hoboken, New Jersey is hereby reappointed as a Commissioner to the Hoboken Alcoholic Beverage Control Board pursuant to City Ordinance Chapter 9, Section 2 for a three year (3) year term to expire June 30, 2007.
RESOLVED, that a certified copy of this resolution be forwarded to the State of New Jersey Division of Alcoholic Beverage Control, along with a copy of Mr. Colangelo's acceptance of his reappointment.

---Motion duly seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yea: Council persons Campos, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.
---Absent: Castellano.

04-1546
---By Council President Del Boccio:

WHEREAS, pursuant to the Code of the City of Hoboken 44-(A) the City of Hoboken has established a Planning Board;

WHEREAS, the Code of the City of Hoboken 41-1(A) provide for nine (9) members to serve on the Planning Board; and

WHEREAS, the City Council pursuant to Code Section 44-1(A) (3) has the authority to appoint one member of the Planning Board as its representative to periodically report back to the Council members on issues before the ; 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 Christopher Campos to serve as the Council Representative for the Planning Board of the City of Hoboken for a term expiring June 30, 2005.

---Motion duly seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 7 - NAYS: 1 - ABSENT: 1
---Yea: Council persons Campos, Cricco, Giacchi, Ramos, Russo, Soares and President Del Boccio.
---Nays: Marsh.
---Absent: Castellano.

04-1547
---By Councilman Cricco:

WHEREAS, the City of Hoboken wishes to apply for funding for improvements to the following streets within the City of Hoboken:

- Observer Highway (from Monroe Street to Jackson Street)
- 3rd Street (from Adams Street to Grand Street)
• Garden Street (from 6th Street to 1st Street)
• 5th Street (from River Street to Sinatra Drive)

WHEREAS, the application is made to the New Jersey Department of Transportation for the purpose of funding the above referenced roadways.

NOW, THEREFORE, BE IT RESOLVED, by the Council for the City of Hoboken that:

1. As a matter of public policy, the City of Hoboken wishes to apply to the FY 2005 NJDOT Roadway Funding; and

2. The City of Hoboken will apply to receive funds for improvements of the roads listed above.

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

04-1548
---By Councilman Ramos:

WHEREAS, pursuant to the resolution of the City Council and after public advertising thereof, the following proposal was received for the two (2) year supply of General Building Materials for the City of Hoboken in accordance with the specifications set forth in City of Hoboken Bid 04-07.

<table>
<thead>
<tr>
<th>Vendor</th>
<th>Year #1</th>
<th>Year #2</th>
</tr>
</thead>
<tbody>
<tr>
<td>City Paint &amp; Hardware</td>
<td>10% under Ace Price</td>
<td>5% under Ace Price</td>
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<tr>
<td>130 Washington Street</td>
<td></td>
<td></td>
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<tr>
<td>Hoboken, NJ</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

(Note: Ace prices are those printed the commercial catalog distributed by the Ace Corporation)

NOW, THEREFORE, BE IT RESOLVED, by the Hoboken City Council that:

1. The above recitals are incorporated herein as though fully set forth at length.

2. The Council of the City of Hoboken hereby authorizes the Mayor or his designee to execute any and all documents and take any actions necessary to complete and realize the intent and purpose of this resolution.

3. The Mayor or his designee is authorized to execute an Agreement for the above referenced goods and/or services based upon the following information:
---Motion duly seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Campos, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.
---Absent: Castellano.

04-1549
---By Councilman Cricco:

WHEREAS, the New Jersey Department of Environmental Protection, Green Acres Program (“State”), provides loans and/or grants to municipal and county governments and grants to nonprofit organizations for assistance in the acquisition and development of lands for outdoor recreation and conservation purposes; and

WHEREAS, the City of Hoboken has previously obtained a loan of $1,000,000 and/or a grant of $1,000,000 from the State and has entered into a Project Agreement (“Agreement”) dated 4/17/04 to fund the following project(s): (desires the project) Hoboken Multi Parks Development; and

WHEREAS, the State and The City of Hoboken intend to increase Green Acres funding; and

WHEREAS, the applicant is willing to use the State’s funds in accordance with its rules, regulations and applicable statutes, and is willing to enter into an Amendment of the Agreement with the State for the above named project;

NOW, THEREFORE, BE IT RESOLVED, BY THE Council of the City of Hoboken:

1. That David Roberts or the successor to the office of Mayor is hereby authorized to execute an Amendment to the Agreement increasing funding to $2,200,000 and any further amendment thereto for the project; and,

2. That the applicant has its matching share of the project, if a match is required, in the amount of $200,000; and

3. That, in the event the State’s funds are less that the total project cost specified above, the applicant has the balance of funding necessary to complete the project; and

4. The applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project; and,

5. That this resolution shall take effect immediately.

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

04-1550
---By Councilman Cricco:

WHEREAS, by Ordinance Number DR-120 dated December 3, 2003, the City Council of the City of Hoboken (“City Council”) authorized the acquisition by purchase or condemnation of the real property located at 1316-1330 Grand Street, Hoboken, New Jersey (“Subject Property”), for redevelopment in accordance with the Northwest Redevelopment Plan; and

WHEREAS, the City Council retained the services of Paul T. Beisser, III MAI, CRE of Value Research Group, LLC, to appraise the Subject Property’s fair market value; and

WHEREAS, Mr. Beisser inspected the property on December 23, 2003 in the presence of the property owner’s representative, Robert Iannaconi, who it appears was provided an opportunity accompany Mr. Beisser on his inspection and to provide input into the appraisal process; and

WHEREAS, the City Council has been provided a copy of Mr. Beisser’s report, a copy of which is annexed hereto as Exhibit A; and

WHEREAS, the City Council has considered the contents of Mr. Beisser’s appraisal report;

NOW, THEREFORE, BE IT RESOLVED THAT the City Council hereby approves Mr. Beisser’s appraisal report dated June 9, 2004; and

NOW, THEREFORE, BE IT RESOLVED THAT the City Council hereby authorizes special condemnation counsel, Carlin and Ward, P.C. to make an offer to the Subject Property’s owner of record in the full amount of Mr. Beisser’s appraisal report, $785,000.00 assuming the Subject Property were clean or remediated; and;

NOW, THEREFORE, BE IT RESOLVED THAT the City’s offer reserve for the City any and all rights the City has or may have to recover all costs of remediation and/or cleanup of contamination and/or removal of solid waste and/or sanitary landfill closure that the City or its successors may incur in the future by reason of conditions which were in existence as of or prior to the date of vesting of title in the City. The City’s offer shall further reserve the right to seek, at the City’s sole discretion, any and all available legal, administrative and equitable remedies to compel the Owner of Record or any other responsible party to remediate and/or clean up the property in accordance with applicable state and federal statutory and regulatory provisions or to remove solid waste or carry out closure of a sanitary landfill if located on the subject property. Pursuant to N.J.S.A. 58:10-23.11g(d)(4), the City will not
assume liability for the cleanup and removal costs of any discharge which occurred or began prior to the City's ownership or use of the property.

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

**04-1551**
---By Councilman Cricco:

WHEREAS, the City of Hoboken is considering the acquisition of certain real property known as 1325 Adams Street, designated as Block 114, Lot 13 on the Tax Assessment Map, and 409-515 Fourteenth Street, designated as Block 114, Lots 13 to 17 inclusive on the Tax Assessment Map for redevelopment pursuant to the Northwest Redevelopment Plan; and

WHEREAS, the City is desirous of retaining the services of Paul T. Beisser, III MAI of Value Research Group, LLC located at 301 S. Livingston Avenue, Suite 104, Livingston, NJ 07039, to appraise the property in accordance with the procedures set forth in the Eminent Domain Act of 1971, N.J.S.A. 20:3-1, et seq.; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hoboken that the City hereby retains the services of Paul T. Beisser, II MAI of Value Research Group, LLC, to appraise the real property located at 1325 Adams Street, Hoboken, New Jersey, designated as Block 114, Lot 13, and 409-415 Fourteenth Street, Hoboken, New Jersey designated as Block 114, Lots 14 to 17 inclusive on the City’s Tax Assessment Map in accordance with the fee proposal submitted by Mr. Beisser and attached hereto;

BE IT FURTHER RESOLVED, that the award of the contract to the aforesaid appraiser be and hereby is declared to be a professional services contract for which no public bidding is necessary; and

BE IT FURTHER RESOLVED, that all costs incurred by the City for the retention of the appraiser are to be paid by Block 114 Development, LLC, the City’s designated Redeveloper for this property.

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

**04-1552**
---By Councilman Cricco:
WHEREAS, the City of Hoboken is considering the acquisition of certain real property known as 1325 Adams Street, designated as Block 114, Lot 13 on the Tax Assessment Map, and 409-515 Fourteenth Street, designated as Block 114, Lots 14 to 71 inclusive on the Tax Assessment Map for redevelopment pursuant to the Northwest Redevelopment Plan; and

WHEREAS, the City is desirous of retaining William J. Ward, Esq. of Carlin & Eard, P.C. located at 25A Vreeland Road, P.O. Box 751, Florham Park, NJ 07932, as Special Counsel in connection with the acquisition of the property in accordance with the procedures set forth in the Eminent Domain Act of 1971, N.J.S.A. 20:3-1, et seq.; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hoboken that the City hereby retains the services of William J. Ward, Esq. of Carlin & Ward, P.C. to act as Special Counsel in connection with the acquisition of the property located at 1325 Adams Street, Hoboken, New Jersey, designated as Block 114, Lot 13, and 409-415 Fourteenth Street, Hoboken, New Jersey designated as Block 114, Lots 14 to 17 inclusive on the City's Tax Assessment Map;

BE IT FURTHER RESOLVED, that Special Counsel is authorized to engage a title of insurance company, surveyor, environmental consultants, and such other experts as may be required in the performance of his duties;

BE IT FURTHER RESOLVED, that the award of the contract to Special Counsel be and hereby is declared to be a professional services contract for which no public bidding is necessary; and

BE IT FURTHER RESOLVED that all costs incurred by the City for the retention of Special Counsel are to be paid directly by Block 114 Development, LLC, the City's designated Redeveloper of this project.

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

04-1553
---By Councilman Ramos:

RESOLVED, that the City Council approves and affirms the action of the Tax Collector in establishing a grace period for the payment of Third Quarter taxes terminating on September 7, 2004 and establishing a grace period for the payment of Fourth Quarter terminating on November 10, 2004 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 1, 2003 for Third Quarter taxes and November 1, 2004 for Fourth Quarter taxes.

Prior to the vote, one member of the public addressed the City Council: Maurice De Gennaro, 614 Hudson Street.

Meeting of August 11, 2004
---Motion duly seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Campos, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.
---Absent: Castellano.

04-1554
---By Council President Del Boccio:

WHEREAS, there continues to exist a temporary management need at the parking garage at 916 Garden Street; and

WHEREAS, Robotic Parking Inc., (Robotic) has agreed to manage the parking garage at 916 Garden Street from July 1, 2004 until Sept. 30, 2004; and

WHEREAS, the fees payable to Robotic shall be $32,296.00 per month for July, August, and Sept. 2004; and

WHEREAS, this temporary agreement is authorized pursuant to N.J.S.A. 40A:11-5(1)(a)(ii) as an extraordinary, unspecifiable service due to the short term, and degree of expertise Robotics Parking Inc. possesses in the management of the parking facility at 916 Garden Street; and

NOW, THEREFORE, BE IT RESOLVED, that:

1. The above recitals are incorporated herein as though fully set forth at length.
2. The Council of the City of Hoboken hereby authorizes the Mayor or his designee to execute any and all documents and take any actions necessary to complete and realize the intent and purpose of this resolution.
3. The Mayor or his designee is authorized to execute an Agreement for the above referenced services based upon the following:

   Service Provider:
   Robotic Parking, Inc.
   12812 N. 60th Street
   Clearwater, Florida 33760

   Term of Temporary Contract Extension:
   July 1, 2004 until Sept. 30, 2004

Prior to the vote, one member of the public addressed the City Council: Helen Hirsch, 98 Park Avenue.

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

04-1555
---By Council President Del Boccio:

WHEREAS, the Parking Utility has reviewed the Resident Nightly Parking rate program with the assistance of Bier Associates, Parking Utility consultant; and

WHEREAS, the recommendation is made for the establishment of a resident Nightly parking rate in the sum of $5.00; and

WHEREAS, the current program for an 8 hour stay is $14.00, 10 hours is $16.00, and 12 hours is $22.00 therefore,

WHEREAS, by establishing a resident Nightly Parking rate of $5.00 per night, the following objectives can be reached:

1. Anyone that has a valid resident parking permit will have the opportunity to park in either Garage B located at 2nd St. between River & Hudson Sts. Garage D located at 215 Hudson St. or Midtown Garage, located on the corner of 4th and Clinton Sts. for the rate of $5.00. The hours for this rate are only from 8:00 p.m. any evening to 8:00 a.m. of the following morning. If the resident does not exit the garages by 8:00 a.m. they will be subject to the regular hourly rates from 8:00 a.m. on.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Hoboken, County of Hudson and State of New Jersey that:

1. The above recitals are incorporated herein as though fully set forth at length;  
2. the Council hereby authorizes the Mayor or his designee to execute any and all documents and take any and all actions necessary to complete and realize the intent and purpose of this resolution;  
3. This resolution shall be in effect immediately.

Prior to the vote, one member of the public addressed the City Council: Helen Hirsch, 98 Park Avenue.

---Motion duly seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Campos, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.
---Absent: Castellano.
AN ORDINANCE AMENDING SECTION 180-15(f) OF THE CODE OF THE CITY OF HOBOKEN TO PROVIDE THAT LIVERY VEHICLES MAY OPERATE FOR A PERIOD UP TO AN AGGREGATE OF TWENTY-FOUR (24) MONTHS, AFTER WHICH THE VEHICLE MUST BE RETIRED AND/OR REPLACED, REPEALING THE REQUIREMENT THAT LIVERY VEHICLES BE LESS THAN (4) YEARS OLD. (DR-155).

WHEREAS, N.J.S.A. 40:52-1 and N.J.S.A. 48:26-13 et. seq. enable municipalities to license limousines and other passenger car services which operate within the municipality; and

WHEREAS, N.J.S.A. 48:16-18.1 enables municipalities to regulate limousines which operate on an intra-municipal point to point basis; and

WHEREAS, the City of Hoboken (“City”) has previously licensed limousines and liveries, which licensure requirements are currently codified in Chapter 180 of the Code of the City of Hoboken (“Code”); and

WHEREAS, these vehicles are all subject to municipal regulation as vehicles used for the transportation of passengers for hire; and

WHEREAS, it is also within the municipal police power to regulate limousines and other vehicles used to transport passengers for hire within the City and the City Council of the City of Hoboken finds that it is in the best interest of the safety, health, and welfare of the residents of the City of Hoboken to supplement and amend Chapter 180 of the Code of the City of Hoboken.

NOW, THEREFORE, BE IT ORDAINED, by the Council, of the City of Hoboken that Chapter 180 of the Code of the City of Hoboken, “Limousines and Liveries” shall be amended as follows:

SECTION 1. Section 180-15(f) shall be replaced in its entirety as follows:

F. Vehicles used as a Limousine shall be of a four door model and shall not be more than four years old. Vehicles used as livery shall be of a four-door model and may not be operated in excess of an aggregate total of twenty-four (24) months. Thereafter, said vehicle must be replaced and/or retired.

SECTION 2. Repealer. All Ordinances or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only however, to the extent of such conflict or inconsistency, it being the legislative intent that all Ordinances or part of ordinances now existing or in effect unless the same being conflict or inconsistent with any provision of this Ordinance shall remain in effect.

SECTION 3. Severability. The provisions of this Ordinance are declared to be severable and if any section, subsection, sentence, clause or phrase thereof for any reason be held to be invalid or unconstitutional, such decision shall not effect the validity of the remaining sections, subsections, sentences, clauses, and phrases of this Ordinance, but shall
remaining in effect; it being the legislative intent that this Ordinance shall stand not withstanding the invalidity of any part.

SECTION 4. This Ordinance shall take effect upon passage and publication as provided by law.

SECTION 5. The City Clerk and the Corporation Counsel are authorized and directed to change any Chapter, Article and/or Section numbers of the Code of the City of Hoboken Revised in the event that the codification of this Ordinance reveals that there is a conflict between the numbers and the existing Code, and in order to avoid confusion and possible accidental repealer of existing provisions not intended to be repealed.

---Councilman Campos 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 1, 2004 at 7:00 PM.

---Motion duly seconded by Council President Del Boccio.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Campos, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.
---Absent: Castellano.

04-1557
DR-156

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 192 OF THE CODE OF THE CITY OF HOBOKEN ENTITLED PARKING FOR HANDICAPPED. (Approvals; 1203 Willow Ave.) (DR-156).

Section 192-4 (A) 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.

Dolores M. Semmens, 1203 Willow Avenue, east side of Willow Avenue, beginning at a point 35 feet north of the northerly curbline of Twelfth Street and extending 12 feet northerly therefrom.

---Council President 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 1, 2004 at 7:00 PM.

---Motion duly seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Campos, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.
---Absent: Castellano.
ORDINANCE OF THE CITY OF HOBOKEN CONCERNING CAMPAIGN CONTRIBUTIONS BY BUSINESS ENTITIES TO COMMITTEES OF A POLITICAL PARTY HAVING AN ELECTED PUBLIC OFFICIAL OF THE CITY OF HOBOKEN OR TO ANY CANDIDATE COMMITTEE OF AN ELECTED OFFICIAL OF THE CITY OF HOBOKEN. (DR-157).

WHEREAS, P.L. 2004, Chapter 19, entitled “An Act concerning certain campaign contributions by certain business entities and county political party committees, supplementing P.L. 1973, c.83 (C.19:44A-1 at. seq.) and amending P.L. 1973, c.83.” (“Pay to Play Law”), effective January 1, 2006, was signed by Governor McGreevey on June 16, 2004; and

WHEREAS, the purpose of this new law is to reduce the appearance of impropriety and risk of corruption which may occur when a public contract is awarded to business entities that have made political contributions to elected officials or their political party committees, where the elected official has control or apparent control of awarding said public contracts, a practice commonly referred to as “Pay-to-Play;” and

WHEREAS, the City Council recognizes that the Pay to Play Law does not take effect until January 1, 2006, but nevertheless finds that it is in the best interest of the City of Hoboken to implement the provisions of the Pay to Play Law immediately; and

WHEREAS, acknowledging that the provisions of the Pay to Play Law have been debated in Legislative Committee, in the Senate and General Assembly and signed by the Governor; and

WHEREAS, these provisions shall be the law of this State as of January 1, 2006, and in an effort to establish an Ordinance which is consistent with State law, the City Council desires to adopt an ordinance based on the Pay to Play Law which regulates contributions to local municipal elected officials or the municipal committees of the elected officials made by business entities receiving contracts from the City of Hoboken, effective immediately for contracts awarded by the City of Hoboken; and

WHEREAS, the City Council finds that this Ordinance is the best interests of the City of Hoboken.

NOW THEREFORE, BE IT ORDAINED AS FOLLOWS:

SECTION 1. Notwithstanding the provisions of any other law to contrary, the City of Hoboken shall not enter into a contract having an anticipated value in excess of $17,500.00 as determined in advance and certified in writing by the Business Administrator, Purchasing Agent or Chief Financial Officer, with a business entity, except a contract that is awarded pursuant to a fair and open process, if during the proceeding one (1) year period, that business entity has made a contribution that is reportable by the recipient under P.L. 1973, c.83 (C.19:44A-1 at. seq.), to any municipal committee of a political party within the City of Hoboken if a member of that political party is serving in an elective public office of the City of Hoboken when the contract is awarded, or to any municipal candidate committee.
of any person serving in an elective public office of the City of Hoboken when the contract is awarded; and

A business entity that entered into the contract having an anticipated value in excess of $17,500.00 with the City of Hoboken or any agency or instrumentality of the City of Hoboken, except a contract that is awarded pursuant to a fair and open process, shall not make such a contribution, reportable by the recipient under P.L. 1973, c.83 (C.19:44A-1 at. seq.), to any municipal committee of a political party in the City of Hoboken if a member of that political party serving in an elective public office of the City of Hoboken when the contract is awarded or to any municipal candidate committee of any person serving in an elective public office of the City of Hoboken when the contract is awarded, during the term of that contract. No such municipal committee shall accept a contribution from a business entity during the term of the business entity's contract with the City of Hoboken.

SECTION 2. When a business entity is a natural person, a contribution by that person's spouse or child, residing therewith, shall be deemed to be a contribution by the business entity. When a business entity is other than a natural person, a contribution by any person or other business entity having an interest therein shall be deemed to be contribution by the business entity.

SECTION 3. As used in sections 1 and 2 of this ordinance:

“business entity” means any natural or legal person, business corporation, professional services corporation, limited liability company, partnership, limited partnership, business trust, association or any other legal commercial entity organized under the laws of this state or any other state or foreign jurisdiction.

“Interests” means the ownership or control of more than 10% of the profits or assets of a business entity or 10% of the stock in the case of a business entity that is a corporation for profit;

“Fair and Open Process” means at a minimum that the contract shall be publicly advertised in at least one newspaper in general circulation in the City of Hoboken in sufficient time to give notice in advance of the contract; awarded under a process that provides for public solicitation of proposals or qualifications; and publicly opened and announced when awarded.

SECTION 4. Prior to awarding any contract, except a contract that is not awarded pursuant to a fair and open process, a business entity to which a contract is to be awarded must provide a written certification that it has not made a contribution that would bar the award of a contract pursuant to this Ordinance.

SECTION 5. A business entity shall have a continuing duty to report to the Business Administrator any contributions that constitutes a violation of this Ordinance that are made during the duration of a contract.

SECTION 6. If a business entity makes a contribution that would cause it to be ineligible to receive a contract from the City of Hoboken, or in the case of a contribution made during the term of a contract with the City of Hoboken that would constitute a violation of this ordinance, the business entity may request, in writing, within sixty (60) days of the date on which the contribution was made, that the recipient of the contribution repay the contribution to the business entity, and if repayment is received by the business entity
within the sixty (60) days, the business entity would again be eligible to receive a contract and the business entity would no longer be in violation of this Ordinance.

SECTION 7. Nothing contained in this Ordinance shall be construed as prohibiting the awarding of a contract when the public exigency requires the immediate delivery of goods or performance of the emergency services as determined by the City of Hoboken. Any award of a contract pursuant to this Section shall comply with the Local Public Contracts Law, N.J.S.A. 40A:11-6, “Emergency Contracts,” and N.J.A.C. 5:34-6.1 et. seq.

SECTION 8. Nothing contained in this Ordinance shall be construed to affect the eligibility of any business entity to perform a contract with the City of Hoboken because that business entity made a contribution to any municipal committee or elected public official of the City of Hoboken during the one (1) year period immediately preceding the effective date of this ordinance.

SECTION 9. All City of Hoboken professional service agreements shall provide that it shall be a material breach of the terms of the contract for a professional business entity as defined in Section 3 to violate, or to aid or abet a violation of Section 1 or 2 or to knowingly conceal or misrepresent contributions given or received, or to make or solicit contributions through intermediaries for the purpose of concealing or misrepresenting the source of the contribution.

Any professional business entity as defined in Section 3 who knowingly fails to reveal a contribution made in violation of this Ordinance, or who knowingly makes or solicits contributions through intermediaries for the purpose of concealing or misrepresenting this source of the contribution, shall be disqualified from eligibility for future City contracts for a period of four (4) calendar years from the date of the violation.

SECTION 10. Repealer. All Ordinances or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only however, to the extent of such conflict or inconsistency, it being the legislative intent that all Ordinances or part of ordinances now existing or in effect unless the same being conflict or inconsistent with any provision of this Ordinance shall remain in effect.

SECTION 11. Severability. The provisions of this Ordinance are declared to be severable and if any section, subsection, sentence, clause or phrase thereof for any reason be held to be invalid or unconstitutional, such decision shall not effect the validity of the remaining sections, subsections, sentences, clauses and phrases of this Ordinance, but shall remaining in effect; it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 12. This Ordinance shall not take effect until submitted to and approved by the voters in accordance with N.J.S.A. 40:69A-184 to -196.

SECTION 13. The City Clerk and the Corporation Counsel are authorized and directed to change any Chapter, Article and/or Section numbers of the Code of Hoboken, for the purpose of codifying this Ordinance or in the event that the codification of this Ordinance reveals that there is a conflict between the numbers and the existing Code, and in order to avoid confusion and possible accidental repealers of existing provisions not intended to be repealed.
---Councilman Campos 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 1, 2004 at 7:00 PM.

---Motion duly seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 6 - NAYS: 2 - ABSENT: 1
---Yeas: Council persons Campos, Cricco, Giacchi, Ramos, Russo and President Del Boccio.
---Nays: Marsh, Soares.
---Absent: Castellano.

Councilman Campos left the meeting at 8:48 p.m.

Councilman Campos returned to the meeting at 8:51 p.m.

All regular business concluded the following members of the public spoke at the “Public
Portion” of the meeting: Margaret O’Brien, 54 11th Street; Maurice De Gennaro, 614 Hudson
Street; Ann Graham, 1021 Grand Street;

Council President Del Boccio left the meeting at 9:07 p.m.

speakers continued: Helen Hirsch, 98 Park Avenue;

Council President Del Boccio returned to the meeting at 9:10 p.m.

speakers continued: Michael Lenz, 408 Monroe Street; Elizabeth Mason, 921 Hudson Street;
Augusta Przygoda, 222 Garden Street.

President Del Boccio then adjourned the meeting at 9:28 p.m.

___________________________________________________________

PRESIDENT OF THE COUNCIL
President Del Boccio 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 Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.

ABSENT: None.

PUBLIC HEARING and FINAL VOTE ON ORDINANCES

Second Reading / Public Hearing and Final Vote

AN ORDINANCE AMENDING SECTION 180-15(f) OF THE CODE OF THE CITY OF HOBOoken TO PROVIDE THAT LIVERY VEHICLES MAY OPERATE FOR A PERIOD UP TO AN AGGREGATE OF TWENTY-FOUR (24) MONTHS, AFTER WHICH THE VEHICLE MUST BE RETIRED AND/OR REPLACED, REPEALING THE REQUIREMENT THAT LIVERY VEHICLES BE LESS THAN (4) YEARS OLD. (DR-155).

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, President Del Boccio asked for a motion to close the hearing.
Councilman Ramos moved that the hearing be closed. 
Motion duly seconded by Councilman Russo. 
---Adopted by the following vote: YEAS: 9 - NAYS: 0 
---Yea: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares 
and President Del Boccio. 
---Nays: None.

Council President Del Boccio then instructed the City Clerk to call the Final Vote for the 
above Ordinance. 
---Adopted by the following vote: YEAS: 6 - NAYS: 0 - ABSTENTIONS: 3 
---Yea: Council persons Campos, Cricco, Giacchi, Marsh, Ramos and President Del Boccio. 
---Nays: None. 
---Abstentions: Castellano, Russo, Soares.

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 192 OF THE CODE OF THE 
CITY OF HOBOKEN ENTITLED PARKING FOR HANDICAPPED. (Approvals; 1203 Willow 
Ave.) (DR-156).

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, 
President Del Boccio asked for a motion to close the hearing. 

Councilman Giacchi moved that the hearing be closed. 
Motion duly seconded by Councilwoman Castellano. 
---Adopted by the following vote: YEAS: 9 - NAYS: 0 
---Yea: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares 
and President Del Boccio. 
---Nays: None.

Council President Del Boccio then instructed the City Clerk to call the Final Vote for the 
above Ordinance. 
---Adopted by the following vote: YEAS: 9 - NAYS: 0 
---Yea: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares 
and President Del Boccio. 
---Nays: None.

ORNIDANCE OF THE CITY OF HOBOKEN CONCERNING CAMPAIGN CONTRIBUTIONS 
BY BUSINESS ENTITIES TO COMMITTEES OF A POLITICAL PARTY HAVING AN ELECTED 
PUBLIC OFFICIAL OF THE CITY OF HOBOKEN OR TO ANY CANDIDATE COMMITTEE OF 
AN ELECTED OFFICIAL OF THE CITY OF HOBOKEN. (DR-157).
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.

Ann Graham, 1021 Grand Street; Inez Garcia Keim, 1103 Washington Street; Aaron Lewt, 627 Garden Street; Ron Hine, 258 Newark Street; Ann Graham (2nd time), 1021 Grand Street; Inez Garcia Keim (2nd time), 1103 Washington Street; Bob Du Val, 303 Park Avenue; Brian Urbano, 604 Park Avenue; Heather Taylor, 450 Main Street, Metuchen, NJ; Ira Landgarten, 561 1st Street; Michael Lenz, 408 Monroe Street; John Keim, 1103 Washington Street; Helen Monogue, 1108 Park Avenue. No other person present desiring to be heard and no written protests or objections received, President Del Boccio asked for a motion to close the hearing.

Councilman Campos moved that the hearing be closed.
Motion duly seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

Council President Del Boccio then instructed the City Clerk to call the Final Vote for the above Ordinance.
---Adopted by the following vote: YEAS: 5 - NAYS: 4
---Yeas: Council persons Campos, Cricco, Giacchi, Ramos and President Del Boccio.
---Nays: Castellano, Marsh, Russo, Soares.

04-1559

APPLICATIONS FOR MISCELLANEOUS LICENSES

Limo/Livery Drivers----------------------------------------------- 1
Vendors----------------------------------------------------------- 3
Music Machines--------------------------------------------------- 2
Mechanical Amusement Devices ------------------------------------ 5

---Council President Del Boccio moved that the licenses be granted.
---Motion duly seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

04-1560

REPORTS OF CITY OFFICERS
A report of Municipal Clerk James J. Farina indicating bids received on August 27, 2004 for Pedestrian Safety Program Intersection Improvement Project; bid #05-04.

---Received and filed.

At this time, 8:35 p.m., the City Council took a brief recess.
At this time, 8:46 p.m., the City Council returned to the meeting.

RESOLUTIONS

Presented and Read

04-1561
---By Councilman Cricco:

WHEREAS, N.J.S.A. 40A:4-20, Emergency and Temporary Appropriations, authorizes additions to temporary appropriations necessary for the period prior to the adoption of the budget and regular appropriations; and

WHEREAS, by resolution the Hoboken City Council may make Emergency Temporary Appropriations for any purpose; and

WHEREAS, the Hoboken City Council seeks to create a deferred charge line item to facilitate payment of unpaid fiscal year FY04 charges in the sum of two (2) million dollars.

WHEREAS, the Hoboken City Council additionally seeks to authorize the Hoboken Business Administrator to correct prior charges appropriately placed as FY04 charges thereby facilitating payment from the deferred charge line item appropriation.

WHEREAS, the Business Administrator shall provide a detail breakdown of all FY04 charges against the deferred charge line item to the City Council at the September 15, 2004 Council meeting.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Hoboken that:

1. The above recitals are incorporated herein as though fully set forth at length.

2. The Business Administrator shall proceed to make adjustments compatible with the newly created line item for adjusted FY04 claims and prepare a detail report for presentation at the September 15, 2004 Council Meeting.

3. This resolution shall take effect immediately.

---Motion duly seconded by Councilman Campos.
---Adopted by the following vote: YEAS: 7 - NAYS: 2
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Ramos, Russo and President Del Boccio.
---Nays: Marsh, Soares.

Councilman Cricco left the meeting at 9:08 p.m.

04-1562
---By Council President 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>(Within Cap)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Business Admin. SW</td>
<td>5-01-20-112-010</td>
<td>33,00.00</td>
</tr>
<tr>
<td>Business Admin. OE.</td>
<td>5-01-20-112-021</td>
<td>1,000.00</td>
</tr>
<tr>
<td>Accts. &amp; Cont. O.E.</td>
<td>5-01-20-131-021</td>
<td>15,000.00</td>
</tr>
<tr>
<td>Payroll S&amp;W</td>
<td>5-01-20-132-010</td>
<td>2,900.00</td>
</tr>
<tr>
<td>Tax Collector O.E.</td>
<td>5-01-20-145-021</td>
<td>6,750.00</td>
</tr>
<tr>
<td>Assessor’s Office O.E.</td>
<td>5-01-20-150-021</td>
<td>8,500.00</td>
</tr>
<tr>
<td>Planning Bd. S&amp;W</td>
<td>5-01-21-180-010</td>
<td>5,300.00</td>
</tr>
<tr>
<td>Postage O.E.</td>
<td>5-01-23-211-021</td>
<td>40,000.00</td>
</tr>
<tr>
<td>N. Hudson Mayors</td>
<td>5-01-23-222-020</td>
<td>28,346.00</td>
</tr>
<tr>
<td>Police Dept. S&amp;W</td>
<td>5-01-25-241-011</td>
<td>120,000.00</td>
</tr>
<tr>
<td>Police Dept. O.E.</td>
<td>5-01-24-241-021</td>
<td>21,250.00</td>
</tr>
<tr>
<td>Fire Dept. S&amp;W</td>
<td>5-01-25-266-010</td>
<td>500,000.00</td>
</tr>
<tr>
<td>Const. Svcs. O.E.</td>
<td>5-01-27-333-010</td>
<td>5,500.00</td>
</tr>
<tr>
<td>Senior Cit. S&amp;W</td>
<td>5-01-27-336-010</td>
<td>5,000.00</td>
</tr>
<tr>
<td>Senior Cit. O.E.</td>
<td>5-01-27-336-021</td>
<td>6,500.00</td>
</tr>
<tr>
<td>Recreation S&amp;W</td>
<td>5-01-28-370-010</td>
<td>20,000.00</td>
</tr>
<tr>
<td>Recreation O.E.</td>
<td>5-01-28-370-021</td>
<td>20,000.00</td>
</tr>
<tr>
<td>Parks Dept. S&amp;W</td>
<td>5-01-28-375-010</td>
<td>35,000.00</td>
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<tr>
<td>Park Dept. O.E.</td>
<td>5-01-28-375-021</td>
<td>25,000.00</td>
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<tr>
<td>Public Prop. S&amp;W</td>
<td>5-01-28-377-010</td>
<td>30,000.00</td>
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<td>Public Prop. O.E.</td>
<td>5-01-28-377-021</td>
<td>18,000.00</td>
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<tr>
<td>Water/Sewer O.E.</td>
<td>5-01-31-445-000</td>
<td>48,250.00</td>
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<tr>
<td>Waterfront Dev. O.E.</td>
<td>5-01-31-462-000</td>
<td>10,000.00</td>
</tr>
<tr>
<td>Deferred Charges 04</td>
<td>5-01-46-870-000</td>
<td>2,000,000.00</td>
</tr>
</tbody>
</table>

**TOTALS**  $3,027,796.00

(Outside Cap)

<table>
<thead>
<tr>
<th>ACCOUNT</th>
<th>ACCOUNT #</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Unemploy. Ins. O.E.</td>
<td>5-01-23-225-020</td>
<td>8,000.00</td>
</tr>
<tr>
<td>Insurance O.E.</td>
<td>5-01-30-400-010</td>
<td>225,000.00</td>
</tr>
<tr>
<td>Social Security O.E.</td>
<td>5-01-36-472-000</td>
<td>52,000.00</td>
</tr>
</tbody>
</table>

Meeting of September 1, 2004
### Mun. Court O.E.

<table>
<thead>
<tr>
<th>Claim Number</th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>5-01-36-490-021</td>
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<td>19,000.00</td>
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</table>

### Hob. Park. Util. O.E.

<table>
<thead>
<tr>
<th>Claim Number</th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>5-31-55-502-200</td>
<td></td>
<td>680,000.00</td>
</tr>
</tbody>
</table>

**TOTALS** 984,000.00

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

Councilman Cricco returned to the meeting at 9:11 p.m.

### CLAIM RESOLUTIONS

**04-1563**

**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 $940,655.54 against the **UNCLASSIFIED CLAIMS**.

Seconded by Council President Del Boccio.
---Adopted by the following vote: YEAS: 8 - NAYS: 1
---Yeas: Council persons Campos, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: 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 $175,816.64 against the **DEPARTMENT OF ADMINISTRATION**.

Seconded by Council President Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

**By Council President 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 $429,524.14 against the DEPARTMENT OF ENVIRONMENTAL SERVICES.

Seconded by Councilman Campos.
---Adopted by the following vote: YEAS: 8 - NAYS: 1
---Yeas: Council persons Campos, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: Castellano.

By Council President 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 $62,720.98 against the DEPARTMENT OF HUMAN SERVICES.

Seconded by Councilman Campos.
---Adopted by the following vote: YEAS: 8 - NAYS: 1
---Yeas: Council persons Campos, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: Castellano.

By Council President 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 $163,290.11 against the DEPARTMENT OF COMMUNITY DEVELOPMENT.

Seconded by Councilman Campos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

By Councilman Campos:

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 $55,682.74 against the DEPARTMENT OF PUBLIC SAFETY.

Seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---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 $6,288.93 against the CAPITAL ACCOUNT.

Seconded by Council President Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

By Council President 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 $662.95 against the PARKING UTILITY.

Seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

**PAYROLL RESOLUTIONS**

04-1564
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 HOBOKE N, FOR THE PERIOD JULY 29, 2004 TO AUGUST 11, 2004 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>Personnel</td>
<td>5-01-20-105</td>
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Meeting of September 1, 2004
<table>
<thead>
<tr>
<th>Department</th>
<th>Code</th>
<th>Budget</th>
<th>Actual</th>
<th>111</th>
<th>Total</th>
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<tbody>
<tr>
<td>Mayor's Office</td>
<td>5-01-20-110</td>
<td>9,961.59</td>
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<tr>
<td>City Council</td>
<td>5-01-20-111</td>
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<tr>
<td>Bus Adm. Office</td>
<td>5-01-20-112</td>
<td>8,223.83</td>
<td>56,533.75</td>
<td>64,757.58</td>
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<tr>
<td>ABC Board</td>
<td>5-01-20-113</td>
<td>269.24</td>
<td>269.24</td>
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<tr>
<td>Purchasing</td>
<td>5-01-20-114</td>
<td>7,395.97</td>
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<td>Grants Management</td>
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<td>City Clerks Office</td>
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<td>10,220.05</td>
<td>341.46</td>
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<tr>
<td>Elections</td>
<td>5-01-20-122</td>
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<tr>
<td>Finance Office</td>
<td>5-01-20-130</td>
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<td>4,692.89</td>
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<tr>
<td>Accounts / Controls</td>
<td>5-01-20-131</td>
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<td>Payroll Division</td>
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<tr>
<td>Assessor's Office</td>
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<td>Corporation Counsel</td>
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<td>12,846.78</td>
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<td>Community Develop.</td>
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<tr>
<td>Treasurer</td>
<td>5-01-20-146</td>
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<tr>
<td>Planning Board</td>
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<td>Info Technology</td>
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<td>Zoning Officer</td>
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<tr>
<td>Housing Inspection</td>
<td>5-01-21-187</td>
<td>6,831.30</td>
<td>6,831.30</td>
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<tr>
<td>Construction Code</td>
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<td>27,554.66</td>
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<tr>
<td>Police Division</td>
<td>5-01-25-241</td>
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<td>11,536.48</td>
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<td>496,874.65</td>
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<tr>
<td>Crossing Guards</td>
<td>5-01-25-241</td>
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<tr>
<td>Signal &amp; Traffic</td>
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<tr>
<td>Department</td>
<td>Code</td>
<td>Amount</td>
<td></td>
<td>Total</td>
<td></td>
</tr>
<tr>
<td>----------------------------------</td>
<td>-----------------</td>
<td>----------</td>
<td>---</td>
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<tr>
<td>Envir. Ser. Dir. Office</td>
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<td>14,159.03</td>
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<td>15,133.13</td>
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</tr>
<tr>
<td>Streets &amp; Roads</td>
<td>5-01-26-291</td>
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<td></td>
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<td></td>
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<tr>
<td>Central Garage</td>
<td>5-01-26-301</td>
<td>7,481.75</td>
<td>623.04</td>
<td>8,104.79</td>
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<td>Sanitation</td>
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<td>47,502.08</td>
<td>6,643.72</td>
<td>54,145.80</td>
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<tr>
<td>Housing Authority</td>
<td>5-01-28-370-015</td>
<td>334.75</td>
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<td>334.75</td>
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<tr>
<td>Human Service Direct.</td>
<td>5-01-27-330</td>
<td>5,241.43</td>
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<td>5,241.43</td>
<td></td>
</tr>
<tr>
<td>Board of Health</td>
<td>5-01-27-332</td>
<td>15,235.71</td>
<td>7,688.59</td>
<td>22,924.30</td>
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</tr>
<tr>
<td>Constituent Services</td>
<td>5-01-27-333</td>
<td>5,556.24</td>
<td></td>
<td>5,556.24</td>
<td></td>
</tr>
<tr>
<td>Senior Citizens Div</td>
<td>5-01-27-336</td>
<td>16,720.32</td>
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<td>16,720.32</td>
<td></td>
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<tr>
<td>Rent Stabilization</td>
<td>5-01-27-347</td>
<td>6,257.98</td>
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<td>6,257.98</td>
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<tr>
<td>Transportation</td>
<td>5-01-27-348</td>
<td>8,283.56</td>
<td>153.00</td>
<td>8,530.06</td>
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<tr>
<td>Recreation</td>
<td>5-01-28-370</td>
<td>28,416.73</td>
<td>875.52</td>
<td>29,592.25</td>
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<tr>
<td>Parks</td>
<td>5-01-28-375</td>
<td>23,305.65</td>
<td>2,364.79</td>
<td>25,592.25</td>
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<tr>
<td>Public Prop.</td>
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<td>27,720.44</td>
<td>937.13</td>
<td>28,842.57</td>
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<tr>
<td>Public Library</td>
<td>5-01-29-390</td>
<td>24,087.60</td>
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<td>24,087.60</td>
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<tr>
<td>Public Defender</td>
<td>5-01-43-495</td>
<td>2,203.16</td>
<td></td>
<td>2,203.16</td>
<td></td>
</tr>
<tr>
<td>Municipal Court</td>
<td>5-01-43-490</td>
<td>31,934.75</td>
<td>248.50</td>
<td>32,183.25</td>
<td></td>
</tr>
<tr>
<td>Parking Utility</td>
<td>5-31-55-501-100</td>
<td>44,156.43</td>
<td>38.47</td>
<td>44,194.90</td>
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</tr>
<tr>
<td>Universal Cops</td>
<td>5-01-25-241-012</td>
<td>8,065.39</td>
<td>720.80</td>
<td>8,786.19</td>
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</tr>
<tr>
<td>Cops In School</td>
<td>5-01-25-241-015</td>
<td>12,155.78</td>
<td>605.16</td>
<td>13,040.94</td>
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</tr>
<tr>
<td>Civilian Hiring</td>
<td>5-01-25-241-016</td>
<td>4,659.29</td>
<td></td>
<td>4,659.29</td>
<td></td>
</tr>
<tr>
<td>Minority Affairs</td>
<td>5-01-27-331-011</td>
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<tr>
<td>Summer Fun</td>
<td>5-01-28-370-013</td>
<td>25,540.00</td>
<td>43.88</td>
<td>25,583.88</td>
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<tr>
<td>Summer Lunch</td>
<td>5-51-56-852-301</td>
<td>1,276.75</td>
<td></td>
<td>1,276.75</td>
<td></td>
</tr>
<tr>
<td><strong>Other</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Police Outside Employ.</td>
<td>T-14-10-000-000</td>
<td></td>
<td></td>
<td>43,600.00</td>
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</tbody>
</table>

Meeting of September 1, 2004 10
Police Grant DE 16-S7-01 5,510.40 5,510.40
Fire Dept. Penalty T-13-10-000-001 2,137.28 2,137.28
Fire Education Acct T-13-10-000-000

Grand Total 1,433,694.44 34,020.63 210,246.55 1,677,961.62

Motion by Councilman Ramos.
Seconded by Council President Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

RESOLUTIONS CONTINUED

Presented and Read

04-1565
---By Councilman Ramos:

WHEREAS, an overpayment of taxes has been made on property listed below; and

WHEREAS, Louis Picardo, Collector of Revenue 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 $41,292.92 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>608 Madison St. LLC</td>
<td>75\28</td>
<td>608 Madison St</td>
<td>$3,244.73</td>
</tr>
<tr>
<td>% Buzzetti</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>540 Sylvan Ave. Suite 21</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Englewood Cliffs, NJ 07632</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>133-33 Washington St LLC212\14</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>% Lo Conte</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>43 Carol Drive</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Englewood Cliffs, NJ 07062</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Countywide Tax Service</td>
<td>184\17\C0002</td>
<td>931-Park Ave</td>
<td>$1,682.84</td>
</tr>
<tr>
<td>P.O. Box 10211-SV3-24</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Van Nuys, CA 91410-0211</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Name</td>
<td>Address</td>
<td>Payment Amount</td>
<td></td>
</tr>
<tr>
<td>----------------------</td>
<td>-------------------------------------</td>
<td>----------------</td>
<td></td>
</tr>
<tr>
<td>Jennifer Ward</td>
<td>901 Madison St. Apt. 3G</td>
<td>$111.70</td>
<td></td>
</tr>
<tr>
<td>901 Madison St</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hoboken, NJ 07030</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>GMAC Mortgage Corp.</td>
<td>418-422 Jefferson Street</td>
<td>$1,108.09</td>
<td></td>
</tr>
<tr>
<td>59\12\C003C</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Attn: Tax Refund</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3451 Hammond Ave.</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Waterloo, IA 50702</td>
<td></td>
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</tr>
<tr>
<td>Principal Residential Mort.</td>
<td>1114-16 Clinton St.</td>
<td>$2,691.55</td>
<td></td>
</tr>
<tr>
<td>156\9</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>711 High Street</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Des Moines, IA 50392-0750</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Attn: Jeff Anderson</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Chase Manhattan Mort.</td>
<td>829-31 Washington St.</td>
<td>$2,691.55</td>
<td></td>
</tr>
<tr>
<td>P.O. Box 569763</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Dallas, Texas 75356-9763</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Countrywide Tax Service</td>
<td>123 Willow Avenue</td>
<td>$952.40</td>
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</tr>
<tr>
<td>34\13\C0004</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>PO Box 10211</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>SV3-24</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Van Nuys, CA 91410-0211</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mortgage Service Center</td>
<td>811 Willow Avenue</td>
<td>$6,541.70</td>
<td></td>
</tr>
<tr>
<td>P.O. Box 23750</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rochester, NY 23750</td>
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<td></td>
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<tr>
<td>Wells Fargo Home Mortg.</td>
<td>221 Madison Street</td>
<td>$2,531.34</td>
<td></td>
</tr>
<tr>
<td>39\12\C0002</td>
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</tr>
<tr>
<td>1 Home Campus</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Des Moines, IA 50328-0001</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Countrywide Tax Service</td>
<td>119 Clinton Street</td>
<td>$1,060.55</td>
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</tr>
<tr>
<td>33\9\C000B</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>PO Box 10211</td>
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<tr>
<td>SV3-24</td>
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</tr>
<tr>
<td>Van Nuys, CA 91410-0211</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dovenmuehle Mort. Inc.</td>
<td>457 Second St.</td>
<td>$602.70</td>
<td></td>
</tr>
<tr>
<td>30\13.2\C04-B</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1501 Woodfield Rd.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Schaumberg, IL. 60173-4983</td>
<td></td>
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</tr>
</tbody>
</table>

---Motion duly seconded by Council President Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, and President Del Boccio.
---Nays: None.

04-1566
---By Councilman Ramos:
WHEREAS, an overpayment of taxes has been made on the property of the list below: and

WHEREAS, tax appeal was filed by the property owners; and

WHEREAS, State Tax Court recommends a settlement in this matter, now, therefore, be it

RESOLVED, that a warrant be drawn on the City Treasurer made payable to the taxpayer appearing on the attached list totaling $6,321.90

<table>
<thead>
<tr>
<th>NAME</th>
<th>BL/LOT/UNIT</th>
<th>PROPERTY</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Richard Nashel, Attorney</td>
<td>230\3.2</td>
<td>16-18 Hudson Pl.</td>
<td>$4,052.50</td>
</tr>
<tr>
<td>Nashel &amp; Nashel LLC</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>415 60th St</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>West New York, NJ 07093</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Richard Nashel, Attorney</td>
<td>230\3.1</td>
<td>20 Hudson Pl.</td>
<td>$2,269.40</td>
</tr>
<tr>
<td>Nashel &amp; Nashel LLC</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>415 60th St</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>West New York, NJ 07093</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

04-1567
President Del Boccio.

WHEREAS, the City of Hoboken sought competitive proposals for the Accessibility Addition and Alterations to the Hoboken Public Library, and

WHEREAS, the below submitted bid was higher than the anticipated cost of the original bid specifications as advertised, and

WHEREAS, the following proposal was received:

Vendor Proposal
T&M Contracting $784,000.00
107 Willow Ave
Hoboken, NJ 07030

Paragon Construction Associates $957,000.00
396 Whitehead Ave
South River, NJ 08882

Gapp Construction Inc. $694,000.00
1440 Pennington Rd.
Verona, NJ 07044

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Hoboken in the County of Hudson that:
1. The above recitals are incorporated herein as thoughtfully set forth at length.
2. The City Council hereby rejects the proposals of the above vendors.
3. The Administration is hereby authorized to re-advertise for these goods/services.

---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

04-1568

WHEREAS, the City of Hoboken has been invited to submit a funding application to the New Jersey Department of Human Services in order to strengthen capacity to provide services to vulnerable populations; and

WHEREAS, the City wishes to obtain such funds for our Division of Senior Services to purchase vehicles, appliances and provide additional opportunities for our senior citizens; now, therefore be it

RESOLVED, that the City will submit such application; and be it further

RESOLVED, that the Mayor or his designee are hereby authorized on behalf of the City of Hoboken to:

1) Execute and submit an application to the NJ Department of Human Services;
2) Furnish such documents as may be required;
3) Act as authorized correspondent of the City of Hoboken;
4) Execute necessary contracts, if funding is awarded.

---Motion duly seconded by Councilman Campos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

04-1569

---By Council Giacchi

WHEREAS, Hoboken participates in the “Meals on Wheels” and other community service programs administered through the North Hudson Regional Council of Mayors (NHRCM); and
WHEREAS, funding for these programs has not kept pace with the costs thereof, as a result of which the member municipalities must make up the deficit in some manner of these programs are to continue; and

WHEREAS, Hoboken wishes to try and keep these programs alive.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council that, subject to the adoption of like resolutions by all other municipalities in the NHRCM, the City of Hoboken shall agree to contribute its proportionate share of the cost of the “Meal on Wheels” program; and

BE IT FURTHER RESOLVED, that the amount to be provided, by the City of Hoboken, for the fiscal year 2005 shall be in the amount of $56,692.00; and

BE IT FURTHER RESOLVED, that the Mayor and City Clerk are hereby authorized to execute, attest, seal and deliver such documents as are necessary and appropriate to carry out the purposes and intent of this Resolution, in form satisfactory to the Corporation Counsel.

---Motion duly seconded by Councilman Campos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

04-1570
---By Council President Del Boccio:

WHEREAS, the City of Hoboken has a need for architectural engineering services with regard to the City Hall Historic Preservation Project; and

WHEREAS, said engineering services are specialized and qualitative in nature and falls 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, Building Conservation Associates, has proposed to monitor construction for the aforesaid project; and

WHEREAS, the City of Hoboken, Department of Environmental Services seeks to award a contact to Building Conservation Associates, 158 West 27th Street, New York, New York, 10001; and

WHEREAS, the maximum amount of the contract for these services to Building Conservation Associates shall be Eighty Two Thousand Three Hundred Fifty ($82,350.00) dollars; and

WHEREAS, the funds for this professional services contract are available through the New Jersey Historic Trust Historic Preservation Bond Program; and
NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Hoboken that:

1. A contract for the professional engineering services shall be prepared and executed as follows:

   Building Conservation Associates
   158 West 27th Street
   New York, NY 10001, not to exceed $82,350.00.

2. The Mayor and City Clerk are hereby authorized to execute this Agreement.

3. 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.

The following spoke regarding the resolution: Helen Hirsch, 98 Park Avenue.

---Motion duly seconded by Councilman Campos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

04-1571
---By Council President Del Boccio:

WHEREAS, the City of Hoboken has a need for architectural engineering services with regard to the City Hall Historic Preservation Project; and

WHEREAS, said engineering services are specialized and qualitative in nature and falls 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, Building Conservation Associates, has proposed to prepare drawings, specifications, and a project manual, as well as assist in the bidding process for the aforesaid project; and

WHEREAS, the City of Hoboken, Department of Environmental Services seeks to award a contact to Building Conservation Associates, 158 West 27th Street, New York, New York, 10001; and

WHEREAS, the maximum amount of the contract for these services to Building Conservation Associates shall be Seventy Eight Thousand Seven Hundred Fifty ($78,750.00) dollars; and

WHEREAS, the funds for this professional services contract are available through the New Jersey Historic Trust Historic Preservation Bond Program; and

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Hoboken that:
1. A contract for the professional engineering services shall be prepared and executed as follows:

   Building Conservation Associates
   158 West 27th Street
   New York, NY 10001, not to exceed $78,750.00.

2. The Mayor ands City Clerk are hereby authorized to execute this Agreement.

3. 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. Department of Environmental Services:

The following spoke regarding the resolution: Helen Hirsch, 98 Park Avenue.

---Motion duly seconded by Councilman Campos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

**04-1572**
---By Council President Del Boccio:

WHEREAS, THIS IS IT! Productions Inc. (“TIIP”) is an independent contractor, providing sponsorship and production services in promoting “Restaurant Week Hoboken”, to take place Monday, October 11, 2004 and end in conjunction with the Artist Studio Tour Weekend on Saturday and Sunday, October 16, and 17, 2004; and

WHEREAS, the only expense to the City of Hoboken will be for mailing and postage, all other expenses to be paid from sponsorship fees; and

WHEREAS, it is desirable for the City of Hoboken to co-sponsor this event.

NOW, THEREFORE, BE IT RESOLVED, that:

1. The above recitals are incorporated herein as though fully set forth at length.

2. The Hoboken City Council hereby authorizes the Mayor, or his designee to execute the co-sponsorship agreement which is attached hereto and incorporated by reference.

3. The Mayor or his designee shall furnish such documents as may be required.

4. The Mayor or his designee shall act as authorized correspondent for the City of Hoboken.

The following spoke regarding the resolution: Helen Hirsch, 98 Park Avenue. Ms. Hirsch's questions answered by Sue Hetman, Scott Harrison, 300 Observer Highway, “This Is It Productions”.

---Motion duly seconded by Councilman Campos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
WHEREAS, the City of Hoboken has been awarded traffic calming funds by the New Jersey Department of Transportation for 5th & Clinton Street and 12th & Clinton Street; and

WHEREAS, bids were accepted on August 27; and

WHEREAS, a contract will be awarded to the lowest bidder on September 1, 2004; and

WHEREAS, the a 63 day time extension request is necessary to conserve these NJ Department of Transportation funds for the City of Hoboken; now therefore be it

RESOLVED, that the Mayor or his designee be hereby authorized on behalf of the City of Hoboken wishes to:

1. Execute a letter to the NJ Department of Transportation requesting a project extension; and

2. Furnish such documents as may be required;

3. Act as authorized correspondent of the City of Hoboken;

4. Execute necessary contracts.

The following spoke regarding the resolution: Helen Hirsch, 98 Park Avenue.

---Motion duly seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

---By Council President Del Boccio:

WHEREAS, the Hoboken Parking Utility is charged with providing on/off street parking for the citizens of Hoboken, and

WHEREAS, the Hoboken Parking Utility is also charged with enforcing existing parking regulations within the City of Hoboken, and
WHEREAS, this enforcement, occasionally, results in improper citations being issued by the employees of the Hoboken Parking Utility, now, therefore, be it

RESOLVED, that the attached list of individuals be refunded the towing and/or boot removal charges which were deemed to be improper equal to the amount shown next to their individual name, and be it further

RESOLVED, that the total amount of all refunds, by this Resolution, shall be One Thousand Two Hundred Fifty eight Dollars ($1,258.00) and be it further

RESOLVED, that the Hoboken Parking Utility shall reimburse said individuals from the Other Expense Line in the SFY 2005 Budget Current Fund line number 5-31-55-5012-200. (see attached list)

---Motion duly seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

04-1575
---By Council President Del Boccio:

WHEREAS, the Hoboken Parking Utility requires it’s monthly customers within the Municipal Garages within Hoboken to make a deposit as security for the individual vehicle AVI (computer card) used to enter/exit the garage(s), and

WHEREAS, the Hoboken Parking Utility receives said deposits from the individual customers, and

WHEREAS, this deposit is refundable upon the cancellation of the contract between the individual and the Hoboken Parking Utility, now, therefore, be it

RESOLVED, that the attached list of individuals be refunded the deposit value shown next to their individual name, and be it further

RESOLVED, that the total amount of all refunds, by this Resolution, shall be One Thousand One Hundred Seventy Dollars ($1,170.00) and be it further

RESOLVED, that the Hoboken Parking Utility shall reimburse said individuals from the Other Expense Line in the SFY 2005 Budget Current Fund line number 5-31-55-5012-200. (see attached list)

---Motion duly seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

04-1576
---By Council President Del Boccio:

WHEREAS, the Hudson County improvement authority (HCIA) has the ability to be assistance with alternate financing sources for Hudson County municipalities; and

WHEREAS, the Administration seeks authority to explore other financing sources available through the HCIA.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hoboken, that the administration is authorized to initiate discussions with the HCIA with regard to the nature and extent of funding sources available to the City of Hoboken; and

BE IT FURTHER RESOLVED, that the administration is authorized to take steps necessary to realize the intent of this resolution.

---Motion duly seconded by Councilman Campos.
---Adopted by the following vote: YEAS: 5 - NAYS: 3 - ABSTENTIONS: 1
---Yeas: Council persons Campos, Cricco, Giacchi, Ramos and President Del Boccio.
---Nays: Castellano.
---Abstentions: Marsh, Russo, Soares.

ORDINANCES

Introduction and First Reading

04-1577
DR-158

THE COUNCIL OF THE MAYOR AND COUNCIL CITY OF HOBOKEN DO HEREBY ORDAIN AS FOLLOWS:

ARTICLE XVI
Traffic Claming Devices

Section 1, Chapter 190 of the City of Hoboken Administrative Code titled Vehicles and Traffic is hereby amended to include the following as Traffic Calming Devices:

<table>
<thead>
<tr>
<th>NAME OF STREET</th>
<th>LOCATION</th>
<th>TYPE</th>
</tr>
</thead>
</table>

Meeting of September 1, 2004
Hudson Street  257 feet south of the southerly curbline of Sinatra Drive
Hudson Street  360 feet south of the southerly curbline of Eighth Street
Bloomfield Street  270 feet north of the northerly curbline of Fourth Street
Bloomfield Street  408 feet north of the northerly curbline of Eighth Street
Garden Street  247 feet south of the southerly curbline of Eighth Street
Garden Street  411 feet south of the southerly curbline of Thirteenth Street
Garden Street  402 feet south of the southerly curbline of Tenth Street
Madison Street  242 feet north of the northerly curbline of Fourth Street
Madison Street  388 feet north of the northerly curbline of Fifth Street
Fifth Street  348 feet east of the easterly curbline of Marshall Drive

Section 2, Traffic calming with the appropriate markings and signs shall be constructed and maintained in accordance with the “Manual on Uniform Traffic Control Devices (MUTCD)” and the New Jersey Department of Transportation Standard Specifications to reduce speed and safety on roadways.

Section 3, This Ordinance shall be 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. This ordinance shall take effect as provided by law.

---Council President 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 15, 2004 at 7:00 PM.

---Motion duly seconded by Councilman Campos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.
All regular business concluded the following members of the public spoke at the “Public Portion” of the meeting: Forde Prigot, 206 Newark Street; Michael Lenz, 408 Monroe Street; Helen Hirsch, 98 Park Avenue; Maurice De Gennaro, 614 Hudson Street,

President Del Boccio then adjourned the meeting at 10:15 p.m.

________________________________________

PRESIDENT OF THE COUNCIL

________________________________________

CITY CLERK
President Del Boccio opened the meeting at 7:15 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, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.

ABSENT: None.

04-1578
The first order of business was Mayor David Roberts’ SFY 2005 Budget Message as follows:

2005 Budget Statement

As Mayor of the City of Hoboken, I am please to submit the budget for the fiscal year 2005, which, for the past decade, features no increase in the municipal portion of the tax levy.

Hoboken is a unique and vibrant community, recognized nationally as one of the most attractive municipalities in New Jersey to live and work. We are drawing both new residents and new businesses alike. Within the past two years, prestigious companies like John Wiley & Sons and Marsh & McLennan have decided to call us home.

Our stable municipal tax rate has been the engine, that has driven a remarkable economic renaissance, that has benefited current residents and is attracting new ones. This is evidenced in the value of Hoboken's property. The value of all real estate in Hoboken has increased during the past decade, from $1.7 billion in 1994 to its current value of $2.4 billion. This budget addresses the need to continue providing quality services and programs to meet the standards our residents and businesses expect and to further spur our local economy.
This can be accomplished despite some challenges that we and other municipalities face nationwide. Increases in health and liability insurance costs, utility expenses and garbage hauling fees were unanticipated. Hoboken is not alone in experiencing these sharp increases which are beyond our control. We will take strong measures to harness these costs by implementing a multi-year financial plan to ensure seamless transitions to upcoming fiscal years.

Concurrently, the City will aggressively monitor spending in each department to minimize taxpayer expenditures. I have requested that the State Department of Community Affairs conduct an operational review of municipal spending.

As we begin a new budget year, I am proud to report that Hoboken is a safe community and I am committed to upgrading public safety. We have made great investment in our police and fire departments which is necessary given the renewed attention to homeland security. Our fire department has new, state-of-the-art equipment, including a HAZMAT unit. Our police department has made our community one of the safest urban centers in the state. We have increased funding for our EMT's who play a vital role in our community.

Likewise, Hoboken continues to draw hundreds of millions of dollars in public investment through dynamic partnerships with the State of New Jersey, the Port Authority of New York and NJ Jersey and NJ Transit. Through these partnerships, we have a commitment of nearly a quarter of a billion dollars to rebuild our Public Schools and restore economic and architectural viability to the historic Erie Lackawanna Terminal, which is used by tens of thousands of commuters each day.

Noteworthy, from this partnership, I would like to thank State Senate Majority Leader Bernard Kenny, Jr. for his efforts in ensuring that Hoboken receives top priority in its requests to the state. I strongly believe that if we are to continue these fruitful partnerships, we need to work with the leaders of these agencies, not against them.

I am committed to maintaining and elevating quality of life in our City. This budget does not reduce services and programs that Hobokenites expect and deserve. Our investment in public safety is in tact and we will continue to expand on our pedestrian safety initiative. Our open space initiative continues and we will build on our firm commitment to add more than 16 acres of parkland in the coming years. Cultural, recreational and educational programs, such as free ice skating, swimming, sailing and our ongoing collaboration with Stevens Institute, will be maintained to meet the needs of all residents, especially the growing number of young families. These programs are paramount to our community’s success and growth.

The FY budget also contains funding for our future and to remember our past. I have provided additional money to pave our streets and to acquire new police radio cars. We will also contribute to efforts to ensure that proper World War II and September 11th memorials are constructed.

Hoboken is a great City that has undergone a great period of prosperity. As we move forward, I firmly believe this spending plan puts us in a position to begin a program of long range financial forecasting, while maintaining the gamut of city services.

I am pleased to submit this budget to the City Council for its consideration and I am looking forward to working with the City’s governing body in the ensuing budget process. Thank you.
ORDINANCES

Introduction and First Reading

THIS ORDINANCE AUTHORIZES THE CITY OF HOBNOK TO EXCEED THE MUNICIPAL BUDGET COST OF LIVING ALLOWANCE. (DR-158A)

---Council President 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 OCTOBER 6, 2004 at 7:00 PM.

---Motion duly seconded by Councilman Campos.
---Adopted by the following vote: YEAS: 5 - NAYS: 4
---Yeas: Council persons Campos, Cricco, Giacchi, Ramos and President Del Boccio.
---Nays: Castellano, Marsh, Russo, Soares.

Resolutions

04-1578A
---By Council President Del Boccio:

Introduction of the SFY 2005 Municipal Budget for the City of Hoboken.

---Motion duly seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 5 - NAYS: 0 - ABSTENTIONS: 4
---Yeas: Council persons Campos, Cricco, Giacchi, Ramos and President Del Boccio.
---Nays: None.
---Abstentions: Castellano, Marsh, Russo, Soares.

PUBLIC HEARING and FINAL VOTE ON ORDINANCES

Second Reading / Public Hearing and Final Vote

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, President Del Boccio asked for a motion to close the hearing.

Councilman Cricco moved that the hearing be closed. Motion duly seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

Council President Del Boccio then instructed the City Clerk to call the Final Vote for the above Ordinance.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

PETITIONS AND COMMUNICATIONS

04-1579
A communication from Business Administrator Richard England reporting the expenditures for this year.

--Received and filed.

04-1580
WHEREAS, there is no final FY 2005 Municipal Budget in place; and

WHEREAS, until such time that a FY 2005 Municipal Budget is approved, it is fiscally responsible to impose a hiring freeze; and

WHEREAS, the hiring freeze shall be effective immediately and remain in place, at least, until final budget approvals.

NOW, THEREFORE, BE IT ORDERED AND RESOLVED that I David Roberts, Mayor of the City of Hoboken, do hereby order a hiring freeze for all municipal employment, effective immediately.

--Received and filed.
**APPLICATIONS FOR MISCELLANEOUS LICENSES**

<table>
<thead>
<tr>
<th>Category</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public Hack Drivers</td>
<td></td>
</tr>
<tr>
<td>Limo/Livery Drivers</td>
<td></td>
</tr>
<tr>
<td>Vendors</td>
<td></td>
</tr>
<tr>
<td>Mechanical Amusement Devices</td>
<td></td>
</tr>
</tbody>
</table>

---Councilman Ramos moved that the licenses be granted.
---Motion duly seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

**REPORTS OF CITY OFFICERS**

**04-1582**
A report of the Municipal Court indicating receipts for the month of August 2004 as $342,765.46.
---Received and filed.

**04-1583**
A report from Municipal Tax Collector Louis Picardo for taxes collected; for the month ending August 31, 2004 – 16,598,193.43.
---Received and filed.

**04-1584**
A report of Municipal Clerk James J. Farina indicating bids received on Friday, September 10, 2004 for Municipal Garage Roof Replacement; bid #05-05 (3 bids received).
---Received and filed.

**Resolutions**

**04-1585**
---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:
ACCOUNT
(Within Cap)

<table>
<thead>
<tr>
<th>ACCOUNT</th>
<th>ACCOUNT #</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Business Admin. S&amp;W.</td>
<td>5-01-20-112-010</td>
<td>$14,000.00</td>
</tr>
<tr>
<td>Treasury &amp; Debt S&amp;W</td>
<td>5-01-20-146-011</td>
<td>5,372.50</td>
</tr>
<tr>
<td>Towing &amp; Storage O.E.</td>
<td>5-01-23-223-020</td>
<td>3,500.00</td>
</tr>
<tr>
<td>Unemployment Ins. O.E.</td>
<td>5-01-23-225-020</td>
<td>25,000.00</td>
</tr>
<tr>
<td>Hispanic Affairs S&amp;W</td>
<td>5-01-27-331-010</td>
<td>3,375.00</td>
</tr>
<tr>
<td>Recreation S&amp;W</td>
<td>5-01-28-370-010</td>
<td>100,000.00</td>
</tr>
<tr>
<td>Recreation O.E.</td>
<td>5-01-28-370-021</td>
<td>37,000.00</td>
</tr>
<tr>
<td>Gasoline O.E.</td>
<td>5-01-31-460-000</td>
<td>30,000.00</td>
</tr>
<tr>
<td>Social Security O.E.</td>
<td>5-01-36-472-000</td>
<td>100,000.00</td>
</tr>
<tr>
<td>Account Payable O.E.</td>
<td>5-01-55-900-003</td>
<td>76,233.50</td>
</tr>
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</table>

TOTAL $394,981.20

(Outside Cap)

<table>
<thead>
<tr>
<th>ACCOUNT</th>
<th>ACCOUNT #</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Worker’s Comp.O.E.</td>
<td>5-01-30-400-020</td>
<td>32,500.00</td>
</tr>
<tr>
<td>Master Plan O.E.</td>
<td>5-01-31-463-000</td>
<td>40,000.00</td>
</tr>
</tbody>
</table>

TOTAL $72,000.00

---Motion duly seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

CLAIM RESOLUTIONS

04-1586
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 $775,312.31 against the UNCLASSIFIED CLAIMS.

Seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---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 $14,644.51 against the DEPARTMENT OF ADMINISTRATION.

Seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

By Councilman Cricco:

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 $117,640.09 against the DEPARTMENT OF ENVIRONMENTAL SERVICES.

Seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

By Councilman Cricco:

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 $70,937.47 against the DEPARTMENT OF HUMAN SERVICES.

Seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

By Councilman Cricco:

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 $66,787.04 against the DEPARTMENT OF COMMUNITY DEVELOPMENT.

Seconded by Council President Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

By Councilman Cricco:

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 $116,417.00 against the DEPARTMENT OF COMMUNITY DEVELOPMENT, GRANTS MANAGEMENT, SECTION 8.

Seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

By Councilman Campos:

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 $100,003.66 against the DEPARTMENT OF PUBLIC SAFETY.

Seconded by Council President Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---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 $8,163.96 against the CAPITAL ACCOUNT.

Seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

By Council President 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 $625,409.57 against the PARKING UTILITY.

Seconded by Councilman Campos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

PAYROLL RESOLUTIONS

04-1587
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 AUGUST 12, 2004 TO AUGUST 25, 2004 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>Personnel</td>
<td>5-01-20-105</td>
<td>7,322.28</td>
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<td>7,322.28</td>
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<tr>
<td>Mayor's Office</td>
<td>5-01-20-110</td>
<td>9,961.59</td>
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<tr>
<td>City Council</td>
<td>5-01-20-111</td>
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<td>7,584.98</td>
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<tr>
<td>Bus Adm. Office</td>
<td>5-01-20-112</td>
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<td>7,688.59</td>
<td>17,758.58</td>
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<tr>
<td>ABC Board</td>
<td>5-01-20-113</td>
<td>269.24</td>
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<td>269.24</td>
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<tr>
<td>Purchasing</td>
<td>5-01-20-114</td>
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<tr>
<td>Grants Management</td>
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<td>City Clerks Office</td>
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<td>12,605.24</td>
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<tr>
<td>Elections</td>
<td>5-01-20-122</td>
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<tr>
<td>Finance Office</td>
<td>5-01-20-130</td>
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<tr>
<td>Accounts / Controls</td>
<td>5-01-20-131</td>
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<tr>
<td>Payroll Division</td>
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<tr>
<td>Tax Collection</td>
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<td>Assessor's Office</td>
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<tr>
<td>Corporation Counsel</td>
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<td>Community Develop.</td>
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<tr>
<td>Treasurer</td>
<td>5-01-20-146</td>
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<tr>
<td>Planning Board</td>
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<td>Info Technology</td>
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<tr>
<td>Zoning Officer</td>
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<td>5,264.85</td>
<td>5,264.85</td>
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<tr>
<td>Housing Inspection</td>
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<tr>
<td>Construction Code</td>
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<tr>
<td>Police Division</td>
<td>5-01-25-241</td>
<td>482,637.47</td>
<td>56.25</td>
<td>37,618.03</td>
<td>520,311.75</td>
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<tr>
<td>Crossing Guards</td>
<td>5-01-25-241</td>
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<tr>
<td>Emergency Mgmt</td>
<td>5-01-25-252</td>
<td>673.38</td>
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<td>Fire Division</td>
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<tr>
<td>Signal &amp; Traffic</td>
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<td>7,598.89</td>
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<tr>
<td>Envir. Ser. Dir. Office</td>
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<td>14,440.38</td>
<td>1,214.33</td>
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</tr>
<tr>
<td>Streets &amp; Roads</td>
<td>5-01-26-291</td>
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<td></td>
</tr>
<tr>
<td>Central Garage</td>
<td>5-01-26-301</td>
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<td>6,935.75</td>
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<tr>
<td>Sanitation</td>
<td>5-01-26-305</td>
<td>47,936.14</td>
<td>7,957.29</td>
<td>55,893.43</td>
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<tr>
<td>Housing Authority</td>
<td>5-01-28-370-015</td>
<td>8,512.96</td>
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<td>8,512.96</td>
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<tr>
<td>Human Service Direct.</td>
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<td>5,458.43</td>
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</tr>
<tr>
<td>Board of Health</td>
<td>5-01-27-332</td>
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<td>7,322.12</td>
<td></td>
</tr>
<tr>
<td>Constituent Services</td>
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<td>5,556.24</td>
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<tr>
<td>Senior Citizens Div</td>
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<td>16,720.32</td>
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<tr>
<td>Rent Stabilization</td>
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<td>6,257.98</td>
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<tr>
<td>Transportation</td>
<td>5-01-27-348</td>
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<td>Recreation</td>
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<td>1,508.65</td>
<td>26,120.86</td>
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</table>

Meeting of September 15, 2004   10
<table>
<thead>
<tr>
<th>Department</th>
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<th>Allocation</th>
<th>Balance</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parks</td>
<td>5-01-28-375</td>
<td>24,005.73</td>
<td>1,897.65</td>
<td>32.00</td>
<td>25,935.38</td>
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<tr>
<td>Public Prop.</td>
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<td>154.47</td>
<td>1,906.70</td>
<td>30,036.61</td>
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<td>Public Library</td>
<td>5-01-29-390</td>
<td>24,159.87</td>
<td></td>
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<td>Public Defender</td>
<td>5-01-43-495</td>
<td>2,203.16</td>
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<td>Municipal Court</td>
<td>5-01-43-490</td>
<td>31,662.40</td>
<td>165.66</td>
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<td>31,828.06</td>
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<td>5-31-55-501-100</td>
<td>45,401.95</td>
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<td>5-01-25-241-012</td>
<td>8,065.39</td>
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<td>Cops In School</td>
<td>5-01-25-241-015</td>
<td>12,155.78</td>
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<td>Civilian Hiring</td>
<td>5-01-25-241-016</td>
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<td>5-01-27-331-011</td>
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<tr>
<td>Summer Fun</td>
<td>5-01-28-370-013</td>
<td>12,963.00</td>
<td></td>
<td></td>
<td>12,963.00</td>
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<td>Summer Lunch</td>
<td>5-51-56-852-301</td>
<td>1,276.75</td>
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<td>1,276.75</td>
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<td><strong>Other</strong></td>
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<td></td>
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<tr>
<td>Police Outside Employ.</td>
<td>T-14-10-000-000</td>
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<td>35,305.00</td>
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<td>Police Grant</td>
<td>DE 16-S7-01</td>
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<td>Fire Dept. Penalty</td>
<td>T-13-10-000-001</td>
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<td></td>
<td></td>
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</tr>
<tr>
<td>Fire Education Acct</td>
<td>T-13-10-000-000</td>
<td></td>
<td></td>
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</tr>
</tbody>
</table>

**Grand Total**  
1,422,442.52  25,488.64  218,265.63  1,666,196.79

Motion by Councilman Ramos.  
Seconded by Councilman Giacchi.  
---Adopted by the following vote: YEAS: 9 - NAYS: 0  
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.  
---Nays: None.

**RESOLUTIONS CONTINUED**  
Presented and Read
04-1588
---By Councilman Ramos:

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 and/or the Hoboken Parking Utility for over thirty days, the said authorized pursuant to provision of N.J.S.A. 30:10A-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, Monday, 20 September 2004, 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 Giacchi.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yea: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

04-1589
---By Councilman Ramos:

WHEREAS, the City of Hoboken recognizes that the aggregation of sponsored trips during the fiscal year will exceed the New Jersey Public Contracts bid threshold, and

WHEREAS, the City of Hoboken did advertise for bids for this service on June 25, 2004 and July 23, 2004, and

WHEREAS, the City received no proposals on either of those dates, and

WHEREAS, the City has negotiated a fair contractual price with Academy Tours & Travel, 111 Paterson Avenue, Hoboken, NJ 07030 pursuant to N.J.S.A. 40A:11-5(3).

NOW, THEREFORE, BE IT RESOLVED, by the Hoboken City Council that:

1. The above recitals are incorporated herein as thought fully set forth at length.

2. The Council hereby authorizes the Mayor, or his designee to execute any and all documents and take any and all actions necessary to complete and realize the intent and purpose of this resolution.

3. The Mayor or his designee is hereby authorized to execute an agreement for the above referenced goods and/or services based upon the following information:

   Academy Tours & Travel
   111 Paterson Avenue
   Hoboken, NJ 07030

---Motion duly seconded by Councilman Campos.
04-1590
---By Councilman Ramos:

WHEREAS, Steve A. Chichizola (AKA CSJ, Inc.) has made application to the Mayor and Council of the City of Hoboken for transfer of Taxicab Owner License #03 to GDKF FLAME, INC., and

WHEREAS, Steve A. Chichizola has consented to said Transfer of Ownership and the application transfer for Taxicab Owner License #03 has been duly investigated as required by law and

WHEREAS, the Hoboken City Council agrees that Public Hack and Taxicab Owner License #03, expiring March 31, 2005 be subject to all of its terms and conditions once transferred to GDKF FLAME INC, and

WHEREAS, 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 shall not be effective until such time as GDKF FLAME INC. 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 $15,000.00 to satisfy all claims for damages, by reason of bodily injury to, or the death of any 1 person, resulting from an accident, and a sum of not less than $30,000.00 to satisfy all claims for damages, by reason of the bodily injury to, or the death of all persons, on account of any such accident, by reason of ownership, operation, maintenance, or use of such autocab upon any public street; and conditioned for the payment of a sum not less than $5,000.00 to satisfy all claims for damages to property of all persons, on account of any such accident, by reason of the ownership, operation, maintenance, or use of such autocab upon any public street; together with the filing of a Power of Attorney in accordance with the provisions of R.S. 48:16-3

NOW, THEREFORE, BE IT RESOLVED, by the Hoboken City Council that:

1. The above recitals are incorporated herein as though fully set forth as length.

2. The Council hereby authorizes the Hoboken City Clerk to issue the appropriate License upon satisfactory presentation of required documents.

This resolution shall be effective immediately.

---Motion duly seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.
04-1591
---By Councilman Campos:

WHEREAS, the City of Hoboken by and through the Mayor and Business Administrator have engaged in negotiations on behalf of the City with the PSOA regarding the Memorandum of Understanding and Agreement; and

WHEREAS, the terms resulting from said negotiations have been memorialized in the attached correspondence and Memorandum of Agreement between the parties; and

WHEREAS, the City of Hoboken, by the Mayor and Business Administrator recommend that the terms memorialized in the attached correspondence and Memorandum of Agreement be accepted by the City Council; and

NOW, THEREFORE, BE IT RESOLVED by the Hoboken City Council that:

1. The above recitals are incorporated herein as thought fully set forth at length.

2. The Council hereby authorizes the Mayor, or his designee to execute any and all documents and take any and all actions necessary to complete and realize the intent and purpose of this resolution.

3. This resolution shall be effective immediately.

---Motion duly seconded by Council President Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

04-1592
---By Councilman Cricco:

WHEREAS, the City of Hoboken sponsors the Hoboken Arts and Music Festival, to take place September 19, 2004; and

WHEREAS, part of the festival includes musical presentation and arts and crafts displays; and

WHEREAS, vendor fees and sponsorships for the festival will be the source of funds to pay contractual fees through Leafy Green Booking/Fleshtones in the sum of One Thousand ($1,000.00) dollars flat fee; and

WHEREAS, the City of Hoboken considers it desirable to enter into a contract with the Fleshtones to perform at the Festival on September 19, 2004.
NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Hoboken in the County of Hudson that:

1. The above recitals are incorporated herein as though fully set forth at length.
2. The Council hereby authorizes the Mayor or his designee to execute any and all documents and take any and all actions necessary to complete and receive the intent and purpose of this resolution.
3. The Mayor or his designee is authorized to execute a contract for One Thousand ($1,000.00) dollars flat fee performing services of the Fleshtones.
4. The Mayor or his designee shall furnish such documents as may be required.
5. The Mayor or his designee shall act as authorized correspondent of the City of Hoboken.
6. The Mayor or his designee shall execute necessary contracts.

---Motion duly seconded by Council President Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

04-1593
---By Councilman Cricco:

WHEREAS, the City of Hoboken sponsors the Hoboken Arts and Music Festival, to take place September 19, 2004; and

WHEREAS, part of the festival includes musical presentation and arts and crafts displays; and

WHEREAS, vendor fees and sponsorships for the festival will be the source of funds to pay contractual fees through Leafy Green Booking for Eric Burdon & the Animals in the sum of Twelve Thousand Five Hundred ($12,500.00) dollars; and

WHEREAS, the City of Hoboken considers it desirable to enter into a contract with Eric Burdon & the Animals to perform at the Festival on September 19, 2004.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Hoboken in the County of Hudson that:

1. The above recitals are incorporated herein as though fully set forth at length.
2. The Council hereby authorizes the Mayor or his designee to execute any and all documents and take any and all actions necessary to complete and receive the intent and purpose of this resolution.
3. The Mayor or his designee is authorized to execute a contract for Twelve Thousand Five Hundred ($12,500.00) dollars flat fee performing services of Eric Burdon and the Animals.
4. The Mayor or his designee shall furnish such documents as may be required.
5. The Mayor or his designee shall act as authorized correspondent of the City of Hoboken.
6. The Mayor or his designee shall execute necessary contracts.
---Motion duly seconded by Council President Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares
and President Del Boccio.
---Nays: None.

**04-1594**
---By Councilman Ramos:

WHEREAS, pursuant to the resolution of the City Council and after public
advertising thereof, the following proposal was received for the SYF 2004 Roadway
Improvement Project for the City of Hoboken in accordance with the specifications set forth
in City of Hoboken Bid 05-02.

<table>
<thead>
<tr>
<th>Vendor</th>
<th>Total $ Proposal</th>
</tr>
</thead>
<tbody>
<tr>
<td>English Paving</td>
<td>$373,938.76</td>
</tr>
<tr>
<td>1087 Edgewater Avenue</td>
<td></td>
</tr>
<tr>
<td>Ridgefield, NJ 07657</td>
<td></td>
</tr>
<tr>
<td>Tilcon-New York</td>
<td>$486,670.00</td>
</tr>
<tr>
<td>625 Mt. Hope Road</td>
<td></td>
</tr>
<tr>
<td>Wharton, NJ 070885</td>
<td></td>
</tr>
</tbody>
</table>

NOW, THEREFORE, BE IT RESOLVED, by the Hoboken City Council that:

1. The above recitals are incorporated herein as though fully set forth at length.

2. The Council of the City of Hoboken hereby authorizes the Mayor or his designee
to execute any and all documents and take any actions necessary to complete and
realize the intent and purpose of this resolution.

3. The Mayor or his designee is authorized to execute an Agreement for the above
referenced goods and/or services based upon the following information:

   **English Paving**
   1087 Edgewater Ave
   Ridgefield, NJ 07657

---Motion duly seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares
and President Del Boccio.
---Nays: None.
WHEREAS, pursuant to the resolution of the City Council and after public advertising thereof, the following proposal was received for Downtown Sidewalk/Streetscape Improvement Project for the City of Hoboken in accordance with the specifications set forth in City of Hoboken Bid 05-3.

<table>
<thead>
<tr>
<th>Vendor</th>
<th>Total $ Proposal</th>
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<tbody>
<tr>
<td>T&amp;M Contracting</td>
<td>$490,272.28</td>
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<tr>
<td>107 Willow Ave</td>
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<tr>
<td>Hoboken, NJ 07030</td>
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<tr>
<td>Abbott Contracting</td>
<td>$294,260.00</td>
</tr>
<tr>
<td>539 Anderson Avenue</td>
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<tr>
<td>Cliffside Park, NJ 07010</td>
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</tr>
<tr>
<td>English Paving</td>
<td>$444,335.00</td>
</tr>
<tr>
<td>1087 Edgewater Ave</td>
<td></td>
</tr>
<tr>
<td>Ridgefield, NJ 07657</td>
<td></td>
</tr>
</tbody>
</table>

NOW, THEREFORE, BE IT RESOLVED, by the Hoboken City Council that:

1. The above recitals are incorporated herein as though fully set forth at length.

2. The Council of the City of Hoboken hereby authorizes the Mayor or his designee to execute any and all documents and take any actions necessary to complete and realize the intent and purpose of this resolution.

3. The Mayor or his designee is authorized to execute an Agreement for the above referenced goods and/or services based upon the following information:

   Abbott Contracting  
   539 Anderson Avenue  
   Cliffside Park, NJ 07010

---Motion duly seconded by Councilman Ramos.  
---Adopted by the following vote: YEAS: 9 - NAYS: 0  
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.  
---Nays: None.
WHEREAS, pursuant to the resolution of the City Council and after public advertising thereof, the following proposal was received for SFY 2004 Roadway Improvement Project for the City of Hoboken in accordance with the specifications set forth in City of Hoboken Bid 05-4.

<table>
<thead>
<tr>
<th>Vendor</th>
<th>Total $ Proposal</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jetco, Inc.</td>
<td>$64,600.00</td>
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<tr>
<td>268 New York Avenue</td>
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</tr>
<tr>
<td>Jersey City, NJ 07307</td>
<td></td>
</tr>
<tr>
<td>AJM Contractors, Inc.</td>
<td>$45,186.00</td>
</tr>
<tr>
<td>71 Liberty Street</td>
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</tr>
<tr>
<td>Passaic, NJ 07055</td>
<td></td>
</tr>
<tr>
<td>Tee-Con Contractors</td>
<td>$53,297.00</td>
</tr>
<tr>
<td>9 Dodd Street</td>
<td></td>
</tr>
<tr>
<td>East Orange, NJ 07017</td>
<td></td>
</tr>
</tbody>
</table>

NOW, THEREFORE, BE IT RESOLVED, by the Hoboken City Council that:

1. The above recitals are incorporated herein as though fully set forth at length.

2. The Council of the City of Hoboken hereby authorizes the Mayor or his designee to execute any and all documents and take any actions necessary to complete and realize the intent and purpose of this resolution.

3. The Mayor or his designee is authorized to execute an Agreement for the above referenced goods and/or services based upon the following information:

   **AJM Contractors, Inc.**
   71 Liberty Street
   Passaic, NJ 07055

---Motion duly seconded by Councilman Campos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yea: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

**04-1597**
---By Councilwoman Castellano:

WHEREAS, the Hoboken City Council has concerns for financial stability going forward, and

WHEREAS, said stability can result in cost containment for the Municipal Budget via a hiring freeze:

Meeting of September 15, 2004  18
WHEREAS, the City Council seeks to be apprised of any event that will affect the status of the Municipal Budget beyond the approved contract. Any changes in the Titles, Hires (Full or Part-Time Rehires, increase in salary outside the negotiated salary (raises). The Council upon receiving this information will take action accordingly;

NOW, THEREFORE, BE IT RESOLVED that:

1. The above recitals are incorporated herein as though fully set forth at length.
2. The Hoboken City Council seeks the immediate imposition of hiring freeze.
3. This resolution shall be effective immediately.
4. If any portion of this resolution is deemed invalid or illegal that cause shall not invalidate the balance of this resolution.

---Motion duly seconded by Councilman Russo.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yea: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

ORDINANCES

Introduction and First Reading

04-1598
DR-159
AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 192 OF THE CODE OF THE CITY OF HOBOKEN ENTITLED PARKING FOR HANDICAPPED. (Deletions: 325 Garden Street and 621 Garden Street) (DR-159).

THE COUNCIL OF THE MAYOR AN COUNCIL OF THE CITYOFHOBOKEN DOES HEREBY ORDAIN AS FOLLOWS:

Handicap Spaces

A. Section 192-4 is amended to delete the following:

Madeline Mastrofilippo, 325 Garden Street (east side of Garden Street, beginning at a point of 180 feet from the southwest curbline of Fourth Street and extending 22 feet northerly therefrom.

Anthony DeCongelio, 621 Garden Street (east side of Garden Street, beginning at a point of 182 feet from the northerly curbline of Sixth Street and extending 22 feet northerly therefrom.

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 the ordinance codified and incorporated in
the official copies of the Hoboken Code. This ordinance shall take effect as provided by law.

---Council President 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 October 6, 2004 at 7:00 PM.

---Motion duly seconded by Councilman Campos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

04-1599
DR-160
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 52 WASHINGTON STREET, HOBOKEN, NEW JERSEY, MORE PARTICULARLY KNOWN AS LOT 23.01, BLOCK 198, ON THE TAX MAP OF THE CITY OF HOBOKEN, COUNTY OF HUDSON, STATE OF NEW JERSEY (DR-160).

WHEREAS, the applicant Eastview Associates L.P., has petitioned the City of Hoboken for the granting of certain easements over municipal lands at 52 Washington Street, Hoboken, New Jersey, ("the premises") which premises are more particularly described as Lot 23.01, and Block 198 on the Tax Map of the City of Hoboken, New Jersey, in order to maintain an encroachment on municipal lands for the purpose placing canopy over the main entrance within the fence line adjacent to the western property line. This easement is described as follows:

METES AND BOUNDS
(PROPOSED CANOPY)

All that certain tract, or parcel of land, situate, lying and being in the City of Hoboken, County of Hudson, and the State of New Jersey, bounded and described as follows:

Beginning at a point in the westerly line of (100.00 feet R.O.W.), Washington Street, Said point being North 12 degrees 42 minutes 29 seconds East, 16.05 feet measured along said line Washington Street from the intersection of the westerly line of Washington Street with the northerly line of Observer Highway. Thence running:

THENCE N-12 degrees 42 minutes 29 seconds East, 16.00 feet along said line of Washington Street to a point,

THENCE S-77 degrees 17 minutes 31 seconds East, 6.42 feet to a point,

THENCE S 12 degrees 42 minutes 29 seconds West, 16.00 to a point,

THENCE N-77 degrees 17 minutes 31 seconds West, 6.42 feet to the point and place of beginning.
Known as Lot 23.01, Block 198 as shown on the official tax assessment map for the City of Hoboken, Hudson County, New Jersey, and more commonly known as 52 Washington Street, Hoboken, New Jersey; and

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND THE COUNCIL OF THE CITY OF HOBOKEN THAT THE CITY OF HOBOKEN HEREBY GRANTS 72 TENTH STREET THE AFOREMENTIONED EASEMENT SUBJECT TO THE FOLLOWING CONDITIONS AND REQUIREMENTS:

1. The above recitals are incorporated herein as length fully set forth at length.

2. 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.

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

4. 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.

5. 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.

6. 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.

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

---Council President 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 October 6, 2004 at 7:00 PM.

---Motion duly seconded by Councilman Campos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.
BOND ORDINANCE PROVIDING FOR ACQUISITION OF POLICE VEHICLES IN AND BY THE CITY OF HOBOKEN, IN THE COUNTY OF HUDSON, NEW JERSEY, APPROPRIATING $425,000 THEREFORE AND AUTHORIZING THE ISSUANCE OF $403,750 BONDS OR NOTES OF THE CITY TO FINANCE PART OF THE COST THEREOF (DR-161).

BE IT ORDAINED 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 improvement described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the City of Hoboken, New Jersey as a general improvement. For the improvement or purpose described in Section 3, there is hereby appropriated the sum of $425,000, including the sum of $21,250 as the down payment required by the Local Bond Law. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of $403,750 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is for the acquisition of police vehicles including all additional acquisitions necessary therefor and incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefore.
Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer’s signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget of the City of Hoboken is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a)The improvement or purpose described in Section 3 of this bond ordinance is not a current expense. It is an improvement or purpose that the City may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.
(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this ordinance, is 5 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the City as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by $380,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding $25,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

Section 7. Any grant moneys received for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 8. The chief financial officer of the City is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the City and to execute such disclosure document on behalf of the City. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the City pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the “Rule”) for the benefit of holders and beneficial owners of obligations of the City and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally
recognized bond counsel, consistent with the requirements of the Rule. In the event that the City fails to comply with its undertaking, the City shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 9. 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 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 10. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

---Council President 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 October 6, 2004 at 7:00 PM.

---Motion duly seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

All regular business concluded the following members of the public spoke at the “Public Portion” of the meeting: John Carey, 836 Bloomfield Street; Tom Kennedy, 10 Church Towers; Jon Gordon, 333 River Street; Nicky Jimenez, 312 Harrison Street #2B; Alicia Rodriguez, 310 Marshall Drive; Maurice De Gennaro, 614 Hudson Street; Jerry Forman, 116 Bloomfield Street; Al Reed, 217 10th Street; Alicia Rodriguez, 310 Marshall Drive (2nd time).

At this time, 8:54 p.m., the City Council voted to enter into closed (executive) session. Closed session began at 8:59 p.m.

---By Councilman Cricco:

04-1601
CS.* Closed (executive) session regarding “Pending Litigation with respect to the Hoboken Parking Utility.
---Motion duly seconded by Councilman Campos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

President Del Boccio then adjourned the meeting at 9:17 p.m.
President Del Boccio 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.

The Clerk then called the roll:

PRESENT: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.

ABSENT: None.

PUBLIC HEARING and FINAL VOTE ON ORDINANCES

Second Reading / Public Hearing and Final Vote

THIS ORDINANCE AUTHORIZES THE CITY OF HOBOKEN TO EXCEED THE MUNICIPAL BUDGET COST OF LIVING ALLOWANCE (DR-158A).

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, President Del Boccio asked for a motion to close the hearing.

Councilman Ramos moved that the hearing be closed.
Motion duly seconded by Councilman Cricco.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

Council President Del Boccio then instructed the City Clerk to call the Final Vote for the above Ordinance.

---Adopted by the following vote: YEAS: 6 - NAYS: 2 - ABSTENTIONS: 1
---Yeas: Council persons Campos, Cricco, Giacchi, Ramos, Russo and President Del Boccio.
---Nays: Marsh, Soares.
---Abstentions: Castellano.

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 192 OF THE CODE OF THE CITY OF HOBOKEN ENTITLED PARKING FOR HANDICAPPED. (Deletions: 325 Garden Street and 621 Garden Street) (DR-159).

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, President Del Boccio asked for a motion to close the hearing.

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

Council President Del Boccio then instructed the City Clerk to call the Final Vote for the above Ordinance.

---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---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 52 WASHINGTON STREET, HOBOKEN, NEW JERSEY, MORE PARTICULARLY KNOWN AS LOT 23.01, BLOCK 198, ON THE TAX MAP OF THE CITY OF HOBOKEN, COUNTY OF HUDSON, STATE OF NEW JERSEY (DR-160).
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, President Del Boccio asked for a motion to close the hearing.

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

Council President Del Boccio then instructed the City Clerk to call the Final Vote for the above Ordinance.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

BOND ORDINANCE PROVIDING FOR ACQUISITION OF POLICE VEHICLES IN AND BY THE CITY OF HOBOKEN, IN THE COUNTY OF HUDSON, NEW JERSEY, APPROPRIATING $425,000 THEREFORE AND AUTHORIZING THE ISSUANCE OF $403,750 BONDS OR NOTES OF THE CITY TO FINANCE PART OF THE COST THEREOF (DR-161).

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.

One member of the public addressed the City Council: Helen Hirsch, 98 Park Avenue. No other person present desiring to be heard and no written protests or objections received, President Del Boccio asked for a motion to close the hearing.

Councilman Ramos moved that the hearing be closed.
Motion duly seconded by Councilman Russo.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

Council President Del Boccio then instructed the City Clerk to call the Final Vote for the above Ordinance.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSTENTIONS: 1
---Yeas: Council persons Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.
---Abstentions: Campos.

04-1602

PETITIONS AND COMMUNICATIONS

September 27, 2004

The Honorable Richard Del Boccio
President, Hoboken City Clerk
Hoboken City Hall
94 Washington Street
Hoboken, New Jersey 07030

Re: Special Meeting of the Hoboken City Council

Dear Council President Del Boccio:

I hereby call a Special Meeting of the Hoboken City Council for Wednesday, October 13, 2004 at 7:00 pm in the City Council Chambers, 94 Washington Street, Hoboken, New Jersey for the purpose of conducting a hearing on the Municipal Budget.

Very truly yours,

DAVID ROBERTS
Mayor
City of Hoboken

DR:jb
cc/ City Council Members
   Richard F. England, Business Administrator
   Joseph F. Sherman, Corporation Counsel
   James J. Farina, City Clerk
   Jersey Journal/The Record/Star Ledger

--Received and filed.

04-1603

WHEREAS, October 2004 is National Breast Cancer Awareness Month; and

WHEREAS, October 15, 2004 is National Mammography Day; and

WHEREAS, almost 216,000 new cases of female breast cancer will be diagnosed in 2004 and close to 500 will die from the disease; and
WHEREAS, almost 1,500 new cases of male breast cancer will be diagnosed in 2004 and close to 500 will 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;

NOW, THEREFORE, I DAVID ROBERTS, Mayor of the City of Hoboken do hereby proclaim in the month of October 2004 as NATIONAL BREAST CANCER AWARENESS MONTH and October 15 as NATIONAL MAMMOGRAPHY DAY in the City of Hoboken.

--Received and filed.

04-1604

WHEREAS, the City of Hoboken is committed to improving the health and quality of life of its citizens; and

WHEREAS, Fibrodysplasia Ossificans Progressiva is a rare genetic disorder in which bone forms in muscles, tendons, ligaments and other connective tissues, producing too much done and creating an extra skeleton that immobilizes the joints of the body; and

WHEREAS, this disease appears in early childhood, causing progressively painful swelling and the binding of joints over the neck, spine and shoulder; and

WHEREAS, current medical treatment of the disease is limited and any attempt to surgically remove the extra bone often results in more bone formation; and

WHEREAS, Gary W. Whyte began his mission in 2001 to make others aware of this incurable and extremely rare disease by procuring proclamations and resolutions for support, research and awareness to fight this devastating disease;

NOW, THEREFORE, BE IT RESOLVED, that MAYOR DAVID ROBERTS, on behalf of the citizens of Hoboken, hereby express support for additional funding for research to combat the debilitating affects of this disease and commends Mr. Whyte for his tireless efforts in his Fibrodysplasia Ossificans Progressiva awareness campaign.

--Received and filed.

04-1605
A communication from Business Administrator Richard England with the Annual Financial Statement for the State Fiscal Year 2004 (Unaudited).

--Received and filed.

**04-1606**

**APPLICATIONS FOR MISCELLANEOUS LICENSES**

Public Hack Drivers .......................................................... 1  
Limo/Livery Drivers ........................................................ 5  
Livery Owners ................................................................. 3  
Raffles .............................................................................. 1  
Vendors ............................................................................. 2  
Parking Facilities ............................................................... 1  

---Councilman Ramos moved that the licenses be granted.  
---Motion duly seconded by Councilman Giacchi.  
---Adopted by the following vote: YEAS: 9 - NAYS: 0  
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.  
---Nays: None.

**RESOLUTIONS**

**Presented and Read**

**04-1607**  
---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:

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<th>ACCOUNT #</th>
<th>AMOUNT</th>
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<tr>
<td>Personnel, S&amp;W</td>
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<td>Corp. Counsel S&amp;W</td>
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**TOTALS** $4,492,950.00

(Outside Cap)

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<td>Social Security O.E.</td>
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</table>

**TOTALS** $1,074,000.00

---Motion duly seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSTENTIONS: 1
---Yeas: Council persons Campos, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.
---Abstentions: Castellano.

CLAIM RESOLUTIONS

04-1608
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 $1,282,843.57 against the UNCLASSIFIED CLAIMS.

Seconded by Council President Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---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 $109,058.75 against the DEPARTMENT OF ADMINISTRATION.

Seconded by Council President Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

By Councilman Cricco:

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 $360,257.41 against the DEPARTMENT OF ENVIRONMENTAL SERVICES.

Seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.
By Councilman Cricco:

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 $117,789.09 against the DEPARTMENT OF HUMAN SERVICES.

Seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

By Councilman Cricco:

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 $53,358.91 against the DEPARTMENT OF COMMUNITY DEVELOPMENT.

Seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

By Councilman Campos:

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 $59,454.16 against the DEPARTMENT OF PUBLIC SAFETY.

Seconded by Council President Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---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 $1,161.50 against the CAPITAL ACCOUNT.
Seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

By Council President 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 $231,697.86 against the PARKING UTILITY.

Seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

**PAYROLL RESOLUTIONS**

**04-1609**

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 AUGUST 26, 2004 TO SEPTEMBER 8, 2004 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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- Police Grant DE 16-S7-01
- Fire Dept. Penalty T-13-10-000-001
- Fire Education Acct T-13-10-000-000

**Grand Total** 1,415,779.64 27,555.56 33,366.74 1,476,701.94

Motion by Councilman Ramos.
Seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

04-1610
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 9, 2004 TO SEPTEMBER 22, 2004 FOR THE PAYROLL ARE HEREBY RATIFIED IN THE FOLLOWING AMOUNTS:

<table>
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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>5-01-28-377</td>
<td>31,095.84</td>
<td></td>
<td>31,095.84</td>
<td></td>
</tr>
<tr>
<td>Public Library</td>
<td>5-01-29-390</td>
<td>27,218.52</td>
<td></td>
<td>27,218.52</td>
<td></td>
</tr>
</tbody>
</table>

Meeting of October 6, 2004
<table>
<thead>
<tr>
<th>Department</th>
<th>Code</th>
<th>Amount</th>
<th>Increase</th>
<th>Grand Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public Defender</td>
<td>5-01-43-495</td>
<td>2,203.16</td>
<td></td>
<td>2,203.16</td>
</tr>
<tr>
<td>Municipal Court</td>
<td>5-01-43-490</td>
<td>32,039.85</td>
<td>165.67</td>
<td>32,205.52</td>
</tr>
<tr>
<td>Parking Utility</td>
<td>5-31-55-501-100</td>
<td>47,039.63</td>
<td>233.04</td>
<td>47,272.67</td>
</tr>
<tr>
<td>Universal Cops</td>
<td>5-01-25-241-012</td>
<td>8,065.39</td>
<td>1,435.08</td>
<td>9,500.47</td>
</tr>
<tr>
<td>Cops In School</td>
<td>5-01-25-241-015</td>
<td>12,155.78</td>
<td>936.92</td>
<td>13,092.70k</td>
</tr>
<tr>
<td>Civilian Hiring</td>
<td>5-01-25-241-016</td>
<td>4,311.28</td>
<td></td>
<td>4,311.28</td>
</tr>
<tr>
<td>Minority Affairs</td>
<td>5-01-27-331-011</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Summer Fun</td>
<td>5-01-28-370-013</td>
<td>226.50</td>
<td></td>
<td>226.50</td>
</tr>
<tr>
<td>Summer Lunch</td>
<td>5-51-56-852-301</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Other</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Police Outside Employ.</td>
<td>T-14-10-000-000</td>
<td>36,775.00</td>
<td></td>
<td>36,775.00</td>
</tr>
<tr>
<td>Police Grant</td>
<td>DE 16-S7-01</td>
<td>2,176.68</td>
<td></td>
<td>2,176.68</td>
</tr>
<tr>
<td>Fire Dept. Penalty</td>
<td>T-13-10-000-001</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fire Education Acct</td>
<td>T-13-10-000-000</td>
<td>1,796.87</td>
<td></td>
<td>1,796.87</td>
</tr>
<tr>
<td><strong>Grand Total</strong></td>
<td></td>
<td>1,419,013.95</td>
<td>61,374.64</td>
<td>45,465.32</td>
</tr>
</tbody>
</table>

Motion by Councilman Ramos.
Seconded by Council President Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

**RESOLUTIONS CONTINUED**

**Presented and Read**

**04-1611**
---By Councilman Ramos:

WHEREAS, pursuant to the resolution of the Council of the City of Hoboken, a City Auction was held on 20 September 2004 in the Court Room in City Hall, and,
WHEREAS, following the bidding process two bids were received during the auction for the bulk sale of Twenty-Three (23) abandoned vehicles. These bids were:

Mile Square Towing
1520 Jefferson Street
Hoboken, NJ 07030

West Side Auto Wrecker
Address Unknown

New Star Auto Sales, LLC
6 New County Road
Jersey City, NJ 07307

James Miller (an individual)
Address Unknown

WHEREAS, said bidder, New Star Auto Sales, LLC, 6 New County Road, Jersey City, New Jersey, 07307, 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 Councilman Giacchi.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

04-1612
---By Councilman Ramos:

WHEREAS, a summons issued JOHN SINGH for Docket No. A2675-4 has been adjudicated; and

WHEREAS, bail is now available for release to the surety named below;

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 sum opposite the name as reimbursement for bail monies:

<table>
<thead>
<tr>
<th>NAME/ADDRESS</th>
<th>SUMMONS NO.</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Maria Singh</td>
<td>A2675-4</td>
<td>$362.00</td>
</tr>
<tr>
<td>27 Van Houton Avenue</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Jersey City, NJ 07305</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
---Motion duly seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

04-1613
---By Councilman Ramos:

WHEREAS, Bon Secours New Jersey Health System Foundation, working in conjunction with Happy Rock Enterprises, have requested a permit from the City of Hoboken to conduct the “6th Annual St. Mary Hospital 5K Run, River Walk and Kids’ Dashes on October 9, 2004 in Hoboken, New Jersey; and

WHEREAS, the City of Hoboken is supportive of this endeavor provided that neither the 5k Run, River Walk nor Kid’s Dash 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 5K Run, River Walk and/or Kid’s Dash (hereinafter collectively referred to as “the Event”). Now, therefore, be it –

RESOLVED, that the Celebration of the Event to be held on October 9, 2004, is hereby approved by the Council of the City of Hoboken upon the condition that Bon Secours and Canterbury Partnership for Care, working in conjunction with On Your Mark Productions, (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 ($1,000.00, 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 am to 1:00 pm on Saturday, October 9, 2003. These personnel may be in addition to Hoboken Police Officers assigned by the City to the Event.

4. Permittee must provide no less than four (4) 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 am on Friday, October 8 2004 and must be removed
before 6:00 pm on Monday, October 11, 2004. 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 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 Richard England Interim 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, Cassandra Wilday, Director of Environmental Services, shall be contacted. In case of an emergency, when the Business Administrator or the 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 a 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 in 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 therein.

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, as its own expense, all costs, including counsel fees, 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 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 Councilman Giacchi.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

04-1614
---By Councilman Ramos:

WHEREAS, Hoboken City Council authorized the participation by the City of Hoboken in the above referenced matter, by Resolution No. 02-566, dated July 17, 2002 (copy attached); and
WHEREAS, the Attorney for the Hudson County Alliance has requested reimbursement for one half of the cost of duplication and binding the joint appendix and transcript (required for submission to the Appellate Division); and

WHEREAS, the total cost is $706.59, therefore, one half payable by Hoboken would amount to $353.30.

NOW, THEREFORE, BE IT RESOLVED, that:

1. The above recitals are incorporated herein as though fully set forth at length.

2. The Council of the City of Hoboken hereby authorizes the Mayor or his designee to execute any and all documents and take any actions necessary to complete and realize the intent and purpose of this resolution.

3. This resolution shall be effective immediately.

---Motion duly seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yea: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

04-1615
---By Council President Del Boccio:

WHEREAS, there exists a Collective Bargaining Agreement (a contract) between the City of Hoboken and the Hoboken Municipal Supervisors Association; and

WHEREAS, there are various supervisory titles formerly held by employees of the (former) Hoboken Parking Authority who are now employed by the Hoboken Parking Utility; and

WHEREAS, the titles to be added to Article I, Recognition Clause are:

   Supervisor of Parking Officers
   Supervisor of Customer Service Representative
   Supervisor of Parking Meters
   Supervisor of Parking Officers/Meter Collection

NOW, THEREFORE, BE IT RESOLVED that:

1. The above recitals are incorporated herein as though fully set forth at length.

2. The Council of the City of Hoboken hereby authorizes the Mayor or his designee to execute any and all documents and take any actions necessary to complete and realize the intent and purpose of this resolution.

3. This resolution shall be effective immediately.
---Motion duly seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

**04-1616**
---By Council President Del Boccio:

WHEREAS, the Hoboken Parking Utility requires its monthly customers within the Municipal Garages within Hoboken to make a deposit as security for the individual vehicle AVI (computer card) used to enter/exit the garage(s), and

WHEREAS, the Hoboken Parking Utility receives said deposits from the individual customers, and

WHEREAS, this deposit is refundable upon the cancellation of the contract between the individual and the Hoboken Parking Utility, now, therefore, be it

RESOLVED, that the attached list of individuals be refunded the deposit value equal to the amount shown next to their individual name, and be it further individual name, and be it further

RESOLVED, that the total amount of all refunds, by this Resolution, shall be Eight Hundred Ninety-Five Dollars ($895.00) and be it further

RESOLVED, that the Hoboken Parking Utility shall reimburse said individuals from the Other Expense Line in the SFY 2005 Budget Current Fund line number 5-31-55-502-200. (see attached list)

---Motion duly seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

**04-1617**
---By Council President Del Boccio:

WHEREAS, the Hoboken Parking Utility is charged with providing on/off street parking for the citizens of Hoboken, and

WHEREAS, the Hoboken Parking Utility is also charged with enforcing existing parking regulations within the City of Hoboken, and
WHEREAS, this enforcement, occasionally, results in improper citations being issued by the employees of the Hoboken Parking Utility, now, therefore, be it

RESOLVED, that the attached list of individuals be refunded the towing and/or boot removal charges which were deemed to be improper equal to the amount shown next to their individual name, and be it further

RESOLVED, that the total amount of all refunds, by this Resolution, shall be One Thousand One Hundred Seventy-One Dollars ($1,171.30) and be it further

RESOLVED, that the Hoboken Parking Utility shall reimburse said individuals from the Other Expense Line in the SFY 2005 Budget Current Fund line number 5-31-55-502-200. (see attached list)

---Motion duly seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yea: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

The following resolution was verbally added to the City Council agenda at the meeting to be submitted to the City Clerk’s office by Corporation Counsel afterwards.

04-1618
---By the entire City Council:

10A WHEREAS, The Board of Trustees of the Hoboken Public Library has been notified of a manpower shortage at the Hoboken Public Library; and

WHEREAS, the Board has requested authorization to put two (2) part-time employees to replace two (2) employees who are off the City payroll; and

WHEREAS, the salary line items for the vacant positions, are a part of the introduced budget for the City of Hoboken.; and

WHEREAS, the anticipated hires would be placed at the base of the salary range.

NOW, THEREFORE, BE IT RESOLVED that:

1. The above recitals are incorporated herein as though fully set forth at length.
2. The Council of the City of Hoboken requires consideration for a “waiver” of the Hiring Freeze with respect to the two (2) part-time positions at the Public Library
3. The City Council requests that the Mayor rescind his Executive Order for the limited purpose of allowing the appointment of these (2) part-time positions at the Public Library.
4. This resolution shall take effect immediately.
WHEREAS, the New Jersey Department of Personnel has required title change be made for a current employee titled “Maintenance Repairer”.

WHEREAS, the Department of Personnel has required that this current employee be moved to the Civil Service Title of “Laborer”; and

WHEREAS, the change in title required by the New Jersey Department of Personnel will have no impact or change in salary for this current employee.

* NOW, THEREFORE, BE IT RESOLVED that:

1. The above recitals are incorporated herein as though fully set forth at length.
2. The Council of the City of Hoboken recommends the required title change with the understanding that it will have no fiscal impact.
3. The Mayor concurs with the New Jersey Department of Personnel’s recommendation, and directs the City to take any/or all actions necessary to complete and realize the intent and purpose of this resolution.
4. This resolution shall take effect immediately.

---Motion duly seconded by the entire City Council.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

04-1619
---By Councilman Cricco:

WHEREAS, pursuant to the resolution of the City Council and after public advertising thereof, the following proposal was received for the repair/replacement of the roof of the Central Garage for the City of Hoboken in accordance with the specifications set forth in City of Hoboken Bid 05-5.

<table>
<thead>
<tr>
<th>Vendor</th>
<th>Total $ Proposal</th>
</tr>
</thead>
<tbody>
<tr>
<td>East Rutherford Roofing</td>
<td>$134,000.00</td>
</tr>
<tr>
<td>227 Summer Street</td>
<td></td>
</tr>
<tr>
<td>East Rutherford, NJ 07073</td>
<td></td>
</tr>
<tr>
<td>Best Roofing of NJ, Inc.</td>
<td>$216,000.00</td>
</tr>
<tr>
<td>30 Midland Avenue</td>
<td></td>
</tr>
<tr>
<td>Wallington, NJ 07057</td>
<td></td>
</tr>
<tr>
<td>Cipollini Roofing</td>
<td>$295,000.00</td>
</tr>
<tr>
<td>203 E. Blackwell Street</td>
<td></td>
</tr>
<tr>
<td>Dover, NJ 07801</td>
<td></td>
</tr>
</tbody>
</table>

NOW, THEREFORE, BE IT RESOLVED, by the Hoboken City Council that:

1. The above recitals are incorporated herein as though fully set forth at length.
2. The Council of the City of Hoboken hereby authorizes the Mayor or his designee to execute any and all documents and take any actions necessary to complete and realize the intent and purpose of this resolution.

3. The Mayor or his designee is authorized to execute an Agreement for the above referenced goods and/or services based upon the following information:
   
   **East Rutherford Roofing**  
   **227 Summer Street**  
   **East Rutherford, NJ 07073**  

Before the vote was taken the following addressed the City Council: Maurice De Gennaro, 614 Hudson Street; Helen Hirsch, 98 Park Avenue.

--- Motion duly seconded by Councilman Giacchi.
--- Adopted by the following vote: YEAS: 6 - NAYS: 3
--- Yeas: Council persons Campos, Cricco, Giacchi, Marsh, Ramos and President Del Boccio.
--- Nays: Castellano, Russo, Soares.

**ORDINANCES**

**Introduction and First Reading**

04-1620
DR-162

**AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 192 OF THE CODE OF THE CITY OF HOBOKEN ENTITLED PARKING FOR HANDICAPPED.** (Deletion: 1011 Park Avenue) (DR-162).

THE COUNCIL OF THE MAYOR AN COUNCIL OF THE CITY OF HOBOKEN DOESHEREBY ORDAIN AS FOLLOWS:

**Handicap Spaces**

A. Section 192-4 is amended to delete the following:

Desai Pravin, 1011 Park Avenue (east side of Park Avenue, beginning at a point of 123 feet from the northerly curbline of Tenth Street and extending 22 feet northerly therefrom.

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 the ordinance codified and incorporated in the official copies of the Hoboken Code. This ordinance shall take effect as provided by law.
---Council President 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 OCTOBER 20, 2004 at 7:00 PM.

---Motion duly seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

04-1621
DR-163

AN ORDINANCE AMENDING CHAPTER 141 OF THE REVISED GENERAL ORDINANCES OF THE CITY OF HOOKEN IN THE COUNTY OF HUDSON, PROVIDING FOR PARKING PERMITS AND REGULATION OF ON-STREET PARKING THROUGHOUT THE CITY OF HOOKEN. (Residential parking, Bloomfield St.) (DR-163).

WHEREAS, the City of Hoboken recognizes the need by residents of streamlined requirements for the issuance of parking permits

BE IT ORDAINED by the City Council of the City of Hoboken that Chapter 41 of the Revised General Municipal Ordinances of the City of Hoboken be amended and supplemented in the provision of parking permits and regulation of on street parking throughout the City of Hoboken.

Chapter 141, Parking Permits, of the Code of the City of Hoboken is hereby amended and supplemented as follows:

<table>
<thead>
<tr>
<th>NAME OF STREET</th>
<th>SIDE</th>
<th>LIMITS</th>
<th>LOCATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bloomfield Street is amended from:</td>
<td>West</td>
<td>24 hours</td>
<td>Beginning at the northernmost curbline of Observer Highway and extending to the southernmost curbline of 7th Street.</td>
</tr>
<tr>
<td>To Bloomfield Street:</td>
<td>West</td>
<td>24 hours</td>
<td>Beginning at the northernmost curbline of 7th Street and extending to the southernmost curbline of 11th Street.</td>
</tr>
</tbody>
</table>

---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 OCTOBER 20, 2004 at 7:00 PM.

---Motion duly seconded by Council President Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
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. (No Stopping or Standing; No parking private property fine change from $15 to $20; Signage designating Driveway and Loading Zones) (DR-164).

THE MAYOR AND COUNCIL OF THE CITY OF HOBOKEN DOES HEREBY ORDAIN AS FOLLOWS:

196-6 No Standing or Stopping

Section 1. Chapter §190-6B of the City of Hoboken Administrative Code titled Vehicles and Traffic is hereby amended to include the following as No Stopping or Standing.

<table>
<thead>
<tr>
<th>NAME OF STREET</th>
<th>SIDE</th>
<th>LOCATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Marshall Drive</td>
<td>Both</td>
<td>Beginning at the southerly curbline of Second Street and extending to the northerly curbline of First Street.</td>
</tr>
</tbody>
</table>

Section 2. This ordinance shall be a part of the Administrative code of the City of Hoboken as though codified and fully set forth therein. The city clerk shall have this ordinance codified and incorporated in the official copies of the Hoboken code. This ordinance shall take effect as provided by law.

§NO PARKNG PRIVATE PROPERTY

WHEREAS, the City of Hoboken has been notified by the State of an increase in fines for “No Parking Private Property” §190-19.

BE IT ORDAINED by the City Council of the City of Hoboken that Chapter §190 of the Revised General Municipal Ordinances of the City of Hoboken be amended and supplemented in the amount of certain fines;

Chapter §190, Vehicles and Traffic, of the Code of the City of Hoboken is hereby amended and supplemented as follows:

§190-19 is amended (from) $15.00 (to) $20.00 dollars.

§190-41 Signage Designating Driveway and Loading Zones

§190-41 Signage for restricted parking zones for driveways and loading zones.
ADD: Section D: The City of Hoboken may, for good cause shown, established by ordinance restrict parking for a Loading Zone. It is provided that such parking is not otherwise prohibited and does not interfere with the normal flow of traffic.
Section E: The term Loading Zone shall mean: No person shall park any vehicle in said location during the times indicated other than for the loading or unloading of goods and materials. Use it for a time limit of 20 minutes, and the vehicle’s four way flashers must be on.

Section F: The Parking and Transportation Committee and the Superintendent of Traffic and Signal shall review all requests for loading zones for compliance or noncompliance with the provisions of this article.

Section G: Loading Zone application shall require a demonstration of at least 3 businesses in designated area within a radius of 200 feet. Consideration will be given to the type of businesses, the flow of patrons, and timing for delivery of goods. The hours and days of operation will be Monday to Friday 9am to 4 pm.

Section H: All ordinances and parts of ordinances inconsistent herewith are hereby repealed. This ordinance shall be 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. Proper signs shall be erected in accordance with the current “Manual on Traffic Control Devices.” This ordinance shall take effect as provided by law.

---Councilman Campos 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 20, 2004 at 7:00 PM.

---Motion duly seconded by Council President Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

04-1623
DR-165

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 114 BLOOMFIELD STREET, HOBOKEN, NEW JERSEY, MORE PARTICULARLY KNOWN AS LOT 36, BLOCK 188, ON THE TAX MAP OF THE CITY OF HOBOKEN, COUNTY OF HUDSON, STATE OF NEW JERSEY. (Proposed fence at 114 Bloomfield St.) (DR-165).

WHEREAS, the applicant Hovie Forman and Jane Byington, his wife has petitioned the City of Hoboken or the granting of certain easements over municipal lands at 114 Bloomfield Street, Hoboken, New Jersey, (“the premises”) which premises are more particularly described as Lot 23.01, and Block 198 on the Tax Map of the City of Hoboken, New Jersey, in order to maintain an encroachment on municipal lands for the purpose placing a fence line adjacent to the eastern property line. This easement is described as follows:

METES AND BOUNDS
(PROPOSED FENCE)

All that certain tract, or parcel of land, situate, lying and being in the City of Hoboken, County of Hudson, and the State of New Jersey, bounded and described as follows:
Beginning at a point in the westerly line of Bloomfield Street, a distant of one hundred and fifty seven (157.00) feet northerly from the point formed by the intersection of the westerly line of Bloomfield Street with the northerly line of First Street and running:

THENCE along the westerly of Bloomfield Street, North 13 degrees 04 minutes 00 seconds East, a distance of 21.83 feet to a point,

THENCE North 76 degrees 56 minutes 00 seconds West, to and through and beyond a party wall, a distance of 95 feet;

THENCE South 13 degrees 04 minutes 00 seconds West, 21.83 to a point,

THENCE South 76 degrees 56 minutes 00 seconds East, to and through and beyond a party wall, a distance of 95.00 feet to the westerly line of Bloomfield Street and the point and place of BEGINNING.

Known as Lot 36, Block 188 as shown on the official tax assessment map for the City of Hoboken, Hudson County, New Jersey, and more commonly known as 114 Bloomfield Street, Hoboken, New Jersey; and

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND THE COUNCIL OF THE CITY OF HOBOKEN THAT THE CITY OF HOBOKEN HEREBY GRANTS 72 TENTH STREET THE AFOREMENTIONED EASEMENT SUBJECT TO THE FOLLOWING CONDITIONS AND REQUIREMENTS:

1. The above recitals are incorporated herein as length fully set forth at length.
2. 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.
3. The applicant shall immediately remove any or all projections or encumbrances which are improperly maintained and thus present a public hazard.
4. 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.
5. 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.

6. 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.

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

---Council President 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 OCTOBER 20, 2004 at 7:00 PM.

---Motion duly seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

04-1624
DR-166
AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 179, “TAXICABS,” OF THE CODE OF THE CITY OF HOBOKEN. (amending the number of taxi licenses from 48 to 58) (DR-166).

WHEREAS, N.J.S.A. 48:16-1 et. Seq. and N.J.S.A. 40:50-1, and 2 authorize municipalities to regulate taxicabs; and

WHEREAS, regulation of taxicabs lies within the police power of municipalities; and

WHEREAS, the City of Hoboken (“City”) has previously provided for the licensing and regulation of taxicabs and taxicab drivers within the City order to protect the public safety, health and welfare of the residents and visitors to the City; and

WHEREAS, the City has a population of 38,577 according to the 2000 federal decennial census, representing an increase of 15.5% since 1990; and

WHEREAS, this increase in population has also led to an increase in visitors to the City; and

WHEREAS, the City is a major urban commuter terminal serviced by, inter alia, New Jersey Transit, New York Waterway and the Hudson-Bergen Light Rail for those commuting to and from New York City increasing those persons entering and leaving the City each day.

WHEREAS, the increase in population, visitors and commuter traffic has caused the City to reconsider the viability and feasibility of its current Ordinance regulating taxicabs; and

WHEREAS, the City desires to amend its current Ordinance.
NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Hoboken that:

SECTION ONE: Chapter 179, “Taxicabs,” of the Code of the City of Hoboken (“Code”) is amended as follows:

§179-2 TAXI LICENSE REQUIRED, NUMBER OF TAXICAB LICENSES

Section C is amended from: The number of outstanding taxi licenses shall be limited to a total of forty-eight (48) taxicabs, TO fifty-eight (58)

--- Council President 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 OCTOBER 20, 2004 at 7:00 PM.

---Motion duly seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

04-1625
DR-167
AN ORDINANCE AMENDING CHAPTERS 179 AND 180 OF THE CODE OF THE CITY OF HOBOKEN TO PROVIDE A ONE DOLLAR INCREASE IN TAXI FARES AND TO CLARIFY THE FINGERPRINTING PORTION OF THE TAXI, LIVERY AND LIMOUSINE LICENSING PROCEDURE. (DR-167).

WHEREAS, N.J.S.A. 40:52-1, N.J.S.A. 48:16-1 et. Seq. N.J.S.A. 40:50-2, enable municipalities to license taxicabs, limousines and other passenger car services which operate within a municipality; and

WHEREAS, the City of Hoboken (“City”) has previously licensed taxicabs, limousines and liversies, which licensure requirements are currently codified in Chapter 179 and 180 of the Code of the City of Hoboken (“Code”); and

WHEREAS, these vehicles are all subject to municipal regulation as vehicles used for the transportation of passengers for hire; and

WHEREAS, it is also within the municipal police power to regulate vehicles used to transport passengers for hire within the City; and

WHEREAS, the taxicab owners have requested that the City review the fare set by ordinance and increase that fare due to rising fuel, insurance, and other costs; and

WHEREAS, the Traffic and Signal Division of the City has indicated that it wishes to clarify the fingerprinting requirements contained in Chapters 179 and 180; and

WHEREAS, the Council’s Parking and Transportation Committee has reviewed the proposals contained in this Ordinance and recommends adoption of same; and
WHEREAS, the City Council finds that a minimal increase in the taxi fare is necessary to maintain the current viability of taxi service within the City; and

WHEREAS, the City Council of the City of Hoboken finds that it is in the best interest of the safety, health and welfare of the residents of the City of Hoboken to supplement and amend Chapters 179 and 180 of the Code of the City of Hoboken.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Hoboken that Chapters 179 and 180 of the Code of the City of Hoboken, shall be amended as follows:

Section 1.  Section 179-20(A) of the Code shall be replaced in its entirety as follows:
   A.  Any destination within the City shall be four dollars ($4.00)
       The fare for senior citizens shall be two dollars and fifty cents ($2.50)

Section 2.  Section 179-20(D) shall be amended to read:
   D.  With the exception of subparagraph (A), Senior Citizens shall be entitled to a reduction by fifty cents ($0.50) of the charges set forth in this section.

Section 3.  Section 179-3 (A) of the code shall be supplemented to include an additional subparagraph, which shall read:  “An applicant shall also submit fingerprint impressions taken by the Department of Police.  The applicant shall bear any and all costs for fingerprinting.

Section 4.  Section 180-9(A) of the code shall be supplemented to include subparagraph (7) which shall read:
   (7)  Fingerprint impressions taken by the Department of Police.  The applicant shall bear any and all costs for fingerprinting.

Section 5.  Repealer.  All Ordinances or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only however, to the extent of such conflict or inconsistency, it being the legislative intent that all Ordinances or part of ordinances now existing or in effect unless the same being conflict or inconsistent with any provision of this Ordinance shall remain in effect.

Section 6.  Severability.  The provisions of this Ordinance are declared to be severable and if any section, subsection, sentence, clause or phrase thereof for any reason be held to be invalid or unconstitutional, such decision shall not effect the validity of the remaining sections, subsections, sentences, clauses and phrases of this Ordinance, but shall remaining in effect; it being the legislative intent that this Ordinance shall stand not withstanding the invalidity of any part..

Section 7.  This Ordinance shall take effect upon passage and publication as provided by law.

Section 8.  The City Clerk and the Corporation Counsel are authorized and directed to change any Chapter, Article and/or Section numbers of the Code of the City of Hoboken
Revised in the event that the codification of this Ordinance reveals that there is a conflict between the numbers and the existing Code, and in order to avoid confusion and possible accidental repeaters of existing provisions not intended to be repealed.

--- Council President 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 OCTOBER 20, 2004 at 7:00 PM.

---Motion duly seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

04-1626
DR-168
PUBLIC CONTRACTING REFORM ORDINANCE. (DR-168).

Be It Enacted by City of Hoboken:

Preamble

WHEREAS, professional business entities are exempt from public bidding requirements, and

WHEREAS, it has become common for professional business entities to make substantial political contributions to the election campaigns of the local government elected officers who are ultimately responsible for awarding professional service contracts or other contracts or agreements which are not subject to public bidding; and

WHEREAS, substantial local political contributions from professionals receive discretionary contracts from the elected officials who receive such contributions raise reasonable concerns of the part of taxpayers as to their trust in the process of local government, if not the quality or cost of services received, and

WHEREAS, pursuant to NJSA 11-5 and NJSA 40:48-2, municipalities have the right to establish rules and procedures for contracting with professional business entities,

NOW, THEREFORE, BE IT RESOLVED, that the policy of the City of Hoboken will be to set maximum amounts professional business entities may contribute politically beyond which they become ineligible to receive a public professional service contract from the City of Hoboken.

SECTION 1

Prohibition on Awarding Public Contracts to Certain Contributors
(a) Any other provision of law to the contrary notwithstanding, the municipality or any of its purchasing agents or agencies or those of its independent authorities, as the case may be, shall not enter into an agreement or otherwise contract to procure services, including banking services/relationships, legal or insurance coverage services, from any professional business entity has solicited or made any contribution of money, or pledge of a contribution, including in-kind contributions, to a campaign committee of any Hoboken candidate or holder of the public office having ultimate responsibility for the award of the contract, or to any Hoboken or Hudson County party committee, or to any political action committee (PAC) that has organized for the primary purpose of promoting or supporting Hoboken municipal candidates or municipal officeholders in excess of the thresholds specified in subsection (d) within two calendar years immediately preceding the date of the contract or agreement.

(b) No professional business entity which enters into negotiations for, or agrees to any contract or agreement with the municipality or any department or agency thereof or of its independent authorities for the rendition of professional, banking or insurance coverage services or any other no-bid consultants shall knowingly solicit or make any contribution of money, or pledge of a contribution, including in-kind contributions, to any Hoboken candidate or holder of the public office have ultimate responsibility for the award of the contract, or to any Hoboken or Hudson County party committee, or to any PAC that his organized for the primary purpose of promoting or supporting Hoboken municipal candidates or municipal officeholders between the time of first communications between that business entity and the Township regarding a specific professional services agreement and the later of the termination of negotiations or the completion of the contract or agreement.

(c) For purposes of this ordinance, a “professional business entity” seeking a public contract means an individual including the individual’s spouse, if any, and any children; person’ firm; corporation; professional corporation; partnership; organization; or association. The definition of a business entity includes all principals who own 10% or more of the equity in the corporation or business trust, partners, and officers in the aggregate employed by the entity as well as any subsidiaries directly controlled by the business entity.

(d) Any individual meeting the definition of “professional business entity” under this section may annually contribute a maximum of $400 each for any purpose to any candidate, for mayor or council, or $500 to the Hoboken or Hudson County party committee, or to a PAC referenced in this ordinance, without violating subsection (a) of this section. However, any group of individuals meeting the definition of “professional business entity” under this section, including such principals, partners, and officers of the entity in the aggregate, may not annually contribute for any purpose in excess of $2,500 to all Hoboken candidates and officeholders with ultimate responsibility for the award of the contract, and all Hoboken or Hudson County political parties and PACs referenced in this ordinance combined, without violating subsection (a) of this section.

(e) For purposes of this section, the office that is considered to have ultimate responsibility for the award of the contract shall be:

1) The Hoboken City Council, if the contract requires approval or appropriation from the Council.
(2) The Mayor of Hoboken, if the contract requires approval of the Mayor, or if a public officer or board member who is responsible for the award of a contract is appointed by the Mayor.

SECTION 2

Contributions Made Prior to the Effective Date

No contribution of money or any other thing of value, including in-kind contributions, made by a professional business entity to any municipal candidate for Mayor or Council, or municipal or county party committee or PAC referenced in this ordinance shall be deemed a violation of this section, not shall an agreement for property, goods, or services, of any kind whatsoever, be disqualified thereby, if that contribution was made by the professional business entity prior to the effective date of this section.

SECTION 3

Contribution Statement by Professional Business Entity

(a) Prior to awarding any contract or agreement to procure services, including banking or insurance coverage services, with any professional business entity, the township or any of its purchasing agents or agencies, as the case may be, shall receive a sworn statement from the professional business entity made under penalty of perjury that the bidder or offer or has not made a contribution in violation of Section 1 of this Act;

(b) The professional business entity shall have a continuing duty to report any violations of this Act that may occur during the negotiation or duration of a contract. The certification required under this subsection shall be made prior to entry into the contract or agreement with the city and shall be in addition to any other certifications that may be required by any other provision of law.

SECTION 4

Return to Excess Contributions

A professional business entity or municipal or county party committee or PAC referenced in this ordinance may core a violation of Section 1 of this Act, if, within 30 days after the general election, the professional business entity notifies the Township Council in writing and seeks and receives reimbursement of a contribution from the township candidate or municipal or county political party or PAC referenced in this ordinance.

SECTION 5

Penalty

(a) All City of Hoboken professional service agreements shall provide that it shall be a breach of the terms of the government contract for a professional business entity as defined in Section 1 (c) to violate section 1 (b) or to knowingly conceal or misrepresent contributions given or received, or to make or solicit contributions through intermediaries for the purpose of concealing or misrepresenting the source of the contribution.
(b) Any professional business entity as defined in Section 1 (c) and (d) who knowingly fails to reveal a contribution made in violation of this Act, or who knowingly makes or solicits contributions through intermediaries for the purpose of concealing or misrepresenting the source of the contribution, shall be disqualified from eligibility for future City contracts for a period of four (4) calendar years from the date of the violation.

SECTION 6

Severability

If any provision of this law, or the application of any such provision to any person or circumstances, shall be held invalid, the remainder of this law to the extent it can be given effect, or the application of such provision to persons or circumstances other than those to which it is held invalid, shall not be affected thereby, and to this extent the provisions of this law are severable.

SECTION 7

Effective Date

This Act shall take place within 60 days of City Council Approval.

---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 OCTOBER 20, 2004 at 7:00 PM.

---Motion duly seconded by Councilwoman Castellano.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

All regular business concluded the following members of the public spoke at the “Public Portion” of the meeting: Maurice de Gennaro, 614 Hudson Street; Helen Hirsch. 98 Park Avenue; Jon Gordon, 333 River Street; Aaron Lewit, 627 Garden Street; Sylvia Chaven, 13th & Willow Avenue Laundromat.

President Del Boccio then adjourned the meeting at 8:17 p.m.
PRESIDENT OF THE COUNCIL

CITY CLERK
President Del Boccio 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, 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 City Clerk read the following letter dated October 8, 2004 into the record:

04-1627
The Honorable Richard Del Boccio
President, Hoboken City Council
Hoboken City Hall
94 Washington Street
Hoboken, NJ 07030

Re: Special Meeting of the Hoboken City Council

Dear Council President Del Boccio:

I hereby call a Special Meeting of the Hoboken City Council for Wednesday, October 13, 2004 at 7:00 pm in the City Council Chambers, 94 Washington Street, Hoboken, New Jersey for the following purposes:

- Conducting a hearing on the 2005 Municipal Budget; and
- Introduction of budget amendments.

Very truly yours,

David Roberts
Mayor
City of Hoboken

DR:jb
The City Clerk then called the roll:

PRESENT: Council persons Castellano, Cricco, Marsh, Ramos, Russo, Soares and President Del Boccio.

ABSENT: Campos, Giacchi.

The Clerk read the following resolution into the record:

**04-1628**

---By Council President Del Boccio:

RESOLVED, that the Council of the City of Hoboken, by majority vote of the full membership hereby determine that the 2005 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: 7 – NAYS: 0 – ABSENT: 2
---Yeas: None.
---Nays: Council persons Castellano, Cricco, Marsh, Ramos, Russo, Soares and President Del Boccio
---Absent: Campos, Giacchi.

The Council President then opened the meeting to members of the public for the Budget Hearing as follows: Richard Kurland, 633 Madison Street; Ines Garcia Keim, 1103 Washington Street;

Councilman Giacchi arrived at the meeting at 7:08 p.m.

speakers continued: Maurice De Gennaro, 614 Hudson Street; Michael Lenz, 408 Monroe Street; Helen Hirsch, 98 Park Avenue;

Councilman Cricco left the meeting at 7:35 p.m.

speakers continued: Steve Cappiello, 530 Adams Street; Daniel de Cavaignac, 636 Hudson Street; Randy Brumette, 630 Hudson Street; Bob Du Val, 303 Park Avenue; Cathy Prussack, 815 Hudson Street.
Prior to the end of the meeting, it was determined by the City Council not to close the Budget Hearing and to continue it at a later date.

President Del Boccio then adjourned the meeting at 8:32 p.m.
President Del Boccio 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, Castellano, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.

ABSENT: Cricco.

04-1629
APPLICATIIONS FOR MISCELLANEOUS LICENSES

Public Hack Drivers  ------------------------------- 3
Limos/Livery Drivers------------------------------------------------------------- 8
Vendors  ------------------------------- 1
Mechanical Amusement Devices  --------------------------------------- 1

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

04-1630
REPORTS OF CITY OFFICERS
A report from Municipal Tax Collector Louis Picardo for taxes collected; for the month ending September 30, 2004 - $3,820,998.50.
---Received and filed.

\textbf{04-1631}
A report of the Municipal Court indicating receipts for the month of September 2004 as $303,490.05.
---Received and filed.

\textbf{04-1632}
A report of Municipal Clerk James J. Farina indicating bids received on October 15, 2004 for
1) Installation of Elevator at the Public Library, bid #05-01 (2 bids received) and 2) Toddler Play Area at Church Square Park, bid #05-06 (1 bid received).
---Received and filed.

\textbf{CLAIM RESOLUTIONS}

\textbf{04-1633}
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 $382,231.13 against the UNCLASSIFIED CLAIMS.

Seconded by Councilman Campos.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Campos, Castellano, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.
---Absent: Cricco.

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 $69,152.94 against the DEPARTMENT OF ADMINISTRATION.

Seconded by Council President Del Boccio.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Campos, Castellano, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.
---Absent: Cricco.

By Councilman Cricco:

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 $128,840.22 against the DEPARTMENT OF ENVIRONMENTAL SERVICES.

Seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Campos, Castellano, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.
---Absent: Cricco.

By Councilman Cricco:

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 $19,678.67 against the DEPARTMENT OF HUMAN SERVICES.

Seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Campos, Castellano, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.
---Absent: Cricco.

By Councilman Cricco:

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 $48,649.98 against the DEPARTMENT OF COMMUNITY DEVELOPMENT.

Seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Campos, Castellano, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.
---Absent: Cricco.
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 $113,029.00 against the DEPARTMENT OF COMMUNITY DEVELOPMENT, GRANTS MANAGEMENT, SECTION 8.

Seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Campos, Castellano, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.
---Absent: Cricco.

By Councilman Campos:

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 $163,508.45 against the DEPARTMENT OF PUBLIC SAFETY.

Seconded by Council President Del Boccio.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Campos, Castellano, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.
---Absent: Cricco.

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 $4,379.50 against the CAPITAL ACCOUNT.

Seconded by Council President Del Boccio.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Campos, Castellano, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.
---Absent: Cricco.

By Council President 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 $26,155.78 against the PARKING UTILITY.

Seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yees: Council persons Campos, Castellano, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.
---Absent: Cricco.

### PAYROLL RESOLUTIONS

**04-1634**

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 23, 2004 TO OCTOBER 6, 2004 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>
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<td>Streets &amp; Roads</td>
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<td>Direct.</td>
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<td>24,780.08</td>
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<td>Parks</td>
<td>5-01-28-375</td>
<td>24,113.09</td>
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Meeting of October 20, 2004
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<th>FY 03</th>
<th>FY 04</th>
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<td>Public Prop.</td>
<td>5-01-28-377</td>
<td>27,183.44</td>
<td>2,005.35</td>
<td>185.00</td>
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<td>Public Library</td>
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<td>Public Defender</td>
<td>5-01-43-495</td>
<td>2,203.16</td>
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<td>Municipal Court</td>
<td>5-01-43-490</td>
<td>32,048.87</td>
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<td>32,431.61</td>
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<td>Parking Utility</td>
<td>5-31-55-501-100</td>
<td>46,892.88</td>
<td>51,056.93</td>
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<td>97,949.81</td>
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<td>Universal Cops</td>
<td>5-01-25-241-012</td>
<td>8,065.39</td>
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<td>9,292.99</td>
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<td>Cops In School</td>
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<td>Civilian Hiring</td>
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<td>Minority Affairs</td>
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<td>Summer Fun</td>
<td>5-01-28-370-013</td>
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<td>Summer Lunch</td>
<td>5-51-56-852-301</td>
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<td><strong>Other</strong></td>
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<td>Police Outside</td>
<td>T-14-10-000-000</td>
<td>30,307.50</td>
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<td>Police Grant</td>
<td>DE 16-S7-01</td>
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<td>1,292.28</td>
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<td><strong>Grand Total</strong></td>
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<td>1,532,886.35</td>
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Motion by Councilman Ramos.
Seconded by Council President Del Boccio.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Campos, Castellano, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.
---Absent: Cricco.

**RESOLUTIONS**
Presented and Read

04-1635
---By Councilman Ramos:

WHEREAS, an overpayment of taxes has been made on property listed below; and

WHEREAS, Louis Picardo, Collector of Revenue 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 $45,576.40 representing overpayment of taxes:

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<thead>
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<th>NAME</th>
<th>BL/LOT/UNIT</th>
<th>PROPERTY</th>
<th>AMOUNT</th>
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<td>Cenlar FSB</td>
<td>166\12</td>
<td>325-27 Willow Ave</td>
<td>$3,543.53</td>
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<tr>
<td>c/o K. Pierce</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>P.O. Box 569757</td>
<td></td>
<td></td>
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<tr>
<td>Dallas, TX 75356-8973</td>
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<tr>
<td>Flagstar Bank</td>
<td>152/5/C05-D</td>
<td>702-08 Washington St</td>
<td>$1,315.44</td>
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<tr>
<td>c/o First American RE Tax Service</td>
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<tr>
<td>Attn: Romelia @ Flagstar Bank, 9th Fl.</td>
<td>8435 N. Stemmons Freeway</td>
<td>Dallas, TX 75247-3907</td>
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<tr>
<td>Mr. James Strafaci</td>
<td>16/15</td>
<td>938 Willow Ave.</td>
<td>$2,545.80</td>
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<td>25 Canadian Woods Rd.</td>
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<tr>
<td>Marlboro, NJ 07746</td>
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<tr>
<td>Chase Manhattan Mort. Co 82/18</td>
<td>1206 Washington St</td>
<td>$945.83</td>
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<td>Attn: Tax Dept. Diana Pyne</td>
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<tr>
<td>P.O. Box 24695</td>
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<td>Columbus, OH 43224-9935</td>
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<td>Cendant Mortgage</td>
<td>247/34.1</td>
<td>1210 Washington Street</td>
<td>$4,842.49</td>
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<tr>
<td>95 Methodist Hill Dr. Suite 100</td>
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<tr>
<td>Rochester, NY 14623</td>
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<tr>
<td>David &amp; Tu Le McEnvoy</td>
<td>40/30/C0001</td>
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<td>415 Sixtieth Street</td>
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<tr>
<td>West New York, NJ 07093</td>
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<td>Brian &amp; Jodi Kunisch</td>
<td>161/20/C0002</td>
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<td>Stevens Sacks</td>
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<td>First American Real Estate Tax Service, Inc.</td>
<td>48/17/C005B</td>
<td>333 Monroe Street</td>
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Recovery Dept. Acct. Receivable
1210 Elm St, Suite 300
Dallas, TX 75270
Washington Mutual Bank 58/18/C004R 414Madison Street $1,247.23
221- Enterprise Dr.
Attn: LaKesha Franks
Florence, SC 29501

ABN AMBO Mort.Gr 27/24 400JeffersonStreet $4,302.73
7159 Corklan Dr
Jacksonville, Fl. 32258

Carlos ODreman
203 Madison St. 4B
Hoboken, NJ 07030
$ 753.18

VNB Mrtg. Services Inc. 39/28 214 Jefferson St. $2,500.67
1460 Valley Rd.
Attn: Rupa Agowal
Wayne, NJ 07470

621 Washington St
Attn: Judy
Hoboken, NJ 07030

First American
Re Tax Service 27/27/C02-B 108-112 Monroe St $1,464.97
95 Methodist Rd. Suite 100
Attn: Jon Rees/Recovery Specialist
Rochester, NY 14623

ABN AMRO Mort. Co. 251/18/C004A 1320 Bloomfield St $1,809.90
7159 Corklan Dr. North
Jacksonville, FL 32258
Attn: Tax Dept. (Stacy)

Mortgage Service Ctr. 156/3 1107-09 Grand St. $1,044.98
P.O. Box 23750
Rochester, NY 14692-9928

Chad Sersen
216 Eight St. #216 $5,624.00
216 Eight St. #216
Hoboken, NJ 07030

Pacran Company Inc. 212/12 129Washington St. $286.36
95 Methodist Rd. Suite 100

---Motion duly seconded by Council President Del Boccio.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yea: Council persons Campos, Castellano, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nay: None.
---Absent: Cricco.
04-1636
---By Council President Del Boccio:

WHEREAS, the Hoboken Parking Utility is charged with providing on/off street parking for the citizens of Hoboken, and

WHEREAS, the Hoboken Parking Utility is also charged with enforcing existing parking regulations within the City of Hoboken, and

WHEREAS, this enforcement, occasionally, results in improper citations being issued by the employees of the Hoboken Parking Utility, now, therefore, be it

RESOLVED, that the attached list of individuals be refunded the towing and/or boot removal charges which were deemed to be improper equal to the amount shown next to their individual name, and be it further

RESOLVED, that the total amount of all refunds, by this Resolution, shall be Eight Hundred Sixty two Dollars ($862.00) and be it further

RESOLVED, that the Hoboken Parking Utility shall reimburse said individuals from the Other Expense Line in the SFY 2005 Budget Current Fund line number 5-31-55-502-200. (see attached list)

---Motion duly seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yea: Council persons Campos, Castellano, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.
---Absent: Cricco.

04-1637
---By Council President Del Boccio:

WHEREAS, the Hoboken Parking Utility requires it's monthly customers within the Municipal Garages within Hoboken to make a deposit as security for the individual vehicle AVI (computer card) used to enter/exit the garage(s), and

WHEREAS, the Hoboken Parking Utility receives said deposits from the individual customers, and

WHEREAS, this deposit is refundable upon the cancellation of the contract between the individual and the Hoboken Parking Utility, now, therefore, be it

RESOLVED, that the attached list of individuals be refunded the deposit value shown next to their individual name, and be it further
RESOLVED, that the total amount of all refunds, by this Resolution, shall be One Thousand Two Hundred Seventy Dollars ($1,270.00) and be it further

RESOLVED, that the Hoboken Parking Utility shall reimburse said individuals from the Other Expense Line in the SFY 2005 Budget Current Fund line number 5-31-55-502-200. (see attached list)

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

**ORDINANCES**

*Introduction and First Reading*

**04-1637**

**DR-169**

AN ORDINANCE OF THE CITY OF HOBOKEN ESTABLISHING FEES FOR SPECIAL SERVICE CHARGES AND SPECIAL CHARGES UNDER THE NEW JERSEY OPEN PUBLIC RECORDS ACT. (DR-169).

WHEREAS, the New Jersey Open Public Records Act (“OPRA”) was substantially amended by the New Jersey Legislature in 2002; and

WHEREAS, OPRA specifically provides that a person may be charged a fee for the duplication of a government record embodied in the form of printed matter where such fees are not otherwise set by law or regulation; and

WHEREAS, OPRA also allows municipalities to impose additional charges for requests that involve an extraordinary expenditure of time; and

WHEREAS, since the amendments to OPRA in July of 2002, the City has received a number of requests deemed to require an extraordinary expenditure of time, and thus a special services ordinance is necessary.

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

**SECTION 1: PURPOSE**

New Jersey has adopted the Open Public Records Act, N.J.S.A. 47:1A-5, which has as its general purpose making government records more available to the public than they have been in the past. In certain instances, the production of voluminous records, archived records, or records in a format which is not the usual format maintained by the municipality or other special circumstances would be costly and time consuming. The New Jersey Open Public Records Act permits the municipality to require the payment of fees, special service
charges and/or special charges as a pre-requisite to the production of records requiring extraordinary time and effort, special equipment or special formatting.

SECTION 2: ORDINARY REQUESTS FOR INFORMATION

The statutory fee schedule shall apply to routine requests under the Open Public Records Act. The fees of N.J.S.A. 47:1A-5 are hereby incorporated herein as such fee schedule presently exists or as such fees might appear in future modifications or amendments of the statute.

At present time, fees under N.J.S.A. 47:1A-5 for routine copies of municipal documents are:

<table>
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<tr>
<th>Pages</th>
<th>Fee</th>
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<tbody>
<tr>
<td>1 through 10</td>
<td>$0.75</td>
</tr>
<tr>
<td>11 through 20</td>
<td>$0.50</td>
</tr>
<tr>
<td>All after 20</td>
<td>$0.25</td>
</tr>
</tbody>
</table>

If fees for particular documents are set by statute to be amounts other than those set forth here, those fees shall apply.

SECTION 3: ESTABLISH DEPUTY CUSTODIANS OF RECORDS

The establishment of the position of deputy custodians of documents are as follows:

1. Chief of Police
2. Tax Assessor
3. Tax Collector
4. Construction Official
5. Court Administrator

However, all requests must be made directly to the Custodian of Records, the City Clerk.

SECTION 4: NO RESEARCH OR INTERPRETATION MAY BE COMPELLED

Nothing in this Ordinance shall require the custodian or deputy custodians of documents or any other municipal official to examine, analyze, tabulate, or interpret documents which are subject to production under the New Jersey Open Public Records Act.

SECTION 5: SPECIAL SERVICE CHARGE/SPECIAL CHARGES AUTHORIZED

A. Charges Authorized:
   The City Clerk or deputy custodian of documents qualifying for mandatory production as “governmental records” under the New Jersey Open Public Records Act shall be entitled to special service charges and/or special charges as set forth in this Ordinance.

B. Requests To Be In Writing
   Any requests for documents shall be made to the City Clerk in writing and preferably on a form established by the City Clerk for such purposes.

C. Advance Notice of Fees, Special Service Charges and Special Charges; Deposit
   Any requester of government records which may be eligible for the imposition of a fee, special charge or special service charge under this Ordinance shall receive advance notice of the amount of
fees and charges before any work is started. The City Clerk shall require prepayment of such charges before causing the work to begin.

SECTION 6: FEES, SPECIAL SERVICE CHARGES AND SPECIAL CHARGES; WHEN CHARGED; AMOUNTS AUTHORIZED

A. Duplication or Other Work Beyond Capability of Municipal-In-House Work Force:

Whenever the in-house municipal work force or available municipal equipment is insufficient to duplicate or produce government records in a timely fashion, the City Clerk may cause such duplication or production to be accomplished by outside vendors such as copy centers or producers of digital images. If the costs of such duplication or production charged by such vendors exceeds the routine charges set forth in N.J.S.A. 47:1A-5, the actual direct cost of same without any additional surcharge for labor costs shall be paid.

B. Special Service Charged Authorized:

Whenever government records cannot be reproduced by regular copying equipment or fulfillment of the request would involve extraordinary time and effort (for example, where a large number of records must be recovered from storage or substantive staff time is required to review, redact, sort and/or assemble records), charges may be imposed as follows:

1. The actual cost (materials and supplies but no staff labor) of duplication or reproduction; plus
2. A special service charge of $32.00 per hour or the actual direct cost of labor (if less) shall be imposed for each hour of extraordinary time predicted to be utilized to respond to the request.

C. Rates for In-House Production of Prints or Blueprints:

Any prints or blueprints produced in-house in response to a governmental records request shall be produced for $28.00 per page.

D. Digital Records:

If a request for governmental records involves production or conversion of digital or computerized records or film which is:

1. In a medium not routinely used by the agency (i.e., electronic or film).  
2. Not routinely developed or maintained by an agency; or  
3. Requiring a substantial amount of manipulation or programming of information technology.

E. The requester shall pay fees and special charges incurred by the City if the conversion is done directly by the City as follows:

1. Direct costs (no overhead) to comply with the request; plus
   a. Special charges; the lesser of the cost of technology and labor actually incurred or $45.00 per hour.

SECTION 7. NOTICE OF REQUESTER OF COPYRIGHT LAWS:
A. The City of Hoboken may be compelled by New Jersey Law to produce or duplicate governmental records but no compliance with these legal obligations shall be deemed to constitute a license, sublicense or waiver of copyright laws.

B. The City Clerk shall give the following notice to any requester of governmental records.

NOTICE - COPYRIGHT LAWS

You must comply with U.S. copyright laws. These laws may restrict your right to use, duplicate or modify the records provided to you by the City of Hoboken. You should consult your own legal counsel on this since severe civil and criminal penalties for violation of copyright laws are provided.

SECTION 8. WAIVERS FOR GOVERNMENTAL EDUCATIONAL REQUESTER

The Mayor, Clerk or City Council (by Resolution) may waive the fees or other charges otherwise chargeable if the requester of governmental records is a governmental or educational entity.

SECTION 9. INCONSISTENT ORDINANCES

All ordinances or parts of ordinances inconsistent with or in conflict with this ordinance are hereby repealed to the extent of such inconsistency.

SECTION 10. PARTIAL INVALIDITY

If any section, paragraph, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, clause or provision so adjudged and the remainder shall be deemed valid and effective.

All ordinances or part of ordinances inconsistent with or in conflict with this ordinance are hereby repealed to the extend of such inconsistency.

---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 NOVEMBER 3, 2004 at 7:00 PM.

---Motion duly seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 6 - NAYS: 2 - ABSENT: 1
---Yeas: Council persons Campos, Castellano, Giacchi, Ramos, Russo and President Del Boccio.
---Nays: Marsh, Soares.
---Absent: Cricco.
AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 192 OF THE CODE OF THE CITY OF HOBOKEN ENTITLED PARKING FOR HANDICAPPED. (Deletion: 1011 Park Avenue) (DR-162).

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, President Del Boccio asked for a motion to close the hearing.

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

Council President Del Boccio then instructed the City Clerk to call the Final Vote for the above Ordinance.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Campos, Castellano, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.
---Absent: Cricco.

AN ORDINANCE AMENDING CHAPTER 141 OF THE REVISED GENERAL ORDINANCES OF THE CITY OF HOBOKEN IN THE COUNTY OF HUDSON, PROVIDING FOR PARKING PERMITS AND REGULATION OF ON-STREET PARKING THROUGHOUT THE CITY OF HOBOKEN. (Residential parking, Bloomfield St.) (DR-163).

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, President Del Boccio asked for a motion to close the hearing.

Councilman Ramos moved that the hearing be closed.
Motion duly seconded by Councilman Campos.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Campos, Castellano, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

Meeting of October 20, 2004
---Absent: Cricco.

Council President Del Boccio then instructed the City Clerk to call the Final Vote for the above Ordinance.

---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Campos, Castellano, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.
---Absent: Cricco.

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. (No Stopping or Standing; No parking private property fine change from $15 to $20; Signage designating Driveway and Loading Zones) (DR-164).

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, President Del Boccio asked for a motion to close the hearing.

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

Council President Del Boccio then instructed the City Clerk to call the Final Vote for the above Ordinance.

---Adopted by the following vote: YEAS: 7 - NAYS: 0 - ABSENT: 1 - ABSTENTIONS: 1
---Yeas: Council persons Campos, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.
---Absent: Cricco.
---Abstentions: Castellano.

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 114 BLOOMFIELD STREET, HOBOKEN, NEW JERSEY, MORE PARTICULARLY KNOWN AS LOT 36, BLOCK 188, ON THE TAX MAP OF
THE CITY OF HOBOKEN, COUNTY OF HUDSON, STATE OF NEW JERSEY.  (Proposed fence at 114 Bloomfield St.) (DR-165).

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, President Del Boccio asked for a motion to close the hearing.

Councilman Russo moved that the hearing be closed. Motion duly seconded by Councilman Giacchi.

---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Campos, Castellano, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.
---Absent: Cricco.

Council President Del Boccio then instructed the City Clerk to call the Final Vote for the above Ordinance.

---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Campos, Castellano, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.
---Absent: Cricco.

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 179, “TAXICABS,” OF THE CODE OF THE CITY OF HOBOKEN.  (amending the number of taxi licenses from 48 to 58) (DR-166).

After discussion a motion was made to TABLE the ordinance as follows:

Councilwoman Marsh moved to TABLE. Motion duly seconded by Councilman Campos.

---TABLED by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Campos, Castellano, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.
---Absent: Cricco.

AN ORDINANCE AMENDING CHAPTERS 179 AND 180 OF THE CODE OF THE CITY OF HOBOKEN TO PROVIDE A ONE DOLLAR INCREASE IN TAXI FARES AND TO CLARIFY THE FINGERPRINTING PORTION OF THE TAXI, LIVERY AND LIMOUSINE LICENSING PROCEDURE. (DR-167).
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.

Maurice DeGennaro, 614 Hudson Street. No other person present desiring to be heard and no written protests or objections received, President Del Boccio asked for a motion to close the hearing.

Councilman Russo 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 Campos, Castellano, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.
---Absent: Cricco.

Council President Del Boccio then instructed the City Clerk to call the Final Vote for the above Ordinance.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Campos, Castellano, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.
---Absent: Cricco.

PUBLIC CONTRACTING REFORM ORDINANCE. (DR-168).

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.

Speakers: Bob Du Val, 303 Park Avenue; Brian Urbano, 604 Park Avenue; Ann Graham, 1021 Grand Street; Bob Du Val, 303 Park Avenue (Again); Alice Crozier, 350 7th Street; Ron Hine, 258 Newark Street; Michael Lenz, 408 Monroe Street.

At this time the sponsors of the above ordinance, Councilman Russo and Councilwoman Castellano, withdrew the ordinance.

ORDINANCE DR-168 WITHDRAWN, NO ACTION TAKEN

After the ordinance was withdraw, a motion was made to add and vote on a resolution that was brought to the Council meeting by a member of the public, Ann Graham of 1021 Grand Street, who submitted the resolution during the public hearing on ordinance DR-168.

RESOLUTIONS CONTINUED
Presented and Read

04-1639
---By Councilwoman Marsh:

WHEREAS, professional business entities are exempt from public bidding requirements, and

WHEREAS, it has become common for professional business entities to make substantial political contributions to the election campaigns of the local government elected officers who are ultimately responsible for awarding professional service contracts or other contracts or agreements which are not subject to public bidding; and

WHEREAS, substantial local political contributions from professionals receiving discretionary contracts from the elected officials who receive such contributions raise reasonable concerns of the part of the taxpayers as to their trust in the process of local government, if not the quality or cost of services received, and

WHEREAS, pursuant to NJSA 40:69A-184 et. seq., the citizens of Hoboken have the right to place public questions on the ballot via petition,

WHEREAS, the citizens of Hoboken have placed DR-153, entitled “Public Contracting Reform,” which seeks to set maximum amounts that professional business entities may contribute to municipal campaigns with the expectation of obtaining a government contract, on the public ballot for the November 2, 2004 General Election

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

All regular business concluded the following members of the public spoke at the “Public Portion” of the meeting: Jon Gordon, 333 River Street;

Councilman Campos left the meeting at 8:04 p.m.

Councilman Giacchi left the meeting at 8:04 p.m.

speakers continued: Maurice DeGennaro, 614 Hudson Street

Councilman Campos returned to the meeting at 8:07 p.m.

Councilman Ramos left the meeting at 8:07 p.m.

Councilman Ramos returned to the meeting at 8:10 p.m.
RESOLUTIONS CONTINUED

Presented

At this time a **VERBAL** resolution was entered into the record as follows:

**04-1640**
---By Councilman Russo:

Removing the auditing firm of Ernst & Young and Mr. Picardo as the Interim Chief Financial Officer (CFO) effective immediately.

---Motion duly seconded by Councilwoman Castellano.
---Adopted by the following vote: YEAS: 4 - NAYS: 3 - ABSENT: 2
---Yeas: Council persons Campos, Castellano, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.
---Absent: Cricco, Giacchi.

“Public Portion” continued: Elizabeth Mason, 921 Hudson Street;

Councilman Giacchi returned to the meeting at 8:19 p.m.

speakers continued: Ann Graham, 1021 Grand Street;

at this time Councilman Campos raised the question of whether or not Councilman Giacchi, who was absent from the meeting when the vote was taken on a verbal resolution, may cast a vote now that he has returned. Corporation Counsel Sherman advised that the Councilman may cast a vote at this time. Councilman Giacchi expressed his disappointment that the resolution could take place during the public portion of the meeting. He decided that he didn’t have enough information to cast a vote at this time.

speakers continued: Michael Lenz, 408 Monroe Street; Aaron Lewit, 627 Garden Street; Helen Hirsch, 98 Park Avenue, Steve Cappiello, 530 Adams Street.

President Del Boccio then adjourned the meeting at 8:49 p.m.
The City Clerk read the following letter dated October 21, 2004 into the record:

04-1641
The Honorable Richard Del Boccio
President, Hoboken City Council
94 Washington Street
Hoboken, NJ 07030

Dear Council President Del Boccio:

    I hereby call a Special Meeting of the Hoboken City Council for Tuesday, October 26, 2004 at 6:00 pm in the City Council Chambers, 94 Washington Street, Hoboken, New Jersey for the limited purpose of action on the following matter:

    Rescind the resolution terminating the employment of Acting Chief Financial Officer Louis Picardo and the professional services of Ernst & Young, LLP.

Very truly yours,

David Roberts
Mayor
City of Hoboken

DR:jb

c: City Council Members
    Richard F. England, Interim Business Administrator
    Joseph S. Sherman, Corporation Counsel
    James J. Farina, City Clerk
    Jersey Journal/The Record/Star Ledger

President Del Boccio opened the meeting at 6:05 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, 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 City Clerk then called the roll:

PRESENT: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.

ABSENT: None.

RESOLUTIONS

04-1642
---By Council President Del Boccio:

WHEREAS, the Hoboken City Council took illegal action on October 20, 2004 when it entertained an oral motion to introduce a resolution in contravention of its own rules; and

WHEREAS, the Hoboken City Council attempted to fire a municipal official despite the fact that it has no legal authority to do so; and

WHEREAS, the attempt at a personnel action was without required notice to the City official, nor with the opportunity afforded to be heard which violated his civil rights in addition state mandates; and

WHEREAS, the attempt to terminate a professional services contract, with Ernst & Young, allegedly for cause, where there exists no contractual obligation that their employees attend public meetings, and against the advice of the Corporation Counsel; and

WHEREAS, the Hoboken City Council seeks to correct the record by recognizing that the above referenced actions were illegal, without notice, and without cause.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HOBOKEN, COUNTY OF HUDSON, AND STATE OF NEW JERSEY THAT:

1. The above recitals are incorporated herein as though fully set forth at length.

2. The Hoboken City Council hereby rescinds the oral resolution of the Council, which was entertained at the meeting of October 20, 2004, at it is illegal in its attempt to take personnel actions without notice and an opportunity for a hearing, and attempted to terminate a professional services contract without adequate cause.

Before the vote was taken the following addressed the City Council: Michael Lenz, 408 Monroe Street.
Motion duly seconded by Councilman Campos.
---Adopted by the following vote: YEAS: 5 – NAYS: 4
---Yeas: Campo, Cricco, Giacchi, Ramos and President Del Boccio
---Nays: Council persons Castellano, Marsh, Russo, Soares.

President Del Boccio then adjourned the meeting at 6:26 p.m.

________________________________________

PRESIDENT OF THE COUNCIL

________________________________________

CITY CLERK
President Del Boccio opened the meeting at 7:07 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, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.

ABSENT: None.

PUBLIC HEARING and FINAL VOTE ON ORDINANCES

AN ORDINANCE OF THE CITY OF HOBOoken ESTABLISHING FEES FOR SPECIAL SERVICE CHARGES AND SPECIAL CHARGES UNDER THE NEW JERSEY OPEN PUBLIC RECORDS ACT. (DR-169).

The above ordinance was WITHDRAWN. NO ACTION TAKEN.

04-1643

APPLICATIONS FOR MISCELLANEOUS LICENSES

Public Hack Drivers .................................................. 2
Raffles ................................................................. 2
--Councilman Ramos moved that the licenses be granted.
--Motion duly seconded by Council President Del Boccio.
--Adopted by the following vote: YEAS: 9 - NAYS: 0
--Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
--Nays: None.

04-1644

REPORTS OF CITY OFFICERS

A report of Municipal Clerk James J. Farina indicating bids received on October 29, 2004 for Washington Street Improvements - Clocks, bid #05-07 (1 bid received).

--Received and filed.

RESOLUTIONS

Presented and Read

Before the vote was taken on the resolution entitled “Authorizing additional temporary emergency appropriations to the SFY 2005 budget until such time as a formal budget is adopted”, the following addressed the City Council: Michael Lenz, 408 Monroe Street.

After City Council discussion the following actions took place.

04-1645

--By Councilman Russo:

Motion to suspend City Council rules.

--Motion duly seconded by Councilwoman Marsh.
--Adopted by the following vote: YEAS: 9 - NAYS: 0
--Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
--Nays: None.

04-1646

--By Councilwoman Marsh:

Motion to reduce Scarinci & Hollenbeck’s contract with the City of Hoboken by $50,000.00.

--Motion duly seconded by Councilman Campos.
--Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

04-1647
---By Councilman Campos:

Motion to amend the resolution entitled “Authorizing additional temporary emergency appropriations to the SFY 2005 budget until such time as a formal budget is adopted” to reflect the previous resolution.

---Motion duly seconded by Councilwoman Russo.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

04-1648
---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:

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<th>ACCOUNT #</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
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<td>5-01-23-218-020</td>
<td>4,500.00</td>
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<td>5-01-25-241-010</td>
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<td>Police O.E.</td>
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<td>5-01-25-261-010</td>
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<td>Signal &amp; Traffic S&amp;W</td>
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<td>2,500.00</td>
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<td>5-01-26-290-010</td>
<td>36,000.00</td>
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<td>Central Garage S&amp;W</td>
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<td>14,000.00</td>
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<td>5-01-26-301-021</td>
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<td>Bd. Of Health S&amp;W</td>
<td>5-01-27-332-010</td>
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<td>Const. Svcs. S&amp;W</td>
<td>5-01-27-333-010</td>
<td>11,000.00</td>
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<td>5-01-27-336-010</td>
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<td>Rent Control S&amp;W</td>
<td>5-01-27-337-010</td>
<td>12,500.00</td>
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<td>Transportation S&amp;W</td>
<td>5-01-27-348-010</td>
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<td>Recreation S&amp;W</td>
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<td>Gasoline O.E.</td>
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**TOTAL** $3,428,250.00

(Outside Cap)

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<td>Public Library S&amp;W</td>
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<td>5-01-23-225-020</td>
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**TOTAL** $1,578,400.00

---Motion duly seconded by Councilman Ramos.

Meeting of November 3, 2004
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

CLAIM RESOLUTIONS

04-1649
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 $751,518.23 against the UNCLASSIFIED CLAIMS.

Seconded by Council President Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---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 $70,913.88 against the DEPARTMENT OF ADMINISTRATION.

Seconded by Council President Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

By Councilman Cricco:

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 $112,835.51 against the DEPARTMENT OF ENVIRONMENTAL SERVICES.

Seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.
By Councilman Cricco:

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 $44,001.71 against the DEPARTMENT OF HUMAN SERVICES.

Seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

By Councilman Cricco:

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 $13,336.62 against the DEPARTMENT OF COMMUNITY DEVELOPMENT.

Seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

By Councilman Campos:

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 $67,379.58 against the DEPARTMENT OF PUBLIC SAFETY.

Seconded by Council President Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

By Councilman Campos:

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 $260,587.91 against the CAPITAL ACCOUNT.
Seconded by Council President Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

By Council President 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 $134,460.35 against the PARKING UTILITY.

Seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

**PAYROLL RESOLUTIONS**

**04-1650**

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 HOBOoken, FOR THE PERIOD OCTOBER 7, 2004 TO OCTOBER 20, 2004 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>Personnel</td>
<td>5-01-20-105</td>
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<tr>
<td>Mayor's Office</td>
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<td>Bus Adm. Office</td>
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<td>ABC Board</td>
<td>5-01-20-113</td>
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<td>Purchasing</td>
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<td>Grants Management</td>
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Meeting of November 3, 2004
<table>
<thead>
<tr>
<th>Department</th>
<th>Code</th>
<th>Total Expenses</th>
<th>Total Revenue</th>
<th>Total Balance</th>
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<tbody>
<tr>
<td>City Clerks Office</td>
<td>5-01-20-120</td>
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<td>Elections</td>
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<td>Finance Office</td>
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<td>Accounts / Controls</td>
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<td>Treasurer</td>
<td>5-01-20-146</td>
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<td>Planning Board</td>
<td>5-01-21-180</td>
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<td>96.15</td>
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<td>Signal &amp; Traffic</td>
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<td>Human Service</td>
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Meeting of November 3, 2004
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<tr>
<th>Category</th>
<th>Code</th>
<th>Opening Balance</th>
<th>Cost</th>
<th>Ending Balance</th>
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<tbody>
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<td>Direct.</td>
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<td>Board of Health</td>
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<td>Constituent Services</td>
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<td>Senior Citizens Div</td>
<td>5-01-27-336</td>
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<td>Recreation</td>
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<td>Public Defender</td>
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<td>Civilian Hiring</td>
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<td>Minority Affairs</td>
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<tr>
<td>Summer Fun</td>
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<td>Other</td>
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<tr>
<td>Police Outside</td>
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</table>
Motion by Councilman Ramos.
Seconded by Council President Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

RESOLUTIONS CONTINUED

Presented and Read

04-1651

---By Council President Del Boccio:

WHEREAS, Bergen Hills LLC has made application to the Mayor and Council of the City of Hoboken for transfer of Taxicab Owner License #48 to E&H Transportation Service LLC, and

WHEREAS, Bergen Hills LLC has consented to said Transfer of Ownership and the application transfer for Taxicab Owner License #48 has been duly investigated as required by law and

WHEREAS, the Hoboken City Council agrees that Public Hack and Taxicab Owner License #48, expiring March 31, 2005 be subject to all of its terms and conditions once transferred to E&H Transportation Service LLC, and

WHEREAS, 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 shall not be effective until such time as E&H Transportation Service LLC 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 $15,000.00 to satisfy all claims for damages, by reason of bodily injury to, or the death of any 1 person, resulting from an accident, and a sum of not less than $30,000.00 to satisfy all claims for damages, by reason of the bodily injury to, or the death of all persons, on account of any such accident, by reason of ownership, operation, maintenance, or use of such autocab upon any public street; and conditioned for the payment of a sum not less than $5,000.00 to satisfy all claims for damages to property of all persons, on account of any such accident, by reason of the ownership, operation, maintenance, or use of such autocab upon any public street; together with the filing of a Power of Attorney in accordance with the provisions of R.S. 48:16-3

NOW, THEREFORE, BE IT RESOLVED, by the Hoboken City Council that:

1. The above recitals are incorporated herein as though fully set forth as length.
2. The Council hereby authorizes the Hoboken City Clerk to issue the appropriate License upon satisfactory presentation of required documents.

This resolution shall be effective immediately.

---Motion duly seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yea: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

04-1652
---By Councilman Campos:

WHEREAS, the City of Hoboken is a recipient of a FY2004 Local Law Enforcement Block Grant No. 2004-LB-BX-0398 received through a proposal submitted by Grants Management Office to the United States Department of Justice. The grant is $11,347 with a required local funding match in the amount of $1,261 for a total project cost of $12,608 and

WHEREAS, the Police Division, together with the LLEBG Advisory Board have proposed certain purchases to be made with this grant, which purchases include but are not limited to CAD System Computer equipment, police vehicles, general law enforcement equipment especially items related to local preparedness and Homeland Security; be it

RESOLVED, that the Mayor and Council of the City of Hoboken have reviewed the material submitted by the Police Division and have allowed public comment on the proposed purchases, and hereby assent to the purchases subject to a final review and approval by the Business Administrator and that said purchases are made in conformance with the New Jersey Local Public Contract Law.

---Motion duly seconded by Council President Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yea: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

04-1653
---By Council President Del Boccio:

WHEREAS, the REMI COMPANIES has received permits from the City of Hoboken to build on the property located at 600-632 Jackson Street, and

WHEREAS, current construction and clean up work may cause a safety hazard to persons and property in the immediate vicinity; and

WHEREAS, REMI COMPANIES has requested that as an added safety measure the City of Hoboken prohibit parking on the following streets; and
(A) Jackson Street, west side beginning at the northerly curbline of 6th Street and extending to the southerly curbline of 7th Street.

(B) Sixth Street, north side beginning at the westerly curb line of Jackson Street and extending to the easterly curbline of Harrison Street.

NOW, THEREFORE, BE IT RESOLVED, that parking is hereby prohibited, including private vehicles by the employees or agents of the contractor within the above designated construction zone, Monday through Friday. For the hours of 7:00 AM to 6:00 PM. This resolution will be effective on Monday, November 8, 2004 and will terminate Friday, May 5, 2005. This resolution may be subject to renewal for additional time if construction activity so requires; and

BE IT FURTHER RESOLVED, that a copy of this resolution be presented to the Division of Signal & Traffic for immediate implementation for any necessary notices and signage. The Signal and Traffic Division prepare the necessary traffic regulations.

Before the vote was taken the following addressed the City Council: Michael Lenz, 408 Monroe Street.

---Motion duly seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 5 - NAYS: 1 - ABSTENTIONS: 3
---Yeas: Council persons Campos, Cricco, Giacchi, Ramos and President Del Boccio.
---Nays: Soares.
---Abstentions: Castellano, Marsh, Russo.

04-1654
---By Councilman Cricco:

WHEREAS, the City Council adopted on February 4, 2004 a resolution concerning the Affordable Housing and Recreational Facilities Trust Fund which is part of the redeveloper’s agreement in the City’s Northwest Redevelopment Area; and

WHEREAS, the City Council is desirous to provide temporary ice-skating rink facilities at the City’s Little League Field from December 1, 2004 to February 28, 2005 for the residents of the City of Hoboken; and

WHEREAS, in accordance with its redevelopment agreement and the February 4, 2004 Council resolution, URSA Development shall deposit with the City a check in the amount of $125,000 for the City’s ice-skating rink; and

WHEREAS, the approved budget for the City’s ice-skating rink is:

$100,000 3 month rental ice-skating rink and chiller
$10,000 additional costs related to the rental
$15,000 materials and related costs for the City’s installation
$125,000

WHEREAS, the City’s Business Administrator shall administer this fund in accordance with the City’s rules and regulations;
NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Hoboken that the temporary ice-skating rink and the above-stated budget is hereby approved and authorized.

Before the vote was taken the following addressed the City Council: Helen Hirsch, 98 Park Avenue; Michael Lenz, 408 Monroe Street; Leah Healey, 806 Park Avenue.

At this time a motion was made to TABLE the resolution as follows:

Motion to TABLE by Councilwoman Marsh.
Motion duly seconded by Councilwoman Castellano.

---FAILED by the following vote: YEAS: 4 - NAYS: 5
---Yeas: Council persons Castellano, Marsh, Russo, Soares.
---Nays: Campos, Cricco, Giacchi, Ramos and President Del Boccio.

Then the vote was taken on the resolution as follows:

---Motion duly seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 7 - NAYS: 0 - ABSTENTIONS: 2
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Ramos, Russo and President Del Boccio.
---Nays: None.
---Abstentions: Marsh, Soares.

04-1655
---By Councilman Campos:

WHEREAS, the Council for the City of Hoboken considers it necessary and proper to continue Special Legal Counsel to defend the Chief of Police, Carmen LaBruno in certain 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.

WHEREAS, the Chief Financial Officer certifies that the funds are available for this purpose.

NOW, THEREFORE, be it resolved by the Council for the City of Hoboken that Edward DePascale, Esq. of McElroy, Deutsch and Mulvaney with offices at 1300 Mount Kemble Avenue, Morristown, New Jersey 07962, that retainer shall be extended for special counsel to represent Police Chief Carmen LaBruno in the matter of Mark Competello v. Carmen LaBruno and City of Hoboken, Civil Action No. 02-664-(DRD), as a cost $140.00 per hour, not to exceed $50,000.00 dollars.

BE IT RESOLVED, by the Council of the City of Hoboken in the County of Hudson

1. The above recitals are incorporated herein as though fully set forth at length;
2. The Council of Hoboken hereby authorizes the Mayor, or his designee to execute any and all documents and take any and all actions necessary to complete and realize the intent and purpose of this resolution.
3. This Resolution shall be in effect immediately.

Before the vote was taken the following addressed the City Council: Helen Hirsch, 98 Park Avenue; Michael Lenz, 408 Monroe Street.

---Motion duly seconded by Council President Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yea: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

04-1656
---By Council President Del Boccio:

WHEREAS, the City of Hoboken, Department of Environmental Services has a need for additional construction services with regard to City Hall improvements; and

WHEREAS, the City of Hoboken, Department of Environmental Services has awarded a contract to Hilt Construction Inc. 44 Essex Drive, Monmouth Junction, New Jersey 08852; and

WHEREAS, the scope of work in the aforementioned contract has been expanded to include additional rail and parapet repair at Hoboken’s City Hall; and

WHEREAS, there exists a need for the maximum amount of the contract to Hilt Construction, Inc be increased from One Million Six Hundred Seventy Seven Thousand Fifty Seven Dollars ($1,677,057.00) to One Million Seven Hundred Thirty Two Thousand Seven Hundred Twenty Eight Dollars ($1,732,728.00); and

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Hoboken in the County of Hudson, that:

1. An amended contract for the professional engineering services shall be prepared and executed as follows:

   Hilt Construction, Inc.
   44 Essex Drive
   Monmouth Junction, NJ 08852, not to exceed $1,732,728.00

2. The Mayor and City Clerk are hereby authorized to execute this Agreement.
3. 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.

This Resolution is effective immediately.
Before the vote was taken the following addressed the City Council: Helen Hirsch, 98 Park Avenue.

---Motion duly seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

04-1657
---By Council President Del Boccio:

WHEREAS, the City of Hoboken, Department of Environmental Services has a need for additional construction services with regard to the firehouse improvements at the Observer Highway Firehouse; and

WHEREAS, the City of Hoboken, Department of Environmental Services has awarded a contract to T&M Contracting 107 Willow Avenue, Hoboken, New Jersey 07030; and

WHEREAS, the scope of work in the aforementioned contract has been expanded to include additional masonry stabilization and ceiling beam repair at the Observer Highway Firehouse; and

WHEREAS, there exists a need for the maximum amount of the contract to T&M Contracting be increased from Six Hundred Nine Thousand Eight Hundred Sixty Five Dollars ($669,865.00) to Seven Hundred Forty Three Thousand Two Hundred Five Dollars ($743,205.00); and

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Hoboken in the County of Hudson, that:

4. An amended contract for the professional engineering services shall be prepared and executed as follows:

   T&M Contracting Company
   107 Willow Avenue
   Hoboken, NJ 07030, not to exceed $743,250.00

5. The Mayor and City Clerk are hereby authorized to execute this Agreement.

6. 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.

This Resolution is effective immediately.

Before the vote was taken the following addressed the City Council: Helen Hirsch, 98 Park Avenue.

---Motion duly seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

ORDINANCES

Introduction and First Reading

04-1658
DR-170

AN ORDINANCE AMENDING PARKING METER RATES AND EFFECTIVE TIMES FOR OPERATION. (DR-170).

WHEREAS, §140-3, “Meter Installation; requirements sets forth parking meter rates and effective time for operation; and

WHEREAS, §140-3 also requires that each meter “shall indicate by a proper legend the legal parking time established by the City ....” and

WHEREAS, the Hoboken City Council deems it desirable to establish a uniform time period during which parking meters be effective for parking to include the following amendments and additions:

To: §140-3 (add) 1. All parking meters to be operational for the time period Monday through Saturday, 9:00 a.m. to 9:00 p.m.;

(amen) 2. All meters to be effective for two (2) hours, maximum allowable time;

(amen) 3. All meters to be set as to show or display a signal showing legal parking for the space … upon a deposit therein of a twenty-five cent ($.25) coin of the United States of America for each fifteen minute time period.

1. The above recitals are incorporated herein as though fully set forth at length;
2. The Council of Hoboken hereby authorizes the Mayor, or his designee to execute any and all documents and take any and all actions necessary to complete and realize the intent and purpose of this resolution.
3. This Resolution shall be in effect immediately.

---Council President 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 DECEMBER 1, 2004 at 7:00 PM.

---Motion duly seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 8 - NAYS: 1
---Yeas: Council persons Campos, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: Castellano.

All regular business concluded the following members of the public spoke at the “Public Portion” of the meeting: Elizabeth Mason, 921 Hudson Street; Bob Du Val, 303 Park Avenue; Helen Hirsch, 98 Park Avenue;

Councilman Campos left the meeting at 8:37 p.m.
speakers continued: Leah Healey, 806 Park Avenue;

Councilman Campos returned to the meeting at 8:38 p.m.

Councilman Cricco left the meeting at 8:51 p.m.
speakers continued: Michael Lenz, 408 Monroe Street;

Councilman Cricco returned to the meeting at 8:53 p.m.

President Del Boccio then adjourned the meeting at 9:00 p.m.
President Del Boccio 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 Campos, Castellano, Cricco, Giacchi, Marsh, Russo, Soares and President Del Boccio.

ABSENT: Ramos.

PUBLIC HEARING and FINAL VOTE ON ORDINANCES

Second Reading / Public Hearing and Final Vote

AN ORDINANCE AMENDING PARKING METER RATES AND EFFECTIVE TIMES FOR OPERATION. (DR-170).

The above ordinance is continued to the December 1, 2004 City Council meeting to allow sufficient time for legal advertising in The Jersey Journal.

PETITIONS AND COMMUNICATIONS

04-1659

November 8, 2004
The Honorable Richard Del Boccio, President  
Hoboken City Council  
City Hall  
94 Washington Street  
Hoboken, NJ 07030

Dear Councilman Del Boccio:

As the Mayor of the City of Hoboken, I would like to recommend that Ms. Sandra Ramos, 107 Jefferson Street and Ella Lo Presto, 400 First Street to be appointed to the Subcommittee on Handicapped Parking effective immediately.

Very truly yours,

DAVID ROBERTS,  
Mayor  
City of Hoboken

cc/ James J. Farina, City Clerk  
Joseph Sherman, Corporation Counsel

--Received and filed.

04-1660

APPLICATIONS FOR MISCELLANEOUS LICENSES

<table>
<thead>
<tr>
<th>License Type</th>
<th>Quantity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vendors (xmas trees)</td>
<td>3</td>
</tr>
<tr>
<td>Vendors</td>
<td>1</td>
</tr>
<tr>
<td>Music Machines</td>
<td>1</td>
</tr>
<tr>
<td>Mechanical Amusement Devices</td>
<td>1</td>
</tr>
</tbody>
</table>

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

REPORTS OF CITY OFFICERS

04-1661

---Received and filed.

04-1662

---Received and filed.

RESOLUTIONS

Presented and Read

04-1663
---By Council President 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>(Within Cap)</td>
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<td></td>
</tr>
<tr>
<td>Personnel O.E.</td>
<td>5-01-20-105-021</td>
<td>$400.00</td>
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<tr>
<td>Telecommunications O.E.</td>
<td>5-01-31-450-000</td>
<td>$2,500.00</td>
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<tr>
<td>Social Security O.E.</td>
<td>5-01-36-472-000</td>
<td>150,000.00</td>
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<td>TOTAL</td>
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<td>$152,000.00</td>
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<tr>
<td>(Outside Cap)</td>
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</tr>
<tr>
<td>Group Insurance O.E.</td>
<td>5-01-30-400-030</td>
<td>$2,000,000.00</td>
</tr>
<tr>
<td>TOTAL</td>
<td></td>
<td>$2,000,000.00</td>
</tr>
</tbody>
</table>

Before the vote was taken, the following addressed the City Council: Michael Lenz, 408 Monroe Street.

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

CLAIM RESOLUTIONS

04-1664
By Council President 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 $68,865.03 against the UNCLASSIFIED CLAIMS.

Seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Russo, Soares and President Del Boccio.
---Nays: None.
---Absent: Ramos.

By Council President 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 $15,610.21 against the DEPARTMENT OF ADMINISTRATION.

Seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Russo, Soares and President Del Boccio.
---Nays: None.
---Absent: Ramos.

By Councilman Cricco:

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 $167,297.76 against the DEPARTMENT OF ENVIRONMENTAL SERVICES.

Seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Russo, Soares and President Del Boccio.
---Nays: None.
---Absent: Ramos.

By Councilman Cricco:

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 $50,020.30 against the DEPARTMENT OF HUMAN SERVICES.

Seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Russo, Soares and President Del Boccio.
---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 $2,885.00 against the DEPARTMENT OF COMMUNITY DEVELOPMENT.

Seconded by Council President Del Boccio.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Russo, Soares and President Del Boccio.
---Nays: None.
---Absent: Ramos.

By Councilman Cricco:

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 $46,660.00 against the DEPARTMENT OF COMMUNITY DEVELOPMENT, GRANTS MANAGEMENT, SECTION 8.

Seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Russo, Soares and President Del Boccio.
---Nays: None.
---Absent: Ramos.

By Councilman Campos:

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 $25,063.58 against the DEPARTMENT OF PUBLIC SAFETY.

Seconded by Council President Del Boccio.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Russo, Soares and President Del Boccio.
---Nays: None.
---Absent: Ramos.

By Council President 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 $44,012.23 against the PARKING UTILITY.

Seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Russo, Soares and President Del Boccio.
---Nays: None.
---Absent: Ramos.

---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Russo, Soares and President Del Boccio.
---Nays: None.
---Absent: Ramos.

PAYROLL RESOLUTIONS

04-1665

By Council President 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 OCTOBER 21, 2004 TO NOVEMBER 3, 2004 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>Community Develop.</td>
<td>5-01-20-160</td>
<td>4,820.78</td>
<td></td>
<td>4,820.78</td>
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<tr>
<td>Treasurer</td>
<td>5-01-20-146</td>
<td></td>
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<tr>
<td>Planning Board</td>
<td>5-01-21-180</td>
<td>2,554.39</td>
<td></td>
<td>2,554.39</td>
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</tr>
<tr>
<td>Info Technology</td>
<td>5-01-20-147011</td>
<td>1,982.76</td>
<td>169.92</td>
<td>2,152.68</td>
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<tr>
<td>Zoning Officer</td>
<td>5-01-21-186</td>
<td>5,264.85</td>
<td></td>
<td>5,264.85</td>
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</tr>
<tr>
<td>Housing Inspection</td>
<td>5-01-21-187</td>
<td>6,988.50</td>
<td>12,676.78</td>
<td>19,665.28</td>
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</tr>
<tr>
<td>Construction Code</td>
<td>5-01-22-195</td>
<td>27,726.99</td>
<td>2,909.20</td>
<td>30,636.19</td>
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</tr>
<tr>
<td>Police Division</td>
<td>5-01-25-241</td>
<td>484,934.76</td>
<td>5,867.64</td>
<td>514,031.50</td>
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</tr>
<tr>
<td>Crossing Guards</td>
<td>5-01-25-241</td>
<td>10,942.81</td>
<td></td>
<td>10,942.81</td>
<td></td>
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<tr>
<td>Emergency Mgmt</td>
<td>5-01-25-252</td>
<td>673.38</td>
<td>96.15</td>
<td>769.53</td>
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<tr>
<td>Fire Division</td>
<td>5-01-25-266</td>
<td>423,496.79</td>
<td>13,976.09</td>
<td>438,372.13</td>
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</tr>
<tr>
<td>Signal &amp; Traffic</td>
<td>5-01-25-267</td>
<td>6,922.89</td>
<td>486.18</td>
<td>7,409.07</td>
<td></td>
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<tr>
<td>Envir. Ser. Dir. Office</td>
<td>5-01-26-290</td>
<td>14,440.38</td>
<td>1,842.21</td>
<td>20,678.82</td>
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<tr>
<td>Streets &amp; Roads</td>
<td>5-01-26-291</td>
<td></td>
<td></td>
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<td></td>
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<tr>
<td>Central Garage</td>
<td>5-01-26-301</td>
<td>6,935.75</td>
<td>6,727.50</td>
<td>13,663.25</td>
<td></td>
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<tr>
<td>Sanitation</td>
<td>5-01-26-305</td>
<td>47,229.27</td>
<td>11,322.43</td>
<td>58,551.70</td>
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</tr>
<tr>
<td>Housing Authority</td>
<td>5-01-28-370-015</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Human Service Direct.</td>
<td>5-01-27-330</td>
<td>5,458.43</td>
<td>5,458.43</td>
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<tr>
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<tr>
<td>Board of Health</td>
<td>5-01-27-332</td>
<td>14,460.71</td>
<td>14,460.71</td>
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<tr>
<td>Constituent Services</td>
<td>5-01-27-333</td>
<td>3,837.58</td>
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<tr>
<td>Senior Citizens Div</td>
<td>5-01-27-336</td>
<td>16,720.32</td>
<td>16,918.43</td>
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<tr>
<td>Rent Stabilization</td>
<td>5-01-27-347</td>
<td>6,257.98</td>
<td>6,257.98</td>
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<tr>
<td>Transportation</td>
<td>5-01-27-348</td>
<td>8,313.52</td>
<td>8,339.02</td>
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<tr>
<td>Recreation</td>
<td>5-01-28-370</td>
<td>24,892.46</td>
<td>28,828.63</td>
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<tr>
<td>Parks</td>
<td>5-01-28-375</td>
<td>22,384.35</td>
<td>24,681.51</td>
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<tr>
<td>Public Prop.</td>
<td>5-01-28-377</td>
<td>26,881.44</td>
<td>32,026.84</td>
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<td></td>
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<tr>
<td>Public Library</td>
<td>5-01-29-390</td>
<td>26,996.49</td>
<td>27,289.17</td>
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<td></td>
</tr>
<tr>
<td>Public Defender</td>
<td>5-01-43-495</td>
<td>2,203.16</td>
<td>2,203.16</td>
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<td></td>
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<tr>
<td>Municipal Court</td>
<td>5-01-43-490</td>
<td>29,782.83</td>
<td>30,208.18</td>
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<tr>
<td>Parking Utility</td>
<td>5-31-55-501-100</td>
<td>44,477.47</td>
<td>44,477.47</td>
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<td></td>
</tr>
<tr>
<td>Universal Cops</td>
<td>5-01-25-241-012</td>
<td>8,065.39</td>
<td>8,706.21</td>
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<td></td>
</tr>
<tr>
<td>Cops In School</td>
<td>5-01-25-241-015</td>
<td>12,155.78</td>
<td>12,752.30</td>
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<tr>
<td>Civilian Hiring</td>
<td>5-01-25-241-016</td>
<td>4,659.29</td>
<td>4,659.29</td>
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<tr>
<td>Minority Affairs</td>
<td>5-01-27-331-011</td>
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<td></td>
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<td></td>
</tr>
<tr>
<td>Summer Fun</td>
<td>5-01-28-370-013</td>
<td>225.00</td>
<td>225.00</td>
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<td></td>
</tr>
<tr>
<td>Summer Lunch</td>
<td>5-51-56-852-301</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Other</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Police Outside T-14-10-000-000</td>
<td>36,157.50</td>
<td>36,157.50</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Police Grant DE 16-S7-01</td>
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<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fire Dept. Penalty T-13-10-000-001</td>
<td>1,336.14</td>
<td>1,336.14</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fire Education Acct T-13-10-000-000</td>
<td>1,336.14</td>
<td>1,336.14</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Motion by Council President Del Boccio.
Seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 5 - NAYS: 3 - ABSENT: 1
---Yeas: Council persons Campos, Cricco, Giacchi, Marsh and President Del Boccio.
---Nays: Castellano,.
---Absent: Ramos, Russo, Soares.

RESOLUTIONS CONTINUED
Presented and Read

04-1666
---By Council President Del Boccio:

WHEREAS, an overpayment of taxes has been made on property listed below; and

WHEREAS, Louis Picardo, Collector of Revenue 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 $11,587.64 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>First Horizon Home Loans</td>
<td>68\14\C0005</td>
<td>531 Madison St.</td>
<td>$603.30</td>
</tr>
<tr>
<td>c/o Total Mortgage Solutions</td>
<td>1555 Walnut Hill Ln.STE#200A</td>
<td>Irving, TX 75038 Attn: Robin Grisham</td>
<td></td>
</tr>
<tr>
<td>Hudson City Savings Bank</td>
<td>115/9</td>
<td>1317-26 Grand St.</td>
<td>$3,519.25</td>
</tr>
<tr>
<td>West 80 Century Road</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Paramus, NJ 07652</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Attn: Lisa Ann Mahler</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Countrywide Tax Service</td>
<td>219\19.1\C01-3</td>
<td>820 Hudson St</td>
<td>$1,017.57</td>
</tr>
<tr>
<td>P.O. Box 10211 SV3-24</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Van Nuys, CA 91410-0211</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>First American Real</td>
<td>39/12/C002</td>
<td>221 Madison Street</td>
<td>$543.81</td>
</tr>
<tr>
<td>Estate Tax Service, Inc.</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Meeting of November 15, 2004
WHEREAS, within the Municipal Court for the City of Hoboken, a need exists for an additional municipal court judge; and

WHEREAS, a municipal court judge may be appointed by the Mayor with the advise and consent of the City Council, and

WHEREAS, Cataldo F. Fazio, Esq. Attorney at law of the State of New Jersey;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Hoboken, that the Council finds that Cataldo F. Fazio, Esq. is highly qualified to hold the office of Municipal Court Judge; and be it further

RESOLVED, that the Mayor is hereby authorized to reappoint Cataldo F. Fazio, Esq. as an additional Municipal Court Judge of the City of Hoboken for a term of three (3) years effective December 17, 2004.
---By Council President Del Boccio:

WHEREAS, within the Municipal Court for the City of Hoboken, a need exists for an additional municipal court judge; and

WHEREAS, a municipal court judge may be appointed by the Mayor with the advise and consent of the City Council, and

WHEREAS, Cataldo F. Fazio, Esq. Attorney at law of the State of New Jersey;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Hoboken, that the Council finds that Cataldo F. Fazio, Esq. is highly qualified to hold the office of Municipal Court Judge; and be it further

RESOLVED, that the Mayor is hereby authorized to reappoint Cataldo F. Fazio, Esq. as an additional Municipal Court Judge of the City of Hoboken for a term of three (3) years effective December 17, 2004.

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

---By Council President Del Boccio:

WHEREAS, the Hoboken Parking Utility requires its monthly customers within the Municipal Garages within Hoboken to make a deposit as security for the individual vehicle AVI (computer card) used to enter/exit the garage(s), and

WHEREAS, the Hoboken Parking Utility receives said deposits from the individual customers, and

WHEREAS, this deposit is refundable upon the cancellation of the contract between the individual and the Hoboken Parking Utility, now, therefore, be it

RESOLVED, that the attached list of individuals be refunded the deposit value shown next to their individual name, and be it further

RESOLVED, that the total amount of all refunds, by this Resolution, shall be One Thousand One Hundred Fifteen Dollars ($1,115.00) and be it further
RESOLVED, that the Hoboken Parking Utility shall reimburse said individuals from the Other Expense Line in the SFY 2005 Budget Current Fund line number 5-31-55-502-200. (see attached list)

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

04-1670
---By Council President Del Boccio:

WHEREAS, the City of Hoboken sought competitive proposals for the Accessibility Addition and Alternations at the Hoboken Public Library, and

WHEREAS, the below submitted bid was higher than the anticipated cost of the original bid specifications as advertised, and

WHEREAS, the following proposal was received:

<table>
<thead>
<tr>
<th>Vendor</th>
<th>Proposal</th>
</tr>
</thead>
<tbody>
<tr>
<td>T&amp;M Contracting Co. Inc</td>
<td>$768,000.00</td>
</tr>
<tr>
<td>107 Willow Avenue</td>
<td></td>
</tr>
<tr>
<td>Hoboken, NJ 07030</td>
<td></td>
</tr>
<tr>
<td>Gapp Construction, Inc.</td>
<td>$748,600.00</td>
</tr>
<tr>
<td>1440 Pennigton Road</td>
<td></td>
</tr>
<tr>
<td>Ewing, NJ 08818</td>
<td></td>
</tr>
</tbody>
</table>

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Hoboken in the County of Hudson that:

1. The above recitals are incorporated herein as thoughtfully set forth at length.
2. The City Council hereby rejects the proposal of the above vendor.
3. The Administration is hereby authorized to re-advertise for these goods/services.

Before the vote was taken, the following addressed the City Council: Helen Hirsch, 98 Park Avenue.

---Motion duly seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Russo, Soares and President Del Boccio.
---Nays: None.
---Absent: Ramos.
---By Councilman Cricco:

WHEREAS, the City of Hoboken sought competitive proposals for the construction of a Toddler Play area at Church Square Park, and

WHEREAS, the below submitted bid was higher than the anticipated cost of the original bid specifications as advertised, and

WHEREAS, the following proposal was received:

<table>
<thead>
<tr>
<th>Vendor</th>
<th>Proposal</th>
</tr>
</thead>
<tbody>
<tr>
<td>Zenith Construction Services Inc</td>
<td>$199,900.00</td>
</tr>
<tr>
<td>256 Grant Avenue</td>
<td></td>
</tr>
<tr>
<td>East Newark, NJ 07029-2714</td>
<td></td>
</tr>
</tbody>
</table>

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Hoboken in the County of Hudson that:

1. The above recitals are incorporated herein as thoughtfully set forth at length.
2. The City Council hereby rejects the proposal of the above vendor.
3. The Administration is hereby authorized to re-advertise for these goods/services.

Before the vote was taken, the following addressed the City Council: Helen Hirsch, 98 Park Avenue.

---Motion duly seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yea: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Russo, Soares and President Del Boccio.
---Nays: None.
---Absent: Ramos.

---By Council President Del Boccio:

WHEREAS, the City of Hoboken sought competitive proposals for Washington Street Improvements—“Clocks”, and

WHEREAS, the below submitted bid was higher than the anticipated cost of the original bid specifications as advertised, and

WHEREAS, the following proposal was received:

<table>
<thead>
<tr>
<th>Vendor</th>
<th>Proposal</th>
</tr>
</thead>
</table>

Meeting of November 15, 2004  13
NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Hoboken in the County of Hudson that:

1. The above recitals are incorporated herein as thoughtfully set forth at length.
2. The City Council hereby rejects the proposal of the above vendor.
3. The Administration is hereby authorized to re-advertise for these goods/services.

Before the vote was taken, the following addressed the City Council: Helen Hirsch, 98 Park Avenue.

---Motion duly seconded by Councilman Giacchi.  
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1  
---Yea: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Russo, Soares and President Del Boccio.  
---Nays: None.  
---Absent: Ramos.

04-1673
---By Councilman Campos:

WHEREAS, the City of Hoboken has by and through the Mayor and Business Administrator have engaged in negotiations on behalf of the City with the PBA regarding the Memorandum of Understanding and Agreement; and

WHEREAS, the terms resulting from said negotiations have been memorialized in the attached correspondence and Memorandum of Agreement between the parties; and

WHEREAS, the City of Hoboken, by the Mayor and Business Administrator recommend that the terms memorialized in the attached correspondence and Memorandum of Agreement be accepted by the City Council; and

NOW, THEREFORE, BE IT RESOLVED that:

1. The above recitals are incorporated herein as though fully set forth at length.
2. The Hoboken City Council hereby authorizes the Mayor his designee to execute any and all documents and take any and all action necessary to complete all actions necessary to complete and realize the intent and purpose of this resolution.
3. This resolution shall be effective immediately.

Before the vote was taken, the following addressed the City Council: Michael Lenz, 408 Monroe Street.
---Motion duly seconded by Council President Del Boccio.
---Adopted by the following vote: YEAS: 7 - NAYS: 1 - ABSENT: 1
---Yea: Council persons Campos, Castellano, Cricco, Giacchi, Russo, Soares and President Del Boccio.
---Nays: Marsh.
---Absent: Ramos.

04-1674
---By Councilwoman Castellano:

WHEREAS, on August 13, 2003 the Hoboken City Council approved a professional service resolution to pay the firm of Ernst & Young for a various duties that include expert witness and prepare exhibits regarding the case of the State of New Jersey vs. George DeStefano (CMFO City of Hoboken)

WHEREAS, as the Hoboken City Council and the City of Hoboken were not the plaintiff in this case. The City of Hoboken has no responsibility for such payment.

NOW, THEREFORE, BE IT RESOLVED, that:

The State of New Jersey reimbursed the City of Hoboken the amount of $19,943.00.

Before the vote was taken, the following addressed the City Council: Helen Hirsch, 98 Park Avenue.

---Motion duly seconded by Councilman Russo.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yea: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Russo, Soares and President Del Boccio.
---Nays: None.
---Absent: Ramos.

ORDINANCES

04-1675

DR-171

AN ORDINANCE OF THE CITY OF HOBOKEN ESTABLISHING FEES FOR SPECIAL SERVICE CHARGES AND SPECIAL CHARGES UNDER THE NEW JERSEY OPEN PUBLIC RECORDS ACT. (DR-171).

WHEREAS, the New Jersey Open Public Records Act (“OPRA”) was substantially amended by the New Jersey Legislature in 2002; and
WHEREAS, OPRA specifically provides that a person may be charged a fee for the duplication of a government record embodied in the form of printed matter where such fees are not otherwise set by law or regulation; and

WHEREAS, OPRA also allows municipalities to impose additional charges for requests that involve an extraordinary expenditure of time; and

WHEREAS, since the amendments to OPRA in July of 2002, the City has received a number of requests deemed to require an extraordinary expenditure of time, and thus a special services ordinance is necessary.

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

SECTION 1: PURPOSE

New Jersey has adopted the Open Public Records Act, N.J.S.A. 47:1A-5, which has as its general purpose making government records more available to the public than they have been in the past. In certain instances, the production of voluminous records, archived records, or records in a format which is not the usual format maintained by the municipality or other special circumstances would be costly and time consuming. The New Jersey Open Public Records Act permits the municipality to require the payment of fees, special service charges and/or special charges as a pre-requisite to the production of records requiring extraordinary time and effort, special equipment or special formatting.

SECTION 2: ORDINARY REQUESTS FOR INFORMATION

The statutory fee schedule shall apply to routine requests under the Open Public Records Act. The fees of N.J.S.A. 47:1A-5 are hereby incorporated herein as such fee schedule presently exists or as such fees might appear in future modifications or amendments of the statute.

At present time, fees under N.J.S.A. 47:1A-5 for routine copies of municipal documents are:

<table>
<thead>
<tr>
<th>Pages</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 through 10</td>
<td>$.75 per page</td>
</tr>
<tr>
<td>11 through 20</td>
<td>$.50 per page</td>
</tr>
<tr>
<td>All pages after 20</td>
<td>$.25 per page</td>
</tr>
</tbody>
</table>

If fees for particular documents are set by statute to be amounts other than those set forth here, those fees shall apply.

SECTION 3: ESTABLISH DEPUTY CUSTODIANS OF RECORDS

The establishment of the position of deputy custodians of documents are as follows:

1. Chief of Police
2. Tax Assessor
3. Tax Collector
4. Construction Official
5. Court Administrator
However, all requests must be made directly to the Custodian of Records, the City Clerk.

**SECTION 4: NO RESEARCH OR INTERPRETATION MAY BE COMPELLED**

Nothing in this Ordinance shall require the custodian or deputy custodians of documents or any other municipal official to examine, analyze, tabulate, or interpret documents which are subject to production under the New Jersey Open Public Records Act.

**SECTION 5: SPECIAL SERVICE CHARGE/SPECIAL CHARGES AUTHORIZED**

A. Charges Authorized:

The City Clerk or deputy custodian of documents qualifying for mandatory production as "governmental records" under the New Jersey Open Public Records Act shall be entitled to special service charges and/or special charges as set forth in this Ordinance.

B. Requests To Be In Writing

Any requests for documents shall be made to the City Clerk in writing and preferably on a form established by the City Clerk for such purposes.

C. Advance Notice of Fees, Special Service Charges and Special Charges; Deposit

Any requester of government records which may be eligible for the imposition of a fee, special charge or special service charge under this Ordinance shall receive advance notice of the amount of fees and charges before any work is started. The City Clerk shall require prepayment of such charges before causing the work to begin.

**SECTION 6: FEES, SPECIAL SERVICE CHARGES AND SPECIAL CHARGES; WHEN CHARGED; AMOUNTS AUTHORIZED**

A. Duplication or Other Work Beyond Capability of Municipal-In-House Work Force:

Whenever the in-house municipal work force or available municipal equipment is insufficient to duplicate or produce government records in a timely fashion, the City Clerk may cause such duplication or production to be accomplished by outside vendors such as copy centers or producers of digital images. If the costs of such duplication or production charged by such vendors exceeds the routine charges set forth in N.J.S.A. 47:1A-5, the actual direct cost of same without any additional surcharge for labor costs shall be paid.

B. Special Service Charged Authorized:

Whenever government records cannot be reproduced by regular copying equipment or fulfillment of the request would involve extraordinary time and effort (for example, where a large number of records must be recovered from storage or substantive staff time is required to review, redact, sort and/or assemble records), charges may be imposed as follows:

1. The actual cost (materials and supplies but no staff labor) of duplication or reproduction; plus

2. A special service charge of $32.00 per hour or the actual direct cost of labor (if less) shall be imposed for each hour of extraordinary time predicted to be utilized to respond to the request.

C. Rates for In-House Production of Prints or Blueprints:
Any prints or blueprints produced in-house in response to a governmental records request shall be produced for $28.00 per page.

D. Digital Records:

If a request for governmental records involves production or conversion of digital or computerized records or film which is:

1. In a medium not routinely used by the agency (i.e., electronic or film).
2. Not routinely developed or maintained by an agency; or
3. Requiring a substantial amount of manipulation or programming of information technology.

E. The requester shall pay fees and special charges incurred by the City if the conversion is done directly by the City as follows:

1. Direct costs (no overhead) to comply with the request; plus
   a. Special charges; the lesser of the cost of technology and labor actually incurred or $45.00 per hour.

SECTION 7. NOTICE OF REQUESTER OF COPYRIGHT LAWS:

A. The City of Hoboken may be compelled by New Jersey Law to produce or duplicate governmental records but no compliance with these legal obligations shall be deemed to constitute a license, sublicense or waiver of copyright laws.

B. The City Clerk shall give the following notice to any requester of governmental records.

   NOTICE - COPYRIGHT LAWS
   You must comply with U.S. copyright laws. These laws may restrict your right to use, duplicate or modify the records provided to you by the City of Hoboken. You should consult your own legal counsel on this since severe civil and criminal penalties for violation of copyright laws are provided

SECTION 8. WAIVERS FOR GOVERNMENTAL EDUCATIONAL REQUESTER

The Mayor, Clerk or City Council (by Resolution) may waive the fees or other charges otherwise chargeable if the requester of governmental records is a governmental or educational entity.

SECTION 9. INCONSISTENT ORDINANCES

All ordinances or parts of ordinances inconsistent with or in conflict with this ordinance are hereby repealed to the extent of such inconsistency.

SECTION 10. PARTIAL INVALIDITY
If any section, paragraph, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, clause or provision so adjudged and the remainder shall be deemed valid and effective.

All ordinances or part of ordinances inconsistent with or in conflict with this ordinance are hereby repealed to the extent of such inconsistency.

---Council President 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 December 1, 2004 at 7:00 PM.

---Motion duly seconded by Councilman Giacchi.
---FAILED by the following vote: YEAS: 4 - NAYS: 4 - ABSENT: 1
---Yeas: Council persons Campos, Cricco, Giacchi and President Del Boccio.
---Nays: Castellano, Marsh, Russo, Soares.
---Absent: Ramos.

THE ABOVE ORDINANCE (DR-171) FAILED FIRST READING.

04-1676
DR-172

WHEREAS, in the definitions section of Chapter 29 defines immediate family as “a spouse residing in the person's household and dependent children”, and

WHEREAS, the Hoboken City Council seeks to expand the definition of immediate family to include Adult Children, Mother, Father, Sibling(s), Aunt, Uncle and Cousins of the first degree.

NOW, THEREFORE, BE IT RESOLVED, by the Hoboken City Council that the definition section of Chapter 29 of the Code of the City of Hoboken, specifically “Immediate Family” is amended

FROM:
“A spouse residing in the person's household and dependent children”

TO:
“A spouse residing in the person's household and dependent children, adult children, as well as Mother, Father, Aunt, Uncle, Sibling(s) and Cousins of the first degree”.

This Ordinance shall become effective according to law.
---Councilman Campos 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 1, 2004 at 7:00 PM.

Before the vote was taken on the introduction of the ordinance, a motion was made to TABLE it as follows:

---Motion to TABLE Ordinance DR-172 by Councilwoman Marsh.
---Motion duly seconded by Councilman Russo.
---Vote to TABLE FAILED by the following vote: YEAS: 4 - NAYS: 4 - ABSENT: 1
---Yeas: Council persons Castellano, Marsh, Russo, Soares.
---Nays: Council persons Campos, Cricco, Giacchi and President Del Boccio.
---Absent: Ramos.

Then the vote was taken on the introduction of Ordinance DR-172 as follows:

---Sponsored by Councilman Campos.
---Motion duly seconded by Council President Del Boccio.
---Adopted by the following vote: YEAS: 4 - NAYS: 2 - ABSTENTIONS: 2 - ABSENT: 1
---Yeas: Council persons Campos, Cricco, Giacchi and President Del Boccio.
---Nays: Castellano, Russo.
---Abstentions: Marsh, Soares.
---Absent: Ramos.

04-1677
DR-173

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 1017 GARDEN STREET, HOBOKEN, NEW JERSEY, MORE PARTICULARLY KNOWN AS LOT 7, BLOCK 197, ON THE TAX MAP OF THE CITY OF HOBOKEN, COUNTY OF HUDSON, STATE OF NEW JERSEY. (DR-173).

WHEREAS, the applicant Hector Kreutz and Pamela Hager, has petitioned the City of Hoboken for the granting of certain easements over municipal lands at 1017 Garden Street, Hoboken, New Jersey, (“the premises”) which premises are more particularly described as Lot 7, and Block 197 on the Tax Map of the City of Hoboken, New Jersey, in order to maintain an encroachment on municipal lands for the purpose placing a deep area basement entry within the fence line. This easement is described as follows:

METES AND BOUNDS
(PROPOSED ENCROACHMENT)

All that certain tract, or parcel of land, situate, lying and being in the City of Hoboken, County of Hudson, and the State of New Jersey, bounded and described as follows:

Beginning at a point in the easterly line of Garden Street 145.00 feet northerly from the intersection formed by the northerly line of Tenth Street with the easterly line of Garden Street and thence running:
THENCE South-76° degrees 56' East, to and beyond the center of said party wall a distance of 100.00 feet to a point,

THENCE North 13°-04' degrees East, to and beyond the center of said party wall a distance of 100.00 feet to a point,

THENCE North 13°-04' East and parallel to Garden Street a distance of 20.00 feet to a point opposite the center of another party wall standing partly on the premises adjoining the north,

THENCE North 76°-56' West to thru and beyond the center of said party wall a distance of 100.00 feet a pointing the easterly line of Garden Street,

THENCE South 13-04' West and along the easterly line of Garden Street a distance of 20.00 feet to a point, said point being the point or place of beginning.

Known as Lot 7, Block 197 as shown on the official tax assessment map for the City of Hoboken, Hudson County, New Jersey, and more commonly known as 1017 Garden Street, Hoboken, New Jersey; and

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND THE COUNCIL OF THE CITY OF HOBOKEN THAT THE CITY OF HOBOKEN HEREBY GRANTS 72 TENTH STREET THE AFOREMENTIONED EASEMENT SUBJECT TO THE FOLLOWING CONDITIONS AND REQUIREMENTS:

1. The above recitals are incorporated herein as length fully set forth at length.
2. 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.
3. The applicant shall immediately remove any or all projections or encumbrances which are improperly maintained and thus present a public hazard.
4. 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.
5. 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.

6. 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.

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

---Council President 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 December 1, 2004 at 7:00 PM.

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

04-1678
DR-174

AN ORDINANCE OF THE COUNCIL OF THE CITY OF HOBOKEN GRANTING AN EASEMENT FOR CERTAIN ENCROACEMENTS WITHIN THE PUBLIC RIGHT OF WAY AT THE SITE OF REAL PROPERTY LOCATED AT 300 ADAMS STREET, HOBOKEN, NEW JERSEY, MORE PARTICULARLY KNOWN AS LOT 1, BLOCK 50, ON THE TAX MAP OF THE CITY OF HOBOKEN, COUNTY OF HUDSON, STATE OF NEW JERSEY. (DR-174).

WHEREAS, the applicants Jefferson Adams Rehab, c/o Volt Info, have petitioned the City of Hoboken for the granting of certain easements over municipal lands at 300 Adams Street, Hoboken, New Jersey, (“the premises”) which premises are more particularly described as Lot 1, and Block 50 on the Tax Map of the City of Hoboken, New Jersey, in order to maintain an encroachment on municipal lands for the purpose placing a deep area basement entry within the fence line. This easement is described as follows:

METES AND BOUNDS
(PROPOSED ENCROACEMENT)

All that certain tract, or parcel of land, situate, lying and being in the City of Hoboken, County of Hudson, and the State of New Jersey, bounded and described as follows:

Easement No. 1
BEGINNING at a point formed by the intersection of the easterly sideline of Jefferson Street (a 65 feet wide Right of Way) with the northerly sideline of Third Street (a 50 feet wide Right of Way): and runs thence:

1. Along the northerly sideline of Tenth Street South 77 degrees 12 minutes 59 seconds East 186.50 feet to a point; thence,
2. By a line through the Third Street Right of Way South 12 degrees 47 minutes 01 seconds West, 5.85 feet to an angle point; thence
3. Still by a line through the Third Street Right of Way North 77 degrees 12 minutes 59 seconds West 194.70 feet to an angle point; thence
4. By a line through Jefferson Street Right of Way North 12 degrees 47 minutes 01 seconds East 204.47 feet to an angle point; thence
5. Still by a line through the Jefferson Street Right of Way South 77 degrees 12 minutes 59 seconds East 8.20 feet to a point in the easterly sideline of Jefferson Street; thence
6. Along the easterly sideline of Jefferson Street South 12 degrees 47 minutes 01 seconds West 198.62 feet to the point and place of BEGINNING.

Easement No. 2

1. By a line through the Jefferson Street Right of Way North 77 degrees 12 minutes 59 seconds West 8.20 feet to an angle point; thence,
2. Still by a line through the Jefferson Street Right of Way North 12 degrees 47 minutes 01 seconds East 18.63 feet to an angle; thence
3. Still by a line through the Jefferson Street Right of Way South 77 degrees 12 minutes 59 seconds East, 8.20 feet to a point in the easterly sideline of Jefferson Street; thence
4. Along the easterly sideline of Jefferson Street South 12 degrees 47 minutes 01 seconds West 18.63 feet to the point and place of BEGINNING.

Easement No. 3

BEGINNING at a point in the easterly sideline of Jefferson Street (a 234.46 feet wide northerly of a point formed by the intersection of the easterly sideline of Jefferson Street with the northerly sideline of Third Street; and runs thence

1. By a line through the Jefferson Street Right of Way North 77 degrees 12 minutes 59 seconds West 4.00 feet to an angle point; thence,
2. Still by a line through the Jefferson Street Right of Way North 12 degrees 47 minutes 01 seconds East 18.37 feet to an angle; thence
3. Still by a line through the Jefferson Street Right of Way South 77 degrees 12 minutes 59 seconds East, 4.00 feet to a point in the easterly sideline of Jefferson Street; thence
4. Along the easterly sideline of Jefferson Street South 12 degrees 47 minutes 01 seconds West 18.37 feet to the point and place of BEGINNING.

Easement No. 4

BEGINNING at a point in the easterly sideline of Jefferson Street (a 256.97 feet wide northerly of a point formed by the intersection of the easterly sideline of Jefferson Street with the northerly sideline of Third Street; and runs thence
1. By a line through the Jefferson Street Right of Way North 77 degrees 12 minutes 59 seconds West 4.00 feet to an angle point; thence,
2. Still by a line through the Jefferson Street Right of Way North 12 degrees 47 minutes 01 seconds East 26.28 feet to an angle; thence
3. Still by a line through the Jefferson Street Right of Way South 77 degrees 12 minutes 59 seconds East, 4.00 feet to a point in the easterly sideline of Jefferson Street; thence
4. Along the easterly sideline of Jefferson Street South 12 degrees 47 minutes 01 seconds West 26.28 feet to the point and place of BEGINNING.

Easement No. 5

BEGINNING at a point in the easterly sideline of Jefferson Street (a 256.97 feet wide northerly of a point formed by the intersection of the easterly sideline of Jefferson Street with the northerly sideline of Third Street; and runs thence

1. By a line through the Jefferson Street Right of Way North 77 degrees 12 minutes 59 seconds West 4.00 feet to an angle point; thence,
2. Still by a line through the Jefferson Street Right of Way North 12 degrees 47 minutes 01 seconds East 44.87 feet to an angle; thence
3. Still by a line through the Jefferson Street Right of Way South 77 degrees 12 minutes 59 seconds East, 4.00 feet to a point in the sideline of Jefferson Street; thence
4. Along the easterly sideline of Jefferson Street South 12 degrees 47 minutes 01 seconds West 44.87 feet to the point and place of BEGINNING

Easement No. 6

BEGINNING at a point in the easterly sideline of Jefferson Street (a 256.97 feet wide northerly of a point formed by the intersection of the easterly sideline of Jefferson Street with the northerly sideline of Third Street; and runs thence

1. By a line through the Jefferson Street Right of Way North 77 degrees 12 minutes 59 seconds West 4.00 feet to an angle point; thence,
2. Still by a line through the Jefferson Street Right of Way North 12 degrees 47 minutes 01 seconds East 18.14 feet to an angle; thence
3. Still by a line through the Jefferson Street Right of Way South 77 degrees 12 minutes 59 seconds East, 4.00 feet to a point in the easterly sideline of Jefferson Street; thence
4. Along the easterly sideline of Jefferson Street South 12 degrees 47 minutes 01 seconds West 18.14 feet to the point and place of BEGINNING

Known as Lot 1, Block 50 as shown on the official tax assessment map for the City of Hoboken, Hudson County, New Jersey, and more commonly known as 300 Adams Street, Hoboken, New Jersey; and

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND THE COUNCIL OF THE CITY OF HOBOKEN THAT THE CITY OF HOBOKEN HEREBY GRANTS 72 TENTH STREET THE AFOREMENTIONED EASEMENT SUBJECT TO THE FOLLOWING CONDITIONS AND REQUIREMENTS:

1. The above recitals are incorporated herein as length fully set forth at length.
2. 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.

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

4. 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.

5. 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.

6. 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.

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

---Council President 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 December 1, 2004 at 7:00 PM.

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

ORDINANCE DR-175 WAS WITHDRAWN FROM THE AGENDA.

04-1679
DR-176

ORDINANCE OF THE CITY OF HOBOKE N, IN THE COUNTY OF HUDSON, NEW JERSEY, AMENDING AN ORDINANCE APPROVING THE ACQUISITION OF POLICE

WHEREAS, The Hudson County Improvement Authority (the “Authority) has previously issued $175,000,000 principal amount of Essential Purpose Pooled Governmental Loan Program Bonds, Series 1986 (the “1986 Bonds”) pursuant to and in accordance with the provisions of a resolution of the Authority, duly adopted July 15, 1986, as amended and supplemented (the “General Bond Resolution”); and

WHEREAS, the 1986 Bonds were issued in order to, among other things, provide funds to be loaned to local government units within the County of Hudson, New Jersey or otherwise provide for long-term financing of various public facilities including equipment; and

WHEREAS, under the provisions of the General Bond Resolution and the Essential Purpose Pooled Governmental Loan Program (“Pooled Loan Program”), any such financing shall be evidenced by the issuance by such local governmental units of obligations constituting the full faith and credit of such local unit payable to the Authority and have a term not exceeding the term of the 1986 Bonds; and

WHEREAS, the City of Hoboken, in the County of Hudson, New Jersey (the “City”), has requested the Authority to provide funds from the proceeds of the 1986 Bonds for financing the lease of police vehicles to the City (the “Project”); and

WHEREAS, the City, by bond ordinance finally adopted October 20, 2004 (the “Ordinance”), has previously approved the acquisition of police vehicles via loan agreement, appropriated $26,250 from the City budget as a down payment towards such acquisition (the “Down Payment”), and authorized the issuance of $403,750 general obligation bonds (the “Bonds”) to evidence a loan by and between the City and the Authority, the principal amount of which is included in the City’s net debt calculation; and

WHEREAS, it is in the best interest of the City to acquire the police vehicles via lease agreement with the Authority (the “Lease Agreement”), which lease agreement does not require the payment by the City of $26,250 from the City budget, nor the issuance by the City of Bonds; and

WHEREAS, the City now wishes to amend the Ordinance to revoke and repeal all provisions relating to the Down Payment and the authorization and issuance of the Bonds, and to authorize the Lease Agreement.

BE IT ORDAINED BY 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 is hereby authorized to enter into a Lease Agreement with the Authority in connection with the Project in an amount not to exceed $430,000 funded from monies though the Authority’s Pooled Loan Program, which Lease Agreement shall be substantially in the form on file in the office of the City Clerk, and which form is hereby approved.

Section 2. The appropriate officials of the City, including the Mayor, the Chief Financial Officer, and the City Clerk are hereby authorized to make necessary changes to
and execute the Lease Agreement and such other documents, certificates, opinions and other
instruments that are necessary and as may be reasonably required by the Authority in
connection with the transaction contemplated hereby.

Section 3. All provisions of the Ordinance relating to the Down Payment, the
authorization and issuance of the Bonds, and any and all provisions inconsistent with the
provisions of this ordinance, are hereby revoked and rescinded. The Chief Financial Officer
of the City is hereby authorized to take all steps necessary to adjust the City’s net debt
computations and capital budget to conform with the amendments to the Ordinance.

Section 4. This ordinance shall take effect in the manner required by the Local
Bond Law (N.J.S.A. 40A:2-1 et. seq.)

---Council President 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 December 1, 2004 at 7:00 PM.

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

All regular business concluded the following members of the public spoke at the “Public
Portion” of the meeting: Marianne Camporeale, 311 13th Street; Helen Hirsch, 98 Park
Avenue;

Councilman Campos left the meeting at 8:42 p.m.

speakers continued: Michael Lenz, 408 Monroe Street

Councilman Campos returned to the meeting at 8:45 p.m.

President Del Boccio then adjourned the meeting at 8:51 p.m.
President Del Boccio opened the meeting at 5:00 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, 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 City Clerk then called the roll:

PRESENT: Council persons Campos, Cricco, Giacchi, Ramos and President Del Boccio.

ABSENT: Castellano, Marsh, Russo, Soares.

The City Clerk read the following letter dated November 16, 2004 into the record:

04-1680
The Honorable Richard Del Boccio
President, Hoboken City Council
Hoboken City Hall
94 Washington Street
Hoboken, NJ 07030

Re: Special Meeting of the Hoboken City Council

Dear Council President Del Boccio:

I hereby call a Special Meeting of the Hoboken City Council for Wednesday, November 24, 2004 at 5:00 pm in the City Council Chambers, 94 Washington Street, Hoboken, New Jersey for the limited purpose:

To ratify a contract for the rental of an Ice Skating Rink for Winter 2004-2005 season.
Very truly yours,

David Roberts
Mayor
City of Hoboken

DR:jb

cc: City Council Members
    Richard F. England, Interim Business Administrator
    Joseph S. Sherman, Corporation Counsel
    James J. Farina, City Clerk
    Jersey Journal/The Record/Star Ledger

RESOLUTION

04-1681
---By Councilman Ramos:

WHEREAS, pursuant to the resolution of the City Council and after public advertising thereof, the following proposal was received for the three (3) month rental of an ice skating rink for the City of Hoboken in accordance with the specifications set forth in City of Hoboken Bid 05-08.

<table>
<thead>
<tr>
<th>VENDOR</th>
<th>TOTAL $ PROPOSAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Magic Ice USA, Inc.</td>
<td>$97,500.00</td>
</tr>
<tr>
<td>10364 SW 128th Terrace</td>
<td></td>
</tr>
<tr>
<td>Miami, FL 33176-5520</td>
<td></td>
</tr>
</tbody>
</table>

NOW, THEREFORE, BE IT RESOLVED, by the Hoboken City Council that:

1. The above recitals are incorporated herein as though fully set forth at length.

2. The Council of the City of Hoboken hereby authorizes the Mayor or his designee to execute any and all documents and take any actions necessary to complete and realize the intent and purpose of this resolution.

3. The Mayor or his designee is authorized to execute an Agreement for the above referenced goods and/or services based upon the following information:

4. A payment schedule of 50% of the proposed price to be paid initially and the balance due upon completion of installation.
5. The Purchasing Agent is to return the bid deposit to this vendor upon adoption of this resolution.

Motion duly seconded by Councilman Campos.
---Adopted by the following vote: YEAS: 5 – NAYS: 0 - ABSENT: 4
---Yeas: Council persons Campo, Cricco, Giacchi, Ramos and President Del Boccio
---Nays: None.
---Absent: Castellano, Marsh, Russo, Soares.

President Del Boccio then adjourned the meeting at 5:04 p.m.
President Del Boccio 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.

The Clerk then called the roll:

PRESENT: Council persons Campos, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.

ABSENT: Castellano.

PETITIONS AND COMMUNICATIONS

04-1682

WHEREAS, on Thursday, September 23, 2004, Hoboken resident, Gail Johnson, collapsed and passed out on Parent’s Night at T.G. Connors Primary School when she experienced a heart attack; and

WHEREAS, physical education teacher Hector Morales, school nurse Celeste Joyce and reading specialist Felicia Sacci immediately responded to this emergency by administering CPR to Gail Johnson and selflessly assisted her until the paramedics arrived and rushed her to the hospital; and

WHEREAS, the three, upon seeing Ms. Johnson collapsed and not breathing, were able to save her life and revive her pulse with a defibrillator which is a device that uses an electric shock to establish a heartbeat; and

WHEREAS, we commend Hector Morales, Celeste Joyce and Felicia Sacci and recognize their quick actions in saving the life of Gail Johnson and would like to honor them for their outstanding citizenship and generosity to help one in need; and
WHEREAS, we also recognize the efforts of Joseph Miele, the Board of Education’s emergency response coordinator, for initiating the project which has brought the life-saving defibrillators to every Hoboken school, as well as a training program for school nurses and teachers;

NOW, THEREFORE, BE IT RESOLVED THAT MAYOR DAVID ROBERTS, on behalf of the citizens of Hoboken, wishes to extend praise and commendations to Hector Morales, Celeste Joyce and Felicia Sacci for their courageous acts of heroism in which they demonstrated an exemplary and uncommon concern for the life of another.

--Received and filed.

PUBLIC HEARING and FINAL VOTE ON ORDINANCES

Second Reading / Public Hearing and Final Vote

AN ORDINANCE AMENDING PARKING METER RATES AND EFFECTIVE TIMES FOR OPERATION. (DR-170).

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.

The following addressed the City Council: Michael Lenz, 408 Monroe Street; Armando Luis, 126 Washington Street; Benny Druist, 622 Washington Street. No other person present desiring to be heard and no written protests or objections received, President Del Boccio asked for a motion to close the hearing.

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

Council President Del Boccio then instructed the City Clerk to call the Final Vote for the above Ordinance.

---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Campos, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.
---Absent: Castellano.

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.

The following addressed the City Council: Michael Lenz, 408 Monroe Street; Jon Gordon, 333 River Street. No other person present desiring to be heard and no written protests or objections received, President Del Boccio asked for a motion to close the hearing.

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

Council President Del Boccio then instructed the City Clerk to call the Final Vote for the above Ordinance.

---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Campos, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.
---Absent: Castellano.

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 1017 GARDEN STREET, HOBOKEN, NEW JERSEY, MORE PARTICULARLY KNOWN AS LOT 7, BLOCK 197, ON THE TAX MAP OF THE CITY OF HOBOKEN, COUNTY OF HUDSON, STATE OF NEW JERSEY. (DR-173).

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, President Del Boccio asked for a motion to close the hearing.

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

Council President Del Boccio then instructed the City Clerk to call the Final Vote for the above Ordinance.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Campos, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.
---Absent: Castellano.

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 300 ADAMS STREET, HOBOKEN, NEW JERSEY, MORE PARTICULARLY KNOWN AS LOT 1, BLOCK 50, ON THE TAX MAP OF THE CITY OF HOBOKEN, COUNTY OF HUDSON, STATE OF NEW JERSEY. (DR-174).

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, President Del Boccio asked for a motion to close the hearing.

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

Council President Del Boccio then instructed the City Clerk to call the Final Vote for the above Ordinance.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Campos, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.
---Absent: Castellano.


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.
The following addressed the City Council: Michael Lenz, 408 Monroe Street. No other person present desiring to be heard and no written protests or objections received, President Del Boccio asked for a motion to close the hearing.

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

Council President Del Boccio then instructed the City Clerk to call the Final Vote for the above Ordinance.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Campos, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.
---Absent: Castellano.

04-1683

APPLICATIONS FOR MISCELLANEOUS LICENSES

Raffles ------------------------------- 1
Vendors (xmas trees) ------------------- 2

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

04-1684

REPORTS OF CITY OFFICERS

A report of Municipal Clerk James J. Farina indicating bids received on November 24, 2004 for: 1) Toddler Play Area at Church Square Park, bid # 05-06; 2) Washington Street Improvements - Clocks, bid # 05-07, 3) Ice Skating Ring, bid # 05-08.

---Received and filed.

RESOLUTIONS
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>Department</th>
<th>Code</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>A.B.C. Board S&amp;W</td>
<td>5-01-20-113-010</td>
<td>750.00</td>
</tr>
<tr>
<td>City Clerk S&amp;W</td>
<td>5-01-20-120-010</td>
<td>28,500.00</td>
</tr>
<tr>
<td>Elections S&amp;W</td>
<td>5-01-20-122-010</td>
<td>6,000.00</td>
</tr>
<tr>
<td>Historic S&amp;W</td>
<td>5-01-20-175-021</td>
<td>110.00</td>
</tr>
<tr>
<td>Construction Code O.E.</td>
<td>5-01-22-195-021</td>
<td>25,000.00</td>
</tr>
<tr>
<td>Due &amp; Member O.E.</td>
<td>5-01-23-212-020</td>
<td>7,000.00</td>
</tr>
<tr>
<td>Public Events O.E.</td>
<td>5-01-23-216-020</td>
<td>20,000.00</td>
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<tr>
<td>Central Garage S&amp;W</td>
<td>5-01-26-301-010</td>
<td>25,500.00</td>
</tr>
<tr>
<td>Central Garage O.E.</td>
<td>5-01-26-301-021</td>
<td>35,000.00</td>
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<tr>
<td>Solid Waste O.E.</td>
<td>5-01-26-305-0210</td>
<td>150,000.00</td>
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<td>Hum. Services Dir. O.E.</td>
<td>5-01-27-330-010</td>
<td>1,500.00</td>
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<tr>
<td>Transportation O.E.</td>
<td>5-01-27-348-010</td>
<td>1,000.00</td>
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<tr>
<td>Recreation O.E.</td>
<td>5-01-28-370-021</td>
<td>30,000.00</td>
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<tr>
<td>Street Lights O.E.</td>
<td>5-01-31-435-000</td>
<td>15,000.00</td>
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<tr>
<td>Telecommunication O.E.</td>
<td>5-01-31-440-000</td>
<td>20,300.00</td>
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<tr>
<td>Engineering O.E.</td>
<td>5-01-31-361-000</td>
<td>20,000.00</td>
</tr>
<tr>
<td>Social Security O.E.</td>
<td>5-01-36-472-000</td>
<td>100,000.00</td>
</tr>
<tr>
<td>Municipal Court O.E.</td>
<td>5-01-43-490-021</td>
<td>10,000.00</td>
</tr>
</tbody>
</table>

**TOTALS** $496,160.00

(Outside Cap)

<table>
<thead>
<tr>
<th>Department</th>
<th>Code</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public Library O.E.</td>
<td>5-01-29-390-021</td>
<td>25,000.00</td>
</tr>
<tr>
<td>Insurance O.E.</td>
<td>5-01-30-400-010</td>
<td>200,000.00</td>
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<tr>
<td>Worker’s Comp O.E.</td>
<td>5-01-30-400-020</td>
<td>75,000.00</td>
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<tr>
<td>Public Health Priority Funding</td>
<td>5-01-40-700-018</td>
<td>16,000.00</td>
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<tr>
<td>Master Plan O.E.</td>
<td>5-01-46-875-000</td>
<td>70,000.00</td>
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<tr>
<td>Clean Comm. O.E.</td>
<td>5-01-47-100-008</td>
<td>33,068.00</td>
</tr>
<tr>
<td>Parking Utility</td>
<td>5-31-55-501-100</td>
<td>55,000.00</td>
</tr>
</tbody>
</table>

**TOTALS** $474,068.00

Before the vote was taken one member of the public spoke: Michael Lenz, 408 Monroe Street.

A motion was made to AMEND the temporary emergency appropriations resolution as follows:

**04-1685A**
Motion to REMOVE line item of $20,000 for “Public Events” by Councilwoman Marsh.
Motion duly seconded by Councilman Soares.

Vote as follows:
Then the vote was called on the resolution as originally presented.

---Motion duly seconded by Council President Del Boccio.
---FAILED* by the following vote: YEAS: 5 - NAYS: 3 - ABSENT: 1
---Yeas: Council persons Campos, Cricco, Giacchi, Ramos and President Del Boccio.
---Nays: Marsh, Russo, Soares.
---Absent: Castellano.

* This resolution requires two-thirds of the entire body to be adopted, or 6 of the 9 members.

CLAIM RESOLUTIONS

04-1686
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 $416,778.93 against the UNCLASSIFIED CLAIMS.

Seconded by Councilman Cricco.
---Adopted by the following vote:
    YEAS: 5 - NAYS: 0 - ABSENT: 1 - ABSTENTIONS: 2 – NO RESPONSE: 1
---Yeas: Council persons Campos, Cricco, Giacchi, Ramos and President Del Boccio.
---Nays: None.
---Absent: Castellano.
---Abstentions: Russo, Soares.
---No response: Marsh.

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 $27,472.01 against the DEPARTMENT OF ADMINISTRATION.

Seconded by Councilman Cricco.
---Adopted by the following vote:
    YEAS: 5 - NAYS: 0 - ABSENT: 1 - ABSTENTIONS: 2 – NO RESPONSE: 1
---Yeas: Council persons Campos, Cricco, Giacchi, Ramos and President Del Boccio.
---Nays: None.
---Absent: Castellano.
---Abstentions: Russo, Soares.
---No response: Marsh.
By Councilman Cricco:

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 $298,986.74 against the DEPARTMENT OF ENVIRONMENTAL SERVICES.

Seconded by Council President Del Boccio.
---Adopted by the following vote:
   YEAS: 5 - NAYS: 0 - ABSENT: 1 - ABSTENTIONS: 2 – NO RESPONSE: 1
---Yeas: Council persons Campos, Cricco, Giacchi, Ramos and President Del Boccio.
---Nays: None.
---Absent: Castellano.
---Abstentions: Russo, Soares.
---No response: Marsh.

By Councilman Cricco:

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 $21,118.45 against the DEPARTMENT OF HUMAN SERVICES.

Seconded by Council President Del Boccio.
---Adopted by the following vote:
   YEAS: 5 - NAYS: 0 - ABSENT: 1 - ABSTENTIONS: 2 – NO RESPONSE: 1
---Yeas: Council persons Campos, Cricco, Giacchi, Ramos and President Del Boccio.
---Nays: None.
---Absent: Castellano.
---Abstentions: Russo, Soares.
---No response: Marsh.

By Councilman Cricco:

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 $144,097.42 against the DEPARTMENT OF COMMUNITY DEVELOPMENT.

Seconded by Council President Del Boccio.
---Adopted by the following vote:
   YEAS: 5 - NAYS: 0 - ABSENT: 1 - ABSTENTIONS: 2 – NO RESPONSE: 1
---Yeas: Council persons Campos, Cricco, Giacchi, Ramos and President Del Boccio.
---Nays: None.
---Absent: Castellano.
---Abstentions: Russo, Soares.
---No response: Marsh.
By Councilman Campos:

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 $17,580.17 against the DEPARTMENT OF PUBLIC SAFETY.

Seconded by Council President Del Boccio.
---Adopted by the following vote:
   YEAS: 5 - NAYS: 0 - ABSENT: 1 - ABSTENTIONS: 2 – NO RESPONSE: 1
---Yeas: Council persons Campos, Cricco, Giacchi, Ramos and President Del Boccio.
---Nays: None.
---Absent: Castellano.
---Abstentions: Russo, Soares.
---No response: Marsh.

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 $191,027.11 against the CAPITAL ACCOUNT.

Seconded by Councilman Cricco.
---Adopted by the following vote:
   YEAS: 5 - NAYS: 0 - ABSENT: 1 - ABSTENTIONS: 2 – NO RESPONSE: 1
---Yeas: Council persons Campos, Cricco, Giacchi, Ramos and President Del Boccio.
---Nays: None.
---Absent: Castellano.
---Abstentions: Russo, Soares.
---No response: Marsh.

By Council President 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 $38,555.99 against the PARKING UTILITY.

Seconded by Councilman Giacchi.
---Adopted by the following vote:
   YEAS: 5 - NAYS: 0 - ABSENT: 1 - ABSTENTIONS: 2 – NO RESPONSE: 1
---Yeas: Council persons Campos, Cricco, Giacchi, Ramos and President Del Boccio.
---Nays: None.
---Absent: Castellano.
---Abstentions: Russo, Soares.
---No response: Marsh.
04-1687
At this time, a motion was made by Councilman Russo and Seconded by Councilman Campos to vote on only the “Salary and Wages” portion of the resolution entitled “Authorizing additional temporary emergency appropriations to the SFY 2005 budget until such time as a formal budget is adopted” which failed prior to the claims vote.

Vote as follows on amended resolution:
Motion by Councilman Russo.
Seconded by Councilman Campos.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Campos, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.
---Absent: Castellano.

04-1688
After discussion a motion was made by Councilman Campos and Seconded by Councilman Russo to remove the claims from the meeting.

Vote as follows on amended resolution:
Motion by Councilman Russo.
Seconded by Councilman Campos.
---Adopted by the following vote: YEAS: 7 - NAYS: 0 - ABSENT: 1 - ABSTENTIONS: 1
---Yeas: Council persons Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.
---Absent: Castellano.
---Abstentions: Campos.

PAYROLL RESOLUTIONS

04-1689
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 4, 2004 TO NOVEMBER 17, 2004 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>
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<tbody>
<tr>
<td>Personnel</td>
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<td>Total 2</td>
<td>Total 3</td>
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<td>City Council</td>
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<td>Grants Management</td>
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<td>Elections</td>
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<td>Finance Office</td>
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<td>10,130.51</td>
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<tr>
<td>Crossing Guards</td>
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<tr>
<td>Emergency Mgmt</td>
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<tr>
<td>Fire Division</td>
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<tr>
<td>Envir. Ser. Dir. Office</td>
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<tr>
<td>Streets &amp; Roads</td>
<td>5-01-26-291</td>
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<tr>
<td>Central Garage</td>
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<td>Human Service Direct.</td>
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<td>Constituent Services</td>
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**RESOLUTIONS CONTINUED**

Presented and Read

**04-1690**

---By Councilman Ramos:

WHEREAS, there exists a need for a group Prescription Plan Service for the City employees of Hoboken for provision of a group prescription plan; and

WHEREAS, the Interim Business Administrator, Richard England, has recommended that the City of Hoboken, continue to make such group prescription plan service available to its employees in accordance with the existing personnel policies and collective bargaining agreements; and

WHEREAS, the Interim Business Administrator, Richard England, has recommended that the City of Hoboken enter into a two (2) year contract with Maxor Plus, Ltd., beginning November 1, 2004 and terminating October 31, 2006; and

WHEREAS, the amount proposed by MaxorPlus, Ltd., for the first year of the contract is lower than the proposals of other carriers solicitated; and

WHEREAS, the total amount of the first year of the contract with Maxor Plus, Ltd., for a Group Prescription Plan Service is not to exceed Three Million Ninety-Eight Thousand Dollars ($3,800,000.00); and

WHEREAS, the proposed contract provides for an annual adjustment of the rates to reflect the effects of drug inflation, change in client age, sex demographics, utilization trends and new drug availability in the market place; the second year contract cost will be determined and encumbered at a later date for the November 1, 2005 to October 31, 2006 period; and
WHEREAS, the Local Public Contracts Law (N.J.S.A. 11-1, et. seq.) allows the award of contracts for insurance without competitive bidding and the contract itself must be made available for public inspection; and

WHEREAS, the Acting Chief Financial Officer certifies that funds are available for this purpose.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Hoboken as follows that a contract for Prescription Service is not to exceed Three Million Eight Hundred Thousand ($3,800,000.00).

BE IT FURTHER RESOLVED, the Mayor and City Clerk are hereby authorized and directed to execute and attest an Agreement with MaxorPlus, Ltd., commencing November 1, 2004 through October 31, 2005, the form of said agreements to be approved by Corporation Counsel.

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 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 Campos, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.
---Absent: Castellano.

04-1691
---By Councilman Ramos:

WHEREAS, there exists a need for a Vision Plan Service for the City employees of Hoboken for provision of a group vision plan; and

WHEREAS, the Interim Business Administrator, Richard England has recommended that the City of Hoboken, continue to make such vision plan service available to its employees in accordance with the existing personnel policies and collective bargaining agreements; and

WHEREAS, the Interim Business Administrator, Richard England, has recommended that the City of Hoboken enter into a one (1) year contract with Vision Service Plan, beginning January 1, 2005 and terminating December 31, 2005; and

WHEREAS, the amount proposed by Vision Service Plan, for the first year of the contract is equal to their existing charges; and

WHEREAS, the total amount of the first year of the contract with Vision Service Plan, for a Group Vision Service Plan is not to exceed One Hundred Twenty-Five Thousand Dollars ($125,000.00); and
WHEREAS, the Local Public Contracts Law (N.J.S.A. 11-1, et. seq.) allows the award of contracts for insurance without competitive bidding and the contract itself must be made available for public inspection; and

WHEREAS, the Acting Chief Financial Officer certifies that funds are available for this purpose.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Hoboken as follows that a contract for Group Vision is awarded to Vision Service Plan, for a Group Vision Service Plan that is not to exceed One Hundred Thousand Twenty-Five Thousand ($125,000.00).

BE IT FURTHER RESOLVED, the Mayor and City Clerk are hereby authorized and directed to execute and attest an Agreement with Vision Service Plan commencing January 1, 2005 through December 31, 2005, the form of said agreements to be approved by Corporation Counsel.

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 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 Campos, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.
---Absent: Castellano.

04-1692
---By Council President Del Boccio:

WHEREAS, the APPLIED COMPANIES has received permits from the City of Hoboken to build on the property located at Lot 1 Block 263, and

WHEREAS, current construction and clean up work may cause a safety hazard to persons and property in the immediate vicinity; and

WHEREAS, APPLIED COMPANIES has requested that 14th Street be closed to westbound traffic and the area be fenced in and used as a staging area for construction vehicles to unload materials; and as

WHEREAS, APPLIED COMPANIES has requested that and an added safety measure the City of Hoboken prohibit parking on the following streets:


Fourteenth Street, both sides beginning at the easterly curbline of Shipyard Lane and ending to the westerly curbline of Sinatra Drive North.

NOW, THEREFORE, BE IT RESOLVED that:
1. Parking is hereby prohibited, including private vehicles by the employees or agents of the contractor within the above designated construction zone.
2. This resolution will be effective on Monday, January 26, 2004 and will terminate Friday, Monday June 6, 2005.
3. This resolution may be subject to renewal for additional time if construction activity so requires; and

BE IT FURTHER RESOLVED, that a copy of this resolution be presented to the Division of Signal and Traffic for immediate implementation for any necessary public notices and signage.

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

04-1693
---By Councilman Ramos:

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 Social 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 $2,000 out of available Community Development funds and $250 out of available CD miscellaneous program 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 Cricco.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Campos, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.
---Absent: Castellano.
04-1694
---By Councilman Ramos:

WHEREAS, The Boys & Girls of Hudson County, Inc. (Hoboken Unit), at 123 Jefferson 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 the operation of a Youth Achievement Center 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 $12,000 out of available Community Development funds and $1,199 out of available CD miscellaneous program income 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 Mayor or Business Administrator 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 Cricco.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Campos, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.
---Absent: Castellano.

04-1695
---By Councilman Ramos:

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 $30,508 out of available Community Development funds and $2,746 out of available CD miscellaneous program income 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 Mayor or Business Administrator 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 Cricco.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Campos, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.
---Absent: Castellano.

04-1696
---By Councilman Ramos:

WHEREAS, the Board of Directors of H.O.P.E.S. Head Start, located in 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 $50,531 out of available Community Development funds and $4549 out of CD miscellaneous program income 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 Mayor or Business Administrator 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: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Campos, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.
---Absent: Castellano.

04-1697
---By Councilman Ramos:

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 $36,143 out of available Community Development funds and $3,254 out of available CD miscellaneous program income 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 the Mayor or Business Administrator 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: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Campos, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.
---Absent: Castellano.

04-1698
---By Councilman Ramos:

WHEREAS, the Board of Directors of Mile Square Day Care, located 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 $82,818 out of available Community Development funds and $7,452 out of available CD miscellaneous program income 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 Mayor or Business Administrator 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: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Campos, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.
---Absent: Castellano.

04-1699
---By Councilman Ramos:

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 $23,000 out of available Community Development funds to and $1,801 out of available CD miscellaneous program income 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 Mayor or Business Administrator 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: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Campos, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.
---Absent: Castellano.

04-1700
---By Councilman Campos:

WHEREAS, the City of Asbury Park and the City of Hoboken (hereinafter collectively referred to as the “Parties”) wish to encourage inter-municipal cooperation and planning with regard to their common interests in the provision of effective fire prevention and control services (the “services”); and

WHEREAS, the Parties recognize that inter-local government service agreements may yield certain economics and efficiencies to the residents of the Parties in the delivery of the services; and
WHEREAS, N.J.S.A. 40:48-5 authorizes a municipality to contract with any public or private entity for the provision of any service which the municipality itself could provide directly; and

WHEREAS, the “Inter-local Services Act”, N.J.S.A. 40:8A-1, et. seq., authorizes local units of this State to enter into a contract with any other local unit or units for the joint provision within their several jurisdictions of any services which any party to the Agreement is empowered to render within its own jurisdiction; and

WHEREAS, the Parties have negotiated the attached Agreement relating to the services referenced above,

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of Hoboken, in the County of Hudson, and State of New Jersey, as follows:

1. That the City of Hoboken City of Hoboken is hereby authorized to enter into the attached Inter-local Services Agreement, pursuant to N.J.S.A. 40:48-5 and N.J.S.A. 40:8A-1, et. seq. which permits the City of Asbury Park to utilize a fire truck owned by the City of Hoboken, for use by the Asbury Park Fire Department, under the terms and conditions referenced in the attached Agreement.

2. That the Mayor is authorized to execute and the Municipal Clerk to attest the attached Agreement on behalf of the City of Hoboken.

3. That the Agreement shall not become effective until such time as the governing bodies of both municipalities have duly authorized their appropriate Municipal Officials to execute and attest the attached Agreement, and the Agreement has been fully executed and attested.

4. That this Resolution shall also permit the Parties to enter into the same arrangement with each other as to such other vehicle(s) and/or equipment that either party may wish loan to the other, as may be needed on a case by case basis. If so, then all of the terms and conditions contained within the attached Agreement shall also be applicable to such other vehicle(s) and/or equipment.

5. That a certified copy of this Resolution (along with the attached Agreement) shall be provided to each of the following:

   (a.) Terence J. Reidy, City Manager
   (b.) John Murphy, Fire Chief, Asbury Park
   (c.) Frederick C. Raffetto, Asbury Park City Attorney
   (d.) James J. Farina, City Clerk City of Hoboken
   (e.) Joseph Sherman, Hoboken City Attorney
   (f.) John Cassesa, Fire Chief, Hoboken
   (g.) Richard England, Business Administrator, Hoboken

---Motion duly seconded by Council President Del Boccio.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Campos, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.
---Absent: Castellano.
WHEREAS, the City of Hoboken authorizes the Finance Office to establish an account at the Hudson United bank that shall be called the Hoboken 150th Anniversary Fund; and

WHEREAS, the monies raised for this account will be for the purpose of celebrating the 150th Anniversary in the City of Hoboken or any other expenses related to this cause as may be deemed necessary.

NOW, THEREFORE, BE IT RESOLVED, by the City of Hoboken is authorized to set up this special account on Thursday, December 2, 2004.

Before the vote was taken one member of the public spoke: Michael Lenz, 408 Monroe Street.

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

WHEREAS, there continues to exist a management need at the parking garage at 916 Garden Street; and

WHEREAS, Robotic Parking Inc., (Robotic) has agreed to manage the parking garage at 916 Garden Street in conjunction with Hoboken Parking Utility staff from October 1, 2004 until September 30, 2006; and

WHEREAS, the fees payable to Robotic shall be $17,500.00 per month for the term of the contract; and

WHEREAS, Robotic shall be reimbursed a sum, not to exceed $5,000.00 monthly for spare parts necessary to maintain operations; and

WHEREAS, this temporary agreement is authorized pursuant to N.J.S.A. 40A:11-5(1)(a)(ii) as an extraordinary, unspecifiable service due to the short term, and degree of expertise Robotics Parking Inc. possesses in the management of the parking facility at 916 Garden Street; and

NOW, THEREFORE, BE IT RESOLVED, that:
1. The above recitals are incorporated herein as though fully set forth at length.
2. The Council of the City of Hoboken hereby authorizes the Mayor or his designee to execute any and all documents and take any actions necessary to complete and realize the intent and purpose of this resolution.
3. The Mayor or his designee is authorized to execute an Agreement for the above referenced services based upon the following:

   **Service Provider:** Robotic Parking, Inc.
   12812 N. 60th Street
   Clearwater, Florida 33760

   **Term of Temporary Contract Extension:**
   October 1, 2004 until Sept. 30, 2006

Before the vote was taken one member of the public spoke: Maurice De Gennaro, 614 Hudson Street.

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

**ORDINANCES**

**Introduction and First Reading**

**04-1703**

**DR-175**

ORDINANCE APPROVING A TWENTY FIVE (25) YEAR TAX EXEMPTION FOR A MARKET RATE RESIDENTIAL CONDOMINIUM UNITS/COMMERCIAL PROJECT TO BE CONSTRUCTED BY 1100 ADAMS STREET URBAN RENEWAL, LLC, AN URBAN RENEWAL ENTITY, PURSUANT TO THE LONG TERM TAX EXEMPTION LAW N.J.S.A. 40A:20-1 ET SEQ. (DR-175).

WHEREAS, 1100 Adams Street Urban Renewal, LLC, an urban renewal entity, formed and qualified to do business under the provisions of the Long Term Tax Exemption Law of 1992, as amended and supplemented N.J.S.A. 40A:20-1 et. seq. (Entity); and

WHEREAS, the Entity owns certain property known as Block 104, Lots 1-5, Lots 6.01, Lot 28.02 and Lots 29-33, on the City's Official Tax map, consisting of approximately 0.63 acres, and more commonly known by the street address of 1100 Adams Street, and more specifically described by metes and bounds in the application (Property); and

WHEREAS, the Property is located within the Northwest Redevelopment Area as required by N.J.S.A. 40A:20-4 and N.J.S.A. 40A:12A-5(g); and
WHEREAS, the Entity has applied for a long term tax exemption to construct a project consisting of a five (5) story building over a one story garage to contain approximately seventy-six (76) market rate residential condominium units and four (4) commercial units and related parking (Project); and

WHEREAS, 1100 Adams Street Urban Renewal, LLC, has agreed:

1. to pay the greater of (i) the Minimum Annual Service Charge or (ii) 15% of Annual Gross Revenue each year, which sum is estimated to be $399,020.55 and which shall be subject to statutory staged increases over the term of the tax exemption;

2. to provide employment and other economic opportunities for City residents and businesses and surrounding area;

3. that Project will further the overall redevelopment objectives of the Northwest Redevelopment Plan;

4. that City’s impact analysis, on file with the Office of the City Clerk, indicates that the benefits of the Project outweigh the costs to the City; and

WHEREAS, the City hereby determines that the relative benefits of the Project outweigh the cost of the tax exemption, for the following reasons:

1. The current real estate taxes generate revenue of only $131,322.68 whereas the Annual Service Charge, as estimated, will generate revenue of approximately $379,069.52 to the City;

2. The Project is expected to create a substantial number of jobs during construction as well as a number of post-development job opportunities;

3. The Project will stabilize and contribute to the economic growth of businesses in the surrounding area;

4. The Project will further the overall redevelopment objectives of the Northwest Redevelopment Plan; and

5. The fiscal impact analysis on file with the Office of the City Clerk indicates that the benefits of the Project substantially outweigh the costs to the City of Hoboken.

WHEREAS, the City hereby determines that the tax exemption is important in obtaining development of the Project and influencing the locational decisions of probable occupants for the following reasons:

1. the relative stability and predictability of the annual service charges will make the Project more attractive to investors needed to finance the Project; and

2. The relative stability and predictability of the annual service charges will allow the owner to stabilize its operating budget, allowing a high level of maintenance to the building over the life of the Project, which will attract tenants to the Project and insure the likelihood of the success of the Project; and

WHEREAS, the City hereby determines that it is in its best interest to allow the Entity to amend the tax exemption Financial Agreement to permit the Entity to convert its application to market rate residential and commercial rental units, if market conditions require Entity to make sure amendment.
NOW, THEREfore, BE IT ORDAINED by the Municipal Council of the City of Hoboken that:

SECTION 1: ALL “WHEREAS” clauses set forth in the Preamble of this Ordinance are acknowledged, confirmed and incorporated herein, as if set forth at length.

SECTION 2: The application of 1100 Adams Street Urban Renewal, LLC, an urban renewal company, formed and qualified to do business under the provisions of the Long Term Tax Exemption Law of 1992, as amended and supplemented, N.J.S.A. 40:A20-1 et. seq. a copy of which is on file in the office of the City Clerk, for Block 104, Lots 1-5, Lot 6.0, Lots 28.02 and Lots 29-33, more commonly known by the street address of 1100 Adams Street, more specifically described by metes and bounds in the application is hereby approved.

SECTION 3: The Mayor or Business Administrator is hereby authorized to execute a tax exemption Financial Agreement. The Financial Agreement shall include at a minimum the following terms and conditions:

1. **Term:** the earlier of twenty-five (25) years from the adoption of the within Ordinance or twenty (20) years from the date a permanent Certificate of Occupancy is issued for the Project;

2. **Annual Service Charge:** each year the greater of:

   (a) the Minimum Annual Service Charge upon Project completion, whether or not the Project is occupied; or

   (b) 15% of Annual Gross Revenue estimated at $399,020.55, which shall be subject to statutory increases during the term of the tax exemption.

3. **Project:** A five (5) story building over a one story garage to obtain approximately seventy-six (76) market rate residential condominium units and four (4) commercial units and relating parking.

4. **Right to Amend:** Entity shall be entitled to modify or amend, and City shall enter into such modification or amendment of, the Financial Agreement to convert the Project to market rate residential rental and commercial units, at Entity’s request and if market conditions require such conversion after the date of the Financial Agreement in Entity’s discretion, subject to Entity’s submittal of a revised application to effect such conversion.

SECTION 4: The Financial Agreement shall be substantially in the form attached hereto, subject to such negotiated modifications as the Business Administrator or Corporation Counsel deems appropriate or necessary.

SECTION 5: All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

SECTION 6: This Ordinance shall be 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 7: This Ordinance shall take effect at the time and in the manner provided by law.
SECTION 8: The City Clerk and Corporation Counsel be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this Ordinance reveals that there is a conflict between those numbers and existing code, in order to avoid confusion and possible accidental revealers of existing provisions.

NOTE: All material is new; therefore underline has been omitted. For purposes of advertising only, new matter is indicated by bold face and repealed matter by italic.

---Council President 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 DECEMBER 15, 2004 at 7:00 PM.

---Motion duly seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 5 - NAYS: 2 - ABSENT: 1 - ABSTENTIONS: 1
---Yeas: Council persons Campos, Cricco, Giacchi, Ramos and President Del Boccio.
---Nays: Marsh, Soares.
---Absent: Castellano.
---Abstentions: Russo.

04-1704
DR-177

AN ORDINANCE OF THE CITY OF HOBOKEN ESTABLISHING FEES FOR SPECIAL SERVICE CHARGES AND SPECIAL CHARGES UNDER THE NEW JERSEY OPEN PUBLIC RECORDS ACT. (DR-177).

WHEREAS, the New Jersey Open Public Records Act (“OPRA”) was substantially amended by the New Jersey Legislature in 2002; and

WHEREAS, OPRA specifically provides that a person may be charged a fee for the duplication of a government record embodied in the form of printed matter where such fees are not otherwise set by law or regulation; and

WHEREAS, OPRA also allows municipalities to impose additional charges for requests that involve an extraordinary expenditure of time; and

WHEREAS, since the amendments to OPRA in July of 2002, the City has received a number of requests deemed to require an extraordinary expenditure of time, and thus a special services ordinance is necessary.

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

SECTION 1: PURPOSE

New Jersey has adopted the Open Public Records Act, N.J.S.A. 47:1A-5, which has as its general purpose making government records more available to the public than they have been in the past. In certain instances, the production of voluminous records, archived records, or records in a format which is not the usual format maintained by the municipality
or other special circumstances would be costly and time consuming. The New Jersey Open Public Records Act permits the municipality to require the payment of fees, special service charges and/or special charges as a pre-requisite to the production of records requiring extraordinary time and effort, special equipment or special formatting.

SECTION 2: ORDINARY REQUESTS FOR INFORMATION

The statutory fee schedule shall apply to routine requests under the Open Public Records Act. The fees of N.J.S.A. 47:1A-5 are hereby incorporated herein as such fee schedule presently exists or as such fees might appear in future modifications or amendments of the statute.

At present time, fees under N.J.S.A. 47:1A-5 for routine copies of municipal documents are:

- Pages 1 through 10
  - $.75 per page
- Pages 11 through 20
  - $.50 per page
- All pages after 20
  - $.25 per page

If fees for particular documents are set by statute to be amounts other than those set forth here, those fees shall apply.

SECTION 3: ESTABLISH DEPUTY CUSTODIANS OF RECORDS

The establishment of the position of deputy custodians of documents are as follows:

1. Chief of Police
2. Tax Assessor
3. Tax Collector
4. Construction Official
5. Court Administrator

However, all requests must be made directly to the Custodian of Records, the City Clerk.

SECTION 4: NO RESEARCH OR INTERPRETATION MAY BE COMPELLED

Nothing in this Ordinance shall require the custodian or deputy custodians of documents or any other municipal official to examine, analyze, tabulate, or interpret documents which are subject to production under the New Jersey Open Public Records Act.

SECTION 5: SPECIAL SERVICE CHARGE/SPECIAL CHARGES AUTHORIZED

A. Charges Authorized:

The City Clerk or deputy custodian of documents qualifying for mandatory production as "governmental records" under the New Jersey Open Public Records Act shall be entitled to special service charges and/or special charges as set forth in this Ordinance.
B. Requests To Be In Writing
Any requests for documents shall be made to the City Clerk in writing and preferably on a form established by the City Clerk for such purposes.

C. Advance Notice of Fees, Special Service Charges and Special Charges; Deposit
Any requester of government records which may be eligible for the imposition of a fee, special charge or special service charge under this Ordinance shall receive advance notice of the amount of fees and charges before any work is started. The City Clerk shall require prepayment of such charges before causing the work to begin.

SECTION 6: FEES, SPECIAL SERVICE CHARGES AND SPECIAL CHARGES; WHEN CHARGED; AMOUNTS AUTHORIZED

A. Duplication or Other Work Beyond Capability of Municipal-In-House Work Force:
Whenever the in-house municipal work force or available municipal equipment is insufficient to duplicate or produce government records in a timely fashion, the City Clerk may cause such duplication or production to be accomplished by outside vendors such as copy centers or producers of digital images. If the costs of such duplication or production charged by such vendors exceeds the routine charges set forth in N.J.S.A. 47:1A-5, the actual direct cost of same without any additional surcharge for labor costs shall be paid.

B. Special Service Charged Authorized:
Whenever government records cannot be reproduced by regular copying equipment or fulfillment of the request would involve extraordinary time and effort (for example, where a large number of records must be recovered from storage or substantive staff time is required to review, redact, sort and/or assemble records), charges may be imposed as follows:

1. The actual cost (materials and supplies but no staff labor) of duplication or reproduction; plus
2. A special service charge of $32.00 per hour or the actual direct cost of labor (if less) shall be imposed for each hour of extraordinary time predicted to be utilized to respond to the request.

C. Rates for In-House Production of Prints or Blueprints:
Any prints or blueprints produced in-house in response to a governmental records request shall be produced for $28.00 per page.

D. Digital Records:
If a request for governmental records involves production or conversion of digital or computerized records or film which is:

1. In a medium not routinely used by the agency (i.e., electronic or film).
2. Not routinely developed or maintained by an agency; or
3. Requiring a substantial amount of manipulation or programming of information technology.

E. The requester shall pay fees and special charges incurred by the City if the conversion is done directly by the City as follows:
1. Direct costs (no overhead) to comply with the request; plus
   a. Special charges; the lesser of the cost of technology and labor actually incurred or $45.00 per hour.

SECTION 7. NOTICE OF REQUESTER OF COPYRIGHT LAWS:

A. The City of Hoboken may be compelled by New Jersey Law to produce or duplicate governmental records but no compliance with these legal obligations shall be deemed to constitute a license, sublicense or waiver of copyright laws.

B. The City Clerk shall give the following notice to any requester of governmental records.

   NOTICE - COPYRIGHT LAWS

   You must comply with U.S. copyright laws. These laws may restrict your right to use, duplicate or modify the records provided to you by the City of Hoboken. You should consult your own legal counsel on this since severe civil and criminal penalties for violation of copyright laws are provided.

SECTION 8. WAIVERS FOR GOVERNMENTAL EDUCATIONAL REQUESTER

   The Mayor, Clerk or City Council (by Resolution) may waive the fees or other charges otherwise chargeable if the requester of governmental records is a governmental or educational entity.

SECTION 9. INCONSISTENT ORDINANCES

   All ordinances or parts of ordinances inconsistent with or in conflict with this ordinance are hereby repealed to the extent of such inconsistency.

SECTION 10. PARTIAL INVALIDITY

   If any section, paragraph, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, clause or provision so adjudged and the remainder shall be deemed valid and effective.

   All ordinances or part of ordinances inconsistent with or in conflict with this ordinance are hereby repealed to the extent of such inconsistency.

---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 DECEMBER 15, 2004 at 7:00 PM.

---Motion duly seconded by Council President Del Boccio.
---Adopted by the following vote: YEAS: 5 - NAYS: 3 - ABSENT: 1
---Yeas: Council persons Campos, Cricco, Giacchi, Ramos and President Del Boccio.
---Nays: Marsh, Russo, Soares.
---Absent: Castellano.
Councilman Ramos left the meeting at 8:01 p.m.
Councilman Ramos returned to the meeting at 8:06 p.m.

All regular business concluded the following members of the public spoke at the “Public Portion” of the meeting: John Carey, 836 Bloomfield street; Elizabeth Mason, 921 Hudson street; Maurice De Gennaro, 614 Hudson Street; Michael Lenz, 408 Monroe Street; Jon Gordon, 333 River Street.

President Del Boccio then adjourned the meeting at 8:35 p.m.

____________________________________________

PRESIDENT OF THE COUNCIL

____________________________________________

CITY CLERK
President Del Boccio opened the meeting at 7:11 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, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.

ABSENT: None.

PUBLIC HEARING and FINAL VOTE ON ORDINANCES

Second Reading / Public Hearing and Final Vote

ORDINANCE APPROVING A TWENTY FIVE (25) YEAR TAX EXEMPTION FOR A MARKET RATE RESIDENTIAL CONDOMINIUM UNITS/COMMERCIAL PROJECT TO BE CONSTRUCTED BY 1100 ADAMS STREET URBAN RENEWAL, LLC, AN URBAN RENEWAL ENTITY, PURSUANT TO THE LONG TERM TAX EXEMPTION LAW N.J.S.A. 40A:20 1 ET SEQ. (DR-175).

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.

The following spoke at the public hearing: Maurice De Gennaro, 614 Hudson Street; Helen Hirsch, 98 Park Avenue; Ira Landgarten, 561 1st Street; Bob Du Val, 303 Park Avenue; Ines
Garcia Keim, 1103 Washington Street. No other person present desiring to be heard and no written protests or objections received, President Del Boccio asked for a motion to close the hearing.

Councilman Ramos moved that the hearing be closed. Motion duly seconded by Councilman Cricco.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

Council President Del Boccio then instructed the City Clerk to call the Final Vote for the above Ordinance.
---Adopted by the following vote: YEAS: 5 - NAYS: 0 - ABSTENTIONS: 4
---Yeas: Council persons Campos, Cricco, Giacchi, Ramos and President Del Boccio.
---Nays: None.
---Abstentions: Castellano, Marsh, Russo, Soares.

AN ORDINANCE OF THE CITY OF HOBOKEN ESTABLISHING FEES FOR SPECIAL SERVICE CHARGES AND SPECIAL CHARGES UNDER THE NEW JERSEY OPEN PUBLIC RECORDS ACT. (DR-177).

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.

The following spoke at the public hearing: Bob Du Val, 303 Park Avenue; Ira Landgarten, 561 1st Street; Beth Mason, 921 Hudson Street;

Councilman Soares left the meeting at 8:05 p.m.
Councilman Soares returned to the meeting at 8:08 p.m.

speakers continued: Ann Graham, 1021 Grand Street. No other person present desiring to be heard and no written protests or objections received, President Del Boccio asked for a motion to close the hearing.

Councilman Campos moved that the hearing be closed. Motion duly seconded by Councilman Cricco.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

Council President Del Boccio then instructed the City Clerk to call the Final Vote for the above Ordinance.
---Adopted by the following vote: YEAS: 5 - NAYS: 4
---Yeas: Council persons Campos, Cricco, Giacchi, Ramos and President Del Boccio.
---Nays: Castellano, Marsh, Russo, Soares.

**04-1705**

APPLICATIONS FOR MISCELLANEOUS LICENSES

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<td>Mechanical Amusement Devices</td>
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<td>Vendor (Xmas Trees)</td>
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---Councilman Ramos moved that the licenses be granted.
---Motion duly seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

Councilwoman Castellano left the meeting at 8:30 p.m.

**REPORTS OF CITY OFFICERS**

**04-1706**

A report of Community Development Director Fred Bado for proposals received on Thursday, December 9, 2004, for “Installation of Artificial Grass at Steven's Park Little League Field at 4th and Hudson Streets”.

---Received and filed.

**04-1707**

A report of the Municipal Court indicating receipts for the month of November 2004 as $276,241.02.

---Received and filed.

**04-1708**

A report from Municipal Tax Collector Louis Picardo for taxes collected; for the month ending November 30, 2004 - $9,901,719.77.

---Received and filed.
RESOLUTIONS

04-1709
Presented and Read

---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:

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**TOTALS** $2,342,500.00

(Outside Caps)
---Motion duly seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSENT: 1
---Yeas: Council persons Campos, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and
President Del Boccio.
---Nays: None.
---Absent: Castellano.

---By Councilman Ramos:

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

Councilwoman Castellano returned to the meeting at 8:34 p.m.

CLAIM RESOLUTIONS

04-1711
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 $1,027,841.84 against the UNCLASSIFIED CLAIMS.

Seconded by Councilman Del Boccio.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---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 $78,610.98 against the DEPARTMENT OF ADMINISTRATION.

Seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---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 $108,964.90 against the DEPARTMENT OF ENVIRONMENTAL SERVICES.

Seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---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 $24,039.77 against the DEPARTMENT OF HUMAN SERVICES.

Seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---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 $41,173.49 against the DEPARTMENT OF COMMUNITY DEVELOPMENT.

Seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---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 $51,186.00 against the DEPARTMENT OF COMMUNITY DEVELOPMENT, GRANTS MANAGEMENT, SECTION 8.

Seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

By Councilman Campos:

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 $16,846.08 against the DEPARTMENT OF PUBLIC SAFETY.

Seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---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 $79,075.99 against the CAPITAL ACCOUNT.

Seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---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 $224,996.48 against the PARKING UTILITY.

Seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---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 $439,691.00 against the GENERAL CLAIMS.

Seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

PAYROLL RESOLUTIONS

04-1712
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 18, 2004 TO DECEMBER 1, 2004 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>Personnel</td>
<td>5-01-20-105</td>
<td>7,322.28</td>
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<td>Bus Adm. Office</td>
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<tr>
<td>ABC Board</td>
<td>5-01-20-113</td>
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<td>269.24</td>
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<td>Purchasing</td>
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<td>5-01-20-120</td>
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<td>13,424.63</td>
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<td>Elections</td>
<td>5-01-20-122</td>
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<tr>
<td>Finance Office</td>
<td>5-01-20-130</td>
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<tr>
<td>Accounts / Controls</td>
<td>5-01-20-131</td>
<td>7,633.52</td>
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<tr>
<td>Payroll Division</td>
<td>5-01-20-132</td>
<td>2,873.20</td>
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<td>Tax Collection</td>
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<td>11,055.17</td>
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Meeting of December 15, 2004
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<thead>
<tr>
<th>Department</th>
<th>Code</th>
<th>Amount 1</th>
<th>Amount 2</th>
<th>Amount 3</th>
<th>Amount 4</th>
</tr>
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<tbody>
<tr>
<td>Assessor’s Office</td>
<td>5-01-20-150</td>
<td>11,123.17</td>
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<td>5-01-20-155</td>
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<td>Community Develop.</td>
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<td>Treasurer</td>
<td>5-01-20-146</td>
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<td>Planning Board</td>
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<td>Zoning Officer</td>
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<td>Housing Inspection</td>
<td>5-01-21-187</td>
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<td>Construction Code</td>
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<td>230.40</td>
<td>3,408.64</td>
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<td>Crossing Guards</td>
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<td>5,830.51</td>
<td>422,702.52</td>
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<td>1,603.64</td>
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<td>16,044.02</td>
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<td>Streets &amp; Roads</td>
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<td>Central Garage</td>
<td>5-01-26-301</td>
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<td>233.64</td>
<td>18,104.45</td>
<td>25,273.84</td>
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<td>Sanitation</td>
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<td>11,433.00</td>
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<td>59,849.02</td>
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<td>Direct.</td>
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<td>Board of Health</td>
<td>5-01-27-332</td>
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<tr>
<td>Constituent Services</td>
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<td>Senior Citizens Div</td>
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<td>17,893.70</td>
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<td>Rent Stabilization</td>
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<td>Transportation</td>
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Recreation 5-01-28-370 19,036.51 240.00 19,276.51
Parks 5-01-28-375 24,220.15 830.79 25,050.94
Public Prop. 5-01-28-377 26,711.44 141.00 185.00 27,037.44
Public Library 5-01-29-390 26,788.69 292.68 27,081.37
Public Defender 5-01-43-495 2,203.16 2,203.16
Municipal Court 5-01-43-490 32,048.20 215.33 32,263.53
Parking Utility 5-31-55-501-100 44,065.39 44,805.39
Universal Cops 5-01-25-241-012 8,065.39 8,065.39
Cops In School 5-01-25-241-015 12,155.78 12,155.78
Civilian Hiring 5-01-25-241-016 4,398.26 4,398.26
Minority Affairs 5-01-27-331-011
Summer Fun 5-01-28-370-013
Summer Lunch 5-51-56-852-301

Other

Police Outside T-14-10-000-000 39,407.50 39,407.50
Employ.
Police Grant DE 16-S7-01
Fire Dept. Penalty T-13-10-000-001
Fire Education Acct T-13-10-000-000

Grand Total 1,403,825.05 16,514.74 70,165.59 1,490,505.38

Motion by Councilman Ramos.
Seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.
RESOLUTIONS CONTINUED

Presented and Read

04-1713
---By Councilman Ramos:

WHEREAS, an overpayment of taxes has been made on property listed below; and

WHEREAS, Louis Picardo, Collector of Revenue 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 **$43,371.47** representing overpayment of taxes:

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<th>NAME</th>
<th>BL/LOT/UNIT</th>
<th>PROPERTY</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abou-Sefin LLC</td>
<td>206\43</td>
<td>700 Washington St.</td>
<td>$603.30</td>
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<tr>
<td>700 Wasington Street</td>
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<tr>
<td>Hoboken, NJ 07030</td>
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<tr>
<td>Patricia Burkardt</td>
<td>185/5</td>
<td>208 Tenth St.</td>
<td>$1,970.78</td>
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<tr>
<td>208 Tenth Street</td>
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<tr>
<td>Hoboken, NJ 07030</td>
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</tr>
<tr>
<td>Stephanie Sadja</td>
<td>15\681-</td>
<td>83 Jackson St</td>
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<tr>
<td>20 Hudson Place</td>
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<td>Hoboken, NJ 07030</td>
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<tr>
<td>Anthony Jones Jr</td>
<td>1/20/C0005</td>
<td>68 Park Avenue</td>
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<td>84 Adams St. #5C</td>
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<td>Hoboken, NJ 07030</td>
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<tr>
<td>Brian Knapp</td>
<td>177/26\C0002</td>
<td>126 Garden St</td>
<td>$735.42</td>
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<td>145 Henry St. Apt. 2</td>
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<tr>
<td>San Francisco, CA 94114</td>
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<tr>
<td>Jorge Moya</td>
<td>249\11/</td>
<td>1117 Garden St</td>
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<td>1117 Garden St</td>
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<tr>
<td>Wells Fargo Home Mortg.</td>
<td>18/4</td>
<td>70 Adams St</td>
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<td>MACX501-01X</td>
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<td>Tax Dept.</td>
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<tr>
<td>1 Home Campus</td>
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<tr>
<td>Des Moines, IA 50328</td>
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<td>Principal Residential Mortg.</td>
<td>619-21MonroeSt</td>
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<td>711 High Street</td>
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<td>Des Moines, IA 50392-0750</td>
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<tr>
<td>Attn: Judy Butts</td>
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<tr>
<td>Washington Mutual Loans 245\14\C00A1</td>
<td>1300 Hudson St</td>
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<tr>
<td>Name</td>
<td>Address</td>
<td>Amount</td>
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<tr>
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<td>Mortgage Service Center</td>
<td>251\14.1\C007S 163 Fourteenth St</td>
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<td>First American Real Estate</td>
<td>79\15 610-12 Clinton St</td>
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<td>Brigitte Stieglitz</td>
<td>84\3\COP-2 713-25 Jefferson St</td>
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<td>Jillayne Preston</td>
<td>185\44\C0002 206 Tenth Street</td>
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<td>82\1 701-03 Monroe</td>
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<td>Eric Dollman</td>
<td>95\6\C006D 915 Madison St.</td>
<td>$5,336.87</td>
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<td>Wells Fargo Home Mort.</td>
<td>81\11\C0508 721-22 Monroe St</td>
<td>$3,434.62</td>
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<td>62 Paterson Ave. Realty, LLC</td>
<td>13\3 62 Paterson Ave.</td>
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<td>Provident Bank</td>
<td>238\11 931 Hudson St.</td>
<td>$4,826.40</td>
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<td>Chase Manhattan Corp</td>
<td>168\8.1C1-4L 619-21 Willow Ave</td>
<td>$570.32</td>
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---Motion duly seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

**04-1714**

---By Councilman Ramos:

WHEREAS, an overpayment of taxes has been made on property listed below; and

WHEREAS, Louis Picardo, Collector of Revenue 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 **$3,753.42** representing overpayment of taxes:

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<th>BL/LOT/UNIT</th>
<th>PROPERTY</th>
<th>AMOUNT</th>
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<tbody>
<tr>
<td>Douglas &amp; Rosa Wilkins</td>
<td>18\30\C0P22</td>
<td>78-88 Adams St.</td>
<td>$253.42</td>
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</table>

---
---By Councilman Ramos:

WHEREAS, an overpayment of taxes has been made on the property on the list below; and

WHEREAS, tax appeal was filed by the property owners; and

WHEREAS, State Tax Court recommends a settlement in this matter, now, therefore, be it

RESOLVED, that a warrant be drawn on the City Treasurer made payable to the taxpayer appearing on the attached list totaling $30,249.77

<table>
<thead>
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<th>NAME</th>
<th>BL\LT\UNIT</th>
<th>PROPERTY</th>
<th>AMOUNT</th>
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</thead>
<tbody>
<tr>
<td>Richard Nashel</td>
<td>52\3</td>
<td>358 3rd St</td>
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<tr>
<td>Attorney Trust Acct.</td>
<td>415 60th St</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
---Motion duly seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

04-1716
---By Councilman Del Boccio:

RESOLVED, that the following dates and times listed below are adopted as the official meeting dates for 2005 of the Hoboken City Council and be it further -

RESOLVED, that the scheduled meeting dates are listed below are advertised in a newspaper of general circulation within ten days of passage of their resolution.

**CITY COUNCIL MEETINGS, COUNCIL CHAMBERS, CITY HALL, HOBOKEN, NJ**

**NOTICE OF DATES AND TIMES FOR 2005**

<table>
<thead>
<tr>
<th>Wednesday</th>
<th>January 5, 2005</th>
<th>7PM</th>
<th>Wednesday</th>
<th>July 1, 2005*</th>
<th>12PM</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wednesday</td>
<td>January 19, 2005</td>
<td>7PM</td>
<td>Wednesday</td>
<td>July 20, 2005</td>
<td>7PM</td>
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<tr>
<td>Wednesday</td>
<td>February 2, 2005</td>
<td>7PM</td>
<td>Wednesday</td>
<td>August 17, 2004</td>
<td>7PM</td>
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<tr>
<td>Wednesday</td>
<td>February 16, 2005</td>
<td>7PM</td>
<td>Wednesday</td>
<td>September 7, 2005</td>
<td>7PM</td>
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<tr>
<td>Wednesday</td>
<td>March 2, 2005</td>
<td>7PM</td>
<td>Wednesday</td>
<td>September 21, 2005</td>
<td>7PM</td>
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<tr>
<td>Wednesday</td>
<td>March 16, 2005</td>
<td>7PM</td>
<td>Wednesday</td>
<td>October 5, 2005</td>
<td>7PM</td>
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<td>Wednesday</td>
<td>April 6, 2005</td>
<td>7PM</td>
<td>Wednesday</td>
<td>October 19, 2005</td>
<td>7PM</td>
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<tr>
<td>Wednesday</td>
<td>April 20, 2005</td>
<td>7PM</td>
<td>Wednesday</td>
<td>November 2, 2005</td>
<td>7PM</td>
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<tr>
<td>Wednesday</td>
<td>May 4, 2005</td>
<td>7PM</td>
<td>Wednesday</td>
<td>November 14, 2005</td>
<td>7PM</td>
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<tr>
<td>Wednesday</td>
<td>May 18, 2005</td>
<td>7PM</td>
<td>Wednesday</td>
<td>December 7, 2005</td>
<td>7PM</td>
</tr>
<tr>
<td>Wednesday</td>
<td>June 1, 2005</td>
<td>7PM</td>
<td>Wednesday</td>
<td>December 21, 2005</td>
<td>7PM</td>
</tr>
</tbody>
</table>

*The July 1, 2005 date will be for the Hoboken City Council Reorganization Meeting.

The City Council will caucus at 6:00 PM preceding each Council Meeting at 7:00 PM in Council Chambers, City Hall. All information pertaining to the Council agenda may be obtained from the City Clerk prior to each Council meeting.

---Motion duly seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

04-1717
---By Councilman Del Boccio:

WHEREAS, pursuant to the resolution of the City Council and after public advertising thereof, the following proposal was received for the Creation of a Toddler Play Area in Church Square Park for the City of Hoboken in accordance with the specifications set forth in City of Hoboken 05-06.

<table>
<thead>
<tr>
<th>Vendor</th>
<th>Total $ Proposal</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tee-Con Contractors</td>
<td>$195,722.00</td>
</tr>
<tr>
<td>9 Dodd Street</td>
<td></td>
</tr>
<tr>
<td>East Orange, NJ 07017</td>
<td></td>
</tr>
<tr>
<td>Abbott Contracting</td>
<td>$174,238.00</td>
</tr>
<tr>
<td>539 Anderson Avenue</td>
<td></td>
</tr>
<tr>
<td>Cliffside Park, NJ 07010</td>
<td></td>
</tr>
<tr>
<td>J.A. Alexander</td>
<td>$223,101.00</td>
</tr>
<tr>
<td>130-158 John F. Kennedy Drive N.</td>
<td></td>
</tr>
<tr>
<td>Bloomfield, NJ 07003</td>
<td></td>
</tr>
<tr>
<td>Zenith Construction Services Inc</td>
<td>$186,800.00</td>
</tr>
<tr>
<td>256 Grant Avenue</td>
<td></td>
</tr>
<tr>
<td>East Newark, NJ 07029-2714</td>
<td></td>
</tr>
</tbody>
</table>

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Hoboken in the County of Hudson that:

1. The above recitals are incorporated herein as thoughtfully set forth at length.
2. The council hereby authorizes the Mayor, or his designee to execute any and all documents and take any and all actions necessary to complete and realize the intent and purpose of this resolution.
3. The Mayor, or his designee is hereby authorized to execute an agreement for the above references goods and/or services based upon the following information:

   Abbott Contracting
   539 Anderson Ave
   Cliffside Park, NJ 07010
---Motion duly seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

04-1718
---By Councilman Del Boccio:

WHEREAS, the City of Hoboken sought competitive proposals for Washington Street Improvements-“Clocks”, and

WHEREAS, the below submitted bid was higher than the anticipated cost of the original bid specifications as advertised, and

WHEREAS, the following proposal was received:

<table>
<thead>
<tr>
<th>Vendor</th>
<th>Proposal</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tec-Con Contractors, Inc</td>
<td>$278,129.00</td>
</tr>
<tr>
<td>9 Dodd Street</td>
<td></td>
</tr>
<tr>
<td>East Orange, NJ 07017</td>
<td></td>
</tr>
<tr>
<td>J.A. Alexander</td>
<td>$248,154.00</td>
</tr>
<tr>
<td>130-158 John F. Kennedy Dr. N.</td>
<td></td>
</tr>
<tr>
<td>Bloomfield, NJ 07003</td>
<td></td>
</tr>
<tr>
<td>Zenith Construction Services</td>
<td>$245,650.00</td>
</tr>
<tr>
<td>256 Grant Avenue</td>
<td></td>
</tr>
<tr>
<td>East Newark, NJ 07029</td>
<td></td>
</tr>
<tr>
<td>Kevco Electric, Inc.</td>
<td>$192,875.00</td>
</tr>
<tr>
<td>250 Lackland Dr</td>
<td></td>
</tr>
<tr>
<td>Middlesex, NJ 08846</td>
<td></td>
</tr>
</tbody>
</table>

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Hoboken in the County of Hudson that:

1. The above recitals are incorporated herein as thoughtfully set forth at length.
2. The City Council hereby rejects the proposal of the above vendor.
3. The Administration is hereby authorized to negotiate for these goods/services.

---Motion duly seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.
WHEREAS, the City of Hoboken, Department of Environmental Services has a need for additional construction services with regard to the phase two firehouse improvements at the Observer Highway Firehouse; and

WHEREAS, the City of Hoboken, Department of Environmental Services has awarded a contract to T&M Contracting 107 Willow Avenue, Hoboken, New Jersey 07030; and

WHEREAS, the scope of work in the aforementioned contract has been expanded to include lead abatement work and additional renovations to accommodate revisions and space enhancements at the Observer Highway Firehouse; and

WHEREAS, there exists a need for the maximum amount of the contract to T&M Contracting be increased from Four Hundred Seventy Thousand Nine Hundred Forty Seven Five Dollars ($470,947.00) to Five Hundred Twenty Thousand Seventy Nine Dollars ($520,079.00); and

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Hoboken in the County of Hudson, that:

1. An amended contract for the professional engineering services shall be prepared and executed as follows:

   T&M Contracting Company
   107 Willow Avenue
   Hoboken, NJ 07030, not to exceed $520,079.00

2. The Mayor and City Clerk are hereby authorized to execute this Agreement.
3. 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.

This Resolution is effective immediately.

---Motion duly seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

---By Councilman Ramos:
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 and/or the Hoboken Parking Utility for over thirty days, and surplus City vehicles and equipment, 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, 7 January 2005, 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 11.

Authorizing the action of the administration in the advertising for the auction of abandoned vehicles/surplus city equipment on Friday, January 7, 2005.

---Motion duly seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

04-1721
---By Councilman Del Boccio:

WHEREAS, the Hoboken Parking Utility is charged with providing on/off street parking for the citizens of Hoboken, and

WHEREAS, the Hoboken Parking Utility is also charged with enforcing existing parking regulations within the City of Hoboken, and

WHEREAS, this enforcement, occasionally, results in improper citations being issued by the employees of the Hoboken Parking Utility, now, therefore, be it

RESOLVED, that the attached list of individuals be refunded the towing and/or boot removal charges which were deemed to be improper equal to the amount shown next to their individual name, and be it further

RESOLVED, that the total amount of all refunds, by this Resolution, shall be Five Hundred Eight Dollars ($508.00) and be it further

RESOLVED, that the Hoboken Parking Utility shall reimburse said individuals from the Other Expense Line in the SFY 2005 Budget Current Fund line number 5-31-55-502-200. (see attached list)

---Motion duly seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.
04-1722
---By Councilman Del Boccio:

WHEREAS, the Hoboken Parking Utility requires its monthly customers within the Municipal Garages within Hoboken to make a deposit as security for the individual vehicle AVI (computer card) used to enter/exit the garage(s), and

WHEREAS, the Hoboken Parking Utility receives said deposits from the individual customers, and

WHEREAS, this deposit is refundable upon the cancellation of the contract between the individual and the Hoboken Parking Utility, now, therefore, be it

RESOLVED, that the attached list of individuals be refunded the deposit value shown next to their individual name, and be it further

RESOLVED, that the total amount of all refunds, by this Resolution, shall be Two Hundred Twenty-Five Dollars ($225.00) and be it further

RESOLVED, that the Hoboken Parking Utility shall reimburse said individuals from the Other Expense Line in the SFY 2005 Budget Current Fund line number 5-31-55-502-200. (see attached list)

---Motion duly seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

04-1723
---By Councilman Del Boccio:

WHEREAS, the City of Hoboken by resolution on December 18, 2002 awarded a contract to the architectural and engineering firm of Michael Van Valkenburgh Associates, Landscape Architects, 18 East 17th Street, 6th Floor, New York, New York 10003 to design the Pier C Park on the Hoboken South Waterfront; and

WHEREAS, Michael Van Valkenburgh Associates has requested that the original contract in the amount of $1,893,110.00 be increased by $195,780.00 for the following additional services:

1) Mechanical Electrical and Plumbing Engineering for Pier C Park $87,200
2) NJDEP Drainage Documentation, Permit Coordination and Resubmission $27,280
3) Performance of Construction Management Services $81,300

$195,780

Meeting of December 15, 2004 21
AND;

WHEREAS, the funds for the professional architectural and engineering services are available through the Municipal Development Agreement for the South Waterfront Development, including Pier C Park, between the Port Authority of New York and New Jersey and the City of Hoboken executed on August 16, 1995; and

WHEREAS, the Temporary Chief Financial Officer certifies that the funds are available for this purpose;

NOW, THEREFORE, BE IT RESOLVED, BY THE MAYOR AND COUNCIL OF THE CITY OF HOBOKEN THAT:

1) The original contract amount with Michael Van Valkenburgh Associates is hereby increased by $195,780.00 for additional architectural and engineering services.

2) The Mayor or his designee is hereby authorized to execute the above stated amendment to the contract with Michael Van Valkenburgh Associates on behalf of the City of Hoboken.

3) A copy of this resolution shall be published by the City Clerk and the City Clerk shall keep a copy of the contract in the file in accordance with N.J.S.A. 40A:11-1 et seq.

---Motion duly seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

04-1724
---By Councilman Campos:

WHEREAS, the City of Hoboken, Department of Environmental Services has a need for additional construction services with regard to phase one of the firehouse improvements at the Observer Highway Firehouse; and

WHEREAS, the City of Hoboken, Department of Environmental Services has awarded a contract to T&M Contracting 107 Willow Avenue, Hoboken, New Jersey 07030; and

WHEREAS, the scope of work in the aforementioned contract has been expanded to include additional masonry stabilization and ceiling beam repair at the Observer Highway Firehouse; and

WHEREAS, there exists a need for the maximum amount of the contract to T&M Contracting be increased from Six Hundred Nine Thousand Eight Hundred Sixty Five Dollars ($743,205.00) to Eight Hundred Thousand Three Hundred Seven and Seventy Five Dollars ($800,377.75); and
NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Hoboken in the County of Hudson, that:

1. An amended contract for the professional engineering services shall be prepared and executed as follows:

   T&M Contracting Company  
   107 Willow Avenue  
   Hoboken, NJ 07030, not to exceed $800,377.75

2. The Mayor and City Clerk are hereby authorized to execute this Agreement.
3. 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.

This Resolution is effective immediately.

Councilman Russo left the meeting at 8:38 p.m.

Before the vote was taken, one member of the public addressed the City Council regarding the resolution: Ann Graham, 1021 Grand Street.

Councilman Russo left the meeting at 8:40 p.m.

---Motion duly seconded by Councilman Ramos.  
---Adopted by the following vote: YEAS: 9 - NAYS: 0  
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.  
---Nays: None.

04-1725  
---By Councilman Del Boccio:

WHEREAS, Paylock, Inc. (“Paylock”) has agreed to manage the Boot Removal portion of the Hoboken Parking Utility’s Enforcement (Immobilization) Program; and

WHEREAS, Paylock, Inc. will provide this service for two (2) years, from January 1, 2005 to December 31, 2006; and

WHEREAS, there are no fees payable to Paylock Inc. from The Hoboken Utility for this service; and

WHEREAS, this agreement is authorized pursuant to N.J.S.A. 40A:11-5(1)(a)(ii) as an extraordinary, unspecifiable service due to the degree of expertise Paylock Inc. possesses, and the Patent that they hold on the self releasing SMARTBOOT; and

WHEREAS, the Agreement with Paylock is attached hereto and incorporated by reference.

NOW, THEREFORE, BE IT RESOLVED, that:
1. The above recitals are incorporated herein as though fully set forth at length.

2. The Council of the City of Hoboken hereby authorizes the Mayor or his designee to execute any and all documents and take any actions necessary to complete and realize the intent and purpose of this resolution.

3. The Mayor or his designee is authorized to execute an Agreement for the above referenced based upon the following:

   Service Provider: Paylock Inc  
   36 Fourth Street  
   Sommerville, NJ

   Term of Contract: January 1, 2005 through December 21, 2006

Before the vote was taken, the following members of the public addressed the City Council regarding the resolution: Helen Hirsch, 98 Park Avenue; Maurice De Gennaro, 614 Hudson Street.

---Motion duly seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 8 - NAYS: 0 - ABSTENTIONS: 1
---Yeas: Council persons Campos, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.
---Abstentions: Castellano.

04-1726
---By Councilman Del Boccio:

WHEREAS, the City of Hoboken published a legal notice on November 29, 2004 for the submission of Request for Proposals for the provision of architectural and engineering services for schematic design, construction documents and construction administration for installation of artificial grass at the Stevens Park Little League Field at 4th and Hudson Streets, Hoboken, NJ 07030; and

WHEREAS, on December 9, 2004 at 11:00 AM in the Hoboken City Clerk’s Office the following proposal was received:

1) Schoor De Palma  
   Justin Corporation Center  
   200 State Hwy Nine  
   P.O. Box 900  
   Manalapan, NJ 07726-0900

   TOTAL LUMP SUM FEE $85,815.00

AND;
WHEREAS, the City Department of Environmental Services has reviewed said proposal and recommends that said proposal for architectural and engineering services for the installation of artificial grass surface at the Stevens Little League Field in the amount of $85,815.00 be accepted by the City of Hoboken; and

WHEREAS, the funds for the professional services contract are available through the State of New Jersey Green Acres Program which have been approved for the City’s multi-parks program; and

WHEREAS, the Temporary Chief Financial Officer certifies that the funds are available for this purpose;

NOW, THEREFORE, BE IT RESOLVED, BY THE MAYOR AND COUNCIL OF THE CITY OF HOOKEN THAT:

1) The proposal of Schoor DePalma in the amount of $85,815.00 for architectural and engineering services for the installation of artificial grass at Stevens Park Little League Field is hereby accepted.

2) The Mayor or his designee is hereby authorized to execute a contract with Schoor DePalma for professional architectural and engineering services for the above stated project on behalf of the City of Hoboken.

3) A copy of this resolution shall be published by the City Clerk and the City Clerk shall keep a copy of the contract in the file in accordance with N.J.S.A. 40A:11-1 et seq.

Councilman Cricco left the meeting at 9:02 p.m.

Before the vote was taken, one member of the public addressed the City Council regarding the resolution: Ann Graham, 1021 Grand Street.

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

Councilman Campos left the meeting at 9:06 p.m.

Councilman Cricco returned to the meeting at 9:07 p.m.

04-1727
---By Councilman Ramos:

WHEREAS, the City of Hoboken is the owner of certain real property, described as Block 267, Lot 1 on the tax map of the City of Hoboken, also known as the former Todd Shipyards property (the “Todd Shipyards”) located at Park Avenue and Fifteenth Street, Hoboken, New Jersey; and
WHEREAS, the PMK Group Consulting and Environmental Engineers (the PMK Group”) has provided engineering professional services on behalf of the City of Hoboken to the primary environmental assessment and investigation of the Todd Shipyards; and

WHEREAS, the State of New Jersey, Department of Environmental Protection has requested additional remedial investigation and a cost estimate for remedial action within the former Todd Shipyards property be provided and has allocated $19,893.00 for the additional remedial investigation; and

WHEREAS, The City of Hoboken desires that the PMK Group provide the additional engineering services required in the amount of $19,893.00; and

WHEREAS, the Temporary Chief Financial Officer certifies that the funds are available for this purpose;

NOW, THEREFORE, BE IT RESOLVED, BY THE MAYOR AND COUNCIL OF THE CITY OF HOBOKEN THAT:

1) The PMK Group Professional Services Engineering contract for the remedial investigation of the City’s Todd Shipyards property be amended to provide additional engineering services in the amount of $19,893.00.

2) The Mayor or his designee is hereby authorized to execute the above stated amendment to the contract with PMK Group on behalf of the City of Hoboken.

3) A copy of this resolution shall be published by the City Clerk and the City Clerk shall keep a copy of the contract in the file in accordance with N.J.S.A. 40A:11-1 et seq.

Before the vote was taken, one member of the public addressed the City Council regarding the resolution: Helen Hirsch, 98 Park Avenue.

Councilman Campos returned to the meeting at 9:09 p.m.

---Motion duly seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

04-1728
---By Councilman Del Boccio:

WHEREAS, on October 28, 2003, a funding application was submitted to the New Jersey Department of Transportation for funding for the Hoboken Signage Project; and
WHEREAS, on July 29, 2004 the New Jersey Department of Transportation notified the City of Hoboken that a grant of $50,000 has been awarded for the Hoboken Signage Project; and

WHEREAS, Lance Wyman Ltd, 118 W 80th Street, New York, NY 10024 was hired as part of the application process to provide the design of Gateway Signs as approved by the New Jersey Department of Transportation; and

WHEREAS, the City of Hoboken wishes to award to Lance Wyman Ltd. A contract in the amount of $14,500 for (1) the preparation of plans and specifications for the manufacturing and installation of proposed Gateway Signage and (2) preliminary design of a Wayfinding Signage Masterplan; and

WHEREAS, the funds for the services under the above-stated contract are available through an award in the amount of $50,000 from the New Jersey Department of Transportation; and

WHEREAS, the Temporary Chief Financial Officer certifies that the funds are available for this purpose

NOW, THEREFORE, BE IT RESOLVED, BY THE MAYOR AND COUNCIL OF THE CITY OF HOBOKEEN THAT:

1. That the Mayor of the City of Hoboken or his designee is hereby authorized to execute a contract with Lance Wyman Ltd, 118 W 80th Street, New York, NY 10024 for the preparation of plans and specifications for the Hoboken Signage Project and Wayfinding Signage Masterplan in the amount of $14,5000 and;

2. 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.

Councilman Soares left the meeting at 9:12 p.m.

Before the vote was taken, one member of the public addressed the City Council regarding the resolution: Helen Hirsch, 98 Park Avenue.

Councilman Soares returned to the meeting at 9:14 p.m.

---Motion duly seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 9 - NAYS: 0
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Marsh, Ramos, Russo, Soares and President Del Boccio.
---Nays: None.

04-1729
---By Councilman Del Boccio:
This Agreement (hereinafter referred to as the "Amendment") entered into this ___ day of October, 2004 between the Mayor and City Council of Hoboken (hereinafter called the "Agency"), a municipal corporation in the State of New Jersey, exercising redevelopment powers under N.J.S.A. 40A:12-4 with a mailing address at City Hall, Hoboken, New Jersey 07030 and Monroe Center Development, L.L.C. with a mailing address of 720 Monroe Street, Unit C-308, Hoboken, New Jersey 07030 (hereinafter referred to as the "Redeveloper").

WITNESSETH

WHEREAS, the Agency and the Redeveloper have entered into a Developer's Agreement dated June 18, 2001; and

WHEREAS, due to changed circumstances the existing Developer's Agreement requires modification and amendment; and

WHEREAS, the Agency and the Redeveloper hereby declare and agree that all of the terms and conditions set forth in the Developer's Agreement dated June 18, 2001 shall remain in full force and effect, except as specifically modified and amended in this Agreement; and

WHEREAS, the Developer has received preliminary major site plan approval for all five (5) phases of the "Project" known as "Village West" and has received final site plan approval for Phases I and II of the "Project" and final major subdivision approval for the entire project; and

WHEREAS, the Redeveloper is in the process of filing for final site plan approval for Phases III, IV and V of the "Project;" and

WHEREAS, due to the turnover in the Planning Board's professional staff, the volume of applications before the Planning Board and the substantial number of public hearings before the Planning Board, the size and scope of this "Project," coupled with the substantial conditions imposed upon the "Redeveloper" by the Planning Board in its approval of the "Project," all of which the parties agree constitute the "exceptional circumstances" contemplated by the Developer's Agreement dated June 18, 2001, and

WHEREAS, the Redeveloper is not in default of any of the terms, provisions, and conditions of the Developer's Agreement entered into with the Agency dated June 18, 2001.

NOW, THEREFORE, in consideration of the promises, mutual obligations and responsibility of the parties hereto, each of them do hereby covenant and agree with the other as follows:

1. Agency and Redeveloper hereby agree to amend Paragraph 6(b) of the Developer's Agreement as follows;

"The construction of the approved buildings and/or the renovation of the existing buildings in the "Project" known and designated as "Village West" as approved by the Hoboken Planning Board shall begin no later than three (3) months from the date of execution of this Amendment. The Redeveloper is hereby granted an additional twenty-four (24) months from the expiration of the sixty (60) month completion date requirement set forth in the Developer's Agreement to complete the "Project."

2. The parties hereby further agree that due to the fact the "Project" was originally contemplated to be a "rental" project and has now been revised to include "for sale" residential units with a condominium form of ownership, the parties agree that in order to expedite the sale of the condominium units and to avoid unnecessary delay and paperwork and to relieve the “Agency” of the burden of having to review each sale document for each condominium unit, that upon the sale of any individual condominium unit or change in ownership of any individual condominium unit, the consent of the City will not be required in order to perfect the sale of the condominium unit in accordance with the terms and conditions of the Developer's Agreement.

3. The parties hereto agree to amend Paragraph 12 of the Agreement to add as an exception to the prohibitions set forth in Paragraph 11 of the Agreement, “the sale of an individual condominium unit,” which sale shall not require prior approval by the Agency.
4. The parties hereto agree that the Redeveloper is not in breach of the Developer’s Agreement and the obligations assumed thereunder.

IN WITNESS WHEREOF, the Agency has caused this Agreement to be executed on its behalf by its duly constituted officers and its seal to be hereunto affixed and attested and the Redeveloper has caused the same to be duly executed on its behalf, on the day and year first written above.

Councilman Cricco left the meeting at 9:18 p.m.

Before the vote was taken, one member of the public addressed the City Council regarding the resolution: Helen Hirsch, 98 Park Avenue.

Councilman Cricco returned to the meeting at 9:22 p.m.

---Motion duly seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 7 - NAYS: 0 - ABSTENTIONS: 2
---Yeas: Council persons Campos, Castellano, Cricco, Giacchi, Ramos, Russo and President Del Boccio.
---Nays: None.
---Abstentions: Marsh, Soares.

ORDINANCES

Introduction and First Reading

04-1730
DR-178


WHEREAS, the Division of Signal and Traffic is established in Chapter 58, Section II and 12 of the Hoboken City Code; and

WHEREAS, the Parking Utility is established in Chapter 56 of the Hoboken City Code; and

WHEREAS, Signal and Traffic activities support the ongoing enforcement activities of the Parking Utility and its efforts are more appropriately coordinated with the Parking Utility.

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Hoboken that

SECTION I

ARTICLE III

Division of Signal and Traffic
§58-11. Established; functions, powers and duties.

There is hereby established a Division of Signal and Traffic in the (change from) the Department of Environmental Protection (change to) the Hoboken Parking Utility, 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 position as deemed necessary within the budgetary limits established by the Council.

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 and hereby repealed to the extent of such inconsistency.

SECTION IV

This Ordinance shall take effect upon publication.

---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 JANUARY 5, 2005 at 7:00 PM.

---Motion duly seconded by Councilman Ramos.
---Adopted by the following vote: YEAS: 5 - NAYS: 4
---Yeas: Council persons Campos, Cricco, Giacchi, Ramos and President Del Boccio.
---Nays: Castellano, Marsh, Russo, Soares.

04-1731
---By Councilman Ramos:


WHEREAS, the local municipal budget for the fiscal year 2005 was approved on the 15th day of September 2004 and

WHEREAS, the public hearing on said budget is currently being held as advertised, and

WHEREAS, it is desired to amend said approved budget, now
THEREFORE BE IT RESOLVED, by the City Council of the City of Hoboken, County of Hudson, that the following amendments to the approved budget of 2005 be made:

Recorded Vote Ayes Nays

CURRENT FUND

ANTICIPATED REVENUES:

3. Miscellaneous Revenues - Section A: Local Revenues
   Licenses and Fees
   Other $1,384,800.00 $384,800.00

3. Miscellaneous Revenues - Section G: Special Items
   of General Revenue Anticipated with Prior Written
   Consent of Director of Local Government Services -
   Other Special Items:
   Sale of Municipal Garage $7,938,751.00 $6,800,000.00
   Anticipated Parking Utility
   Operation Surplus $4,084,813.00 $0.00

3. Total Miscellaneous Revenues: $53,002,469 $50,829,897.00

5. Subtotal General Revenues $53,062,810 $50,890,238.00

7. TOTAL GENERAL REVENUES: $72,112,820 $69,947,036.00

8. GENERAL APPROPRIATIONS:
   (A) Operations within “CAPS”
   Mayor and City Council
   Mayor’s Office
   Salary & Wages $229,965.00 $264,000.00
   Other Expenses $2,000.00 $1,500.00
   City Council
   Salary & Wages $184,293.00 $199,991.00
   Other Expenses $14,000.00 $9,000.00
   Office of the Clerk
   Salary & Wages $337,185.00 $323,351.00
   Other Expenses $4,000.00 $3,500.00
   Other Expenses - Legal Ads $40,000.00 $22,000.00

Meeting of December 15, 2004
### DEPARTMENT OF ADMINISTRATION

#### Business Administrator's Office

<table>
<thead>
<tr>
<th>Category</th>
<th>From</th>
<th>To</th>
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<tbody>
<tr>
<td>Salary &amp; Wages</td>
<td>$240,000.00</td>
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<td>Other Expenses</td>
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#### Purchasing

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<thead>
<tr>
<th>Category</th>
<th>From</th>
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<tr>
<td>Salary &amp; Wages</td>
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<td>$4,000.00</td>
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#### Personnel & Health Benefits

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<thead>
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<th>From</th>
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<td>Salary &amp; Wages</td>
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<td>Other Expenses</td>
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#### Constituent Services

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<tr>
<th>Category</th>
<th>From</th>
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<tr>
<td>Salary &amp; Wages</td>
<td>$100,277.00</td>
<td>$101,200.00</td>
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#### DEPARTMENT OF HUMAN SERVICES

#### Director's Office

<table>
<thead>
<tr>
<th>Category</th>
<th>From</th>
<th>To</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salary &amp; Wages</td>
<td>$174,777.00</td>
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<td>Other Expenses</td>
<td>$3,500.00</td>
<td>$2,000.00</td>
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### 15 December 2004

Budget Amendment Resolution

__From__

__To__

---

**DEPARTMENT OF ADMINISTRATION (Cont'd)**

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<thead>
<tr>
<th>Category</th>
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<tr>
<td>Other Expenses</td>
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**Zoning Administration**

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**Uniform Construction Code**

**Appropriations Offset by Dedicated Revenues (N.J.A.C. 5:23-4.17)**

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<tr>
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<td>Salary &amp; Wages</td>
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**Corporation Counsel**

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<td>Other Expenses - Special Couns</td>
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<td>Other Expenses - Expert Witness</td>
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**Revenue and Finance Director**

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**Accounts and Control**

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**Payroll**

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**Tax Collector**

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**Office of the Tax Assessor**

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<td>Other Expenses</td>
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**DEPARTMENT OF HUMAN SERVICES**

**Director’s Office**

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<thead>
<tr>
<th>Category</th>
<th>From</th>
<th>To</th>
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<tbody>
<tr>
<td>Salary &amp; Wages</td>
<td>$174,777.00</td>
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<td>Other Expenses</td>
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**Rent Leveling**
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<tr>
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<td>Housing Inspections</td>
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<tr>
<td>Salary &amp; Wages $136,890.00</td>
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<td>Other Expenses $1,000.00</td>
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<td>15 December 2004 Budget Amendment Resolution From To</td>
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<tr>
<td>DEPARTMENT OF HUMAN SERVICES</td>
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<tr>
<td>Transportation</td>
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<td>Salary &amp; Wages $191,265.00</td>
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<td>Board of Health</td>
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<tr>
<td>Salary &amp; Wages $442,586.00</td>
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<td>Senior Citizens</td>
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<tr>
<td>Salary &amp; Wages $343,280.00</td>
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<td>Other Expenses $21,000.00</td>
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<td>Recreation &amp; Cultural Affairs</td>
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<td>Salary &amp; Wages $700,000.00</td>
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<tr>
<td>Other Expenses $265,000.00</td>
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<tr>
<td>DEPARTMENT OF ENVIRONMENTAL</td>
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<tr>
<td>Director's Office</td>
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<td>Salary &amp; Wages $371,108.00</td>
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<td>Parks</td>
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<td>Public Property</td>
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<tr>
<td>Salary &amp; Wages $643,558.00</td>
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<td>$85,000.00</td>
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<td>Streets &amp; Roads</td>
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<td>Other Expenses $50,000.00</td>
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<td>Signal &amp; Traffic</td>
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<tr>
<td>Salary &amp; Wages $96,220.00</td>
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<td>Other Expenses $17,500.00</td>
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<tr>
<td>Central Garage</td>
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<tr>
<td>Salary &amp; Wages $228,652.00</td>
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<td>Other Expenses $210,000.00</td>
<td>$190,000.00</td>
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<tr>
<td>Sanitation</td>
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<tr>
<td>Salary &amp; Wages $1,343,720.00</td>
<td>$1,093,348.00</td>
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<tr>
<td>Other Expenses $3,280,000.00</td>
<td>$2,900,000.00</td>
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<tr>
<td>DEPARTMENT OF COMMUNITY DEVELOPMENT</td>
<td></td>
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</tr>
<tr>
<td>Director's Office</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Salary &amp; Wages $100,841.00</td>
<td>$101,720.00</td>
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<td>Other Expenses $210,000.00</td>
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<tr>
<td>Grants Management</td>
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<tr>
<td>Salary &amp; Wages $39,727.00</td>
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<tr>
<td>Other Expenses $2,500.00</td>
<td>$1,500.00</td>
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<tr>
<td>Waterfront Development 15 December 2004 Budget Amendment Resolution From To</td>
<td></td>
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</tr>
<tr>
<td>DEPARTMENT OF COMMUNITY DEVELOPMENT</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other Expenses $70,000.00</td>
<td>$40,000.00</td>
<td></td>
</tr>
</tbody>
</table>
**Planning Board**  
Salary & Wages $ 66,915.00 $ 67,864.00  
Other Expenses $ 90,000.00 $ 65,000.00  

**Zoning Board of Adjustment**  
Other Expenses $ 75,000.00 $ 45,000.00  

**Historic Commission**  
Other Expenses $ 500.00 $ 400.00  

**DEPARTMENT OF PUBLIC SAFETY**  
**Police Department**  
Salary & Wages $12,965,204.00 $12,593,159.00  
Other Expenses $ 275,000.00 $ 265,000.00  

**Fire Department**  
Salary & Wages $11,949,000.00 $11,415,000.00  
Other Expenses $ 275,000.00 $ 265,000.00  

**Uniform Fire Safety Act (PL83,c.383)**  
Salary & Wages $ 22,000.00 $ 11,000.00  

**Municipal Court**  
Salary & Wages $ 851,540.00 $ 794,620.00  

**UNCLASSIFIED**  
**Alcoholic Beverage Control Board**  
Other Expenses $ 10,000.00 $ 5,000.00  

**North Hudson Regional Council Of Mayors - Other Expenses** $ 56,700.00 $ 56,692.00  

**Towing & Storage of Abandoned Vehicles** $ 3,500.00 $ 3,750.00  

**Engineering** $ 75,000.00 $ 80,000.00  

**Municipal Dues & Membership** $ 18,700.00 $ 15,000.00  

**Celebration of Public Events** $ 100,000.00 $ 90,000.00  

**Postage** $ 120,000.00 $ 90,000.00  

**Office Machines** $ 80,000.00 $ 70,000.00  

**Stationary & Office Supplies** $ 11,000.00 $ 9,500.00  

**Electricity** $ 441,000.00 $ 390,000.00  

**Street Lighting** $ 570,000.00 $ 500,000.00  

**Gasoline** $ 213,000.00 $ 135,000.00  

**Fuel Oil (Heating)** $ 21,000.00 $ 15,000.00  

**Water & Sewerage** $ 35,000.00 $ 40,000.00  

**Communications** $ 226,500.00 $ 200,000.00  

**Telecommunications** $ 16,000.00 $ 13,000.00  

2. Statutory Expenditures:  
**Social Security System (O.A.S.I.)** $ 1,000,000.00 $ 900,000.00  

15 December 2004  
Budget Amendment Resolution From To  

Subtotal Statutory Expenditures $ 1,288,000.00 $ 1,188,000.00  

Total Deferred Charges & Statutory Expenditures - Municipal within CAPS $ 7,650,156.00 $ 7,550,156.00  

(H-1) Total General Appropriations Within CAPS $ 51,802,075.00 $49,631,717.00  

(A) Operations - Excluded from “CAPS”  
**Public Defender**  
Salary & Wages $ 57,129.00 $ 57,925.00  

Meeting of December 15, 2004 34
### Other Expenses

<table>
<thead>
<tr>
<th></th>
<th>From</th>
<th>To</th>
</tr>
</thead>
<tbody>
<tr>
<td>Maintenance of Public Library (PL 1985, c.82)</td>
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<tr>
<td>Salary &amp; Wages</td>
<td>$ 726,000.00</td>
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<tr>
<td>Other Expenses - Social Security</td>
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<td>$ 43,500.00</td>
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<tr>
<td>Insurance (N.J.S.A. 40A:4-45.3)</td>
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<tr>
<td>General Liability</td>
<td>$ 1,200,000.00</td>
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<tr>
<td>Workers Compensation</td>
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<td>Employee Group Health</td>
<td>$ 10,907,153.00</td>
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### Total Other Operations Excluded from “CAP”

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<th></th>
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<tbody>
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<td></td>
<td>$ 14,739,094.00</td>
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### Total Operations - Excluded “CAPS”

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#### Detail:

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<tr>
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<tbody>
<tr>
<td>Salaries &amp; Wages</td>
<td>$ 1,891,425.00</td>
<td>$ 1,929,152.00</td>
</tr>
<tr>
<td>Other Expenses</td>
<td>$ 14,372,077.00</td>
<td>$14,338,924.00</td>
</tr>
</tbody>
</table>

### (H-2) Total General Appropriations for Municipal Purposes Excluded from “CAPS”

<table>
<thead>
<tr>
<th></th>
<th>From</th>
<th>To</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$ 20,114,171.00</td>
<td>$20,118,745.00</td>
</tr>
</tbody>
</table>

### (O) Total General Appropriations - Excluded from “CAPS”

<table>
<thead>
<tr>
<th></th>
<th>From</th>
<th>To</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$ 20,128,745.00</td>
<td>$20,133,319.00</td>
</tr>
</tbody>
</table>

### (L) Subtotal General Appropriations (Items (H-1) and (O))

<table>
<thead>
<tr>
<th></th>
<th>From</th>
<th>To</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$ 71,930,820.00</td>
<td>$69,765,036.00</td>
</tr>
</tbody>
</table>

### 9. TOTAL GENERAL APPROPRIATIONS

<table>
<thead>
<tr>
<th></th>
<th>From</th>
<th>To</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$ 72,112,820.00</td>
<td>$69,947,036.00</td>
</tr>
</tbody>
</table>

### 15 December 2004

<table>
<thead>
<tr>
<th>Budget Amendment Resolution</th>
<th>From</th>
<th>To</th>
</tr>
</thead>
</table>

**PARKING UTILITY**

### 10. Dedicated Revenues from Parking Utility

<table>
<thead>
<tr>
<th></th>
<th>From</th>
<th>To</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parking Fees - Continuing Operations</td>
<td>$ 7,910,050.00</td>
<td>$ 7,971,448.00</td>
</tr>
</tbody>
</table>

**TOTAL PARKING UTILITY SURPLUS**

<table>
<thead>
<tr>
<th></th>
<th>From</th>
<th>To</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$ 12,378,100.00</td>
<td>$12,439,498.00</td>
</tr>
</tbody>
</table>

### 11. Appropriations Parking Utility Operating:

<table>
<thead>
<tr>
<th></th>
<th>From</th>
<th>To</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salaries &amp; Wages</td>
<td>$ 1,405,000.00</td>
<td>$ 1,507,069.00</td>
</tr>
<tr>
<td>Other Expenses</td>
<td>$ 3,788,400.00</td>
<td>$ 3,192,810.00</td>
</tr>
<tr>
<td>Other Expenses - Group Health</td>
<td>$ 0.00</td>
<td>$ 550,000.00</td>
</tr>
</tbody>
</table>

**Statutory Expenditures:**

<table>
<thead>
<tr>
<th></th>
<th>From</th>
<th>To</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contribution to:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Public Employees Retirement System</td>
<td>$ 0.00</td>
<td>$ 29,450.00</td>
</tr>
<tr>
<td>Social Security System</td>
<td>$ 108,000.00</td>
<td>$ 115,290.00</td>
</tr>
<tr>
<td>Surplus (General Budget)</td>
<td>$ 4,084,813.00</td>
<td>$4,050,992.00</td>
</tr>
</tbody>
</table>

**BE IT FURTHER RESOLVED,** that three (3) certified copies of this resolution be filed with the Office of the Director of Local Government Services for certification of the local municipal budget so amended.
It is hereby certified that this is a true copy of a resolution amending the budget, adopted by the governing body on the 15th day of December, 2004.

---Motion duly seconded by Councilman Giacchi.
---Adopted by the following vote: YEAS: 5 - NAYS: 0 - ABSTENTIONS: 4
---Yeas: Council persons Campos, Cricco, Giacchi, Ramos and President Del Boccio.
---Nays: None.
---Abstentions: Castellano, Marsh, Russo, Soares.

Councilman Cricco left the meeting at 9:34 p.m.

All regular business concluded the following members of the public spoke at the “Public Portion” of the meeting: Maurice De Gennaro, 614 Hudson Street; Helen Hirsch, 98 Park Avenue; Beth Mason, 921 Hudson Street

President Del Boccio then adjourned the meeting at 9:59 p.m.